

Orange County Government

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



Final Meeting Minutes

Tuesday, May 11, 2021

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

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

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

Others present:

- County Comptroller Phil Diamond as Clerk
- County Administrator Byron Brooks
- Deputy County Administrator Chris Testerman
- Deputy County Administrator Danny Banks
- Deputy County Administrator Darren Gray
- County Attorney Jeffrey J. Newton
- Deputy County Attorney Joel Prinsell
- Deputy Clerk Katie Smith
- Assistant Deputy Clerk Jessica Vaupel
- Senior Minutes Coordinator Craig Stopyra

Invocation - District 1

Imam Tariq Rasheed, Islamic Center of Orlando

Pledge of Allegiance

Presentation

Proclamation recognizing May 16 through May 22, 2021 as Public Works Week

Presentation

Proclamation recognizing May as Asian Pacific American Heritage Month

Public Comment

The following persons addressed the Board for public comment:

- City of Orlando Commissioner Patty Sheehan
- Kevin Rose
- April Ambron
- Maria Bolton-Joubert
- Allison Agnello
- Michelle Kniffen
- Kate McFall
- Kristy Smith

- Kelly Padua
- Melanie Moore
- Lisa Franchina
- Kevin Stillwagon
- Kelly Randolph
- Michelle Chapman
- Chris Sims
- Maria Machado
- Michael Kraft
- Michelle Rencoret
- Alejandro Aguayo
- Wagney
- Andre Galarraga
- TJ Rosebush
- Toni Fleming
- McKayla
- Eric Davies
- Joni Keuter
- Kyle Davies
- Karen Colick
- Michael Gonidakis
- Ed Sayres
- Carla Wilson
- Nanette Parratto-Wagner
- Bryan Wilson
- Lawrence Ordone
- Amy Hammond

The following materials were presented to the Board during public comment:

- Exhibit 1, from Michael Gonidakis
- Exhibit 2, from Ed Sayres

The following persons submitted written comments to the Board during public comment:

- Jennifer Hobgood
- Frank McMillan
- Amy Bernauer
- Patty Van Sicklen
- Sue Orca
- Alicia Prygoski
- Anne Sheffield
- Jessica Helmer

Announcement

Mayor Demings announced that Board meetings will return to in-person public comment, presentations, and public testimony for public hearings beginning June 1, 2021. There will no longer be virtual participation. Everyone will address the Board from the podium in the chambers and Room 105 will return to additional seating for the Board meetings.

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

The Mayor deleted Administrative Services Department Item 6; and further, a motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY MAYOR

1. **21-522** Confirmation of the Mayor's managerial appointment of Eduardo Avellaneda, M.S., P.E., Manager, Roads and Drainage Division, Public Works Department.
2. **21-523** Confirmation of the Mayor's managerial appointment of Kenneth J. Leeming, M.S., P.E., Manager, Highway Construction Division, Public Works Department.

B. COUNTY COMPTROLLER

1. **21-524** Approval of the minutes of the April 13, 2021 meeting of the Board of County Commissioners. (Clerk's Office)
2. **21-525** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - April 23, 2021, to April 29, 2021; \$32,848,451.11
 - April 30, 2021, to May 6, 20201; \$63,416,648.59(Finance/Accounting)
3. **21-526** Disposition of Tangible Personal Property as follows.
(Property Accounting)
 - a. Remove stolen asset from inventory.

- b. Scrap asset.
- c. Trade-in assets.

C. COUNTY ADMINISTRATOR

1. **21-527** Approval and execution of Orange County, Florida and Solar United Neighbors FY 2021 Grant Agreement in the amount of \$15,000. All Districts.
2. **21-528** Approval of the Membership and Mission Review Board's recommendations for advisory board appointment and reappointments. (Agenda Development Office)
 - A. Agricultural Advisory Board: Reappointment of Angela L. Mack in the cattle industry representative category, Nicholas Hernandez in the lawn maintenance/landscaping industry representative category, William F. Gouveia in the equine industry representative category, and Commissioner Alexander Smith in the at large representative category with terms expiring December 31, 2022.
 - B. Animal Services Advisory Board: Appointment of Melissa C. McGee to succeed Janet M. Williams in the at large representative category with a term expiring December 31, 2022.
 - C. Arts and Cultural Affairs Advisory Council: Reappointment of Theo Webster in the District 5 representative category with a term expiring June 30, 2022.
3. **21-529** Approval of the Membership and Mission Review Board recommendations for extending the existence of the Citizens' Review Panel for Human Services, Health Facilities Authority, Housing Finance Authority, M/WBE Advisory Committee, International Drive CRA Advisory Committee, Neighborhood Grants Advisory Board, and Sustainability Advisory Board with a new sunset review date of 2026. (Agenda Development Office)
4. **21-530** Approval and execution of A Resolution 2021-B-04 of the Board of County Commissioners of Orange County, Florida approving for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended and Section 125.01(1)(z) Florida Statutes, the use of a portion of the proceeds of those certain Orange County Industrial Development Authority Industrial Development Revenue and Refunding Bonds (Catholic Diocese of Orlando and Catholic Charities of Central Florida, Inc. Projects), Series 2021, issued in one or more series in the aggregate principal amount of not to exceed \$60,000,000; and providing an effective date. (Industrial Development Authority)
5. **21-532** Approval for the Orange County Sheriff's Office to spend \$10,000 from the

FY 2021 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to Orange County Police Athletic League. (Office of Management and Budget)

6. **21-533** Approval of budget amendment #21-30. (Office of Management and Budget)
7. **21-534** Approval of budget transfers #21-0874 and #21-0875. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-535** Approval to award Invitation for Bids Y21-158-AV, Landscape Maintenance Services for Roads and Drainage Lot A, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$1,055,978 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. **21-536** Approval to award Invitation for Bids Y21-604-AV, Fire Escape System for Fire Operations, to the sole responsive and responsible bidder, Municipal Equipment Company, LLC. The estimated contract award amount is \$480,186.28. ([Fire Rescue Department Operations Division] Procurement Division)
3. **21-537** Approval to award Invitation for Bids Y21-700-TA, Utilities Group Forcemain Package Four, to the low responsive and responsible bidder, Metro Equipment Service, Inc. The estimated contract award amount is \$2,424,417.33. ([Utilities Department Engineering Division] Procurement Division)
4. **21-538** Approval to award Invitation for Bids Y21-735-JS, Public Works Administration Building Envelope Improvements, to the low responsive and responsible bidder, Gomez Construction Company. The total contract award amount is \$259,702. ([Administrative Services Department Capital Projects Division] Procurement Division)
5. **21-539** Approval of Amendment No. 3, Contract Y19-1032-AH, Consulting Services for Self-Funded Medical Plans, Group Insurance Plans, and Other Employee Benefits, with Digital Insurance LLC in the amount of \$26,000, for a revised total contract amount of \$418,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
6. **21-540** Approval to execute Master Agreement Y21-1039 for Spectrum Enterprise Service Agreement between Orange County, Florida and Charter Communications Holdings, LLC, in the total estimated amount of \$727,953 for a one-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)

(This item was deleted.)

7. **21-541** Approval of Purchase Order M104067, Corrections Perimeter Gate Controls Renovations, with Space Coast General Contractors in the total amount of \$414,490. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. **21-542** Ratification of Purchase Order M104031, Turnkey Mobile COVID-19 Vaccination Services, with Lifefleet Southeast, Inc. dba American Medical Response in the not-to-exceed amount of \$658,500. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
9. **21-543** Approval and execution of License Agreement by and between Orange County, Florida and the United States Geological Survey, authorization to the Real Estate Management Division to furnish notices, and authorization to the Real Estate Management Division and Parks and Recreation Division to jointly exercise termination options, required or allowed by the License Agreement, as needed for USGS Monitoring Devices at Kelly Park 400 E Kelly Park Road, Apopka, Florida 32712 Lease File #10106. District 2. (Real Estate Management Division)
10. **21-544** Approval and execution of Notice of Reservation and authorization to disburse funds to pay recording fees and record instrument for Texas Avenue (Oak Ridge Road to Americana). District 6. (Real Estate Management Division)
11. **21-545** Approval and execution of Resolution 2021-M-14 regarding Authorization to Convey Certain County Property Interests to the City of Orlando, Florida in accordance with Section 125.38, Florida Statutes and County Deed from Orange County to the City of Orlando, Florida and authorization to disburse funds to pay recording fees and record instrument for Unnamed Road in Weissingers Fairvilla Sub. District 5. (Real Estate Management Division)
12. **21-546** Approval and execution of County Deed from Orange County to TLJ Holdings LLC and authorization to perform all actions necessary and incidental to closing for Private Sale of Surplus Property 653 Harold Avenue, Winter Park, Florida 32789. District 5. (Real Estate Management Division)
13. **21-547** Approval of Quit Claim Deed between Central Florida Expressway Authority and Orange County and authorization to disburse funds to pay recording fees and record instrument for Pump Station 3465 (Rose Industrial Park). District 2. (Real Estate Management Division)

E. CORRECTIONS DEPARTMENT

1. **21-548** Approval and execution of Interagency Agreement Orange County, Florida

And Orange County Sheriff's Office regarding access to the National Crime Information Center, and the Florida Crime Information Center, and the Inmate Management System for a period of three years.

F. HEALTH SERVICES DEPARTMENT

1. **21-549** Approval and execution of Affiliation and Facility Use Agreements related to the Recovery of Donated Organs and Tissues between Orange County, Florida, CorneaGEN Inc., and Lions Eye Institute for Transplant & Research Foundation, Inc. and authorization for the Mayor or designee to sign any future amendments to these agreements. The agreement periods are for one-year, commencing upon the date of signature by both parties, with up to four, one-year renewals. (Medical Examiner's Office)
2. **21-550** Approval and execution of the renewal Certificate of Public Convenience and Necessity for Rocky Mountain Holdings, LLC d/b/a Air Care to provide Advanced Life Support Transport Service. The term of this certificate is from June 1, 2021 through June 1, 2023. There is no cost to the County. (EMS Office of the Medical Director)
3. **21-551** Approval and execution of the renewal Paratransit Services License for DDJ Transportation, LLC to provide wheelchair/stretchers service. The term of this license is from May 1, 2021 through May 1, 2023. There is no cost to the County. (EMS Office of the Medical Director)
4. **21-552** Approval and execution of the renewal Certificate of Public Convenience and Necessity for Ocoee Fire Department to provide Advanced Life Support Transport Service. The term of this certificate is from June 1, 2021 through June 1, 2023. There is no cost to the County. (EMS Office of the Medical Director)
5. **21-553** Approval and execution of the renewal Paratransit Services License for Owl, Inc. d/b/a 28 Trans to provide wheelchair/stretchers service. The term of this license is from May 31, 2021 through May 31, 2023. There is no cost to the County. (EMS Office of the Medical Director)
6. **21-554** Approval and execution of the renewal Paratransit Services License for Right By Your Side Inc to provide wheelchair/stretchers service. The term of this license is from May 1, 2021 through May 1, 2023. There is no cost to the County. (EMS Office of the Medical Director)
7. **21-555** Approval and execution of the renewal Paratransit Services License for Specialty Care Transport Inc to provide wheelchair/stretchers service. The term of this license is from May 31, 2021 through May 31, 2023. There is no cost to the County. (EMS Office of the Medical Director)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **21-556** Approval and execution of 1) Project Administration Agreement between Orange County, Florida and Homes In Partnership, Inc. regarding the donation of County-owned properties for the construction of permanent affordable housing and 2) County Deeds from Orange County to Homes in Partnership, Inc. for Parcel Identification Numbers 20-20-27-0000-00-021 and 16-21-28-0000-00-060; and authorization for Orange County’s Real Estate Management Division to perform all actions necessary and incidental to closing to facilitate the donation and conveyance of properties. District 2. (Housing and Community Development Division)

- 2. **21-557** Approval and execution of 1) Project Administration Agreement between Orange County, Florida and Habitat for Humanity Greater Orlando and Osceola County, Inc. regarding the donation of County-owned properties for the construction of permanent affordable housing and 2) County Deeds from Orange County to Habitat for Humanity Greater Orlando and Osceola County, Inc. for Parcel Identification Numbers 03-23-29-0180-39-140, 03-23-29-0180-46-020, 03-23-29-0180-39-130, 03-23-29-0180-46-030, and 03-23-29-0180-40-150; and authorization for Orange County’s Real Estate Management Division to perform all actions necessary and incidental to closing to facilitate the donation and conveyance of properties. District 6. (Housing and Community Development Division)

- 3. **21-558** Approval and execution of 1) Project Administration Agreement between Orange County, Florida and Habitat for Humanity of Seminole County and Greater Apopka, Florida, Inc. regarding the donation of County-owned properties for the construction of permanent affordable housing and 2) County Deeds from Orange County to Habitat for Humanity Greater Orlando and Osceola County, Inc. for Parcel Identification Numbers 09-21-28-5908-03-330, 15-21-28-0000-00-202, 10-21-28-0000-00-078, 15-21-28-1364-00-630, and 16-21-28-6040-03-250; and authorization for Orange County’s Real Estate Management Division to perform all actions necessary and incidental to closing to facilitate the donation and conveyance of properties. District 2. (Housing and Community Development Division)

- 4. **21-559** 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 21-0253	LC 21-0267	LC 21-0285	LC 21-0281	LC 21-0250
LC 21-0254	LC 21-0276	LC 21-0231	LC 21-0034	LC 21-0257
LC 21-0273	LC 21-0277	LC 21-0256	LC 21-0210	LC 21-0259
LC 21-0260	LC 21-0263	LC 21-0280	LC 21-0235	LC 21-0265

5. **21-560** Approval and execution of Settlement Agreement by and between Orange County, Florida and Landstreet Project, LLC related to code violations at 1851 W. Landstreet Road, Orlando, Florida for the Blossom Park Condominiums and allocation of the fine payment to the General Fund in the amount of \$300,000 and to the Fire Rescue MSTU in the amount of \$200,000. District 4. (Neighborhood Services Division)
6. **21-561** Approval and execution of Proportionate Share Agreement for Chase Bank Waterford Lakes Alafaya Trail and Colonial Drive by and between HM-UP Development Alafaya Trails-Tru LLC and Orange County for a proportionate share payment in the amount of \$47,945. District 4. (Roadway Agreement Committee)

H. PUBLIC WORKS DEPARTMENT

1. **21-562** Authorization to record the plat of O-Town City Center. District 1. (Development Engineering Division)
2. **21-563** Approval of multi-way stop installation at Tattant Boulevard at Serenity Bend and Village Lake Road. District 1. (Traffic Engineering Division)
3. **21-564** Approval and execution of Modification to Subgrant Agreement between the Division of Emergency Management and Orange County Contract Number: H0197 Project Number: 4337-107-R for improvements to the intersection of Lake Underhill Road and Pinar Drive. District 4. (Traffic Engineering Division)

I. UTILITIES DEPARTMENT

1. **21-565** Approval of Department of Environmental Protection v. City of Orlando/Orange County Government, OGC File No.: 20-1567 Water Conserv II Distribution Center - FLA010795 Consent Order; authorization for the County Administrator to execute the Consent Order; approval of the 50-watt solar system P2 project at Water Conserv II; and authorization to pay costs and expenses in the amount of \$250. District 1. (Water Reclamation Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **21-566** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Orange County, Florida Comprehensive Annual Financial Report Years Ended September 30, 2020.

b. City of Orlando Voluntary Annexation Request: Beth Road Annexation - ANX2020-10007. Notice of Proposed Enactment, Ordinance 2021-17, 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 Beth Road, East of Boggy Creek Road, and West of Happy Lane and compromised of 39.57 acres of land, more or less; providing for severability, correction of Scrivener's errors, and an effective date.

These items were received and filed.

NONAGENDA

Mayor Demings provided an update to the Board members pertaining to the Audit of the Guardianship Program. At a prior Board meeting, the Comptroller had an informational item on the agenda, where he had provided an audit of the Guardianship Program under the Clerk of the Courts. Mayor Demings extended the offer to the Clerk, Comptroller and Court Administrator to come forward to give the Board some input on the Guardianship Program. The offer was declined by Court Administration and the Clerk. The Mayor received correspondence from Clerk, Tiffany Moore Russell, prior to a Board meeting, and she indicated as well as Comptroller Diamond that they will be pursuing some state-wide adjustments through the Clerk's Association. They believe the authority rests under the State and not with the County. The Mayor also had a conversation with the Orange County Criminal Justice Public Safety Coordinating Council, which is chaired by Chief Judge Don Myers, and also a conversation with Chief Judge-Elect Munyon. They both indicated during the CJPSCCE meetings that under the separation of powers authority over the Guardianship Program rests with the Court, and that the Orange County Board of County Commissioners has no authority in the matter. They will also be seeking some modifications with the Guardianship Program through the State. The invitation to have the said parties participate has been declined. Board discussion ensued.

III. DISCUSSION AGENDA

A. COUNTY MAYOR

1. **21-567** Legislative Update.

The following persons addressed the Board:

- Chris Carmody
- Robert Stewart
- Ryan Matthews

The Board took no action.

B. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-568** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

IV. WORK SESSION AGENDA

A. HEALTH SERVICES DEPARTMENT

1. 21-569 Retail Pet Stores in Orange County.

Board discussion ensued.

Mayor Demings directed County staff to prepare a draft ordinance regarding the full ban of retail pet stores for the sale of dogs, cats, and bunnies, with provisions for businesses to make the transition more attainable.

The Board took no further action.

III. DISCUSSION AGENDA (Continued)

C. COUNTY ADMINISTRATOR

1. 21-570 COVID-19 Update.

The Board took no action.

V. RECOMMENDATIONS

1. 21-571 April 15, 2021 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the recommendations, with the exception of Case # RZ-21-04-020, Breck Johnson (Board Called), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

A. Petition to Vacate

1. 21-385 PTV 20-07-021

John Prowell, on behalf of American Land Investments of Orange County, LLC, vacate an unopened and unimproved right-of-way; District 5

Consideration: Resolution granting Petition to Vacate # 20-07-021, vacating a 25 foot wide unopened and unimproved right-of-way known as Western Parkway, containing approximately 0.42 acres.

Location: District 5; The parcel address is 16499 East Colonial Drive; S20/T22/R32; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Adam Smith
- Thomas Glover

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

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

2. **21-386** PTV 21-01-002

Dion Marsham, Harris Engineers, LLC, on behalf of Waterford Lakes Town Center, LLC, vacate portion of an Orange County Utility and Access Easement; District 4

Consideration: Resolution granting Petition to Vacate # 21-01-002, vacating approximately 87 foot by 47 foot portion of an Orange County Utility and Access Easement, containing approximately 0.09 acres.

Location: District 4; The parcel address is 331 N. Alafaya Trail; S22/T22/R31; Orange County, Florida (legal property description on file)

The following person addressed the Board: Dion Marsham.

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

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

B. Shoreline Alteration/Dredge and Fill

3. **21-365** SADF # 20-06-013

Lake Underhill 38 Acres, LLC, Lake Underhill, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 20-06-013 to dredge and recontour an existing Class I and Class III surface water (ditch) to alleviate flooding from the Pinar subdivision to the north; pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control.

Location: District 3; on property located adjacent to Lake Underhill, located at 8247 Lake Underhill Rd., Orlando, FL 32825; A portion of Parcel ID No. 25-22-30-0000-00-028 (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Steve Butler.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-20-06-013) subject to the twenty eight (28) conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

C. Preliminary Subdivision Plan

4. **21-377** Case # PSP-20-07-192

Bryan Potts, Tannath Design, Inc., Rouse Road Townhomes Planned Development / Rouse Road Townhomes Preliminary Subdivision Plan; District 5

Consideration: Rouse Road Townhomes Planned Development / Rouse Road Townhomes Preliminary Subdivision Plan, Case # PSP-20-07-192, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 8.57 acres in order to construct 31 single-family attached residential dwelling units. In addition, a waiver from Orange County Code is requested: A waiver from Orange County Code Section 34-209 is requested to allow a six-foot (6') aluminum picket fence in lieu of a six-foot (6') masonry wall along property fronting Rouse Road.

Location: District 5; property generally located South of Jay Blanchard Trail / West of Rouse Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Bryan Potts.

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to deny the request, Rouse Road Townhomes Planned Development / Rouse Road Townhomes Preliminary Subdivision Plan, Case # PSP-20-07-192. The motion failed by the following vote:

Aye: 2 - Commissioner Wilson, and Commissioner Bonilla

Nay: 5 - Mayor Demings, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

A motion was made by Commissioner Moore, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the seventeen (17) conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Nay: 2 - Commissioner Wilson, and Commissioner Bonilla

5. 21-447 Case # PSP-20-02-051

David M. Kelly, Poulos & Bennett, LLC, Meadow Woods PD / Parcel 21
Preliminary Subdivision Plan; District 4

Consideration: Meadow Woods PD / Parcel 21 Preliminary Subdivision Plan, Case # PSP-20-02-051, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 10.99 gross acres in order to construct 68 single-family residential dwelling units.

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

The following person addressed the Board: Vivian Monaco.

County staff added a note on the plan to state:

Stormwater Tract SCH-1 (School Pond) is not included within the boundaries of the PSP and is not subject to the conditions of approval of the PSP.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty two (22) conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, authorize staff to swap out sheet C2.10 to add the note regarding the OCPS pond site. The motion carried by the following vote:

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

D. Board of Zoning Adjustment Appeal**6. 21-378 Case # SE-20-11-105**

Alison Yurko for Giles Ashe and Tetyana Rai
Anna Long for New Hope Road Holdings, LLC, March 4, 2021; District 4

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Special Exceptions and Variance in the A-2 zoning district as follows: 1) Special Exception to allow a landscaping and irrigation business; 2) Special Exception to allow 4,173 sq. ft. of detached accessory structures in lieu of 3,000 sq. ft.; 3) Variance to allow detached accessory structures (an existing pole barn and shed) in front of the primary structure. This is a result of Code Enforcement.

Location: District 4; property located at 6713 New Hope Rd., Orlando, Florida 32824. (The legal description of the property is on file in the Zoning Division.)

Court Reporter: Tosha Seaney, Phipps Reporting

The following persons addressed the Board:

- Alison Yurko
- Anna Long
- Martin White
- Eric Rivera
- Jesmy Hernandez
- Arthur Clark
- Adam Golden
- Tejash Dunganani
- Jesus Hernandez
- Edward Ross
- Susie Philpot

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

- Exhibit 1, from Alison Yurko
- Exhibit 2, from Anna Long
- Exhibit 3, from Arthur Clark

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to deny the two (2) special exception requests and to deny the variance request, Case # SE-20-11-105, Anna Long for New Hope Road Holdings, LLC, in the A-2 zoning district as follows: 1) Special Exception to allow a landscaping and irrigation business; 2) Special Exception to allow 4,173 sq. ft. of detached accessory structures in lieu of 3,000 sq. ft.; 3) Variance to allow detached accessory structures (an existing pole barn and shed) in front of the primary structure. The motion carried by the following vote:

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

E. Development Plan

7. 21-382 Case # DP-20-10-303

Brian Ashby, Kimley-Horn & Associates, Inc., Science & Technology
Planned Development / Science & Technology Development Plan; District 5

Consideration: Science & Technology Planned Development / Science & Technology Development Plan, Case # DP-20-10-303 submitted in accordance with Article II of the Orange County Subdivision Regulations; The Development Plan (DP) is a request to construct a 191 unit / 764 bed student housing complex on a total of 3.82 acres; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89.

Location: District 5; property generally located North of Science Drive / West of Technology Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty one (21) conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

F. Substantial Change

8. **21-446** Case # CDR-20-07-210

Adam Smith, VHB, Inc., Village F Master PD / Parcels N-1, N-4, N-5, N-6, N-7, N-17, N-18, N-19 & N-20 Preliminary Subdivision Plan; District 1

Consideration: Substantial change request to revise the layout of Phase 4. In addition, a waiver from Orange County Code is requested: A waiver from Orange County Code Section 34-152(c) is requested to allow lots to front a meadow, park, open space, etc. in lieu of the 20-foot access to a dedicated paved street; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89

Location: District 1; property generally located South of Summerlake Park Boulevard / West of Seidel Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Adam Smith
- Timothy Holloran
- Jay Sanderson

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the fifteen (15) conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

G. Comprehensive Plan - Transmittal of Regular Cycle Amendments

9. **21-093** Transmittal of Regular Cycle Future Land Use Map Amendment
2021-1-A-4-1 Matthew Gillespie, FLU8.1.4 Text Amendment
2021-1-B-FLUE-4 and FLU1.2.4 Text Amendment 2021-1-B-FLUE-5
(Continued from February 9 and March 23, 2021)

a. Amendment 2021-1-A-4-1

Consideration: Rural/Agricultural (R) to Planned Development-Commercial/Medium Density

Residential (PD-C/MDR) and Urban Service Expansion (USA)

Location: District 4; 14727 and 14831 Boggy Creek Rd.; Generally located on the east side of Boggy Creek Rd., south of Whispering Pines Rd., north of Simpson Rd., and west of Happy Ln.; Parcel ID#s: 34-24-30-6368-00-560/561/571; 22.66 gross ac.

And

b. Amendment 2021-1-B-FLUE-4

Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Development within Orange County, associated with Amendment 2021-1-A-4-1; Countywide

And

c. Amendment 2021-1-B-FLUE-5

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 2021-1-A-4-1; Countywide

These public hearings were withdrawn.

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

10. 21-452 Adoption of Future Land Use Map Amendment 2021-1-A-1-1 Jonathan A. Martin, Kimley-Horn and Associates, Inc., 2021-1-B-FLUE-1 (FLU8.1.4), and Ordinance

a. Amendment 2021-1-A-1-1

Consideration: Commercial (C) to Growth Center-Planned Development-Commercial/Medium-High Density Residential (GC-PD-C/MHDR)

Location: District 1; 7991 W. Irlo Bronson Memorial Hwy.; Generally located north of W. Irlo Bronson Memorial Hwy., east of E. Orange Lake Blvd., and west of Black Lake Rd.; Parcel ID#s: 33-24-27-0000-00-006/010/011/012/024/025 and 34-24-27-1000-01-001; 33.64 gross ac.

And

b. Amendment 2021-1-B-FLUE-1

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 2021-1-A-1-1

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 amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2021 Calendar Year (First Cycle); and providing effective dates.

The following person addressed the Board: Jonathan Martin.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Housing Element Objective H1.1, Future Land Use Element Objectives FLU2.2 and FLU8.2, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.2.B, FLU1.1.4.F, FLU7.4.4, and FLU8.2.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2021-1-A-1-1, Commercial (C) to Growth Center-Planned Development-Commercial/Medium-High Density Residential (GC-PD-C/MHDR), up to 250,000 square feet of commercial uses, 250 hotel rooms, and 800 multi-family residential units; further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; further, adopt Amendment 2021-1-B-FLUE-1, to include the development program for Amendment 2021-1-A-1-1 in Future Lane Use Element Policy FLU8.1.4; further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2021-20, approving the proposed Future Land Use Map Amendment and associated text amendment, consistent with today's actions. The motion carried by the following vote:

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

11. **21-453** Adoption of Future Land Use Map Amendment 2021-1-A-1-2 Erika Hughes, VHB, Inc., for Hartzog Road Property, LLC, Amendment 2021-1-B-FLUE-2 (FLU8.1.4), and Ordinance

a. Amendment 2021-1-A-1-2

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

Location: District 1; 14405 Hartzog Rd.; Generally located on the east side of Avalon Rd., south of Hartzog Rd., north of Grove Blossom Wy., and west of Vista Del Lago Blvd.; Parcel ID#s: 31-24-27-0000-00-016/039/040/044; 37.82 gross ac.

And

b. Amendment 2021-1-B-FLUE-2

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 2021-1-A-1-2

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 amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2021 Calendar Year (First Cycle); and providing effective dates.

The following person addressed the Board: Erika Hughes.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Future Land Use Element Objectives FLU8.2 and C1.4, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.4.F, FLU1.4.1, FLU7.4.4, FLU8.1.4, FLU8.2.1 and FLU8.2.2); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2021-1-A-1-2, Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR) to Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR), up to 600 multi-family dwelling units; further, make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; further, adopt Amendment 2021-1-B-FLUE-2; further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2021-21, approving the proposed Future Land Use Map Amendment and associated text amendment, consistent with today's actions. The motion carried by the following vote:

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

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

12. **21-454** Adoption of Future Land Use Map Amendment 2021-1-A-3-1 Steven Grigg, Republic ATS, LLC, for Asbury Theological Seminary, Bryan P. Blankenship, Amendment 2021-1-B-FLUE-6 (FLU8.1.4), Ordinance, and Concurrent Substantial Change Request CDR-20-10-304 Asbury Theological Seminary Planned Development/Land Use Plan (PD/LUP)

a. Amendment 2021-1-A-3-1

Consideration: Planned Development-Commercial/Office (PD-C/O) and Commercial (C) to Medium Density Residential (MDR)

Location: District 3; Generally located on the north side of Valencia College Ln., south of E. Colonial Dr., east of John Wesley Wy., and west of Central Florida Greenway; Parcel ID#s: 24-22-30-8856-00-010/020/030; 24-22-30-0000-00-130; 24.01 gross ac.

And

b. Amendment 2021-1-B-FLUE-6

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 2021-1-A-3-1

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 amendments pursuant to Section 163.3184(3), Florida Statutes, for the 2021 Calendar Year (First Cycle); and providing effective dates.

And

d. Concurrent Substantial Change

Consideration: Substantial Change Request to the Asbury Theological Seminary PD/LUP to convert 708,043 square feet of office/commercial uses to 440 multi-family dwelling units and remove the communication tower site from the plan. The communication tower will remain as an approved use within the PD. Additionally, the following eight (8) waivers are requested from Orange County Code: 1) A waiver from Section 38-1254(2)(d) to allow a sixty (60) foot setback along the northeastern property boundary immediately adjacent to the State Road 417 right-of-way, in lieu of the required seventy-five (75) feet; 2) A waiver from Section 38-1258(a) to allow a maximum building height of four (4) stories / fifty-five (55) for buildings located within 100 feet of a single-family zoned property, in lieu of the required one (1) story building; 3) A waiver from Section 38-1258(b) to allow all buildings to be four (4) stories / fifty-five (55) feet in height, in lieu of varying in building height with a maximum of fifty (50) percent of the 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; 4) A waiver from Section 38-1258(c) to allow a maximum building height of four (4) stories / fifty-five (55) feet, in lieu of forty (40) feet and three (3) stories; 5) A waiver from Section 38-1258(d) to allow for a maximum building height of four (4) stories / fifty-five (55) feet, in lieu of forty (40) feet and three (3) stories; 6) A waiver from Section 38-1258(f) to allow a multi-family development adjacent to a single-family zoned property without a six-foot high masonry, brick or block wall, in lieu of requiring a six-foot high masonry, brick or block wall. This waiver only applies to the ±950' of property frontage immediately adjacent to the single-family residential zoned properties located at the northwest corner of the northernmost linear extension of the property; 7) A waiver from Section 38-1258(i) to allow the existing chain link fencing along the northernmost linear extension of the property to remain, without landscaping, in lieu of providing alternative fencing and landscaping adjacent to the State Road 417 right-of-way; and 8)

A waiver from Section 38-1476 to allow a parking ratio of 1.62 spaces per unit, in lieu of 1.5 spaces per unit for one bedroom apartment units and 2 spaces per unit for two and three bedroom apartment units.

Location: District 3; Generally located on the north side of Valencia College Ln., south of E. Colonial Dr., east of John Wesley Wy., and west of Central Florida Greenway; Parcel ID#s: 24-22-30-8856-00-010/020/030; 24-22-30-0000-00-130; 24.01 gross ac.

The following person addressed the Board: Greg Lee.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (See Future Land Use Goals FLU1 and FLU1.2, Objectives FLU1.1 and FLU1.4, Policies FLU1.1.1, FLU1.4 and FLU8.2.2, Housing Element Goal H1, and Housing Element Objective H1.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2021-1-A-3-1, Planned Development-Commercial/Office (PD-C/O) and Commercial (C) to Medium Density Residential (MDR), up to 440 multi-family dwelling units; further, make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; further, adopt Amendment 2021-1-B-FLUE-6; further, make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the twelve (12) conditions of approval listed in the Staff Report; further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2021-22, approving the proposed Future Land Use Map Amendment and associated text amendment, consistent with today's actions. The motion carried by the following vote:

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

J. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Amendment and Ordinance

13. 21-455 Adoption of Regular Cycle Staff-Initiated Future Land Map Amendment 2021-B-FLUM-1, and Ordinance

a. Amendment 2021-1-B-FLUM-1

Consideration: Map amendment to the Future Land Use Map consistent with Conservation Element Policy C1.4.4 to change the designation of three Green PLACE properties totaling 122.81 acres from Rural/Agricultural (R) to Preservation (PRES); Countywide

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 2021 Calendar Year (First Cycle); and providing effective dates.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan (see Conservation Element Goal C1 and Policy C1.4.4, Open Space Element Goal OS1, and Future Land Use Element Policy FLU1.1.4.G); further, determine that the amendment is in compliance; further, adopt Amendment 2021-1-B-FLUM-1, Rural/Agricultural (R) to Preservation (PRES); further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; and further, adopt Ordinance 2021-23, approving the proposed Future Land Use Map Amendment, consistent with today's actions. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

K. Comprehensive Plan - Transmittal of Out-of-Cycle Regular Cycle Staff-Initiated Text Amendment

14. 21-456 Transmittal of Staff-Initiated Comprehensive Plan Text Amendment
2021-1-C-OS-1

a. Amendment 2021-1-C-OS-1

Consideration: Text Amendment to Open Space Element Policy OS1.3.6 deleting the open space requirements for residential land uses in Rural Settlement expansions within the Wekiva Study Area, consistent with Future Land Use Element Policy FLU6.2.1, and amending the open space requirements for residential land uses in Growth Centers within the Wekiva Study Area; Countywide

A motion was made by Commissioner Moore, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, transmit Amendment 2021-1-C-OS-1. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Nay: 1 - Commissioner Wilson

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: 5:36 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

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.