

BCC Mtg. Date: May 21, 2019

Orange County Government

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



Final Meeting Minutes

Tuesday, April 9, 2019

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:05 a.m.

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

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Jennifer Lara Klimetz

Invocation - District 2

Pastor Gerard A. Moss Sr., St. Paul A.M.E. Church

Pledge of Allegiance**Presentation**

Recognition of Firefighter Jason Wheat as Florida's 2019 Firefighter of the Year

Presentation

Resolution recognizing the Wekiva High School Girls Basketball Team as 2019 Florida Class 9A State Champions

Presentation

Proclamation recognizing April as Fair Housing Month

Public Comment

The following persons addressed the Board for public comment:

- Bill Wilton
- Vicki Long
- Harry Scott Boggs

The following material was presented to the Board during public comment: Exhibit 1, from Harry

Scott Boggs.

The following material was received by the Clerk during public comment. The material referenced by the speaker was not presented to the Board: Submittal 1, from Vicki Long.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 8; and further, a motion was made by Commissioner VanderLey, 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. **19-504** Approval of the minutes of the March 12, 2019 meeting of the Board of County Commissioners. (Clerk's Office)

2. **19-505** 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 as follows:

- March 22, 2019, to March 28, 2019; \$40,405,553.58

- March 29, 2019, to April 04, 2019; \$71,956,820.67

(Finance/Accounting)

B. COUNTY ADMINISTRATOR

1. **19-506** Confirmation of Commissioner Moore's appointment of Kenneth Harris to the Lake Ola Advisory Board with a term expiring December 31, 2019. (Agenda Development Office)

2. **19-507** Reappointment of Brian Comes to the Tourist Development Tax Grant Application Review Committee in the owner or operator representative category with a term expiring December 31, 2022.

3. **19-508** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)

A. Agricultural Advisory Board: Appointment of Nicholas Hernandez to succeed Russell L. Woodall in the lawn maintenance/landscaping industry

representative category with a term expiring December 31, 2020.

B. Animal Services Classification Committee: Appointment of George Hollabaugh to succeed Mark A. Larusso with a term expiring December 31, 2019 and Rosina A. McVicker to succeed Christine Cavagnaro Loria with a term expiring December 31, 2020, both in the alternate representative category.

C. Arts and Cultural Affairs Advisory Council: Appointment of Sami Haiman-Marrero to succeed Evelyn Martinez in the District 4 representative category with a term expiring June 30, 2020.

D. Children and Family Services Board: Appointment of Patricia M. Fox to succeed Gary E. Smith in the at large representative category with a term expiring December 31, 2020.

E. Citizens' Commission for Children: Reappointment of Dr. Carmel Munroe in the at large representative category with a term expiring December 31, 2020.

F. Citizens' Review Panel for Human Services: Appointment of Gloriann Gaston-Toussaint to succeed Aquasia U. Johnson-McDowell in the at large representative category with a term expiring December 31, 2019 and Luis Nieves-Ruiz and Gina R. Maxwell in the at large member in training representative category with terms expiring December 31, 2020.

G. Community Development Advisory Board: Reappointment of John M. Crossman in the District 5 representative category with a term expiring June 30, 2021.

H. Health Council of East Central Florida: Appointment of Raul Beltran Jr. to succeed Pauline Taylor in the health care provider representative category with a term expiring September 30, 2020.

I. Housing Finance Authority: Reappointment of Sascha Rizzo in the finance representative category with a term expiring December 31, 2022. NOTE: This will be a third term for Mr. Rizzo and will require a supermajority vote of the Board of County Commissioners. The recommendation for a third term was based on Mr. Rizzo's knowledge.

J. International Drive CRA Advisory Committee: Reappointment of Samuel Butler Jr. in the Tangelo Park Civic Association representative category and Robert Haywood in the International Drive Master Transit and Improvement District representative category and the appointment of Tim Swan to succeed Beth Thibodaux in the Efficient Transportation for the Community of

Central Florida, Inc. representative category with terms expiring January 1, 2021.

K. Orange Blossom Trail Development Board: Reappointment of Commissioner Victoria P. Siplin in the Orange County representative category with a term expiring January 14, 2023.

L. Sustainability Advisory Board: Appointment of Roland H. Ball to succeed Dr. Bridget M. Williams in the education representative category with a term expiring June 30, 2020.

4. **19-509** Approval and execution of Orange County, Florida and Downtown Arts District, Inc. Funding Agreement relating to FusionFest 2019 and authorization to disburse \$135,000 as provided in the FY2018-19 adopted budget. (Arts and Cultural Affairs Office)
5. **19-510** Approval to pay the third quarter billing for the Orange County Property Appraiser in the amount of \$3,985,640.59. (Office of Management and Budget)
6. **19-511** Approval for the Orange County Sheriff's Office to spend \$9,000 from the FY 2019 Law Enforcement Trust Fund to provide eligible contributions to the Heart of Florida United Way (\$5,000), Mental Health Association of Central Florida (\$1,500), and Need to Read, Inc. (\$2,500). (Office of Management and Budget)
7. **19-512** Approval of budget amendment #19-20. (Office of Management and Budget)
8. **19-513** Ratification of payment of Intergovernmental claims of February 7, 2019, February 21, 2019, and March 14, 2019, totaling \$1,515,107.69.

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-514** Approval of Change Order No. 1, Purchase Order M94529, with Architects Design Group Inc., in the amount of \$79,884.36, for Fire Station #68, for a revised lump sum contract amount of \$174,054.87. (Capital Projects Division)
2. **19-515** Approval to award Invitation for Bids Y19-112-KB, Free Standing and Roof Top Radio Tower Maintenance, to the low responsive and responsible bidder, Tower Systems South, Inc. The estimated contract award amount is \$341,600 for a 2-year term. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
3. **19-516** Approval to award Invitation for Bids Y19-175-AH, Weed Control for Secondary Canals and Ditches, to the low responsive and responsible bidder, EarthBalance Corporation. The estimated contract award amount is

\$132,600 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)

4. **19-517** Approval to award Invitation for Bids Y19-182-PD, Sewer Cleaner/Vacuum Machine Rental, to the sole responsive and responsible bidder, EP Rents, LLC. The estimated contract award amount is \$144,000 for a 1-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
5. **19-518** Approval to award Invitation for Bids Y19-1004-AV, Security Monthly Monitoring, Annual Test, Inspection, Equipment Installation, and Repair Services, to the sole responsive and responsible bidder, J. Lane Enterprises dba Lane Electronics & Alarm Systems, Inc. The estimated contract award amount is \$186,567 for a 3-year term. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
6. **19-519** Approval to award Invitation for Bids Y19-1031-PD, Document Scanning/Imaging of Hardcopy Information, to the low responsive and responsible bidder, Advanced Data Solutions, Inc. The estimated contract award amount is \$897,225 for a 3-year term. ([Planning, Environmental, and Development Services Department Building Safety Division] Procurement Division)
7. **19-520** Approval to award Invitation for Bids Y19-618-PD, Tree and Brush Removal and Disposal at Lake Silver Star, to the low responsive and responsible bidder, Quisqueya Landscaping Services, LLC. The estimated contract award amount is \$108,900. ([Public Works Department Roads and Drainage Division] Procurement Division)
8. **19-521** Approval to award Invitation for Bids Y19-712-RM, Park Manor Estates Sections 11-12 Underdrain Improvements, to the low responsive, responsible, and MWBE compliant bidder, RMS Constructors Group, LLC. The total contract award amount is \$1,051,210. ([Public Works Department Roads and Drainage Division] Procurement Division)
9. **19-522** Approval to award Invitation for Bids Y19-730-JS, Orange County Convention Center Chapin Theater Audio Replacement, to the low responsive and responsible bidder, Pro Sound, Inc. The total contract award amount is \$916,107. ([Convention Center Capital Planning Division] Procurement Division)
10. **19-523** Approval to award Invitation for Bids Y19-734-RM, Porter Road Retaining Wall Repair, to the low responsive and responsible bidder, Carr & Collier, Inc. The total contract award amount is \$613,000. ([Public Works Department Roads and Drainage Division] Procurement Division)
11. **19-524** Approval of Purchase Order M95337, Purchase of a Premier Warranty and

Preventative Maintenance, Total Maintenance and Repair Service Contract, with Flagler Construction Equipment, LLC, in the amount of \$112,000. ([Utilities Department Solid Waste Division] Procurement Division)

12. **19-525** Approval of Amendment No. 3, Contract Y17-2057, Supportive Services for Permanent Supportive Housing, with Homeless Services Network of Central Florida, Inc., in the amount of \$1,800,000, retroactive to March 1, 2019, for a revised total contract amount of \$2,300,000. Further request authorization for the Comptroller to issue an advance payment in the amount of \$175,000. ([Community and Family Services Department Mental Health and Homeless Issues Division] Procurement Division)
13. **19-526** Approval and execution of Orange County, Florida and Central Florida Urban League, Inc. Lease Agreement 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 Central Florida Urban League - JAC 823 West Central Boulevard, Orlando, Florida 32802 Lease File #10025. District 6. (Real Estate Management Division)
14. **19-527** Approval and execution of Orange County, Florida and South Orlando Rowing Association, Inc. Lease Agreement and delegation of authority to the Real Estate Management Division to exercise renewal options required or allowed by the lease, as needed for Moss Park Rowing Lease - South Orlando Rowing Association 12901 Moss Park Road, Orlando, Florida 32832 Lease File #5076. District 4. (Real Estate Management Division)
15. **19-528** Approval and execution of Interlocal Agreement between Orange County, Florida and City of Apopka, Florida regarding Reimbursement for Oversizing Utility Line Construction for Camp Joy at Kelly Park for Camp Joy Sewer and Sanitary Force Main. District 2. (Real Estate Management Division)
16. **19-529** Approval of purchase price above appraised value, approval and execution of Purchase Agreement by and among Boggy Creek Commercial, LLC, Orlando Airport Property, LLC, and Orange County and Joint Use Pond and Drainage Easement Agreement by and between Boggy Creek Commercial, LLC and Orange County, approval of Warranty Deed from Orlando Airport Property, LLC to Orange County, and authorization to disburse funds to pay purchase price and perform all actions necessary and incidental to closing for Boggy Creek Rd (Osceola Cnty line to 600' N. of Central Fl Greenway SR 417). District 4. (Real Estate Management Division)
17. **19-530** Approval of General Warranty Deed from Westwood Vista Corporation to Orange County and authorization to perform all actions necessary and incidental to closing for VOA-Nerbonne PD Wildwood Avenue and Westwood Boulevard. District 1. (Real Estate Management Division)

D. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-531** Approval and execution of License Agreement between Orange County, Florida and Early Learning Coalition of Orange County related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190101 for Holden Heights Community Center. (Community Action Division)
2. **19-532** Approval and execution of License Agreement between Orange County, Florida and Orlando Dream Center, Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190203 for Taft Community Center. (Community Action Division)
3. **19-533** Approval and execution of License Agreement between Orange County, Florida and Firebush Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190301 for East Orange Community Center. (Community Action Division)
4. **19-534** Approval and execution of License Agreement between Orange County, Florida and Firebush Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190302 for John Bridges Community Center. (Community Action Division)
5. **19-535** Approval and execution of License Agreement between Orange County, Florida and Firebush Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190303 for Maxey Community Center. (Community Action Division)
6. **19-536** Approval and execution of License Agreement between Orange County, Florida and Firebush Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190304 for Pine Hills Community Center. (Community Action Division)
7. **19-537** Approval and execution of License Agreement between Orange County, Florida and Firebush Inc. related to Not-for-Profit Community Center Utilization for the Provision of Services Benefitting the Public License Agreement No. 20190305 for Taft Community Center. (Community Action Division)

E. CORRECTIONS DEPARTMENT

1. **19-538** Approval and execution of County Jail Inspections Agreement by and between the Sheriffs or Chief Executive Officers for Manatee County, Florida; Orange County; Osceola County; Sheriff for Polk County, Florida; Sheriff for Sarasota County, Florida; and Volusia County for a period of two years with up to two subsequent automatic two-year renewals, unless otherwise terminated by the parties.

F. FIRE RESCUE DEPARTMENT

1. **19-539** Approval and execution of Affiliation Agreement between Orange County, Florida and Orlando Medical Institute, Inc. related to Fire Rescue's Paramedic Educational Field Experience Program. There is no cost to the County. (Operations Division)
2. **19-540** Approval and execution of Affiliation Agreement between Orange County, Florida and First Response Training Group, LLC related to Fire Rescue's Paramedic Educational Field Experience Program. There is no cost to the County. (Operations Division)

G. HEALTH SERVICES DEPARTMENT

1. **19-541** Approval to accept the 2018 Paul Coverdell Forensic Science Improvement Grant in the amount of \$2,550 from the Florida Department of Law Enforcement/ National Institute of Justice for the grant period of January 1, 2019 through December 31, 2019, and authorization for the Mayor or designee to approve any future amendments to this grant. No county match is required. (Medical Examiner's Office)
2. **19-542** Approval and execution of a 90 day temporary Certificate of Public Convenience and Necessity for Affordable Transport Inc. to provide Interfacility Advanced Life Support Transport Service. The term of this certificate is from April 1, 2019 through July 1, 2019. There is no cost to the County. (EMS Office of the Medical Director)
3. **19-543** Approval and execution of the renewal Certificate of Public Convenience and Necessity for Orlando Regional Healthcare to provide Advanced Life Support Interfacility Transport Service. The term of this certificate is from April 30, 2019 through April 30, 2021. There is no cost to the County. (EMS Office of the Medical Director)

H. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-544** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 2, 3, 4, 5, and 6. (Code Enforcement Division)

LC 19-0222 LC 19-0336 LC 19-0318 LC 19-0289 LC 19-0314
 LC 19-0290 LC 19-0337 LC 19-0324 LC 19-0295 LC 19-0316
 LC 19-0301 LC 19-0340 LC 18-0788 LC 19-0297 LC 19-0319
 LC 19-0302 LC 19-0097 LC 19-0249 LC 19-0298 LC 19-0323
 LC 19-0304 LC 19-0273 LC 19-0264 LC 19-0299 LC 19-0330
 LC 19-0305 LC 19-0275 LC 19-0280 LC 19-0311 LC 19-0331
 LC 19-0306 LC 19-0253 LC 19-0281 LC 19-0312 LC 19-0332
 LC 19-0307 LC 19-0317 LC 19-0284 LC 19-0313 LC 19-0333

2. **19-545** Approval of Neighborhood Grants Advisory Board's recommendations of Sustainable Communities Grants to Sylvan Highland Subdivision (\$700) and Magellan Crossing Subdivision (\$700). Districts 2 and 6. (Neighborhood Services Division)
3. **19-546** Approval of Neighborhood Grants Advisory Board's recommendation of Neighborhood Pride Wall Repair Grant to Lonesome Pines Community Association (\$9,400). District 2. (Neighborhood Services Division)
4. **19-547** Approval of Neighborhood Grants Advisory Board's recommendations of Neighborhood Pride Capital Improvement Grants to Heritage Place Homeowners Association (\$7,000) and Country Crossings at Spring Ridge (\$10,000). Districts 1 and 2. (Neighborhood Services Division)
5. **19-548** Approval of Neighborhood Grants Advisory Board's recommendations of Neighborhood Pride Sign Grant to Good Homes Vista Neighborhood (\$5,000) District 6. (Neighborhood Services Division)
6. **19-549** Approval of Neighborhood Grants Advisory Board's recommendation of Neighborhood Pride Mini Grant to River Crest Subdivision (\$1,500). District 3. (Neighborhood Services Division)
7. **19-550** Approval of Neighborhood Grants Advisory Board's recommendation of Neighborhood Pride Entranceway Grant to Hiawassee Point Homeowners Association (\$4,674). District 2. (Neighborhood Services Division)
8. **19-551** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village H Parcels 12A & 12B PD (Village H) by and between Titan Western Beltway, LLC and Orange County. District 1. (Planning Division)

(This item was deferred.)
9. **19-552** Approval and execution of Proportionate Share Agreement for Woodspring Suites Colonial Drive and Woodbury Road by and between DI Development, LLC and Orange County for a proportionate share payment in the amount of \$193,204. District 4. (Roadway Agreement Committee)

10. **19-553** Approval and execution of Proportionate Share Agreement for Monk PD Winter Garden-Vineland Road by and between Brent I. Monk and Betsy L. Monk, Brent I. Monk, Trustee of the Brent I. Monk Revocable Living Trust dated November 24, 1994 and Dolores E. Monk, and Orange County for a proportionate share payment in the amount of \$331,130. District 1. (Roadway Agreement Committee)
11. **19-554** Approval and execution of Proportionate Share Agreement for Plunk Property Dean Road and Lake Underhill Road by and between M/I Homes of Orlando, LLC and Orange County for a proportionate share payment in the amount of \$382,425. District 3. (Roadway Agreement Committee)

I. PUBLIC WORKS DEPARTMENT

1. **19-555** Approval to construct speed humps on Kelso Boulevard. District 1. (Traffic Engineering Division)
2. **19-556** Approval and execution of (1) Resolution 2019-M-13 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Sadler Road—US 441 Project and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 441400-1-58/68-01 by and between the State of Florida Department of Transportation and Orange County in the amount of \$473,564. District 2. (Transportation Planning Division)
3. **19-557** Approval and execution of (1) Resolution 2019-M-14 of the Orange County Board of County Commissioners regarding the Local Agency Program Agreement with the Florida Department of Transportation for the Corporate Blvd. — Alafaya Trail Project and (2) State of Florida Department of Transportation Local Agency Program Agreement FPN: 435526-1-48-01 by and between the State of Florida Department of Transportation and Orange County in the amount of \$287,025. District 5. (Transportation Planning Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **19-558** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Notice of Proposed Agency Action Order Approving Duke Energy Florida, LLC's Petition to Amend Sheet 9.458 of its Standard Offer Contract. In re: Petition for approval of amended standard offer contract (Schedule COG-2) based on a combustion turbine avoided unit, by Duke Energy Florida, LLC.

- b. Orange County Convention Center, Orange County, Florida Annual Financial Report for the years ended September 30, 2018 and 2017.
- c. Orange County Solid Waste System, Orange County, Florida Annual Financial Report for the years ended September 30, 2018 and 2017.
- d. Orange County Water Utilities System, Orange County, Florida Annual Financial Report for the years ended September 30, 2018 and 2017.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **19-559** ***By consensus, the Board adjourned as the Orange County Board of County Commissioners and convened as the Orange County Library District Governing Board***

Appointment of Nicole Benjamin to the Library Board of Trustees as a City of Orlando representative with a term effective April 9, 2019 and expiring December 31, 2021. (Agenda Development Office)

By consensus, the Board adjourned as the Orange County Library District Governing Board and reconvened as the Orange County Board of County Commissioners

The Orange County Board of County Commissioners took no action. Refer to the Orange County Library District Governing Board Minutes appended to Legislative File 19-559, for action taken by the Orange County Library District Governing Board.

2. **19-560** Appointment of an individual to the International Drive Master Transit and Improvement District Advisory Board with a term expiring December 31, 2019.

A motion was made by Mayor Demings, seconded by Commissioner VanderLey, to appoint Marco Manzie to the International Drive Master Transit and Improvement District Advisory Board with a term expiring December 31, 2019. The motion carried by the following vote:

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

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-561** Selection of two firms and one ranked alternate to provide Disaster Debris Removal and Recovery, Request for Proposals Y19-132-TJ, from the following five firms, listed alphabetically:

- Ashbritt, Inc.
- CERES Environmental Services, Inc.
- Crowder-Gulf Joint Venture, Inc.
- DRC Emergency Services, LLC
- T.F.R. Enterprises, Inc.

([Public Works Department Fiscal and Operational Support Division]
Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to appoint Crowder-Gulf Joint Venture, Inc., 467.77 points, and Ashbritt, Inc., 433.81 points, as the selected firms; and further, appoint CERES Environmental Services, Inc., 386.60 points, as the selected ranked alternate. 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. COUNTY MAYOR

1. **19-562** Open Discussion on issues of interest to the Board.

The following items have been submitted for open discussion:

- District 5 - Nuisance Abatement Ordinance
- District 5 - Zoning for Methadone Clinics.

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-563** I-Drive District Overlay Zone Ordinance Update. (Planning Division)

The following person addressed the Board: Luann Brooks.

The Board took no action.

NON-AGENDA

Mayor Demings addressed the Board regarding the Lynx transportation system. He stated that Assistant County Administrator Jim Harrison will continue to serve as the Interim Executive Director for Lynx.

Presentation

Employee Service Awards:

Administration and Fiscal Services

Deidre L. Deware (20) and Loyda Joan Johnson (20), Human Resources

Corrections

Tasha M. Johnson (20), Security Operations; Linda A. Farrell (30), Ivon Rodriguez (30), and Annel L. Holmes-Clark (30), Fiscal and Operational Support; Carolyn L. Holley (25), Bishop H. Wenze (20), Aretha Y. Armstrong (20), In-Custody Support Services

Fire Rescue

Daniel Cabrera (30), Robert E. Vegas (20), David R. Hollenbach (20), Jose Vazquez, Jr. (20), and Scott T. Egan (20), Fire Operations

Planning, Environmental, and Development Services

Karen D. Johnson (20), Neighborhood Services; Bradley W. Campbell (20), Code Enforcement; Alan C. Plante (35), Building Safety

Public Works

Yvette Caldwell (30), Stormwater Management

Utilities

Magrudher Vizueta (30), Kathy Ann Gibson (30), Customer Service; Lorenzo Hunter (25), Field Services

V. RECOMMENDATIONS

1. **19-564** March 21, 2019 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the recommendations, with the exception of Case #RZ-19-01-061, Michael D. Harding (Appeal-Filed), 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

VI. PUBLIC HEARINGS

1. **19-353** Municipal Service Benefit Unit

Beacon Park Blvd First Amendment Replat and Lake Nona Creekside, amend for retention pond(s) maintenance; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance at Beacon Park Blvd First Amendment Replat and Lake Nona Creekside

Location: District 4; Parcel ID (multiple parcels); Section 28, Township 24, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

2. **19-354** Municipal Service Benefit Unit

Lake McCoy, amend for general lake cleaning, water quality improvement, maintenance and aquatic plant control; District 2

Consideration: Amend by resolution a Municipal Service Benefit Unit for general lake cleaning, water quality improvement, maintenance and aquatic plant control at Lake McCoy

Location: District 2; Multiple parcels; Section 02 & 03, Township 21, and Range 28; Orange County, Florida (legal property description on file)

The following person addressed the Board: City of Apopka Mayor Bryan Nelson.

A motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to approve the request as referenced in the staff report. The motion carried by the following vote:

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

3. **19-355** Municipal Service Benefit Unit

Meadow Woods Planned Development, amend for streetlighting; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to include Arbors at Meadow Woods at Meadow Woods Planned Development

Location: District 4; Parcel ID (multiple parcels); Section 25, Township 24, Range 29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve the request as referenced 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. **19-356** Municipal Service Benefit Unit

Oakland Place - Windermere Heights 2nd Section and Windermere Heights 3rd Section, establish for one time only speed hump installation; District 1

Consideration: Establish by resolution a Municipal Service Benefit Unit for one time only speed

hump installation at Oakland Place - Windermere Heights 2nd Section and Windermere Heights 3rd Section

Location: District 1; Parcel ID (multiple parcels); Section 15, Township 23, Range 28; Orange County, Florida (legal property description on file)

The following person addressed the Board: James Somonelli.

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

5. **19-357** Municipal Service Benefit Unit

Oaks At Moss Park Area, amend for streetlighting and for retention pond(s) maintenance; District 4

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance to include Oaks at Moss Park Phase N2 & O at Oaks at Moss Park Area

Location: District 4; Parcel ID (multiple parcels); Section 11, Township 24, Range 31; Orange County, Florida (legal property description on file)

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

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

6. **19-358** Municipal Service Benefit Unit

Orchard Hills and Orchard Park at Stillwater Crossing Areas, amend for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting to include Orchard Park at Stillwater Crossing Phase 4 at Orchard Hills and Orchard Park at Stillwater Crossing Areas

Location: District 1; Parcel ID (multiple parcels); Section 09, Township 23, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the request as referenced 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. **19-359** Municipal Service Benefit Unit

Orchard Park at Stillwater Crossing Area, amend for retention pond(s) maintenance; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance to include Orchard Park at Stillwater Crossing Phase 4 at Orchard Park at Stillwater Crossing Areas

Location: District 1; Parcel ID (multiple parcels); Section 09, Township 23, Range 27; Orange County, Florida (legal property description on file)

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

8. 19-360 Special Assessment Resolution

Resolution for collection of special assessment liens for one time only lot cleaning; All Districts

Consideration: Establish a Resolution for Special Assessments for one-time only lot cleaning assessments

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to adopt Resolution 2019-M-15, for Special Assessments for one-time only lot cleaning assessments. 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. 19-366 Shoreline Alteration/Dredge and Fill

Anamaria Veiga, Lake Down, permit, SADF # 18-12-028; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 18-12-028 to construct a new seawall with riprap pursuant to Orange County Code, Chapter 33, Article IV, Section 33-129(d), Windermere Water and Navigational Control District

Location: District 1; on property located adjacent to Lake Down, located at 9780 Nearwater Place, Windermere, FL 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-18-12-028) subject to the 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

10. 19-413 Board of Zoning Adjustment Board-Called

Bryan Potts, Wondermere Garden Preschool, Case # SE-19-03-198, February 7, 2019; District 1

Case No.: Board of Zoning Adjustment, Case #SE-19-03-198; February 7, 2019

Consideration: Request for a special exception in the R-CE zoning district to allow a preschool for up to 200 students.

Location: District 1; property generally located East side of Windermere Road, south of Roberson Road; Orange County, Florida (legal property description on file in Zoning Division)

Court Reporter: Laura A. Green, Orange Legal

The following persons addressed the Board:

- Scott Baker
- Brent Spain
- Laura Dedenbach
- Gayle Mazur
- Anthony Fratianne
- Linda Liberty
- H. Raymond Kello, Jr.
- Sara Ruffner
- Deena Strauss
- Andre Vedrine
- Theodore Strauss
- Dan Stewart
- Erik Abbass
- Sylvia Govea
- Juanita Martinez
- John Miller
- Liz Andert
- Byron Traynor
- Cindy Vance
- Bryan Dailer
- Emi Mackedon
- Michael Eckhoff
- Irene Pini
- Vanessa Loomie
- Ross Henning
- Michelle Rathour
- Allen Davis Wilson IV
- Silvia Wilson

- Amber Draus
- Sherman Brown
- Cynthia Cash
- Jill Meish (phonetic)
- Mohammed Abdallah
- Ray Cudre (phonetic)
- Brenda Pence
- Paul Kenard

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

- Exhibit 1, from Scott Baker
- Exhibit 2, from Brent Spain
- Exhibit 3, from Brent Spain

A motion was made by Commissioner VanderLey, seconded by Commissioner Bonilla, to overturn the Board of Zoning Adjustment recommendation; and further, deny the Special Exception Request, Case # SE-19-03-198. The motion carried by the following vote:

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

Nay: 1 - Commissioner Moore

11. 19-361 Environmental Protection Commission Appeal

Michael Thompson, 5518 Isleworth Country Club Drive, appeal of the Environmental Protection Commission (EPC) recommendation of denial of a request for waiver (after-the-fact) to side setback, denial of a request for a variance (after-the-fact) to access walkway width, and denial of a request for variance (after-the-fact) to access walkway height for dock permit application, BD-16-02-016; District 1

Consideration: Appeal of the decision of the Environmental Protection Commission recommendation of denial of a request for waiver (after-the-fact) to side setback, denial of a request for variance (after-the-fact) to access walkway width, and denial of a request for variance (after-the-fact) to access walkway height for dock permit application #BD-16-02-016.

Location: District 1; property located at 5518 Isleworth County Club Drive, on Lake Butler; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Peter Fleck.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to uphold the decision of the Environmental Protection Commission to approve the after-the-fact waiver to Section 15-342(b) (terminal platform size) with the condition the applicant pay \$870 to the Conservation Trust Fund (CTF) as mitigation for the additional shading impacts of the larger-than-allowed terminal platform; further, overturn the decision of the Environmental Protection Commission and approve the after-the-fact request for waiver to Section 15-343(b) (side setback); further, modify the decision of the Environmental Protection Commission to deny

the after-the-fact variance to Section 15-342(c) (walkway width) and require the appellant to modify the bench area to be consistent with the permitted location within 60 days of the decision of the Board; further, uphold the decision of the Environmental Protection Commission to deny the after-the-fact variance to Section 15-342(c) (access walkway height) for the portion of the walkway landward of the Normal High Water Elevation (NHWE); and further, uphold the decision of the Environmental Protection Commission to approve the after-the-fact variance to Section 15-342(c) (access walkway height) for the portion of the walkway waterward of the Normal High Water Elevation (NHWE) with the condition the applicant pay additional mitigation to the CTF (to be determined by EPD) for the additional shading impacts. 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

12. 19-412 Preliminary Subdivision Plan

Kathy Hattaway, Poulos & Bennett, LLC, Estates of Lake Hancock Planned Development / Estates of Lake Hancock Preliminary Subdivision Plan, Case # PSP-18-09-310; District 1

Consideration: Estates of Lake Hancock Planned Development / Estates of Lake Hancock Preliminary Subdivision Plan, Case # PSP-18-09-310, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 20.65 acres in order to construct 4 single-family detached residential dwelling units. This project is proposed to be a gated community under Orange County Code Sections 34-280, 34-290, and 34-291. The request also includes the following waivers from Orange County Code:

- 1) A waiver for Lot 76 only from Section 38-79(114)(h), to allow an accessory structure to have a maximum building height of thirty-five (35) feet / two (2) stories, in lieu of a maximum height of fifteen (15) feet / one (1) story.
- 2) A waiver for Lot 76 only from Section 38-1384(e), to allow a maximum height of six (6) feet for a fence or wall in the front yard setback, in lieu of the maximum height of three (3) feet, six (6) inches.
- 3) A waiver for Lot 76 only from Section 38-1384(j), to allow a maximum living area of one thousand five hundred (1,500) square feet for the accessory unit over the stable, in lieu of a maximum living area of seven hundred fifty (750) square feet.
- 4) A waiver from Section 38-1384(d), to allow for none of the homes to have front porches in lieu of the requirement for front porches on at least fifty (50) percent of all detached single-family lots of less than seventy five (75) feet in width.
- 5) A waiver from Section 38-1384(f)(2)c, to allow for the first floor elevations to be twelve (12) to fourteen (14) inches above sidewalk along grading in lieu of the requirement for first floor elevations to be at least eighteen (18) inches above the finished grade of the sidewalk.
- 6) A waiver from Section 34-171(7), to allow for a sidewalk to be on one side of the right-of-way, in lieu of both sides.

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

The following person addressed the Board: Kathy Hattaway.

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

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

13. 19-365 Rezoning

Kathy Hattaway, Poulos & Bennett, LLC, Horizon West Village H Parcels
12A & 12B PD, Case # LUP-18-04-115; District 1

Consideration: Request to rezone 34.60 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 89 attached single-family dwelling units and 340 multi-family dwelling units. In addition, the applicant has requested the following waivers from Orange County Code:

- 1) A waiver from Section 38-1382(h)(4) to allow alleys to be designed as a tract in lieu of the requirement that they shall be designed as a private easement.
- 2) A waiver from Section 38-1384(g)(1) to allow garage access to be setback from an alley tract, in lieu of an easement.
- 3) A waiver from Section 38-1384(i)(2) to allow vehicular access to garages or other off-street parking to be from a rear alley tract in lieu of an easement.
- 4) A waiver from Section 38-1258(a), for Parcel 12A, to allow multi-family residential buildings located within ten (10) feet of single-family zoned property to be constructed up to five-stories and 65 feet in height in lieu of the requirement that multi-family buildings within one hundred (100) feet of a single-family zoned property be restricted to a single-story height.
- 5) A waiver from Section 38-1258(c), for Parcel 12A, to allow multi-family buildings located within ten (10) feet of a single-family zoned property to be constructed up to five-stories and 65 feet in height, in lieu of the requirement that multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (forty (40) feet) in height; pursuant to Orange County Code, Chapter 30.

Location: District 1; property located at 10553 Avalon Road; or generally located south of Flamingo Crossings Boulevard and east of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-18-04-115 to rezone 34.60 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 89 attached single-family dwelling units and 340 multi-family dwelling units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; and further, approve and execute the Adequate Public Facilities Agreement for Horizon West Village H Parcels 12A & 12B PD

(Village H) by and between Titan Western Beltway, LLC and Orange County. 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

I. CONSENT AGENDA (Deferred)

H. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

8. **19-551** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village H Parcels 12A & 12B PD (Village H) by and between Titan Western Beltway, LLC and Orange County. District 1. (Planning Division)

This item was approved.

VI. PUBLIC HEARINGS (Continued)

14. **19-004** Rezoning

Thomas Daly, Daly Design Group, Inc., Tyson Ranch Planned Development / Land Use Plan Amendment (PD/LUPA), Case # LUP-18-02-056; District 4
(Continued from January 8, 2019, February 26, 2019 and March 26, 2019)

Consideration: Request to rezone 75.29 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) in order to construct 350 multi-family dwelling units, 330 attached single-family dwelling units, 187,389 square feet of commercial and office uses, and 250 hotel rooms. This request also includes a Master Sign Plan. The request also includes the following waivers from Orange County Code:

1. A waiver from Section 38-79(20)(j) to allow 40' rear to rear townhome building separations within Parcel 4, in lieu of a 60' rear to rear separation for townhome buildings;
2. A waiver from Section 38-79(20)(f) to allow a maximum 50% of buildings to be (4) four units within Parcel 4, in lieu of a maximum 25% of building to be (4) four units;
3. A waiver from Section 38-1258(d) to allow 3-story (45' height) multi-family buildings within parcel 3, in lieu of 3-story and 40' in height;
4. A waiver from Section 38-1258(a) to allow a 3 story (45' height) multi-family building to be located 85' from the east property line of Parcel 3, 65' from the west property line of Parcel 3 abutting the Ward Property PD Parcel 14, and 105' on the west property line of Parcel 3 adjacent to internal PD Parcel 4, in lieu of Multi-family buildings located within one hundred (100) feet of single-family zoned property, as measured from the property line of the proposed multi-family development to the nearest property line of the single-family zoned property, shall be restricted to single story in height;
5. A waiver from Section 38-1258(b) to allow 100% of the multi-family buildings to be 3 story (45' height) to be located 85' from the east property line of Parcel 3, 65' from the west property line of Parcel 3 abutting the Ward Property PD Parcel 14, and 105' on the west property line of Parcel 3

adjacent to internal PD Parcel 4, in lieu of Multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property shall vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height;

6. A waiver from Section 38-1258(c) to allow a 3 story (45' height) multi-family building to be located 85' from the east property line of Parcel 3, 65' from the west property line of Parcel 3 abutting the Ward Property PD Parcel 14, and 105' on the west property line of parcel 3 adjacent to internal PD Parcel 4, in lieu of Multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (40 feet) in height, except as provided in (d) below;

7. A waiver from Section 38-1258(e) to allow parking and other paved areas for multi-family development on parcel 3 to be located ten (10) feet from the east property line adjacent to single-family zoned property line. A (10)-foot landscape buffer shall be provided consistent with Type C landscape buffer requirements, as set forth in Chapter 24 of the Orange County Code, in lieu of parking and other paved areas for multi-family development shall be located at least twenty-five (25) feet from any single-family zoned property. A twenty-five (25)-foot landscape buffer shall be provided consistent with Type C landscape buffer requirements, as set forth in Chapter 24 of the Orange County Code;

8. A waiver from Section 38-1258(f) to allow a 6' high aluminum fence on the east and west property line of Parcel 3, in lieu of a six-foot high masonry, brick, or block wall shall be constructed whenever a multi-family development is located adjacent to single-family zoned property;

9. A waiver from Section 38-1254(1) to allow a 3 story (45' height) multi-family building to be located 85' on the east side of Parcel 3, 65' from the west side of Parcel 3 abutting the Ward PD Parcel 14, and 105' from internal Parcel 4, in lieu of structures in excess of two (2) stories should increase this setback to reflect the additional structural height;

10. A waiver from Section 38-1272(5) to allow a 6 story (75' height) hotel within Parcel 1 north of Pond 10, in lieu of a maximum commercial building height of 50' and 35' within 100' of any residential property;

11. A waiver from Section 38-1603 to allow a 60' non-residential building setback from the center line of Boggy Creek Rd (minor arterial urban) and 40' from the property line whichever is greater, in lieu of a 120' non-residential building setback from the center line of Boggy Creek Rd (minor arterial rural); and

12. A waiver from Section 24-5(3) to allow a 10' landscape buffer on the north and west side of Parcel 2, in lieu of a 15' Type "C" landscape buffer; pursuant to Orange County Code, Chapter 30.

Location: District 4; property generally located South of State Road 417, North of Simpson Road, and West of Boggy Creek Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Tom Daly.

Based upon input from the applicant and agreed upon by County staff, Condition of Approval #7 was deleted from the Conditions of Approval listed in the Staff Report:

~~7. The project shall dedicate the necessary right of way, retention pond and easements for Boggy Creek Road prior to or concurrently with the first PSP or DP approval for this project.~~

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-18-02-056 to rezone 75.29 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) in order to construct 350 multi-family dwelling units, 330 attached single-family dwelling units, 187,389 square feet of commercial and office uses, and 250 hotel rooms, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; and further, delete condition of approval #7. 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

15. 19-362 Substantial Change

Randy A. June, June Engineering Consultants, Inc., Orange Lake Country Club Planned Development / Land Use Plan (PD/LUP), Case # CDR-18-09-284, amend plan; District 1

Consideration: A PD substantial change to reduce retail entitlements by 46,988 square feet from 216,800 to 169,812 square feet, to increase the number of hotel rooms from 200 to 400, to increase the number of multi-family dwelling units from 300 to 356, to increase the number of conventional single-family residential units from 296 to 519, to and to revise the phasing table to reflect the new development program. The request is also to reduce the rear setback for townhome units from 20' to 15', and to reduce the side setback from 7' to 5', to move the 356 multi-family units from NW3 to NW4, and to specify the design standards for front-loaded garages on single-family detached and attached structures for the active adult and gated community. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Section 38-79(20)k to allow for a minimum building separation of ten (10) feet between structures for townhomes, in lieu of a twenty (20) foot separation between structures; 2. A waiver from Section 38-79(20)f to allow for a minimum 2 unit townhome in lieu of a minimum 4 unit town home; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-120.

Location: District 1; property generally located east of County Road 545 (Avalon Road), north of US Highway 192, and along both sides of Hartzog Road; Orange County, Florida (legal property description on file in Planning Division)

Modification of Condition of Approval #7:

7. New Hartzog Road, as contemplated by and depicted in Exhibit "H" to that certain Hartzog Road Right-of-Way Agreement recorded at O.R. Book 9712, Page 4850, in the Public Records of Orange County, Florida and as designed and engineered by Owner / Developer and reviewed by Orange County (Permit No. 12-E-001) as may be amended or revised, shall be fully constructed and completed in its entirety from the Existing Hartzog Road at Flamingo Crossings to its terminus at CR 545, as evidenced by issuance of a Certificate of Completion from Orange County, within sixteen (16) months following commencement of construction (as long as all

necessary right-of-way and/or easements have been conveyed to Owner / Developer). In the event construction of New Hartzog Road has not commenced within twelve (12) months after approval of ~~this preliminary subdivision plan~~ the Orange Lake Country Club Village NW2 Preliminary Subdivision Plan (PSP-17-08-256), ~~this~~ the preliminary subdivision plan shall expire. Owner / Developer may commence construction of New Hartzog Road prior to obtaining all right-of-way and/or easements for New Hartzog Road. Prior to issuance of a Certificate of Completion for Phase 1 of ~~this preliminary subdivision plan~~ PSP-17-08-256, that portion of New Hartzog Road that provides safe and adequate access to said Phase 1 shall be completed, including the access point as depicted in ~~this preliminary subdivision plan~~ on PSP-17-08-256, and open to traffic. Notwithstanding the fact that a Certificate of Completion for Phase 1 of ~~this preliminary subdivision plan~~ PSP-17-08-256 may be issued, Owner/Developer shall still have the continuing obligation to complete New Hartzog Road in its entirety. ~~pursuant to this Condition No. 6.~~

Modification of Condition of Approval #13:

13. The following waivers from Orange County Code are granted for Village Northwest 1 (NW1):

- a. A waiver from Section 38-79(20)k to allow for a minimum building separation of ten (10) feet between structures for townhomes, in lieu of a twenty (20) foot separation between structures.
- b. A waiver from Section 38-79(20)f to allow for a minimum 2 unit townhome in lieu of a minimum 4 unit town home.

The following person addressed the Board: Randy June.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, modify conditions of approval #7 and #13. 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

16. 19-363 Substantial Change

John Florio, Donald W. McIntosh Associates, Inc., Bonnet Creek Resort
Planned Development / Land Use Plan (PD/LUP), Case # CDR-18-08-251,
amend plan; District 1

Consideration: A PD Substantial change request to add a Master Sign Plan to the PD Land Use Plan. In addition, the applicant has requested the following signage related waivers from Orange County Code:

1. A waiver from Section 31.5-166(B) to allow a 25-foot high ground sign, in lieu of the 10-foot maximum height resulting in a 15-foot additional sign height;
2. A waiver from Section 31.5-172 to allow a 12-foot high directional sign, in lieu of the 8-foot maximum height resulting in a 4-foot additional sign height;
3. A waiver from Section 31.5-166 to allow a 53-foot separation between ground signs, in lieu of

- the 100-foot minimum separation resulting in a 47-foot reduction in ground sign separation;
4. A waiver from Section 31.5-166(A) to allow 216.5 square feet of copy area per ground sign, in lieu of the 80 square feet of copy area allowable resulting in 136.5 square feet additional copy area per ground sign;
 5. A waiver from Section 31.5-166(A) to allow 138.6 square feet of copy area per ground sign, in lieu of the 80 square feet copy area allowable resulting in 58.6 square feet additional copy area per ground sign;
 6. A waiver from Section 31.5-166(D) to allow 3 entrance ground signs, in lieu of 1 ground entrance sign resulting in 2 additional ground entrance signs;
 7. A waiver from Section 31.5-172(D) to allow less than 51% of directional logo resulting in 8% directional information;
 8. A waiver from Section 31.5-172(D) to allow less than 51% of directional logo resulting in 39% directional information;
 9. A waiver from Section 31.5-172(A) to allow 43.75 square feet per sign face, in lieu of 6 square feet per sign face resulting in an additional 37.75 square feet copy area per sign; and
 10. A waiver from Section 31.5-172(A) to allow 6.25 square feet per sign face, in lieu of 6 square feet per sign face resulting in an additional 0.25 square feet copy area per sign; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located Chelonia Parkway; or generally located south of E. Buena Vista Drive, west of Interstate 4, and north of the Orange County / Osceola County Line; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: John Florio.

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

17. 19-364 Substantial Change

Kathy Hattaway, Poulos & Bennett, LLC, Flamingo Crossings Planned Development / Land Use Plan (PD/LUP), Case # CDR-19-01-003, amend plan; District 1

Consideration: A PD substantial change to amend Condition of Approval # 10(h) on the approved Flamingo Crossings Planned Development (PD) as follows:

The Applicant(s) shall be required, at their expense, to install a temporary traffic signal, no later than issuance of the first Certificate of Occupancy for a multi-family building in the development, that will operate on flash mode until warranted at the intersection of C.R. 545 and Western Way at the time Western Way is open to traffic between C.R. 545 and S.R. 429. A traffic impact analysis warrant study shall be submitted with the first development plan submittal to Orange County for review and approval prior to the issuance of the last Certificate of Occupancy for the multi-family

development or as directed by the County Engineer; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located East and west of Flamingo Crossings Boulevard and south of Western Way; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

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 substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

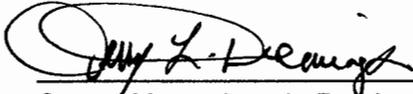
Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

√ **The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.**

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

ADJOURNMENT: 5:32 p.m.

ATTEST:

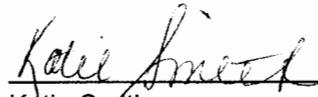


 County Mayor Jerry L. Demings
 Date: May 21, 2019



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.

