



Interoffice Memorandum

Minutes

Woodbury Road Extension

College Suites Special Meeting

March 17, 2008

Members Present: Roger Cain – Public Works Department
Renzo Nastasi – Transportation Planning Division
Joe Kunkel – Public Works Engineering Division

County Staff Present: Brian Sanders – Transportation Planning Division
Roberta Alfonso – County Attorney's Office
Heather Brownlie – Transportation Planning
Whitney Evers – County Attorney's Office
Ghulam Qadir - Public Works Engineering Division
Abdul Azim - Public Works Engineering Division
Ivelisse Torres – Growth Management
Jennifer Cummings – Stormwater Management
Mirna Barq – Transportation Planning Division

Others Present: Anna Long – Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
Warren Williams – College Suites at Woodbury
Udo Garbe – College Suites at Woodbury
Andrew Chu – College suites at Woodbury
Mohammed Abdallah – TPD, Inc.

Mr. Nastasi opened the meeting with introductions at 11:05 a.m.

I. Concurrency Issue

Section 3 of the draft provided by Ms. Long refers to concurrency issues.

Application submitted to Ms. Barq will be receiving a Denial Letter for Segment which are failing.

There are 3 Failing Segments, all of which are on SR 50 (Colonial Drive).

Mr. Nastasi suggested reserving capacity through a Proportionate Share Agreement.

Ms. Barq stated that College Suites can come to the CRC for a Proportionate Share Agreement.

Ms. Long stated that the payment is due when the agreement is prepared and that is a problem for the Developer who does not own the property and cannot reserve capacity without paying.

If the Owner fails to close, he is out of luck since there are no refunds and loses the money paid.

Mr. Nastasi stated that Zoning is contingent upon Board of County Commissioners approval of the Road Agreement.

Ms. Torres suggested re-applying after the Agreement is in place.

Ms. Long did not want to wait since capacity may not be available at a later date.

Ms. Long does not want to pay a capacity reservation fee (even if refundable) since the developer will have more than enough road impact fee credits available for the reservation under the terms of the agreement.

Ms. Torres stated that the County can hold capacity for 180 days with the denial letter.

Ms. Long stated they can wait on the Proportionate Share Agreement until the closing.

Ms. Barq stated that the cost per trip will remain the same through October.

The letter to be issued will be based on the Villagio at Waterford Lakes Denial letter. It will consist of two parts: one part denial and one part approval. The letter can be issued by Dean Stites, the CMO, directly.

Mr. Nastasi asked Ms. Evers to draft the denial letter.

Ms. Long asked that it be dated April 15, 2008 to give them exactly 6 months to the closing date set for October 15, 2008.

Mr. Nastasi stated that they are sending all these agreements to the Board of County Commissioners together with the City of Orlando agreement as a matter of timing.

Ms. Long wanted to discuss Section F and construction of an access road.

Ms. Long will work with Ms. Evers and Ms. Torres on the capacity reservation letter.

Ms. Long will work with Ms. Barq on the Proportionate Share Agreement.

Ms. Long will work with Ms. Alfonso and Ms. Evers on the language in Section 3 which was drafted by Ms. Long.

Mr. Nastasi suggested using the denial letter as an exhibit and the Proportionate Share Agreement would go separately at a later date.

Ms. Evers stated that they would need to go to CRC to get approval on an extension past the 180 days.

Ms. Nastasi asked for language in the agreement which ties the road agreement to the Zoning decision.

Mr. Nastasi stated the need to protect zoning from being effective, if the terms of the road agreement are not ultimately met and the Developer fails to convey the Right-of-Way.

Mr. Nastasi asked Ms. Barq and Ms. Torres to draft the letter but not to send it out yet, but have it available for review.

II. Construction of Access Road

Ms Long made changes to Section 8, to allow for College Suites to move forward if the County has not started construction by June 1, 2009.

Ms. Long stated that the permitting timeframe is most critical for College Suites to move forward.

Mr. Nastasi stated the need for flexibility for the County to bid the project.

Mr. Kunkel agreed to the June 1, 2009 timeframe.

Ms. Alfonso suggested language to provide for College Suites to coordinate with the County road project.

Mr. Cain suggested Traffic Control for SR50 signal and Mr. Kunkel should incorporate that into the construction plans.

Meeting adjourned at 12:23 p.m.