

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

Council Meeting Minutes

May 18, 2005

Chairman Rawlson
Presiding

IN ATTENDANCE:

County Representatives

Commissioner Helen Voltz, Brevard County
Commissioner Homer Hartage, Orange County
Ms. Graciela Jacoby, Orange County (for
Commissioner Teresa Jacobs)
Clerk of the Courts Larry Whaley, Osceola County
Commissioner Randy Morris, Seminole County
Councilwoman Joie Alexander, Volusia County
Councilman Arthur Giles, Volusia County

Municipal Representatives

Mr. Ed Booth, Space Coast League of Cities, Malabar
Mayor John Land, Tri-County League of Cities,
Apopka
Vice Mayor Wendell McKinnon, Tri-County League of
Cities, Kissimmee
Commissioner Michael Blake, Tri-County League of
Cities, Winter Springs
Vice Mayor Mary Martin, Volusia County League of
Cities, Port Orange

Gubernatorial Appointees

Mr. Malcolm McLouth, Brevard County
Ms. Janice Kershaw, Brevard County
Mr. Jon Rawlson, Orange County
Mr. Daniel O'Keefe, Orange County
Ms. Maria Grulich, Osceola County
Ms. Nancy Acevedo, Seminole County
Ms. Maryam Ghyabi, Volusia County

Ex-Officio and Other Municipal Representatives

Councilman William Harvey, City of Deltona
Ms. Nancy Christman, SJRWMD
Ms. Vivian Garfein, FDEP
Mr. Marc S. Ady for Mr. Thomas Genovese, SFWMD

Staff

Mr. Jeff Jones
Ms. Susan Caswell
Mr. Fred Milch
Mr. Mark Sievers
Ms. Claudia Paskauskas
Ms. Andrea Fant
Mr. Gerald Livingston, ECFRPC Counsel

Other Attendees

Ms. Darla Miller, MSCW
Mr. Chris Testerman, Orange County Planning Division
Mr. Tommy Boroughs, Holland & Knight
Mr. Arturo Perez, Leftwich Consulting Engineers
Mr. Brent Lacy, Glatting Jackson
Mr. Bill Kercher, Glatting Jackson
Mr. Duke Woodson, Foley & Lardner
Mr. Bob Whidden, R.J. Whidden & Associates
Ms. June Farrell, Carter & Burgess
Ms. Diane Poitras, FDOT
Mr. John Zielinski, FDOT
Mr. Dick Porter, Expressway Authority

Members not in Attendance

Commissioner Welton Cadwell, Lake County
Commissioner Robert Pool, Lake County
Commissioner Teresa Jacobs, Orange County
Commissioner Bill Lane, Osceola County
Commissioner Bob Dallari, Seminole County
Commissioner Patty Sheehan, City of Orlando

I. CALL TO ORDER AND GENERAL BUSINESS

Mr. Rawlson called the meeting to order at 10:08 am. Ms. Fant called the roll and announced that a quorum was present.

II. APPROVAL OF MINUTES

Mr. Rawlson offered the March 2005 minutes for consideration.

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MOTION: Mr. McLouth moved to approve the March 2005 minutes. The motion passed unanimously.

FINANCIAL REPORTS

Mr. Rawlson offered for consideration the March 2005 financial reports.

MOTION: Commissioner Randy Morris moved for approval of the March 2005 financial reports. Mayor Land seconded the motion. The motion passed unanimously.

AUDIT

Commissioner Michael Blake directed everyone's attention to the Audit and asked for any questions. There were no questions.

III. INTERNATIONAL CORPORATE PARK (ICP) DEVELOPMENT OF REGIONAL IMPACT (DRI) – Mr. Fred Milch

Mr. Milch discussed the development plan for the ICP DRI. He noted several components of the DRI, which includes roadway improvements, a school site, and more land for the research park. Mr. Milch stated that, as written in the recommendations, ECFRPC staff would like to see the inclusion of a crossing for wildlife as the Bee Line Expressway becomes more developed. Mr. Milch noted that since the area around the Bee Line is rural, the roadway has to maintain a level of service (LOS) of B from 417 to I-95. Mr. Milch stated that the level of service is expected to change shortly to D.

Next, Mr. Milch stated that the staff's DRI recommendation is to retain its original condition #41, which states:

To minimize dependence on grounds irrigation and promote retention of wildlife habitat, at least 75 percent native vegetation shall be utilized in common area landscaping.

SJRWMD stated #41 should read:

To minimize dependence on grounds irrigation and promote retention of wildlife habitat, native vegetation shall be utilized in common area landscaping when practical.

Mr. Milch stated ECFRPC staff and the Applicant were in agreement that the SFWMD language on the blue sheet handed out to the Council should be added to the DRI. That language read:

Wetland delineations shall be performed in accordance with Chapter 62-340, Florida Administrative Code unless the grandfathering provisions of Section 373.414(12)(b), F.S., are established for identified and approved surface water and wetland areas within the project boundaries. Furthermore, the criteria established in Section 373.414(12)(a), F.S., shall be applied by the appropriate permitting agencies to ascertain appropriate review criteria.

Additionally, Mr. Milch stated the ECFRPC staff is recommending retention of the original condition #44, which states:

The developer shall donate a minimum of 120 acres to the school board in areas acceptable to the school board within the Master Plan.

Mr. Rawlson introduced the ICP consultants. Mr. Kercher introduced himself and Mr. Duke Woodson of Glatting Jackson as representatives of the Applicant. Mr. Kercher began by stating that the current proposal adds residential land uses to the development program, noting that residential was not a permitted use within the DRI approved by the county in 1986. Mr. Kercher stated the 1986 plan was based on an industrial park as industrial parks existed in the mid 1980s, consisting primarily of tanks and farms. Mr. Kercher noted that the current owner entered into this process thinking that today's industrial parks are similar to technology parks, consisting of high-tech and high-value jobs. In order to accomplish such high technology parks, three components are necessary: 1. great sites with technology; 2. a university connection; and 3. a residential component. Mr. Kercher stated the Applicant has a great site with technology, a connection with the University of Central Florida, as well as plans to build a research park. A town center is proposed in this project with a mix of uses that would allow for a

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residential areas and offices. Mr. Kercher concluded that in developing the program, the Applicant has tried to respond to what an industrial high-tech park would be like today.

Mr. Woodson addressed the school issue by informing the Council that the school board proposed the Applicant donate a minimum of 60 acres and reserve the remaining 60 acres. He stated the school board would be able to purchase the reserved land without any impact fees.

Mr. Milch stated the Orange County Public Schools (OCPS) requires a minimum of 120 acres. He noted that there were no specifics as to whether the land should be donated or reserved. Mr. Rawlson directed everyone's attention to the OCPS letter dated March 4, 2005, which reads:

A minimum of 120 acres must be assigned within the project area for school facility sites. OCPS must accept the location assigned within the Master Plan for each school site.

Commissioner Blake stated according to the letter, it seemed the school board required 120 acres of usable school land, but how the land comes to be owned by the school board is a separate contractual issue between the school board and the developer. Mr. Woodson informed the Council that the school board letter referenced by Mr. Milch contained conflicting information from a previous school board letter provided to the applicant.

Mr. McLouth asked about the number of lanes across the Bee Line. The Applicant stated the interchange would look similar to the one on Goldenrod Road north of the Airport off the Bee Line, and that a ramp would be added to accommodate current traffic as well as a reasonable amount of traffic projected to occur through 2025. Mr. Milch stated that the interchange will have at least six lanes east to west, with auxiliary lanes to accommodate more traffic. Mr. Dick Porter, Expressway Authority, stated that the Bee Line in that area is now four lanes, and he added that the Expressway Authority would not allow the developers to build such as to restrict the Bee Line to its current four lanes.

Mr. McLouth summarized the issues by stating that the Applicant wanted the Council to change property approved for industrial purposes to residential uses, ignore issues concerning acreage for the schools, and respect a previous letter and discussion concerning acreage for the school without any evidence to prove its authenticity.

Commissioner Homer Hartage stated the county supported the DRI, but had concerns with issues of urban sprawl. Additionally, he stated the county was conducting a high-tech corridor study and wanted to know the results of the study before they moved forward with the project. He noted that Mayor Crotty supported the project and its timing. A question was asked about the project's commencement date. Mr. Hartage stated the project would begin in early 2006, but, the Applicant stated it would begin in September 2005.

Mr. Chris Testerman, Orange County Planning Division, stated the DRI needed to include sites that are acceptable to the school board and the county. Mr. Testerman reiterated Commissioner Hartage's comments that the county supports the project, but wants to know the results of the corridor study before approval. Mr. Testerman stated Orange County would not recommend approval at this time, and requested that the Applicant grant a continuance.

Mr. Blake stated it was premature for the Council to make a decision whether to support or deny the DRI. Factors including the unknown results of the County study, confusion about acreage for the school, and not being granted a continuance would prompt him to motion for a denial of the project.

Commissioner Morris suggested that the Council take a 5 minute break to allow staff, the ECFRPC Counsel and the Applicant to discuss possible options. The Council took a 5 minute break. Upon reconvening, Mr. Duke stated the applicant would grant the Council a continuance until the October 19, 2005 Council meeting.

MOTION: Commissioner Hartage moved to accept the continuance. Mayor Land seconded the motion. The motion passed unanimously.

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Vice-Mayor Mary Martin stated that for the October meeting, she would like to have a letter from the school board addressed to the Council regarding the school issues. Mr. Rawlson stated that Mr. Milch would be responsible for communicating our requests to the school board on the Council's behalf.

IV. **2025 FLORIDA TRANSPORTATION PLAN** – *June Farrell, Carter & Burgess*

Ms. Farrell discussed the Florida Transportation Plan's 2020 goals. The plan is comprised of goals, objectives, and policies. The FTP was last adopted in December 2000. The next adoption will occur this year, 2005, and will include a span up until 2025. A steering committee comprised of 45 statewide partners ensures a representative program. The FTP also will include meetings such as statewide summits and regional forums. The first statewide summit was held on February 3, 2005 and discussed issues such as the maintenance and improvements of the system, the quality of life and environmental hardship, and funding. The second summit meeting will take place in August 2005. The regional forums' purpose is to put the context of the 2025 mission in place from a regional framework. For more information, she recommended visiting the website at www.c-b.com.

V. **DRI UPDATE** – *Mr. Jeff Jones*

Mr. Jones stated there are four DRIs in Osceola County that will be moving forward over the next couple of months. He informed the Council that the ECFRPC would begin handling DRIs differently in the future by examining the area in which the project is located to determine the regional context in which the project is being proposed. Mr. Jones noted that Osceola County representatives have expressed their concern with the overall impact of the upcoming DRI projects and are looking into an overall area plan, in which the ECFRPC would be involved. Mr. Jones informed the Council that he will provide them with a monthly status report, in which current DRIs will be mentioned. He also stated that maps for upcoming DRIs will be provided in advance.

VI. **LEGISLATIVE UPDATE** – *Commissioner Randy Morris*

Commissioner Morris stated the ECFRPC needed to do more to get the attention of the state Senate and House, and he suggested that Mr. Randy Johnson was open to working with the Regional Planning Council. Additionally, he thought the Council should provide awards to champions, talk to lobbyists from various counties, and do something to let them know about the MPO Alliance. Commissioner Morris suggested we invite state lobbyists to attend Council meetings.

VII. **CHAIRMAN'S REPORT**

Mr. Rawlson stated that Mr. Jones would be in charge of identifying champions for awards mentioned by Commissioner Morris. Also, he announced Mr. Harvey was appointed by the city of Deltona to represent the ECFRPC as an Ex-Officio member. He also noted Mr. O'Keefe was appointed by the Department of Interior to represent the ECFRPC on the Wekiva River System Advisory Management Committee, and Mayor Land was appointed on the same committee to represent the City of Apopka. Mr. Rawlson announced the members of the Search Committee for the ECFRPC Executive Director's position as Commissioner Cadwell, Commissioner Blake, Clerk of the Courts Whaley, Mayor Land, and himself. He announced there was no DRI for June, but that there would be a myregion update.

VIII. **EXECUTIVE DIRECTOR'S REPORT**

Mr. Jones also announced there would be a final report for PennDesign on May 25th at Leu Gardens. He noted there would also be a Smart Growth Alliance meeting on May 25th. He stated that the staff has been working with Orange County on brownfields and planned to set up a workshop for this August.

IX. **ADJOURNMENT**

The meeting adjourned at 12:06 p.m.

Approved by the East Central Florida Regional Planning Council this 5th day of June 2005.

Mr. Jon Rawlson, Chairman