

BCC Mtg. Date: November 29, 2016

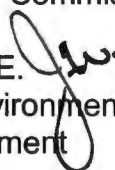


## Interoffice Memorandum

November 11, 2016

## AGENDA ITEM

TO: Mayor Teresa Jacobs  
–AND–  
Board of County Commissioners

FROM: Jon V. Weiss P.E.   
Community, Environmental and Development  
Services Department

SUBJECT: November 29, 2016 – Consent Item  
Sunbridge Term Sheet

On November 29, 2016, the Board of County Commissioners (Board) will consider an adoption public hearing for a comprehensive plan amendment (2016-2-A-4-2) and concurrent rezoning/regulating plan (LUP 16-06-216) for the development known as Sunbridge, formerly known as International Corporate Park (ICP) and Innovation Way East. During the transmittal public hearing, it was originally anticipated that a Transportation Agreement would be required prior to or concurrently with consideration of the Sunbridge PD-RP by the Board. However, large portions of the development are currently subject to a vested rights determination (vested rights certificate #92-007) for the ICP Development of Regional Impact that allows the applicant to move forward with 82,000 net external daily trips. Due to the established vested rights of the development, as well as the continuing negotiations with several Innovation Way area property owners to provide for the completion of Innovation Way South west to the SR 417, staff is recommending a change that would require a Transportation Agreement prior to or concurrently with the first Preliminary Subdivision Plan (PSP) within the development. This Sunbridge PD Road Term Sheet (Term Sheet) provides a framework for staff's review of a future Transportation Agreement by the County's Roadway Agreement Committee (RAC).

The Term Sheet primarily addresses the study, design, permitting, right of way, and construction for Sunbridge Parkway, a proposed north-south arterial connecting SR 528 to the Osceola County line. It is intended that the first two lanes of Sunbridge Parkway be constructed in segments, with the developer responsible for providing for design and right of way (including drainage) for the eventual four lane cross section. Transportation Impact Fee credits would be granted based on excess capacity created beyond the needs of the Sunbridge PD-RP. Impact fee credits would generally be in accordance with the County's Impact Fee Ordinance and are

Page Two  
November 29, 2016 – Consent Item  
Sunbridge Term Sheet

expected to be approximately \$4.7M, dependent upon actual, reasonable costs incurred and right of way appraisals.

The Term Sheet also generally addresses transportation connections to adjoining developments including Camino Reale and the former Starwood property, now within the City of Orlando. It also limits future transportation connections to the Lake Mary Jane Rural Settlement and access to adjoining environmentally sensitive lands.

Finally, the Term Sheet provides clarification of transportation concurrency vested rights for the Sunbridge PD-RP, as well as establishes a biennial traffic monitoring methodology for future development impacts and transportation needs beyond their current vested rights.

**ACTION REQUESTED: Approval of Sunbridge PD Road Term Sheet outlining the parameters for a future transportation agreement addressing development within Sunbridge PD-RP. District 4**

Attachments

JVW/rep:jam

## Sunbridge PD Road Term Sheet

**Background:** The Sunbridge Planned Development (PD) represents a large portion of the former International Corporate Park DRI, which made a substantial investment in roadway infrastructure, including partial funding of the new SR 528 interchange. Given this history, Orange County has recognized the related vested rights for the project. The Sunbridge PD also includes the creation of a new regional corridor from SR 528 to the Osceola County line, parallel to Narcoossee Road, which provides additional north-south connectivity consistent with the intent of FDOT's Future Corridors initiative in east central Florida.

The combination of vested rights, significant regional importance, and complexity of this project due to size and scale of the roadway network warrants that this Term Sheet will satisfy the requirement for a road agreement to be entered into prior to the rezoning of the property. A final Transportation Agreement for the Sunbridge PD must be approved by the Board of County Commissioners prior to or concurrently with the first Preliminary Subdivision Plan or Development Plan for development within Sunbridge PD. Details in the Transportation Agreement will include, but not be limited to, conveyance requirements, construction schedules, costs, engineering and environmental requirements.

### Terms:

1. Developer will design, permit and construct the first two lanes of all on-site roads within the Sunbridge PD.
2. Prior to or concurrent with platting a portion of the Sunbridge PD in which an impact fee creditable road is included, Developer will convey marketable fee title to land adequate to accommodate a four-lane urban road and associated stormwater facilities for the portion of the road that is within the limits of the plat. Impact fee creditable roads are: (1) Sunbridge Parkway from the Dowden Road intersection to the Osceola County line, (2) Dowden Road from the western property boundary of Sunbridge PD to the intersection with Sunbridge Parkway, and (3) Innovation Way South (IWS) from the western property boundary to the intersection with Sunbridge Parkway.
3. The segment of IWS east of Sunbridge Parkway and the segment of Dowden Road from Sunbridge Parkway to the common property line with Starwood may become impact fee eligible in the future should the County amend its Long Range Transportation Plan to include these roads as impact fee eligible. The responsibility of the Developer for future 4 laning of this segment of the road and any associated credits would be subject to the County's Road Impact Ordinance in effect at that time.
4. If the County determines that right-of-way for Dowden or Innovation Way South (IWS) roads within Sunbridge PD are needed to complete a network connection to the west prior to the time development in that portion of the Sunbridge PD has taken place, the County has the right to require dedication upon reasonable notice to Developer, provided that an

agreement has been executed which secures the right-of-way and funding to complete either Dowden to SR 417 or IWS to Moss Park Road.

5. Following completion of a Preliminary Design Study (PDS) by Developer for Sunbridge Parkway, and acceptance of the PDS by the County, Developer will design, permit and construct Sunbridge Parkway within the segments depicted on Exhibit "A", as follows:
  - i. Segment 1 – Design as 4-lane Urban, construct as 4- lane Urban
  - ii. Segment 2 – Initially Design as 2-lane Rural, initially construct as 2- lane Rural
  - iii. Segment 3a – Initially Design as 2-lane Rural, initially construct as 2- lane Rural
  - iv. Segment 3b – Design as 2-lane Rural, construct as 2-lane Rural
  - v. Segment 4 – Design as 4-lane Rural, construct as 2-lane Rural
6. Developer shall be responsible for the cost of design, permitting, and construction of Segments 2 and 3a of Sunbridge Parkway as two lane urban roadways. Due to the uncertainty of timing of urban development and the potential premature construction of utility and stormwater systems, the Developer shall initially construct Segments 2 and 3a as two lane rural segments. The Developer agrees to be responsible for either the reconstruction of the rural sections to urban sections when a PSP is proposed adjacent to Segments 2 or 3a, or to be responsible for the additional cost that the County would incur when reconstructing the two lane rural sections to two lane urban sections, as part of the expansion to four lane urban sections. At that time, the Developer shall also provide a design for four-laning the relevant Segment. The estimated costs are shown on Exhibit "B."
7. The estimated costs on Exhibit "B" include assumptions for right-of-way (ROW) valuation. For the purposes of this term sheet, ROW in the entitled ICP was estimated at \$130,000 per acre, and for the unentitled IWE, it was estimated at \$35,000 per acre. These valuation numbers are preliminary and will be subject to appraisal. The acreage for ROW is also preliminary and will be subject to the results of the Preliminary Design Study (PDS) and final alignment, including wetland impacts that may affect valuation.
8. If updates to the design are needed after the County has accepted the design, the update will be the responsibility of the County. The Developer shall be eligible for Transportation Impact Fee credits for that portion of the actual, reasonable costs incurred for design above and beyond what is required for a two-lane Urban roadway.
9. The Sunbridge PD is vested for 70,673 annual average daily net external vehicle trips. These vested trips are based on a calculation of an originally vested 82,000 trips for the International Corporate Park Development of Regional Impact (ICP DRI), less the 11,327 annual average daily net external vehicle trips assigned to development within the former ICP DRI, now known as the ICP PD. The 70,673 may be "spread" within the Sunbridge PD, and trips between the former ICP DRI and Innovation Way East will not be considered to be external trips in the calculation of trips. An application for a new or amended vested certificate rights is not required to validate the vested rights to the 70,673 trips.

10. Upon completion of each segment of Sunbridge Parkway, the Sunbridge PD-RP shall be vested for the peak hour, peak directional trips shown in Exhibit C (Excess Capacity Calculation) along the specific section of Sunbridge Parkway. These vested rights may extend beyond the current vesting of 70,673 annual average daily net external trips, as they are intended to reflect a combination of internal and external traffic through buildout of the project. In the event that the monitoring studies conclude that the project impact exceeds or is expected to exceed these trips, the project may be required to mitigate additional impacts.
11. Developer shall conduct monitoring of gross daily trip-end generation in accordance with Exhibit "D."
12. Developer will negotiate in good faith with landowners whose property is necessary to construct Innovation Way South from Sunbridge Parkway to Moss Park Road and thereby provide an east-west interconnection between Sunbridge PD and Moss Park Road. A separate agreement will be required to provide details for funding, timing, right-of-way acquisition, design, permitting, construction, cost allocations and impact fee credits for IWS.
13. Prior to any PSP or DP adjacent to Camino Reale, reasonable coordination efforts for the access points as depicted in the Sunbridge PD-RP shall be documented to the County.
14. Developer shall be entitled to transportation impact fee credits in accordance with the County's adopted Impact Fee Credit Ordinance. An Estimated Impact Fee Credit Summary is attached as Exhibit E. Prior to submittal of a final Transportation Agreement, the Developer may request the Board of County Commissioners to approve an alternate impact fee credit methodology pursuant to Sec. 23-95(a)(3).
15. Sunbridge Parkway shall be considered to be an impact fee creditable road because it is a facility of particular importance to regional mobility and connectivity connecting SR 528 to the Osceola County line, parallel to Narcoossee Road, which provides additional north-south connectivity and capacity consistent with the intent of FDOT's Future Corridors initiative in east central Florida.
16. The County will allow impact fee credits authorized for Monument Parkway as contained in Account (TCA) #200 and the ICP Interchange to be used for development within any portion of the Sunbridge PD.
17. The connection of any road within Sunbridge PD, including but not limited to Sunbridge Parkway, to Lake Mary Jane Road, or to any road within the Lake Mary Jane Rural Settlement that connects to Lake Mary Jane Road, shall be prohibited.
18. There shall be no public access to or use by the general public of the existing private road shown on the Attached Exhibit "F" as TM Ranch Driveway, provided, in the event of a declared emergency, TM Ranch Driveway may be temporarily used for emergency ingress or egress and Capri Road may be used and maintained for agricultural pursuits and purposes, consistent with the current usage. .

19. Developer will not propose any crossings of Roberts Island Slough to connect the portion of Camino South identified as CS-1 on the attached Exhibit "F" to Sunbridge Parkway. The road ingress and egress to and from CS-1 will be from Lake Mary Jane Road.
20. There will be no roads connecting parcel CS-2, as shown on the attached Exhibit "F" to any roads within the Lake and Pine Estate section within the Lake Mary Jane Settlement, located along the southwestern boundary of the Camino South parcel. Any ingress or egress by road to said parcel shall only occur via direct connection to the Sunbridge Parkway. Access over the Roberts Island Slough shall be permitted in connection with ingress and egress to and from CS-2 and for Sunbridge Parkway as depicted on Exhibit "F".
21. A Phase I and, if warranted, a Phase II environmental site assessment will be submitted 120 days prior to conveyance. Any remediation would be at the sole cost of the Developer.

Exhibit A

DRAFT

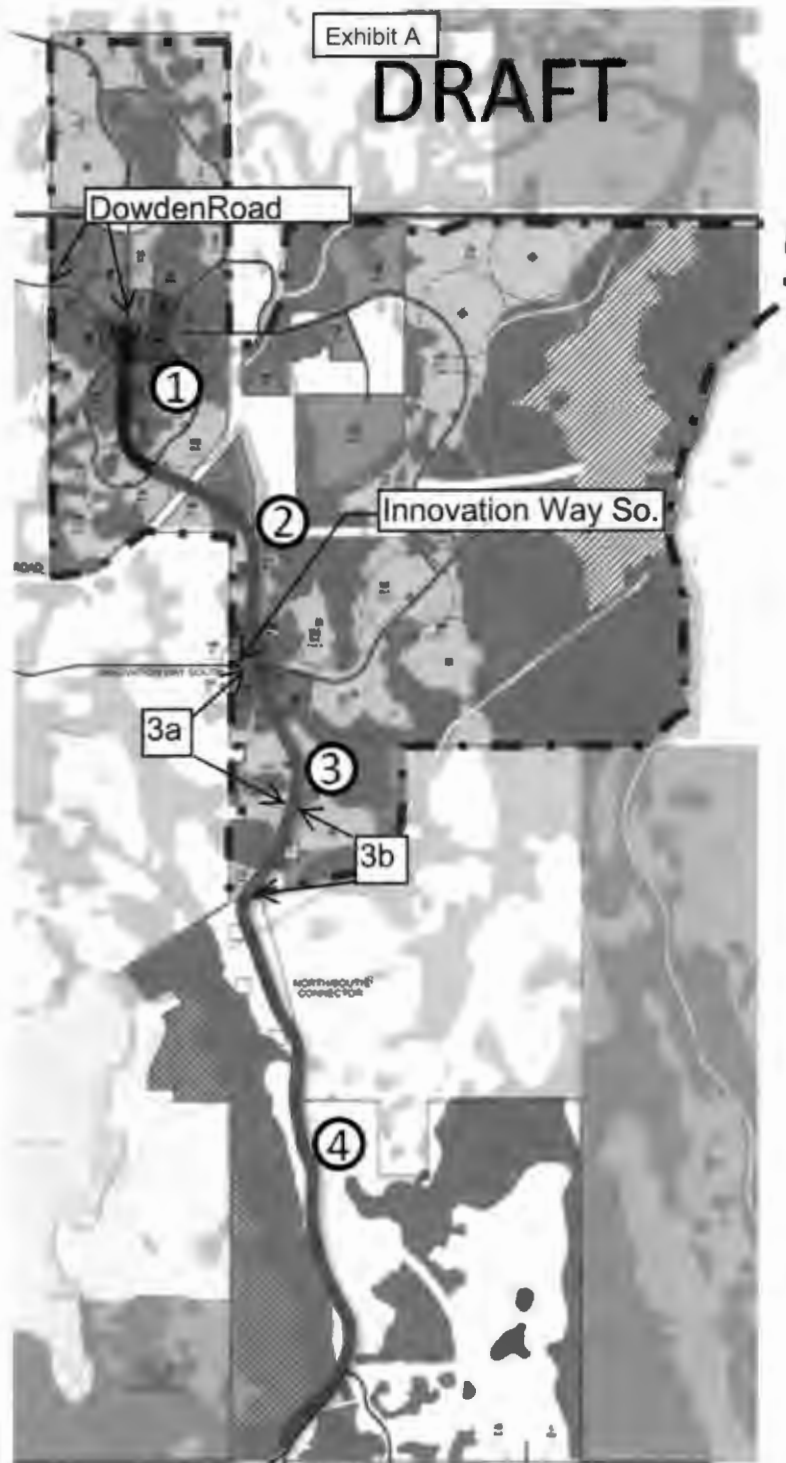


Exhibit B – Sunbridge Parkway Road Segment Cost Summary

Sunbridge Parkway	Sunbridge Initial Build Cost		Sunbridge Upgrade Cost Prior to Widening		County Future Widening Cost		Total ROW <sup>1</sup> (Provisioning for Ultimate 4 Lane Section)
Segment 1	4LU	\$6,718,675	4LU	\$0	4LU	\$0	\$2,603,815
Segment 2	2LR	\$4,948,625	2LU	\$6,047,344	4LU	\$3,428,945	\$1,048,262
Segment 3a	2LR	\$3,651,927	2LU	\$4,230,913	4LU	\$2,211,202	\$676,387
Segment 3b	2LR	\$2,078,333	2LR	\$0	4LR	\$1,293,538	\$384,936
Segment 4	2LR	\$9,531,600	2LR	\$0	4LR	\$8,327,150	\$2,317,264
<b>Total</b>		<b>\$26,929,160</b>		<b>\$10,278,257</b>		<b>\$15,260,835</b>	<b>\$7,030,664</b>

<sup>1</sup> Estimated costs for ROW based upon \$130,000 per acre within ICP and \$35,000 per acre in IWE. Costs per acre and total acreage are preliminary and subject to PDS and ROW appraisal.



**Exhibit C - Excess Capacity Calculation**

Segment	Costs: Const. + ROW	Section	Delivery Cost Basis	Adopted LOS	GSV	PHPD Trips			Sunbridge Capacity Consumed		Excess Capacity Available to County		
						Project	Non-Project	Total	%	\$	Trips	%	\$
Segment 1	\$9,322,490	4LU	1 Phase Const. (4LU)	E	1,785	1,312	745	2,057	73.5%	\$6,852,161	473	26.5%	\$2,470,329
Segment 2 <sup>1</sup>	\$5,472,756	2LR	1 Phase Const. (2LR)	E	924	914	749	1,663	98.9%	\$5,413,527	10	1.1%	\$59,229
Segment 3a <sup>1</sup>	\$3,990,121	2LR	1 Phase Const. (2LR)	E	924	1,153	1,118	2,271	124.8%	\$4,979,014	-229	-24.8%	(\$988,894)
Segment 3b <sup>2</sup>	\$2,290,717	2LR	1 Phase Const. (2LR)	E	1,640	1,153	1,118	2,271	70.3%	\$1,610,486	487	29.7%	\$680,231
Segment 4 <sup>2</sup>	\$10,690,232	2LR	1 Phase Const. (2LR)	D	1,200	1,153	1,118	2,271	96.1%	\$10,271,531	47	3.9%	\$418,701
Aggregate Total	\$31,766,316								91.7%	\$29,126,719		8.3%	\$2,639,597

**Notes:**

<sup>1</sup>Costs are based on a 2LR section with 1/2 the required ROW for 4LU

<sup>2</sup>Costs are based on a 2LR section with 1/2 the required ROW for 4LR

## **Exhibit D – Biennial Monitoring Process**

1. Developer will commence bi-annual monitoring of the gross daily trip-end generation potential for all approved building permits five years following the effective date of the Sunbridge PD-RP. The gross trip-end generation calculations shall be based upon the then current Trip Generation Manual as published by the Institute of Transportation Engineers and presented in a ledger format, clearly indicating the gross trip end generation potential for all approved building permits, to the County. In the event the biannual reporting ledger indicates more than 70,673 gross daily trip ends are being generated by development within the Sunbridge PD-RP, the Owners shall prepare a monitoring study to refine site-specific trip end generation potential and internalization rates of the development. The scope of the monitoring study shall: 1) quantify total daily and peak hour traffic volumes entering and departing Sunbridge PD; 2) quantify the proportion of peak hour traffic using roadways with access to Sunbridge PD; and 3) quantify internal and external trip end generation of the occupied development. The methodology for the monitoring shall be approved in advance by the County Transportation Planning Division, and the results of the monitoring shall be provided to the County.
2. In the event the monitoring study indicates fewer than 63,606 (90% of 70,673) annual average daily net external vehicle trips are being generated by development within the Sunbridge PD-RP, exclusive of other development within the geographic area encompassed by the Sunbridge PD-RP, the Owners and the County shall agree to the time period or development threshold at which another monitoring study shall be completed.
3. In the event annual monitoring indicates that more than 63,606 annual average daily net external vehicle trips are being generated by development within the Sunbridge PD-RP, exclusive of other development within the geographic area encompassed by the Sunbridge PD-RP, the Owners shall commence negotiations with the County and thereafter enter into a concurrency agreement with the County to mitigate the impacts of development of the Sunbridge PD-RP beyond the vested 70,673 net external trips on the external roadway network.

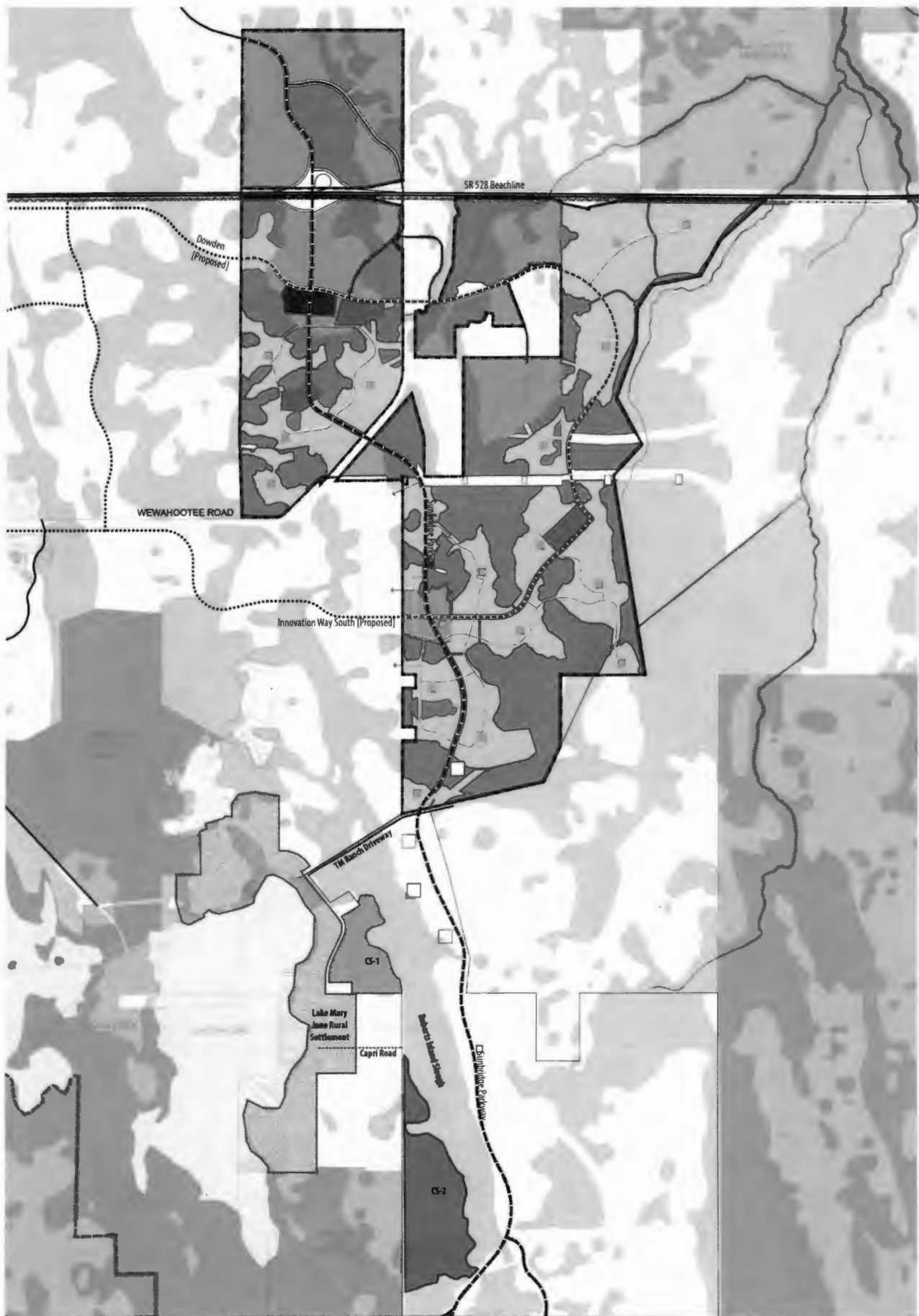
### Exhibit E - Estimated Impact Fee Credit Summary

Sunbridge Parkway	Credits from Excess Capacity	Credits for ROW dedicated for 3rd and 4th Lanes		Total Impact Fee Credits
Segment 1	\$2,470,329	100%	\$0	\$2,470,329
Segment 2	\$59,229	100%	\$524,131	\$583,360
Segment 3a <sup>1, 2</sup>	(\$988,894)	73.4%	\$248,244	(\$740,649)
Segment 3b	\$680,231	100%	\$172,551	\$852,783
Segment 4	\$418,701	100%	\$1,158,632	\$1,577,333
Aggregate Total	\$2,639,597	100%	\$2,103,559	\$4,743,155

**Note:**

<sup>1</sup>Sunbridge project trips on Segment 3a are higher than the 2LU capacity. However, the credits for excess capacity on Segments 1, 2, 3b, and 4, outweigh the shortfall. It is proposed to base the total credits received for excess capacity on the aggregate total and reserve vested rights on Segment 3a for all project trips shown in the excess capacity calculation in lieu of future obligations to contribute toward the four-laning of Segment 3a.

<sup>2</sup>Because Sunbridge requires 229 PHPD trips (26.6%) of capacity from the future four-lane section of Sunbridge Parkway, the impact fee credits for ROW on Segment 3a are based on the proportion of the added capacity that is consumed by the project upon buildout of the four-lane Sunbridge Parkway and Sunbridge development.



# Sunbridge

EXHIBIT F

October 20, 2016

Legend	
	P1 Transit Zone
	CS-1 Sunbridge Regeneration Area
	CS-2 Sunbridge Activity Center
	CS-3 Sunbridge Core
	CS-4 Sunbridge District
	CS-5 Sunbridge District
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