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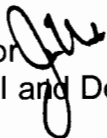


**Interoffice Memorandum**

**AGENDA ITEM**

March 14, 2016

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

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

**CONTACT PERSON: Dean Stites, Concurrency Management Official  
Concurrency Management Office  
407 836-5601**

SUBJECT: April 5, 2016 – Consent Item  
School Concurrency Mitigation Agreement OC-15-036  
Bridgewater West Apartments (a/k/a The Addison at  
Windermere) Parcel ID#: 23-23-27-8445-00-020

On September 16, 2008, the Board of County Commissioners (BCC) amended Chapter 30, Orange County Code (the "Code"), to include the legislative requirements of school concurrency. The provisions in the Code are based on statutory requirements and on the terms of the First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of School Concurrency entered into by the County, the School Board of Orange County (the "School Board") and municipalities within the County (June 10, 2008, as amended from time to time, the "Interlocal Agreement"). Section 30-622 of the Code requires applicants to submit proposed school proportionate share mitigation agreements to the Concurrency Management Official, following negotiation with the School Board and the County Attorney's Office, for review and recommendation to the BCC. This is the fourteenth such agreement to come to the BCC.

The subject School Concurrency Mitigation Agreement (the "Mitigation Agreement") is among the County, the School Board, and Clarcona, Inc., a Florida corporation. The project consists of 316 multi-family residential units located between Summerport Village Parkway, Bridgewater Village Road, and Fiquette Road, just north of Beckman Drive in District 1. The Mitigation Agreement is necessary because the project affects certain area middle school(s), which currently operate below the adopted level of service standard.

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March 1, 2016 – Consent Item

School Concurrency Mitigation Agreement OC-15-036 Bridgewater West Apartments  
(a/k/a The Addison at Windermere) Parcel ID#: 23-23-27-8445-00-020

Pursuant to Section 30-622 of the Code, if there is insufficient available school capacity within a Concurrency Service Area to meet the demand created by the proposed Residential development, and the applicant and the School Board have agreed upon mitigation to satisfy the school concurrency requirements for the proposed residential development, then the applicant, School Board, and County must memorialize the terms of the mitigation in an agreement. In accordance with the formula set forth in Section 30-622(4)(b)9 of the Code, the School Board has calculated the proportionate share mitigation payment to be \$375,424.12.

Pursuant to Section 163.3180, Florida Statutes, the applicant is entitled to impact fee credits on a dollar for dollar basis for any proportionate share mitigation paid for the same need. Therefore, the School Board has included provisions in the Mitigation Agreement allowing for a School Impact Fee credit account. This Agreement also requires payment of Capacity Reservation Fees prior to issuance of building permits for this project.

The School Board approved this agreement on January 26, 2016.

**ACTON REQUESTED: Approval and execution of School Concurrency Mitigation Agreement OC-15-036 Project Name: Bridgewater West Apartments (a/k/a The Addison at Windermere) Parcel ID#: 23-23-27-8445-00-020 by The School Board of Orange County, Florida, Orange County, Florida, and Clarcona, Inc. District 1**

JVW/DS:rep

Attachments