

Orange County Government

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



Final Meeting Minutes

Tuesday, June 20, 2023

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

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

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

Others present:

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

Invocation - District 1

Pastor David Larry Kim, Harvest Church

Pledge of Allegiance**Presentation**

National Association of Counties' (NACo) 2023 Awards and Telly Awards Recognition

Public Comment

The following persons addressed the Board for public comment:

- Thiago Cucci
- Mitchell Wilson
- Kyle Wilson
- Cheryl Rogers
- Maria Bolton-Joubert
- Lindy Williams
- Cara Blanco

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

A motion was made by Commissioner Scott, seconded by Commissioner Wilson, to approve the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Commissioner Gomez Cordero

A. COUNTY COMPTROLLER

1. **23-882** Approval and execution of the minutes of the May 23, 2023 meeting of the Board of County Commissioners. (Clerk's Office)

2. **23-883** 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:

- June 2, 2023, to June 8, 2023; \$41,236,432.62
- June 9, 2023, to June 15, 2023; \$43,454,890.24

(Finance/Accounting)

3. **23-884** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Scrap assets.
 - b. Remove lost assets from inventory.
 - c. Remove cannibalized asset from inventory.

B. COUNTY ADMINISTRATOR

1. **23-885** Approval and execution of an "Area of Operation" Resolution 2023-B-03 authorizing Escambia County Housing Finance Authority to issue Multi-Family Housing Revenue Bonds in Orange County, to finance the acquisition, rehabilitation, and equipping of Hidden Cove Apartments, an existing development located in Orange County, Florida, District 6, in an amount not-to-exceed \$14,000,000. (Housing Finance Authority)

2. **23-886** Approval and execution of an "Area of Operation" Resolution 2023-B-04 authorizing Escambia County Housing Finance Authority to issue Multi-Family Housing Revenue Bonds in Orange County, to finance the acquisition, rehabilitation, and equipping of Hollowbrook Apartments, an existing development located in Orange County, Florida, District 3, in an amount not-to-exceed \$20,000,000. (Housing Finance Authority)

3. **23-887** Approval and execution of Resolution 2023-B-05 for the issuance of Multi-Family Housing Mortgage Revenue Tax Exempt Bonds, to finance the acquisition, construction, and equipping of Southwick Commons Apartments, a proposed development in Apopka, Orange County, Florida District 2, in an amount not-to-exceed \$31,000,000. (Housing Finance Authority)

4. **23-888** Approval of budget amendments #23-40 and #23-41. (Office of Management and Budget)

C. COUNTY ATTORNEY

1. **23-889** Approval and execution of Amendment to West Orange County Relief High School Settlement Agreement between the School Board of Orange County, Florida and the Orange County Board of County Commissioners.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-890** Approval and execution of Conservation Credit Purchase Agreement by and between Southern States Land and Timber LLC and Orange County, Florida. District 1. (Capital Projects Division)
2. **23-891** Approval to award Invitation for Bids Y23-138-RM, Operable Partitions and Air Walls Preventative Maintenance and Repairs, to the sole responsive and responsible bidder, SSE Space Management, LLC. The estimated contract award amount is \$979,342.50 for a one-year term. ([Convention Center Facilities Operations Division] Procurement Division)
3. **23-892** Approval to award Invitation for Bids Y23-150-TF, Kitchen Exhaust Hood and Ducts Cleanings at the Orange County Convention Center, to the low responsive and responsible bidder, Southeastern Protection Services of Florida, Inc. The estimated contract award amount is \$501,180 for a three-year term. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
4. **23-893** Approval to award Request for Quotations Y23-1013-PH, Regional Computer Center Chiller Preventative Maintenance and Repair Services, to the sole responsive and responsible bidder, Hill York Service Company LLC. The estimated contract award amount is \$104,894 for a one-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
5. **23-894** Approval to award Invitation for Bids Y23-731-MB, Corrections Phoenix Smoke Control and Building Automation Systems Replacement, to the sole responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$3,578,057. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **23-895** Approval to award Invitation for Bids Y23-748-ZR, Juvenile Assessment Center Generator and Electrical Upgrades, to the low responsive and responsible bidder, The New Florida Industrial Electrical, Inc. The total contract award amount is \$678,347.46. ([Administrative Services Department Capital Projects Division] Procurement Division)

7. **23-896** Approval to award Invitation for Bids Y23-772-ZR, East Orange Community Center Generator, to the low responsive and responsible bidder, Eau Gallie Electric, Inc. The total contract award amount is \$699,000. ([Administrative Services Department Division] Procurement Division)
8. **23-897** Approval to award Invitation for Bids Y23-775-EB, University of Central Florida Alafaya Trail and University Boulevard Pedestrian Safety Improvements, to the low responsive and responsible bidder, Gibbs & Register, Inc. The total contract award amount is \$13,211,733. ([Public Works Department Engineering Division] Procurement Division)
9. **23-898** Approval of Amendment No. 8, Contract Y14-800, South Water Reclamation Facility Influent Pump Station Expansion and Upgrades, with CHA Consulting, Inc., in the amount of \$74,908.47, for a revised contract amount of \$3,211,380.38. ([Utilities Department Engineering Division] Procurement Division)
10. **23-899** Approval of Amendment No. 8, Contract Y18-1069, Children's Mobile Crisis Unit, with The Devereux Foundation, Inc. dba Devereux Florida, in the amount of \$105,219.12, for a revised not-to-exceed contract amount of \$918,969.32. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
11. **23-900** Approval of Amendment No. 7, Contract Y19-1032, Consulting Services for Self-Funded Medical Plans, Group Insurance Plans, and Other Employee Benefits, with Digital Insurance LLC, in the amount of \$10,221.12, for a revised contract amount of \$476,283.12. ([Administration and Fiscal Services Human Resources Division] Procurement Division)
12. **23-901** Approval of Amendment No. 8, Contract Y20-140A, Term Contract for County Wide Roof Maintenance and Repairs, with Advanced Roofing, Inc., in the amount of \$266,067, for a revised estimated contract amount of \$798,200.50. ([Administrative Services Department Facilities Management Division] Procurement Division)
13. **23-902** Approval of Amendment No. 7, Contract Y20-1032C, Housing Opportunities for Person with AIDS (HOPWA), with Center for Multicultural Wellness and Prevention, Inc., in the amount of \$82,230, for a revised not-to-exceed contract amount of \$1,347,586. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
14. **23-903** Approval of Amendment No. 5, Contract Y21-125-TJ, HVAC Maintenance and Repair for Utilities, with Air Mechanical and Service Corp., in the amount of \$72,879.20, for a revised contract amount of \$1,460,555. ([Utilities Department Fiscal and Operational Division] Procurement Division)

-
15. **23-904** Approval of Amendment No. 1, Contract Y22-1075D, Electrical Maintenance Repair and Replacement, with Lakeside Electrical Services, in the amount of \$300,000, for a revised not-to-exceed contract amount of \$579,600.
([Administrative Services Department Facilities Management Division] Procurement Division)
16. **23-905** Approval of Purchase Order M111250, Purchase of Taylor Dunn Utility Carts, with Briggs Industrial Solutions Inc. DBA Briggs Equipment, in the amount of \$701,985. ([Convention Center Facilities Operations Division] Procurement Division)
17. **23-906** Approval and execution of First Amendment to Lease Agreement by and between Westside Plaza Associates, LP and Orange County, and authorization for the Real Estate Management Division to exercise renewal options and furnish notices, required, or allowed by the lease, as needed for WIC at Westside Plaza 6218 West Colonial Drive Orlando, Florida 32808. Lease File #2072. District 6. (Real Estate Management Division)
18. **23-907** Approval and execution of Limited Non-Exclusive Access License by and between Orange County and City of Winter Garden for 902 Avalon Road Limited Non-Exclusive Access License. District 1. (Real Estate Management Division)
19. **23-908** Approval and execution of Resolution and authorization to initiate condemnation proceedings for Ficquette Road Parcels 1041, 9041, 1042, 9042, 1043, and 9043. District 1. (Real Estate Management Division)
20. **23-909** Approval and execution of Contract for Purchase and Sale by and between John Miklos and Orange County, approval of Warranty Deed and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, disburse funds to pay purchase price in the amount of \$25,108.17, and perform all actions necessary and incidental to closing for Green PLACE Parcel 187. District 1. (Real Estate Management Division)
21. **23-910** Approval and execution of Shared Use Pond Easement Agreement by and between Orange County and Collier-Lake Betty Apartments Owner, LLC, approval of Special Warranty Deed by Collier-Lake Betty Apartments Owner, LLC and Orange County, and authorization to record instrument and perform all actions necessary and incidental to closing for Polo Glen at Lake Betty Park Site (PN 19141). District 2. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **23-911** Approval of Orange County Head Start Application for Federal Assistance Five Year Grant (Year 4) FY 2023-2024 between the Department of Health

and Human Services, Administration for Children and Families, Office of Head Start and Orange County in the amount of \$15,953,825 for the continued operation of the Head Start Program. The required non-federal match in the amount of \$3,988,456, is derived from parent volunteerism, donations of goods and services, lease agreements, and county support and approval and execution of U.S. Department of Health and Human Services Compendium of Required Certifications and Assurances. (Head Start Division)

2. **23-928** Receipt and filing of Head Start Policy Council Program Information and Updates May 2023 and Head Start Policy Council Policy Council Meeting Minutes April 13, 2023 for the official county record. (Head Start Division)

F. HEALTH SERVICES DEPARTMENT

1. **23-912** Approval to pay Orange County's Medicaid share of cost in accordance with Florida Statute 409.915 for state fiscal year 2023-2024 in the amount of \$22,076,377.

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-913** 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. (Neighborhood Services Division)

LC 23-0157 LC 23-0126 LC 23-0156 LC 23-0180 LC 23-0162
 LC 23-0165 LC 23-0127 LC 23-0141 LC 23-0150 LC 23-0169
 LC 23-0166 LC 23-0173 LC 23-0174 LC 23-0158 LC 23-0200
 LC 23-0187 LC 23-0213 LC 23-0179 LC 23-0159 LC 23-0205

2. **23-914** Approval and execution of Proportionate Share Agreement for Harrell Oaks Econlockhatchee Trail by and between TLC Partners I, LLC and Orange County for a proportionate share payment in the amount of \$34,000. District 5. (Roadway Agreement Committee)
3. **23-915** Approval and execution of Proportionate Share Agreement for Portillo's Waterford Lakes Alafaya Trail and Woodbury Road by and between Pearlman Enterprises, Inc. and Orange County for a proportionate share payment in the amount of \$420,773. District 4. (Roadway Agreement Committee)
4. **23-916** Approval and execution of Proportionate Share Agreement for BB Groves aka Accolades at Ovation Avalon Road and US 192 by and between M BB GROVE LLC and Orange County for a proportionate share payment in the amount of \$4,886,104. District 1. (Roadway Agreement Committee)

H. PUBLIC WORKS DEPARTMENT

1. **23-917** Authorization to record the plat of Waterleigh Parcels 10 and 11, Phase 1 Replat. District 1. (Development Engineering Division)
2. **23-918** Approval and execution of Resolution 2023-M-21 of the Orange County Board of County Commissioners regarding approval of the repurposing of an approximately 0.17 acre parcel known as Park Avenue from drainage to drainage and access. District 2. (Development Engineering Division)
3. **23-919** Approval to record the Right-of-Way Declaration and Maintenance Map for Kilgore Road. District 1. (Roads and Drainage Division)
4. **23-920** Approval and execution of Florida Department of Transportation Highway Maintenance Memorandum of Agreement Contract No.: ASW51 Financial Project No.: 452702-1-78-01 by and between the Florida Department of Transportation and Orange County. District 6. (Roads and Drainage Division)

I. UTILITIES DEPARTMENT

1. **23-921** Approval and execution of Resolution 2023-M-22 of the Orange County Board of County Commissioners regarding the reimbursement of certain costs and repayment of interfund loans relating to the acquisition, construction and equipping of capital improvements to its existing Water and Wastewater Facilities; providing for an effective date. All Districts. (Fiscal and Operational Support Division)

II. INFORMATIONAL ITEMS****A. COUNTY COMPTROLLER**

1. **23-922** Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Orlando Council Agenda item for the meeting of May 15, 2023. 2nd consideration of the City of Orlando Ordinance # 2023-16 with Exhibit A (Legal Description), Exhibit B, (Location Map), Exhibit C, (Future Land Use Map), Exhibit D, (Zoning Map), City of Orlando Fiscal Impact Statement and Orlando Sentinel Notice of Proposed Enactment. Ordinance 2023-16, entitled: An Ordinance of the city council of the City of Orlando, Florida, annexing to the corporate limits of the city certain land generally located north of east Crystal Lake Avenue, east of Mayer Street, west of South Brown Avenue, and south of Page Avenue, and comprised of 0.161 acres of land, more or less, and amending the city's boundary description; amending the city's adopted growth management plan to designate the property as residential low intensity on the city's official future land use maps;

designating the property as the one to two family residential on the city's official zoning maps; providing for amendment of the city's official future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.

b. Florida Public Service Commission Consummating Order. In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.22% to 6.37%, effective January 1, 2023, by Florida Power & Light Company.

c. Florida Public Service Commission Order Suspending Tariff. In re: Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC.

d. City of Ocoee Ordinance No. 2023-10 (Annexation Ordinance for Siri Office Building - Market St/Arlington Ave Vacated ROW). Tax Parcel ID: 28-22-28-0000-00-019 Case No AX03-23-03 - Siri Office Building - Market St/Arlington Ave ROW Annexation. City of Ocoee Ordinance with Exhibit A (Legal Description) and Exhibit B (Location Map), entitled: An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.372 acres of vacated public right-of-way, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee comprehensive plan, the Ocoee city code and the joint planning area agreement; providing for and authorizing the update of official city maps; providing direction to the city clerk; providing for severability; repealing inconsistent ordinances; and providing for an effective date.

e. Falcon Trace Community Development District Proposed Budget Fiscal Year 2024.

f. Narcoossee Community Development District Proposed Budget Fiscal Year 2024.

g. Audit Report No. 501 - Audit of Procurement Card Usage - Orange County Convention Center.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. 23-923 Approval of FY 2023 Cultural Facilities funding recommendations by the Arts and Cultural Affairs Advisory Council in the amount of \$1,572,179. (Arts and Cultural Affairs Office)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to approve the FY 2023 Cultural Facilities funding recommendations by the Arts and Cultural Affairs Advisory Council in the amount of \$1,572,179. The motion carried by the following vote:

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

B. FIRE RESCUE DEPARTMENT

1. **23-924** 2023 Hurricane Season Update. (Office of Emergency Management)

The Board took no action.

C. UTILITIES DEPARTMENT

1. **23-925** Approval to establish the haulers compensation rates as listed, set the MSBU rate of \$290 for Program Year 2024, and authorization to include the Tentative Mandatory Refuse Collection Program Rate of \$290 on the 2023 Notice of Proposed Taxes. All Districts. (Solid Waste Division)

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to approve the tentative Municipal Service Benefit Unit (MSBU) rate at \$290 per household for calendar year 2024; and further, approve the set hauler compensation rates for calendar year 2024: Zone 1 – \$158.06 per household, Zone 2 - \$195.52 per household, Zone 3 - \$170.24 per household, Zone 4 - \$138.07 per household, Zone 5 - \$140.51. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

D. PUBLIC WORKS DEPARTMENT

1. **23-926** Vision Zero Action Plan Update. (Traffic Engineering Division)

The Board took no action.

IV. RECOMMENDATIONS

1. **23-927** June 1, 2023 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the recommendations, with the exception of Case # VA-23-06-031, Edward Bharath For Orange Tire & Wheels (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: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 1 - Commissioner Bonilla

V. PUBLIC HEARINGS

A. Petition to Vacate

1. **23-813** Case # PTV 21-11-061

Iqbal Gagan, vacate a portion of an unopened, unimproved and unnamed alleyways and unopened, unimproved right-of-way; District 1

Consideration: Resolution granting Petition to Vacate # 21-11-061, vacating 4 portions of unopened, unimproved and unnamed 16 foot wide alleyways and 2 portions of unopened, unimproved 50 foot wide right-of-way known as 2nd Street and 3rd Street.

Location: District 1; The parcel addresses are 11389 Orange Street, 11259 Pine Street, 11267 Pine Street, 11360 Orange Street, 11283 Pine Street, 11279 Commercial Street, 11483 Pine Street, and 11326 Orange Street. The remaining 12 parcels are unaddressed; S15/T24/R28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Iqbal Gagan.

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to approve the request listed in the Staff Report dated June 20, 2023. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

2. **23-814** Case # PTV 23-04-016

Carroll and Thomas Etheredge, vacate a portion of a drainage easement; District 5

Consideration: Resolution granting Petition to Vacate # 23-04-016, vacating a portion of a 30 foot wide by approximately 795 foot long drainage easement that lies along the east property line of a vacant residential lot located in the Wedgefield Community.

Location: District 5; The parcel is unaddressed; S23/T23/R32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve the request listed in the Staff Report dated June 20, 2023. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

B. Plat Vacation

3. **23-815** M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed P.A., on behalf of WGML Investments, Ltd and PRN Real Estate & Investments, Ltd, vacate the entirety of the Bryan Beach Estates plat; District 1 (Continued from June 20, 2023) **(Withdrawn)**

Consideration: Resolution granting a petition to vacate the entirety of the Bryan Beach Estates Plat, as recorded in Plat Book V, Page 109, of the Public Records of Orange County, Florida.

Location: District 1; The parcel address is 8160 Bryan Beach Boulevard; S27/T24/R28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to continue the public hearing until July 25, 2023, at 2 p.m. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

C. Substantial Change

4. **23-544** Case # CDR-22-11-355
Erika Hughes, VHB, Inc., Waterleigh Planned Development/ Land Use Plan (PD/ LUP), amend plan; District 1 (Continued from May 2, 2023)

Consideration: Substantial change request to update the conceptual Village Center layout, and add two new permitted uses in the Village Center District, PD Parcel 13, including a liquor store and a self-storage facility, pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

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

Court Reporter: Mae Fisher, Veritext

The following persons addressed the Board:

- Juli James
- Todd Lucas
- Keith Trace
- Jessica Icerman
- James Gripp
- Edwin Aleman
- Kim Herndon
- Nicholas Albertson
- Todd Perlmutter
- Cheryl Perlmutter
- Marcos Araujo
- Ava Araujo
- Tatiana Araujo

- Matt Wieringa
- Dave Puig
- Scott Glass

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

- Exhibit 1, from Juli James
- Exhibit 2, from Juli James
- Exhibit 3, from Marcos Araujo
- Exhibit 4, from Marcos Araujo
- Exhibit 5, from Scott Glass
- Exhibit 6, from Scott Glass

Revised Condition of Approval #10:

10. In accordance with Section 38-1389(2)(d) the following uses are approved within the Village Center District: Adult / child day care centers, drive-thrus in conjunction with a permitted use, automobile service stations, liquor stores ~~and self-storage~~.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the use of the liquor store on Parcel 13 of the Waterleigh PD subject to the sixteen (16) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated June 9, 2023; further, deny the use of the Self-Storage on Parcel 13 because such a use does not comply with the criteria for a substantial change found in Section 38-1389 relating to the Village Center District, including that such a change wouldn't be consistent with the Comprehensive Plan and wouldn't be similar and compatible with the surrounding area or consistent with the pattern of surrounding development, and that it would be a detrimental intrusion; further, with the denial of the self-storage, the following amendments to the conditions and revisions to the plan are made: Strike the use of self-storage from Condition of Approval #10, remove self-storage from the development program summary on Sheet 6 of the plan, amend the concept plan shown on Sheet 6A of the plans to remove the self-storage building, delete the use of self-storage as well as the design criteria for self-storage from the note on Sheet 8 of the plan, and delete the self-storage conceptual elevations shown on Sheet 8A of the plan; and further, the revised plan must be submitted and reviewed by the DRC office for compliance with this motion. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moore

5. 23-816 Case # CDR-22-07-260

James Cheek, Winderweede, Haines, Ward & Woodman, P.A., Hollywood Plaza Parking Garage Planned Development / Land Use Plan (PD / LUP), amend plan; District 6

Consideration: Substantial change request to modify approximately 1,364 square feet of

existing mezzanine space for restaurant use and add an additional 1,490 square feet of additional restaurant use for a total of 12,981 square feet of restaurant use; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 6; property located at 8050 International Drive; generally located on the west side of International Drive, south of Sand Lake Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Trippe Cheek.

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request subject to the ten (10) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated June 7, 2023. The motion carried by the following vote:

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

D. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendments, Ordinance and Concurrent Rezoning Request

6. **23-391** Adoption of Regular Cycle Future Land Use Map Amendment 2022-2-A-1-2, FLU8.1.4 Text Amendment 2022-2-B-FLUE-2, Ordinance, and Concurrent Rezoning Request LUP-22-06-199, M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for PRS Investors Group LLP (Continued from March 21, 2023 and May 2, 2023) **(Canceled)**

a. Amendment 2022-2-A-1-2

Consideration: Village (V) to Growth Center-Planned Development Commercial/Medium Density Residential (GC-PD-C/MDR)

Location: District 1; property located at 14300, 14316, 14320, 14324, 14328, 14332, 14454, 14472, and 14500 Avalon Rd; Generally located west of Avalon Rd. and south of Grove Blossom Wy, east of the Orange County-Lake County line; Parcel IDs#: 31-24-27-0000-00-013/014/017/018/019/024/031/032/037; 22.197 gross ac.

And

b. Amendment 2022-2-B-FLUE-2

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2022-2-A-1-2

And

c. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the “2010-2030 Comprehensive Plan,” as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2022 calendar year (Second Cycle); and providing effective dates.

And

d. Rezoning LUP-22-06-199

Consideration: A-1 (Citrus Rural District) to PD (Planned Development District) (Village at Avalon PD/LUP). Also requested are five (5) waivers from Orange County Code: 1) A waiver from Section 38-1258(a) to allow a maximum height of five (5) stories and sixty-five (65) feet in height for multi-family buildings within one hundred (100) feet of single-family zoned property, in lieu of a maximum height of one story for multi-family residential buildings located within one-hundred (100) feet of single family zoned property; 2) A waiver from Section 38-1258(b) to allow buildings to be five (5) stories and sixty-five (65) feet in height, in lieu of varying in building height with a maximum of fifty (50) percent of buildings being three (3) stories (not to exceed forty (40) feet) in height, with the remaining buildings being one (1) story or two (2) stories in height, when located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property; 3) A waiver from Section 38-1258(c) to allow a building height of 65' and five (5) stories, in lieu of not exceeding three (3) stories (40 feet) in height, when located within one hundred and fifty (150) feet of single-family zoned property; 4) A waiver from Section 38-1258(d) to allow a building height of 65' and five (5) stories in lieu of 40' and three (3) stories; and 5) A waiver from Section 38-1476 to allow a parking ratio of 1.43 spaces per efficiency unit or 1 bedroom and 1.90 spaces per apartment unit of two (2) or three (3) bedrooms in lieu of 1.5 spaces per efficiency unit or 1 bedroom and 2.0 spaces per two or three bedroom units.

Location: District 1; property located at 14300, 14316, 14320, 14324, 14328, 14332, 14454, 14472, and 14500 Avalon Rd; Generally located west of Avalon Rd. and south of Grove Blossom Wy, east of the Orange County-Lake County line; Parcel IDs#: 31-24-27-0000-00-013/014/017/018/019/024/031/032/037; 22.197 gross ac.

This public hearing was canceled.

E. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendments, Ordinance, and Concurrent PD Substantial Change Request

7. **23-817** Adoption of Future Land Use Map Amendment 2022-2-A-4-1, FLU8.1.4 Text Amendment 2022-2-B-FLUE-4, Ordinance, and Concurrent PD Substantial Change Request CDR-22-10-306, Abdul Alkadry, PE, Harris Civil Engineers, LLC for OC-IB II Property Owner, LLC

a. Amendment 2022-2-A-4-1

Consideration: Planned Development-Medium Density Residential/Commercial/Office (PD-MDR/C/O) (Senior Adult Housing) to Planned Development-Medium-High Density Residential Commercial/Office (PD-MHDR/C/O)

Location: District 4; Generally located east of S. Orange Blossom Trl., west of Florida's Turnpike, and north of the Orange County-Osceola County line; Parcel IDs#: 34-24-29-8729-01-000; 34-24-29-8729-02-000; 34-24-29-8729-03-000; 34-24-29-8729-20-001; 34-24-29-8729-00-001; 34-24-29-8729-00-002; and 34-24-29-8729-00-003; 203.22 gross ac.

And

b. Amendment 2022-2-B-FLUE-4

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2022-2-A-4-1

And

c. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the "2010-2030 Comprehensive Plan," as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2022 calendar year (Second Cycle); and providing effective dates.

And

d. CDR-22-10-306

Consideration: Substantial Change Request to the Tupperware Heights PD/LUP to add up to 1,354 multi-family residential units as a permitted use, remove the age restricted designation for existing residential entitlements (200 units), and adjust the permitted intensities for commercial and office uses to allow up to 263,480 sq. ft. of office and commercial uses. In addition, five (5) waivers are requested from Orange County Code: 1) A waiver from Orange County Code Section 38-1254(2)c is requested to allow the residential setback from Orange Blossom Trail to be 25 feet in lieu of 50 feet from an arterial street; 2) A waiver from Orange County Code Section 38-1272(a)(3) is requested to allow the commercial setback from Orange Blossom Trail to be 25 feet in lieu of 40 feet from an arterial street; 3) A waiver from Orange County Code Section 38-1254(2)c is requested to allow the residential setback from Orange Avenue to be 15 feet in lieu of 50 feet from an arterial street; 4) A waiver from Orange County Code Section 38-1272(a)(3) is requested to allow the commercial setback from Orange Avenue to be 15 feet in lieu of 40 feet from an arterial street; and 5) A waiver from Orange County Code Section 38-1272(a)(3) is requested to allow the commercial setback from Mary Louis Lane to be 25 feet in lieu of 30 feet from a collector street.

Location: District 4; Generally located east of S. Orange Blossom Trl., west of Florida's Turnpike, and north of the Orange County-Osceola County line; Parcel IDs#: 34-24-29-8729-01-000; 34-24-29-8729-02-000; 34-24-29-8729-03-000; 34-24-29-8729-20-001; 34-24-29-8729-00-001; 34-24-29-8729-00-002; and 34-24-29-8729-00-003; 203.22 gross ac.

The following person addressed the Board: Abdul Alkadry.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment 2022-2-A-4-1, Planned Development - Medium Density Residential / Commercial / Office (PD-MDR/C/O) (Senior Adult Housing) to Planned Development - Medium-High Density Residential / Commercial / Office (PD-MHDR/C/O); further, adopt Amendment 2022-2-B-FLUE-4 to include the development program in Future Land Use Element Policy FLU 8.1.4; further, adopt the associated Ordinance 2023-22; further, make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request Case # CDR-22-10-306, subject to the twenty-two (22) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated May 30, 2023. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

8. **23-818** Adoption of Future Land Use Map Amendment 2023-1-A-1-3, FLU8.1.4 Text Amendment 2023-1-B-FLUE-7, Ordinance, and Concurrent PD Substantial Change Request CDR-22-11-333, Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., and Brian Forster, P.E., Land Design, for Gissy Holdings I-Drive Property, LLC

a. Amendment 2023-1-A-1-3

Consideration: Activity Center Mixed Use (ACMU) to Planned Development-Commercial/High Density Residential (PD-C/HDR)

Location: District 1; Property located at 14185 International Dr.; generally located south of International Dr. S. and World Center Dr., east of SR 535, and north of SR 417; Parcel ID#: 34-24-28-0000-00-021; 57.77 gross ac.

And

b. Amendment 2023-1-B-FLUE-7

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2023-1-A-1-3

And

c. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the "2010-2030

Comprehensive Plan,” as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2023 calendar year (First Cycle); and providing effective dates.

And

d. CDR-22-11-333

Consideration: Substantial Change Request to the International Commerce Center PD to add multi-family uses to the PD; convert 415 timeshare units, 300 hotel rooms, and 130,000 sq. ft. of retail commercial units to 2,882 multi-family units; and modify access points throughout the PD. Also requested is a waiver from Orange County Code Section 38-1300 to allow a maximum building height for multi-family uses of 300 feet in lieu of 60 feet.

Location: District 1; Property located at 14185 International Dr.; generally located south of International Dr. S. and World Center Dr., east of SR 535, and north of SR 417; Parcel ID#: 34-24-28-0000-00-021; 57.77 gross ac.

The following person addressed the Board: Jonathan Huels.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment 2023-1-A-1-3, Activity Center Mixed Use (ACMU) to Planned Development – Commercial / High Density Residential (PD-C/HDR); further, adopt Amendment 2023-1-B-FLUE-7 to include the development program in Future Land Use Element Policy FLU 8.1.4; further, adopt the associated Ordinance 2023-23; further, make a finding of consistency with the Comprehensive Plan; and further, approve the substantial change request Case # CDR-22-11-333, subject to the twenty-three (23) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated June 8, 2023. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

F. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendment, Ordinance, and Concurrent PD Substantial Change Request

9. **23-820** Adoption of Future Land Use Map Amendment 2023-1-A-4-2, Ordinance, and Concurrent PD Substantial Change Request CDR-23-01-023, Jim Hall, Hall Development Services, Inc., and Eric Raasch, Inspire Placemaking Collective, Inc., for SBEGC, LLC

a. Amendment 2023-1-A-4-2

Consideration: Parks and Recreation/Open Space (PR/OS) to Low Density Residential (LDR)

Location: District 4; Property located at 2900 Northampton Ave.; generally located north of S. Alafaya Trl., east of Northampton Ave., south of Cheval St., and west of Broadhaven Blvd.; Parcel ID#: 01-23-31-0000-00-001 (portion of); 40.13 gross ac.

And

b. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the “2010-2030 Comprehensive Plan,” as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2023 calendar year (First Cycle); and providing effective dates.

And

c. CDR-23-01-023

Consideration: Substantial Change Request to the Stoneybrook PD to convert a portion of the PD currently operating as a golf course (40.13 gross acres), to residential in order to construct 125 single-family residential dwelling units on new Tract 27.

Location: District 4; Property located at 2900 Northampton Ave.; generally located north of S. Alafaya Trl., east of Northampton Ave., south of Cheval St., and west of Broadhaven Blvd.; Parcel ID#: 01-23-31-0000-00-001 (portion of); 40.13 gross ac.

Court Reporter: Leah S. Cooney, Lexitas

The following persons addressed the Board:

- Hal Kantor
- Lorie Ingraham
- Kelly Maccagnanco
- Jennifer Lane
- Noah Emerson
- Angie Emerson
- Kurt Ardaman
- Joyce Bartlett
- Kevin Kelly
- Cathy Troyer
- Bonita Kelly
- Curtis Stanley
- Tim Sherry
- Shawna Sherry
- Scott Heffner
- Kate Erdmann
- Chris Davis
- Jim Worsdale
- Prashant Patel
- Kinard La Fate
- Stephanie Chandrasekaran
- Robert Gass

- Gust Valantasis
- George Collins
- Tony Gregory
- Eric Grimmer
- Eugene Stoccardo
- Jennifer Stickler

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

- Exhibit 1, from Hal Kantor
- Exhibit 2, from Noah Emerson
- Exhibit 3, from Angie Emerson
- Exhibit 4, from Jennifer Stickler

The following material was received by the Clerk. The material referenced by the speaker was not presented to the Board: Submittal 1, from Lorie Ingraham.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to continue the public hearing until August 8, 2023, at 2 p.m., for Board decision only; and further, with the condition of having a community meeting to discuss the drainage issues. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moore

G. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendments, Ordinance, and Concurrent Rezoning Request

10. **23-819** Adoption of Future Land Use Map Amendment 2023-1-A-4-1, FLU8.1.4 Text Amendment 2023-1-B-FLUE-4, FLU1.2.4 Text Amendment 2023-1-B-FLUE-8, Ordinance, and Concurrent Rezoning Request LUP-22-12-389, Eric Raasch, Inspire Placemaking Collective, and Brooks Stickler, Kimley-Horn Associates, Inc., for Boggy Creek South Property, Inc., Genesis Christian Center of Orlando Florida, Inc., and Ralph Jeudy

a. Amendment 2023-1-A-4-1

Consideration: Rural/Agricultural (R) to Planned Development-Medium-High Density Residential (PD-MHDR) and Urban Service Area (USA) Expansion

Location: District 4; Property located at 5501, 5603, 5623, and 5707 Simpson Rd.; generally located north of Simpson Rd. and the Orange County-Osceola County line, west of Boggy Creek Rd., and east of Ward Rd. and Boggy Creek; Parcel ID#s: 33-24-30-0000-00-014/031/032/033; 17.73 gross ac.

And

b. Amendment 2023-1-B-FLUE-4

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2023-1-A-4-1

And

c. Amendment 2023-1-B-FLUE-8

Consideration: Text amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA), associated with Amendment 2023-1-A-4-1

And

d. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the "2010-2030 Comprehensive Plan," as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2023 calendar year (First Cycle); and providing effective dates.

And

e. LUP-22-12-389

Consideration: Request to rezone A-2 to PD (Simpson Road Multi-Family PD/LUP). Also requested are nine (9) waivers from Orange County Code: 1) A waiver from Section 38-1258(a) is requested to allow a maximum height of four (4) stories/seventy (70) feet for multi-family buildings within one hundred (100) feet of single-family zoned property, in lieu of a maximum height of one story for multi-family residential buildings located within one hundred (100) feet of single-family zoned property; 2) A waiver from Section 38-1258(b) is requested to allow buildings to be four (4) stories/seventy (70) feet in height, in lieu of varying in building height with a maximum of fifty (50) percent of buildings being three (3) stories (not to exceed forty (40) feet) in height, with the remaining buildings being one (1) story or two (2) stories in height, when located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property; 3) A waiver from Section 38-1258(c) is requested to allow a building height of seventy (70) feet and four (4) stories, in lieu of not exceeding three (3) stories (40 feet) in height, when located within one hundred and fifty (150) feet of single-family zoned property; 4) A waiver from Section 38-1258(d) is requested to allow a building height of seventy (70) feet and four (4) stories in lieu of forty (40) feet and three (3) stories; 5) A waiver from Section 38-1258(e) is requested to allow for parking and other paved areas for multi-family development to be located 16.5 feet from single-family zoned property (northern property line), in lieu of twenty-five (25) feet; 6) A waiver

from Section 38-1258(f) is requested to not require a six (6) foot high masonry, brick, or block wall for multi-family development adjacent to single-family zoned property, in lieu of requiring a six (6) foot high masonry, brick or block wall; 7) A waiver from Section 34-209 is requested to provide no masonry wall adjacent to a roadway that has over 8,000 daily trips, in lieu of providing a masonry wall adjacent to a roadway that has over 8,000 daily trips; 8) A waiver from Orange County Code Section 38-1476 is requested to allow a ten percent reduction for multi-family parking at a ratio of 1.35 spaces for efficiencies and one-bedroom units and 1.80 spaces for two (2) and three (3) bedroom units, in lieu of the required 1.5 parking spaces per one (1) bedroom apartment and 2 parking spaces per two (2) and three (3) bedroom apartments; and 9) A waiver from Section 38-1254(2) is requested to allow a minimum building setback of twenty-five (25) feet from a major collector street (Simpson Road), in lieu of thirty-five (35) feet for the southern boundary of the property.

Location: District 4; Property located at 5501, 5603, 5623, and 5707 Simpson Rd.; generally located north of Simpson Rd. and the Orange County-Osceola County line, west of Boggy Creek Rd., and east of Ward Rd. and Boggy Creek; Parcel ID#s: 33-24-30-0000-00-014/031/032/033; 17.73 gross ac.

The following person addressed the Board: Eric Raasch.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment 2023-1-A-4-1, Rural / Agricultural (R) to Planned Development – Medium-High Density Residential (PD-MHDR); further, adopt Amendment 2023-1-B-FLUE-4 to include the development program in Future Land Use Element Policy FLU 8.1.4, and Urban Service (USA) Expansion Amendment 2023-1-B-FLUE-8; further, adopt the associated Ordinance 2023-24; and further, approve rezoning request Case # LUP-22-12-389, from A-2 (Farmland Rural District) to PD (Planned Development District) (Simpson Road Multi-Family PD), subject to the sixteen (16) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated June 8, 2023. The motion carried by the following vote:

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

Absent: 2 - Commissioner Wilson, and Commissioner Moore

H. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendments and Ordinance

11. **23-821** Adoption of Future Land Use Map Amendment 2023-1-A-4-3, FLU1.2.4 Text Amendment 2023-1-B-FLUE-5, and Ordinance, Tara Tedrow and McGregor Love, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Cedar Crossing Enterprises, Inc.

a. Amendment 2023-1-A-4-3

Consideration: Rural/Agricultural (R) to Commercial (C) and Urban Service Area (USA) Expansion

Location: District 4; Property located at 14902 E. Colonial Dr.; generally located south of E.

Colonial Dr., north of Old Cheney Hwy., and east of N. Avalon Park Blvd.; Parcel ID#: 24-22-31-0000-00-027; 1.68 gross ac.

And

b. Amendment 2023-1-B-FLUE-5

Consideration: Text amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA), associated with Amendment 2023-1-A-4-3

And

c. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; amending the Orange County Comprehensive Plan, commonly known as the “2010-2030 Comprehensive Plan,” as amended, by adopting amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2023 calendar year (First Cycle); and providing effective dates.

The following person addressed the Board: Joseph Kovacs.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendments are in compliance; further, adopt Amendment 2023-1-A-4-3, Rural / Agricultural (R) to Commercial (C) and Urban Service Area (USA) Expansion Amendment 2023-1-B-FLUE-5; and further, adopt the associated Ordinance 2023-25. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

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

12. **23-822** Adoption of Future Land Use Map Amendment SS-23-01-124, Ordinance, and Concurrent Rezoning Request LUP-22-10-318, Rick Baldocchi, AVCON, Inc., for Rez Sec Land, LLC

a. Amendment SS-23-01-124

Consideration: To change the Future Land Use Map designation from Medium Density Residential (MDR) to Medium-High Density Residential (MHDR) to allow for up to 266 multi-family dwelling units; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 4893 South Orange Blossom Trail; generally located east of S. Orange Blossom Trail, south of Redman Street, and north of Americana Boulevard

(legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; Amending the Orange County Comprehensive Plan, commonly known as the “2010-2030 Comprehensive Plan,” as amended, by adopting a Small-Scale development amendment pursuant to Section 163.3187, Florida Statutes; and providing an effective date.

And

c. LUP-22-10-318

Consideration: To change the zoning designation from R-3 (Multiple-Family Dwelling District) to PD (Planned Development District) (The Alton at Lake Bumby PD/LUP) to allow up to 266 multi-family dwelling units. Also requested is a waiver from Orange County Code Section 38-1258(d) to allow a building height of 55-feet / 4-stories in lieu of 40-feet / 3-stories; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 3; property located at 4893 South Orange Blossom Trail; generally located east of S. Orange Blossom Trail, south of Redman Street, and north of Americana Boulevard (legal property description on file in Planning Division)

The following person addressed the Board: Rick Baldocchi.

Clerk's Note: There are twenty-two (22) conditions of approval including one waiver, numbered #2 through #23, listed in the Staff Report dated June 8, 2023.

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, determine the proposed amendment is in compliance; further, adopt Amendment SS-23-01-124, Medium Density Residential (MDR) to Medium-High Density Residential (MHDR); further, adopt the associated Ordinance 2023-26; and further, approve the rezoning request Case # LUP-22-10-318 from Multiple-Family Dwelling District (R3) to Planned Development District (PD) subject to the one waiver and twenty-two (22) conditions of approval listed under the Planning and Zoning Commission Recommendation in the Staff Report dated June 8, 2023. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

J. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendments, Ordinance, and Concurrent Rezoning Request

13. **23-823** Adoption of Future Land Use Map Amendment SS-23-01-125, FLU8.1.4 Text Amendment SS-23-01-FLUE-1, Ordinance, and Concurrent Rezoning

Request LUP-22-10-321, Jeffrey Smith, RS&H, Inc., for TD Associates, Inc.

a. Amendment SS-23-01-125

Consideration: To change the Future Land Use Map designation from Neighborhood Activity Corridor (NAC) to Planned Development-Commercial (PD-C) to allow for up to 48 transitional housing units for homeless veterans; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 6; Recovery Way; generally bounded by 26th Street to the north, S. Rio Grande Street to the west, W. Michigan Street to the south, and S. Nashville Avenue to the east (legal property description on file in Planning Division)

And

b. Amendment SS-23-01-FLUE-1

Consideration: To amend Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

And

c. Ordinance for Proposed Amendments

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; Amending the Orange County Comprehensive Plan, commonly known as the "2010-2030 Comprehensive Plan," as amended, by adopting Small-Scale development amendments pursuant to Section 163.3187, Florida Statutes; and providing effective date.

And

d. LUP-22-10-321

Consideration: To change the zoning designation from NAC (Neighborhood Activity Corridor) to PD (Planned Development District) (William Just Campus PD/LUP) to allow for up to 48 transitional housing units for homeless veterans. In addition, six (6) waivers are requested from Orange County Code: 1. A waiver from Section 38-1272(a)(3)b to allow a setback of 25'-0" from Rio Grande Blvd. in lieu of the required setback of 40 feet from arterial streets; 2. A waiver from Section 38-1272(a)(3)b to allow a setback of 15'-0" from Michigan Street in lieu of the required setback of 40 feet from arterial streets; 3. A waiver from Section 38-1272(a)(3)d to allow a setback of 25'-0" from Nashville Ave. in lieu of the required setback of 30 feet from all other rights-of-way; 4. A waiver from Section 38-1272(a)(3)d to allow a setback of 20'-0" from 26th Street in lieu of the required setback of 30 feet from all other rights-of-way; 5. A waiver from Section 38-1272(a)(5) to allow a maximum building height of forty-five (45) feet, in lieu of a maximum height thirty-five (35) feet within one hundred (100) feet of any residential; and 6. A waiver from Section 38-1476 to allow a reduction of parking at a rate of 0.8 parking spaces in lieu

of 2.0 parking spaces for each bedroom unit and one space per 1,000 square feet in lieu of 200 square feet for office; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 6; Recovery Way; generally bounded by 26th Street to the north, S. Rio Grande Street to the west, W. Michigan Street to the south, and S. Nashville Avenue to the east (legal property description on file in Planning Division)

The following person addressed the Board: Jeffrey Smith.

A motion was made by Commissioner Scott, seconded by Commissioner Wilson, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendment SS-23-01-125, Neighborhood Activity Center (NAC) to Planned Development-Commercial (PD-C); further, adopt Text Amendment SS-23-01-FLUE-1 to Policy FLU8.1.4 to establish the development program; further, adopt the associated Ordinance 2023-27; and further, approve the rezoning request Case # LUP-22-10-321 from Neighborhood Activity Corridor (NAC) to Planned Development District (PD) subject to the fourteen (14) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report dated June 8, 2023. The motion carried by the following vote:

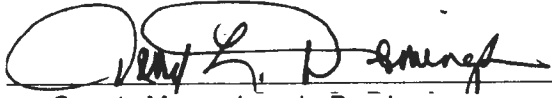
Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

√ **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>.

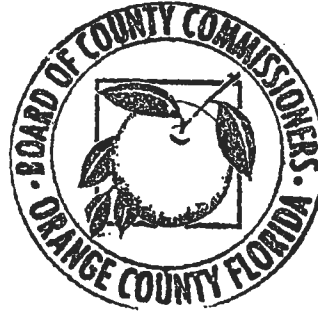
ADJOURNMENT: 6:13 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: July 25, 2023



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Jennifer Lara-Klimetz
Assistant Deputy Clerk

* * *

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

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

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

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

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