

Orange County Government

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



Draft Meeting Minutes

Tuesday, May 23, 2023

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:08 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Michael Scott

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Jon Weiss
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Public Works Director Joseph Kunkel
Minutes Supervisor Craig Stopyra
Minutes Coordinator Megan Fiocco

Invocation - District 6

Pastor Daniel Ings, Agape Perfecting Praise and Worship Center

Pledge of Allegiance

Presentation

Proclamation recognizing May 21 through May 27, 2023 as Public Works Week

Presentation

H2O Pipeline Graduates

Public Comment

The following persons addressed the Board during public comment:

- Terrie Bromley
- John Jennings
- Thiago Cucci
- Kyle Wilson

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department

Item 1; and further, a motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Nay: 1 - Commissioner Uribe

A. COUNTY MAYOR

1. **23-738** Approval and execution of Orange County, Florida and Collegiate Pathways, Inc Addendum to FY 2023 Grant Agreement for additional funding in the amount of \$13,000 to support additional afterschool and summer workforce development programs. (Innovation and Emerging Technologies Office)
2. **23-739** Approval and execution of Orange County, Florida and University of Central Florida Board of Trustees Addendum to FY 2022-2023 Grant Agreement for additional funding to disburse up to \$67,500 for the purposes of delivering English language training for Cycle 4 of the Pilot Program. (Office of Economic, Trade and Tourism Development)
3. **23-740** Approval and execution of Orange County, Florida and Aeras Foundation, Inc. Addendum to FY 2022-2023 Grant Agreement for additional funding to disburse up to \$27,899 for the purchase of additional tablets and protective covers. (Office of Economic, Trade and Tourism Development)
4. **23-741** Approval and execution of Resolution 2023-M-19 of the Orange County Board of County Commissioners regarding Amendment to Resolution No. 2018-M-09, as amended by Resolution No. 2021-M-08, for Travel + Leisure, Co., f/k/a Wyndham Worldwide Corporation Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **23-742** Approval and execution of the minutes of the April 11, 2023 meeting of the Board of County Commissioners. (Clerk's Office)
2. **23-743** 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:

- April 28, 2023, to May 4, 2023; \$71,435,254.22
- May 5, 2023, to May 11, 2023; \$51,245,371.21
- May 12, 2023, to May 18, 2023; \$48,799,675.45

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **23-744** Approval and execution of Orange County, Florida and the Solar United Neighbors, Inc. FY 2023 Grant Agreement, in the amount of \$15,000. All Districts.

2. **23-745** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments. (Agenda Development Office)
 - A. Agricultural Advisory Board: Appointment of Angela L. Mack to succeed Francis Veigle in the cattle industry representative category and Suzanne Archer to succeed Nicholas Hernandez in the at large representative category with terms expiring December 31, 2024.

 - B. Children and Family Services Board: Appointment of Stephanie Neves in the at large representative category with a term expiring December 31, 2024.

 - C. Nuisance Abatement Board: Appointment of Catherine T. Moussa to succeed France A. Lopez in the at large representative category with a term expiring January 1, 2025 and Mark Guberman to succeed Sonya Stevenson and Carlos Morell to succeed Jennifer Harris in the at large representative category with terms expiring January 1, 2024.

 - D. Orange County Research and Development Authority: Appointment of Brandy S. Williams to succeed Francois Didier Menard in the at large representative category with a term expiring August 24, 2027.

 - E. Tourist Development Council: Appointment of Charles Hawkins II to succeed Michael Stewart in the non-owner or operator not subject to the tax representative category with a term expiring April 30, 2025.

3. **23-746** Confirmation of Commissioner Moore's reappointment to the Lake Ola Advisory Board of David S. McDonald, Thomas D. Hurlburt III, and Sharlee Hollingsworth with terms expiring December 31, 2024. (Agenda Development Office)

4. **23-747** Approval for the Orange County Sheriff's Office to spend \$5,000 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to the Children's Safety Village of Central Florida. (Office of Management and Budget)

5. **23-748** Approval of budget amendments #23-37 and #23-38. (Office of Management and Budget)

6. **23-749** Approval of budget transfer #23C-0107. (Office of Management and Budget)

7. **23-750** Approval of CIP amendment # 23C-0107. (Office of Management and Budget)
8. **23-751** Ratification of payment of Intergovernmental claims of January 26, 2023, February 2, 2023, February 16, 2023, March 9, 2023, and March 16, 2023, totaling \$3,104,159.03. (Risk Management Division)
9. **23-752** Approval and execution of 1) Petroleum Restoration Program Property Owner Conditional Closure Agreement (Agreement) for PCPP discharges between 7-Eleven, Inc., Orange County, Florida and Florida Department of Environmental Protection; 2) Petroleum Cleanup Participation Program (PCPP) Affidavit; 3) Agreement for Petroleum Cleanup Participation Program by and between the Florida Department of Environmental Protection and Orange County, Florida; and 4) Temporary Access Agreement by and between 7-Eleven, Inc. and Orange County, Florida, and authorization for County staff to submit to FDEP the foregoing agreements and affidavit, the Declaration of Interim Restrictive Covenant executed by 7-Eleven, the Site Access Agreement executed by 7-Eleven, and the Documentation for PCPP Agreement prepared by Gator Engineering & Aquifer Restoration, Inc., dated March 18, 2022. (Risk Management Division)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-753** Approval to award Invitation for Bids Y23-127-MM, Furnish Asphalt Products for Public Works Roads and Drainage Division, to the sole responsive and responsible bidder, Hubbard Construction Company, for Lots 1 and 2, in the estimated contract award amount of \$3,991,000 for a one-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **23-754** Approval to award Invitation for Bids Y23-143-KK, Liquid Oxygen, to the sole responsive and responsible bidder, Matheson Tri-Gas, Inc. The estimated annual contract award amount is \$233,167.75 for a one-year term. ([Utilities Department Water Operations Division] Procurement Division)
3. **23-755** Approval to award Invitation for Bids Y23-172-KK, Exterior Painting and Pressure Washing for Utilities Department, to the low responsive and responsible bidder, Quick Painting Group. The total estimated contract award amount is \$237,700 for a one-year term. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)
4. **23-756** Approval to award Invitation for Bids Y23-747-SH, Utilities Gravity Replacement Package 2, to the low responsive and responsible bidder, R.P. Utility & Excavation Corporation. The total contract award amount is \$6,299,937. ([Utilities Department Engineering Division] Procurement Division)

5. **23-757** Approval to award Invitation for Bids Y23-753-EB, Old Cheney Highway Drainage Improvements and Utility Relocation, to the low responsive and responsible bidder, Cathcart Construction Company-Florida, LLC. The total contract award amount is \$3,134,038. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. **23-758** Approval to award Invitation for Bids Y23-762-R2, Corrections Video Visitation Site Lighting Renovation, to the low responsive and responsible bidder, S.A. Casey Construction, Inc. The total contract award amount is \$270,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. **23-759** Approval to award Invitation for Bids Y23-763-MB, Fort Christmas Post Office New Foundation and Renovation, to the low responsive and responsible bidder, Orange Avenue Enterprises, LLC. The total contract award amount is \$356,020. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. **23-760** Approval to award Invitation for Bids Y23-765-CC, Downey Park Pickleball Courts, to the low responsive and responsible bidder, Sloan Builders, Inc. The total contract award amount is \$1,329,642, inclusive of additive numbers one and two. ([Administrative Services Department Capital Projects Division] Procurement Division)
9. **23-761** Approval of Contract Y22-808-TA, Construction Engineering Inspection (CEI) Services for the Buck Road Bridge Project, with Civil/Site Engineering, Inc., in the total contract award amount of \$884,528.49. ([Public Works Department Highway Construction Division] Procurement Division)
10. **23-762** Approval of Contract Y23-1014, Transportation Services, with Orange County Public Schools, in the estimated contract award amount of \$160,070.40 for a one-year term. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
11. **23-763** Approval of Contract Y23-1033, Animal Care Supplies SNAP Test, with IDEXX Distribution, Inc. (IDEXX), in the estimated contract award amount of \$113,192.50 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
12. **23-764** Approval of Contract Y23-2015, Community Based Arts Programming, Entrepreneurship/Financial Programming for Youth, Standardized Testing Preparation and Supportive Services for Children of Incarcerated Parents, with Foundation for Foster Children, Inc., in the total contract award amount of \$1,875,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)

13. **23-765** Approval of Contracts Y23-2402-MM, Behavioral Health Community Analysis Recommendations, with Aspire Health Partners, Inc. for Lot A, in the overall total annual amount of \$1,500,000 for a one-year term, Specialized Treatment Education and Prevention Services, Inc. (STEPS) for Lot B, in the overall total annual amount of \$395,493 for a one-year term, Aspire Health Partners, Inc. for Lot C, in the overall total annual amount of \$1,000,000 for a one-year term, and Specialized Treatment Education and Prevention Services, Inc. (STEPS) for Lot D, in the overall total annual amount of \$393,301 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
14. **23-766** Approval of Amendment No. 7, Contract Y18-1017, Staff Augmentation - SCADA Monitor, with Real Time Services, Inc. dba Top Talent Staffing, in the amount of \$38,500, for a revised estimated contract amount of \$237,880.80. ([Utilities Department Water Reclamation Division] Procurement Division)
15. **23-767** Approval of Amendment No. 4, Contract Y19-1040C, Landscape Management of Active and Inactive Water Plants, with Aristocuts Lawn and Garden Services, Inc., in the amount of \$30,844.32, for a revised estimated contract amount of \$647,730.72. ([Utilities Department Water Division] Procurement Division)
16. **23-768** Approval of Amendment No. 7, Contract Y19-1105, Security Guard Services for Orange County Courthouse and Miscellaneous Sites, with Universal Protection Service, LLC, in the amount of \$565,195.65, for a revised estimated contract amount of \$7,231,152.15. ([Administrative Services Department Facilities Management Division] Procurement Division)
17. **23-769** Approval of Amendment No. 7, Contract Y20-1041, Youth Mental Health Management Network Pilot, with Embrace Families Solutions, Inc., in the amount of \$96,000, for a revised total contract amount of \$620,213.29. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
18. **23-770** Approval of Amendment No. 1, Contract Y22-1040, Software Support and Annual Maintenance for Oracle Applications and Databases, with Oracle America, Inc., in the amount of \$202,279.65. for a revised total contract amount of \$1,733,743.93 for the second-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
19. **23-771** Approval of Amendment No. 1, Contract Y23-141, Orange County Arts & Cultural Affairs Tourist Development Tax (TDT) Revenue - Arts & Cultural Affairs Grants Program, with United Arts of Central Florida, Inc., in the

amount of \$246,271, for a revised contract amount of \$7,746,271.
([Administration and Fiscal Services Arts and Cultural Affairs Office]
Procurement Division)

20. 23-772 Approval of Purchase Order M111048, Customer to Meter Customer Information System (CIS) Upgrade and One-Year New License/Migration Support, with Oracle America, Inc., in the amount of \$565,012.13. ([Utilities Department Customer Service Division] Procurement Division)
21. 23-773 Approval of Purchase Order M111049, Gopher Tortoise Mitigation from the Horizon West Regional Park, Phase 1A, with Gopher Tortoise Camp, LLC, in the amount of \$294,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
22. 23-774 Approval of Purchase Order M111063, Multicultural Center Build-Out Project, with Rhodes + Brito Architects, Inc., in the amount of \$1,226,507.82. ([Administrative Service Department Capital Projects Division] Procurement Division)
23. 23-775 Ratification of Amendment No. 6, Contract Y19-1105, Security Guard Services for Orange County Courthouse and Miscellaneous Sites, with Universal Protection Service, LLC, in the amount of \$952,000, for a revised estimated contract amount of \$6,665,956.50. ([Administrative Services Department Facilities Management Division] Procurement Division)
24. 23-776 Ratification of Amendment No. 1, Contract Y23-2403, Providing Funding for Homelessness Outreach, Prevention, and Diversion, Federal Subrecipient Agreement, with Samaritan Resource Center, Inc., in the amount of \$57,111.19, for a revised total contract amount of \$691,342.11. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
25. 23-777 Approval and execution of County Deed by Orange County and Griffith's, Your Home Solution, Inc., and authorization to perform all actions necessary and incidental to closing for Private Sale of Surplus Property, 321 E. 15th Street, Apopka, Florida 32703. District 2. (Real Estate Management Division)
26. 23-778 Approval of bid amount and approval and execution of County Deed by Orange County and SWA Investments Group, LLC and authorization to perform all actions necessary and incidental to closing for Public Sale of Surplus Property 576 N. Semoran Blvd., Orlando, Florida 32807. District 3. (Real Estate Management Division)
27. 23-779 Approval and execution of License Agreement between Orange County, Florida and Seniors First, Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization

for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the License Agreement, as needed for Seniors First, Inc. - Tangelo Park Community Center (CAD) 5160 Pueblo St., Orlando, Florida 32819. Lease File #10215. District 6. (Real Estate Management Division)

28. **23-780** Approval of Drainage and Maintenance Easement between DRP FL 5, LLC and Orange County and authorization for the Real Estate Management Division to record instrument and perform all actions necessary and incidental to closing for Hartzog Road Realignment (RAC). District 1. (Real Estate Management Division)

29. **23-781** Approval and execution of Drainage Easement Modification by and between Town Vineland Owner LLC, successor by conversion to RD Daryl Carter LLC and Orange County with Joinder and Consent to Drainage Easement Modification from BMO Harris Bank, N.A., as Administrative Agent and authorization for the Real Estate Management Division to record instrument and perform all actions necessary and incidental to closing for Wildwood Area Road Network Agreement. (IDI Orange PD) District 1. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **23-782** Receipt and filing of Head Start Policy Council Program Information and Updates March 2023, Head Start Policy Council Meeting Minutes February 16, 2023, Head Start Policy Council Program Information and Updates April 2023, and Head Start Policy Council Meeting Minutes March 23, 2023 for the official county record. (Head Start Division)

F. CORRECTIONS DEPARTMENT

1. **23-783** Approval and execution of Data Use Agreement between the Bureau of Justice Statistics and Orange County, Florida on behalf of its Orange County Corrections Department, for the Local Jail Reporting Program Pilot Study. (Fiscal and Operational Support Division)

G. HEALTH SERVICES DEPARTMENT

1. **23-784** Approval and execution of the renewal Paratransit Services License for BeSafe Transportation, LLC to provide wheelchair/stretchers service. The term of this license shall be from May 23, 2023 and will terminate on May 22, 2025. There is no cost to the County. (EMS Office of the Medical Director)
2. **23-785** Approval and execution of the Paratransit Services License for Leading Care Transport, LLC to provide wheelchair/stretchers service. The term of this license shall be from May 23, 2023 and terminate on May 22, 2025. There is no cost to the County. (EMS Office of the Medical Director)

3. **23-786** Approval and execution of the renewal Certificate of Public Convenience and Necessity for City of Ocoee Fire Department to provide Advanced Life Support transport services in Orange County, Florida. The term of this certificate is from June 1, 2023 through May 31, 2025. There is no cost to the County. (EMS Office of the Medical Director)
4. **23-787** Approval and execution of the renewal Certificate of Public Convenience and Necessity for Rocky Mountain Holdings, LLC d/b/a Air Care to provide prehospital and interfacility air ambulance advanced life support transport services in Orange County, Florida. The term of this certificate is from June 1, 2023, through May 31, 2025. There is no cost to the County. (EMS Office of the Medical Director)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-788** Approval and execution of Non-Substantial Deviation Amendment to Development Order for the Quadrangle Development of Regional Impact. District 5. (Development Review Committee)

(This item was deferred.)

2. **23-789** Approval and execution of First Amendment to Park Dedication and Park Impact Fee Agreement Long Lake PD Little Econ Greenway Trail Dedication by and between Long Lake Development, LLC, and Orange County. District 5. (Development Review Committee)
3. **23-790** Approval and execution of Proportionate Share Agreement for Corner Lake Gardens Chuluota Road and Colonial Drive by and between Ann W. Linder and Orange County for a proportionate share payment in the amount of \$448,713. District 5. (Roadway Agreement Committee)
4. **23-791** Approval and execution of Proportionate Share Agreement for Northstar Car Wash Powers Drive by and between Northstar Powers LLC and Orange County for a proportionate share payment in the amount of \$166,439. District 2. (Roadway Agreement Committee)
5. **23-792** Approval and execution of Proportionate Share Agreement for Stoneybrook Spirits Hamlin Avalon Road/CR 545 by and between Hamlin Retail Partners East Porter Road, LLC and Orange County directing both the proportionate share payment in the amount of \$156,911 and future transportation impact fee payments that may be associated with the project to be utilized towards the completion of Avalon Road/CR 545 improvements pursuant to the Amended and Restated Escrow Agreement for Town Center West (Silverleaf). District 1. (Roadway Agreement Committee)
6. **23-793** Approval and execution of Proportionate Share Agreement for Starbucks

(Shoppes at Alafaya Trail) Alafaya Trail, Colonial Drive & Woodbury Road by and between HM-UP Development Alafaya Trails - TRU, LLC and Orange County for proportionate share payment in the amount of \$113,374. District 4. (Roadway Agreement Committee)

7. **23-794** Approval of Amended and Restated Parking, Access, and Lift Station Agreement and Easement (Seville Place/Emerald Villas II and III) by and among Seville Place Holdings, Ltd.; Emerald Villas Phase Two, LLC; and Emerald Villas Phase Three, LLC and approval and execution of Joinder and Consent Fifth Mortgagee- Phase Two Property. District 2. (Housing and Community Development Division)
8. **23-795** Approval of Subrecipient Agreement between Orange County, Florida and Christ the King Episcopal Church, Inc. regarding U.S. Department of Housing and Urban Development (“HUD”) Community Development Block Grant (“CDBG”) Program FY 2020-2021 and approval and execution of Addendum to Orange County Community Development Block Grant Program’s Standard Form Subrecipient Agreement between Orange County, Florida and Christ the King Episcopal Church, Inc. related to Orange County’s 2020-2021 Action Plan. All Districts. (Housing and Community Development)
9. **23-796** Approval and execution of Termination and Release of Restrictive Covenant Agreement RE: 104, 132, and 136 Oak Grove Road, Winter Park, Florida 32789. District 5. (Housing and Community Development)

I. PUBLIC WORKS DEPARTMENT

1. **23-797** Authorization to record the plat of Universal South Campus - Plat 2. District 6. (Development Engineering Division)
2. **23-798** Authorization to record the plat of Waterleigh Parcels 10 and 11, Phase 2. District 1. (Development Engineering Division)
3. **23-799** Authorization to record the plat of Avalon Pointe South. District 1. (Development Engineering Division)
4. **23-800** Approval and execution of Mitigation Credits Purchase Agreement (Ficquette Road Widening - Ingelnook Dr to Summerlake) by and between Mitigation Marketing, LLC., and Orange County. District 1. (Engineering Division)
5. **23-801** Approval of “No Parking” signs installation on 4th Street between South Orange Avenue and 2nd Avenue. District 3. (Traffic Engineering Division)
6. **23-802** Approval of “No Parking” signs installation on one side of Overland Road from Keystone Heights Street extending south 700 feet. District 2. (Traffic

Engineering Division)

J. UTILITIES DEPARTMENT

1. **23-803** Approval and execution of Second Amendment to Water Reuse Agreement between Orange County, Florida and T.B.H.C., Inc. All Districts. (Customer Service Division)
2. **23-804** Approval and execution of MEDP Wastewater Flow Monitoring Agreement by and between Orange County and Universal City Development Partners, LTD. (Utilities Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **23-805** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Westwood/OCC Community Development District Proposed Budget Fiscal Year 2024.
 - b. Minutes of the April 19, 2023, Meeting in the Sunshine, Commissioners Maribel Gomez Cordero and Emily Bonilla met to discuss budget requests for Commissioners' needs.
 - c. Orange County Industrial Development Authority Oaths of office for the following individuals:
 - Julio Rocha, Chairman
 - Betty V. Hernandez, as Vice Chairman
 - Casey Barnes, as Secretary
 - d. City of Ocoee Ordinance No. 2023-06 with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance 2023-06 (Annexation Ordinance for 911 Marshall Road - Surujlall Property Annexation) Tax Parcel ID: 19-22-28-0000-00-011 Case No. AX-01-23-01; 911 Marshall Farms Road - Surujlall property annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 2.22 acres located at 911 Marshall Farms Road on the east side of Marshall Farms Road, beginning approximately 1,040 feet north of State Road 50 and assigned Parcel ID Number 19-22-28-0000-00-011, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee comprehensive plan, the Ocoee city code and the joint planning area agreement; providing for and authorizing the update of official city maps; providing direction to the city clerk; providing for severability; repealing inconsistent ordinances; and providing for an effective date.

e. City of Ocoee Ordinance No. 2023-08 with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance 2023-08 (Annexation Ordinance for 413 Whittier Avenue Phat An Temple, Inc. Property) - Tax Parcel ID: 17-22-28-3624-01-150 Case No. AX-01-23-02: 413 Whittier Avenue - Phat An Temple, Inc. property annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.16 acres located on the east side of Whittier Avenue, beginning approximately 325 feet north of State Road 438, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee comprehensive plan, the Ocoee city code and the joint planning area agreement; providing for and authorizing the update of official city maps; providing direction to the city clerk; providing for severability; repealing inconsistent ordinances; and providing for an effective date.

f. The Florida Public Service Commission Notice of Proposed Agency Action Order Approving Change In Rate For Allowance For Funds Used During Construction. In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.22% to 6.37%, effective January 1, 2023, by Florida Power & Light.

g. Minutes of the April 24, 2023, Meeting in the Sunshine, Commissioners Christine Moore, Emily Bonilla and Michael Scott met to discuss budget requests for Commissioners' needs.

h. City of Orlando Voluntary Annexation Request: 2414 S. Brown Ave - ANX2022-10017 Ordinance 2023-16. The public hearing and request for second ordinance reading is scheduled for the City Council meeting to be held May 15, 2023. The first reading of this Ordinance was held on April 24 2023. Notice of proposed enactment on Monday May 15, 2023, the Orlando City Council will consider proposed Ordinance 2023-16, entitled: An Ordinance of the city council of the City of Orlando, Florida, annexing to the corporate limits of the city certain land generally located north of East Crystal Lake Avenue, east of Mayer Street, west of South Brown Avenue, and south of Page Avenue and comprised of 0.161 acres of land, more or less, and amending the city's boundary description; amending the city's adopted growth management plan to designate the property as residential low intensity on the city's official future land use maps; designating the property as the one to two family residential on the city's official zoning maps; providing for amendment of the city's official future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.

i. Riverwalk Community Development District Proposed Budget for Fiscal

Year 2024.

j. Grande Pines Community Development District Proposed Budget for Fiscal Year 2024.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **23-806** Appointment of two Commissioners and one citizen member to the 2023 Value Adjustment Board and the designation of two alternate Commissioners and one alternate citizen member.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to reappoint Commissioner Uribe and Commissioner Gomez Cordero as Board members to the 2023 Value Adjustment Board. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to reappoint Commissioner Wilson and Commissioner Moore as alternate Board members to the 2023 Value Adjustment Board. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to reappoint Robert Caldwell as a citizen member to the 2023 Value Adjustment Board; and further, reappoint Ruye Hawkins as an alternate citizen member to the 2023 Value Adjustment Board. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

2. **23-807** Orange County Sustainability and Resilience Update.

The following person addressed the Board: Madeline Almodovar.

The Board took no action.

B. COUNTY MAYOR

1. **23-808** Legislative Update. (Legislative Affairs Office)

The following person addressed the Board: Chris Carmody.

The Board took no action.

IV. WORK SESSION AGENDA

A. PUBLIC WORKS DEPARTMENT

1. **23-809** Stormwater Management - Moving Towards a Resilient Future. (Stormwater Management Division)

The following person addressed the Board: Lee Mullon.

The Board took no action.

V. RECOMMENDATIONS

1. **23-810** April 20, 2023 Planning and Zoning Commission Recommendations

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

Aye: 5 - Mayor Demings, Commissioner Moore, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 2 - Commissioner Wilson, and Commissioner Uribe

2. **23-811** May 4, 2023 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exception of Case # SE-23-02-152, Juan Santa for Commercial Kennel, Withdrawn, following the Board of Zoning Adjustment hearing; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Commissioner Uribe

VI. PUBLIC HEARINGS

A. Municipal Service Benefit Unit

1. **23-231** Fernway and Conway Estates, establish for streetlighting; District 3 (Continued from March 21, 2023)

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Fernway and Conway Estates subdivisions.

Location: District 3; Multiple Parcels; Section 7, Township 23, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Mayor Demings, seconded by Commissioner Gomez Cordero, to

approve the request as referenced in the Staff Report dated May 9, 2023. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Commissioner Uribe

2. **23-648** Valencia Isle, establish for retention pond(s) maintenance and for streetlighting; District 3

Consideration: Establish by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance and for streetlighting which consists of 60 lots at Valencia Isle subdivision.

Location: District 3; Section 24, Township 22, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the Staff Report dated May 9, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

3. **23-649** Waterleigh Area, amend for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance and for streetlighting to add 388 lots at Waterleigh Phases 4B and 4C.

Location: District 1; Section 07, Township 24, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request as referenced in the Staff Report dated May 9, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

4. **23-650** Wekiwa Springs Septic to Sewer Retrofit Program Phase 3, establish construction of a central gravity sewer system; District 2

Consideration: Establish by resolution a Municipal Service Benefit Unit for the construction of a central gravity sewer system to include The Palms Section III and The Palms Section Four subdivisions for the Wekiwa Springs Septic to Sewer Retrofit Program Phase 3

Location: District 2; Sections 35 and 02, Townships 20 and 21, Range 28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Robert Samson.

A motion was made by Commissioner Moore, seconded by Commissioner Wilson, to approve

the request as referenced in the Staff Report dated May 9, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

5. **23-651** Wekiwa Springs Septic to Sewer Retrofit Program Phase 5, establish construction of a central gravity sewer system; District 2

Consideration: Establish by resolution a Municipal Service Benefit Unit for the construction of a central gravity sewer system to include Bent Oak Phase One, Bent Oak - Phase Two, Bent Oak - Phase Three, Bent Oak Phase - Four, Bent Oak Phase - Five, Bentley Woods, Carol Woods, Carol Woods Phase II, Sweetaire of Wekiva, Silver Rose, Silver Rose Phase II and Wekiva Ridge subdivisions for the Wekiwa Springs Septic to Sewer Retrofit Program Phase 5

Location: District 2; Sections 1 and 12, Township 21, Range 28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Robert Samson.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the request as referenced in the Staff Report dated May 9, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

6. **23-652** Westridge Park Area, amend for streetlighting; District 2

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to add 140 lots at Westridge Park Phase 2 subdivision to the Westridge Park Area.

Location: District 2; Section 25, Township 20, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the request as referenced in the Staff Report dated May 9, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

B. Municipal Service Taxing Unit

7. **23-394** Lake Pickett, amend for general lake cleaning, maintenance, aquatic plant control and navigational improvements; District 5 (Continued from April 11, 2023) **(Cancelled)**

Consideration: Amend by resolution a Municipal Service Taxing Unit for general lake cleaning,

maintenance, aquatic plant control and navigational improvements at Lake Pickett.

Location: District 5; Multiple Parcels; Sections 03, 04, 09 and 10, Township 22, Range 32; Orange County, Florida (legal property description on file)

This public hearing was canceled.

C. Board of Zoning Adjustment Board-Called and Appeal

8. **23-545** Case # SE-22-08-071

Frank Diefenderfer

Shawn Casey for Scout House, Case SE-22-08-071, March 2, 2023; District 5 (**Withdrawn**)

Consideration: Request for a special exception in the R-1A zoning district to allow 2,038 sq. ft. indoor recreation (Kiwaniis Scout House).

Location: District 5; property located at 1925 Killarney Drive, Winter Park, FL 32789; Orange County, Florida (legal property description on file in Zoning Division)

This public hearing was withdrawn.

D. Shoreline Alteration/Dredge and Fill

9. **23-636** Case # SADF-22-03-009

Matthew and Annika Umbers, Howell Creek, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-03-009 to authorize the dredging of accumulated muck and silt from a canal connected to Howell Creek, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 5; on property located adjacent to Howell Creek, located at 1000 Howell Branch Road. Winter Park, FL 32789; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-03-009) subject to the twenty-eight (28) conditions of approval listed in the Staff Report dated April 28, 2023; further, to accept the findings and recommendation of the Environmental Protection Division; further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-03-010) subject to the twenty-eight (28) conditions of approval listed in the Staff Report dated April 28, 2023; further, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-03-011) subject to the twenty-eight (28) conditions of approval listed in the Staff Report dated April 28, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

and

10. 23-637 Case # SADF-22-03-010

Andrew Birr and Marlena Fox, Howell Creek, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-03-010 to authorize the dredging of accumulated muck and silt from a canal connected to Howell Creek, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 5; on property located adjacent to Howell Creek, located at 1016 Howell Branch Road, Winter Park, FL 32789; Orange County, Florida (legal property description on file in Environmental Protection Division)

This item was approved.

and

11. 23-638 Case # SADF-22-03-011

James and Carol Hansen, Howell Creek, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-03-011 to authorize the dredging of accumulated muck and silt from a canal connected to Howell Creek pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 5; on property located adjacent to Howell Creek, located at 1008 Howell Branch Road, Winter Park, FL 32789; Orange County, Florida (legal property description on file in Environmental Protection Division)

This item was approved.

12. 23-646 Case # SADF-23-03-009

The Weller Family Trust, Lake Burkett, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-03-009 to authorize the construction of a replacement vinyl seawall, faced with riprap and plantings, along the shoreline of the property pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 5; on property located adjacent to Lake Burkett, located at 4605 N Landmark Drive, Orlando, FL 32817; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-03-009) subject to the twenty-eight (28) conditions of approval listed in the Staff Report dated April 28, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

13. 23-653 Case # SADF-23-02-001

Norma Sydnor, Lake Conway, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-02-001 to authorize the construction of a new (replacement) seawall along the shoreline of Lake Conway, pursuant to Orange County Code, Chapter 33, Article II, Lake Conway Water and Navigation Control District.

Location: District 3; on property located adjacent to Lake Conway, located at 2820 Montmart Drive, Belle Isle, FL 32812; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-02-001) subject to the twenty-five (25) conditions of approval listed in the Staff Report dated April 27, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

E. Preliminary Subdivision Plan

14. 23-647 Case # PSP-22-04-124

Scott M. Gentry, Kelly, Collins & Gentry, Inc., Silverleaf Planned Development
- Regulating Plan/Silverleaf South Tract A Subdivision Preliminary
Subdivision Plan; District 1

Consideration: Silverleaf Planned Development - Regulating Plan / Silverleaf South Tract A Subdivision Preliminary Subdivision Plan, Case # PSP-22-04-124, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 53.61 acres in order to construct 293 single-family residential dwelling units.

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

The following person addressed the Board: Scott Gentry.

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty-seven (27) conditions of approval listed under the Development Review Committee Recommendation in the Staff Report dated May 1, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

15. 23-726 Case # PSP-22-04-138

Victor O. Perea, Burkett Engineering, Oaks at Lake Standish Preliminary Subdivision Plan; District 2

Consideration: Oaks at Lake Standish Preliminary Subdivision Plan, Case # PSP-22-04-138, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 24.72 acres to construct 80 single-family residential dwelling units.

Location: District 2; property generally located South of West Lester Road/East of Plymouth Sorrento Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty-six (26) conditions of approval listed under the Development Review Committee Recommendation in the Staff Report dated May 8, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

F. Substantial Change

16. 23-553 Case # CDR-22-10-303

Rick V. Baldocchi, P.E., AVCON, Inc., Pet Alliance of Greater Orlando Planned Development/Land Use Plan (PD/LUP), amend plan; District 6

Consideration: A PD substantial change request to modify the condition of approval #16 dated March 9th, 2021, of the Land Use Plan to read: Any outdoor areas used by animals shall be located a minimum of 150 feet from the north property line and shall be screened with a masonry block wall, which will be a minimum of six (6) feet in height, along the northern side. The outdoor run area will also be placed such that the natural undisturbed wetland buffer will shield the entire north side of the outdoor area. In addition, one waiver is requested from Orange County Code Section 38-1476 of Orange County to allow for a reduction in the required quantity of off-street parking spaces to 1 space per 443 square feet of office, animal shelter and run area, in lieu of 1 space per 300 square feet of office, animal shelter, and run area; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 6; property located at 4311 and 4319 S. John Young Parkway; generally located on the east side of S John Young Parkway, south of the I-4 interchange; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, 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 dated May 1, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

17. 23-660 Case # CDR-22-06-206

Scott Gentry, Kelly, Collins & Gentry, Inc., Hamlin Southwest Planned Development - Unified Neighborhood Plan/Hamlin Southwest Overall Infrastructure Preliminary Subdivision Plan/Hamlin Southwest Medical Offices Master Development Plan, amend plan; District 1

Consideration: This Substantial change request is to add details related to Buildings M, N, and O within Lot 2 of Hamlin SW Medical Office Master DP, update the DP tables prior to submitting Construction plans, and add self-storage as a permitted use and establish associated standards; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, and Section 30-89.

Location: District 1; property generally located South of New Independence Parkway / West of State Road 429; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jim Willard.

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the thirteen (13) conditions of approval listed under the Development Review Committee Recommendation in the Staff Report dated May 1, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

G. Land Use Plan Amendment

18. 23-659 Case # LUPA-22-08-274

Brandon Sansaricq, Kimley Horn & Associates, Inc., Nadeen-Tanmore II Planned Development (PD); District 1

Consideration: A request to rezone 41.23 acres from A-2 (Farmland Rural District) into the Nadeen-Tanmore II PD and convert 80,473 square feet of commercial on Parcel 4 into 415 multi-family residential dwelling units for Parcel 5, with a private access road, utilizing the trip equivalency matrix. In addition, two (2) waivers from Orange County Code are being requested:

1. A waiver from Section 38-1476 is requested to provide 1.69 parking spaces per one (1) dwelling unit in lieu of the required 1.5 parking spaces per one (1) bedroom apartment and 2 parking spaces per two (2) & three (3) bedroom apartments, and; 2. A waiver from Section

38-1254(1) is requested for the northern boundary of parcel 4 to allow a ten (10) feet PD setback for the multi-family building in lieu of the required setback of twenty-five (25) feet from all boundaries of the PD for all buildings in excess of two stories increasing the setback due to additional structural height; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located north of World Center Drive, east of International Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person address the Board: Nathan Milch.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the sixteen (16) conditions of approval listed under the Planning and Zoning Commission Recommendation in the staff report dated May 1, 2023. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

H. Development Review Committee Appeal

19. 23-654 Case # DRCA-23-02-066

Alison M. Yurko Esq., Alison M. Yurko P.A., Kendell Keith; District 1

Consideration: This request is an appeal of the March 22, 2023, decision of the Development Review Committee (DRC), to uphold the Zoning Manager's decision to deny a lot split request.

Location: District 1; property generally located North of McKinnon Road / West of Windermere Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Alison Yurko
- Kendell Keith
- John Ficquette

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

- Exhibit 1, from Alison Yurko
- Exhibit 2, from Alison Yurko

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to uphold the Development Review Committee action of March 22, 2023; and further, deny the lot split. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

Nay: 2 - Commissioner Moore, and Commissioner Scott

I. Ordinance/Comprehensive Plan – Adoption of Small-Scale Amendment, Ordinance, and Concurrent Rezoning Requests

20. **23-655** Adoption of Future Land Use Map Amendment SS-23-04-008, Ordinance, and Concurrent Rezoning Request RZ-23-04-009, Christian W. Basso, for MW Properties Orlando, LLC

a. Amendment SS-23-04-008

Consideration: A request to change the Future Land Use designation from Low-Medium Density Residential (LMDR) to Commercial (C); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 5505 Carder Road; generally bounded by Carder Road to the west, Hambleton Avenue to the north, N John Parkway to the east; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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 amendment pursuant to Section 163.3187, Florida Statutes; and providing an effective date.

And

c. Rezoning RZ-23-04-009

Consideration: A request to change the zoning designation from R-2 (Residential District) to C-3 Restricted (Wholesale Commercial District) for warehouse with outdoor storage; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 5505 Carder Road; generally bounded by Carder Road to the west, Hambleton Avenue to the north, N John Parkway to the east; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Moore, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-04-008, Commercial (C) Future Land Use; further, adopt the associated Small-Scale Ordinance 2023-18; and further, approve the rezoning request from R-2 (Residential District) to C-3 Restricted (Wholesale Commercial District) zoning subject to the one (1) Restriction listed under the Planning and Zoning Commission Recommendation in the Staff Report dated May 1, 2023. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Commissioner Gomez Cordero

21. **23-656** Adoption of Future Land Use Map Amendment SS-23-01-108, Ordinance, and Concurrent Rezoning Request RZ-23-01-109, S. Brent Spain, Esquire, Theriaque & Spain

a. Amendment SS-23-01-108

Consideration: A request to change the Future Land Use Map designation from Low Density Residential (LDR) Rural Settlement (RS) to Commercial (C) Rural Settlement (RS); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 3700 N. Orange Blossom Trail; generally located on the west side of N. Orange Blossom Trail, north of Willow Street, south of Holly Street, and east of Day Care Center Road; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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 amendment pursuant to Section 163.3187, Florida Statutes; and providing an effective date.

And

c. Rezoning RZ-23-01-109

Consideration: A request to change the zoning designation from R-CE-2 (Rural Residential District) to C-1 Restricted (Retail Commercial District) to construct up to 20,386 square feet of neighborhood commercial and office uses; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 3700 N. Orange Blossom Trail; generally located on the west side of N. Orange Blossom Trail, north of Willow Street, south of Holly Street, and east of Day Care Center Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to continue the public hearing until July 11, 2023, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Commissioner Gomez Cordero

22. **23-657** Adoption of Future Land Use Map Amendment SS-23-01-128, Ordinance, and Concurrent Rezoning Request RZ-23-01-129, Saki S. Middleton, John Stanley, Inc.

a. Amendment SS-23-01-128

Consideration: A request to change the Future Land Use designation from Low Density Residential (LDR) to Medium Density Residential (MDR); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 3311 N. Powers Dr.; generally located on the east side of N. Powers Dr., south of Indian Hill Rd., north of Sunshine St., and west of Pioneer Rd.; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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 amendment pursuant to Section 163.3187, Florida Statutes; and providing an effective date.

And

c. Rezoning RZ-23-01-129

Consideration: A request to change the zoning designation from R-1A (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District) to construct up to 85 senior housing multi-family dwelling units on the southern half of the 9.80-acre subject parcel. The existing church will remain; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 3311 N. Powers Dr.; generally located on the east side of N. Powers Dr., south of Indian Hill Rd., north of Sunshine St., and west of Pioneer Rd.; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-01-128, Medium Density Residential Future Land Use; further, adopt the associated Small-Scale Ordinance 2023-19; and further, approve the rezoning request from R-1A (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District) zoning subject to the three (3) Restrictions listed under the Planning and Zoning Commission recommendation in the Staff Report dated May 1, 2023. The motion carried by the following vote:

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

Absent: 1 - Commissioner Scott

J. Ordinance/Comprehensive Plan – Adoption of Small-Scale Amendment, Ordinance, and Concurrent PD Substantial Change Request

23. 23-645 Adoption of Future Land Use Map Amendment SS-22-10-082, Ordinance,

and Concurrent PD Substantial Change CDR-22-10-317, Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Tag Land Orlando, LLC and John Webb, Tramell Webb Partners, Inc.

a. Amendment SS-22-10-082

Consideration: A request to change the Future Land Use designation from Office (O) to High Density Residential - Student Housing (HDR - Student Housing) to allow for up to 896 student housing bed multi-family development; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 5; property located Quadrangle Boulevard; generally located on the east side of Quadrangle Boulevard, north of Corporate Boulevard; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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 amendment pursuant to Section 163.3187, Florida Statutes; and providing an effective date.

And

c. CDR-22-10-317

Consideration: A Planned Development substantial change request to the previously approved Quadrangle Planned Development (PD)/ Land Use Plan (LUP) to divide Tract 7 into two separate tracts and to convert the office use to student housing to allow for up to 896 student housing beds. In addition, six (6) waivers are requested from Orange County Code for PD Parcel 7B only:

1) A waiver from Orange County Code Section 38-1476 to allow parking for student housing at a ratio of 0.9 spaces per bedroom in lieu of 1.0 space per bedroom; 2) A waiver from Orange County Code Section 38-1259(d) to allow no masonry wall in lieu of a six-foot masonry wall along the right-of-way; 3) A waiver from Orange County Code Section 38-1501 to allow a minimum unit size of 400 square feet in lieu of 500 square feet; 4) A waiver from Orange County Code Section 38-1259(k) to allow a maximum building height of 7 stories (100 feet) in lieu of 3 stories (40 feet) for student housing; 5) A waiver from Orange County Code Section 38-1259(c) to allow a maximum of 896 bedrooms in lieu of a maximum of 750 bedrooms; and 6) A waiver from Orange County Code Section 38-1251 to allow 55 percent lot coverage versus the maximum 30 percent per code; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 5; property located Quadrangle Boulevard; generally located on the east side of Quadrangle Boulevard, north of Corporate Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Bonilla, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-22-10-082, High Density Residential – Student Housing (HDR–Student Housing) Future Land Use; further, adopt the associated Small-Scale Ordinance 2023-20; further, continue the Quadrangle Planned Development/Land Use Plan Substantial Change CDR-22-10-317 public hearing until June 6, 2023, at 2 p.m.; and further, approve and execute the Non-Substantial Deviation Amendment to Development Order for the Quadrangle Development of Regional Impact. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

and

I. CONSENT AGENDA (Deferred)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. 23-788 Approval and execution of Non-Substantial Deviation Amendment to Development Order for the Quadrangle Development of Regional Impact. District 5. (Development Review Committee)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

K. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendment and Ordinance

24. 23-658 Adoption of Future Land Use Map Amendment SS-23-04-007, and Ordinance, Glenys Rojas for Marilyn Castillo

a. Amendment SS-23-04-007

Consideration: A request to change the Future Land Use designation from Commercial (C) to Low-Medium Density Residential (LMDR) to allow for a duplex (two residential units). The zoning of R-2 will remain unchanged; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 1421 Victor Drive; generally bounded by Victor Drive to the south, S. Roger Williams Road to the west, Rolling Green Drive to the north and Busbee Avenue to the east; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

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 amendment pursuant to Section 163.3187, Florida Statutes; and providing an effective date.

The following person addressed the Board: Hector Vidal.

A motion was made by Commissioner Moore, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-04-007, Low-Medium Density Residential Future Land Use; and further, adopt the associated Small-Scale Ordinance 2023-21. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 1 - Commissioner Bonilla

IV. WORK SESSION AGENDA (Continued)

B. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-812** Tree Preservation and Removal Ordinance. (Zoning Division)

The Board took no action.

√ **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: 4:26 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Jennifer Lara-Klimetz
Assistant 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.

