

Orange County Government

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



Final Meeting Minutes

Tuesday, November 10, 2020

1:30 PM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 1:31 p.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
Deputy County Administrator Danny Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Craig Stopyra

Invocation - District 3

Pastor Jake Lavender, Action Church

Pledge of Allegiance**Presentation**

2020 Achievement of Excellence in Procurement Award

Public Comment

The following persons addressed the Board for public comment:

- Emily Geary
- Cody Hughes
- Delaun Stokes
- Frank Vassell

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

The Mayor deleted County Administrator Item 3; further, deferred action on Planning, Environmental and Development Services Department Item 3; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY COMPTROLLER

1. **20-1577** Approval of the minutes of the October 13, 2020 meeting of the Board of County Commissioners. (Clerk's Office)
2. **20-1578** 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:

- October 23, 2020, to October 29, 2020; \$22,982,721.97
- October 30, 2020, to November 5, 2020; \$65,470,596.12

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. **20-1579** Approval and execution of Service Funding Agreement by and between Orange County, Florida and Central Florida Regional Transportation Authority for FY 2020-21 in the amount of \$55,564,736. All Districts.
2. **20-1580** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Building Codes Board of Adjustments and Appeals: Reappointment of Mukesh Joshi in the mechanical engineer/contractor representative category and Gerardo Solar in the electrical engineer/contractor representative category and the appointment of Zachary Kasky to succeed Eric O. Kleinstein in the architect representative category and Marissa N. John to succeed Jamie L. Rodriguez in the consumer representative category, all with terms expiring December 31, 2021.

B. Development Advisory Board: Reappointment of Ernesto Gonzalez-Chavez in the primary group (licensed architect) representative category, Clayton Ferrara in the primary group (environmental specialist) representative category, Carlos A. Rivero in the secondary group (professional civil engineer) representative category, and Mark D. Thomson in the secondary group (licensed landscape architect) representative category with terms expiring June 30, 2022.

C. Industrial Development Authority: Appointment of Betty Hernandez to succeed Joel A. Knopp in the at large representative category with a term expiring December 31, 2023.

D. Neighborhood Grants Advisory Board: Reappointment of Brandy Hannah

in the District 5 representative category and Madeleine Plumey-Cruz in the at large representative category with terms expiring June 30, 2022; the appointment of Ramon Ojeda to succeed Mark Politte in the District 1 representative category with a term expiring June 30, 2022; and the appointment of Olga Restrepo to succeed Elizabeth Bertrand in the District 3 representative category with a term expiring June 30, 2021.

E. Sustainability Advisory Board: Appointment of Christianah Oyenuga in the environmental protection, natural resources management, or urban tree canopy management representative category, Laura Betts in the housing and community development leadership representative category, and Michael J. Gilbrook in the urban planning or transportation planning representative category with terms expiring June 30, 2022; and the appointment of Susanne M. Torriente in the smart infrastructure or resiliency representative category and Edward S. Johnson in the economic development or business representative category with terms expiring June 30, 2021. Madeline Almodovar Ramirez will now be serving in the education or at large representative category with a term expiring June 30, 2022.

3. **20-1581** Approval for the Orange County Sheriff's Office to spend \$100,000 from the FY 2021 Law Enforcement Trust Fund to provide an eligible contribution to Orange County Sheriff's Office Community Crime Prevention Grant Program. (Office of Management and Budget)

(This item was deleted.)

4. **20-1582** Approval to disburse CRA funds totaling \$56,075,098 to Orange County's Community Redevelopment Agencies. (Office of Management and Budget)
5. **20-1583** Approval of budget transfers #20-1445 and #21C-0023. (Office of Management and Budget)
6. **20-1584** Approval of CIP amendment #21C-0023. (Office of Management and Budget)
7. **20-1585** Approval to pay quarterly assessments to the Florida Department of Financial Services for self-insurer assessments in an amount not to exceed \$111,607.58. These payments will satisfy the County's obligations to the State of Florida pursuant to Sections 440.49(9) and 440.51, Florida Statutes. (Risk Management Division)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1586** Approval and execution of Agreement between Orange County, Florida and Fraternal Order of Police, Lodge #93 related to the Law Enforcement Memorial Monument with Orange County to contribute no more than 50% of the total construction cost in an amount not to exceed \$300,000. District 5.

2. **20-1587** Approval to award Invitation for Bids Y20-1081-WA, Garbage and Recycling Carts, to the low responsive and responsible bidder, Rehrig Pacific Company. The total estimated contract award amount is \$5,943,300 for a three-year term. ([Utilities Department Solid Waste Division] Procurement Division)
3. **20-1588** Approval to award Invitation for Bids Y20-1099-RM, Roadbase, Asphalt, Curb, Gutter and Miscellaneous Concrete Repairs, to the low responsive and responsible bidders for the base year:

Bidders**Estimated Contract Award Amount**

Huffman Inc. dba NuWave Concrete	\$1,009,650
Mercon Construction Company	\$1,111,975
W. T. Comp Inc.	\$1,143,600
RMS Constructors Group, LLC	\$1,177,250

([Public Works Department Roads and Drainage Division] Procurement Division)

4. **20-1589** Approval to award Invitation for Bids Y21-102-MV, Portland Cement, Type I, to the sole responsive and responsible bidder, Cemex Construction Materials Florida, LLC. The estimated contract award amount is \$216,400 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
5. **20-1590** Approval of Amendment No. 11, Contract Y15-1093D, Heavy Equipment Parts and Labor, with Ring Power Corporation, in the amount of \$20,000, for a revised total contract amount of \$2,886,565. ([Administrative Services Department Fleet Management Division] Procurement Division)
6. **20-1591** Approval of Amendment No. 2, Sub-Recipient Agreement Y20-2305, COVID-19 Testing and PPE Reimbursement, with Community Health Centers, Inc., in the amount of \$67,026.64, for a revised estimated contract amount of \$224,326.68. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
7. **20-1592** Ratification of Purchase Order M102187, High Risk Exam Nitrile Gloves, with Quadmed Inc., in the amount of \$323,708. ([Fire Rescue Department Infrastructure and Asset Management Division] Procurement Division)
8. **20-1593** Ratification of Purchase Order M102146, Temporary Staffing Services, with AUE Staffing, Inc., in a not-to-exceed amount of \$479,639.90. ([Planning, Environmental, and Development Services Department Housing and Community Development Division] Procurement Division)
9. **20-1594** Ratification of Purchase Order M102348, Emergency Street Sweeping

Services, with Aero Groundtek LLC, in the not-to-exceed amount of \$481,452.44. ([Public Works Department Roads and Drainage Division] Procurement Division)

10. **20-1595** Ratification of Sub-Recipient Agreement Y20-2350, Provision of Nutritious Meals to Families in Need During the COVID-19 Public Health Emergency, with The 4R Foundation, Inc., in the not-to-exceed amount of \$249,218.42. ([Community and Family Services Department Citizens Commission for Children Division] Procurement Division)
11. **20-1596** Selection of Arthur J. Gallagher Risk Management Services, Inc. to provide Insurance Broker and Consulting Services, Request for Proposals Y20-1061-TJ. ([Administration and Fiscal Services Department Risk Management Division] Procurement Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-1597** Receipt and filing of Head Start Policy Council Meeting Minutes August 31, 2020 and Head Start Policy Council Program Information and Updates September 2020 for the official county record. (Head Start Division)
2. **20-1598** Approval and execution of Interagency Agreement between The Circuit 9 Department of Children and Families Substance Abuse and Mental Health Program Office and Orange County Florida regarding a Youth Mental Health Management Network Consortium in the amount of \$50,000. (Mental Health and Homeless Division)
3. **20-1599** Approval and execution of Amendment No. 1 to Agreement No. L1902 between Florida Department of Environmental Protection and Orange County to extend the contract expiration date from December 31, 2020 to June 30, 2021 and authorization for the Mayor or designee to sign future amendments to this agreement that do not change the scope of the project or increase the overall project budget. (Parks and Recreation Division)
4. **20-1600** Approval and execution of Amendment No. 1 to Agreement No. T1813 between Florida Department of Environmental Protection and Orange County regarding Attachment 3-A, Revised Grant Work Plan. (Parks and Recreation Division)

E. HEALTH SERVICES DEPARTMENT

1. **20-1601** Approval and execution of Florida Department of Agriculture and Consumer Services Division of Administration State Financial Assistance Recipient Agreement by and between the Florida Department of Agriculture and Consumer Services and Orange County Arthropod Control in the estimated amount of \$50,688.33 for the period of October 1, 2020 through September 30, 2021 and authorization for the Mayor or designee to sign future

amendments to this agreement. No county match is required. (Mosquito Control Division)

2. **20-1602** Approval and execution of the renewal Paratransit Services License for J & K International Inc. to provide wheelchair/stretchers service. The term of this license is from December 1, 2020 through December 1, 2022. There is no cost to the County. (EMS Office of the Medical Director)
3. **20-1603** Approval and execution of the renewal Paratransit Services License for Medical City Transportation to provide wheelchair/stretchers service. The term of this license is from December 1, 2020 through December 1, 2022. There is no cost to the County. (EMS Office of the Medical Director)
4. **20-1604** Approval and execution of the renewal Paratransit Services License for Safeway Transportation System to provide wheelchair/stretchers service. The term of this license is from November 30, 2020 through November 30, 2022. There is no cost to the County. (EMS Office of the Medical Director)

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-1605** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 20-0858	LC 20-0884	LC 20-0762	LC 20-0838	LC 20-0877
LC 20-0871	LC 20-0887	LC 20-0836	LC 20-0889	LC 20-0885
LC 20-0894	LC 20-0761	LC 20-0859	LC 20-0900	LC 20-0897
LC 20-0921	LC 20-0764	LC 20-0865	LC 20-0665	LC 20-0904
LC 20-0682	LC 20-0875	LC 20-0867	LC 20-0666	LC 20-0910
LC 20-0855	LC 20-0882	LC 20-0892	LC 20-0797	LC 20-0913
LC 20-0869	LC 20-0890	LC 20-0919	LC 20-0849	LC 20-0922
LC 20-0873	LC 20-0896	LC 20-0931	LC 20-0853	LC 20-0923

2. **20-1606** Approval and execution of Proportionate Share Agreement for Community Health Center Bithlo Colonial Drive and Chuluota Road by and between Community Health Centers, Inc. and Orange County for a proportionate share payment in the amount of \$93,870. District 5. (Roadway Agreement Committee)
3. **20-1607** Approval and execution of Right-of-Way and Proportionate Share Agreement for Waterford Lakes Apartments Right-of-Way for Woodbury Road and Proportionate Share Contribution for Alafaya Trail, Colonial Drive, and Woodbury Road by and between Morgan Group Development, LLC and Orange County for the dedication of 8,033 square feet of right of way for \$120,500 in transportation impact fee credits and a proportionate share

payment in the amount of \$640,941. District 4. (Roadway Agreement Committee)

(This item was deferred.)

G. PUBLIC WORKS DEPARTMENT

1. **20-1608** Approval and execution of (1) Resolution 2020-M-50 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Turkey Lake Road (County Road 439) and Vineland Road Intersection Project; and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 441402-1-58-01 and FPN: 441402-1-68-01. District 1. (Transportation Planning Division)
2. **20-1609** Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc., and Orange County, for the construction engineering work of the grade crossing surface at CSXT Milepost A-798.8, DOT 621603M CSXT OP FL2513 on Orange Avenue south of Taft Vineland Road, and authorization to disburse \$495,532 for the construction engineering work. District 4. (Roads and Drainage Division)
3. **20-1610** Approval and execution of Modification Number Two of Subgrant Agreement entered into by and between the State of Florida, Division of Emergency Management and Orange County Contract Number: H0121 Project Number: 4337-23-R to extend the project completion date from June 30, 2020 to April 30, 2021. District 6. (Stormwater Management Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-1611** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the July 27, 2020, East Park Community Development District meeting.
 - b. City of Winter Garden Ordinances with Attachment A (Legal Description Form) and Attachment B (Location Map) for Ordinances No. 20-39 and 20-43 as follows:
 - Ordinance No. 20-39. An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 1.01 +/- acres located at 465 Palm Street, east of 5th Street, west of 9th Street, south of Magnolia Street, and north of Palm Street into the City of Winter Garden, Florida; redefining the City boundaries to give

the City jurisdiction over said property; providing for severability; providing for an effective date.

- Ordinance No. 20-43. An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.27 +/- acres located at 198 and 176 north west Crown Point Road, east of Hennis Road, west of north west Crown Point Road, north of Pineloch Industrial Drive, and south of Railroad Avenue into the City of Winter Garden, Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

c. Audit Report No. 488 - Audit of Orange County Convention Center Event Utilities Revenue.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **20-1612** COVID - 19 Update.

The Board took no action.

IV. RECOMMENDATIONS

1. **20-1574** October 15, 2020 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to approve the recommendations, with the exception of Case # RZ-20-10-065, Manuel Carbaja Lopez (Board Called), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

V. PUBLIC HEARINGS

1. **20-1397** Board of Zoning Adjustment Board-Called

Itay Guy, Case # SE-20-10-088, September 3, 2020; District 3

Consideration: Request for a Special Exception and Variance in the R-2 zoning district as follows: 1.) Special Exception to allow a 2-story multi-family development to be located within 100 ft. of the property line of a single-family dwelling district and use, as follows: 30ft. from the west property line in lieu of 100 ft.; 39.9ft. from the south property line in lieu of 100 ft.; 86 ft. from the east property line in lieu of 100 ft.; 15 ft. from the north property line in lieu of 100 ft.; 2.) Variance

to allow a 15 ft. side setback from the north property line in lieu of 30 ft.

Location: District 3; property located at 2250 S. Bumby Avenue, Orlando, FL 32806; Orange County, Florida (The legal description of the property is on file in the Zoning Division.)

The following persons addressed the Board:

- Monica Gressner
- Sean Woolly
- Mark Schenck
- Itay Guy

Modified Condition of Approval #1 as follows:

1. Development shall be in accordance with the site plan and elevations dated August 13, 2020, subject to being modified to show asphalt paving in lieu of pervious pavers, and to note that the lift station shown on the site plan is an option for the developer instead of a requirement, and the conditions of approval and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviation, change, or modification shall be subject to the Zoning Manager's review and approval. Any proposed substantial deviation, change, or modification shall be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

New Conditions of Approval #7, #8, and #9 as follows:

7. The applicant shall obtain building permits no later than November 10, 2023 for this project or this approval is null and void.

8. A 6 ft. wood privacy fence shall be installed on along the north, south and west property lines outside of the required 20 ft. front yard setback from S. Bumby Avenue.

9. New septic tanks are prohibited. Connection to City of Orlando sewer shall be required.

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the six (6) conditions of approval with the Board of Zoning Adjustment recommendation; further, modify condition of approval #1; and further, approve new conditions of approval #7, #8, and #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

2. 20-1476 Shoreline Alteration/Dredge and Fill

Christopher Reeves, Lake Rowena, permit, SADF # 19-12-020; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 19-12-020

for a new seawall with riprap and plantings along a portion of the shoreline of Lake Rowena; pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control.

Location: District 5; on property located adjacent to Lake Rowena; located at 1614 Lakeside Drive, Orlando, Florida 32803; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Spencer Clark.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division staff; and further, approve the Shoreline Alteration/Dredge and Fill Permit SADF-19-12-020 for Christopher Reeves, subject to the thirty (30) conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

4. 20-1474 Preliminary Subdivision Plan

Eric Warren, Poulos & Bennett, LLC, Withers Planned Development -
Parcels 11, 13 & 17 Preliminary Subdivision Plan, Case # PSP-20-02-056;
District 1

Consideration: Withers Planned Development / Parcels 11, 13 & 17 Preliminary Subdivision Plan; Case # PSP-20-02-056, 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 155.92 acres in order to construct 368 single-family residential dwelling units. This request also includes the following waivers from Orange County Code: a. A waiver from Orange County Code Section 34-152(c) to allow lots 1 through 22, 45 through 49, 142 through 146, and 273 through 296 as depicted on the preliminary subdivision plan dated received "September 11, 2020", to front a new, park, open space, etc., in lieu of the 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. b. A waiver request from Sec 38-1384. (b)(4) a. to provide a public pedestrian and open space tract in lieu of a street to provide a block break for blocks 2, 3, 5, & 6. c. A waiver from Orange County Code Section 38-1387.1(a) (10) to allow a fourteen (14) foot building separation between townhomes in lieu of twenty (20) feet.

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

The following persons addressed the Board:

- Steve Butler
- Eric Warren

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the thirty five (35) conditions of approval listed under the Development Review

Committee recommendation in the Staff Report; further, accept the findings and recommendation of the Environmental Protection Division staff; and further, approve the Conservation Area Impact Permit # CAI-20-03-026 subject to the thirty-three (33) conditions of approval listed 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

and

3. 20-1475 Conservation Area Impact

Withers, LLC, permit; District 1

Consideration: Conservation Area Impact Permit requesting authorization of direct impacts to 0.05 acre of Class I surface waters, 0.31 acre of Class III surface waters, and 0.99 acre of Class III wetlands in order to construct a single-family residential development with associated infrastructure. The project will also result in 0.05 acre of secondary wetland impacts.

Location: District 1; The project site is located on five separate parcels located east of Avalon Road and north of Hartzog Road; Orange County, Florida (legal description on file in Environmental Protection Division)

This public hearing was approved.

5. 20-046 Rezoning

Quang Lam, Lam Civil Engineering, Inc., Golden Keys Condo PD, Case # LUP-18-06-204; District 3 (Continued from February 11, March 24, June 2, and August 11, 2020)

Consideration: Request to rezone 4.35 gross acres from R-1A (Single-Family Dwelling District) to PD (Planned Development District), in order to construct thirty (30) multi-family dwelling units. In addition, the following two (2) waivers are requested from Orange County Code: 1. A waiver from Section 38-1258(a) to allow 2-story units, in lieu of 1-story units within 100 feet of single-family zoned property. 2. A waiver from Section 38-1258(j) to allow a twenty (20) foot minimum building separation, in lieu of a thirty (30) foot minimum building separation where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or openings; pursuant to Orange County Code, Chapter 30.

Location: District 3; property located at 2143 S. Goldenrod Road; or generally located on the east side of S. Goldenrod Road, approximately 740 feet north of Curry Ford Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore to continue the public hearing until January 26, 2021, 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

6. 20-1400 Substantial Change

Bryan F. Borland, WP South Acquisitions, LLC., Orangewood N-9 Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-10-338, amend plan; District 4 (Continued from November 10, 2020)

Consideration: A PD substantial change to create parcels 1A, 1B, and 1C and convert 404,454 square feet of industrial uses to 346 multi-family dwelling units on parcel 1B. Additionally, the following waiver is requested from Orange County Code: 1. A waiver from Section 38-1251(d) is to allow for building heights of fifty (50) feet and four (4) stories, in lieu of thirty-five (35) feet and three (3) stories for Parcel 1B only; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located north of Taft-Vineland Road, south of SR 528, east of S John Young Parkway, and west of US 441; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to continue the public hearing until November 17, 2020, at 2 p.m. The motion carried by the following vote:

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

7. 20-1268 Substantial Change

Brooks A. Stickler, Kimley-Horn & Associates, Inc., Waterford Lakes Multi-Family Planned Development / Land Use Plan (PD / LUP), Case # CDR-20-07-202, amend plan; District 4 (Continued from October 13, 2020 and November 10, 2020)

Consideration: A PD substantial change to adjust the southern access location. Additionally, the following waivers from Orange County Code are included in this request: 1. A waiver from Section 38-1254(2)(a) to allow a building setback of twelve (12) feet from the property line of the right-of-way dedication, in lieu of twenty-five (25) feet. 2. A waiver from Section 38-1479(b) to allow a regular parking space to be a minimum 162 square feet (9' x 18'), in lieu of the required 180 square feet (either 9' x 20' or 10' x 18'). 3. A waiver from Section 24-4(a)(1)(a) to allow a landscape strip to be five (5) feet in width along the northwestern most 569 feet of the west property line, in lieu of seven (7) feet in width. 4. A waiver from Section 38-1253(b) to allow both active and passive recreation areas at a ratio of 2.25 acres per 1,000 projected population, in lieu of 2.50 acres per 1,000 projected population. 5. A waiver from Section 38-1426(a)(3)(b)(4) to allow a detached accessory structure used for parking to be located between the primary structure and the right-of-way five (5) feet from the property line, in lieu of detached accessory structures used for enclosed parking not being located between the primary building and right-of-way; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located South of East Colonial Drive / East of Woodbury

Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Tom Sullivan.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to continue the Waterford Lakes Multi-Family PD / LUP Substantial Change, Waterford Lakes Multi-Family PD / Waterford Lakes Multi-Family Development Plan public hearings and the Right-of-Way and Proportionate Share Agreement until December 1, 2020, at 2 p.m. The motion carried by the following vote:

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

and

8. 20-1266 Development Plan

Brooks A. Stickler, Kimley-Horn & Associates, Inc., Waterford Lakes Multi-Family Planned Development / Waterford Lakes Multi-Family Development Plan, Case # DP-19-11-393; District 4 (Continued from October 13, 2020 and November 10, 2020)

Consideration: Waterford Lakes Multi-Family Planned Development / Waterford Lakes Multi-Family Development Plan submitted in accordance with Article II of Chapter 34 of the Orange County Subdivision Regulations. This request proposes to construct 256 multi-family residential dwelling units on a total of 10.08 acres; pursuant to Sections 34-69 and 30-89 Orange County Code.

Location: District 4; property generally located South of East Colonial Drive / East of Woodbury Road; Orange County, Florida. (The legal description of the property is on file in the Planning Division.)

This public hearing was continued.

and

I. CONSENT AGENDA (Deferred)

F. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 3. 20-1607** Approval and execution of Right-of-Way and Proportionate Share Agreement for Waterford Lakes Apartments Right-of-Way for Woodbury Road and Proportionate Share Contribution for Alafaya Trail, Colonial Drive, and Woodbury Road by and between Morgan Group Development, LLC and Orange County for the dedication of 8,033 square feet of right of way for \$120,500 in transportation impact fee credits and a proportionate share payment in the amount of \$640,941. District 4. (Roadway Agreement Committee)

This consent item was continued.

V. PUBLIC HEARINGS (Continued)

9. 20-1166 Comprehensive Plan

Transmittal of the 2020-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (Continued from October 13, 2020)

Regular Cycle Privately-Initiated Future Land Use Map Amendment

Amendment 2020-2-A-2-1

Montaz Barq, P.E., Terra-Max Engineering, Inc., for Bailey's Real Estate, LLP; District 2

Consideration: Rural Settlement 1/2 (RS 1/2) and Rural Settlement 1/5 (RS 1/5) to Planned Development-Commercial/Assisted Living Facility (Rural Settlement) (PD-C/ALF) (RS)

Location: 8001 Clarcona-Ocoee Rd. and 5850 and 5854 Gilliam Rd.; Generally located north of Clarcona-Ocoee Rd., west of Gilliam Rd., and east of N. Apopka-Vineland Rd.; Parcel ID #'s: 34-21-28-0000-00-064/090/097/100/108/110/114; 47.94 gross ac.

The following persons addressed the Board:

- Dotti Wynn
- Montaz Barq
- Trisha Bailey
- Victor Chapman
- Pascal Bergeron
- Noel Martin
- Gloria Tomlinson
- Pete Ann Burke
- Jessica Dyson
- James Dyson
- Carol Basso
- Walter Basso
- Dennis Hall
- Sandra Fatmi-Hall
- Alexis Lewis
- Elmer Cunningham
- Jeremy Cunningham
- Sean Wideberg
- Charles Hardiman
- Joseph Hardiman
- Gillian Williams
- Andre Hunter
- Mike Michaelis

- Stephnie Turnbull
- Ann Lucas
- Malachi Bleus
- Linda Michaelis
- Debbie Howard
- Richard Ferrer
- Rebecca Wilson
- Katrina Buffington
- Patricia Rumph
- Tiffany Cook
- Victoria Bergsten
- Lee Anne Denney
- Danielle Campbell
- Monique Worrell

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from Dotti Wynn.

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to make a finding that the information contained in the application for the proposed amendment is not sufficiently complete; further, that the proposed amendment does not have the potential to be found "in compliance," per 163.3184 (1)(b), F.S.; and further, do not transmit Amendment 2020-2-A-2-1 to the reviewing agencies. The motion carried by the following vote:

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

and

9. 20-1169 Regular Cycle Staff-Initiated Amendment

Amendment 2020-2-B-FLUE-1

Text amendment to Future Land Use Element Policy FLUB.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County; Countywide

No action was taken for Amendment 2020-2-B-FLUE-1 due to the denial of Amendment 2020-2-A-2-1.

10. 20-1403 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), and Adoption of Ordinance

Small-Scale Land Use Map Amendment To Future Land Use Map

Amendment SS-20-09-059

Chris Savino, EIS Housing, LLC

Consideration: A Small Scale Comprehensive Plan Amendment request to change the subject property's Future Land Use Map designation from PD - Mini Storage (Planned Development) to MHDR (Medium-High Density Residential), in order to allow for multi-family uses; pursuant to Part II, Chapter 163, Florida Statutes.

Location: District 6; property generally located on the southeast corner of 45th Street and S. Rio Grande Avenue (The legal description is on file in the Planning Division.)

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to continue Amendment SS-20-09-059 and Small Scale Development Ordinance public hearings until December 15, 2020, at 2 p.m. The motion carried by the following vote:

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

and

10. 20-1404 Small Scale Development Ordinance

Amending Orange County Code, adopting Small-Scale Amendment to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3187, F.S.

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

This public hearing was continued.

11. 20-1406 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting Small-Scale Development Amendment to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning and Adoption of Ordinance

Small-Scale Land Use Map Amendment to Future Land Use Map

Amendment SS-20-07-048

Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor, & Reed P.A.

Consideration: A Small Scale Comprehensive Plan Amendment request to change the subject property's Future Land Use Map designation from IND (Industrial) to HDR - Student Housing (High Density Residential), in order to allow for the construction a student housing project with 764 beds; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 5; property located at 12175 Science Drive; generally located on the north side of Science Drive, on the west side of Technology Parkway. (The legal property description on file in the Planning Division.)

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objective FLU8.2, and Policies FLU1.1.2, FLU1.1.5, FLU1.4.1, FLU8.1.1, FLU8.2.1, and FLU8.2.11); further, determine that the proposed amendment is in compliance; further, adopt Amendment SS-20-07-048, Industrial (IND) to High Density Residential - Student Housing (HDR), to allow student housing development with 764 beds; further, make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from R-3 (Multiple-Family Residential District) to PD (Planned Development District), in order to construct a student housing project with 764 beds, subject to the sixteen (16) conditions listed in the Staff Report; and further, adopt Small-Scale Ordinance 2020-33. The motion carried by the following vote:

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

and

11. 20-1407 Concurrent Rezoning Request

Rezoning LUP-20-06-163

R-3 (Multiple-Family Residential District) to PD (Planned Development District); Also requested are 10 waivers from Orange County Code:

Consideration: A Rezoning request to change the subject property's zoning from R-3 (Multiple-Family Residential District) to PD (Planned Development District), in order to construct a student housing project with 764 beds. In addition, the following ten waivers from Orange County Code are requested: 1. A waiver from Section 38-1259(d) is requested to allow a vegetative buffer in lieu of a six-foot high masonry, brick, or block wall along the boundaries of the student housing development located adjacent to right-of-way. This buffer will conform to the requirements found in Orange County Land Development Code Chapter 24-4 (a)(1); 2. A waiver from Section 38-1259(h) is requested to allow the student housing buildings up to five (5) stories/fifty-five (55) feet with an additional 10' to accommodate stair well shafts, elevator shafts, and up to 16 mezzanine bedrooms in lieu of the maximum building height of three (3) stories/forty (40) feet; 3. A waiver from Section 38-1476(a) is requested to allow 0.85 parking spaces per bedroom in lieu of one (1) space per bedroom; 4. A waiver from Section 38-1254(1) is requested to allow a twenty (20) foot PD perimeter setback in lieu of the twenty-five (25) foot PD perimeter setback; 5. A waiver from Section 38-1251(b) is requested to allow a maximum building coverage of sixty-five (65) percent in lieu of the thirty (30) percent; 6. A waiver from Section 38-1259(g) is requested to allow a maximum density rate of 1 bedroom to count as one-quarter dwelling unit (1 bedroom = 1/4 dwelling unit) in lieu of one-half dwelling unit; 7. A waiver from Section 38-1259(c)

is requested to allow a maximum number of bedrooms of 764 in lieu of the 750 maximum; 8. A waiver from Section 38-1272(a)(1) is requested to allow maximum impervious coverage of eighty-five (85) percent in lieu of the seventy (70) percent; 9. A waiver from Section 38-1253(b) is requested to allow the required recreation space to be calculated with a ratio of 2.25 acres per one thousand (1,000) projected population in lieu of the 2.5 acres per one thousand (1,000); 10. A waiver from Section 38-1259(h) is requested to allow the parking garage up to six (6) stories/sixty-five (65) feet in lieu of the maximum building height of three (3) stories/forty (40) feet; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 5; property located at 12175 Science Drive; generally located on the north side of Science Drive, on the west side of Technology Parkway. (The legal property description on file in the Planning Division.)

This public hearing was approved.

and

11. 20-1408 Small Scale Development Ordinance

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

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

This public hearing was approved.

12. 20-1486 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2019-2 Session II Continued Small-Scale Development Amendment to the 2010-2030 Comprehensive Plan (CP), and Adoption of Ordinance (Continued from November 10, 2020)

Privately-Initiated Small-Scale Development Future Land Use Map Amendment

Amendment 2019-2-S-2-2

Mario Golden for Deborah Postell; District 2

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

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

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to continue

Amendment 2019-2-S-2-2 and Small Scale Development Ordinance public hearings until November 17, 2020, at 2 p.m. The motion carried by the following vote:

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

and

12. 20-1487 Small Scale Development Ordinance

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

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

This public hearing was continued.

13. 20-1490 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2020-1 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Substantial Change and Adoption of Ordinance (Continued from November 10, 2020)

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2020-1-A-1-1

Jeff Robbins, Related Development, LLC, for Vitru Florida, Inc.; District 1

Consideration: Activity Center Mixed Use (ACMU) to Planned Development-Activity Center Residential (PD-ACR)

Location: Generally located on the north side of International Dr., east of Vineland Ave., south of Lake St., and west of Daryl Carter Pkwy; Parcel ID#'s: 23-24-28-5844-00-230/240; 20.14 gross ac.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to continue Amendment 2020-1-A-1-1, and Concurrent Substantial Change CDR-19-10-356 public hearings until November 17, 2020, at 2 p.m. The motion carried by the following vote:

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

and

13. 20-1491 Concurrent Substantial Change

Substantial Change CDR-19-10-356

Consideration: Substantial Change Request to the IDI Orange PD to convert 12,500 square feet of restaurant uses, 480 mid-rise timeshare units, and 225 hotel rooms to 420 multi-family residential dwelling units. Also requested are five (5) waivers from Orange County Code: 1) A waiver from Section 38-1251(b) to allow a maximum building coverage of all buildings up to thirty-five percent (35%), in lieu of thirty percent (30%); 2) A waiver from Section 38-1254 (1) to allow no increase in the twenty-five foot (25') PD boundary building setback for structures in excess of two (2) stories, in lieu of increase to reflect additional structural height; 3) A waiver from Section 38-1258 (d) to allow all multi-family building heights to be four (4) stories and sixty (60) feet, in lieu of three (3) stories and forty (40) feet; 4) A waiver from Section 38-1258(j) to allow a twenty foot (20') building separation in lieu of proportional increase due to increased structural height; and 5) A waiver from Section 38-1476(a) to allow for multi-family parking at a ratio of one and six-tenths (1.6) spaces per multi-family unit regardless of bedroom count, in lieu of one and one-half (1.5) spaces for efficiencies and one (1)-bedroom units and two (2) spaces for two (2)- and three (3)-bedroom units.

Location: Generally located on the north side of International Dr., east of Vineland Ave., south of Lake St., and west of Daryl Carter Pkwy; Parcel ID#'s: 23-24-28-5844-00-230/240; 20.14 gross ac.

This public hearing was continued.

13. 20-1492 Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2020-1-A-4-1

Jonathan P. Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for
Adventist Health System/Sunbelt, Inc.; District 4

Consideration: Planned Development-Institutional/Conservation (PD-INST/CONS) to Planned Development-Commercial/Office/Medium Density Residential/Low-Medium Density Residential/Conservation (PD-C/O/MDR/LMDR/CONS)

Location: 14314 Boggy Creek Rd.; Generally located north of Simpson Rd., east of Ward Rd., south of Lake Nona Blvd., and west of Boggy Creek Rd.; Parcel ID#: 33-24-30-0000-00-021; 114.00 gross ac.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to continue Amendment 2020-1-A-4-1, Amendment 2020-1-B-FLUE-1, and Regular Cycle State-Expedited Review Ordinance public hearings until November 17, 2020, at 2 p.m. The motion carried by the following vote:

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

and

13. **20-1493** Regular Cycle Staff-Initiated Text Amendment

Amendment 2020-1-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

This public hearing was continued.

and

13. **20-1494** Regular Cycle State-Expedited Review Ordinance

Amending Orange County Code, adopting 2020-1 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.314(3), FLORIDA STATUTES, FOR THE 2020 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING EFFECTIVE DATES

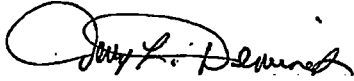
This public hearing was continued.

√ **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: 5:05 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: December 1, 2020

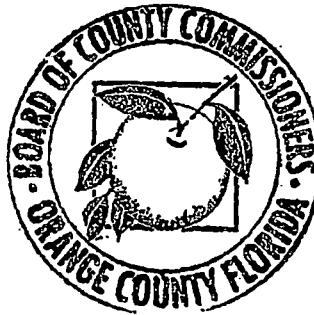
ATTEST SIGNATURE:

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.