

# Orange County Government

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



## Final BCC Meeting Minutes

Tuesday, April 10, 2018

9:00 AM

County Commission Chambers

**Board of County Commissioners**

**Call to Order**

County Mayor Jacobs called the meeting to order at 9:08 a.m.

**Present:** 7 - Mayor Teresa Jacobs, Commissioner Bryan Nelson, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

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

**Moment of Silence**

For the passing of Orange County Correctional Officer Sergeant Bernard "Jerry" Haddock

**Invocation - District 4**

Pastor Collin Outerbridge, Nona Church

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

Proclamation designating April 10, 2018 as Jones High School Choir and Wind Ensemble Day

**Presentation**

Proclamation recognizing April 25, 2018 as Denim Day

**Public Comment**

The following persons addressed the Board for public comment:

- Juan Lopez
- Ricardo Cumberbatch
- Trini Quiroz
- Brent Spain
- Seerina Farrell

- Kelly Semrad
- Luiza Martinez Semrad
- Michael Jones
- Dennis Freytes
- Palmira Ubinas
- Michael Hill
- Thomas Hawkins

## I. CONSENT AGENDA

### Approval of the Consent Agenda

The Mayor deferred action on Administrative Services Department Item 19; further, deferred action on Community, Environmental and Development Services Department Items 6 and 7; and further, a motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

### A. COUNTY COMPTROLLER

1. [18-416](#) Approval of the minutes of the March 6, 2018 meeting of the Board of County Commissioners. (Clerk's Office)
2. [18-417](#) 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:
  - March 16, 2018, to March 22, 2018; \$25,967,974.41
  - March 23, 2018, to March 29, 2018; \$34,951,929.06
  - March 30, 2018, to April 5, 2018; \$71,410,569.03.(Finance/Accounting)
3. [18-418](#) Disposition of Tangible Personal Property as follows: (Property Accounting)
  - a. Scrap assets.
  - b. Transfer asset to the Florida Department of Environmental Protection.
  - c. Trade-in assets toward the purchase of new equipment.
  - d. Return assets to the State of Florida.

### B. COUNTY ADMINISTRATOR

1. [18-419](#) Appointment of Councilman Tarus C. Mack to the Community Action Board in the municipal elected official category with a term expiring December 31, 2021. (Agenda Development Office)

2. [18-420](#) Approval of the Membership and Mission Review Board's recommendations for advisory board appointments. (Agenda Development Office)
- A. Affordable Housing Advisory Board: Appointment of Joseph Reyes to succeed Michael L. Rowen in the Orange County employer representative category with a term expiring June 30, 2019.
- B. Disability Advisory Board: Appointment of Beverly J. Jackson to succeed Brian K. Michaels in the at large representative category with a term expiring June 30, 2019.
- C. Housing Finance Authority: Appointment of Curtis C. Hunter to succeed Clemente Cuevas in the finance representative category with a term expiring December 31, 2021.
- D. M/WBE Advisory Committee: Appointment of Raymond Ramos to succeed Francine V. Thomas in the at large representative category with a term expiring June 30, 2020.
3. [18-421](#) Approval and execution of Resolution 2018-M-09 of the Orange County Board of County Commissioners regarding Wyndham Worldwide Corporation Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism Development)
4. [18-422](#) Approval to pay the third quarter billing for the Orange County Property Appraiser in the amount of \$3,376,245.18. (Office of Management and Budget)
5. [18-423](#) Approval of budget amendments #18-29, #18-30, #18-31, and #18-32. (Office of Management and Budget)
6. [18-424](#) Approval of Ratification of payment of Intergovernmental claims of February 8, 2018 and February 22, 2018 totaling \$1,017,577.25. (Risk Management Division)

### C. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-425](#) Approval to award Invitation for Bids Y18-148-CH, Term Contract for Construction Services for the Sidewalk Improvement Program, to the low responsive and responsible bidders,

<u>Bidder</u>	<u>Estimated Annual Contract Amount</u>
Condor Construction, Corp.	\$1,052,944
CM Engineering Services Florida PLLC	\$1,179,475
Parthenon Construction Company	\$1,143,325

([Public Works Department Highway Construction Division]  
Procurement Division)

2. [18-426](#) Approval to award Invitation for Bids Y18-175-MV, Temporary Labor - Manual, to the low responsive and responsible bidder, Ace Staffing, Inc. The estimated contract award amount is \$369,820 for a 1-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
3. [18-427](#) Approval to award Invitation for Bids Y18-198-KF, Non-Emergency Ambulance Transport, to the low responsive and responsible bidder, Falck Southeast II Corp. d/b/a American Ambulance. The estimated annual contract award amount is \$100,800. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
4. [18-428](#) Approval to award Invitation for Bids Y18-1002-PD, Primary Canal Mowing and Maintenance, to the low responsive and responsible bidder, Ameriscapes Landscape Management Services, LLC. The estimated contract award amount is \$199,850 for a 1-year term. ([Public Works Department Stormwater Management Division] Procurement Division)
5. [18-429](#) Approval to award Invitation for Bids Y18-1003-PD, Secondary Canal and Ditch Mowing, to the low responsive and responsible bidder, Groundtek of Central Florida, LLC. The estimated contract award amount is \$1,378,800 for a 1-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. [18-430](#) Approval to award Invitation for Bids Y18-1009-MV, Automotive Batteries, to the low responsive and responsible bidder, Batteries by Fisher, Inc. The estimated annual contract award amount is \$182,190. ([Administrative Services Department Fleet Management Division] Procurement Division)
7. [18-431](#) Approval to award Invitation for Bids Y18-727-RM, Park Manor Estates Sections 9-10 Underdrain Improvements, to the low responsive, responsible and MWBE compliant bidder, RMS Constructors Group, LLC. The total contract award amount is \$1,282,642. ([Public Works Department Roads and Drainage Division] Procurement Division)
8. [18-432](#) Approval of Purchase Order M89473, Compressor Renewal Service for Central Energy Plant #2, Chiller #2 at Orange County Corrections, with Trane US, Inc., in the total amount of \$123,480. (Administrative Services Department Facilities Management Division] Procurement Division)
9. [18-433](#) Approval of Amendment No. 5, Contract Y4-810, Professional Engineering and Design Services for All-American Boulevard (from Clarcona-Ocoee Road to Forest City Road) CIP No. 3097, with HDR Engineering, Inc. in the amount of \$159,969.49, for a revised total contract amount of

\$1,109,580.87. ([Public Works Department Engineering Division] Procurement Division)

10. [18-434](#) Approval of Amendment No. 10, Contract Y12-819, Shingle Creek Bike Trail, Phase 1, Segment 2, with WBQ Design & Engineering, Inc., in the amount of \$149,148.09, for a revised total contract amount of \$2,591,084.38. ([Public Works Department Engineering Division] Procurement Division)
11. [18-435](#) Approval of Amendment No. 4, Contract Y14-1002, Janitorial Services for the Sand Lake Road Sun Rail Station, with Heavenly Hearts Cleaning Services, Inc., in the amount of \$75,955, for a revised total contract amount of \$286,139. ([Administrative Services Department Facilities Management Division] Procurement Division)
12. [18-436](#) Approval of Amendment No. 3, Contract Y16-1014, Sodium Hypochlorite, with Allied Universal Corporation, in the amount of \$548,800, for a revised total contract amount of \$1,724,800. ([Utilities Department Water Reclamation Division] Procurement Division)
13. [18-437](#) Ratification of Amendment No. 4, Contract Y15-160, HIV/AIDS Data System, with Groupware Technologies, in the amount of \$114,013.96, for a revised total contract amount of \$875,743.96. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
14. [18-438](#) Approval of Contract Y18-1024, Youth Mental Health Management Network Pilot, with Community Initiatives, Inc., in the annual contract amount of \$310,256.10. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)
15. [18-439](#) Ratification of Contract Y18-1038, Early Intervention Services, Ryan White Part A, with Florida Department of Health, Lake County Health Department, for a 1-year term, in the contract amount of \$280,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
16. [18-440](#) Ratification of Contract Y18-1039, Outpatient Ambulatory Health Services, Ryan White Park A, with Florida Department of Health in Seminole County, in the annual contract award amount of \$180,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
17. [18-441](#) Approval and execution of Subordination of Utility Interests from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Duke Energy Florida, Inc., f/k/a Florida Power Corporation, to Orange County and authorization to disburse funds to pay recording fees and record instrument for Boggy Creek

- Road (Osceola Cnty line to 600' N. of Central FI Greenway SR 417). District 4. (Real Estate Management Division)
18. [18-442](#) Approval and execution of License Agreement for Monitoring Well Access between Orange County and South Florida Water Management District and delegation of authority to the Real Estate Management Division Manager to execute renewal options, if needed for Moss Park (Monitoring Well Access). District 4. (Real Estate Management Division)
20. [18-444](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for Texas Avenue RCA (Oak Ridge Road to Holden Ave.). District 6. (Real Estate Management Division)
21. [18-445](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway. District 5. (Real Estate Management Division)
22. [18-446](#) Approval and execution of Resolution and authorization to initiate condemnation proceedings for Taft-Vineland Road (Orange Blossom Trail to Orange Avenue). District 4. (Real Estate Management Division)
23. [18-447](#) Approval and execution of Notice of Reservation and authorization to record instrument for Coronado Townhomes Permit: 16-S-016 OCU File #: 84547. District 5. (Real Estate Management Division)
24. [18-448](#) Approval and execution of Street Lighting Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Avalon Park Blvd Lighting Project (Avalon Park Blvd. from Crown Hill Blvd. to S.R.50). District 4. (Real Estate Management Division)
25. [18-449](#) 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 Orange County Porter Transfer Station Site Improvements. District 2. (Real Estate Management Division)
26. [18-450](#) Approval and execution of Modification of Non-Exclusive Drainage Easement between Provision Proton Center at Hamlin, LLC and Orange County and authorization to record instrument for New Independence Parkway. District 1. (Real Estate Management Division)
27. [18-451](#) Approval and execution of Utility Easement from The School Board of Orange County, Florida and Orange County and authorization to record instrument for Cypress Springs Elementary School OCU File No. 68285. District 4. (Real Estate Management Division)
28. [18-452](#) Approval of Donation Agreement, Warranty Deed, Sidewalk, Slope and Utility Easement, and Temporary Construction Easement between Avalon

Park Property Owners Association, Inc. and Orange County, Subordination of Encumbrance to Property Rights to Orange County from Bright House Networks, LLC, and Subordination of Encumbrances to Property Rights to Orange County from Avalon Park Commercial Property Owners' Association, Inc. and authorization to disburse funds to pay all recording fees and record instruments for Avalon Park Blvd Safety Improvements. District 4. (Real Estate Management Division)

- 29. [18-453](#) Approval of Utility Easement from Hoffner Fruit, LLC to Orange County and Subordination of Encumbrances to Property Rights to Orange County from First National Bank of South Miami and authorization to record instruments for 4400 Hoffner Avenue Redevelopment Permit: 16-E-084 OCU File #: 88266. District 3. (Real Estate Management Division)

**D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

- 1. [18-454](#) Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 2, 3, 4, 5, and 6. (Code Enforcement Division)

LC 18-0155	LC 18-0221	LC 18-0250	LC 18-0072	LC 18-0164
LC 18-0192	LC 18-0226	LC 18-0189	LC 18-0109	LC 18-0172
LC 18-0201	LC 17-1084	LC 18-0076	LC 18-0158	LC 18-0174
LC 18-0217	LC 18-0184	LC 18-0025	LC 18-0159	LC 18-0191

- 2. [18-455](#) Acceptance of recommendation of the Environmental Protection Commission to approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-343(a) (side setback distance) and waiver to Section 15-342(b) (terminal platform size) with the condition that the applicant pay \$135 to the Conservations Trust Fund within 60 days of the decision of the Board of County Commissioners for the Lindsay and Scott McCauley Dock Construction Permit BD-17-09-098. District 3. (Environmental Protection Division)

- 3. [18-456](#) Approval and execution of Interlocal Agreements for Municipal Separate Storm Sewer System Permit Activities by and between Orange County, Florida and City of Edgewood, City of Maitland, City of Winter Garden, City of Winter Park, Town of Eatonville, and Valencia Water Control District regarding the National Pollutant Discharge Elimination System. All Districts. (Environmental Protection Division)

- 4. [18-457](#) Approval and execution of State of Florida Department of Environmental Protection Standard Grant Agreement Agreement Number LP4803N for Magnolia Park sanitary sewer installation in the amount of \$250,000 and

delegation of authority to the County Administrator to execute any necessary amendments to such grant agreement that do not change the scope of the project or increase the overall project budget. District 2. (Parks and Recreation Division)

5. [18-458](#) Approval and execution of Adequate Public Facilities Agreement for Hamlin PD by and between Hamlin Retail Partners North, LLC; SLF IV/Boyd Horizon West JV, LLC; Hamlin Retail Partners East, LLC; Provision Proton Center at Hamlin, LLC; Lakewalk at Hamlin Phase 2, LLC; Hamlin Retail Partners, LLC; Lakewalk at Hamlin, LLC; and Orange County. District 1. (Development Review Committee)
8. [18-461](#) Approval and execution of Proportionate Share Agreement for Lake Buena Vista Village Phase 2 - Candlewood Suites (AKA Delores PD) Vineland Avenue: From Winter Garden Vineland Road to Little Lake Bryan Parkway by and between Lake Buena Vista Investments, LLC and Orange County for a proportionate share payment in the amount of \$34,386. District 1. (Roadway Agreement Committee)
9. [18-462](#) Approval of the County-initiated street name change to rename Cypress Springs Parkway S to Cypress Pavilion Parkway to ensure public safety and authorization for County staff to update associated records. District 4. (Zoning Division)

#### **E. FAMILY SERVICES DEPARTMENT**

1. [18-463](#) Approval and execution of Hurricane Maria Temporary Shelter Agreement by and between Orange County and Heart of Florida United Way, Inc. regarding the provision of temporary shelter and transportation for evacuees of Hurricane Maria from Puerto Rico. (Citizen Resource and Outreach Division)
2. [18-464](#) Receipt and filing of Head Start Policy Council Program Information and Updates March 2018 and Head Start Policy Council Meeting Minutes February 15, 2018 for the official county record. (Head Start Division)
3. [18-465](#) Approval of the April 2018 Business Assistance for Neighborhood Corridors Program Grant for First Choice Auto Repair (\$5,000). District 6. (Neighborhood Preservation and Revitalization Office)
4. [18-466](#) Approval of the April 2018 Neighborhood Pride Mini-Grants as recommended by the Neighborhood Grants Advisory Board for Carol Woods HOA (\$1,500); Meadow Woods Village I Neighborhood (\$1,500); and Silver Star Estates Neighborhood (\$1,500). Districts 2, 4 and 6. (Neighborhood Preservation and Revitalization Office)
5. [18-467](#) Approval of the April 2018 Neighborhood Pride Sign Grants as

recommended by the Neighborhood Grants Advisory Board for Las Alamedas Neighborhood (\$5,000); Plymouth Community (\$5,000); Plymouth Hills Neighborhood (\$5,000); Valeview Neighborhood (\$5,000); and Spring Village Neighborhood (\$5,000). Districts 2 and 3. (Neighborhood Preservation and Revitalization Office)

6. [18-468](#) Approval of the April 2018 Neighborhood Pride Entranceway Grants as recommended by the Neighborhood Grants Advisory Board for Maitland Isle HOA (\$5,000); Watermill Cove HOA (\$5,000); and Royal Ivey Gardens Neighborhood Association (\$5,000). Districts 5 and 6. (Neighborhood Preservation and Revitalization Office)

#### F. HEALTH SERVICES DEPARTMENT

1. [18-469](#) Approval and execution of the renewal Paratransit Services License for Unicare Transport Services to provide wheelchair/stretchers service. The term of this license is from April 1, 2018 through April 1, 2020. There is no cost to the County. (EMS Office of the Medical Director)
2. [18-470](#) Approval and execution of the renewal Paratransit Services License for Daylight Transportation to provide wheelchair/stretchers service. The term of this license is from April 30, 2018 through April 30, 2020. There is no cost to the County. (EMS Office of the Medical Director)

#### G. PUBLIC WORKS DEPARTMENT

1. [18-471](#) Approval and execution of Memorandum of Understanding between Florida Department of Transportation Florida's Turnpike Enterprise and Orange County, Florida for CR 438 and West Orange Trail Bridge Maintenance, Operation and Ownership Limits. District 1. (Administration)
2. [18-472](#) Authorization to record the plat of Central Parc at Bridgewater Crossings. District 1. (Development Engineering Division)
3. [18-473](#) Approval and execution of Agreement for Traffic Law Enforcement on Private Roads located within the gated community of Reserve at Sweetwater Golf and Country Club by and between Orange County, Florida and Ashton Orlando Residential, L.L.C. District 2. (Administration)
4. [18-474](#) Approval of Traffic Control Devices and "No Parking" signs installation in Woodland Park Phase 4. District 4. (Traffic Engineering Division)
5. [18-475](#) Approval of Traffic Control Devices and "No Parking" signs installation in Westside Village. District 1. (Traffic Engineering Division)
6. [18-476](#) Approval of Traffic Control Devices and "No Parking" signs installation in Oaks at Moss Park Phase 4. District 4. (Traffic Engineering Division)

7. [18-477](#) Approval of Traffic Control Devices and “No Parking” signs installation in Panther View. District 1. (Traffic Engineering Division)
8. [18-478](#) Approval of Traffic Control Devices and “No Parking” signs installation in Woodland Park Phase 3. District 4. (Traffic Engineering Division)
9. [18-479](#) Approval of Traffic Control Device and “No Parking” signs installation in Storey Grove Phase 1B-2. District 1. (Traffic Engineering Division)
10. [18-480](#) Approval and execution of Temporary License Agreement between City of Orlando and Orange County. District 6. (Stormwater Management Division)
11. [18-481](#) Approval and execution of (1) Resolution 2018-M-10 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement for the University Blvd. at Dean Rd. Project with the Florida Department of Transportation and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 441490-1-38-01 between the State of Florida Department of Transportation and Orange County. District 5. (Transportation Planning Division)

#### H. UTILITIES DEPARTMENT

1. [18-482](#) Approval of Irrevocable Standby Letter of Credit 70003075 from SunTrust Bank on behalf of Morrow Construction Company in favor of Orange County in the amount of \$438,833.36 for the required security to guarantee compliance with the terms of the Adara World Gateway Apartment Complex Water and Wastewater Capacity Adjustment Agreement. District 1. (Engineering Division)
2. [18-483](#) Approval and execution of Adara World Gateway Apartment Complex Water and Wastewater Capacity Adjustment Agreement Parcel ID: 33-24-28-9295-12-011 by and between DD OWG, LLC, Morrow Construction Company, Inc. and Orange County to reduce the capital charge by 85.426 ERU/ERC. District 1. (Engineering Division)

#### II. INFORMATIONAL ITEMS\*\*

##### A. COUNTY COMPTROLLER

1. [18-484](#) Receipt of the following items to file for the record: (Clerk’s Office)
  - a. Florida Public Service Commission order approving Florida Power & Light Company’s petition for mid-course correction. In re: Fuel and purchase power cost recovery clause with generating performance incentive factor.
  - b. Florida Public Service Commission Consummating Order approving

interim storm recovery charge. In re: Application for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Irma and Nate, by Duke Energy Florida, LLC.

c. Orange County Solid Waste System, Orange County, Florida Annual Financial Report for the years ended September 30, 2017 and 2016.

d. Orange County Water Utilities System, Orange County, Florida Annual Financial Report for the years ended September 30, 2017 and 2016.

e. Orange County Convention Center, Orange County, Florida Annual Financial Report for the years ended September 30, 2017 and 2016.

f. Florida Public Service Commission Consummating Order. In re: Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

This item was received and filed.

### III. DISCUSSION AGENDA

#### A. ADMINISTRATIVE SERVICES DEPARTMENT

1. [18-485](#) Selection of one firm and four ranked alternates to provide Modernization Document Management, Request for Proposals Y17-180-KB, from the following five firms, listed alphabetically:

- Affinity Consulting Group, LLC
- Armedia LLC
- Databank Corporation
- Imagesoft, Inc.
- The IQ Business Group, Inc.

([Office of the State Attorney] Procurement Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to appoint Armedia LLC, 367.9 points, as the selected firm; and further, appoint Databank Corporation, 366.6 points, The IQ Business Group, Inc., 342.6 points, Affinity Consulting Group, LLC, 333 points, and Imagesoft, Inc., 322.4 points, as the selected ranked alternates. The motion carried by the following vote:

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

2. [18-486](#) Selection of one firm and an alternate to provide International Drive Transit Feasibility and Alternative Technology Assessment, Request for Proposals Y18-806-CH, from the following two firms, listed alphabetically:

- HDR Engineering, Inc.
- WSP USA Inc.

([Community, Environmental and Development Services Department  
Transportation Planning Division] Procurement Division)

A motion was made by Commissioner Nelson, seconded by Commissioner VanderLey, to appoint HDR Engineering, Inc., 410 points, as the selected firm; and further, appoint WSP USA Inc., 358.7 points, as the alternate. The motion carried by the following vote:

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

#### **B. FIRE RESCUE DEPARTMENT**

1. [18-487](#) Update on Florida's Emergency Environmental Control Rules for Adult Assisted Living Facilities and Nursing Homes. (Office of Emergency Management)

The Board took no action.

#### **C. PUBLIC WORKS DEPARTMENT**

1. [18-488](#) Gated Communities Storm Debris Removal. (Administration)

The Board took no action.

#### **D. COUNTY MAYOR**

1. [18-489](#) Open discussion on issues of interest to the Board.

Commissioner Clarke proposed waiving a Board of Zoning Adjustment variance fee.

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to waive the Board of Zoning Adjustment fee waiver for the Lopez family. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Nelson

Commissioner Bonilla proposed a Neighborhood Center at 1602 N. Goldenrod Road. Board discussion ensued.

The Board took no action.

Commissioner Bonilla discussed a Rural East Protection Plan. Board discussion ensued.

The Board took no action.

#### IV. WORK SESSION AGENDA

##### A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [18-490](#) Reams Road Roadway Conceptual Analysis Study. District 1.  
(Transportation Planning Division)

This item was not considered.

#### V. RECOMMENDATIONS

1. [18-491](#) March 15, 2018 Planning and Zoning Commission Recommendations

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

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

#### VI. PUBLIC HEARINGS

1. [18-333](#) Municipal Service Benefit Unit

Summerlake Groves and Highlands at Summerlake Groves Area, amend for streetlighting and for retention pond(s) maintenance; District 1

**Consideration:** Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Highlands at Summerlake Groves Phase 2 and Highlands at Summerlake Groves Phase 3A.

**Location:** District 1; Parcel ID (multiple parcels); Section 33, Township 23, Range 27; Orange County, Florida (legal property description on file)

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

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

2. [18-334](#) Municipal Service Benefit Unit

Hilltop Reserve Area, amend for streetlighting and for retention pond(s) maintenance; District 2

**Consideration:** Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Hilltop Reserve Phase 3 subdivision.

**Location:** District 2; Parcel ID (multiple parcels); Section 21, Township 21, Range 28; Orange County, Florida (legal property description on file)

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

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

3. [18-335](#) Municipal Service Benefit Unit

Bishop Landing Phase 1 and Bishop Landing Phase 2, amend for streetlighting and for retention pond(s) maintenance; District 4

**Consideration:** Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Bishop Landing Phase 2 subdivision.

**Location:** District 4; Parcel ID (multiple parcels); Section 33, Township 24, Range 30; Orange County, Florida (legal property description on file)

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

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

4. [18-332](#) Special Assessment Resolution

Resolution for collection of special assessment liens for one time only lot cleaning; All Districts

**Consideration:** Establish a Resolution for Special Assessments for one-time only lot cleaning assessments.

**Location:** All Districts; Multiple parcels and Sections, Townships and Ranges; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to adopt Resolution 2018-M-11, for Special Assessments for one-time only lot cleaning assessments. The motion carried by the following vote:

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

5. [18-336](#) Petition to Vacate

Stephen Urquhart, on behalf of Woodland Lakes Preserve Homeowners Association, Inc., Petition to Vacate #15-02-004, vacate a portion of a right-of-way; District 4

**Consideration:** Resolution granting Petition to Vacate #15-02-004, vacating a segment of a 100 ft wide opened and improved right-of-way known as Arbor View Boulevard, containing approximately 0.294 acres.

**Location:** District 4; The parcels are unaddressed; S33/T22/R31; Orange County, Florida (legal property description on file)

County staff has no objection to the request subject to the dedication of a drainage and utility easement over the portion of right-of-way to be vacated prior to recordation of the vacation. County staff stated that the utility easement was not included in the staff report, however, it was deemed necessary to retain the utility easement over the portion of right-of-way requested for vacation.

A motion was made by Commissioner Thompson, seconded by Commissioner Nelson, to approve the request subject to the dedication of a drainage and utility easement over the portion of right-of-way to be vacated prior to recordation of the vacation. The motion carried by the following vote:

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

6. [18-270](#) Board of Zoning Adjustment Appeal

Jamal A. Hassouneh, Case # SE-17-12-134, February 1, 2018; District 4

**Case:** Board of Zoning Adjustment Case # SE-17-12-134; February 1, 2018

**Consideration:** Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for a special exception in the A-2 zoning district as follows: to allow a religious use facility with ancillary uses (worshipping, social services, boys and girls youth group, Monday evening gatherings, Sunday workshop, SAT program and family night).

**Location:** District 4; property generally located on the East side of Hancock Lone Palm Rd., ½ mile south of East Colonial Dr.; Orange County, Florida (legal property description on file in Zoning Division)

**Court Reporter:** Lassie Steakley, Orange Legal

The following persons addressed the Board:

- Tara Tedrow
- Aamir Ali
- Vetnah Monessar
- Alan Kornman
- Robert Morse
- Gloria Morse
- Mike Johnson
- Sharon Diaz
- Fanny Benites
- Gladys Benites
- Helia Doval
- Fernando Doval
- Saleh Naser
- Dail Pribil
- Robert Dodrill
- Ahmad El-Gendi
- Kevin Ballinger

- Raniah El-Gendi
- Khaldoun Allaz
- Carol Ivey

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

- Exhibit 1, from Tara Tedrow
- Exhibit 2, from Alan Kornman
- Exhibit 3, from Mike Johnson

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were not presented to the Board.

- Submittal 1, from Tara Tedrow
- Submittal 2, from Tara Tedrow
- Submittal 3, from Tara Tedrow
- Submittal 4, from Tara Tedrow
- Submittal 5, from Tara Tedrow
- Submittal 6, from Mike Johnson

Clerk's note: Condition of Approval #6 in the staff report does not match Condition of Approval #6 as presented during the Board meeting. The numbering of the Conditions of Approval as presented during the Board meeting do not follow a sequential order.

County staff presented the following Conditions of Approval:

1. Development in accordance with the site plan dated February 15, 2018 and all other applicable regulations. Any deviations, changes or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes to be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.002, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. All driving aisles and required handicapped spaces shall be paved.

5. Construction plans shall be submitted within 2 years of final approval or this approval becomes null and void.
6. There shall be no more than four (4) outdoor special events per calendar year, and the hours of those events shall be limited between the hours of 8:00 a.m. and 8:00 p.m. Outdoor amplified sound and music shall be prohibited.
7. No impacts to any approved Conservation Areas without Orange County approval.
8. A 6 ft. high block wall shall be constructed along the front (west) property line.
9. Prior to operating the site, all required permits shall be obtained.
10. Access, drainage, roadway improvements and concurrency management shall be determined by the Public Works Department.
11. A type D landscape buffer shall be provided along the north property line and a type C landscape buffer shall be provided along the south property line.
12. The applicant shall install a six (6) foot high vinyl fence along the north and south property lines abutting the parking areas and proposed development.
13. The hours of operation for this facility shall be limited to 8:00 a.m. to 8:00 p.m., except that an outdoor special event may continue until 9:00 p.m. pursuant to condition #3.

The Deputy County Attorney advised the Board that the last part of Condition of Approval #6 as stated in the Staff Report speaks to special events and the Fire Marshal's Office.

The Board discussed a requirement for the Traffic Engineering Division to review the road and determine at what level of traffic it would require a traffic control officer.

The Conditions of Approval shown on the PowerPoint at the public hearing were presented incorrectly - Conditions of Approval #7 and #8 were shown along with an inadvertent duplicate numbering of Conditions of Approval 7 and 8 on actual Conditions #9 and #10. Therefore, there were in fact 13 conditions of approval for this special exception (not 11).

Condition of Approval #6 was modified as follows:

6. There shall be no more than four (4) outdoor special events per calendar year, and the hours of those events shall be limited between the hours of 8:00 a.m. and 8:00 p.m. Outdoor amplified sound and music shall be prohibited. ~~All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of thirty (30) days prior to the date of each event. The Traffic Engineering Division shall review the traffic on Hancock Lone Palm Road no less than bi-annually~~

to determine the threshold of traffic to be generated by this development that would require an off-duty patrolman or deputy sheriff for outdoor special events only.

County staff clarified the request to amend the hours of operation and outdoor events to read as follows:

13. The hours of operation for this facility shall be from 8:00 a.m. to 10:00 p.m., and no outdoor events between 8:00 p.m. to 10:00 p.m.

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, to overturn the Board of Zoning Adjustment recommendation and approve the special exception, Case #SE-17-12-134, subject to the thirteen (13) conditions of approval as modified. The motion carried by the following vote:

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

7. [18-329](#) Development Plan

Andrea Cardo, Interplan, LLC, Frye Center Planned Development (PD) / Lakeside Village Preliminary Subdivision Plan (PSP) / Regions Bank Development Plan (DP) - Case # DP-17-09-288; District 1

**Consideration:** Frye Center PD / Lakeside Village PSP / Regions Bank DP, Case # DP-17-09-288, submitted in accordance with Sections 38-1381, 34-69 and 30-89 Orange County Code; This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting on February 14, 2018, to approve the Frye Center PD / Lakeside Village PSP / Regions Bank Development Plan (DP) to construct a 2,200 square foot bank on 0.78 acres. The request also includes the following waiver from Orange County Code: 1) A waiver from Orange County Code Section 38-1384(d) of the original Horizon West code to eliminate the canopy tree requirement planting within all public streets at a maximum of forty (40) feet on center and shall be located in plater strips between the curb and sidewalks.

**Location:** District 1; property generally located South of Lakeside Village Lane / West of Winter Garden-Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Andrea Cardo.

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

**Aye:** 5 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

**Absent:** 2 - Commissioner Thompson, and Commissioner Bonilla

8. [18-331](#) Conservation Area Impact

Gary T. Randall, permit (CAI-17-03-008); District 4

**Consideration:** Request for a Conservation Area Impact Permit for direct impacts to 1.37 acres of Class I Wetlands and 0.16 acre of Class III wetlands in order to construct multi-family buildings, portions of the entrance road and a stormwater pond. The project will also result in 0.82 acre of secondary Class I wetland impacts.

**Location:** District 4; property located at 11001 Moss Park Road, just east of the intersection of State Road 417 and Moss Park Road; Section 09, Township 24, Range 31; Orange County, Florida (legal property description on file in Environmental Protection Division)

This item was approved.

and

9. [18-328](#) Preliminary Subdivision Plan

Marc Stehli, Poulos & Bennett, LLC, Moss Park North Planned Development / Moss Park Preserve Preliminary Subdivision Plan / Development Plan, Case # PSP-17-06-181; District 4

**Consideration:** Moss Park North Planned Development / Moss Park Preserve Preliminary Subdivision Plan / Development Plan, Case # PSP-17-06-181, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This Preliminary Subdivision Plan (PSP) / Development Plan (DP) is a request to subdivide 107.78 acres in order to create four (4) parcels with 262 multi-family residential dwelling units on Parcel A and a recreation tract on Parcel C-4.

**Location:** District 4; property generally located North of Moss Park Road / East of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jamie Poulos.

Based upon input from the applicant and agreed upon by County staff, Condition of Approval #9 was modified as follows:

9. Prior to any certificate of occupancy for Phase 1, a certificate of completion for Street A Phase 1 shall be issued.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to approve the Conservation Area Impact Permit (CAI-17-03-008) subject to the conditions of approval listed in the Staff Report; further, make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, modify Condition of Approval #9. The motion carried by the following vote:

**Aye:** 5 - Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

**Absent:** 2 - Mayor Jacobs, and Commissioner Bonilla

**10.**     [18-271](#)           Preliminary Subdivision Plan

Frank Russo, 457 N Wekiva, LLC, Wekiva Springs Preliminary Subdivision Plan (PSP), Case # PSP-17-08-236; District 2 (Continued from March 20, 2018)

**Consideration:** Wekiva Springs Preliminary Subdivision Plan, Case # PSP-17-08-236, submitted in accordance with Sections 34-69 and 30-89 Orange County Code; This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting on February 14, 2018, to recommend approval of the Wekiva Springs Preliminary Subdivision Plan (PSP) to subdivide 4.26 acres in order to construct 13 single-family residential dwelling units. The request also includes the following waiver from Orange County Code: 1. A waiver from Orange County Code Section 34-152(c) is requested to allow for access to Tract D-1 from existing Wekiva Springs Road right of way in lieu of access from an internal subdivision street.

**Location:** District 2, property generally located North of Votaw Road / East of North Wekiwa Springs Road; Orange County, Florida (legal property description on file in Planning Division)

County staff stated after the Board of County Commissioners meeting on March 20, 2018, the following changes have been made:

1. Lift station is public instead of private;
2. Removal of private utility easement along Lots 1-11;
3. Removal of the waiver request for access to stormwater tract from Wekiwa Springs Road (access is now through the internal street);
4. Condition of approval was added by the DRC for a six foot PVC fence along the north property line.
5. The separation from Lot 12 on the plan is thirteen (13) feet with a five (5) foot setback. The house would be eighteen (18) feet from the north property line.

The following persons addressed the Board:

- Jim Frazier
- Frank Russo
- Martha Kotek
- David Clausen

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

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

**11.**     [18-337](#)           Solid Waste Management Facility

DeRoche Building Supply, Inc. d.b.a. CrossRoads Building Supply, Inc.;

facility known as CRS Central Rock and Supply, Inc.; permit application for transfer station; District 2

**Consideration:** Request for Solid Waste Management Facility Permit to operate a Solid Waste Management Facility - Transfer Station, pursuant to Orange County Code Chapter 32, Article V, Section 32-214.

**Location:** District 2; located at 1700 N. Orange Blossom Trail, City of Orlando (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Elizabeth Skupin.

A motion was made by Commissioner Nelson, seconded by Commissioner Clarke, to deny the requested waiver to the financial assurance requirements of County Code Sec. 32-216(a)(27); and further, approve for five years of Solid Waste Management Facility - Transfer Station - Permit Application (SW-15-10-001), by DeRoche Building Supply, Inc., d.b.a., CrossRoads Building Supply, Inc., for the facility known as CRS Central Rock & Supply, Inc., subject to the two waivers and conditions listed in the staff report. The motion carried by the following vote:

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

**12.**     [18-266](#)           Substantial Change

John Townsend, Donald W. McIntosh Associates, Inc., Spring Isle Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-09-280, amend plan; District 4

**Consideration:** A Change Determination Request (CDR) to amend the prohibited use of "automotive repair station" on the Land Use Plan to permit a retail tire store which also provides minor automotive services within the C-1 Commercial District; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 4; property located at 321 S. Avalon Park Boulevard; or generally located on the north side of S. Avalon Park Boulevard and on the east side of Golden Isle Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Frank Cawthon
- Rachel Fin-Kelson
- Rodney Cotten
- Carl Johnson

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

- Exhibit 1, from Frank Cawthon
- Exhibit 2, from Frank Cawthon

A motion was made by Commissioner Thompson, seconded by Commissioner Bonilla, to make a finding of inconsistency with the Comprehensive Plan; and deny the substantial change request. The motion failed by the following vote:

**Aye:** 3 - Mayor Jacobs, Commissioner Thompson, Commissioner Bonilla

**Nay:** 4 - Commissioner VanderLey, Commissioner Nelson, Commissioner Clarke, Commissioner Siplin

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

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

**Nay:** 1 - Commissioner Bonilla

13. [18-267](#) Substantial Change

Marc Stehli, Moss Park North Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-11-347, amend plan; District 4

**Consideration:** A Change Determination Request (CDR) to eliminate single-family attached residential dwelling units (townhomes); to reduce the minimum lot width for single-family detached to 40'; reduce the number of residential units from 488 to 402 (a net reduction of 86 units); add a conversion matrix for single-family to office; to revise Note D to apply only to private kindergarten, and modify a BCC condition of approval related to the timing of Capacity Enhancement Letter (CEL) approval. The request also includes the following waiver from Orange County Code:

1. A waiver from Section 38-1501 to allow for a minimum lot width of forty feet (40') in lieu of a minimum lot width of forty-five feet (45'); pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 4; property generally located north of Moss Park Road and east of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jamie Poulos.

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

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

14. [18-269](#) Substantial Change

Julie C. Salvo, Orange County Public Schools, Lake Reams Neighborhood Center Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-10-312; amend plan; District 1

**Consideration:** A Change Determination Request (CDR) to add a full access point off of Thatcher Avenue which will allow for Orange County Public School (OCPS) bus access through the County park site (via an access easement) to the school site; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 1, property generally located east of Taborfield Avenue and south of Thatcher Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Julie Salvo
- Jessica Quinn
- Woody Rodriguez
- Jay Klima

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

- Exhibit 1, from Julie Salvo
- Exhibit 2, from Jessica Quinn

New Conditions of Approval:

11. A ten (10) foot wide landscape buffer at least thirty six (36) inches in height at plantings shall be provided along the northern boundary of the retention pond. Also, canopy trees shall be planted forty (40) feet on center within the landscape buffer.

12. Orange County will install "No Parking" signs on one side of Thatcher Avenue, prior to school opening date, along the bus route.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; further, approve new Conditions of Approval #11 and #12; and further, approve and execute the Easement and Maintenance Agreement between Orange County and The School Board of Orange County, Florida and authorization to record instrument for Horizon West School Sites (Lake Reams Neighborhood School - Site 25-E). The motion carried by the following vote:

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

**and**

**I. CONSENT AGENDA (Deferred)****C. ADMINISTRATIVE SERVICES DEPARTMENT**

19. [18-443](#) Approval and execution of Easement and Maintenance Agreement between Orange County and The School Board of Orange County, Florida and authorization to record instrument for Horizon West School Sites (Lake Reams Neighborhood School - Site 25-E). District 1. (Real Estate Management Division)

This item was approved.

**VI. PUBLIC HEARING**

15. [18-326](#) Substantial Change

Lance Bennett, Poulos and Bennett, LLC, Springhill Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-05-161, amend plan; District 1

**Consideration:** A PD substantial change to relocate the one-acre Adequate Public Facilities (APF) Utility Tract within PD Parcel 15 to the Waterleigh PD; remove a note which referenced a .83 acre APF Park within Parcel 42a; add 2.01 acres of the APF stormwater for County Road 545 (Parcels 15 and 35); and, update the County Road 545 (Avalon Road) right-of-way expansion limits. This request is associated with a change to the APF Agreement; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 1; property generally located West of Avalon Road and south of Flamingo Crossings Boulevard; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Thompson, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve and execute the Springhill PD Public Facilities and Impact Fee Credit Agreement (Village H) Supplemental Agreement by and between Avalon Properties, LTD., Lennar Homes, LLC and Orange County. The motion carried by the following vote:

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

and

**I. CONSENT AGENDA (Deferred)****D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

6. [18-459](#) Approval and execution of Springhill PD Public Facilities and Impact Fee

Credit Agreement (Village H) Supplemental Agreement by and between Avalon Properties, LTD., Lennar Homes, LLC and Orange County. District 1. (Development Review Committee)

This item was approved.

## VI. PUBLIC HEARING

16. [18-324](#) Substantial Change

Adam Smith, VHB, Inc., Waterleigh Planned Development / Land Use Plan (PD/LUP), Case # CDR-17-05-160, amend plan; District 1

**Consideration:** A PD substantial change to move the Adequate Public Facilities (APF) Utility Tract from the Springhill PD and place the 4.5 acre tract in PD Parcel 10. This request is associated with a change to the Waterleigh APF Agreement; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 1; property generally located at North Flamingo Crossings Boulevard and east of Avalon Road; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve and execute the Second Amendment to Amended and Restated Waterleigh PD Adequate Public Facilities and Impact Fee Credit Agreement (Village H) by and between Orange County and D.R. Horton, Inc. The motion carried by the following vote:

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

**Absent:** 1 - Mayor Jacobs

and

## I. CONSENT AGENDA (Deferred)

### D. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

7. [18-460](#) Approval and execution of Second Amendment to Amended and Restated Waterleigh PD Adequate Public Facilities and Impact Fee Credit Agreement (Village H) by and between Orange County and D.R. Horton, Inc. District 1. (Development Review Committee)

This item was approved.

## VI. PUBLIC HEARINGS

**17. [18-327](#) Comprehensive Plan**

Comprehensive Plan Transmittal of 2018-2 Regular Out-of-Cycle Amendment to the 2010-2030 Comprehensive Plan (CP)

Regular Out-of-Cycle Staff-Initiated Future Land Use Map Amendment

Amendment 2018-2-C-FLUE-1

Text and map amendments to adopt Future Land Use Element Policies pertaining to Rural Residential Enclaves; designate boundaries of Rural Residential Enclaves in the Future Land Use Map Series; establish minimum lot sizes and other development guidelines within Rural Residential Enclaves; update the Zoning and Future Land Use Correlation Table; and amend Future Land Use Element policies associated with the Village Future Land Use designation

The following persons addressed the Board:

- Garold Rennells
- Audrey Arnold
- Catherine Winter
- David Winter
- Craig Parks
- Barbara Browning
- Patricia Henderson
- Lori Parks
- Jacqueline Simmons
- John Dubrule
- Cynthia Heaney
- Randy Whiting
- JoAnne Quarles
- Mike Dugre
- Mike Dutton
- Dr. Awan

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were presented to the Board.

- Exhibit 1, from Garold Rennells
- Exhibit 2, from John Dubrule
- Exhibit 3, from JoAnne Quarles

A motion was made by Commissioner Clarke, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan (see: OBJ FLU2.5; FLU2.5.1 through FLU2.5.7; FLU4.1.9, and FLU8.1.1); further, determine that the proposed text and map amendments are in compliance; and further, transmit proposed Amendment 2018-2-C-FLUE-1

related to Rural Residential Enclaves. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Bonilla

18. [18-268](#) Ordinance

Amending Orange County Code Chapter 38, Division 8.5, Article VIII, Section 38-77.1 and Section 38-79, pertaining to conditions for permitted uses and special exceptions regarding Horizon West Town Center - 2nd hearing (1st hearing on March 20, 2018)

**Consideration:** AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, REGARDING HORIZON WEST TOWN CENTER; AMENDING SECTION 38-77.1, REGARDING THE HORIZON WEST TOWN CENTER PD CODE LAND USE TABLE; AMENDING SECTION 38-79 REGARDING CONDITIONS FOR PERMITTED USES AND SPECIAL EXCEPTIONS; AMENDING DIVISION 8.5, ARTICLE VIII, OF CHAPTER 38 REGARDING THE HORIZON WEST TOWN CENTER PLANNED DEVELOPMENT CODE; AND PROVIDING AN EFFECTIVE DATE

County staff presented changes to the proposed ordinance as follows:

(Page #24 / SIC Group 4832)

Corporate Campus Mixed Use  
PM

Traditional Town Center  
PM

(Page #34 / SIC Group 5812)

Corporate Campus Mixed Use  
~~PM(86)~~  
P(86)

(Page #61 - Lines 186 - 192)

(160) Farmers Markets are permitted in property owners association or approved county owned common areas, cannot utilize any required parking areas, can operate only between ~~10:00~~7:00 a.m. and ~~4:00~~10:00 p.m. on one (1) weekend day per week, and must be approved by the Zoning and Planning Mangers. ~~Any utilization of community building indoor space is limited to fifteen (15) percent of the Total FM area.~~

(Page #64 - Lines 324-341)

(180) Micro-breweries, micro-wineries, craft ~~distillery~~ distilleries, and brewpubs. Manufacturing operations that produce alcoholic beverages for on-site consumption and off site sales, and related uses, may be allowed as an accessory use via a determination by the Planning and Zoning managers ~~for~~ subject to the following criteria:

a. Up to 49% of the floor area may be used for a micro-brewery, micro-winery, or craft distillery (or any combination thereof), with the remaining floor area used for restaurant, tasting room, or retail operations; ~~or and~~

b. ~~Any micro-brewery, micro-winery, craft distillery, or brewpub shall comply with the following requirements:~~

~~1. Maximum Production. The maximum production per calendar year is as follows:-~~

b. The maximum production allowed per calendar year for micro-breweries, micro wineries, craft distilleries, and brew-pubs is as follows:

(Page #13 / SIC Group 2082)

Uses Per Zoning Code

Beverage processing, & storage, bottling & distribution of malt beverages

SIC Group

2082

Land Use

Beverages

(Page #32 / SIC Group 5541)

Corporate Campus Mixed Use

~~P(166)~~

(68) (138)

Traditional Town Center

~~PM~~

Retail/Wholesale (Marketplace)

~~PM~~

(Page #37 / SIC Group 5999)

Urban Residential

PM(160)

Corporate Campus Mixed Use  
PM(160)

Traditional Town Center  
P(160)  
(166)

Retail/Wholesale (Marketplace)  
P(160)  
(166)

Corporate Neighborhood Center  
PM(160)

Uses Per Zoning Code  
Indoor Markets  
Urban Residential  
PM(160)

Corporate Campus Mixed Use  
PM(160)

Traditional Town Center  
P(160)  
(166)

Retail/Wholesale (Marketplace)  
P(160)  
(166)

(Page #51 / SIC Group 8299)

Corporate Neighborhood Center  
P

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan; further, allow staff to correct any non-substantial grammatical or scrivener's errors; further, adopt Ordinance 2018-08, including any changes presented on March 20 and April 10, 2018, regarding Horizon West Town Center; further, amending Section 38-77.1, regarding the Horizon West Town Center PD Code Land Use Table; further, amending Section 38-79 regarding conditions for permitted uses and special exceptions; further, amending Division 8.5, Article VIII, of Chapter 38 regarding the Horizon West Town Center Planned Development Code; and further, providing an effective date. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Bonilla

√ **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: 7:39 p.m.

ATTEST:

  
\_\_\_\_\_  
County Mayor Teresa Jacobs

Date:     MAY 22 2018    



ATTEST SIGNATURE:

Phil Diamond  
County Comptroller as Clerk

  
\_\_\_\_\_  
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.**