

Orange County Government

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



Final Meeting Minutes

Tuesday, February 25, 2020

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:08 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

Invocation - District 1

Pastor Andre Valadao, Lagoinha Baptist Church

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 Lakela Louis
Senior Minutes Coordinator Noelia Perez

Pledge of Allegiance

Public Comment

The following persons addressed the Board during public comment:

- Mary Wilson
- Marquis Mckenzie
- Sally Baptiste
- Tom Christ
- Darius Sneed

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

Exhibit 1, from Mary Wilson
Exhibit 2, from Sally Baptiste

The following material was not presented to the Board during public comment: Submittal, 1 from Tom Christ.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on County Attorney Item 2; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, 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. **20-303** Approval of the minutes of the January 28, 2020 meeting of the Board of County Commissioners. (Clerk's Office)
2. **20-304** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Period are as follows:
 - February 7, 2020, to February 13, 2020; \$49,192,789.25
 - February 14, 2020, to February 20, 2020; \$25,993,363.45.(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. **20-305** Approval for the Orange County Sheriff's Office to spend \$2,500 from the Law Enforcement Trust Fund to provide an eligible contribution to Embrace Families Foundation, Inc. (Office of Management and Budget)
2. **20-306** Approval of budget amendments #20-34 and #20-35. (Office of Management and Budget)
3. **20-307** Approval of budget transfer #20C-0071. (Office of Management and Budget)
4. **20-308** Approval of CIP amendment #20C-071. (Office of Management and Budget)

C. COUNTY ATTORNEY

1. **20-309** Approval of proposed revisions to Administrative Regulation No.: 4.09, titled "Water Quality Projects Prioritization."
2. **20-310** Approval of proposed revisions to Administrative Regulation No.: 11.07.01, titled "Environmentally Sensitive Lands Acquisition" and New Administrative Regulation No.: 11.07.02, titled "Policy Regarding Use of TM/Econ Mitigation Bank Phase IV Credits."

(This item was deferred.)

3. **20-311** Approval of the Tourist Development Tax Sports Incentive Committee's recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the Greater

Orlando Sports Commission and authorization for Visit Orlando to enter into such agreements as follows: (1) for marketing, advertising and contract labor expenses for: a) NCAA Division 1 Women's College Cup Soccer Tournament to be held in December at Exploria Stadium for up to two years between 2022 and 2025 in the amount of \$25,000 for each event; b) NCAA Division 1 Men's College Cup Soccer Tournament to be held in December at Exploria Stadium for up to two years between 2022 and 2025 in the amount of \$25,000 for each event; c) NCAA Division 1 Men's and Women's Tennis Championship to be held in May at the USTA National Campus in Lake Nona in the years 2023, 2024, 2025, and 2026 in the amount of \$25,000 for each event; and d) NCAA Division 1 Men's Basketball Championship 1st/2nd Round Games to be held in March at the Amway Arena in the amount of \$137,500 for up to two years between 2023 and 2026; and (2) for a bid fee to the American Junior Golf Association in the amount of \$5,000 each year for three years for the Arnold Palmer Invitational Junior honoring Jim Bell to be held at Bay Hill in 2020, 2021, and 2022.

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-312** Approval to award Invitation for Bids Y20-176-AV, Hydraulic and Pneumatic Hose Repair, to the sole responsive and responsible bidder, Bridgestone Hosepower, LLC. The estimated contract award amount is \$338,190 for a three-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
2. **20-313** Approval to award Invitation for Bids Y20-180-AV, Transport, Processing and Disposal of Biosolids for the Eastern and Northwest Water Reclamation Facilities, to the low responsive and responsible bidder, Denail Water Solutions LLC. The estimated contract award amount is \$7,999,500 for a three-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
3. **20-314** Approval to award Invitation for Bids Y20-724-RM, Orange County Landfill Cell 11 Bay 17-19 Expansion, to the low responsive and responsible bidder, Southeast Environmental Contracting, Inc. The total contract award amount is \$23,852,750. ([Utilities Department Solid Waste Division] Procurement Division)
4. **20-315** Approval of Contract Y20-167, Renewal of Annual Software License, Maintenance and Support Services for Provide Enterprise, with Groupware Technologies, Inc. (GTI), in the contract award amount of \$197,500 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
5. **20-316** Approval of Amendment No. 4, Contract Y17-1018A, Health and Support Services for Persons with HIV Spectrum Disease (Ryan White Part A), with AIDS Healthcare Foundation, in the amount of \$400,000, for a revised total

- contract amount of \$750,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
6. **20-317** Approval of Amendment 5, Contract Y17-1018D, Health and Support Services for Persons with HIV Spectrum Disease (Ryan White Part A), with State of Florida Department of Health, Orange County Health Department in the amount of \$175,000, for a revised total contract amount of \$791,408. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
7. **20-318** Approval of Amendment No. 4, Contract Y18-1005B, Veterinary Pharmaceuticals, with Patterson Veterinary Supply, Inc., in the amount of \$3,174.30, for a revised total contract amount of \$505,631.10. ([Health Services Department Animal Services Division] Procurement Division)
8. **20-319** Approval to award Human Service Contracts for Children's Services, Y20-2000 Series for Fiscal Years 2019-2020 and 2020-2021 in the total amount of \$9,896,206 for a one-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
9. **20-320** Selection of KMF Architects Inc. to provide Design Services to Protect Various Orange County Emergency Shelters, Request for Proposals Y20-810-RC. ([Administrative Services Department Capital Projects Division] Procurement Division)
10. **20-321** Selection of Bacon Group, Inc. to provide Design Services for Orange County Animal Services Facility, Request for Proposals Y20-811-RC. ([Administrative Services Department Capital Projects Division] Procurement Division)
11. **20-322** Approval and execution of Purchase Agreement and Trail Crossing Easement Agreement between Orange County, Florida and Meritage Homes of Florida, Inc. and authorization to perform all actions necessary and incidental to closing for West Orange Trail / Greens at Forest Lake. District 2. (Real Estate Management Division)
12. **20-323** Approval and execution of Lease Agreement for Fernwood Park Boathouse by and between Town of Windermere and Orange County, Florida, delegation of authority to the Environmental Protection Division to enter into Slip Modification Agreements, and delegation of authority to the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the lease, as needed for Fernwood Boathouse - FWC Boathouse at Windermere 232 West 7th Avenue, Windermere, Florida 34786 Lease File #4015. District 1. (Real Estate Management Division)
13. **20-324** Approval and execution of Notice of Reservation and authorization to

disburse funds to pay recording fees and record instrument for E-Orange County Fire Station #87 NC (B19903253) #97614. District 4. (Real Estate Management Division)

14. **20-325** Approval and execution of Resolution 2020-M-04 regarding Authorization to Convey Certain County Property Interests to The School Board of Orange County, Florida in accordance with Section 125.38, Florida Statutes and County Deed from Orange County to The School Board of Orange County, Florida and authorization to record instrument for Seidel Road (Partial Transfer to OCPS). District 1. (Real Estate Management Division)
15. **20-326** Approval and execution of Resolution 2020-M-05 regarding Authorization to Convey Certain County Property Interests to the City of Ocoee, Florida in accordance with Section 125.38, Florida Statutes and County Deed from Orange County to the City of Ocoee and authorization to disburse funds to pay recording fees and record instrument for West Road (Partial Transfer to City of Ocoee). District 2. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-327** Receipt and filing of Head Start Policy Council Program Information and Updates January 2020 and Head Start Policy Council Meeting Minutes December 19, 2019 for the official county record. (Head Start Division)

F. FIRE RESCUE DEPARTMENT

1. **20-328** Approval and execution of Limited License and Conditions of Use agreement between Orange County, Florida and Insurance Services Office, Inc. regarding access to the Needed Fire Flow Report and Shape Files. (Planning and Technical Services Division)

G. HEALTH SERVICES DEPARTMENT

1. **20-329** Approval to accept the 2019 Paul Coverdell Forensic Science Improvement Grant in the amount of \$2,399 from the Florida Department of Law Enforcement/National Institute of Justice for the grant period of January 1, 2 through December 31, 2020, and authorization for the Mayor or designee to approve any future amendments to this grant. No county match is required. (Medical Examiner's Office)

H. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-330** 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 20-0296	LC 20-0161	LC 20-0324	LC 20-0147	LC 20-0276
LC 20-0343	LC 20-0233	LC 20-0356	LC 20-0149	LC 20-0282
LC 19-1081	LC 20-0305	LC 20-0248	LC 20-0173	LC 20-0290
LC 19-1127	LC 20-0104	LC 20-0089	LC 20-0214	LC 20-0310
LC 20-0071	LC 20-0257	LC 20-0249	LC 20-0223	LC 20-0316
LC 20-0140	LC 20-0271	LC 20-0269	LC 20-0228	LC 20-0317
LC 20-0155	LC 20-0285	LC 20-0283	LC 20-0229	LC 20-0319
LC 20-0159	LC 20-0291	LC 19-0910	LC 20-0231	LC 20-0320

2. **20-331** Approval and execution of Subrecipient Agreements between Orange County, Florida and Hope Community Center, Inc., Life Concepts, Inc., United Cerebral Palsy of Central Florida, Inc., Catholic Charities of Central Florida, Inc., and Grand Avenue Economic Community Development Corp. related to Housing and Urban Development Community Development Block Grant Program [FAIN: B-19-UC-12-0003] for the specific purpose of Rehabilitation of a Public Facility. All Districts. (Housing and Community Development Division)
3. **20-332** Approval and execution of Proportionate Share Agreement for Caliber Car Wash Aloma Avenue by and between Aileron Winter Park, LLC and Orange County for a proportionate share payment in the amount of \$31,616. District 5. (Roadway Agreement Committee)

I. PUBLIC WORKS DEPARTMENT

1. **20-333** Approval of Traffic Control Devices and "No Parking" signs installation in Moss Park Preserve Phase 2. District 4. (Traffic Engineering Division)
2. **20-334** Approval of multi-way stop installation at Sarazen Drive and N. Hastings Street. District 6. (Traffic Engineering Division)
3. **20-335** Approval of Traffic Control Devices installation in Stoneybrook Hills Unit 3. District 2. (Traffic Engineering Division)
4. **20-336** Approval and execution of Resolution 2020-M-06 of the Orange County Board of County Commissioners regarding abolishing the Public Works Advisory Board and providing for an effective date. All Districts. (Fiscal and Operational Support)
5. **20-337** Approval and execution of (1) Resolution 2020-M-07 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Shingle Creek Trail Phase II Project; and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 439878-2-68-01. District 1. (Transportation Planning)

J. UTILITIES DEPARTMENT

- 1. **20-338** Approval and execution of Agreement for Establishing the Retail Rate for Reclaimed Water for Flamingo Crossings East by and between Orange County, Flamingo Crossings, LLC, and ACC OP DCP LLC. District 1.

III. DISCUSSION AGENDA

A. COUNTY COMPTRROLLER

- 1. **20-340** Annual Investment Report for FY 2019.

The Board took no action.

B. ADMINISTRATIVE SERVICES DEPARTMENT

- 1. **20-341** Selection of one firm and two ranked alternates to provide Financial Consulting Services for Orange County Utilities Department, Request for Proposals Y20-142-AV, from the following three firms, listed alphabetically:

- Raftelis Financial Consultants, Inc.
- Stantec Consulting Services Inc.
- Willdan Financial Services

([Utilities Department Fiscal and Operational Support Division] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Mayor Demings, to appoint Stantec Consulting Services Inc., 409.03 points, as the selected firm; and further, appoint Raftelis Financial Consultants, Inc., 365.88 points, and Willdan Financial Services, 315.00 points, as the selected ranked alternates. 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. **20-342** Selection of one firm and two ranked alternates to provide Professional Engineering Services for the Final Design of Avalon Road {C.R. 545} from Florida Turnpike to West Colonial Drive {S.R. 50}, Request for Proposals Y20-809-CH, from the following four firms, listed alphabetically:

- Dewberry Engineers, Inc.
- Kelly, Collins & Gentry, Inc.
- Poulos & Bennett, LLC
- WSP USA, Inc.

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to appoint Dewberry Engineers, Inc., 480 points, as the selected firm; and further, appoint WSP USA, Inc., 452 points, and Kelly, Collins & Gentry, Inc., 293.75 points, as the selected ranked alternates. 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

C. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-343** Census 2020 Update. (Community Action Division)

The following persons addressed the Board:

- Melvin Pittman
- Jenny Gallego
- Channa Lloyd

The Board took no action.

II. WORK SESSION AGENDA (Deferred)

A. COUNTY ADMINISTRATOR

1. **20-339** Transportation Funding Initiative.

The Board took no action.

V. PUBLIC HEARINGS

The Board adjourned as the Orange County Board of County Commissioners and convened as the Lake Conway Water and Navigation Control District Board

4. **20-143** Purchase of Sovereignty Lands Owned by the State of Florida
City of Belle Isle, western terminus of Cross Lake Road on Lake Conway,
purchase of sovereignty lands owned by State of Florida; District 3

Consideration: A request from City of Belle Isle for a recommendation from the Board of County Commissioners to purchase sovereignty lands owned by the State of Florida for property generally located at the western terminus of Cross Lake Road on Lake Conway; pursuant to Orange County Code, Chapter 33, Article II, Sec. 33-41(b)

Location: District 3; Section 18, Township 23 South, Range 30 East; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following persons addressed the Board:

- Mayor of Belle Isle Nick Fouraker

- Bob Francis
- Adam McGinnis
- Anita Sacco

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to recommend to the Trustees of the Internal Improvement Trust Fund of the State of Florida to approve the City of Belle Isle's request to purchase the subject lands as described in Exhibit A of the staff report; subject to agreement between the City of Belle Isle and the adjacent property owner. 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 Board adjourned as the Lake Conway Water and Navigation Control District Board and reconvened as the Orange County Board of County Commissioners

IV. RECOMMENDATIONS

1. **20-005** February 6, 2020 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the recommendations, with the exception of Case # SE-20-02-164, Ocoee Church of God (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 (Deferred)

1. **20-093** Municipal Service Benefit Unit

Notice of Intent Resolution to Use the Uniform Ad Valorem Method of Collection of Non-Ad Valorem Assessments; All Districts

Consideration: Adoption of a Resolution authorizing the Orange County Board of County Commissioners to use the uniform method of collecting non-ad valorem assessments levied by the Orange County Board of County Commissioners as provided in Section 197.3632, Florida Statutes.

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

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the request as referenced 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 Bonilla

Absent: 1 - Commissioner Siplin

2. 20-122 Petition to Vacate

Jorge Mario Lopez-Cardona and Zoila Leticia Lopez, Petition to Vacate 18-06-020, vacate a portion of an unopened and unimproved variable width right-of-way; District 3

Consideration: Resolution granting Petition to Vacate #18-06-020, vacating a portion of an unopened and unimproved variable width right-of-way known as Arndt Street, containing approximately 0.12 acres.

Location: District 3; The parcel address is 1201 Selma Avenue; S19/T22/R31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to approve the request. 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. 20-223 Conservation Area Impact

A & H Industrial Park, permit (CAI-19-08-048); District 5

Consideration: Conservation Area Impact (CAI) Permit requesting to impact 0.23 acre of Class I wetlands and 0.12 acre of Class III surface waters in order to expand the existing storage facility for covered boat and RV storage.

Location: District 5; The parcel address is 2500 North Forsyth Road; Orange County, Florida (legal property description on file in Environmental Protection Division)

New Conditions of Approval as follows:

29. Any trash/debris that is located within the outer limits of the upland buffer and wetlands to be preserved, will need to be removed.

30. Only operable vehicles/boats shall be allowed to be stored onsite.

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to accept the findings and recommendation of the Environmental Protection Division staff; further, approve the Conservation Area Impact Permit # CAI-19-08-048, subject to the conditions of approval listed in the Staff Report; and further, approve new Conditions of Approval # 29 and # 30. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

5. 19-1669 Substantial Change

Danielle Van De Loo, Dewberry Engineers, Inc., Silver Pines Planned Development / Silver Pines Preliminary Subdivision Plan, Case # CDR-18-08-260, amend plan; District 6 (Continued from December 17, 2019)

Consideration: This request is to change ten (10) lots that are seventy-five (75) feet wide to fifteen (15) lots that are fifty (50) feet wide, to remove the requirement for a community center and a tot lot in Phase III, and to remove the existing basketball court within Tract 5 of Phase III and convert it to passive open space; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89.

Location: District 6; property generally located South of Silver Star Road / West of North Pine Hills Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Lucie Ghioto
- Patricia Rumph
- Shirley Wilson

New Condition of Approval #7 to read as follows:

The construction of a clubhouse, and tot lot shall be completed prior to issuance of the 60th (sixtieth) building permit in Silver Pines Pointe Phase III, provided all of the following occur no later than September 1, 2020:

a. The members of each of the Phase I HOA, the Phase 2 HOA, and the Phase III HOA in accordance with their respective declarations of covenants, conditions, and restrictions shall have voted in favor of merging the three HOAs into a single HOA and the merger shall have become effective.

b. The members of each of Silver Pines Pointe Owners Association, Inc. ("Phase I HOA"), Silver Pines Pointe Phase 2 Homeowners Association, Inc. ("Phase 2 HOA"), and Silver Pines Pointe Phase III Homeowners Association, Inc. ("Phase III HOA"), in accordance with their respective declarations of covenants, conditions and restrictions, shall have voted in favor of construction of a clubhouse and tot lot and in favor of assessments necessary to maintain the basketball court, clubhouse and tot lot.

If requirements in a. and b. occur on or before September 1, 2020, the basketball court shall remain in place. If the requirements in a. and b. have not occurred on or before September 1, 2020, the requirement to construct a clubhouse and tot lot are void and of no further force or effect, the basketball court will be removed and replace with open green space by the developer as shown on the preliminary subdivision plan dated received September 26, 2019.

Previous Condition of Approval # 7 was renumbered to Condition of Approval # 8.

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve new Condition of Approval # 7 and renumber previous Condition of Approval # 7 to Condition of Approval # 8. 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. 20-127 Substantial Change

Abdul Alkadry, Harris Civil Engineers, LLC, Vineland Pointe Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-09-310, amend plan; District 1

Consideration: A PD substantial change to request the following two (2) waivers from Orange County Code. 1) A waiver from Section 38-1287(2) to allow for a PD building setback of twenty-five (25) feet, in lieu of the side setback of thirty (30) feet along the northeast edge of Parcel II and the northwest edge of Parcel III between the Parcel and the FDOT ponds. 2) A waiver from Section 38-1287 (1) to allow for the PD building setback of twenty-five (25) feet, in lieu of the side setback of seventy-five (75) feet along the northwest edge of Parcel II and the northwest edge of Parcel III between the Parcel and the FDOT right-of-way; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located north of Lake Street, south of Lake Willis Drive, and east of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

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

7. 20-123 Rezoning

Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Harbor Chase Planned Development (PD), Case # LUP-19-04-116; District 1

Consideration: Request to rezone 3.31 acres of C-1 (Retail Commercial District) and 5.64 acres of R-3 (Multiple-Family Dwelling District) to PD (Planned Development District) for the development of a 231,910 square foot Assisted and Independent Living Facility with on-site alcohol consumption. In addition, the applicant has requested the following waivers from Orange County Code: 1) A waiver from Section 38-1251 is requested to allow a maximum height of 50 feet, in lieu of 35 feet. 2) A waiver from Section 38-1258(b) is requested to allow a maximum

height of 50 feet located between 100 feet to 150 feet of single-family zoned property, in lieu of a maximum of 50% of the buildings being three (3) stories (not exceed 40 feet in height) with the remaining buildings being one (1) story or two (2) stories in height. 3) A waiver from Section 38-1254 is requested to reduce the PD perimeter setback to 23 feet, in lieu of 25 feet. 4) A waiver from Section 38-1272(3) is requested to reduce the PD perimeter setback to 23 feet, in lieu of 25 feet; pursuant to Orange County Code, Chapter 30.

Location: District 1; property located at 7243 Della Drive; or generally located east of Della Drive, south of Mabel Louise Lane, and north of Dr. Phillips Boulevard; 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 VanderLey, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-19-04-116 to rezone 3.31 acres of C-1 (Retail Commercial District) and 5.64 acres of R-3 (Multiple-Family Dwelling District) to PD (Planned Development District) for the development of a 231,910 square foot Assisted and Independent Living Facility with on-site alcohol consumption, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation. 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

8. **20-124** Rezoning

Stephen Allen, Civil Corp Engineering, Inc., Eagle Lake Planned Development (PD), Case # LUP-18-06-216; District 4

Consideration: Request to rezone one (1) parcel containing 3.14 gross acres from A-2 (Farmland Rural District) to PD, in order to construct 47,872.4 square feet of office and retail commercial uses. The request also includes the following waivers from Orange County Code: In addition, the applicant has requested the following waivers from Orange County Code: 1) A waiver from Section 38-1272(3) to allow for a setback on the north property line of 5 feet, in lieu of 25 feet. 2) A waiver from Section 38-1476(a) to allow for a minimum of 215 parking spaces (4.5 per 1,000 square feet), in lieu of 263 spaces (5.5 per 1,000 square feet); pursuant to Orange County Code, Chapter 30.

Location: District 4; property generally located south of Kirby Smith Road, north of Weller Boulevard, and east of Narcoossee Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Stephen Allen.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, Request to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-18-06-216 to rezone one (1) parcel containing 3.14 gross acres from A-2 (Farmland Rural District) to PD, in order to construct 47,872.40 square feet of office and retail commercial uses, subject to the conditions of approval listed under the Planning and

Zoning Commission 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

9. **20-125** Rezoning

Kenneth Patterson, Design SolutionsFL, Inc., Hiawassee Road Property
Planned Development (PD), Case # LUP-19-05-156; District 2

Consideration: Request to rezone one (1) parcel containing 6.71 gross acres from R-CE-C to PD, in order to construct a 43,854 square foot church complex with ancillary gymnasium, 50 student K-8 school, and 50 student daycare. No waivers to Orange County Code are requested; pursuant to Orange County Code, Chapter 30.

Location: District 2; property located N. Hiawassee Road, or generally located on the west side of N. Hiawassee Road, approximately 1,100 feet north of Clarcona Ocoee Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Kenneth Patterson
- Timothy Broughton
- Maudelyne Anevil
- Joselin Anevil
- Hugue Duveillaume
- Philippe Feuelus
- Micheley Pierre
- Cynthia Walloch

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-19-05-156 to rezone one (1) parcel containing 6.71 gross acres from R-CE-C to PD, in order to construct a 43,854 square foot church complex with ancillary gymnasium, 50 student K-8 school, and 50 student daycare, subject to the conditions of approval listed under the Planning and Zoning Commission 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

10. **20-126** Rezoning

Brooks A. Stickler, Kimley-Horn and Associates, Inc., Narcoossee Retail
Planned Development (PD), Case # LUP-19-06-226; District 4

Consideration: Request to rezone 1.03 gross acres from A-2 to PD, in order to construct 15,703

square feet of retail commercial uses. In addition, the applicant has requested the following waivers from Orange County Code: 1) A waiver from Section 38-1272(a)(3) to allow for a setback on the south property line of 5 feet, in lieu of 30 feet. 2) A waiver from Section 24-4(a)(2) to allow for a landscape buffer of 5 feet on the south property line, in lieu of 7 feet. 3) A waiver from Section 24-4(a)(2) to allow for a landscape buffer of 0 feet on the north property line, in lieu of 7 feet. 4) A waiver from Section 38-830(13) to allow a commercial driveway to direct traffic into a residential district; pursuant to Orange County Code, Chapter 30.

Location: District 4; property generally located east of Narcoossee Road, approximately 400 feet south of Kirby Smith Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Brooks Stickler.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-19-06-226 to rezone 1.03 gross acres from A-2 to PD, in order to construct 15,703 square feet of retail commercial uses, subject to the conditions of approval listed under the Planning and Zoning Commission 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

11. 20-128 Rezoning

Brooks A. Stickler, Kimley-Horn and Associates, Inc., Waterford Lakes
Multifamily Planned Development (PD), Case # LUP-19-08-266; District 4

Consideration: Request to rezone two (2) parcels containing 10.08 gross acres from C-1 to PD, in order to construct two hundred fifty-six (256) multi-family residential units. In addition, the applicant has requested the following waivers from Orange County Code:

1) A waiver from Section 38-1281(1) to allow a minimum building setback abutting an expressway to be sixty-five (65) feet in lieu of seventy-five (75) feet. 2) A waiver from Section 38-1476 to allow maximum parking spaces for proposed dwelling units that are one (1) bedroom with a ratio of 1.35 in lieu of 1.5, and proposed dwelling units that are two (2) and three (3) bedroom with a ratio of 1.85 in lieu of 2. 3) A waiver from Section 24-2(a)(2)a to waive the requirement, along the eastern boundary of the property, of planting shade treed every fifty (50) feet of common lot line or fraction thereof. 4) A waiver from Section 38-1258(a) along the eastern boundary of the proposed development to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property in lieu of the single-story height requirement where multifamily buildings are located within one hundred (100) feet of single-family zoned property. 5) A waiver from Section 38-1258(b) along the eastern boundary of the proposed development to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property in lieu of the varying building height where the multifamily buildings are located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned properties. 6) A waiver from Section 38-1258(c) along the eastern boundary of the proposed development to

allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located along the eastern boundary in lieu of forty (40) feet/three (3) stories in height where the multifamily buildings are located within one hundred and fifty (150) feet of single-family zoned properties. 7) A waiver from Section 38-1258(d) along the eastern boundary of the proposed development to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located along the eastern boundary in lieu of forty (40) feet/three (3) stories in height. 8) A waiver from Section 38-1258(e) along the eastern boundary of the proposed development to allow for parking and other paved areas for multifamily development to be located 14 feet from any single-family zoned property internal to the planned development in lieu of twenty-five (25) feet. A 14 foot landscape buffer shall be provided with hedges and trees consistent with Type C landscape buffer requirements, in lieu of a twenty-five (25) foot landscape buffer. 9) A waiver from Section 38-1258(e) along the eastern boundary of the proposed development to require no wall when a multi-family development is located adjacent to any single-family zoned property internal to the planned development in lieu of a 6 (six)-foot high masonry, brick, or block wall. 10) A waiver from Section 38-1258(j) to allow a minimum building separation of thirty (30) feet between four (4) story buildings in lieu of the required forty (40) feet; pursuant to Orange County Code, Chapter 30.

Location: District 4; property located at 12400 & 12464 E. Colonial Drive; Generally located south of E. Colonial Drive, and east of Woodbury Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Brooks Stickler
- Olu Aduloju
- Manuel Linares
- Tom Sullivan

New Condition of approval #13 to read as follows:

At the time the developer seeks approval of a development plan the developer shall conduct a traffic operational study for Woodbury Road, the intersection of Woodbury Road, State Road 50, and the unnamed street on the south shall be subject to the results of the study. Furthermore, the development plan shall be reviewed by the Board of County Commissioners at a public hearing.

Previous condition of approval # 13 is renumbered to Condition of Approval # 14.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-19-08-266 to rezone two (2) parcels containing 10.08 gross acres from C-1 to PD, in order to construct two hundred fifty-six (256) multi-family residential units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; and further, approve New Condition of Approval # 13 and renumber previous Condition of Approval # 13 to Condition of Approval # 14. The motion carried by the following vote:

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

Nay: 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.

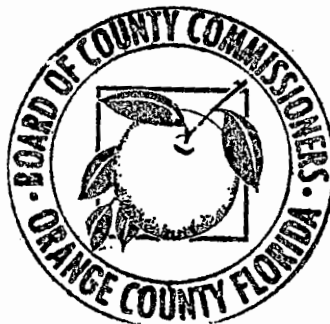
Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

ADJOURNMENT: 4:03 p.m.

ATTEST:

Jerry L. Demings
for County Mayor Jerry L. Demings

Date: MAR 24 2020



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith
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.