

BCC Mtg. Date: November 12, 2019

Orange County Government

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



Final Meeting Minutes

Tuesday, October 8, 2019

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

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

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

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Lakela Louis

Invocation - Mayor

Bishop Kevin L. Cobaris, The Impact Church of Orlando

Pledge of Allegiance**Presentation**

Resolution recognizing Dr. Charlie Jean Salter

Presentation

Proclamation recognizing October as National Residents' Rights Month

Presentation

Proclamation recognizing October 24, 2019 as Lights on After School Day

Presentation

Proclamation designating November 2 through November 9, 2019 as Week of the Family

Presentation

Proclamation recognizing the month of October as Domestic Violence Awareness Month

Presentation

District 6 Citizen of the Year Award

Remarks

Senator Geraldine Thompson, Florida House Representative, gave remarks regarding the Robert L. Bob Billingslea Highway Resolution.

Public Comment

The following persons addressed the Board for public comment:

- Paul DeHart
- David Boers
- Theresa Schretzmann-Myers
- Carlos Carbonell

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

- Exhibit 1, from Paul DeHart
- Exhibit 2, from Theresa Schretzmann-Myers

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

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

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

A. COUNTY MAYOR

1. **19-1505** Confirmation of the Mayor's managerial appointment of Captain Malik Muhammad as Manager, Correctional Facility, Security Operations Division, Corrections Department and Juanita Beason as Manager, Inmate Administrative Services Division, Corrections Department.

B. COUNTY COMPTROLLER

1. **19-1506** Approval of the minutes of the September 10, 2019 meeting of the Board of County Commissioners. (Clerk's Office)
2. **19-1507** 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:

- September 20, 2019, to September 26, 2019; \$38,403,313.02
- September 27, 2019, to October 3, 2019; \$136,002,737.28.

(Finance/Accounting)

3. **19-1508** Approval to dispose of records held by the Comptroller in accordance with record retention schedules (GS1-SL and GS 11) as approved by the State of Florida, Bureau of Archives and Records Management. (Property Accounting)
4. **19-1509** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Sell assets through on-line auction.
 - b. Offer assets to non-profits.
 - c. Scrap remaining assets.
 - d. Dispose of lost asset.
 - e. Scrap assets.
 - f. Dispose of assets totaled by our Third Party Administrator for its salvage value.
 - g. Dispose of assets demolished by contractor.

C. COUNTY ADMINISTRATOR

1. **19-1510** Approval of the Membership and Mission Review Board's recommendations for advisory board appointment and reappointments. (Agenda Development Office)
 - A. **Community Development Advisory Board:** Appointment of Jeff Robinson III to succeed Patty G. Cloy in the Mayor's representative category with a term expiring June 30, 2021.
 - B. **Health Council of East Central Florida:** Reappointment of Jason Lovern in the health care provider representative category and Anthony J. Hutton in the health care consumer representative category with terms expiring September 30, 2021.
2. **19-1511** Approval and execution of Agreement between Orange County, Florida and City of Orlando The Plaza Live. (Fiscal and Business Services Division)
3. **19-1512** Approval and execution of Resolution 2019-B-04 of the Board of County Commissioners of Orange County, Florida, approving the issuance by the Orange County Industrial Development Authority of its Industrial Development Revenue and Refunding Bonds (GW Real Estate, LLC Project), Series 2019, in an aggregate principal amount not to exceed \$46,300,000 and providing an effective date. (Industrial Development Authority)

4. **19-1513** Approval of budget amendment #19-53. (Office of Management and Budget)
5. **19-1514** Approval of budget transfers #20C-0001, #20C-0002, #20C-0003, #20C-0004, #20C-0005, #20C-0007, #20C-0008, #20C-0009, #20C-0010, and #20-0010. (Office of Management and Budget)
6. **19-1515** Approval of CIP amendments #20C-0001, #20C-0002, #20C-0003, #20C-0004, #20C-0005, #20C-0007, #20C-0008, #20C-0009, and #20C-0010. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1516** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement between the State of Florida, Division of Emergency Management and Orange County Agreement Number: H0253 Project Number: 4337-163-R in the amount of \$225,247.50 with the period of performance ending on July 31, 2021; (2) Request for Advance or Reimbursement of Hazard Mitigation Assistance Program Funds; (3) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion; and (4) Federal Funding Accountability and Transparency Act. There is a required 25% project cost match in the amount of \$75,082.50, for a total project cost of \$300,330. (Fiscal and Operational Support Division)
2. **19-1517** Ratification of Emergency Purchase Order M98088, Liquid Emulsion Type Polymer for Centrifuge at South Water Reclamation Facility (SWRF), with Polydyne, Inc., in the amount of \$154,000. ([Utilities Department Water Reclamation Division] Procurement Division)
3. **19-1518** Ratification of Contract Y20-120-KB, Head Start Child Care Food Program, to the sole responsive and responsible bidder, Second Harvest Food Bank of Central Florida, Inc. dba Meals for Good, in the total contract award amount of \$1,185,668.86. ([Community and Family Services Department Head Start Division] Procurement Division)
4. **19-1519** Selection of Carollo Engineers, Inc. to provide Program Management Services for Water, Wastewater, and Reclaimed Water Facilities, Request for Proposals Y19-902-TA. Further request authorization to negotiate and execute a 3-year term contract to establish hourly rates for future requirements. ([Utilities Department Engineering Division] Procurement Division)
5. **19-1520** Approval and execution of Ninth Amendment to Lease Agreement by and between Piedmont 200 & 250 South Orange Avenue, LLC and Orange County, Florida and delegation of authority to the Real Estate Management Division to exercise renewal option and furnish notices, required or allowed by the lease, as needed for SunTrust 200 South Orange Avenue, Orlando,

Florida 32801 Lease File #2007. District 5. (Real Estate Management Division)

6. **19-1521** Approval and execution of Utility Easement between The School Board of Orange County, Florida and Orange County, Florida and authorization to record instrument for OCPS Middle School Site 37-M-SW-4 (18-E-003) #95826. District 1. (Real Estate Management Division)
7. **19-1522** Approval of purchase above appraised value, approval and execution of Contract for Sale and Purchase between Progress Drive, LLC and Orange County, approval of Warranty Deed from Progress Drive, LLC to Orange County, delegation of authority to the Real Estate Management Division to extend, terminate, and furnish notices under the contract, and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Fire Station #69. District 5. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-1523** Approval and execution of License Agreement between Orange County, Florida and New Journey Youth Center related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190506 for John Bridges Community Center and authorization for the Director of the Community and Family Services Department to execute any permitted renewals of the license agreement so long as those renewals do not substantively change or alter the terms and conditions of the license agreement. (Community Action Division)

F. CONVENTION CENTER

1. **19-1524** Approval and execution of Agreement between Orange County, Florida and Florida Citrus Sports Events, Inc. 2020 and 2021 NFL Pro Bowl TDT Sports Incentive Agreement. (Fiscal and Operational Support)

G. FIRE RESCUE DEPARTMENT

1. **19-1525** Acceptance of the Fiscal Year 2018 Staffing for Adequate Fire and Emergency Response Grant Program Award Number EMW-2018-FH-00598 between the U.S. Department of Homeland Security, through the Federal Emergency Management Agency, and Orange County in the amount of \$9,955,934.10, with \$6,188,823.90 matching non-federal funds, for a total amount of \$16,144,758, resulting in an increase to the Orange County Fire Rescue Department staffing table by an additional 63 firefighters
2. **19-1526** Acceptance of Fiscal Year 2018 Assistance to Firefighters Grant Award Number EMW-2018-FO-05290 between the U.S. Department of Homeland

Security, through the Federal Emergency Management Agency, and Orange County in the amount of \$2,703,590.90, with \$270,359.10 matching non-federal funds, for a total amount of \$2,973,950.

3. **19-1527** Approval of payment of the FY 2019-2020 annual fee associated with the Interlocal Agreement between Orange County and the Central Florida Fire Consortium in the amount of \$147,326.70 for membership services.

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-1528** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 19-0866	LC 19-0846	LC 19-0952	LC 19-0932	LC 19-0877
LC 19-0945	LC 19-0850	LC 19-0978	LC 19-0823	LC 19-0878
LC 19-0992	LC 19-0897	LC 19-0979	LC 19-0818	LC 19-0910
LC 19-0993	LC 19-0906	LC 19-0985	LC 19-0731	LC 19-0925
LC 19-0638	LC 19-0916	LC 19-1005	LC 19-0732	LC 19-0926
LC 19-0668	LC 19-0919	LC 19-0804	LC 19-0824	LC 19-0929
LC 19-0791	LC 19-0941	LC 19-0805	LC 19-0857	LC 19-0953
LC 19-0842	LC 19-0942	LC 19-0868	LC 19-0875	LC 19-0980

2. **19-1529** Acceptance of recommendation of the Environmental Protection Commission to approve 1) request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with the condition that the applicant pay \$188.50 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; 2) request for variance to Section 15-343(a) (side setback); and 3) request for variance to Section 15-342(h) (one dock per residential lot) for the Jeff and Rachelle Szukalski Dock Construction Permit BD-19-05-044. District 1. (Environmental Protection Division)

3. **19-1530** Approval and execution of Fourth Amendment to Village H Horizon West Road Network Agreement (C.R. 545) by and among D.R. Horton, Inc.; Avalon Properties, Ltd.; Titan Western Beltway, LLC; Hanover Hickory Nut, LLC; Zanzibar Properties, LLC; Mattamy Orlando LLC; Seidel West I, LLC; Lennar Homes, LLC; Columnar Partnership Holding I, LLC; K. Hovnanian Winding Bay Preserve, LLC; Spring Grove Properties, LLC and Orange County to modify Section 5.4 of the Agreement to include certain future traffic signals as part of the Agreement and to update engineering plans for the C.R. 545 Improvements. District 1. (Roadway Agreement Committee)

4. **19-1531** Approval and execution of Proportionate Share Agreement for Dr. Mole Vet Office East Colonial Drive by and between CTM Ventures LLC and Orange

County for a proportionate share payment in the amount of \$29,546. District 4. (Roadway Agreement Committee)

5. **19-1532** Approval and execution of Proportionate Share Agreement for Lot 7 - Lakeside Village Reams Road and Winter Garden-Vineland Road by and between Landover Windermere LLC and Orange County for a proportionate share payment in the amount of \$201,480. District 1. (Roadway Agreement Committee)
6. **19-1533** Approval and execution of Proportionate Share Agreement for Fountains at Crystal Creek John Young Parkway by and between Lennar Homes, LLC and Orange County for a proportionate share payment in the amount of \$377,587. District 1. (Roadway Agreement Committee)

I. PUBLIC WORKS DEPARTMENT

1. **19-1534** Approval to install speed humps within the Merritt Park neighborhood. District 5. (Traffic Engineering Division)
2. **19-1535** Approval to install two raised crosswalks on North Shore Golf Club Boulevard. District 4. (Traffic Engineering Division)
3. **19-1536** Approval of Traffic Control Devices and "No Parking" signs installation in Winding Bay Phase 1A. District 1. (Traffic Engineering Division)
4. **19-1537** Approval of Traffic Control Devices and "No Parking" signs installation in Winding Bay Phase 1B. District 1. (Traffic Engineering Division)
5. **19-1538** Approval of Traffic Control Devices and "No Parking" signs installation in Storey Grove Phase 1B-4. District 1. (Traffic Engineering Division)
6. **19-1539** Authorization to record the plat of AdventHealth Waterford Lakes ER. District 5. (Development Engineering Division)
7. **19-1540** Approval of Village H Horizon West Road Network Agreement - CR 545 Amendment #1 in the amount of \$1,263,423.05, for a revised total amount of \$2,640,348.05. District 1. (Highway Construction Division)
8. **19-1541** Approval and execution of Resolution 2019-M-46 of the Orange County Board of County Commissioners regarding affirming its support for the designation of that portion of State Road 535 between State Road 526 in Orange County and the Osceola County Line as the "Robert L. 'Bob' Billingslea Highway" and for the erection by the Florida Department of Transportation of suitable markers proclaiming the designation. All Districts. (Traffic Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **19-1542** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Order approving 2019 revisions to underground residential and commercial tariffs by Florida Power & Light Company. In re: Petition for approval of 2019 revisions to underground residential and commercial differential tariffs, by Florida Power & Light Company.
 - b. Florida Public Service Commission Tariff order approving an eight inch general service meter rate by Pluris Wedgefield, LLC. In re: Application for approval of an 8" general service meter rate by Pluris Wedgefield, LLC.

These items were received and filed.

III. DISCUSSION AGENDA**A. ADMINISTRATIVE SERVICES DEPARTMENT**

1. **19-1543** Approval and execution of Resolution 2019-M-47 of the Orange County Board of County Commissioners regarding formal recognition of Central Florida's Lesbian, Gay, Bisexual, Transgender, and Questioning/Queer+ Community's importance to the local economy and directing county staff to use the National LGBT Chamber of Commerce's certification criteria to monitor the county's utilization of Lesbian, Gay, Bisexual, and Transgender owned business enterprises in Orange County procurements. (Business Development Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner VanderLey, to adopt Resolution 2019-M-47 of the Orange County Board Of County Commissioners regarding Formal Recognition Of Central Florida's Lesbian, Gay, Bisexual, Transgender, And Questioning/Queer+ Community's Importance To The Local Economy and Directing County Staff To Use The National LGBT Chamber Of Commerce's Certification Criteria To Monitor The County's Utilization Of Lesbian, Gay, Bisexual, And Transgender Owned Business Enterprises In Orange County Procurements. The motion carried by the following vote:

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

B. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-1544** Head Start Annual Report Fiscal Year Ending September 30, 2019.

The Board took no action.

2. **19-1545** Census 2020 Update.

The Board took no action.

C. COUNTY MAYOR

1. **19-1546** Open discussion on issues of interest to the Board.

There were no items for discussion.

IV. RECOMMENDATIONS

1. **19-1547** September 19, 2019 Planning and Zoning Commission Recommendations

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

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

V. PUBLIC HEARINGS

1. **19-1319** Development Plan

Scott Gentry, Kelly, Collins, & Gentry, Inc., Hamlin Planned Development - Unified Neighborhood Plan / Overture at Hamlin Development Plan - Case # DP-19-03-080; District 1

Consideration: The Development Plan (DP) is a request to construct 180 multi-family residential dwelling units on a total of 5.84 acres. The request also includes a waiver from Orange County Code:

1. A waiver from Orange County Code Section 38-1476 is requested to allow for parking of 1.3 parking spaces per unit in lieu of 1.5 parking spaces for 1 bedroom units and 2.0 parking spaces for 2 bedroom units; 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 west of Hamlin Groves Trail / South of New Independence Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Scott Gentry.

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

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

2. 19-1433 Preliminary Subdivision Plan

Adam Smith, VHB, Inc., Waterleigh Planned Development / Waterleigh
Phase 2E Preliminary Subdivision Plan, Case # PSP-19-01-029; District 1

Consideration: Preliminary Subdivision Plan is a request to subdivide 14.56 acres in order to construct 76 attached and detached single-family residential dwelling units. The request also includes a waiver from Orange County Code:

1. 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 twenty (20) foot access to a dedicated public paved street. Legal access to these lots will be through an ingress / egress easement and / or alley tract.

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

The following person addressed the Board: Adam Smith.

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

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

3. 19-1320 Rezoning

Darcy Unroe, Unroe Engineering, Paradise Cove PD, Case #
LUP-18-09-308; District 1

Consideration: Request to rezone five (5) parcels containing 16.77 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) for a water sports rental, wedding, and banquet venue. Additionally, this request will remove the prohibition of loudspeakers currently included in the Special Exception approvals for this site. The request also includes the following four (4) waivers from Orange County Code:

1. A waiver from Section 38-1287(2) to allow for a twenty-one (21) foot side setback on the north property line only, in lieu of a thirty (30) foot side setback.

2. A waiver from Section 38-1272(3) to allow for a twenty-one (21) foot PD perimeter setback on the north property line only, in lieu of a twenty-five (25) foot PD perimeter setback.

3. A waiver from Section 38-1287(4) to allow a five (5) foot side paving setback on the north property line only, in lieu of a seven and one-half (7.5) foot side paving setback.

4. A waiver from Section 38-1503 to allow for a normal high water elevation setback of two (2) feet, in lieu of a normal high water elevation setback of fifty (50) feet; pursuant to Orange County Code, Chapter 30

Location: District 1; property generally located east of State Road 535, south of Ski Holiday Drive and immediately adjacent to Lake Bryan; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Darcy Unroe
- David Benjamin
- Kayli Coleman
- Karen Wonsetler
- Robert Anthony
- Chris Gullion
- Victor Marsich

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

- Exhibit 1, from Kayli Coleman
- Exhibit 2, from Karen Wonsetler

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board: Submittal 1, from Kayli Coleman.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to continue the public hearing until November 12, 2019, at 2 p.m. The motion carried by the following vote:

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

4. 19-1330 Substantial Change

Adam Smith, VHB, Inc., Ruby Lake Planned Development / Land Use Plan (PD/LUP), Case # CDR-19-02-075, amend plan; District 1

Consideration: A PD substantial change request to amend the approved development program for Lot 3B to include twenty (20) townhomes and 200,000 square feet of Commercial C-1 uses, including a 20,000 square foot free standing emergency department, add two access points, and add an emergency department ground sign to the Master Sign Plan. The request also includes the following seven (7) waivers from orange County Code:

1. A waiver from Section 38-1394.1(a)(2) to allow for non-residential buildings to allow for tree planting requirements around the building base area per Sec. 24-4(d), in lieu of the one (1) canopy tree for each one hundred (100) square feet of green space.
2. A waiver from Section 38-830(13) to allow for commercial development to share access with single family development, in lieu of not allowing entrances or exits to direct traffic into adjacent residential areas.
3. A waiver from Section 38-1392.2(2)c to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path in lieu of ten (10) feet along one side of the pedestrian path.

4. A waiver from Section 38-1392.2(3)c for Lot 3B-2 to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path in lieu twelve (12) feet along one (1) side (or six (6)-foot on each side) of the connecting pathway.
5. A waiver from Section 38-1391.1 to provide architectural design concepts with Development Plans, in lieu of providing a building architectural design concept or set of design guidelines as part of the planned development process.
6. A waiver from Section 38-1396.1(2) for Lot 3B-2 to allow light fixtures other than the acorn-style fixtures.
7. A waiver from Section 38-79(20)f to allow for fifty (50) percent of the units in buildings containing five (5) or more units in Lot 3B-1 in lieu of seventy-five (75) percent of the units in buildings containing five (5) or more units; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located southwest of the intersection of Palm Parkway and Daryl Carter Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Borron Owen
- Madeline Czerwinski
- Kunal Patel
- Adam Smith

The following materials were presented to the Board during public comment: Exhibit 1, from Borron Owen.

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

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

Absent: 1 - Commissioner Bonilla

5. 19-1432 Substantial Change

Jay R. Jackson, Kimley-Horn and Associates, Inc., National Spa and Resort
Planned Development / Land Use Plan (PD/LUP), Case # CDR-19-01-025,
amend plan; District 1

Consideration: A PD substantial change request to add a Master Sign Plan to the existing Land Use Plan. The request also includes the following three (3) waivers from Orange County Code:

1. A waiver from Section 31.5-67(i) to allow for 8.66 square feet of minimum provided copy area per individual tenant sign, in lieu of twelve (12) square feet of minimum provided copy area per individual tenant sign.
2. A waiver from Section 31.5-67(b) to allow for a height of fifteen (15) feet, in lieu of twelve (12)

feet.

3. A waiver from Section 31.5-15(a)(1) to allow for one (1) ground sign to be located on Lots 5 and Lot 6 consisting of thirty (30) square feet of copy area, in lieu of zero (0) square feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property located at 9200 Turkey Lake Road; or generally located north of Sand Lake Commons Boulevard and west of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Matthew Gillespie.

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

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

6. 19-1435 Substantial Change

Jim Hall, Hall Development Services, Inc., Sunterra Resorts Planned Development / Land Use Plan (PD/LUP), Case # 19-08-260, amend plan; District 1

Consideration: A PD substantial change, to request one waiver from Orange County Code. Waiver: 1. A waiver from Section 38-1394.1(a) and 38-1394.1(a)(2) is granted to provide trees in building base landscaping at one (1) canopy tree per 1,000 square feet, in lieu of one (1) canopy tree for each one hundred (100) square feet of green space within the building base landscape area and to otherwise allow the R-3 zoning district standards to apply to the PD, in lieu of the required green space around the base of each building; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-120.

Location: District 1; property generally located north of Lake Street, east of Ruby lake Road, and south of Lemon Lake Boulevard; Orange County, Florida (legal property description on file in Planning Division)

County staff edited the DRC (Development Review Committee) condition of approval # 9, which incorrectly references the prior Board approval year as 2010. The modification to condition of approval #9 is as follows:

9. Except as amended, modified, and/or superseded, the following BCC Conditions of Approval, dated April 18, ~~2010~~ 2000 shall apply:

The following person addressed the Board: Jim Hall.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change

request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, modify condition of approval #9. The motion carried by the following vote:

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

7. 19-1434 Substantial Change

Joseph E. Harris, Harris Civil Engineers, LLC, Dorscher Place Planned Development / Land Use Plan (PD/LUP), Case # CDR-19-06-183, amend plan; District 6

Consideration: A PD substantial change to add the C-2 use of "Outdoor Storage of Vehicles in conjunction with an Approved Self-Storage Facility" to PD Lot 3; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 6; property located at 7500 W. Colonial Drive; or generally located on the south side of W. Colonial Drive and the west side of Dorscher Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Debra Gackenback.

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

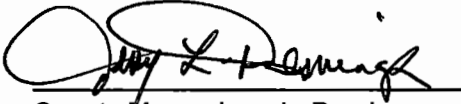
Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

✓ **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: 3:20 p.m.

ATTEST:

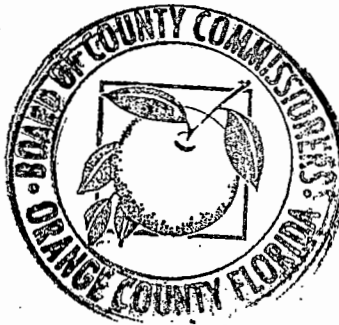



County Mayor Jerry L. Demings

Date: 11/12/19

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



for 
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.