

Orange County Government

*Orange County Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393*



Final BCC Meeting Minutes

Tuesday, June 5, 2018

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jacobs called the meeting to order at 9:09 a.m.

Present: 7 - Mayor Teresa Jacobs, Commissioner Rod A. Love, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
Assistant County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Craig Stopyra

Invocation - District 1

Pastor Ron Camblin, Lifebridge Church

Pledge of Allegiance**Public Comment**

The following persons addressed the Board for public comment:

- Lisa Franchina
- Stina D'Uva
- RJ Mueller

The following material was presented to the Board during public comment: Exhibit 1, from RJ Mueller.

I. CONSENT AGENDA

Approval of the Consent Agenda

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY COMPTROLLER

1. [18-708](#) Approval of the minutes of the May 8, 2018 meeting of the Board of County Commissioners. (Clerk's Office)
2. [18-709](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:

-May 18, 2018, to May 24, 2018; total of \$37,587,889.05
-May 25, 2018, to May 31, 2018; total of \$36,083,293.62.

(Finance/Accounting)
3. [18-710](#) Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Abandon assets in place.
 - b. Dispose of assets totaled by out Third Party Administrator for its salvage value.
 - c. Scrap assets.
 - d. Return leased equipment to vendor.
 - e. Trade-in assets toward the purchase of new equipment.
 - f. Sell assets through public auction.
 - g. Offer to non-profit organizations.

B. COUNTY ADMINISTRATOR

1. [18-711](#) Approval and execution of Affiliation Agreement between Orange County, Florida and the University of Central Florida Board Of Trustees related to Experiential Learning Placement Program for a term ending December 31, 2018. Further authorization is requested for the Mayor or designee to approve any amendments to this Agreement and to execute one renewal. (Human Resources Division)
2. [18-712](#) Approval of budget transfer #18-1081. (Office of Manangement and Budget)
3. [18-713](#) Approval of Ratification of payment of Intergovernmental claims of March 8, 2018 and March 22, 2018 totaling \$1,061,492.38. (Risk Management Division)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-714](#) Approval of Change Order No. 3, Contract No. Y17-733, with Café Construction & Development, Inc. in the amount of \$27,741.45, for the Animal Services East Side Spay/Neuter Clinic. The revised lump sum contract amount is \$359,505.57. (Capital Projects Division)
2. [18-715](#) Approval of Change Order No. 2, Contract No. Y17-741, with EPS Contractor Group, Corp. in the amount of \$7,590.12, for the Sheriff's Office

Command and Monitor Center. The revised lump sum contract amount is \$786,813. (Capital Projects Division)

3. [18-716](#) Approval of Change Order No. 4, Contract No. Y17-725, with Onopa Services, LLC in the amount of \$7,245.08, for the Orange County Facilities Management Division Special Services Building 1944 HVAC, Electrical and Interior Upgrades. The revised lump sum contract amount is \$628,421.74. (Capital Projects Division)
4. [18-717](#) Approval to award Invitation for Bids Y18-1064-MV, Liquid Caustic Soda 50% to the low responsive and responsible bidder, Brenntag Mid-South, Inc. The estimated contract award amount is \$624,000 for a 1-year term. ([Utilities Department Water Division] Procurement Division)
5. [18-718](#) Approval of Amendment No. 3, Contract Y16-190-PD, Right-of-Way Mowing - Apopka Area, Section I, with Groundtek of Central Florida, LLC, in the estimated amount of \$111,806, for a revised estimated contract amount of \$523,006. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. [18-719](#) Approval to award Invitation for Bids Y18-1027-AV, Shuttle Bus Services for Orange County Convention Center, to the low responsive and responsible bidders by Lot, for an estimated contract award amount for a 1-year term. Lot 1, Owl, Inc. \$207,000. Lot 2, Luxury Transportation Group Incorporated \$235,700, Colstar Transportation Services Inc. \$249,000, Empire Coach Line, Inc. \$258,430, JB Bus Inc. \$264,300, and Owl, Inc. \$266,500. Lot 3, Owl, Inc. \$114,000 and Luxury Transportation Group Incorporated \$115,900. ([Convention Center Facility Operations Division] Procurement Division)
7. [18-720](#) Approval and execution of Subordination of Utility Interests from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, to Orange County and authorization to disburse funds to pay recording fees and record instrument for Econlockhatchee Trail (Lake Underhill Rd to S.R. 50). District 3. (Real Estate Management Division)
8. [18-721](#) Approval and execution of Temporary Construction Easement between Walt Disney Parks and Resorts U.S., Inc. and Orange County and authorization to disburse funds to pay recording fees and record instrument for CR 545 (Avalon Rd) (Osceola County Line to Porter Road). District 1. (Real Estate Management Division)
9. [18-722](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for Taft-Vineland Road (Orange Blossom Trail to Orange Avenue). District 4. (Real Estate Management Division)
10. [18-723](#) Approval of Contract for Sale and Purchase and Warranty Deed between

Solid Rock Baptist Church of Altamonte Springs, Inc. and Orange County and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Little Wekiva Stormwater Treatment Area. District 2. (Real Estate Management Division)

11. [18-724](#) Approval of Subordination of Encumbrance to Property Rights to Orange County from MDC Coast 5, LLC and authorization to disburse funds to pay recording fees and record instrument for Avalon Park Blvd Safety Improvements. District 4. (Real Estate Management Division)
12. [18-725](#) Approval of Utility Easement from MDC Coast 5, LLC with Joinder and Consent to Utility Easement by 7-Eleven, Inc. to Orange County and authorization to record instrument for 7-Eleven Store #37232 OCU Permit: B15901066 OCU File #: 80726. District 5. (Real Estate Management Division)
13. [18-726](#) Approval of Utility Easement from Park Square UCF LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from MIDFLORIDA Credit Union and authorization to record instruments for Park Square Plaza Site Work Only Permit: B17903012 OCU File #: 95206. District 5. (Real Estate Management Division)
14. [18-727](#) Approval of Utility Easement from DB Retail Stores, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from BankUnited, N.A. and authorization to record instruments for Black Angus at Vista Centre NC Permit: B15903251 OCU File #: 82527. District 1. (Real Estate Management Division)
15. [18-728](#) Approval of Utility Easement from Collegiate Square Tech Center, LLC to Orange County and authorization to record instrument for Knight's Pub Permit: 17-U-036 OCU File #: 92546. District 5. (Real Estate Management Division)
16. [18-729](#) Approval of Utility Easement from John Young Land Partners, LLC to Orange County and authorization to record instrument for Infinity Park Phase 1B Permit: 17-E-047 OCU File #: 93667. District 6. (Real Estate Management Division)
17. [18-730](#) Approval of Utility Easement from Crystal Creek Hospital Properties, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from CapitalSource and authorization to record instruments for Crystal Creek Animal Hospital (B16904930) 89606. District 1. (Real Estate Management Division)

D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-731](#) Approval and execution of Orange County, Florida, Resolutions Establishing

Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 2, 3, 4 and 6. (Code Enforcement Division)

LC 18-0242	LC 18-0347	LC 18-0308	LC 18-0267	LC 18-0293
LC 18-0270	LC 18-0349	LC 18-0368	LC 18-0344	LC 18-0328
LC 18-0321	LC 18-0374	LC 18-0372	LC 18-0041	LC 18-0350
LC 18-0327	LC 18-0377	LC 18-0125	LC 18-0281	LC 18-0353

2. [18-732](#) Approval and execution of Amended and Restated Contract by and between the Department of Environmental Protection and Orange County, Florida Contract No. GC925 for Storage Tank System Compliance Assistance and authorization for the Environmental Protection Division Manager to sign the annual task assignments and to approve minor administrative changes to the contract. All Districts. (Environmental Protection Division)

E. FAMILY SERVICES DEPARTMENT

1. [18-733](#) Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Frontline Outreach Head Start. This application is only executed by Orange County. (Head Start Division)
2. [18-734](#) Approval and execution of (1) Orange County, Florida and The Nemours Foundation Agreement related to Provision of Vision and Hearing Screenings and (2) Orange County, Florida and The Nemours Foundation Addendum to Contract NO. Y17-331 related to Business Associate Assurance of Compliance with the Health Insurance Portability and Accountability Act (HIPPA) Privacy, Breach and Security Rules and the Florida Information Protection Act (FIPA). (Head Start Division)
3. [18-735](#) Approval and execution of (1) State of Florida Statewide Voluntary Prekindergarten Provider Contract Form OEL-VPK 20 by and between Early Learning Coalition of Orange County and Orange County, Florida and (2) Delegation of Signing Authority for the State of Florida Statewide Voluntary Prekindergarten Provider Contract related to the Orange County Head Start Program; and approval of State of Florida Statewide Voluntary Prekindergarten Provider Contract Private Provider Attachment Form OEL-VPK 20PP by and between Early Learning Coalition of Orange County and Orange County, Florida. (Head Start Division)
4. [18-736](#) Approval of Orange County Head Start Program Application for Federal Assistance related to Cost-of-Living Adjustment (2.6%) FY 2018 between Orange County and Department of Health and Human Services Administration for Children and Families, Office of Head Start Program; and approval and execution of (1) Certification of Filing and Payment of Federal

Taxes; and (2) Employee Compensation Cap Compliance Assurance. (Head Start Division)

5. [18-737](#) Approval of Orange County Head Start Program Application for Federal Assistance related to Supplemental Funds FY 2017-2018 between Orange County and Department of Health and Human Services Administration for Children and Families, Office of Head Start Program; and approval and execution of (1) Certification of Filing and Payment of Federal Taxes; and (2) Employee Compensation Cap Compliance Assurance. (Head Start Division)
6. [18-738](#) Approval of the June 2018 Neighborhood Pride Sign Grant as recommended by the Neighborhood Grants Advisory Board for Hiawassa Highlands Neighborhood (\$5,000). District 6. (Neighborhood Preservation and Revitalization Office)
7. [18-739](#) Approval of the June 2018 Neighborhood Pride Wall Repair Grants as recommended by the Neighborhood Grants Advisory Board for Brandy Harbor Neighborhood (\$15,000) and Chickasaw Oaks Neighborhood (\$15,000). Districts 3 and 4. (Neighborhood Preservation and Revitalization Office)
8. [18-740](#) Approval of the June 2018 Sustainable Communities Grant as recommended by the Neighborhood Grants Advisory Board for Friends of Lake LaGrange Community Association (\$5,000). District 3. (Neighborhood Preservation and Revitalization Office)

F. HEALTH SERVICES DEPARTMENT

1. [18-741](#) Approval to pay Orange County's Medicaid share of cost in accordance with Florida Statute 409.915 for state fiscal year 2018-19 in the amount of \$20,293,696.55.

G. PUBLIC WORKS DEPARTMENT

1. [18-742](#) Approval to decrease the speed limit on Murcott Blossom Boulevard from 30 mph to 25 mph starting at Summerlake Groves Street and extending 960 feet east of Murcott Harvest Loop. District 1. (Traffic Engineering Division)
2. [18-743](#) Approval to decrease the speed limit on Chickasaw Trail starting 230 feet north of American Rose Parkway to El Prado Avenue from 45 mph to 35 mph. District 3. (Traffic Engineering Division)
3. [18-744](#) Approval to install a "Stop" sign on Lakes Way at Spring Island Way. District 4. (Traffic Engineering Division)
4. [18-745](#) Approval to install a "Stop" sign on Andover Lakes Drive at Fairhaven Way.

District 4. (Traffic Engineering Division)

5. [18-746](#) Approval and execution of (1) Resolution 2018-M-16 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Wallace Road and Dr. Phillips Boulevard Project and (2) State of Florida Department of Transportation Local Agency Program Agreement between the State of Florida, Department of Transportation and Orange County FPN: 435587-1-58-01 435587-1-68-01. District 1. (Transportation Planning Division)

II. INFORMATIONAL ITEMS****A. COUNTY COMPTROLLER**

1. [18-747](#) Receipt of the following items to file for the record: (Clerk's Office)
- a. City of Orlando Voluntary Annexation Request - 2606 S. Brown Avenue - ANX2017-10002. Notice of Proposed Enactment. Proposed Ordinance 2018-24, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of East Michigan Avenue, east of Mayer Street, south of East Crystal Lake Avenue, and west of South Brown Avenue, and comprised of 0.323 acres of land, more or less, and amending the City's Boundary Description; amending the City's adopted Growth Management Plan to designate the property as Residential-Low Intensity on the City's Official Future Land Use Maps; designating the property as the 1-2 Family Residential District with the Traditional City Overlay District (R-2A/T) on the City's Official Zoning Maps; providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.
- b. City of Orlando Voluntary Annexation Request - Fern Creek Annexation - ANX2017-10003. Notice of Proposed Enactment. Proposed Ordinance 2018-26, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located south of East Grant Street, west of South Fern Creek Avenue, and east of South Shine Avenue, and comprised of 1.81 acres of land, more or less, and amending the City's Boundary Description; amending the City's adopted Growth Management Plan to designate the property as Residential-Low Intensity on the City's Official Future Land Use Maps; designating the property as the 1-2 Family Residential District with the Traditional City Overlay District (R-2A/T) on the City's Official Zoning Maps;

providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.

c. City of Orlando Voluntary Annexation Request - Pineloch Place Annexation - ANX2017-00007. Notice of Proposed Enactment. Proposed Ordinance 2018-25, entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain property generally located east of Center Street, south of East Pineloch Avenue, and west of Sylvan Avenue, and comprised of 0.791 acres of land, more or less, and a portion of the adjacent right-of-way of East Pineloch Avenue generally located between South Orange Avenue and Sylvan Avenue, and comprised of 1.34 acres of land, more or less; amending the City's Boundary Description; amending the City's adopted Growth Management Plan to designate the property as Office Low Intensity on the City's Official Future Land Use Maps; designating the property as the Office and Residential District with the Specially Planned Area Overlay District (O-1/SP) on the City's Official Zoning Maps; providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 1st floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.

d. City of Ocoee Resolution No. 2018-008: A Resolution of the City of Ocoee, Florida, abandoning and vacating that portion of South Cumberland Avenue, a sixty (60) foot wide public right of way, lying between the southerly right of way line of West Ohio Street and the northerly right of way line of West Delaware Street, as depicted on the plat of town of Ocoee, Plat Book A, Pages 100 and 101 of the Public Records of Orange County, Florida; providing for recordation; providing for severability; providing an effective date.

e. Florida Public Service Commission notice of proposed agency action order acknowledging treatment of taxes and order approving cancellation of CIAC gross-up tariffs. In re: Application for approval of tariff for the gross-up of CIAC in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties, by Utilities, Inc. of Florida.

f. Florida Public Service Commission notice of proposed agency action order approving decrease in AFUDC rate. In re: Request for approval of change in rate used to capitalize allowance for funds used during

construction (AFUDC) from 6.16% to 5.97%, effective January 1, 2018, by Florida Power & Light Company.

This item was received and filed.

III. DISCUSSION AGENDA

A. FIRE RESCUE DEPARTMENT

1. [18-748](#) 2018 Hurricane Season Update. (Office of Emergency Management)

The Board took no action.

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-749](#) Selection of one firm and two ranked alternates to provide Continuing Professional Services for Environmental Site Assessment and Remediation, Request for Proposals Y18-901-EB, from the following three firms, listed alphabetically:

- E Sciences, Incorporated
- Environmental Consulting & Technology, Inc.
- HSW Engineering, Inc.

([Office of Accountability Risk Management Division] Procurement Division)

A motion was made by County Mayor Jacobs, seconded by Commissioner Clarke, to appoint Environmental Consulting & Technology, Inc., 439 points, as the selected firm; and further, appoint HSW Engineering, Inc., 419 points, and E Sciences, Incorporated, 414 points, as the selected ranked alternates. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

2. [18-750](#) Selection of one firm and two ranked alternates to provide Continuing Professional Traffic Engineering Services, Request for Proposals Y18-902-CH, from the following three firms, listed alphabetically:

- LTEC-Pegasus Traffic Engineering Services Joint Venture
- Metric Engineering, Inc.
- Vanasse Hangen Brustlin, Inc.

([Public Works Department Traffic Engineering Division] Procurement Division)

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to appoint Metric Engineering, Inc., 473 points, as the selected firm; and further, appoint LTEC-Pegasus Traffic Engineering Services Joint Venture, 450 points, and Vanasse Hangen

Brustlin, Inc., 443 points, as the selected ranked alternates. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

C. UTILITIES DEPARTMENT

1. [18-751](#) Approval to establish the haulers compensation rates as listed, set the MSBU rate at \$230 for Program Year 2019, and authorization to include the Tentative Mandatory Refuse Collection Rate of \$230 on the 2018 Notice of Proposed Taxes. All Districts. (Solid Waste Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Clarke, to approve the tentative Municipal Service Benefit Unit (MSBU) rate at \$230 per household for calendar year 2019; further, approve the hauler compensation rates for calendar year 2019 set at: Zone 1 - \$141.20 per household, Zone 2 - \$174.66 per household, Zone 3 - \$152.07 per household, Zone 4 - \$123.34 per household, Zone 5 - \$125.52 per household; and further, authorize to include the tentative mandatory refuse collection of \$230 on the 2018 Notice of Proposed Taxes. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

D. COUNTY MAYOR

1. [18-752](#) Open discussion on issues of interest to the Board.

This item was not considered.

IV. WORK SESSION AGENDA

A. COUNTY ADMINISTRATOR

1. [18-753](#) Retail Pet Sales.

The following persons addressed the Board:

- Lisa Franchina
- Katrina Shadix (phonetic)

The Board took no action.

B. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-754](#) Dog Friendly Dining (Zoning Division)

The Board took no action.

Presentation

Employee Service Awards to: Arnaldo Mercado Bosch (20), Environmental Protection, Community, Environmental and Development Services; Eric Gill (20), Daniel Hill (20), Facility Operations, Convention Center; Cassandra Manuel (25), Jose Arroyo (20), In-Custody Support, Corrections; Douglas Oliver (30), John Duke (30), Operations, Fire Rescue; Renee Leonard (30), Medical Clinic, Health Services; Susan Martin (20), Risk Management, Office of Accountability; Dennis Keleher (30), Water, Marianella Sauri, (20), Customer Service, Utilities

Recognition

Elizabeth Johnson for receiving the Dr. Richard J. Kramer, Certified Environmental Professional Memorial Award for Environmental Excellence

V. RECOMMENDATIONS

1. [18-755](#) May 17, 2018 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Love, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Thompson

VI. PUBLIC HEARINGS

1. [18-574](#) Petition to Vacate

Isaac Manzo, Esquire, on behalf of Partap Romeo Ragbir and Lilawatie Ragbir, Petition to Vacate #14-05-007, portion of an unopened, unimproved right-of-way; District 5

Consideration: Resolution granting Petition to Vacate # 14-05-007, vacating a portion of an approximately 106 foot wide unopened, unimproved right-of-way known as Bancroft Boulevard, containing approximately 27,603 square feet.

Location: District 5; The parcel is unaddressed; S25/T23/R32; Orange County, Florida (legal property description on file)

The following person addressed the Board: Farhaad Naghoon.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to approve the request. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

2. [18-632](#) Preliminary Subdivision Plan

Kevin P. White, Waldrop Engineering, AIPO - South Orange Properties
Planned Development (PD) / AIPO - South Orange Woodland Park Phase
10 Preliminary Subdivision Plan, Case # PSP-17-10-308; District 4

Consideration: AIPO - South Orange Properties Planned Development / AIPO - South Orange Woodland Park Phase 10 Preliminary Subdivision Plan, Case # PSP-17-10-308, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 18.69 acres of Tract F-1 in order to construct 122 attached single-family residential dwelling units.

Location: District 4; property generally located North of East Wetherbee Road / Southwest of Boggy Creek Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kevin White.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

3. [18-633](#) Preliminary Subdivision Plan

Major Stacy, B & S Engineering Consultants, Inc., Fire Creek at Gotha
Preliminary Subdivision Plan, Case # PSP-16-08-273; District 1 (Continued
from June 5, 2018)

Consideration: Fire Creek at Gotha Preliminary Subdivision Plan, Case # PSP-16-08-273, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 29.55 acres in order to construct 42 single-family residential dwelling units. The project is proposed to be gated and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time. This request also includes the following waiver from Orange County Code: A waiver from Orange County Code Section 34-267(h) is requested to allow a diversion control structure in lieu of a separate collection system and retention outfall system.

Location: District 1; property generally located North of Moore Road / East of 7th Avenue; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to continue the public hearing until July 10, 2018, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

4. [18-704](#) Borrow Pit

Roger Holt, Roger Holt Trust, Roger Holt Trust Borrow Pit Excavation
Permit # 15-E4-0064; District 4

Consideration: Request for a Borrow Pit Excavation Permit to construct a 35 acre borrow pit inside a 175 acre site for the excavation and export of approximately 1,300,000 cubic yards of clean fill material to various approved project sites in unincorporated Orange County and sites within other jurisdictions over a five year period.

Location: District 4; property generally located east of SR 520 and south of SR 528 (Beachline)

Court Reporters: Shelley Troise, Landmark Reporting and Leah Rivera, OrangeLegal

Clerk's Note: County staff announced the Excavation Permit number is #15-Ex-0064, and not #15-E4-0064 as advertised.

The following persons addressed the Board:

- Victor Chapman
- Jason Belcher
- Michelle Katsanos
- Joanne Beatty
- Kenneth Bossone
- David Beatty
- Karen B. Moore
- Richard Mackay
- Linda Roess
- Robert Libbey
- Clark Roess
- Diane Hessenauer
- Thomas Albritton
- Jack Smith

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Victor Chapman
- Exhibit 2, from Thomas Albritton

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board: Submittal 1, from Victor Chapman.

A motion was made by Commissioner Thompson, seconded by Commissioner Siplin, to deny the Borrow Pit Excavation Permit (#15-Ex-0064). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

5. [18-555](#) Substantial Change

Robert Paymayesh, PE Group, LLC, Bargrove Property Planned

Development / Land Use Plan (PD / LUP), Case # CDR-17-12-386, amend plan; District 2

Consideration: A PD substantial change to relocate a 15-acre Orange County Public Schools (OCPS) school site across Cemetery Road, and add a full access point on N. Orange Blossom Trail (U.S. 441); pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 2; property generally located east of N. Orange Blossom Trail and north of Sadler Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Robert Paymayesh.

A motion was made by Commissioner Love, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 5 - Mayor Jacobs, Commissioner Love, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 2 - Commissioner Thompson, and Commissioner Clarke

6. [18-631](#) Substantial Change

Randy A. June, June Engineering Consultants, Inc., Orange Lake Country Club Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-12-384, amend plan; District 1

Consideration: A PD substantial change to reduce the number of multi-family dwelling units from 825 to 300, increase the number of conventional single-family residential units from 50 to 296, and increase the number age-restricted single-family residential dwelling units from 307 to 500, and revise the phasing table to reflect the new development program. The proposed changes reflect a net decrease of 86 dwelling units; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located east of County Road 545 (Avalon Road), north of U.S. Highway 192, and along both sides of Hartzog Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Randy June.

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

7. [18-556](#) Ordinance

Amending Orange County Code, Chapter 15, Article III, pertaining to Orange County Air Quality Rules

Consideration: AN ORDINANCE AMENDING THE "ORANGE COUNTY AIR QUALITY RULES" REGULATING AIR QUALITY AND AIR POLLUTION CONTROL; AMENDING SECTION 15-70 REGARDING DEFINITIONS; AMENDING SECTION 15-71 REGARDING VIOLATIONS, PENALTIES AND REMEDIES; AMENDING SECTION 15-89 REGARDING PERMITS REQUIRED, PERMITTING GENERALLY, EXCEPTIONS FROM PERMITTING, PERMIT APPLICATION PROCESSING, VARIANCES AND WAIVERS, EXEMPTIONS, FINAL AGENCY ACTION FOR PERMITS, TEMPORARY NONCOMPLIANCE; AMENDING SECTION 15-89.1 REGARDING AIR POLLUTION PROHIBITED; AMENDING SECTION 15-90 REGARDING ADOPTION OF STATE AND FEDERAL RULES BY REFERENCE; AMENDING SECTION 15-96 REGARDING PROHIBITIONS; AMENDING SECTION 15-98 REGARDING OPEN BURNING OF LAND CLEARING DEBRIS; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Bonilla, seconded by Commissioner VanderLey, to determine that the proposed Ordinance will not have a substantial impact on the development of real property within Orange County; and further, adopt Ordinance 2018-10 amending Chapter 15, Article III. Air Quality Control. The motion carried by the following vote:

Aye: 6 - Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Jacobs

8. [18-634](#) Ordinance

Amending Orange County Code, Article III, Chapter 11, Section 11-62, pertaining to Code Enforcement Citation Program

Consideration: AN ORDINANCE PERTAINING TO THE CODE ENFORCEMENT CITATION PROGRAM IN ORANGE COUNTY; AMENDING CHAPTER 11, ARTICLE III, ORANGE COUNTY CODE, SECTION 11-62, SCHEDULE "A" BY ADDING CHAPTER 15 ("ENVIRONMENTAL CONTROL") AND CHAPTER 18 ("FIRE PREVENTION AND PROTECTION"); AND PROVIDING FOR AN EFFECTIVE DATE

County staff proposed a change to "Schedule A" of the ordinance as follows:

Code Provision: ~~Section 15-184~~

Description: ~~Noise and vibration control~~

Class: ~~Punishable as set forth in Section 15-187~~

A motion was made by Commissioner Clarke, seconded by Commissioner Bonilla, to adopt Ordinance 2018-11 pertaining to the Code Enforcement Citation Program in Orange County; further, amend Chapter 11, Article III, Orange County Code, Section 11-62, Schedule "A" by adding Chapter 15 ("Environmental Control") and Chapter 18 ("Fire Prevention and Protection"); and deletion of Code Provision Section 15-184 Description Noise and Vibration Control, Class: Punishable as set forth in Section 15-187 in Section A of ordinance; and further, provide for an effective date. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

9. [18-638](#) Ordinance

Revoking Orange County Code, pertaining to the Economic Development Ad Valorem Tax Exemption Granted to DaVita Rx, LLC by Ordinance No. 2014-02.

Consideration: AN ORDINANCE OF ORANGE COUNTY, FLORIDA RELATING TO TAXATION; REVOKING THE ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION GRANTED TO DAVITA RX, LLC BY ORDINANCE NO. 2014-02; PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to adopt Ordinance 2018-12 of Orange County, Florida relating to taxation; further, revoke the economic development exemption from certain ad valorem taxation for DaVita Rx, LLC; and further, approve the Termination of Economic Development Ad Valorem Tax Exemption Agreement between Orange County, Florida and DaVita Rx, LLC. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

10. [18-557](#) Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2018-1 Continued Regular Cycle to the 2010-2030 Comprehensive Plan (CP) (Continued from June 5, 2018)

and

Adoption of Ordinance

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2018-1-A-2-1

Timothy Green, Green Consulting Group, for Parks of Mt. Dora, LLC

Consideration: Growth Center-Planned Development-Office/Low-Medium Density Residential (GC-PD-O/LMDR) to Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR)

Location: 6989 N. Orange Blossom Trl.; Generally located east of N. Orange Blossom Trl., north of Stoneybrook Hills Pkwy., and south of Robie Ave.; Parcel ID#: 04-20-27-0000-00-001; 63.57 gross ac.

A motion was made by Commissioner Love, seconded by Commissioner VanderLey, to continue Amendment 2018-1-A-2-1, Amendment 2018-1-B-FLUE-2 and Regular Cycle State-Expedited Review Comprehensive Plan Ordinance until July 10, 2018, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

and

10. [18-558](#) Regular Cycle Staff-Initiated Text and Future Land Use Map Amendment
- Amendment 2018-1-B-FLUE-2
Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County; Countywide

This item was continued.

and

10. [18-559](#) Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance
- Amending Orange County Code, adopting 2018-1 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Sections 163.3184 and 163.3187 F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2018 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING EFFECTIVE DATES

This item was continued.

10. [18-560](#) Small-Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-1-1
Darrell Nunnelley for Land Ronny, LLC

Consideration: Rural Settlement 1/1 (RS 1/1) to Planned Development-Commercial Assisted Living Facility (PD-C ALF)

This item was withdrawn by the applicant.

10. [18-561](#) Small Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-1-2
R. Keith Yarborough for R. Keith and Susan M. Yarborough

Consideration: Rural Settlement 1/1 (RS 1/1), Rural Settlement 1/2 (RS 1/2), and Rural Settlement 1/5 (RS 1/5) to Rural Settlement 1/2 (RS 1/2)

Location: 4441 Avalon Rd.; Generally located on the east side of Avalon Rd., south of Dangler

Rd., and north of Phil C. Peters Rd.; Parcel ID#: 06-23-27-4292-04-564; 9.18 gross ac.

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objectives FLU6.2 and FLU8.2 and Policies FLU6.2.5, FLU6.2.6, FLU6.3.5, and FLU8.2.1; further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2018-1-S-1-2, Rural Settlement 1/1 (RS 1/1), Rural Settlement 1/2 (RS 1/2), and Rural Settlement 1/5 (RS 1/5) to Rural Settlement 1/2 (RS 1/2). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

10. [18-562](#) Small Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-1-3 (fka 2017-2-S-1-4)

Glen Pawlowski for Geraldine and Raymond Aldridge/Ergin Emercan

Consideration: Low Density Residential (LDR) to Planned Development-Commercial Assisted Living Facility (PD-C) (ALF)

Location: 7685 and 7753 Conroy Windermere Rd.; Generally located north of Conroy Windermere Rd., south of San Remo Pl., west of S. Hiawasse Rd., and east of Winderlakes Dr.; Parcel ID#s: 11-23-28-0000-00-041/044; 5.42 gross ac.

This public hearing was deferred to later in the afternoon for clarification of the property's location as presented in the legal advertisement.

10. [18-564](#) Small Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-2-1

Alexander Juras for Micah D. Bass Revocable Trust

Consideration: Low Density Residential (LDR) to Commercial (C)

Location: 6703 Mott Ave.; Generally located on the east side of Mott Ave., north of N. Orange Blossom Trl., west of Belasco Ave., and south of Wofford Ln.; Parcel ID#: 32-21-29-5164-00-230; 0.48 gross ac.

A motion was made by Commissioner Love, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objective FLU8.2 and Policies FLU1.1.5, FLU1.4.4, FLU1.4.6, and FLU8.2.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2018-1-S-2-1, Low Density Residential (LDR) to Commercial (C). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

10. [18-565](#) Small Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-4-1

Phin Phan for Phin Phan, Saoun Phan, and Rethi Chheoun

Consideration: Rural Settlement 1/2 (RS 1/2) to Rural Settlement 1/1 (RS 1/1)

Location: Generally located north of Sunflower Trl., west of Harrell Dr., south of Vienna Dr., and east of Mercury Ave.; Parcel ID#: 30-22-32-0000-00-049; 2.11 gross ac.

The following person addressed the Board: Phin Phan.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Policies FLU6.2.5, FLU6.2.8, FLU8.2.1, and FLU8.2.2 and FLU OBJ8.2); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2018-1-S-4-1, Rural Settlement 1/2 (RS 1/2) to Rural Settlement 1/1 (RS 1/1). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

and

10. [18-566](#) Concurrent Rezoning Request

Phin Phan for Phin Phan, Saoun Phan, and Rethi Chheoun
Rezoning RZ-18-04-001

Consideration: R-CE-2 (Rural Residential District) to R-CE (Country Estate District)

Location: Generally located north of Sunflower Trl., west of Harrell Dr., south of Vienna Dr., and east of Mercury Ave.; Parcel ID#: 30-22-32-0000-00-049; 2.11 gross ac.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request from R-CE-2 (Rural Residential) to R-CE (Country Estates). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

10. [18-567](#) Small Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-4-2
Rusty A. Coan, P.E., Cross Development Acquisition, LLC for Daisy H. T.
Chang

Consideration: Low-Medium Density Residential (LMDR) to Commercial (C)

Location: 14060 E. Colonial Dr.; Generally located south of E. Colonial Dr., east of Hancock Lone Palm Rd., and west of Fricke Ave.; Parcel ID#: 24-22-31-0000-00-010 (portion of); 4.21 gross ac.

The following person addressed the Board: Scott Stannard.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.5, FLU1.4.2, FLU1.4.4, and FLU8.2.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment

2018-1-S-4-2, Low-Medium Density Residential (LMDR) to Commercial (C). The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Nay: 1 - Commissioner Bonilla

and

10. [18-568](#) Concurrent Rezoning Request

Rusty A. Coan, P.E., Cross Development Acquisition, LLC for Daisy H. T. Chang
Rezoning RZ-18-04-006

Consideration: A-2 (Farmland Rural District) to C-2 (General Commercial District) and C-1 (Retail Commercial District)

Location: 14060 E. Colonial Dr.; Generally located south of E. Colonial Dr., east of Hancock Lone Palm Rd., and west of Fricke Ave.; Parcel ID#: 24-22-31-0000-00-010 (portion of); 4.21 gross ac.

The District Commissioner proposed new Restriction #6 as follows:

6. Primary access to the property shall be from E. Colonial Drive (State Road 50) only, with only emergency access permitted from Hancock Lone Palm Road.

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from A-2 (Farmland Rural) to C-2 (General Commercial) and C-1 (Retail Commercial), subject to the five (5) restrictions listed in the Staff Report; and further, approve new Restriction #6. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Nay: 1 - Commissioner Bonilla

10. [18-569](#) Small Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-5-1
Bryan Potts, P.E., Tannath Design, Inc. for Filippo Guani Revocable Trust

Consideration: Office (O) to Commercial (C)

Location: 2300 S. Semoran Blvd.; Generally located on the west side of S. Semoran Blvd., south and east of Golfside Dr., and north of Baldwin Park St; Parcel ID#: 15-22-30-0000-00-011; 6.96 gross ac.

The following persons addressed the Board:

- City of Winter Park Commissioner Carolyn Cooper
- Craig Brams
- John Homer
- Mark Stewart
- Melissa Vickers Thomas
- Kathy Estes
- Terry Rooth
- Amanda Zaklukiewicz
- Geri Rybacki
- Doug Thomas
- Tom Sullivan
- Brian Terry

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from City of Winter Park Commissioner Carolyn Cooper
- Exhibit 2, from Melissa Vickers Thomas
- Exhibit 3, from Amanda Zaklukiewicz
- Exhibit 4, from Brian Terry

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to make a finding of inconsistency with the Comprehensive Plan (see Future Land Use Objectives and Policies FLU1.1.4(A), FLU1.4.2, FLU1.4.3, FLU1.4.4, OBJ FLU8.2, FLU8.2.1, and Neighborhood Element Objective OBJ N1.1); further, determine that the proposed amendment is not compliance; and further, deny Amendment 2018-1-S-5-1, Office (O) to Commercial (C). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

and

10. [18-570](#) Concurrent Rezoning Request

Bryan Potts, P.E., Tannath Design, Inc. for Filippo Guani Revocable Trust
Rezoning RZ-18-04-003

Consideration: P-O (Professional Office District) to C-1 (Retail Commercial District)

Location: 2300 S. Semoran Blvd.; Generally located on the west side of S. Semoran Blvd., south and east of Golfside Dr., and north of Baldwin Park St; Parcel ID#: 15-22-30-0000-00-011; 6.96 gross ac.

Based upon the Board's denial of Amendment 2018-1-S-5-1, the concurrent rezoning request was not considered.

Small-Scale Development Privately-Initiated (Deferred)

10. [18-562](#) Small Scale Development Privately-Initiated Amendment

Amendment 2018-1-S-1-3 (fka 2017-2-S-1-4)

Glen Pawlowski for Geraldine and Raymond Aldridge/Ergin Emercan

Consideration: Low Density Residential (LDR) to Planned Development-Commercial Assisted Living Facility (PD-C) (ALF)

Location: 7685 and 7753 Conroy Windermere Rd.; Generally located north of Conroy Windermere Rd., south of San Remo Pl., west of S. Hiawasse Rd., and east of Winderlakes Dr.; Parcel ID#s: 11-23-28-0000-00-041/044; 5.42 gross ac.

Court Reporter: Donna Keller, First Choice Reporting and Video Services

County staff clarified the address of the property location was shown incorrectly in the Staff Report and was correctly presented in the Legal Advertisement.

The following persons addressed the Board:

- Mike Hale
- Dana Crosby-Collier
- Eric Rustin

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Dana Crosby-Collier
- Exhibit 2, from Mike Hale

The District Commissioner recommended removing "Commercial" from the request for Amendment 2018-1-S-1-3. The District Commissioner's proposed amendment Consideration request to read as follows:

Low Density Residential (LDR) to Planned Development-~~Commercial~~ Assisted Living Facility (PD-ALF)

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to make a finding of consistency with the Comprehensive Plan (Future Land Use Element Objective OBJ2.1 and Policies FLU1.1.5, FLU1.4.1, FLU1.4.2, FLU1.4.4, FLU1.4.13, FLU8.1.4, FLU8.2.1, FLU8.2.10, FLU8.2.11; and Neighborhood Element Objective OBJ N1.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2018-1-S-1-3 (fka 2017-2-S-1-4), Low Density Residential (LDR) to Planned Development-Assisted Living Facility (PD-ALF). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

and

Concurrent Rezoning Request (Deferred)

10. [18-563](#) Concurrent Rezoning Request

Glen Pawlowski for Geraldine and Raymond Aldridge/Ergin Emercan
Rezoning LUP-17-08-247

Consideration: R-CE (Country Estate District) to PD (Planned Development) (Certus Senior Living PD)

Location: 7685 and 7753 Conroy Windermere Rd.; Generally located north of Conroy Windermere Rd., south of San Remo Pl., west of S. Hiawassee Rd., and east of Winderlakes Dr.; Parcel ID#s: 11-23-28-0000-00-041/044; 5.42 gross ac.

The District Commissioner proposed new Condition of Approval #15 as follows:

15. Beginning 40 feet from the existing Conroy Windermere Road right-of-way, a masonry wall six (6) feet in height and architecturally similar to the primary structure shall be provided along the eastern property boundary adjacent to any on-site parking areas.

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from R-CE (Country Estate District) to PD (Planned Development) (Certus Senior Living PD), subject to the fourteen (14) conditions listed in the Staff Report; and further, approve new Condition of Approval #15. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

10. [18-571](#) Small Scale Staff-Initiated Text Amendment

Amendment 2018-1-S-FLUE-1
Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2018-1-S-FLUE-1, consistent with today's actions. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Love, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Thompson

10. [18-572](#) Small Scale Development Ordinance

Amending Orange County Code, adopting Second Cycle 2018-1 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Sections 163.3184 and 163.3187 F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING SMALL SCALE DEVELOPMENT AMENDMENTS AND RELATED TEXT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

A motion was made by Commissioner VanderLey, seconded by Commissioner Love, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2018-13, consistent with today's actions, approving the proposed Future Land Use Map and Text Amendments. The motion carried by the following vote

Aye: 6 - Mayor Jacobs, Commissioner Love, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Thompson

11. [18-636](#) Ordinance

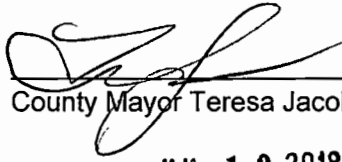
Amending Orange County Code, Article VII, Chapter 38, pertaining to creating the the Pine Hills Neighborhood Improvement District Overlay Zone
- 1st hearing (2nd hearing on June 19, 2018)

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA; CREATING THE PINE HILLS NEIGHBORHOOD IMPROVEMENT DISTRICT OVERLAY ZONE AT DIVISION 14 OF ARTICLE VII OF CHAPTER 38; AND PROVIDING FOR AN EFFECTIVE DATE

The Board took no action.

ADJOURNMENT: 5:35 p.m.

ATTEST:


County Mayor Teresa Jacobs
Date: JUL 10 2018



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk


Katie Smith
Deputy Clerk

✓ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at
<http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

* * *

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.