

# **Orange County Government**

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



## **Clerk's Agenda and Records Report - Final**

**Tuesday, June 4, 2019**

**9:00 AM**

**County Commission Chambers**

**Board of County Commissioners**

**Call to Order****Invocation - District 6**

Father Charles T. Myers, The Episcopal Church of St. John the Baptist

**Pledge of Allegiance****Presentation**

Mayor's Distinguished Service Award in honor of Ronald Plummer

**Public Comment****I. CONSENT AGENDA****A. COUNTY MAYOR**

1. 19-857 Confirmation of the Mayor's managerial appointment of David Rathbun as Deputy Fire Chief, Fire Rescue Department and LaShun Nale-Stadom as Division Chief, Fire Rescue Department.

**B. COUNTY COMPTROLLER**

1. 19-858 Approval of the minutes of the May 7, 2019 meeting of the Board of County Commissioners. (Clerk's Office)
2. 19-859 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 17, 2019, to May 23, 2019; \$31,676,045.12  
- May 24, 2019, to May 30, 2019; \$21,776,059.39  
  
(Finance/Accounting)
3. 19-860 Disposition of Tangible Personal Property as follows. (Property Accounting)
  - a. Scrap assets.
  - b. Demolish assets.
  - c. Cannibalize assets.
  - d. Trade-in assets toward the purchase of new equipment.

**C. COUNTY ADMINISTRATOR**

1. 19-861 Confirmation of the reappointment of David S. McDonald to the Lake Ola Advisory Board with a term expiring December 31, 2020. (Agenda Development Office)
2. 19-862 Confirmation of the appointment of Jennifer Anderson to the Tourist Development Tax Grant Application Review Committee as the District 5 representative with a term expiring December 31, 2020. NOTE: This item will require a supermajority vote of the Board of County Commissioners. (Agenda Development Office)
3. 19-863 Approval and execution of Interlocal Agreement between Orange County, Florida, Orange County Clerk of the Courts, and the Ninth Judicial Circuit Court regarding funding of Jury Services in the amount of \$356,220. (Office of Management and Budget)
4. 19-864 Approval of budget amendments #19-25, #19-26, #19-27, #19-28, #19-29, and #19-30. (Office of Management and Budget)

**D. ADMINISTRATIVE SERVICES DEPARTMENT**

1. 19-865 Approval to award Invitation for Bids Y19-1066-MV, Fleet Management Sublet Truck Parts and Repairs, to the low responsive and responsible bidder, Rush Truck Centers of Florida, Inc. dba Rush Truck Center Orlando. The estimated contract award amount is \$2,190,000 for a 3-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
2. 19-866 Approval to award Invitation for Bids Y19-728-RC, Barnett Park Restroom, to the low responsive and responsible and M/WBE compliant bidder, Boulevard Contractors Corp. The total contract award amount is \$589,239. ([Administrative Services Department Capital Projects Division] Procurement Division)
3. 19-867 Approval to award Invitation for Bids Y19-744-RC, Magnolia Park & Eco-Tourism Utility Extension, to the low responsive and responsible bidder, Uribe Site Development, Inc. The total contract award amount is \$484,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. 19-868 Approval to award Invitation for Bids Y19-745-RC, Lila Mitchell Community Center HVAC Replacement, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$1,947,000. ([Administrative Services Department Capital Projects Division] Procurement Division)

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5. 19-869 Approval of Amendment No. 4, Contract Y16-179-MV, Limerock Road Base, with Dixie Lime & Stone Company in the amount of \$35,000, for a revised total contract amount of \$435,000. ([Utilities Department Field Services Division] Procurement Division)
  6. 19-870 Approval and execution of First Amendment to Temporary Construction Easement between Orange County and City of Orlando and authorization to record instrument for Dean Road Extension (University Blvd to Seminole County Line). District 5. (Real Estate Management Division)
  7. 19-871 Approval and execution of Subordination of Utility Interests between Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation and Orange County and authorization to record instrument for VOA-Nerbonne PD Wildwood Avenue and Westwood Boulevard. District 1. (Real Estate Management Division)
  8. 19-872 Approval of Access and Utility Easement from Arden Park Master Homeowners Association, Inc. and Standard Pacific of Florida to Orange County, approval and execution of Resolution regarding Ratification of Interest in that certain Quit Claim Deed recorded on November 29, 2018, as Document #20180691321 in the Public Records of Orange County, Florida and authorization to record instruments for Arden Park North Phase 3 (3A & 3B) Permit 17-U-024/17-U-035 File #91166/92306. District 2. (Real Estate Management Division)
  9. 19-873 Approval of Slope Easement from Hamlin Retail Partners West, LLC to Orange County and authorization to perform all actions necessary and incidental to closing for New Independence Parkway 4-Laning. District 1. (Real Estate Management Division)
  10. 19-874 Approval of Drainage Easement from Waterleigh Master Community Association, Inc. to Orange County and Temporary Drainage Easement from D.R. Horton, Inc. to Orange County and Subordination of Encumbrance to Property Rights to Orange County from D.R. Horton, Inc., Waterleigh Master Community Association, Inc., and Waterleigh Phase 2, SFR Community Association, Inc., and Subordination of Encumbrance to Property Rights to Orange County from D.R. Horton, Inc. and Waterleigh Master Community Association, Inc. and authorization to record instruments for Waterleigh Phase 2D. District 1. (Real Estate Management Division)
  11. 19-875 Approval of Subordination of Encumbrances to Property Rights to Orange County from Centennial Bank and authorization to record instrument for Child Day Care at Hunters Creek Permit B18906703 OCU File #97307. District 4. (Real Estate Management Division)
  12. 19-876 Approval of Warranty Deed from Wal-Mart Stores East, LP to Orange County and Subordination of Encumbrances to Property Rights to Orange

County from Domain Dr. Phillips LLC, CDCG 4 MTH 2 LP, Granada Master Owners Association, Inc. and CRP-GREP Overture Dr. Phillips Owner, L.L.C., approval and execution of Subordination of Utility Interests between Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, d/b/a Progress Energy Florida, Inc. and Orange County and authorization to record instruments for Granada Loop 17-E-030 Case #PSP-16-11-380. District 1. (Real Estate Management Division)

13. 19-877 Approval of Special Warranty Deed from J Acquisitions Volusia, LLC to St. Johns River Water Management District with All Aboard Florida Project Mitigation Deed Restrictions in favor of Orange County, Florida and Special Warranty Deed from Keewin Conservation, LLC to St. Johns River Water Management District with All Aboard Florida Project Mitigation Deed Restrictions in favor of Orange County, Florida, delegation of authority to the Real Estate Management Division to approve minor revisions to the Special Warranty Deeds prior to execution and recording which do not affect the substantive rights of Orange County, and authorization to record instruments for All Aboard Florida Project Site - CAI-17-11-030. Volusia County (J Acquisitions Volusia, LLC) Seminole County (Keewin Conservation, LLC). (Real Estate Management Division)

#### **E. COMMUNITY AND FAMILY SERVICES DEPARTMENT**

1. 19-878 Approval and execution of License Agreement between Orange County, Florida and Silent Hope Corp related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190501 for Holden Heights Community Center and authorization for the Director of the Community and Family Services Department to execute any permitted renewals of the license agreement so long as those renewals do not substantively change or alter the terms and conditions of the license agreement. (Community Action Division)
2. 19-879 Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Mount Sinai Head Start. This application is only executed by Orange County. (Head Start Division)
3. 19-880 Receipt and filing of Head Start Policy Council Program Information and Updates April 2019 and Head Start Policy Council Meeting Minutes March 28, 2019 for the official county record. (Head Start Division)
4. 19-881 Approval and execution of State of Florida Department of Environmental Protection Standard Grant Agreement Agreement Number: T1813 for the West Orange Trail Plant Street Bridge in the amount of \$92,059 and authorization for the County Mayor or designee to execute any necessary amendments to such Grant Agreement that do not change the scope of the

project or increase the overall project budget. (Parks and Recreation Division)

5. 19-882 Approval and execution of License Agreement between Equal Justice Institute and Orange County, Florida and City of Orlando, Florida regarding Placement of Historical Marker on Orange County, Florida's Property. All Districts. (Regional History Center)

#### F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. 19-883 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. All Districts. (Code Enforcement Division)

LC 19-0484	LC 19-0482	LC 19-0472	LC 19-0424	LC 19-0494
LC 19-0411	LC 19-0487	LC 19-0498	LC 19-0427	LC 19-0497
LC 19-0443	LC 19-0488	LC 19-0511	LC 19-0450	LC 19-0503
LC 19-0447	LC 19-0491	LC 19-0437	LC 19-0452	LC 19-0507
LC 19-0466	LC 19-0423	LC 19-0400	LC 19-0467	LC 19-0513
LC 19-0473	LC 19-0442	LC 19-0464	LC 19-0490	LC 19-0517
LC 19-0476	LC 19-0454	LC 19-0414	LC 19-0492	LC 19-0518
LC 19-0478	LC 19-0462	LC 19-0416	LC 19-0493	LC 19-0520

2. 19-884 Approval of Conservation Area Impact Permit No. CAI-18-06-031 for Thomas Opfell. District 5. (Environmental Protection Division)
3. 19-885 Approval of Conservation Area Impact Permit No. CAI-19-02-010 modifying previously approved CAI-17-11-030 for Virgin Trains USA Florida, LLC. Districts 4 and 5. (Environmental Protection Division)
4. 19-886 Approval and execution of (1) Subordination Agreement by and among Barings Multifamily Capital, LLC, Orange County, Florida, and ONIC-Golden Oaks, LLC to refinance Golden Oaks Apartments and (2) Certification Regarding Subordinate Loan Documents. District 6. (Housing and Community Development Division)
5. 19-887 Approval and execution of Proportionate Share Agreement for Gentry Park Phase 2B Dean Road by and between Parker Development Group, LLC and Orange County for a proportionate share payment in the amount of \$22,932. District 4. (Transportation Planning Division)

#### G. PUBLIC WORKS DEPARTMENT

1. 19-888 Approval to install "No Parking" zones on both sides of Hawk Crest Lane from the western parcel line of 7921 Hawk Crest Lane to the driveway of 7950 Hawk Crest Lane. District 2. (Traffic Engineering Division)

2. 19-889 Approval of "No Parking" signs installation on San Antonio Avenue starting 765 feet south of Honour Road on the west side and extending south approximately 500 feet. District 6. (Traffic Engineering Division)
3. 19-890 Approval and execution of (1) Locally Funded Agreement between the State of Florida Department of Transportation and Orange County Financial Management No.: 439235-1-52-01 for State Road 551 (North Goldenrod Road) and (2) Resolution of the Orange County Board of County Commissioners regarding the Locally Funded Agreement with the Florida Department of Transportation for the Milling and Resurfacing of State Road 551 from S.R. 50 to S.R. 426 in the amount of \$143,100 to upgrade from standard concrete strain poles to galvanized mast arm structures at the intersection of State Road 551 (North Goldenrod Road) and Palmetto Avenue. Districts 3 and 5. (Traffic Engineering Division)
4. 19-891 Approval and execution of (1) Off System Construction and Maintenance Agreement Between State of Florida, Department of Transportation ("Department") and Orange County, Florida, a Charter County and a political subdivision of the State of Florida ("Local Government") FM #: 439235-1-52-01 and (2) Resolution of the Orange County Board of County Commissioners regarding the Off System Construction and Maintenance Agreement with the Florida Department of Transportation for the Milling and Resurfacing of State Road 551 from S.R. 50 to S.R. 426. Districts 3 and 5. (Traffic Engineering Division)

## II. DISCUSSION AGENDA

### A. COMMISSIONER'S REPORT

1. 19-892 Commissioner VanderLey would like to discuss a Variance Application Fee Waiver.

### B. FIRE RESCUE DEPARTMENT

1. 19-893 2019 Hurricane Season Update.

### C. ADMINISTRATIVE SERVICES DEPARTMENT

1. 19-894 Selection of one firm and one ranked alternate to provide Consulting Services for Sustainability Initiatives, Request for Proposals Y19-170-KB, from the following three firms, listed alphabetically:
  - FCM Engineering
  - Le-Huu Partners
  - TLC Engineering Solutions, Inc.

([Convention Center Facility Operations Division] Procurement Division)

#### D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. 19-895 ***Adjourn as the Orange County Board of County Commissioners and convene as the Pine Hills Local Government Neighborhood Improvement District Board of Directors***

Acceptance of 2018-2019 Annual Report Pine Hills Neighborhood Improvement District. (Community Action Division)

***Adjourn as the Pine Hills Local Government Neighborhood Improvement District Board of Directors and reconvene as the Orange County Board of County Commissioners***

#### E. COUNTY MAYOR

1. 19-896 Open Discussion on issues of interest to the Board.

#### III. EXECUTIVE SESSION

1. 19-897 Discussion regarding *Florida Association For Constitutional Officers, Inc. v. Orange County, Florida, and Bill Cowles, Orange County Supervisor of Elections, Ninth Judicial Circuit Court Case No. 2016-CA-011202-O.*

#### IV. RECOMMENDATIONS

1. 19-898 May 16, 2019 Planning and Zoning Commission Recommendations

#### V. PUBLIC HEARINGS

1. 19-671 Board of Zoning Adjustment Board Called  
Rod Billette, Case #VA-19-04-015, April 4, 2019; District 2
2. 19-672 Board of Zoning Adjustment Board Called  
Ivan Prieto, Case #VA-19-04-016, April 4, 2019; District 6
3. 19-709 Board of Zoning Adjustment Board-Called  
Iglesia De Dios En Bithlo, Case #SE-18-12-159, April 4, 2019; District 5
4. 19-670 Land Use Plan Amendment  
Moriah Kosch Worth, Contravest Development Partners, LLC, Lake Bryan Resort Planned Development (PD), Case # LUPA-18-09-297; District 1

5.     19-710         Rezoning  
  
          Luke Classon, Appian Engineering, LLC, Rouse Road Subdivision  
          Planned Development (PD), Case # LUP-18-08-253; District 5
6.     19-662         Substantial Change  
  
          Kathy Hattaway, Poulos & Bennett, LLC, Meadow Woods Planned  
          Development / Land Use Plan (PD / LUP), Case # CDR-18-10-335,  
          amend plan; District 4
7.     19-663         Substantial Change  
  
          Robert B. Paymayesh, PE Group LLC, Nadeen Tanmore II Planned  
          Development / Land Use Plan (PD / LUP), Case # CDR-18-09-307,  
          amend plan; District 1
8.     19-784         Substantial Change  
  
          James H. McNeil Jr., Akerman, LLP, Ivey Groves Planned Development /  
          Land Use Plan (PD / LUP) - Case # CDR-18-08-258, amend plan; District  
          1
9.     19-783         Substantial Change  
  
          William E. Burkett, Burkett Engineering, Inc., Collegiate Village Planned  
          Development / Land Use Plan (PD / LUP), Case # CDR-18-06-206,  
          amend plan; District 5
10.    19-785         Substantial Change  
  
          Eric Warren, Poulos & Bennett, LLC, Springhill Planned Development /  
          Land Use Plan (PD / LUP) - Case # CDR-18-10-351, amend plan; District  
          1
11.    19-786         Substantial Change  
  
          Scott Gentry, Kelly, Collins & Gentry, Inc., Hamlin Planned Development -  
          Unified Neighborhood Plan / RW-1B Commercial Preliminary Subdivision  
          Plan / Development Plan, Case # CDR-18-10-350, amend plan; District 1
12.    19-661         Roadway Conceptual Analysis  
  
          Avalon Road - Roadway Conceptual Analysis (RCA) Study; District 1
13.    19-673         Ordinance/Comprehensive Plan  
  
          Amending Orange County Code, adopting Session IV 2018-2 Regular

Cycle Amendments to the 2010-2030 Comprehensive Plan (CP) and concurrent rezoning or substantial change requests

and

Adoption of Ordinance

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2018-2-A-1-2

Kathy Hattaway, Poulos & Bennett, LLC, for BB Groves, LLC Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR); District 1

**13.**    19-674       Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2018-2-A-1-4

Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc.

Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS); District 1

**13.**    19-675       Concurrent Substantial Change Request

Substantial Change CDR-18-04-110

Substantial Change Request to the Kerina Parkside PD to revise the development program of PD Tracts 4, 7, and 8, in association with Future Land Use Map Amendment #2018-2-A-1-4, to allow for the development of up to 301 single-family dwelling units, 400 multi-family dwelling units, 200 senior living units, 150,000 square feet of retail and office uses, and an Orange County 5.0 acre park. Also requested are twenty-five (25) waivers from Orange County Code: 1) A waiver from Section 24-4(a)(2)a to permit specimen palms along the northern boundary of Tract 7 lying outside of the BVN District, in addition to shade trees, to meet the vehicular use area requirements, with no more that 25% of the shade tree requirement being met with specimen palms, in lieu of limiting allowable trees to shade trees; 2) A waiver from Section 24-5(3) to allow for neighborhood commercial uses to be located 7.5 feet from any single-family zoned property internal to

the planned development within Tract 7, in lieu of fifteen (15) feet. A 7.5-foot landscape buffer shall be provided with hedges and trees consistent with Type C landscape buffer requirements in lieu of a fifteen (15)-foot landscape buffer; 3) A waiver from Section 38-79(20)(f) to allow neighborhoods comprised of buildings that contain only two (2), three (3), or four (4) units within Tract 4, in lieu of the requirement that at least seventy-five (75) percent of the attached units to be in buildings containing five (5) or more units; 4) A waiver from Section 38-79(20)(p) to allow for attached units with rear alley access a minimum front setback of ten (10) feet and a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement within Tract 4, in lieu of minimum front and rear yard building setbacks of twenty (20) feet; 5) A waiver from Section 38-1254(2)e to allow a minimum side street setback of fifteen (15) feet for all single-family unit types and a minimum front setback of ten (10) feet and a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement for single-family units with rear alley access within Tract 4, in lieu of minimum setback to local rights-of-way of twenty (20) feet; 6) A waiver from Section 38-1258(a) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of the single-story height requirement where the multifamily buildings are located within one hundred (100) feet of single-family zoned property; 7) A waiver from Section 38-1258(b) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of the varying building height where the multifamily buildings are located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned properties; 8) A waiver from Section 38-1258(c) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of forty (40) feet/ three (3) stories in height where the multifamily buildings are located within one hundred and fifty (150) feet of single-family zoned properties; 9) A waiver from Section 38-1258(d) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of forty (40) feet/ three (3) stories in height; 10) A waiver from Section 38-1258(e) to allow for parking and other paved areas for multi-family development to be located 7.5 feet from any single-family zoned property internal to the planned development within Tract 7 and Tract 8, in lieu of twenty-five (25) feet. A 7.5-foot landscape buffer shall be provided with

hedges and trees consistent with Type C landscape buffer requirements in lieu of a twenty-five (25)-foot landscape buffer; 11) A waiver from Section 38-1258(f) to require no wall when a multi-family development is located adjacent to any single-family zoned property internal to the planned development within Tract 7, in lieu of a 6 (six)-foot high masonry, brick, or block wall; 12) A waiver from Section 38-1258(f) to allow a combination of masonry, brick, or block with aluminum fence (rail or picket) when a multi-family development is located adjacent to any single-family zoned property along the southern boundary of Tract 7, in lieu of a masonry, brick, or block wall; 13) A waiver from Section 38-1272(a)(5) to allow a commercial building with a maximum height of sixty (60) feet with a minimum setback of 25 feet from single-family zoned property located in internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of a maximum building height of fifty (50) feet or thirty-five (35) feet within one hundred (100) feet of any residential; 14) A waiver from Section 38-1392.1, within the portion of Tract 4 lying within the BVN District, the portion of Tract 7 lying within the BVN District, and Tract 8, to allow minimum building setbacks of twenty-five (25) feet along the southern boundary of Tract 8; twenty-five (25) feet along the western boundary of Tract 8; thirty (30) feet along the northern boundary of Tract 8; and twenty-five (25) feet along the southern boundary of Tract 4 and Tract 7 in lieu of thirty-five (35) feet minimum building setback requirement to lands with residential zoning, residential future land use or physical residential use; and to allow a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement in lieu of a minimum rear yard building setback of fifteen (15) feet. This waiver does not apply to the portion of Tract 7 lying within the BVN District that is within 200 feet of the Ruby Lake PD single-family development; 15) A waiver from Section 38-1392.2(2)c to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of ten (10) feet along one side of the pedestrian path; 16) A waiver from Section 38-1392.2(3)c to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of twelve (12) feet along one (1) side (or six (6)-foot on each side) of the connecting pathway; 17) A waiver from Section 38-1392.5(1) to allow for a minimum landscaped area of eight (8) percent of a parking lot within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of ten (10) percent and a minimum landscape planter width of ten (10) feet from face of curb to face of curb in lieu of thirteen (13) feet from face of curb to face of curb. Cumulative tree caliper inches will be provided per code requirements; 18) A waiver from Section 38-1392.5(2) to allow for a minimum of 1 canopy tree (as defined by BVN code as 4" caliper or greater) for every 10 parking spaces within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu 0.8 caliper inches of

canopy trees for every parking space. It is also requested to permit specimen palms, in addition to canopy trees, to meet the requirement; 19) A waiver from Section 38-1393 within the portion of Tract 7 lying within the BVN District and Tract 8, to allow a multifamily and/or non-residential building with a maximum height of sixty (60) feet / four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within Tract 7 and a senior living building (commercial or multifamily) with a maximum height of ninety (90) feet / six (6) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within Tract 8, in lieu of the graduated building height/setback requirements listed therein. This waiver does not apply to the portion of Tract 7 lying within the BVN District that is within 200 feet of the Ruby Lake PD single-family development; 20) A waiver from Section 38-1394(1)(c) to permit specimen palms in addition to canopy trees and palms in addition to understory trees within the portion of Tract 4 within the BVN District, the portion of Tract 7 within the BVN district, and Tract 8, in lieu of three (3) shade trees for every one hundred (100) feet, four-inch caliper, 14-foot height minimum; or five (5) under-story trees in tree-wells for every one hundred (100) feet. Palms may comprise no more than 25% of the required shade trees or understory trees; 21) A waiver from Section 38-1394(2) within the portion of Tract 4 within the BVN district, the portion of Tract 7 within the BVN District, and Tract 8 to allow for specimen palms in lieu of laurel oaks and in addition to live oaks as streetscape shade trees. Palms may comprise no more than 25% of the required streetscape shade trees; 22) A waiver from Section 38-1394.1(a) to allow for the green space around the base of each single-story building to be zero feet (0') if abutted by a sidewalk within the portion of Tract 7 within the BVN District and Tract 8, in lieu of ten feet (10') around the base of each single-story building within the commercial or vertical mixed-use developments; 23) A waiver from Section 38-1394.1(a)(2) to allow for tree planting requirements around the base of multi-family and non-residential buildings per Section 24-4(d) within the portion of Tract 7 within the BVN District and Tract 8, in lieu of (1) canopy tree for each one hundred (100) square feet of green space; 24) A waiver from Section 38-1396.1(2) to allow light fixtures other than the acorn-style fixtures within the portion of Tract 4 within the BVN District, the portion of Tract 7 within the BVN district, and Tract 8, in lieu of limiting all light fixtures to acorn-style; and 25) A waiver from Section 38-1501 to allow the minimum single-family detached lot width to be forty (40) feet within Tract 4, in lieu of forty-five (45) feet and a minimum side building setback of four (4) feet in lieu of five (5) feet. Single-family lots proposed within Tract 4 immediately adjacent to Tract 2 will match the lot widths and setbacks currently provided within Tract 2

**13. 19-676**

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2018-2-A-1-6

Erika Hughes, VHB, Inc., for M.L. Carter Services, Inc., as Successor Trustee of the Carter-Orange 105 Sand Lake Land Trust, Daryl M. Carter, Trustee, Carter-Orange 105 Sand Lake Land Trust Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR); District 1

**13.**    19-677            Concurrent Rezoning Request

Rezoning LUPA-18-05-175

A-2 (Farmland Rural District) and PD (Planned Development District) to PD (Planned Development District) (Hannah Smith Property PD)

Also requested are twenty-two (22) waivers from Orange County Code: 1) A waiver from Section 38-1393 to eliminate the BVN minimum setback/height limitations to allow a multi-family building with a maximum building height of one hundred fifteen (115) feet/nine (9) stories for Tract 1, in lieu of the proximity based requirements; 2) A waiver from Section 38-1254 within Tracts 1, 2, 3 and 4 to allow zero foot setback for internal lot lines, in lieu of the required minimum setback of twenty-five (25) feet; 3)A waiver from Section 38-1393 to allow a maximum height of 150 feet for non-residential development for Tract 4, in lieu of the proximity based requirements; 4) A waiver from Section 38-1394.1(a)(2) to allow for multi-family and non-residential buildings to allow for tree planting requirements around the building base area per Sec. 24-4(d) for all Tracts, in lieu of the one (1) canopy tree for each one hundred (100) square feet of green space; 5) A waiver from Section 38-1272(a)5 to allow the maximum building height to be fifty (50) feet, in lieu of thirty-five (35) feet for any commercial building within Tract 1; 6) A waiver from Section 38-1392.1 to allow a building setback of twenty-five (25) feet for Tracts 1, 2, 4 and 5, in lieu of thirty-five (35) feet minimum building setback requirement to lands with residential zoning, residential future land use or physical residential use; 7) A waiver from Section 38-1392.2(2)c within Tracts 2, 3, and 4 to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path, in lieu of ten (10) feet along one side of the pedestrian path; 8) A waiver from Section 38-1392.2(3)c is requested within Tracts 2, 3, and 4 to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path, in lieu twelve (12) feet along one (1) side (or six (6)-foot on each side) of the connecting pathway; 9) A waiver from Section 38-1391.1 to provide architectural design concepts with Development Plans, in lieu of providing a building architectural design concept or set of design guidelines as part of the planned development process; 10)A waiver from Section 38-1396.1(2) for Tracts 1, 2, 3 and 4 to allow light fixtures other than the acorn-style fixtures; 11) A waiver from

Section 24-4(a)(2)a within Tracts 1, 2, 3, and 4 to permit palms, in addition to shade trees, to meet the vehicular use area requirements, with no more than 25% of the shade tree requirement being met with palms, in lieu of limiting allowable trees to shade trees; 12) A waiver from Section 38-1392.5(1) within Tracts 1, 2, 3 and 4 to allow for a minimum landscaped area of eight (8) percent of a parking lot, in lieu of ten (10) percent and a minimum landscape planter width of ten (10) feet from face of curb to face of curb, in lieu of thirteen (13) feet from face of curb to face of curb. Cumulative tree caliper inches will be provided per code requirements; 13) A waiver from Section 38-1392.5(2) within Tracts 1, 2, 3 and 4 to allow for a minimum of one (1) canopy tree (as defined by BVN code as 4" caliper or greater) for every 10 parking spaces, in lieu of 0.8 caliper inches of canopy trees for every parking space. It is also requested to permit specimen palms, in addition to canopy tree; 14) A waiver from Section 38-1272 (a)(1) within Tracts 2,3, and 4 to allow a maximum impervious coverage not to exceed eighty (80) percent of the net land area, in lieu of seventy (70) percent of the net land area; 15) A waiver from Section 38-1394(1)(b) within Tracts 1, 2, 3 and 4 to allow one shade tree every fifty (50) feet at minimum of four-inch (4") caliper with a minimum height of fourteen (14) feet and three (3) ornamental trees every one-hundred (100) feet, in lieu of one (1) shade tree every forty (40) feet at a minimum of four-inch caliper with a minimum height of fourteen (14) feet and 3 ornamental trees every one hundred feet for collector roads. It is also requested to permit specimen palms, in addition to canopy trees, to meet the requirement; 16) A waiver from Section 38-1394(1)(c) within Tracts 1, 2, 3 and 4 to also permit specimen palms as canopy trees and palms as understory trees in reference to three (3) shade trees for every one hundred (100) feet, four-inch caliper, 14-foot height minimum; or five (5) under-story trees in tree-wells for every one hundred (100) feet; 17) A waiver from Section 38-1394(2) within Tracts 1, 2, 3 and 4 to allow for specimen palms, in lieu of laurel oaks and in addition to live oaks as streetscape shade trees; 18) A waiver from Section 38-1394.1(a) within Tracts 1, 2, 3 and 4 to allow for the green space around the base of each single-story building to be zero feet (0') if abutted by a sidewalk, in lieu of ten feet (10') around the base of each single story building within the commercial or vertical mixed use developments; 19) A waiver from Section 38-1394.1(b) within Tracts 1, 2, 3, and 4 to allow for a minimum ground sign planting area of one times the copy area of the ground sign, in lieu of three times the copy area of the ground sign; 20) A waiver from Section 38-1394.1(c) within Tracts 1, 2, 3 and 4 to allow for zero (0) feet of landscape buffer requirement between land uses internal to the PD; 21) A waiver from Section 38-1286 within Tract 4 to have no minimum lot width, in lieu of one hundred fifty (150) feet; and 22) A wavier from Section 38-1287(1) to allow a minimum building setback from an Arterial to be twenty-five (25) feet for Tract 4, in lieu of sixty (60) feet.

13. 19-678 Regular Cycle Staff-Initiated Comprehensive Plan Map Amendment
- Amendment 2018-2-B-FLUE-2
- Text Amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County; Countywide
13. 19-679 Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance
- Amending Orange County Code, adopting Session IV 2018-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), F.S.

√ **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>.**

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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.