



Interoffice Memorandum

June 20, 2024

To: Jennifer Lara-Klimetz, Assistant Manager
Comptroller Clerk's Office

Through: Cheryl Gillespie, Agenda Development Supervisor
Agenda Development

From: Renée H. Parker, LEP, Manager
Environmental Protection Division
(407) 836-1420

Staff Person: **Jane Gregory, Environmental Programs Administrator
Environmental Protection Division
(407) 836-1404**

Subject: Request for Public Hearing for **July 30 at 2:00 pm.** For reading and approval of the resolution: DESIGNATING CERTAIN LAND WITHIN UNINCORPORATED ORANGE COUNTY CONSISTING OF PARCEL ID 15-23-29-0000-00-020, AS THE DURHAM PLACE GREEN REUSE AREA: ROCC (REDEVELOPING ORANGE COUNTY COMMUNITIES) AND AS A BROWNFIELD AREA FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION, REHABILITATION, AND ECONOMIC DEVELOPMENT.

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Applicant Durham Place, Ltd.

Type of Hearing: Public Hearing: designating area as "Durham Place Green Reuse Area: ROCC" and as a Brownfield Area.

Title of Resolution: DESIGNATING CERTAIN LAND WITHIN UNINCORPORATED ORANGE COUNTY CONSISTING OF PARCEL ID 15-23-29-0000-00-020, AS THE DURHAM PLACE GREEN REUSE AREA: ROCC (REDEVELOPING ORANGE COUNTY COMMUNITIES) AND AS A BROWNFIELD AREA FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION, REHABILITATION, AND ECONOMIC DEVELOPMENT.

Hearing required by: Section 125.66 and 125.66(4)(b)(2) & Section 376.80, Florida Statutes.

Advertising requirements: Publish once in a newspaper of general circulation in Orange County at least five days prior to public hearing. The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper of general paid circulation in the county and of general interest and readership in the community pursuant to Chapter 50, not one of limited subject matter. It is the legislative intent that, whenever possible, the advertisement shall appear in a newspaper that is published at least 5 days a week unless the only newspaper in the community is published less than 5 days a week. The advertisement shall contain a geographic location map, which clearly indicates the area within the local government covered by the proposed resolution. The Map shall include major street names as a means of identification of the general area.

Advertising timeframe: Orlando Sentinel, one time only.
Proposed date for advertising July 18, 2024.
At least five (5) days prior to public hearing.

Abutters to be notified: Not applicable.

Estimated time required
For public hearing: 5 minutes.

Hearing Controversial: No.

District #: 3

Municipality or other
Public Agency to be
notified: Florida Department of Environmental Protection (FDEP) Central District Office Brownfield Coordinator, Orange County EPD Staff will provide a copy of approved Resolution to FDEP.

Materials being submitted as backup for public hearing request:

1. Draft Resolution: Designating certain land within unincorporated Orange County consisting of Parcel ID 15-23-29-0000-00-020 as the Durham Place Green Reuse Area: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of environmental remediation, rehabilitation, and economic development.
2. Sample text for advertisement.

June 14, 2024

Request for Public Hearing – Designating area as “Durham Place Green Reuse Area: ROCC” and as a Brownfield Area

Special Instructions to Clerk:

1. Please arrange to publish the advertisement in the Orlando Sentinel, one time only. Proposed date for advertising is July 18, 2024, in order to allow time to review the advertisement, make correction if necessary, and publish a corrected advertisement.
2. Please see the attached sample text for the advertisement.
3. Reading of the Resolution: Designating certain land within unincorporated Orange County consisting of Parcel ID 15-23-29-0000-00-020 as the Durham Place Green Reuse Area: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of environmental remediation, rehabilitation, and economic development.
4. Allow for public comments regarding the Resolution.
5. Request for BCC to approve Durham Place Green Reuse Area: ROCC Resolution.
6. Return two original signed copies of Resolution to the Environmental Protection Division, Attn: Beth Burkard.

BMB/JWG/RHP: bb

Attachments (Draft Resolution, sample text for advertisement)

- c: Tanya Wilson, Director, Planning, Environmental and Development Services
Georgiana Holmes, Deputy County Attorney
Alberto Vargas, Manager, Planning Division
Arnaldo Mecardo, Assistant Manager, EPD
Jane Gregory, Environmental Programs Administrator, EPD
Beth Burkard, P.E., Environmental Program Supervisor, EPD

ORANGE COUNTY NOTICE OF PUBLIC HEARING

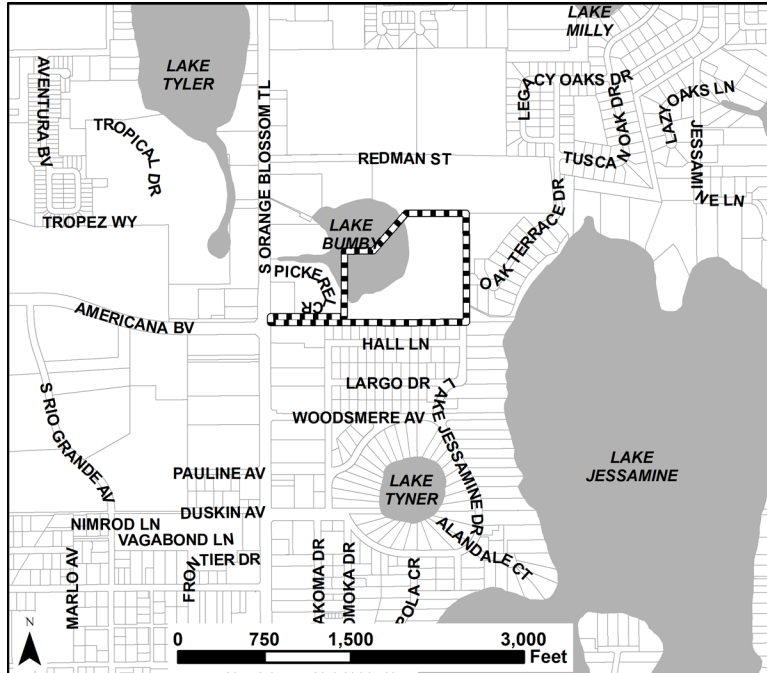
**IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE OF PUBLIC HEARING,
CONTACT THE ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION,
Beth Burkard, 407-836-1459, E-mail address: BrownfieldsCoordinator@ocfl.net.**

**PARA MAS INFORMACIÓN REFERENTE A ESTA VISTA PÚBLICA
CON RESPECTO A UNA AUDIENCIA PÚBLICA, FAVOR
COMUNICARSE CON LA DIVISIÓN DE PROTECCIÓN AMBIENTAL,
AL 407-836-1400.**

Orange County will conduct a public hearing on **Tuesday, July 30, 2024, at 2:00 p.m.**, at the Orange County Administration Center, located at 201 S. Rosalind Avenue, Orlando, FL 32801. You are invited to attend and be heard regarding a proposed resolution:

Consideration:

DESIGNATING CERTAIN LAND WITHIN UNINCORPORATED ORANGE COUNTY CONSISTING OF PARCEL ID 15-23-29-0000-00-020 AS THE DURHAM PLACE GREEN REUSE AREA: ROCC (REDEVELOPING ORANGE COUNTY COMMUNITIES) AND AS A BROWNFIELD AREA FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION, REHABILITATION AND ECONOMIC DEVELOPMENT



The proposed resolution may be examined at the office of the Comptroller Clerk of the Board of County Commissioners; 210 South Rosalind Avenue, Fourth Floor; Orlando, Florida; between 8 a.m. and 5 p.m., Monday through Friday. Interested parties may appear at the meeting to be heard in respect to the proposed resolution.

If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you require special accommodations under the American with Disabilities Act of 1990, please call 407-836-3111 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley Americanos con Incapacidades de 1990, por favor llame al 407-836-5525.

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

**DESIGNATING CERTAIN LAND WITHIN
UNINCORPORATED ORANGE COUNTY CONSISTING OF
PARCEL ID 15-23-29-0000-00-020, AS THE DURHAM PLACE
GREEN REUSE AREA: ROCC (REDEVELOPING ORANGE
COUNTY COMMUNITIES) AND AS A BROWNFIELD AREA
FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION,
REHABILITATION, AND ECONOMIC DEVELOPMENT**

Resolution No. _____

WHEREAS, the Brownfields Redevelopment Act, (the “Act”), Sections 376.77 - 376.85, Florida Statutes, authorizes and provides for designation by resolution, at the request of the property owner, of certain lands as a “Brownfield Area,” and for the corresponding provision of environmental remediation, rehabilitation, and economic development for such areas; and

WHEREAS, Durham Place, Ltd. (“Durham”), the property owner of property parcel ID: 15-23-29-0000-00-020; located at 5215 S. Orange Blossom Trail, within unincorporated Orange County, has requested that the property be designated as the Durham Place Green Reuse Area: ROCC (Redeveloping Orange County Communities), more particularly described in Exhibit “A,” attached hereto and incorporated by reference herein, and as a brownfield area; and

WHEREAS, on June 6, 2024, and July 30, 2024, public hearings were held near the area to be designated and at the Orange County Board of County Commissioners (the “Board”), respectively, to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents’ considerations, and other relevant local concerns in accordance with Section 376.80, Florida Statutes; and

WHEREAS, the Board has reviewed the requirements for designation set forth in Section 376.80(2)(c), Florida Statutes, based on the representations of Durham, and has determined that the proposed area qualifies for designation as a Brownfield Area because the following requirements have been satisfied:

1. The property owner, Durham, has requested the designation and has agreed to rehabilitate and redevelop the brownfield site;
2. The rehabilitation and redevelopment of the brownfield site will provide affordable housing, as defined in Section 420.0004, Florida Statutes;
3. The redevelopment of the proposed brownfield site is consistent with the Orange County 2010-2030 Comprehensive Policy Plan and is a permissible

- use under the County's land development regulations;
4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to Section 376.80(1)(c), Florida Statutes, and Durham has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation; and
 5. Durham has provided reasonable assurance that it has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site; and

WHEREAS, the Board wishes to notify the Florida Department of Environmental Protection ("FDEP") of its decision to designate a Brownfield Area for remediation, rehabilitation, and economic development for the purposes set forth in the Act; and

WHEREAS, the procedures set forth in Section 376.80(1), Florida Statutes, including the notice and public hearing requirements set forth in Sections 125.66, 125.66(4)(b)1., and 125.66(4)(b)2., Florida Statutes, have been complied with.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. The recitals and findings set forth in the Preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

Section 2. Upon application by Durham, the property described in Exhibit "A," attached hereto and incorporated herein by reference, which is located within and coincides with the boundaries of that portion located in the unincorporated area of the County, less any real property for which a property owner within the area depicted in Exhibit "A" requests in writing to have his or her property removed from the designation provided for herein, is hereby designated as the "Durham Place Green Reuse Area: ROCC (Redeveloping Orange County Communities)" which shall hereafter be known as the "DURHAM PLACE GREEN REUSE AREA: ROCC" and as a brownfield area for environmental remediation, rehabilitation, and economic development as set forth in the Act, under the following terms and conditions:

- a. Pursuant to Section 376.80(3), Florida Statutes, Durham shall be the

“person responsible for the brownfield site rehabilitation” as that term is defined in Section 376.79(15), Florida Statutes.

b. The designation of the brownfield area by this Resolution does not in any sense render Orange County or its Board responsible for any costs or liabilities associated with site remediation, rehabilitation, economic development, or source removal, as those terms are defined in the Act.

c. Nothing in this Resolution shall be deemed to prohibit, limit, or amend the authority and power of the Board, otherwise legally available, to designate any other property or properties as a brownfield site or brownfield area, or to modify, amend, or withdraw the designation as established herein.

Section 3. In accordance with Section 376.80(1), Florida Statutes, the Board hereby directs the Orange County Environmental Protection Division to notify the FDEP of Orange County’s decision to designate this brownfield area for the purposes of remediation, rehabilitation, and economic development.

Section 4. This Resolution shall take effect upon the date of its adoption.

ADOPTED THIS _____ DAY OF _____, 2024.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk

EXHIBIT A

Proposed Brownfield

Parcel ID: 15-23-29-0000-00-020

