

Orange County Government

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



Final Meeting Minutes

Tuesday, March 10, 2020

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:04 a.m.

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

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Senior Minutes Coordinator Jennifer Lara-Klimetz
Senior Minutes Coordinator Craig Stopyra

Invocation - District 2

Pastor Juan Balbuena, One Accord Christian Fellowship Church

Pledge of Allegiance**Public Comment**

The following persons addressed the Board during public comment:

- Debbie Parrish
- Dan Washburn
- Sally Baptiste
- Walter Duckworth
- Gregory Keethler
- Brad Kramer
- RJ Mueller
- Kelly Semrad
- David Sendar

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

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

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 7, 8, 9, 10, and 12; 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: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY COMPTROLLER

1. **20-364** Approval of the minutes of the February 11, 2020 meeting of the Board of County Commissioners. (Clerk's Office)
2. **20-365** 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:

- February 21, 2020, to February 27, 2020; \$62,839,948.63
- February 28, 2020, to March 5, 2020; \$37,453,927.15.

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. **20-366** Approval and execution of 2020 LEED for Cities and Communities Grant Program Agreement by and between the Orange County Board of County Commissioners and the U.S. Green Building Council, Inc. All Districts.
2. **20-367** Approval of the Arts and Cultural Affairs Advisory Council's funding recommendation of \$800,000 from the Blockbuster Fund for the Creative City Project for IMMERSE 2020. (Arts and Cultural Affairs Office)
3. **20-368** Approval and execution of First Amendment to Artist Exhibition Agreement between Orange County, Florida and Frederick Napoli for the period of October 11, 2019 through October 1, 2020. (Arts and Cultural Affairs Office)
4. **20-369** Approval for the Orange County Sheriff's Office to spend \$1,000 from the Law Enforcement Trust Fund to provide an eligible contribution to PACE Center for Girls, Inc. (Office of Management and Budget)
5. **20-370** Approval of budget amendments #20-36, #20-37, and #20-38. (Office of Management and Budget)
6. **20-371** Ratification of payment of Intergovernmental claims of January 16, 2020, January 30, 2020, and February 13, 2020, totaling \$1,615,973.35. (Risk Management Division)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-372** Approval to award Invitation for Bids Y20-110-MV, Tree Trimming and

Related Services for the Roads and Drainage Division, to the two low responsive and responsible bidders, Advanced Tree Pros, in the estimated contract award amount of \$5,777,715 for a three-year term and The Davey Tree Expert Company, in the estimated contract award amount of \$6,057,714.63 for a three-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)

2. **20-373** Approval to award Invitation for Bids Y20-158-AV, Temporary Labor for Skilled General Maintenance, to the two low responsive and responsible bidders, Personnel Solutions Plus, LLC, in the estimated contract award amount of \$3,580,890 and Moten Tate, Incorporated, in the estimated contract award amount of \$3,647,000 for the base year. ([Convention Center Facility Operations Division] Procurement Division)
3. **20-374** Approval to award Invitation for Bids Y20-711-RC, Orange County Lakeside Village Park Phase II, to the low responsive and responsible bidder, Sloan Builders, Inc. The total contract award amount is \$570,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. **20-375** Approval to award Invitation for Bids Y20-723-TA, Gravity Sewer Replacement Package 4, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$2,789,497.95. ([Utilities Department Engineering Division] Procurement Division)
5. **20-376** Approval to award Invitation for Bids Y20-728-RC, Orange County Administration Center Communications Division Office Modification, to the low responsive and responsible bidder, S.A. Casey Construction, Inc. The total contract award amount is \$113,260 inclusive of Additive No. one and Additive No. three. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **20-377** Approval to award Invitation for Bids Y20-730-TA, South Water Reclamation Facility Supplemental Well, to the low responsive and responsible bidder, Hausinger & Associates, Inc. The total contract award amount is \$320,213. ([Utilities Department Engineering Division] Procurement Division)
7. **20-378** Approval of Purchase Order M99613, Design and Construction Administration Services for New Fire Station #44, with Architects Design Group, Inc., in the amount of \$215,304.08. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. **20-379** Approval of Change Order No. 4, Emergency Purchase Order M98088, Liquid Emulsion Type Polymer for Centrifuge at South Water Reclamation Facility (SWRF), with Polydyne, Inc. in the amount of \$247,500, for a revised total contract amount of \$533,500. ([Utilities Department Water Reclamation Division] Procurement Division)

9. **20-380** Ratification of Amendment No. 8, Contract Y16-1082A-MR, Tree Trimming and Related Services - Roads and Drainage Division, with The Davey Tree Expert Company, in the amount of \$240,000, for a revised total contract amount of \$2,202,540.71. ([Public Works Department Roads and Drainage Division] Procurement Division)
10. **20-381** Selection of SGM Engineering, Inc. to provide Design Services for the Orange County Corrections Central Energy Plant 1 and Plant 2 Renovations, Request for Proposals Y20-804-RC. ([Administrative Services Department Capital Projects Division] Procurement Division)
11. **20-382** Selection of SGM Engineering, Inc. to provide Design Services for Orange County Courthouse Power Modernization, Request for Proposals Y20-819-RM. ([Administrative Services Department Capital Projects Division] Procurement Division)
12. **20-383** Approval and execution of Affiliate Service Provider Agreement by and between Orange County and University of Central Florida Board of Trustees and delegation of authority to the Real Estate Management Division to exercise renewal options, execute a termination notice, and furnish notices, required or allowed by the agreement, as needed for NEC at Fashion Square Mall 3201 East Colonial Drive, Orlando, Florida 32803 Lease File #2062-ASP5. District 5. (Real Estate Management Division)
13. **20-384** Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for SSA/ESA J. Lawson Blvd Potable Water Re-pump Facility. District 4. (Real Estate Management Division)
14. **20-385** Approval of Temporary Construction Easement from D.R. Horton, Inc. to Orange County and authorization to disburse funds to pay all recording fees to record instrument for Avalon Road Master Pump Station. District 1. (Real Estate Management Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-386** Approval and execution of Agreement between Orange County, Florida and Central Florida Regional Workforce Development Board, Inc. d/b/a Career Source Central Florida related to the Orange County Summer Youth Employment Program. The cost to the County is \$120,000. All Districts. (Community Action Division)
2. **20-387** Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Aloma Elementary Head Start. This application is only executed by Orange County. (Head Start Division)

3. **20-388** Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Dover Shores Elementary Head Start. This application is only executed by Orange County. (Head Start Division)
4. **20-389** Approval and execution of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Hungerford Elementary Head Start. This application is only executed by Orange County. (Head Start Division)

E. HEALTH SERVICES DEPARTMENT

1. **20-390** Approval and execution of the Paratransit Services License for Global-Aid Transportation LLC to provide wheelchair/stretchers service. The term of this license is from March 1, 2020 through March 1, 2022. There is no cost to the County. (EMS Office of the Medical Director)
2. **20-391** Approval to accept the Federal Health Resources and Services Administration Grant Award for Ryan White Part A Program funding in the estimated amount of \$10,590,650, for the period of March 1, 2020 through February 28, 2021 and approval for the County Mayor or designee to approve any increases or decreases in the award amount.
3. **20-392** Approval and execution of State of Florida Department of Health Standard Contract CFDA No. 14.241 between the State of Florida, Department of Health and Orange County Board of County Commissioners for the administration of the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program for Fiscal Year 2020 in the amount of \$947,478 and authorization for the Mayor or designee to sign any future amendments to this agreement. No county match is required. (Fiscal and Operational Support Division)

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-393** 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 20-0337	LC 20-0341	LC 20-0362	LC 20-0238	LC 20-0315
LC 20-0235	LC 20-0365	LC 20-0250	LC 20-0239	LC 20-0318
LC 20-0245	LC 20-0014	LC 20-0357	LC 20-0247	LC 20-0330
LC 20-0302	LC 20-0216	LC 20-0377	LC 20-0262	LC 20-0331
LC 20-0304	LC 20-0355	LC 20-0110	LC 20-0264	LC 20-0336
LC 20-0306	LC 20-0266	LC 20-0171	LC 20-0275	LC 20-0352

LC 20-0307 LC 20-0340 LC 20-0225 LC 20-0277 LC 20-0368
LC 20-0308 LC 20-0349 LC 20-0237 LC 20-0278 LC 20-0380

2. **20-394** Accept the findings and recommendations of the Environmental Protection Commission and approve the after-the-fact request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the allowable terminal platform size by 37 square feet to 742.4 square feet with the condition that the applicant pay \$493 to the Conservation Trust Fund within 60 days of the decision of the Board, and approve the after-the-fact request for variance to Section 15-343(a) to reduce the side setback from the southern projected property line from 10 feet to 9.3 feet for the Stephen Kaczmarek Dock Construction Permit BD-18-11-113. District 1. (Environmental Protection Division)
3. **20-395** Accept the findings and recommendation of the Environmental Protection Commission and approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the allowable terminal platform size by 22.5 square feet to a total of 504 square feet with the condition that the applicant pay \$435 to the Conservation Trust Fund within 60 days of the decision of the Board, and approve the request for variance to Section 15-343(a) to reduce the side setback to -3.0 feet from the northern projected property line for the Jeffrey S. Sobek Revocable Trust Dock Construction Permit BD-19-11-129. District 1. (Environmental Protection Division)
4. **20-396** Accept the findings and recommendations of the Environmental Protection Commission and approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the allowable terminal platform size from 511 to 568 square feet with the condition that the applicant pay \$351 to the Conservation Trust Fund within 60 days of the decision of the Board, and approve the request for variance to Section 15-343(a) to reduce the side setback from both projected property lines from 10 feet to 6 feet for the David Mikush Dock Construction Permit BD 19-12-135. District 1. (Environmental Protection Division)
5. **20-397** Approval of Amended Community Development Block Grant Budget 2019-2020 Action Plan; and approval and execution of Project Administration Subrecipient Agreement (#2019-6-19) between Orange County, Florida and Community Legal Services of Mid-Florida, Inc. regarding the Community Development Block Grant Program FY 2019-2020. All Districts. (Housing and Community Development Division)
6. **20-398** Approval of the Neighborhood Grants Advisory Board's recommendations for March 2020 Non-Profit Safety Grants to Center for Independent Living in Central Florida, Inc. (\$10,000), Central Florida Pharmacy Council, Inc. (\$10,000), Images of Glory, Inc. (\$6,150.32), Life Concepts, Inc. dba Quest, Inc. (\$10,000), Lighthouse of Central Florida, Inc. (\$10,000), Orlando Health

dba Howard Phillips Center for Children & Families (\$9,878.25) and SALT Outreach, Inc. (\$10,000). All Districts. (Neighborhood Services Division)

7. **20-399** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I - Cross PD by and between Spring Grove, LLC and Orange County. District 1. (Planning Division)

(This item was deferred.)

8. **20-400** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I - Parcel 1 PD by and between Spring Grove Properties, LLC and Orange County. District 1. (Planning Division)

(This item was deferred.)

9. **20-401** Approval and execution of Second Amendment to Adequate Public Facilities Agreement for Horizon West - Village I - West Neighborhood Spring Grove - Jaffers PD by and between Spring Grove, LLC, M/I Homes of Orlando, LLC, and Orange County. District 1. (Planning Division)

(This item was deferred.)

10. **20-402** Approval and execution of First Amendment to Adequate Public Facilities Agreement for Horizon West Village I Withers PD by and between Withers, LLC, Columnar Partnership Holding I, LLC, and Orange County. (Planning Division)

(This item was deferred.)

11. **20-403** Approval and execution of Proportionate Share Agreement for Four Corners Retail Plaza Avalon Road by and between Four Corners Plaza LLC and Orange County for a proportionate share payment in the amount of \$59,155. District 1. (Roadway Agreement Committee)

12. **20-404** Approval and execution of an Adequate Public Facilities Agreement for Horizon West Village I Serenade at Ovation PD by and between Spring Grove, LLC, BB Groves, LLC, and Orange County conveying 1.15 acres of APF Land and providing \$25,875 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

(This item was deferred.)

13. **20-405** Approval and execution of Hold Harmless and Indemnification Agreement Parcel ID: 34-22-29-0000-00-089 by and between Jeffery Hohman and Katie E. Hohman and Orange County to construct a retaining wall, pool, deck, and two-story addition at 1742 Indiana Street, Orlando, Florida 32805.

District 6. (Zoning Division)

14. **20-406** Approval and execution of Developer's Agreement Regarding Flemings Road by and between M/I Homes of Orlando, LLC and Orange County. District 1.

G. PUBLIC WORKS DEPARTMENT

1. **20-407** Approval of a multi-way stop condition at the intersection of Baxter Avenue and Martin Street. District 3. (Traffic Engineering Division)
2. **20-408** Approval and execution of Agreement of Authorization to Access Real Time Traffic Signal Data between Orange County and Traffic Technology Services, Inc. All Districts. (Traffic Engineering Division)
3. **20-409** Approval of Traffic Control Devices and "No Parking" signs installation in Spring Isle Palms. District 4. (Traffic Engineering Division)
4. **20-410** Approval and execution of (1) Resolution 2020-M-08 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Vineland Avenue and State Road 535 Intersection Project; and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 435554-1-58-01 and 435554-1-68-01. (Transportation Planning)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-411** Receipt of the following items to file for the record: (Clerk's Office)
- a. City of Winter Park Notice of Intent to voluntarily annex those certain lands owned by the Winter Park Redevelopment Agency, Ltd., Benjamin Partners, Ltd., and GreenHouse Partnership, Ltd., and annex portions that have been deannexed by the City of Maitland. A Draft of the proposed annexation Ordinance of the City of Winter Park, with Exhibit A (Legal Description), Exhibit B (Location Map), and Notice of Annexation. An Ordinance of the City of Winter Park, Florida, providing for the annexation of approximately 2.06 +/- acres of real property generally located south of Monroe Avenue, north of Elvin Avenue, east of Bennett Avenue and west of Orlando Avenue, and having Orange County Tax Parcel Identification numbers 01-22-29-3712-15-010, 01-22-29-3712-16-072, 01-22-29-3712-16-070, 01-22-29-3712-16-092 and 01-22-29-3712-16-091 and certain portions of the Lewis Drive and Bennett Avenue public rights-of-way as more specifically described herein into the municipal boundaries of the City of Winter Park; redefining the city boundaries to give the City of Winter Park jurisdiction over said property; providing for severability; providing for an

effective date. The intended 1st reading of the annexation Ordinance is during the City of Winter Park City Commission meeting on Monday, February 10, 2020 followed by the intended 2nd reading, public hearing and adoption at the City of Winter Park City Commission meeting on Monday, February 24, 2020.

b. Audit Report No. 482 - Follow-up of the Audit of Public Works Department's Mowing Services Contracts

These items were received and filed.

NONAGENDA

Deputy County Administrator Danny Banks provided the Board an update on the COVID-19 Coronavirus. Discussion ensued. County Administrator Brooks contributed to the discussion.

III. WORK SESSION AGENDA

A. COUNTY SHERIFF

1. **20-412** School Resource Officer Program

The following person addressed the Board: John Mina.

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to approve the increase in OCSO authorized staffing by 19 deputy sheriff positions to fulfill the terms of the OCSO-OCPS School Resource Officer Program. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

IV. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **20-413** Appointment of Nelson N. Pena to the Planning and Zoning Commission in the at large representative category with a term expiring December 31, 2021. (Agenda Development Office)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to appoint Nelson N. Pena to the Planning and Zoning Commission in the at large representative category with a term expiring December 31, 2021. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

B. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-414** MetroPlan Orlando Briefing. (Transportation Planning Division)

The Board took no action.

2. **20-415** Approval of proposed revisions to Administrative Regulation No.: 11.07.01, titled "Environmentally Sensitive Lands Acquisition" and New Administrative Regulation No.: 11.07.02, "Policy Regarding Use of TM/Econ Mitigation Bank Phase IV Credits." (Environmental Protection Division)

Commissioner Bonilla moved to approve New Administrative Regulation No.: 11.07.02, titled "Policy Regarding Use of TM/Econ Mitigation Bank Phase IV Credits", however, Mayor Demings didn't want to bifurcate the two items because it is one action item.

The motion made by Commissioner Bonilla to separate the two items, proposed revisions to Administrative Regulation No.: 11.07.01, titled "Environmentally Sensitive Lands Acquisition" and New Administrative Regulation No.: 11.07.02, "Policy Regarding Use of TM/Econ Mitigation Bank Phase IV Credits", died for a lack of a second.

Discussion ensued. County Administrator Brooks contributed to the discussion. Commissioner Bonilla's initial approval of New Administrative Regulation No.: 11.07.02 was reconsidered later in the discussion.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to approve New Administrative Regulation No.: 11.07.02, "Policy Regarding Use of TM/Econ Mitigation Bank Phase IV Credits"; and further, have a work session later to discuss some amendments and a possible ordinance for Administrative Regulation No.: 11.07.01, titled "Environmentally Sensitive Lands Acquisition". The motion carried by the following vote:

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

C. COUNTY MAYOR

1. **20-416** Open discussion on issues of interest to the Board.

No items were submitted.

V. RECOMMENDATIONS

1. **20-417** February 20, 2020 Planning and Zoning Commission Recommendations

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to approve the recommendations with the exception of Case # RZ-19-11-055, Kathy Hattaway (Board Called), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

1. **20-225** Municipal Service Benefit Unit

Avalon Cove, establish for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Avalon Cove

Location: District 1; Parcel ID (Multiple Parcels); Sections 5 and 8, Township 24, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

2. **20-226** Municipal Service Benefit Unit

Beacon Park Boulevard First Amendment Replat, Lake Nona Creekside and Greenway Park Parcel 5, amend for retention pond(s) maintenance; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance at Beacon Park Boulevard First Amendment Replat, Lake Nona Creekside and Greenway Park Parcel 5

Location: District 4; Parcel ID (Multiple Parcels); Section 28, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

3. **20-227** Municipal Service Benefit Unit

Brownie Villa, Royal Villa - Villa Drive; establish for streetlighting; District 2

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting at Brownie Villa, Royal Villa - Villa Drive, which consists 33 lots.

Location: District 2; Parcel ID (Multiple Parcels); Section 33, Township 21, Range 29; 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. The motion carried by the following vote:

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

4. **20-228** Municipal Service Benefit Unit

Cove at Lake Mira, amend for streetlighting; District 5

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting at Cove at Lake Mira, which consists of 70 lots.

Location: District 5; Parcel ID (Multiple Parcels); Sections 1 and 12, Township 22, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

5. **20-229** Municipal Service Benefit Unit

Dean's Crossing at Little Econ, establish for streetlighting and for retention pond(s) maintenance; District 3

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Dean's Crossing at Little Econ

Location: District 3; Parcel ID (Multiple Parcels); Section 32, Township 22, Range 31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

6. **20-230** Municipal Service Benefit Unit

Enclave at Hamlin, establish for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Enclave at Hamlin

Location: District 1; Parcel ID (Multiple Parcels); Sections 17 and 20, Township 23, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

7. **20-231** Municipal Service Benefit Unit

Hamilton Estates, establish for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Hamilton Gardens

Location: District 1; Parcel ID (Multiple Parcels); Sections 17 and 20, Township 23, Range 27; Orange County, Florida (legal property description on file)

Comptroller Staff announced that the item is incorrect in the agenda. The public hearing is for Hamilton Gardens and was correctly advertised to the public.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

8. **20-131** Petition to Vacate

Sara and Fred Lin, Petition to Vacate 19-10-030, vacate a portion of a utility easement; District 5

Consideration: Resolution granting Petition to Vacate # 19-10-030, vacating a 2.50 foot portion of a 7.50 foot wide utility easement, containing approximately 108.75 square feet.

Location: District 5; The parcel address is 4437 Bridgewater Drive; S06/T22/R31; Orange County, Florida (legal property description on file)

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

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

9. **20-212** Petition to Vacate

Matt Suedmeyer, on behalf of Orange County Parks and Recreation Division, Administrative Petition to Vacate 19-01-005, vacate a strip of land; District 6

Consideration: Resolution granting Administrative Petition to Vacate # 19-01-005, vacating a

strip of land designated as a "Beach".

Location: District 6; The parcel is unaddressed; S22/T22/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to continue the public hearing until April 21, 2020, at 2 p.m. The motion carried by the following vote:

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

10. 20-213 Petition to Vacate

Stephen Langton, on behalf of MSGYN LLC., Petition to Vacate 19-05-019, vacate portions of unopened, unimproved and unnamed alleyways; District 1

Consideration: Resolution granting Petition to Vacate # 19-05-019, vacating two (2) portions of 16 foot wide unopened, unimproved and unnamed alleyways, containing 0.04 and 0.02 acres, respectively, for a total of approximately 0.06 acres.

Location: District 1; The parcel address is 11278 Commercial Street, the other parcels are unaddressed; S15/T24/R28; Orange County, Florida (legal property description on file)

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

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

12. 20-221 Rezoning

Kathy Hattaway, Poulos & Bennett, LLC, Horizon West - Village I - Parcel 1
Planned Development, Case # LUP-19-02-052; District 1

Consideration: A request to rezone 37.04 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 300 multi-family residential dwelling units; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located west of County Road 545, north of Flemings Road, and south of Water Spring Boulevard; Orange County, Florida (legal property description on file in Planning Division)

Modify Condition of Approval #8:

8. Pursuant to the BCC's acceptance of the Village I Term Sheet on November 13, 2018, this project shall comply with the terms and conditions of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time.

New Condition of Approval #20:

20. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter in accordance with Section 12.1 of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time, and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

The following persons addressed the Board:

- Kathy Hattaway
- Sally Baptiste

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to accept the findings and recommendation of the Environmental Protection Division staff to approve the request for Conservation Area Impact Permit No. CAI-16-08-034 for Spring Grove Properties, LLC; further, make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 300 multi-family residential dwelling units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report, as amended; further, modify Condition of Approval #8; further, approve new Condition of Approval #20; and further, approve the Adequate Public Facilities Agreement for Horizon West - Village I - Parcel 1 PD by and between Spring Grove Properties, LLC and Orange County. The motion carried by the following vote:

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

and

11. 20-355 Conservation Area Impact

Spring Grove Properties, LLC, permit; District 1

Consideration: Request for a Conservation Area Impact Permit for one acre of direct Class I impacts and 0.32 acre of secondary impacts to construct portions of a stormwater treatment pond, outfall pipe and spreader swale associated with construction of a multi-family development

Location: District 1; property located at the northwestern corner of the intersection of County Road 545 and the unopened right-of-way of Lake Star Road; Section 18, Township 24, Range 27; Orange County, Florida (legal property description on file in Environmental Protection Division)

The conservation area impact public hearing was approved.

and

I. CONSENT AGENDA (Deferred)**F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

8. **20-400** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I - Parcel 1 PD by and between Spring Grove Properties, LLC and Orange County. District 1. (Planning Division)

The consent item was approved.

VI. PUBLIC HEARINGS (Continued)

13. **20-220** Rezoning

Kathy Hattaway, Poulos & Bennett, LLC, Horizon West - Village I - Serenade at Ovation Planned Development, Case # LUP-18-10-354; District 1

Consideration: A request to rezone 155.4 gross acres from A-1 (Citrus Rural District), A-2 (Farmland Rural District), and PD (Planned Development District) to PD (Planned Development District) and transfer 1.44 acres from the Spring Grove - Jaffers PD into this PD for a total of 156.84 acres, in order to construct 291 attached and detached residential dwelling units. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 34-152(c) to allow lots to front a mews, park, open space, etc. and have access via a tract or easement, in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver from Section 38-1382(h)(4) to allow alleys to be designed as a tract, in lieu of the requirement that they shall be designed as a private easement. 3. A waiver from Section 38-1384(g)(1) to allow garage access to be setback from an alley tract, in lieu of an easement. 4. A waiver from Section 38-1384(g)(2) to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot, in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 5. A waiver from Section 38-1384(i)(2) to allow vehicular access to garages or other off-street parking to be from a rear alley tract, in lieu of an easement. 6. A waiver from Orange County Code Section 30-551 to allow the project to obtain a CEL upon the project becoming subject to the Village I Road Network Agreement, provided that all other requirements for obtaining a CEL have been met by the applicant. The foregoing is in lieu of allowing the project to obtain a CEL prior to the issuance of trips for the project under the Village I Road Network Agreement; pursuant to Orange County Code, Chapter 30.

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

Modify Condition of Approval #6:

6. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter in accordance with Section 12.1 of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time, and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

Modify Condition of Approval #7:

7. Pursuant to the BCC's acceptance of the Village I Term Sheet on November 13, 2018, this project shall comply with the terms and conditions of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time.

Delete Condition of Approval #21.f.:

~~21.f. A waiver from Orange County Code Section 30-551 to allow the project to obtain a CEL upon the project becoming subject to the Village I Road Network Agreement, provided that all other requirements for obtaining a CEL have been met by the applicant. The foregoing is in lieu of allowing the project to obtain a CEL prior to the issuance of trips for the project under the Village I Road Network Agreement.~~

The following persons addressed the Board:

- Kathy Hattaway
- Sally Baptiste
- Dale Revels

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from A-1 (Citrus Rural District) and A-2 (Farmland Rural District) to PD (Planned Development District) to construct 291 attached and detached residential dwelling units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report, as amended; further, modify Conditions of Approval #6 and #7; further, delete Condition of Approval #21.f.; and further, approve the Adequate Public Facilities Agreement for Horizon West Village I Serenade at Ovation PD by and between Spring Grove LLC, BB Groves LLC, and Orange County. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

12. **20-404** Approval and execution of an Adequate Public Facilities Agreement for Horizon West Village I Serenade at Ovation PD by and between Spring Grove, LLC, BB Groves, LLC, and Orange County conveying 1.15 acres of APF Land and providing \$25,875 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

The consent item was approved.

VI. PUBLIC HEARINGS (Continued)

14. **20-222** Rezoning

Kathy Hattaway, Poulos & Bennett, LLC, Horizon West - Village I - Cross Planned Development, Case # LUP-18-12-410; District 1

Consideration: A request to rezone 186.90 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 385 attached and detached single-family dwelling units. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 34-152(c) to allow lots to front a mews, park, open space, etc. and have access via a tract or easement, in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver from Section 38-1382(h)(4) to allow alleys to be designed as a tract, in lieu of the requirement that they shall be designed as a private easement. 3. A waiver from Section 38-1384(g)(1) to allow garage access to be setback from an alley tract, in lieu of an easement. 4. A waiver from Section 38-1384(g)(2) to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot, in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 5. A waiver from Section 38-1384(i)(2) to allow vehicular access to garages or other off-street parking to be from a rear alley tract, in lieu of an easement. 6. A waiver from Orange County Code Section 30-551 to allow the project to obtain a CEL upon the project becoming subject to the Village I Road Network Agreement, provided that all other requirements for obtaining a CEL have been met by the applicant. The foregoing is in lieu of allowing the project to obtain a CEL prior to the issuance of trips for the project under the Village I Road Network Agreement. 7. A waiver from Orange County Code Section 38-1384(i)(3), to allow lots on the western side of the north/south APF road to access garages and off-street parking surfaces from the APF road, in lieu of the requirement that vehicular access to garages and off-street parking surfaces on all lots facing the primary side of an APF road shall be provided from a rear alley or easement; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located north of Flemings Rd. / south of Water Spring Blvd. / east of Lake County Line / west of Avalon Rd.; Orange County, Florida (legal property description on file in Planning Division)

Modify Condition of Approval #6:

6. Pursuant to the BCC's acceptance of the Village I Term Sheet on November 13, 2018, this project shall comply with the terms and conditions of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time.

New Condition of Approval #21:

21. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter in accordance with Section 12.1 of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time, and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

Renumber existing Condition of Approval #21 to Condition of Approval #22.

Delete Condition of Approval #21.f.:

~~21.f. A waiver from Orange County Code Section 30-551 to allow the project to obtain a CEL upon the project becoming subject to the Village I Road Network Agreement, provided that all other requirements for obtaining a CEL have been met by the applicant. The foregoing is in lieu of allowing the project to obtain a CEL prior to the issuance of trips for the project under the Village I Road Network Agreement.~~

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from A-1 (Citrus Rural District) and A-2 (Farmland Rural District) to PD (Planned Development District) in order to construct 385 attached and detached single-family dwelling units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report, as amended; further, modify Condition of Approval #6; further, approve new Condition of Approval #21; further, delete Condition of Approval #21.f.; and further, approve the Adequate Public Facilities Agreement for Horizon West Village I - Cross PD by and between Spring Grove LLC and Orange County. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

7. **20-399** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I - Cross PD by and between Spring Grove, LLC and Orange County. District 1. (Planning Division)

The consent item was approved.

VI. PUBLIC HEARINGS (Continued)

15. **20-232** Substantial Change
- Kathy Hattaway, Poulos & Bennett, LLC, Spring Grove - Jaffers Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-10-353, amend plan; District 1

Consideration: A PD substantial change to transfer 1.44 gross acres to the Serenade at Ovation PD (LUP-18-10-354) and revise development tables based on removal of that property. No change in the development program is proposed; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located south of Flemings Road, west of Avalon Road, and east of the Lake County Line; Orange County, Florida (legal property description on file in Planning Division)

Modify Condition of Approval #6:

6. The project shall comply with the terms and conditions of that certain Adequate Public Facilities Right-of-Way Agreement for Village I, Spring Grove, recorded at Official Records Document #20190734332 #20160429794, Public Records of Orange County, Florida, as may be amended.

Modify Condition of Approval #7:

7. Pursuant to the BCC's acceptance of the Village I Term Sheet on November 13, 2018, this project shall comply with the terms and conditions of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time.

Modify Condition of Approval #10.I.:

- 10.I. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter in accordance with Section 12.1 of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time, and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request, subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report, as amended; further, modify Conditions of Approval #6, #7, and #10.I.; and further, approve the Second Amendment to Adequate Public Facilities Agreement for Horizon West - Village I - West Neighborhood Spring Grove - Jaffers by and between Spring Grove LLC, M/I Homes of Orlando LLC and Orange County. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

9. **20-401** Approval and execution of Second Amendment to Adequate Public Facilities Agreement for Horizon West - Village I - West Neighborhood Spring Grove - Jaffers PD by and between Spring Grove, LLC, M/I Homes of Orlando, LLC, and Orange County. District 1. (Planning Division)

The consent item was approved.

VI. PUBLIC HEARINGS (Continued)

16. **20-224** Substantial Change

Kathy Hattaway, Poulos & Bennett, LLC, Withers Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-10-331, amend plan; District 1

Consideration: A PD substantial change to revise the unit count and density for PD Parcels 4, 5, and 6; to update the APF table to reflect transfers to the Parcel 1 PD (LUP-19-02-052), Serenade PD (LUP-18-10-354), and Cross PD (LUP-18-12-410); to update the TDR table to reflect a transfer to the Parcel 1 PD. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 34-152(c), for PD Parcels 4, 5, 11, 13, and 17, to allow lots to front a mews, park, open space, etc. and have access via a tract or easement, in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver from Section 38-1382(h)(4), for PD Parcels 4, 5, 11,13, and 17, to allow alleys to be designed as a tract, in lieu of the requirement that they shall be designed as a private easement. 3. A waiver from Section 38-1384(g)(1), for PD Parcels 4, 5, 11, 13, and 17, to allow garage access to be setback from an alley tract, in lieu of an easement. 4. A waiver from Section 38-1384(g)(2), for PD Parcels 4, 5, 11, 13, and 17, to allow detached

garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot, in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 5. A waiver from Section 38-1384(i)(2), for PD Parcels 4, 5, 11, 13, and 17, to allow vehicular access to garages or other off-street parking to be from a rear alley tract, in lieu of an easement. 6. A waiver from Section 30-714(c) to allow the project to proceed beyond 5% of the approved PD entitlements, which 5% threshold is identified in the APF Agreement as 40 dwelling units (attached or detached); provided, however, that prior to said 5% threshold being reached or exceeded: (A) the approximately 5.81 acres of Future APF Right-of-Way have been conveyed to the County or to an escrow agent who is obligated to release a deed conveying such right-of-way to the County, in accordance with that certain Hartzog Road Right-of-Way Agreement recorded at ORB 9712/4850, as amended, and as affected by that certain First Amendment to Agreement Concerning Hartzog Road Right-of-Way Agreement recorded at ORB 11021/4154, as amended; (B) the approximately 0.98 acres of APF ROW have been conveyed to the County or placed into escrow, pursuant to an escrow agreement acceptable to the County; and (C) the approximately 5.0 acre APF Park has been conveyed to the County or placed into escrow, pursuant to an escrow agreement acceptable to the County. 7. A waiver from Orange County Code Section 38-1258(g), for PD Parcels 11, 13, and 17, to allow shared access for multi-family and single-family residential and to allow multi-family residential to directly access a right-of-way serving platted single-family residential development, in lieu of the requirement that multi-family development shall not directly access any right-of-way serving platted single-family residential. This waiver is external to the Withers PD. 8. A waiver from Orange County Code Section 30-551 is requested to allow the project to obtain a CEL upon the project becoming subject to the Village I Road Network Agreement, provided that all other requirements for obtaining a CEL have been met by the applicant. The foregoing is in lieu of allowing the project to obtain a CEL prior to the issuance of trips for the project under the Village I Road Network Agreement; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located east of Avalon Road, north of Hartzog Road, and south of Western Way; Orange County, Florida (legal property description on file in Planning Division)

Modify Condition of Approval #7:

7. Pursuant to the BCC's acceptance of the Village I Term Sheet on November 13, 2018, this project shall comply with the terms and conditions of the Village I Road Network Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time.

Modify Condition of Approval #9.c.:

9.c. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter in accordance with Section 12.1 of the Village I Road Network

Agreement recorded at Doc# 20200109451, Public Records of Orange County, Florida, as may be amended from time to time, and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request, subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report, as amended; further, modify Conditions of Approval #7, and #9.c.; and further, approve the First Amendment to Adequate Public Facilities Agreement for Horizon West Village I Withers PD by and between Withers LLC, Columnar Partnership Holding I LLC, and Orange County. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

10. **20-402** Approval and execution of First Amendment to Adequate Public Facilities Agreement for Horizon West Village I Withers PD by and between Withers, LLC, Columnar Partnership Holding I, LLC, and Orange County. (Planning Division)

The consent item was approved.

VI. PUBLIC HEARINGS (Continued)

17. **20-287** Planning and Zoning Commission Rezoning Appeal

Alison M. Yurko, Esq.

Honorio Saucedo, Case RZ-20-01-073, January 16, 2020; District 3

Consideration: Appeal of the recommendation of the Planning and Zoning Commission on a request by applicant to rezone three parcels totaling 1.50 gross acres from A-2 (Farmland Rural District) to R-2 (Residential District) in order to construct three (3) triplex. Structures will contain nine (9) total dwelling units.

Location: District 3; property generally located south side of Nassau Avenue, approximately 250 feet east of Redditt Road; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Luis Celenza
- Honorio Saucedo

The applicant withdrew the application.

18. 20-233 Planning and Zoning Commission Rezoning Board-Called

Ismael Portalatin, Case # RZ-19-12-058, December 19, 2019; District 3

Consideration: Request is to consider a rezoning of two (2) parcels totaling 1.04 gross acres located at 5350 and 5358 Beatles Lane; or generally located south of Hoffner Avenue, east of S. Semoran Boulevard and west of Patch Road, from A-2 (Farmland Rural District) to I-1 / I-5 (Industrial District) to allow an auto dealership with auto repair and outdoor storage of vehicles

Location: District 3; property located at 5350 and 5358 Beatles Lane; or generally located south of Hoffner Avenue, east of S. Semoran Boulevard and west of Patch Road; Orange County, Florida (legal property description on file in Planning Division)

The applicant withdrew the application.

19. 20-234 Planning and Zoning Commission Rezoning Board-Called

Stephen Allen, Civil Corp Engineering, Inc., Case # RZ-19-10-044,
December 19, 2019; District 3

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

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

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to continue the public hearing until April 21, 2020, at 2 p.m. The motion carried by the following vote:

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

20. 20-288 Ordinance

Enacting Orange County Code, New Section 29-58, affecting use of public boat ramps and associated recreational areas and facilities (Continued from March 10, 2020)

Consideration: AN ORDINANCE AFFECTING PUBLIC BOAT RAMPS IN ORANGE COUNTY; ENACTING A NEW SECTION 29-58 OF THE ORANGE COUNTY CODE OF ORDINANCES ENTITLED "USE OF PUBLIC BOAT RAMPS AND ASSOCIATED RECREATIONAL AREAS AND FACILITIES;" PROVIDING AN EFFECTIVE DATE.

The following persons addressed the Board:

- H. Fred Dietrich
- Sally Baptiste
- Dan O'Keefe
- John Road
- Steven Jones
- Derrick Lockhart
- Dean Hill
- Ric Keller
- Judy Lockhart
- Jason Webster
- Denise Carolyn Anderson Rodenbough
- Ken Snyder
- Bernard Fingersen
- Justin Star
- Kurt Ardaman
- Johnny Long
- Seth Whitaker
- Ron Whitaker
- Hunter Thompson
- John Miklos
- James Hudgins
- James Gilbert

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

- Exhibit 1, from Dan O'Keefe
- Exhibit 2, from Ric Keller
- Exhibit 3, from Kurt Ardaman
- Exhibit 4, from John Miklos

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to continue the public hearing until March 24, 2020, at 2 p.m., for a final review of language relating to the ordinance. The motion carried by the following vote:

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

21. 19-1642 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2019-2 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP) and where applicable concurrent rezoning requests and Adoption of Ordinance (Continued from December 3, 2019 and January 14, 2020)

Small-Scale Development Privately-Initiated Comprehensive Plan Amendment

Amendment 2019-2-S-2-2
Mario Golden for Deborah Postell

Consideration: Medium Density Residential (MDR) to Medium-High Density Residential (MHDR)

Location: 7856 Forest City Rd.; Generally located north of Riverside Park Rd., east of Hillcrest Ter., south of Pembroke Dr., and west of Forest City Rd.; Parcel ID#: 28-21-29-0000-00-043; 4.20 gross ac.

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to continue Amendment 2019-2-S-2-2 and its related ordinance to May 5, 2020, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

and

21. **20-418** Small Scale Development Amendments Ordinance

Amending Orange County Code, adopting 2019-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3187, F.S.

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

The ordinance public hearing was continued until May 5, 2020, at 2 p.m.

21. **19-1664** Small-Scale Development Privately-Initiated Comprehensive Plan Amendment

Amendment 2019-2-S-5-4
Tom Sullivan for Winter Park Prime Properties, LLC

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

Location: 1123 W. Fairbanks Ave., Generally located north of W. Fairbanks Ave., east of Estill Ct., west of Anderson St., and south of Alton Ave.; Parcel ID#: 03-22-29-0900-02-00; 1.75 gross ac.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to remand Amendment 2019-2-S-5-4 and Rezoning public hearing, Case # RZ-19-10-041, to the Planning and Zoning Commission for further review. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

and

21. 19-1665 Concurrent Rezoning Request

Tom Sullivan for Winter Park Prime Properties, LLC
Rezoning RZ-19-10-041

Consideration: Rezone from R-1A (Single-Family Dwelling District) to C-1 (Retail Commercial District)

Location: 1123 W. Fairbanks Ave., Generally located north of W. Fairbanks Ave., east of Estill Ct., west of Adanson St., and south of Alton Ave.; Parcel ID#: 03-22-29-0900-02-000; 1.75 gross ac.

The Rezoning public hearing, Case # RZ-10-10-041, was remanded back to Planning and Zoning Commission for further review.

22. 20-110 Ordinance/Comprehensive Plan

Amending Orange County Code, 2019-2 Out-of-Cycle Regular Cycle Staff-Initiated Comprehensive Plan Amendment to the 2010-2030 Comprehensive Plan (CP) and Adoption of Ordinance (Continued from February 11, 2020)

Out-Of-Cycle Regular Cycle Staff-Initiated Text Amendment

Amendment 2019-2-C-FLUE-2 (fka 2019-2-B-FLUE-5)

Text amendment to the Future Land Use Element relieving the density requirement for certain parcels with the Low Density Residential (LDR) future land use designation; Countywide

Amendment 2019-C-FLUE-2 was suspended.

22. 20-111 Out-Of-Cycle Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance

Amending Orange County Code, adopting 2019-2 Out of Cycle Regular Cycle Staff-Initiated Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN

ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AN AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES.

The ordinance public hearing was withdrawn.

√ 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: 5:23 p.m.

ATTEST:

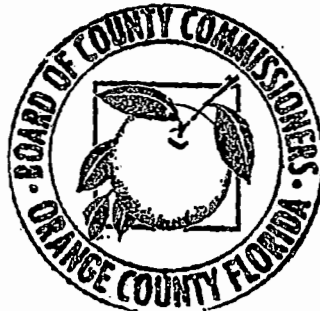
Jerry L. Demings
for County Mayor Jerry L. Demings

Date: APR 10 2020

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith
Katie Smith
Deputy Clerk



* * *

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

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

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

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

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