



ALTERNATIVE ROAD IMPACT FEE COMMITTEE
(Meeting Minutes)

Meeting Date: April 24, 2008

Time: 10:00 a.m. to 12:00 Noon

Location: **PUBLIC WORKS BUILDING**
Main Conference Room – 1st Floor
4200 South John Young Parkway
Orlando, Florida 32839

ARIF Committee

Mark Massaro, **(Chairman) Director, Public Works Department**
Anganie Durbal, **(Co-Chair) Transportation Planning Division, Public Works Department**
Christine Lofye, **Traffic Engineering Division, Public Works Department**
Alissa Torres, **Planning Division, Growth Management Department**
Ivelisse Torres, **Growth Management Department**

County Staff

Roberta Alfonso, **County Attorney's Office**
Darryl Johnson, **Traffic Engineering Division, Public Works Department**

Attendees

Jon McGuire, Camp Joy
Ray Winn, Camp Joy
Patricia Tice, Dr. Phillips Hospital
Mark Schaefer, Dr. Phillips Hospital
Steve Bechtel, Dr. Phillips Hospital

Mr. Massaro called the meeting to order at 10:17 am.

Review of Minutes

The Committee reviewed the minutes from the April 10, 2008 meeting of the Alternative Road Impact Fee Committee (ARIFC).

A motion was made by Ivelisse Torres to approve the meeting minutes, as amended. Seconded by Christine Lofye. Motion carried.

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Camp Joy

Ray Winn & Jon McGuire

Committee Discussion

Ms. Ivelisse Torres stated that Mr. Winn would like the impact fees waived because the project is being undertaken by the Eagle Scouts. Ms. Ivelisse Torres said she suggested they apply for a non profit impact fee grant that will give them up to \$15,000 in assistance for impact fees. Mr. Winn stated he did not want to wait for the approval because it takes about forty-five days. Ms. Ivelisse Torres also stated she told Mr. Winn that according to the ordinance, this committee cannot waive impact fees. Mr. Winn is here to appeal the decision. Mr. Massaro inquired what rate Mr. Winn is being assessed and Ms. Ivelisse Torres replied that they are being assessed the assembly rate, which is the lowest rate for that kind of project. Mr. Johnson stated that he also spoke to Mr. Winn and Mr. McGuire. Mr. Johnson was told that the Eagle Scouts took on this project to build an outdoor stage for church services. Currently, the existing church does not have air conditioning and the outdoor stage would become an alternative when the heat would become unbearable. The Eagle Scouts have held fundraisers to have an architect design a set of plans and they do not want to continue to have fundraisers to pay for the impact fee. Mr. Johnson also suggested they apply for a grant, but Mr. Winn doesn't want to wait 45 days to get approved and then wait five or six months to receive the grant. Mr. Winn said the busy time of year for Camp Joy starts June 1.

Mr. Massaro inquired if the outdoor stage is permanent and if so, is that the reason they are being charged an impact fee and Ms. Ivelisse Torres replied that it is. Ms. Alfonso replied that the ordinance does have some exemptions and they are for: alterations of an existing building, the construction of an accessory building, and the replacement of a building, to name a few. Mr. Massaro asked if the outdoor stage will have a roof and Mr. Johnson replied that it would. Ms. Ivelisse Torres mentioned that all areas under a roof are charged an impact fee. Mr. Johnson also said that Mr. Winn stated that no additional traffic will occur because the same members who use the church will use the outdoor stage. Ms. Ivelisse Torres suspects that the outdoor stage would be used for Cub Scout meetings and community meetings, in addition to church services. Ms. Ivelisse Torres reiterated that they should apply for the grant because they would qualify. Ms. Ivelisse Torres also stated that if Camp Joy decides to use the outdoor stage as a rental, there is no way the county can go back and charge them.

Ms. Alfonso stated that in the ordinance some accessory buildings can be exempt if it doesn't create additional traffic; however, we believe it will generate more traffic because it's an outdoor stage and it will be available to other people. Mr. Massaro added that they can make this a rental feature that could attract additional visitors. Mr. Massaro asked Ms. Alfonso if the committee can waive the impact fee and Ms. Alfonso replied no. Ms. Alfonso added that they may be able to pay a lesser amount if they fill out an application and do an alternative impact fee study, etc, but it will cost more than the impact fee they are trying to waive.

End of discussion

Mr. Winn distributed a pamphlet to the committee on how the outdoor stage project began and its purpose. Mr. Winn said he talked with someone who said they did not need a permit because the site is an agriculture area. However, the gentleman is from Seminole County and possibly the same rules do not apply. The reason Mr. Winn wanted to get a permit was for insurance purposes in case of an accident.

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The original architect who designed the outdoor stage would not sign the plans because of a personal matter; so they had to hire another architect. The Eagle Scouts had to have a fundraiser to raise \$3,000 to pay for the services. The permit is ready for the group to pick up, but now, there are impact fees associated with the permit. Mr. Winn said he had spoken with the people in the building department and tried to explain that there would not be additional traffic. The same people that use the church would use the outdoor stage. The outdoor stage is only an additional facility.

Ms. Ivelisse Torres inquired if the Eagle Scouts attend the church at Camp Joy and Mr. Winn replied that most of them attend the church and that is where they hold their meetings and such. Mr. McGuire said the church is a "glass house." It has fans and the windows open up, but it gets very hot, even if they hold services in the evening. The outdoor stage would be a replacement of a hitch-trailer that they use to keep them cool. Mr. McGuire reiterated that no additional traffic or impact on the community would occur. Also, the Orange County Fire Department uses Camp Joy on occasion for training exercises. Mr. McGuire asks if the committee would forgive the impact fees on behalf of the Boy Scouts for all the hard work they have done on the fundraising.

Ms. Alfonso stated there is a process to forgive the impact fees and it's called a non profit impact fee grant that the group qualifies for because of its use by civic organizations besides church use. They can apply for a waiver up to \$15,000 in grant funds. Ms. Alfonso added that all they would have to do is fill out the application accordingly and they shouldn't have any problem. Mr. McGuire asked if it is wise to use his tax money to be used for a grant when this committee has the authority to forgive the impact fees. Mr. Massaro responded by saying this committee does not have the authority to waive impact fees. Mr. Massaro explained the responsibilities of the alternative road impact fee committee to Mr. Winn and Mr. McGuire. Mr. Massaro added that the county established these grants to assist groups such as the Boy Scouts or Camp Joy who may not be able to afford the impact fees. Mr. Massaro further added that they are being assessed the lowest rate possible to begin with.

Mr. Winn stated that the application process could take approximately six to eight weeks and the goal was to get the project ready by June 1, 2008. Mr. Johnson asked if they applied for the grant as he suggested to them two weeks ago and Mr. McGuire replied that they have the application, but it isn't completely filled out because they thought the committee would waive the fees. Mr. McGuire also stated he doesn't understand how the outdoor stage will contribute to any more traffic. Mr. McGuire suggested that he may stop construction on the outdoor stage and use the trailer-hitch as a temporary stage as before since the committee will not waive the impact fees. Ms. Alfonso mentioned that because the ordinance looks at the potential use of the stage, impact fees apply. Groups or agencies that want to use the camp ground could see the benefit of the outdoor stage and more traffic would be impacted. Mr. McGuire stated that wouldn't happen, but would love to be able to have more visitors at Camp Joy.

Ms. Alfonso understood Mr. McGuire's assessment, but advised him that is what the alternative road impact study is for. In this particular case, the money it would take to prove their case is counter productive. Mr. Massaro agreed and stated that they should apply for the grant and the funds are readily available. Ms. Alfonso said the turn around time on review isn't that long. Ms. Ivelisse Torres said they need to make sure they have all the supporting documents with the application to make sure it isn't held up for any length of time. Ms. Alfonso said they need to be as specific as possible on the application.

The request to waive impact fees by the Alternative Road Impact Fee Committee could not be granted.

No action

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Dr. Phillips Hospital

Patricia Tice, Glatting Jackson

Ms. Tice came before the committee to discuss a new proposed methodology for monitoring the Dr. Phillips Hospital. Originally, Dr. Phillips was approved to study a per bed rate, but after a preliminary study of the site, they would like to change it to use a rate per thousand square feet (K.S.F.). Ms. Lofye reviewed the new methodology and had Ms. Tice make corrections. Ms. Lofye stated her current concern is the verification of the square footage and Ms. Tice stated she will contact the building department and their architect to make sure everything is consistent throughout. Also, the monitoring fee that Ms. Tice proposed was increased because manual counters will be needed due to the complexity of this project.

Ms. Lofye said she is fine with the methodology as long as we can collect enough monitoring fees to account for any uncertainties if construction isn't completed on schedule. Ms. Tice stated her concern with the manual counters was the possibility of internal capture of the medical doctors being counted more than once because they are checking on patients throughout the entire medical complex. Ms. Alfonso mentioned in this case the manual counters could be a benefit and Ms. Tice replied that could be a possibility; however, if the manual counters counted everyone that walked across the complex, the counts could go up. Ms. Lofye stated that the monitoring will begin near the end of the five year mark to include the additional forty-eight beds and the medical office space.

Ms. Ivelisse Torres asked that all the concurrency documents be updated as well with the square footage because some of their applications have different square footages. If not, the project will be put on hold until it is rectified. Ms. Tice stated that the concurrency application was based on beds, not square footage and since the concurrency application doesn't involve the methodology study, it shouldn't matter. Ms. Ivelisse Torres stated that all the applications have to have the same square footage. You can't have one document with 85,000 square feet and another application with 69,000 square feet. Ms. Tice said she updated and sent concurrency encumbered letters to Ms. Becraft and Ms. Barq reflecting the change of the square footage. Ms. Ivelisse Torres suggested that she verify all the documents are updated and the correct offices have it on file, otherwise the permit application will be denied. Ms. Lofye stated that the alternative impact fee application has to be updated to reflect the square footage change as well. Ms. Lofye also stated that documentation needs to be verified from the Homestead Hospital regarding the square footage and shell space.

A motion was made by Christine Lofye to approve the Dr. Phillips Hospital methodology base on the calculation per thousand square feet, subject to the finalization of the Homestead Hospital square footage and the Dr. Phillips Hospital square footage for trip generation. Seconded by Ivelisse Torres. Motion Carried.

Plaza Venezia Discussion

Ms. Lofye asked that the committee review the updated documents regarding Plaza Venezia and if they have any questions or concerns to contact Mr. Johnson with comments. Ms. Lofye stated that the square footage used in the monitoring study did not match with the building permits or the property appraisers' office. The trip generation rates also had to be modified accordingly, so the monitoring results were not accurate. The documents the committee has before them show what procedures and calculations were used to come up with the amount of money Plaza Venezia owes including interest, which is \$8,185.45.

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Ms. Lofye asked the committee to respond to Mr. Johnson within a week if they have any comments. Otherwise, Ms. Lofye will prepare a demand letter to be mailed to Plaza Venezia.

National Impact Fee Roundtable Discussion

Ms. Lofye mentioned she was asked to be part of a roundtable discussion regarding impact fees. The conference will be held in Orlando, Florida in October 2008. Ms. Lofye said that she doesn't think she is ready to be a speaker, but thought possibly others with expertise in this area could represent the County. Ms. Lofye also stated that even though she and others are invited to speak and share their knowledge, they would have to pay registration fees to be part of the discussion. Ms. Alfonso said that it sounds like a good idea, but you shouldn't have to pay to share your experience. Ms. Ivelisse Torres agreed and mentioned that due to budget cuts, all training has been canceled. Ms. Ivelisse Torres added that she would be interested in the roundtable discussion and share knowledge, but doesn't think its right to have to pay to attend and give out information she is willing to share for free.

Mr. Massaro stated that Orange County Government has participated in several community events and conferences and that we are one of the top leaders in the Southeast when it comes to these types of discussions. Mr. Massaro suggested that if anyone participates, it should be someone from the legal staff who has experience in impact fee issues. Ms. Lofye said she will reply that we are interested in participating, but if the registration fees can't be waived, then we will not be able to attend.

A motion was made by Ivelisse Torres to adjourn the meeting. Seconded by Christine Lofye. Motion carried. The meeting was adjourned at 11:30 am.

Next Scheduled Meeting:

Thursday, May 8, 2008 @ 10 a.m.