

Orange County Government

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



Final Meeting Minutes

Tuesday, August 11, 2020

9:00 AM

Communications Media Technology

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:03 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
Deputy County Administrator Chris Testerman
Deputy County Administrator Randy Singh
Deputy County Administrator Danny Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Assistant Deputy Clerk Jessica Vaupel

Invocation - District 5

Pastor J.D. Simmons, Christmas Church of God

Pledge of Allegiance

Public Comment

The following persons addressed the Board for public comment:

- Kourtney Monroe
- Angela Mckinnon
- Annixasbell
- Alexandra Torres
- Delaun Stokes
- Emily Geary
- Hilda Renteria Hernandez
- Abismael Colon Gomez
- Anne Marchetti
- Isabel Geary
- Maria E. Gonzalez

The following persons submitted written comments to the Board during public comment:

- Alaina Slife
- Jeff Hayward
- Chip Tatum
- Patricia Rumph

I. CONSENT AGENDA**Approval of the Consent Agenda**

The Mayor deferred action on Administrative Services Department Item 11; further, deferred action on Planning, Environmental, and Development Services Department Items 10, 11, and 12; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY COMPTROLLER

1. **20-1094** Approval of the minutes of the July 6 and July 7, 2020 meetings of the Board of County Commissioners. (Clerk's Office)
2. **20-1095** 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:
 - July 24, 2020, to July 30, 2020; \$71,901,858.79
 - July 31, 2020, to August 6, 2020; \$26,373,327.64(Finance/Accounting)
3. **20-1096** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Scrap assets.
 - b. Remove stolen assets from inventory.
 - c. Remove lost asset from inventory.
 - d. Dispose of asset totaled by our third party administrator for its salvage value.

B. COUNTY ADMINISTRATOR

1. **20-1097** Approval of budget transfer #20C-0138. (Office of Management and Budget)
2. **20-1098** Approval of CIP amendment #20C-0138. (Office of Management and Budget)
3. **20-1099** Ratification of payment of Intergovernmental claims of June 11, 2020, June 25, 2020, July 2, 2020, and July 16, 2020, totaling \$1,332,218.92. (Risk Management Division)

C. COUNTY ATTORNEY

1. **20-1100** Approval of proposed new Administrative Regulation, titled "Delegation of Limited Authority to Execute Agreements relating to Parks and Recreation Instructors."
2. **20-1101** Approval and execution of Resolution 2020-M-27 of the Orange County Board of County Commissioners regarding approval of a Form Instructor Rental Agreement relating to the Parks and Recreation Division.
3. **20-1102** Authorization for the County Attorney's Office to timely send the following written communications to Florida Real Estate Investments and Holdings, LLC on behalf of the Orange County Board of County Commissioners: 1) A settlement offer proposing no changes to the actions of either the County Code Enforcement Board and/or the Board of County Commissioners that Florida Real Estate Investments and Holdings, LLC, claims have inordinately burdened an existing use of the subject property or a vested right to a specific use of the subject property as a duplex; and 2) A statement declaring that the uses to which the subject property may be put are those uses allowed under the County's R-1 Single-Family Dwelling Unit Regulations in Chapter 38 of the Orange County Code, which uses include a single-family dwelling but not a duplex.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1103** Approval of Change Order No. 5, Contract Number Y20-703, Fire Station #87, with Mulligan Constructors Inc., in the amount of \$112,333.73, for a revised lump sum contract amount of \$3,879,836.36. District 4. (Capital Projects Division)
2. **20-1104** Approval to award Invitation for Bids Y20-189-KB, Orange County Work Uniforms, to the low responsive and responsible bidder, Fann Emblem & Embroidery Company, Inc. The estimated contract amount is \$1,238,729.55 for a three-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
3. **20-1105** Approval to award Invitation for Bids Y20-1029-RM, Operation, Maintenance & Monitoring of the Landfill Gas, Leachate and Stormwater Management System at the Orange County Landfill, to the low responsive and responsible bidder, Carlson Environmental Consultants, PC. The estimated contract award amount is \$1,595,990 for the base year. ([Utilities Department Solid Waste Division] Procurement Division)
4. **20-1106** Approval to award Invitation for Bids Y20-1037-WA, Purchase of Visualization Table, to the low responsive and responsible bidder, Anatomage, Inc. The total estimated contract award amount is \$125,960. ([Health Services Department Medical Examiner's Office] Procurement Division)

5. **20-1107** Approval to award Invitation for Bids Y20-1038-WA, Medical Examiners Forensic Laboratory Analysis, to the low responsive and responsible bidder, Steward Reference Lab. The estimated contract award amount is \$2,032,803 for a three-year term. ([Health Services Department Medical Examiner's Office] Procurement Division)
6. **20-1108** Approval to award Invitation for Bids Y20-1044-MV, Medical Examiner's Transportation Services, to the sole responsive and responsible bidder, Joseph Soluski, Incorporated dba Central Florida First Call Service, Inc. The estimated contract award amount is \$853,650 for a three-year term. ([Health Services Department Medical Examiner's Office] Procurement Division)
7. **20-1109** Approval to award Invitation for Bids Y20-1055-AV, Meter Boxes, to the low responsive and responsible bidder, Core & Main LP. The estimated contract award amount is \$4,070,917.50 for a three-year term. ([Utilities Department Field Services Division] Procurement Division)
8. **20-1110** Approval to award Invitation for Bids Y20-1071-WA, Operable Partition Maintenance, to the low responsive and responsible bidder, Hufcor. The total estimated contract award amount is \$1,822,710 for a three-year term. ([Convention Center Facilities Operations Division] Procurement Division)
9. **20-1111** Approval to award Invitation for Bids Y20-741-RC, Orange County Sheriff's Aviation Complex, to the low responsive and responsible bidder, Accurate Power and Technology DBA A Generator Guy. The total contract award amount is \$112,645.58. ([Administrative Services Department Capital Projects Division] Procurement Division)
10. **20-1112** Approval of Contract Y17-905A, Task Authorization No. 039, Municipal Service Benefit Unit (MSBU) Pond Inventory Mapping Phase 15, Continuing Professional Surveying and Mapping Services, with Southeastern Surveying and Mapping Corporation, in the total not-to-exceed contract amount of \$1,233,364.73. ([Public Works Department Stormwater Management Division] Procurement Division)
11. **20-1113** Approval of Contract Y20-1072, Basic Construction Education Program for Inmates, with Valencia College, in the total contract award amount of \$224,000 for a one-year term. ([Corrections Department Community Corrections Division] Procurement Division)

(This item was deleted.)

12. **20-1114** Approval of Amendment No. 9, Contract Y15-1093D, Heavy Equipment Parts and Labor, with Ring Power Corporation, in the amount of \$318,783.40, for a revised total contract amount of \$2,730,065. ([Administrative Services Department Fleet Management Division]

Procurement Division)

13. **20-1115** Approval of Amendment No. 7, Contract Y17-1078A, Housing Opportunities for Persons with AIDS (HOPWA) Program, with Aspire Health Partners, Inc., in the amount of \$78,668, for a revised total contract amount of \$1,446,326.60. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
14. **20-1116** Approval of Amendment No. 5, Contract Y18-2000, Homeless Shelter Prevention/Diversions Services, with Coalition for the Homeless of Central Florida, Inc., in the amount of \$150,000, for a revised total contract amount of \$630,000. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
15. **20-1117** Approval of Amendment No. 2, Contract Y20-2017, Human Services for Children and Families, with Early Learning Coalition of Central Florida at no cost to the County. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
16. **20-1118** Ratification of Purchase Order M101372, Level Three Gowns, with Stran Promotional Solution, in a not-to-exceed amount of \$388,000. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
17. **20-1119** Ratification of Purchase Order M101263, Emergency Generator Rentals, with Portable Air LC, in a not-to-exceed amount of \$109,830. ([Administrative Services Department Facilities Management Facilities Management Division] Procurement Division)
18. **20-1120** Approval and execution of Agreement for Sale and Purchase by and between DesignShop Properties, LLC and Orange County, Florida, approval of Special Warranty Deed from DesignShop Properties, LLC to Orange County, Florida, delegation of authority to the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Agreement for Sale and Purchase, and authorization to disburse funds to pay purchase price and perform all actions necessary and incidental to closing for CARES Warehouse. District 6. (Real Estate Management Division)
19. **20-1121** Approval and execution of Agreement for Sale and Purchase by and between Carl D. Summers and Ardis E. Summers and Orange County, Florida, approval of Special Warranty Deed from Carl D. Summers and Ardis E. Summers to Orange County, Florida, delegation of authority to the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Agreement for Sale and Purchase, and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing

for Mosquito Control Facility. District 6. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

- 1. **20-1122** Approval and execution of Agreements between Orange County, Florida and The School Board of Orange County, Florida related to Meal Services at Aloma, Dillard, Dover Shores, Engelwood, Evans, Hungerford Elementary, McCoy, Three Points, Ventura, Washington Shores Early Learning, and Washington Shores Elementary Head Start sites. (Head Start Division)
- 2. **20-1123** Receipt and filing of Head Start Policy Council Meeting Minutes May 21, 2020 and Head Start Policy Council Program Information and Updates June 2020 for the official county record. (Head Start Division)

F. HEALTH SERVICES DEPARTMENT

- 1. **20-1124** Approval and execution of Agreement between the City of Orlando, Florida and Orange County, Florida for the Administration of the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program - COVID 19 in the amount of \$626,159 for the service period September 1, 2020 through August 31, 2023 and authorization for the Mayor or designee to sign any future amendments to this agreement. No county match is required. (Fiscal and Operational Support Division)
- 2. **20-1125** Approval and execution of Orange County, Florida and The Nemours Foundation Agreement related to the 340B Drug Discount Program and authorization for the Mayor or designee to exercise renewal options allowed by the agreement, as needed.
- 3. **20-1126** Approval and execution of Federal Subrecipient Agreement between Orange County, Florida and Central Florida Family Health Center, Inc. for a federal subaward of an amount not to exceed \$688,986 from a federal award issued by U.S. Department of the Treasury for the specific purpose of COVID-19 Testing and PPE Reimbursement County Contract No. : Y20-2306 and authorization for the Mayor or designee to execute any related modifications or amendments.

G. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **20-1127** 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, 5, and 6. (Code Enforcement Division)

LC 20-0601	LC 20-0578	LC 20-0624	LC 20-0507	LC 20-0550
LC 20-0604	LC 20-0584	LC 20-0626	LC 20-0509	LC 20-0558

LC 20-0605	LC 20-0429	LC 20-0462	LC 20-0535	LC 20-0570
LC 20-0606	LC 20-0589	LC 20-0488	LC 20-0537	LC 20-0575
LC 20-0607	LC 20-0590	LC 20-0489	LC 20-0542	LC 20-0576
LC 20-0568	LC 20-0595	LC 20-0499	LC 20-0543	LC 20-0579
LC 20-0571	LC 20-0596	LC 20-0501	LC 20-0545	LC 20-0591
LC 20-0573	LC 20-0582	LC 20-0502	LC 20-0549	LC 20-0593

2. **20-1128** Approval and execution of First Extension to Interlocal Agreement between Orange County, Florida and the City of Edgewood regarding building and construction activity in the City of Edgewood. District 3. (Division of Building Safety)
3. **20-1129** Approval and execution of Coronavirus Relief Fund (CRF) Subrecipient Agreement by and among Orange County, Florida and Florida Housing Finance Corporation in the amount of \$5,730,935 regarding the disbursement and expenditure of CARES Act Funds and authorization for the Mayor or designee to execute any related modifications or amendments to the Coronavirus Relief Fund (CRF) Subrecipient Agreement. All Districts. (Housing and Community Development Division)
4. **20-1130** Approval of 5-Year PHA Plan and approval and execution of 1) Certifications of Compliance with PHA Plans and Related Regulations; 2) Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan; and Approval of Streamlined Annual PHA Plan and approval and execution of 1) Certifications of Compliance with PHA Plans and Related Regulations; 2) Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan; and 3) Civil Rights Certification. All Districts. (Housing and Community Development Division)
5. **20-1131** Approval of 2020-2021 One-Year Action Plan and approval and execution of 1) Application for Federal Assistance SF-424 and Assurances-Construction Programs for Community Development Block Grant (CDBG)/Entitlement Grant, 2) Application for Federal Assistance SF-424 and Assurances-Construction Programs for HOME Investment Partnerships Program (HOME)/Entitlement Grant, 3) Application for Federal Assistance SF-424 and Assurances-Construction Programs for Emergency Solutions Grant (ESG)/ Entitlement Grant, 4) Certifications, 5) Specific Community Development Block Grant Certifications, 6) Specific HOME Certifications, and 7) Emergency Solutions Grants Certifications. All Districts. (Housing and Community Development Division)
6. **20-1132** Approval and execution of 1) Second Amendment to the Restated Interlocal Cooperation Agreements between Orange County, Florida and City of Maitland, City of Ocoee, and City of Winter Park, Florida for Community Development Programs under the Urban County Program and 2) Interlocal Cooperation Agreement between Orange County, Florida and City of

Apopka, Florida for Community Development Programs under the Urban County Program. Districts 1, 2, and 5. (Housing and Community Development Division)

7. **20-1133** Approval and execution of Project Administration Subrecipient Agreement between Orange County, Florida and Coalition for the Homeless of Central Florida, Inc. regarding the State Housing Initiatives Partnership Program FY 2019-2020 and FY 2020-2021 in the amount of \$600,000. All Districts. (Housing and Community Development Division)
8. **20-1134** Accept the findings and recommendations of the Environmental Protection Commission and approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-343(a) to reduce the side setback from 10 feet to zero feet from both projected property lines for the Borsdorf Dock Construction Permit BD 20-04-060. District 3. (Environmental Protection Division)
9. **20-1135** Accept the findings and recommendations of the Environmental Protection Commission and approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the allowable terminal platform size from 280 square feet to 515 square feet with a payment of \$585 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners, and approve the request for variance to Section 15-343(a) to reduce the required setback from 10 feet to 0 feet from both projected property lines for the Mellone Dock Construction Permit BD 20-04-059. District 3. (Environmental Protection Division)
10. **20-1136** Approval and execution of Adequate Public Facilities Agreement for Silverleaf-Horizon West Town Center PD/RP by and between JEN Florida 36, LLC and Orange County. District 1. (Planning Division)

(This item was deferred.)

11. **20-1137** Approval and execution of Escrow Agreement for Town Center West (Silverleaf) Road Network Agreement by and among Jen Florida 36, LLC, Orange County, and Shutts & Bowen, LLP outlining the duties and responsibilities of the Escrow Agent. District 1. (Roadway Agreement Committee)

(This item was deferred.)

12. **20-1138** Approval and execution of Town Center West (Silverleaf) Road Network Agreement C.R. 545/Avalon Road and New Independence Parkway by and among Jen Florida 36, LLC and Orange County to provide for the study, design, engineering, permitting, mitigation, dedication of right-of-way, and construction of road improvements to C.R. 545/Avalon Road and New

Independence Parkway in return for impact fee credits and concurrency vesting. District 1. (Roadway Agreement Committee)

(This item was deferred.)

H. PUBLIC WORKS DEPARTMENT

1. **20-1139** Approval to construct speed humps on Suncrest Drive. District 2. (Traffic Engineering Division)
2. **20-1140** Approval to construct speed humps on 37th Avenue and Laguna Street. District 6. (Traffic Engineering Division)
3. **20-1141** Approval to replace "Yield" sign with a "Stop" sign at George Martin Road and Holly Creek Road. District 2. (Traffic Engineering Division)
4. **20-1142** Approval to replace "Yield" signs with "Stop" signs on Travis Street at Bonifay Avenue and Travis Street at South Deerwood Avenue. District 3. (Traffic Engineering Division)
5. **20-1143** Approval to install raised crosswalks on Lakeville Road at Piedmont Lakes Middle School entrance and Pioneer Road at Denson Drive for Ridgewood Park Elementary School. District 2. (Traffic Engineering Division)
6. **20-1144** Approval to install a raised crosswalk on Oleander Drive at Tucker Avenue for Colonial High School. District 3. (Traffic Engineering Division)
7. **20-1145** Approval to install a raised crosswalk on Sussex Drive at Radnor Avenue for Bonneville Elementary School. District 5. (Traffic Engineering Division)
8. **20-1146** Approval to install a raised crosswalk on Eastwood Drive at Rouse Lake Road for University High School. District 5. (Traffic Engineering Division)
9. **20-1147** Approval to install raised crosswalks on Bonnie Brook Boulevard at Sadler Elementary School entrance and Harcourt Avenue and Calendula Drive for Shingle Creek Elementary School. District 6. (Traffic Engineering Division)
10. **20-1148** Approval to install raised crosswalks on Tattant Boulevard at Horizon West Middle School entrance and Overstreet Road at Nobleton Drive. District 1. (Traffic Engineering Division)
11. **20-1149** Approval and execution of Resolution 2020-M-28 of the Orange County Board of County Commissioners regarding the Board of County Commissioners of Orange County, Florida supporting the Green Mountain Scenic Byway's efforts to seek a National Scenic Byway. District 1. (Traffic Engineering Division)
12. **20-1150** Authorization to record the plat of Chabad at UCF. District 5. (Development

Engineering Division)

13. **20-1151** Authorization to record the plat of World Resort Poinciana Multi-Family. District 1. (Development Engineering Division)
14. **20-1152** Approval of Amendment No. 5 to the Road Network Agreement with SLF IV/Boyd Horizon West JV, LLC for the northerly extension of Hamlin Groves Trail from New Independence Parkway to Tiny Road in the amount of \$213,467.19, for a revised total contract amount of \$1,193,631.05. District 1. (Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-1153** Receipt of the following items to file for the record: (Clerk's Office)
- a. Florida Public Service Commission Consummating Order. In re: Petition for approval of amended standard offer contract (Schedule COG-2), by Duke Energy Florida, LLC d/b/a Duke Energy.
 - b. Audit Report No. 486 - Audit of Orange County Procurement Card Program Administration

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **20-1154** Approval of Funding Agreement between Orange County, Florida and the Orange County Clerk of Courts regarding Emergency Local Contribution for Fiscal Year 2019-20 and Budget Transfer #20-1186. (Office of Management and Budget)

The following persons addressed the Board:

- Orange County Clerk of Courts Tiffany Moore Russell
- Ninth Judicial Circuit Chief Judge Donald Myers
- Eric Reed

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the Funding Agreement between Orange County, Florida and the Orange County Clerk of Courts regarding Emergency Local Contribution for Fiscal Year 2019-20; and further, approve budget transfer #20-1186. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

Nay: 1 - Commissioner Siplin

2. **20-1155** Visit Orlando Annual Update.

The following person addressed the Board: George Aguel.

The Board took no action.

3. **20-1156** COVID-19 Cares Act Update and Approval of the Orange County Eviction Diversion Program including the use of up to \$20 million in CARES Funding; and delegation of signature authority to Mayor or designee to execute a contract between Orange County and the Orange County Bar Association for the administration of the program.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to approve the Orange County COVID-19 Eviction Diversion Program including the use of up to \$20 million in CARES Funding; and further, delegate signature authority to the Mayor or designee to execute a contract, including amendments and modifications between Orange County and the Orange County Bar Association for the administration of the program. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1157** Selection of one firm and an alternate to provide Final Engineering Design Services for Lake Apopka Trail Connector [from Lake Apopka Loop to West Orange Trail] Request for Proposals Y20-828-EB, from the following two firms, listed alphabetically:

- AVCON, Inc.
- WBQ Design & Engineering, Inc.

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to appoint WBQ Design & Engineering, Inc., 470 points, as the selected firm; and further, appoint AVCON, Inc., 435 points, as the selected alternate. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

2. **20-1158** Selection of five firms and two ranked alternates to provide Continuing Engineering Design Services for Utilities, Request for Proposals Y20-905-TA, from the following nine firms, listed alphabetically:

- Atkins North America, Inc.
- Barnes, Ferland, and Associates
- Black & Veatch Corporation
- CPH, Inc.
- Dewberry Engineers, Inc.
- Kimley-Horn and Associates, Inc.
- Reiss Engineering, Inc.
- Tetra Tech, Inc.
- Woolpert, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to appoint CPH Inc., 503 points, Reiss Engineering, Inc., 500 points, Black & Veatch Corporation, 497.50 points, Barnes, Ferland, and Associates, 497 points, and Tetra Tech, Inc., 492 points as the selected firms; and further, appoint Woolpert, Inc., 457.50 points, and Atkins North America, Inc., 453 points, as the selected ranked alternates. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-1159** Affordable Housing Trust Fund Plan. (Housing and Community Development Division)

The Board took no action.

Non Agenda

Mayor Demings announced that beginning with the next regular meeting on September 1st, the Board will be taking steps to allow interested members of the public to participate not only from the kiosk in room 105, but also from remote locations via Webex, such as their homes or offices.

The notices for these upcoming quasi-judicial hearings will provide instructions about how members of the public may participate from remote locations, including a "link" for them to register before the meeting so staff will be able to ensure they are able to participate during the meeting. These notices will also provide a phone number and email address of the appropriate staff member who people can call or email if they have questions or need assistance.

As with quasi-judicial hearings that were being held before the onset of Covid-19, the Board will continue to have time limitations for those who wish to participate.

Virtual meetings are subject to the governor's executive orders.

V. RECOMMENDATIONS

1. 20-1160 July 16, 2020 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the recommendations, with the exception of Case # RZ-20-07-050, Jim Hall (Board Called), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

VI. PUBLIC HEARINGS

1. 20-934 Board of Zoning Adjustment Appeal

Parker's Landing, LLC

Angelo's Recycling, Case # SE-19-07-068, January 2, 2020; District 4

Case: Board of Zoning Adjustment Case # SE-19-07-068; January 2, 2020

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for a special exception in the IND-2/IND-3 zoning district to allow a construction and debris recycling facility.

Location: District 4; property located at 500 W. Landstreet Rd., Orlando, FL 32824; Orange County, Florida (legal property description on file in Zoning Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to continue the Board of Zoning Adjustment Appeal public hearing Case # SE-19-07-068 and the Solid Waste Management Facility Permit public hearing until September 22, 2020, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

and

2. 20-892 Solid Waste Management Facility Permit

Angelo's Aggregate Materials Ltd., permit; District 4 (Continued from August 11, 2020)

Consideration: Request for Solid Waste Management Facility permit to construct, operate, and close as necessary, a Materials Recovery Facility and Transfer Station, pursuant to Orange County Code, Chapter 32, Article V, Solid Waste Management Ordinance, Section 32-214(j).

Location: District 4; located at 500 West Landstreet Road, Orlando; Orange County, Florida (legal property description on file in Environmental Protection Division)

This Solid Waste Management Facility Permit public hearing was continued.

3. **20-935** Board of Zoning Adjustment Board-Called

Rudy Callahan, Case # VA-20-05-025, June 4, 2020; District 4

Case No.: Board of Zoning Adjustment, # VA-20-05-025; June 4, 2020

Consideration: Request for variances in the A-2 zoning district as follows:

1) To allow a cumulative total of 5,500 sq. ft. of accessory floor area in lieu of 3,000 sq. ft. (BZA approved 4,250 sq.ft.).

2) To allow an existing accessory structure greater than 15 ft. in height to remain 5 ft. from the side (south) property line in lieu of 10 ft. Note: this is the result of Code Enforcement Action.

Location: District 4; property located at 1501 Oberry Hoover Rd., Orlando, FL 32825; Orange County, Florida (legal property description in Zoning Division)

New Condition of Approval:

7. The two existing sheds on the property that were not identified on the site plan and were not included in the cumulative total sq. ft. of accessory floor area shall be removed prior to issuance of any new permits for the property.

The following person addressed the Board: Rudy Callahan.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the recommendation of the Board of Zoning Adjustment; further, grant the applicant's variance requests subject to the six (6) conditions of approval; and further, approve new condition of approval #7. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

4. **20-234** Planning and Zoning Commission Rezoning Board-Called

Stephen Allen, Civil Corp Engineering, Inc., Case # RZ-19-10-044, December 19, 2019; District 3 (Continued from March 10, April 21 and June 2, and August 11, 2020)

Case No.: Planning and Zoning Commission, Case # RZ-19-10-044; December 19, 2019

Consideration: Request to consider a rezoning of 3.90 gross acres located at 5177 Hoffner Avenue; or generally located on the west side of Petroff Avenue, 230 feet north of Hoffner Avenue, from R-2 (Residential District) (Restricted) to R-2 (Residential District) in order to construct thirty-eight (38) townhomes.

Location: District 3; property located at 5177 Hoffner Ave; or generally located on the west side of Petroff Avenue, 230 feet north of Hoffner Avenue; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to continue the

public hearing until September 22, 2020, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

5. **20-990** Conservation Area Impact

City of Cocoa Utilities Department, Claude H. Dyal Water Treatment Plant; permit; District 4

Consideration: Conservation Area Impact (CAI) requesting improvements to the City of Cocoa Claude H. Dyal Water Treatment Plant.

Location: District 4; The project is located at 28400 State Road 520, and 13850 Taylor Creek Road, Christmas, FL 32709; Orange County, Florida (legal description on file in Environmental Protection Division)

The following person addressed the Board: Jack Walsh.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to accept the findings and recommendation of Environmental Protection Division staff; and further, approve the Conservation Area Impact Permit (CAI-20-01-002), for the City of Cocoa Utilities Department Claude H. Dyal Water Treatment Plant, subject to the twenty five (25) conditions of approval listed in the staff report. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

6. **20-998** Shoreline Alteration/Dredge and Fill

David and Mary Ellen Bates, Lake Tibet, permit, SADF # 20-01-001; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 20-01-001 to construct a new seawall along a portion of the shoreline of Lake Tibet, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District

Location: District 1; on property located adjacent to Lake Tibet, located at 9106 Bay Point Drive; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: John Miklos.

A motion was made by Commissioner VanderLey, seconded by Commissioner Bonilla, to accept the findings and recommendation of the Environmental Protection Division staff; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-20-01-001), for David and Mary Ellen Bates, subject to the twenty seven (27) conditions of approval listed in the staff report. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

7. 20-046 Rezoning

Quang Lam, Lam Civil Engineering, Inc., Golden Keys Condo PD, Case # LUP-18-06-204; District 3 (Continued from February 11, March 24, and June 2, 2020)

Consideration: Request to rezone 4.35 gross acres from R-1A (Single-Family Dwelling District) to PD (Planned Development District), in order to construct thirty (30) multi-family dwelling units. In addition, the following two (2) waivers are requested from Orange County Code: 1. A waiver from Section 38-1258(a) to allow 2-story units, in lieu of 1-story units within 100 feet of single-family zoned property. 2. A waiver from Section 38-1258(j) to allow a twenty (20) foot minimum building separation, in lieu of a thirty (30) foot minimum building separation where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or openings; pursuant to Orange County Code, Chapter 30.

Location: District 3; property located at 2143 S. Goldenrod Road; or generally located on the east side of S. Goldenrod Road, approximately 740 feet north of Curry Ford Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to continue the public hearing until November 10, 2020, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

8. 20-994 Rezoning

Heather Isaacs, Poulos & Bennett, LLC, Silverleaf PD, Case # LUP-19-09-290; District 1 (Continued from August 11, 2020)

Consideration: Request to rezone 563 gross (489 developable and 286 net developable) acres from A-1 (Citrus Rural District) and PD (Planned Development District - Lake Ingram PD) to PD for a mixed-use project with a development program consisting of up to 2,926 residential dwelling units (single-family and multi-family), 2,903,286 square feet of non-residential uses including hotel, commercial, office, and/or light industrial. The project would also feature public schools and parks. An associated PD Regulating Plan (RP) map depicts three (3) Transect Zones, Adequate Public Facility (APF) lands, and distinct neighborhoods. An associated PD-RP structure guide addresses transect development standards, street typologies & cross sections, green infrastructure components, etc.; pursuant to Orange County Code, Chapter 30.

Location: District 1; generally located north of Schofield Road and west of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to continue the Silverleaf PD Rezoning Case # LUP-19-09-290; further, continue the Adequate

Public Facilities Agreement for Silverleaf-Horizon West Town Center PD/RP; further, continue the Escrow Agreement for Town Center West (Silverleaf) Road Network Agreement; and further, continue the Town Center West (Silverleaf) Road Network Agreement C.R. 545/Avalon Road and New Independence Parkway until September 1, 2020, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

and

I. CONSENT AGENDA (Deferred)

G. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 10. **20-1136** Approval and execution of Adequate Public Facilities Agreement for Silverleaf-Horizon West Town Center PD/RP by and between JEN Florida 36, LLC and Orange County. District 1. (Planning Division)

This consent item was continued.

and

- 11. **20-1137** Approval and execution of Escrow Agreement for Town Center West (Silverleaf) Road Network Agreement by and among Jen Florida 36, LLC, Orange County, and Shutts & Bowen, LLP outlining the duties and responsibilities of the Escrow Agent. District 1. (Roadway Agreement Committee)

This consent item was continued.

and

- 12. **20-1138** Approval and execution of Town Center West (Silverleaf) Road Network Agreement C.R. 545/Avalon Road and New Independence Parkway by and among Jen Florida 36, LLC and Orange County to provide for the study, design, engineering, permitting, mitigation, dedication of right-of-way, and construction of road improvements to C.R. 545/Avalon Road and New Independence Parkway in return for impact fee credits and concurrency vesting. District 1. (Roadway Agreement Committee)

This consent item was continued.

VI. PUBLIC HEARINGS (Continued)

- 9. **20-991** Substantial Change

Jon Wood, Urban Scape USA, Valencia College Lane Planned Development / Land Use Plan (PD / LUP), Case # CDR-20-02-032, amend plan; District 3

Consideration: A PD substantial change to change the PD entitlements from 75,000 square feet of commercial uses to 252 multi-family residential dwelling units. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-1254(1) to allow a 10' setback along the western property boundary in lieu of the required 25'. 2. A waiver from Section 38-1254(2)(d) to allow 10' setbacks for non-residential buildings and 50' setbacks for residential buildings along the northern property boundary in lieu of the required 75'. 3. A waiver from Section 38-1476 to allow a parking ratio of 1.53 spaces per unit in lieu of 1.5 spaces per unit for one bedroom apartments and 2 spaces per unit for two and three bedroom apartment units. 4. A waiver from Section 38-1258(a) to allow a four story building located within 100' of a single-family zoned property in lieu of the required one story building. 5. A waiver from Section 38-1258(b) to allow a four story building height of 55' and four stories in lieu of varying in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height. 6. A waiver from Section 38-1258(c) to allow a four story building height of 55' and four stories in lieu of 40' and three stories. 7. A waiver from Section 38-1258(d) to allow a four story building height of 55' and four stories in lieu of 40' and three stories. 8. A waiver from Section 38-1258(e) to allow the existing drainage canal to remain unaltered in lieu of providing a 25' landscape buffer with Type "C" landscape buffer requirements. 9. A waiver from Section 38-1258(f) to allow a multifamily development adjacent to a single-family zoned property without a six-foot high masonry, brick or block wall in lieu of requiring a six-foot high masonry, brick or block wall. 10. A waiver from Section 38-1258(j) to allow all buildings to be constructed with 20' separation rather than 30' separation for two-story buildings, 40' separation for three-story buildings and 50' separation for a four-story buildings; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 3; property located at 8751 Valencia College Lane; Generally north of Valencia College Lane and south of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

This item was deferred to be heard with Amendment 2020-1-S-3-2.

10. 20-992 Substantial Change

James Johnston, Shutts & Bowen, LLP, Sutton Lakes Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-03-100, amend plan; District 1
(Continued from August 11, 2020)

Consideration: A PD substantial change to allow a 150 foot communication tower. Additionally, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1427(d)(2)(d) to allow for a minimum 635 foot separation requirement from single-family residential units for a 150 foot monopole communication tower, in lieu of a 1,050 foot (700 percent of tower height) separation; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located north of Arrowhead Boulevard and east of Avalon

Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to continue the public hearing until September 1, 2020, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

11. 20-993 Substantial Change

Jim Hall, Hall Development Services, Inc., University Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-07-242, amend plan; District 5

Consideration: A PD substantial change to create new Tract C from existing Tract A and to add entitlements for 25,000 square feet of C-1 (Retail Commercial District) uses. No waivers from Orange County Code are associated with this request; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 5; property generally located south of University Boulevard, east of Dean Road, and north of Buck Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the twelve (12) conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

12. 20-999 Ordinance

Amending Orange County Code, Chapter 17, Article III, Division 4, Section 17-321, pertaining to Minority/Women Business Enterprise Participation

Consideration: AN ORDINANCE AMENDMENT PERTAINING TO MINORITY/WOMEN BUSINESS ENTERPRISE PARTICIPATION, DELETING SECTION 17-321(D) FROM CHAPTER 17, ARTICLE III, ORANGE COUNTY CODE, DIVISION 4, SECTION 17-321 ("CONTRACT AND SUBCONTRACT GOALS") AND PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2020-19 pertaining to Minority/Women Business Enterprise participation; further, delete Section 17-321(D) from Chapter 17, Article III, Orange County Code, Division 4, Section 17-321 ("Contract and Subcontract Goals"); and further, provide for codification and an effective date. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

13. 20-489 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2019-2 Out-of-Cycle Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP) and where applicable concurrent rezoning request and Adoption of Ordinance (Continued from June 2, and August 11, 2020 and September 1, 2020)

Out-Of-Cycle Privately-Initiated Small-Scale Development Future Land Use Map Amendment

Amendment 2019-2-S-1-2

Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Westwood Partners Group, LLC; Activity Center Residential (ARC) to Planned Development-Medium Density Residential (PD-MDR); District 1

Consideration: ACR (Activity Center Residential) to PD-MOR (Planned Development-Medium Density Residential)

Location: 11302, and 11314 Westwood Blvd.; Generally located west of Westwood Boulevard, north of Lake Willis Drive, and south of Central Florida Parkway; Parcel ID#'s: 14-24-28-4800-00-360/370; 8.88 gross ac.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to continue Amendment 2019-2-S-1-2, rezoning LUP-19-08-258, Amendment 2019-2-S-FLUE-3, and Out-of-Cycle Small Scale Development Ordinance public hearings until September 1, 2020, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

and

13. 20-490 Concurrent Rezoning Request

Rezoning LUP-19-08-258

R-CE (County Estate District) to PD (Planned Development District) Townhomes at Westwood PD/LUP). Also requested is one waiver from Orange County Code.

Consideration: Rezone from R-CE (Country Estate District) to PD (Planned Development

District) (Townhomes at Westwood PD/LUP). Also requested is one (1) waiver from Orange County Code:

1. A waiver from Section 38-1400.2(1) to allow for two-story (2 story) townhouse buildings, not to exceed thirty (30) feet in height, to be located up to thirty (30) feet from single-family zoned property along the south PD property line, in lieu of the requirement that townhouses be restricted to a single story in height within 100 feet of single-family zoned property.

Location: 11302, and 11314 Westwood Blvd.; Generally located west of Westwood Boulevard, north of Lake Willis Drive, and south of Central Florida Parkway; Parcel ID#'s: 14-24-28-4800-00-360/370; 8.88 gross ac.

The concurrent rezoning public hearing was continued.

and

13. 20-491 Out-Of-Cycle Staff-Initiated Small Scale Development Comprehensive Plan Text Amendment

Amendment 2019-2-S-FLUE-3

Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

The Amendment 2019-2-S-FLUE-3 public hearing was continued.

and

13. 20-492 August 6, 2020 Board of Zoning Adjustment Recommendations

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 PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

The Out-of-Cycle Small Scale Development Ordinance public hearing was continued.

14. 20-819 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2020-1 Regular Cycle Amendment to the 2010-2030 Comprehensive Plan (CP) and Adoption of Ordinance (Continued from July 7, 2020)

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2020-1-A-4-2

Brian Denham, P.E., Denham Engineering, LLC for Center Pointe Community Church of the Nazarene, Inc.; District 4

Consideration: Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

Location: 9580 Curry Ford Rd.; Generally located south of Curry Ford Rd., east of S. Econlockhatchee Trl., and west of SR 417; Parcel ID#: 07-23-31-0000-00-002; 39.55 gross ac.

The following person addressed the Board: Jonathan Huels.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Future Land Use Element Goal FLU2, and Future Land Use Element Objectives FLU2.1, FLU8.2, and C1.4, and Policies FLU1.1.5, FLU8.2.1, and FLU8.2.2); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2020-1-A-4-2, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), up to 60 townhome units. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

14. 20-820 Regular Cycle State-Expedited Amendment Ordinance

Amending Orange County Code, adopting 2020-1 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), 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 AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2020 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING AN EFFECTIVE DATE

A motion was made by Commissioner Moore, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2020-20, approving the proposed Future Land Use Map Amendments, consistent with today's actions. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

15. 20-1076 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2020-01 Privately-Initiated Small Scale Development Amendment to the 2010-2030 Comprehensive Plan (CP) and where applicable concurrent rezoning request and Adoption of Ordinance (Continued from August 11, 2020)

Privately-Initiated Small-Scale Development Future Land Use Map

Amendment

Amendment 2020-1-S-5-1

Jose Chaves, P.E., StoryBook Holdings, LLC, for Olton Properties; District 5

Consideration: Medium Density Residential (MDR) to Commercial (C)

Location: 3370 Rouse Rd.; Generally located west of Rouse Rd., south of University Blvd., east of Hillmont Cr., and north of Buck Rd.; Parcel ID#: 09-22-31-0000-00-004; 5.61 gross ac.

The following person addressed the Board: Jose Chaves.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to continue Amendment 2020-1-S-5-1 and concurrent rezoning public hearing Case # RZ-20-04-063, until September 1, 2020, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

and

15. 20-1077 Concurrent Rezoning Request

Rezoning RZ-20-04-063
R-1A (Single-Family Dwelling District) to C-1 (Retail Commercial District)

Consideration: Medium Density Residential (R1-A) to Commercial (C-1)

Location: 3370 Rouse Rd.; Generally located west of Rouse Rd., south of University Blvd., east of Hillmont Cr., and north of Buck Rd.; Parcel ID#: 09-22-31-0000-00-004; 5.61 gross ac.

The concurrent rezoning public hearing was continued.

15. 20-1078 Small Scale Development Ordinance

Amending Orange County Code, adopting 2020-1 Privately-Initiated Small-Scale Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 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 A SMALL SCALE DEVELOPMENT AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

The Board took no action on the Comprehensive Plan Ordinance public hearing due to Amendment 2020-1-S-5-1 being continued.

16. 20-905 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2020-1 Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning or Substantial Change Requests and Adoption of Ordinance (Continued from July 28, 2020)

Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-3-2

Jon C. Wood for AC Five, LLC; District 3

Consideration: Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR)

Location: 8751 Valencia College Ln.; Generally located north of Valencia College Ln., west of SR 417, and east of John Wesley Wy.; Parcel ID#: 24-22-30-0000-00-005; 7.83 gross ac.

The following persons addressed the Board:

- Rebecca Wilson
- Don Morrison

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1, FLU2.2, and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, FLU8.2.1, and FLU8.2.2; and Housing Element Goal H1 and Objective H1.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2020-1-S-3-2, Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR), up to 252 multi-family units; further, make a finding of consistency with the Comprehensive Plan; and further, approve the Valencia College Lane Planned Development/Land Use Plan (PD/LUP) substantial change request subject to the sixteen (16) conditions, including waivers from Orange County Code, listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

and

9. 20-991 Substantial Change

Jon Wood, Urban Scape USA, Valencia College Lane Planned Development / Land Use Plan (PD / LUP), Case # CDR-20-02-032, amend plan; District 3

Consideration: A PD substantial change to change the PD entitlements from 75,000 square feet of commercial uses to 252 multi-family residential dwelling units. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-1254(1)

to allow a 10' setback along the western property boundary in lieu of the required 25'. 2. A waiver from Section 38-1254(2)(d) to allow 10' setbacks for non-residential buildings and 50' setbacks for residential buildings along the northern property boundary in lieu of the required 75'. 3. A waiver from Section 38-1476 to allow a parking ratio of 1.53 spaces per unit in lieu of 1.5 spaces per unit for one bedroom apartments and 2 spaces per unit for two and three bedroom apartment units. 4. A waiver from Section 38-1258(a) to allow a four story building located within 100' of a single-family zoned property in lieu of the required one story building. 5. A waiver from Section 38-1258(b) to allow a four story building height of 55' and four stories in lieu of varying in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height. 6. A waiver from Section 38-1258(c) to allow a four story building height of 55' and four stories in lieu of 40' and three stories. 7. A waiver from Section 38-1258(d) to allow a four story building height of 55' and four stories in lieu of 40' and three stories. 8. A waiver from Section 38-1258(e) to allow the existing drainage canal to remain unaltered in lieu of providing a 25' landscape buffer with Type "C" landscape buffer requirements. 9. A waiver from Section 38-1258(f) to allow a multifamily development adjacent to a single-family zoned property without a six-foot high masonry, brick or block wall in lieu of requiring a six-foot high masonry, brick or block wall. 10. A waiver from Section 38-1258(j) to allow all buildings to be constructed with 20' separation rather than 30' separation for two-story buildings, 40' separation for three-story buildings and 50' separation for a four-story buildings; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 3; property located at 8751 Valencia College Lane; Generally north of Valencia College Lane and south of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

This substantial change public hearing was approved.

16. 20-919 Small-Scale Staff-Initiated Text Amendment

Amendment 2020-1-S-FLUE-1

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

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2020-1-S-FLUE-1, consistent with today's actions. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

16. 20-1161 Small-Scale Development Ordinance

Amending Orange County Code, adopting 2020-1 Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 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 Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2020-21, approving the proposed Future Land Use Map Amendment, consistent with today's action. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

√ **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>.

ADJOURNMENT: 3:27 p.m.

ATTEST:

Jerry L. Demings
for _____
County Mayor Jerry L. Demings
Date: SEP 22 2020



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith

Katie Smith
Deputy Clerk

* * *

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.