

Orange County Government

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



Final Meeting Minutes

Tuesday, July 28, 2020

9:00 AM

Communications Media Technology

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:07 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
Deputy County Administrator Chris Testerman
Deputy County Administrator Randy Singh
Deputy County Administrator Danny Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith

Invocation - District 4

Rev. Dr. Gabriel Salguero, Calvario City Church

Pledge of Allegiance**Public Comment**

The following persons submitted written comments to the Board during public comment:

- Guerdy Remy
- Tikila Ellington
- Timothy Whitaker
- Sharona Barnes
- Dialencia Cadette
- Glenn Closson

The following persons addressed the Board during public comment:

- Anne Marchetti
- Maxwell Frost
- Calvin Fondear
- Elke Shultz
- Samia Lagmis
- Corey Ward
- Seth Charlestin
- Madelyn DeVose (phonetic)
- Brittany Lyle (phonetic)
- Vanessa Keverenge

- Nora Kerrich
- Juliana Byers
- Ronda Wallace
- Jenna Augsburg
- McKenna Callahan
- Gretchen Robinson
- Justin Tucker
- David Carcedo
- Kiara Manuel
- Mykaila Sanchez
- Alissa Adam
- Stephanie Goulart
- Derek Bruce

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 2, 3, 4, and 5; and further, a motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, 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 MAYOR

1. **20-1002** Confirmation of the Mayor's managerial appointment of Humberto Castillero, P.E., as Manager, Traffic Engineering Division, Public Works Department.

B. COUNTY COMPTROLLER

1. **20-1003** Approval of the minutes of the June 23, 2020 meeting of the Board of County Commissioners. (Clerk's Office)
2. **20-1004** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - July 2, 2020, to July 9, 2020; \$51,880,819.31
 - July 10, 2020, to July 16, 2020; \$46,485,647.74
 - July 17, 2020, to July 23, 2020; \$40,035,417.83(Finance/Accounting)
3. **20-1005** Disposition of Tangible Personal Property as follows. (Property Accounting)

- a. Scrap assets.
- b. Remove lost asset from inventory.

C. COUNTY SHERIFF

1. **20-1006** Approval of U.S. Department of Justice, Office of Community Oriented Policing Services COPS Hiring Program Award Number: 2020ULWX0047 in the amount of \$2,500,000, with a required cash match of \$3,531,654 from the Orange County Sheriff's Office, for the period for July 1, 2020 through June 30, 2023.

D. COUNTY ADMINISTRATOR

1. **20-1007** Reappointment of Wanda P. Phillips to the Pine Hills Local Government Neighborhood Improvement District Advisory Council in the Pine Hills Community Council representative category with a term expiring June 30, 2023. (Agenda Development Office)
2. **20-1008** Confirmation of Commissioner Uribe's reappointment to the Lake Jessamine Water Advisory Board of Carolyn Accola with a term expiring December 31, 2020; the reappointment of David G. Geller, Brett Barner, and Cynthia K. McCurry with terms expiring December 31, 2021; and the appointment of Martha D. Wyatt-Mitchell with a term expiring December 31, 2020. (Agenda Development Office)
3. **20-1009** Approval and execution of Resolution 2020-B-04 of the Orange County Board of County Commissioners regarding authorizing the First Amendment to Interlocal Agreement with Capital Projects Finance Authority; providing for an effective date. (Fiscal and Business Services Department)
4. **20-1010** Approval to pay the fourth quarter billing for the Orange County Property Appraiser in the amount of \$4,399,415.03. (Office of Management and Budget)
5. **20-1011** Approval of budget amendments #20-75 and #20-76. (Office of Management and Budget)
6. **20-1012** Approval of budget transfers #20-1099 and #20-1100. (Office of Management and Budget)

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1013** Approval to award Invitation for Bids Y20-191-MV, Staff Augmentation - Administrative, to the low responsive and responsible bidders, KeyStaff, Athena Consulting LLC. and AUE Staffing, Inc. The total estimated contract award amount is \$10,000,000 for a three-year term. ([Administrative

Services Department Procurement Division] Procurement Division)

2. **20-1014** Approval to award Invitation for Bids Y20-1023-MV, Fire Apparatus, to the sole responsive and responsible bidder, REV RTC, Inc. dba Hall-Mark RTC. The estimated contract award amount is \$48,970,000 for a five-year term. ([Fire Rescue Department Operations Division] Procurement Division)
3. **20-1015** Approval to award Invitation for Bids Y20-1050-RM, Storm Sewer Slip Lining Rehabilitation, to the low responsive and responsible bidder, Granite Inliner, LLC. The estimated contract award amount is \$3,270,660 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
4. **20-1016** Approval to award Invitation for Bids Y20-1054-RM, Orange County Infrastructure Repair and Replacement, to the low responsive and responsible bidders, RMS Constructors Group, LLC in the estimated contract award amount of \$3,871,350 for the base year and Stage Door II, Inc. in the estimated contract award amount of \$4,127,600 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
5. **20-1017** Approval to award Invitation for Bids Y20-1056-RM, Orange County Underdrain Installation and Repair, to the low responsive and responsible bidders, Mercon Construction Company in the estimated contract award amount of \$927,975 for the base year and Stage Door II, Inc. in the estimated contract award amount of \$991,100 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. **20-1018** Approval to award Invitation for Bids Y20-1064-AV, Preventative Maintenance and Operations of Air Compressors and Dryers for the Orange County Convention Center, to the low responsive and responsible bidder, Air Centers of Florida. The estimated contract award amount is \$915,543 for a three-year term. ([Convention Center Facilities Operations Division] Procurement Division)
7. **20-1019** Approval to award Invitation for Bids Y20-1065-AV, Water Watch Program, to the low responsive and responsible bidder, Aqua Cops Water Systems Incorporated. The estimated contract award amount is \$1,310,612.16 for a three-year term. ([Utilities Department Water Division] Procurement Division)
8. **20-1020** Approval to award Invitation for Bids Y20-732-TA, Oak Meadows Water Supply Facility Well Houses, to the low responsive and responsible bidder, Carr & Collier, Inc. The total contract award amount is \$1,677,307. ([Utilities Department Engineering Division] Procurement Division)
9. **20-1021** Approval to award Invitation for Bids Y20-738-RC, West Orange Trail Plant

Street Wooden Bridge Repair, to the low responsive and responsible bidder, Gregori Construction, Inc. The total contract award amount is \$239,500. ([Administrative Services Department Capital Projects Division] Procurement Division)

10. **20-1022** Approval to award Invitation for Bids Y20-744-FH, Orange County Corrections Facility Site Lighting Upgrades (Phase 2), to the low responsive and responsible bidder, Carter Electric Inc. The total contract award amount is \$963,926. ([Administrative Services Department Capital Projects Division] Procurement Division)
11. **20-1023** Approval to award Invitation for Bids Y20-747-RM, Enclave Subdivision Pavement Repairs, to the low responsive and responsible bidder, Valencia Construction Group, Inc. The total contract award amount is \$938,998. ([Public Works Department Roads and Drainage Division] Procurement Division)
12. **20-1024** Approval to award Invitation for Bids Y20-752-RM, Forest City Road Drainage Project Phase II, to the low responsive and responsible bidder, SanPik, Incorporated. The total contract award amount is \$297,421. ([Public Works Department Roads and Drainage Division] Procurement Division)
13. **20-1025** Approval of Amendment No. 8, Contract Y16-1071A, Plumbing Services, with Frank Gay Services, LLC, in the amount of \$50,000, for a revised contract amount of \$1,050,000. ([Administrative Services Department Facilities Management Division] Procurement Division)
14. **20-1026** Approval of Amendment No. 7, Contract Y16-1071B, Plumbing Services, with Ellis Mechanical Corporation, in the amount of \$50,000, for a revised contract amount of \$100,000. ([Administrative Services Department Facilities Management Division] Procurement Division)
15. **20-1027** Approval of Amendment No. 2, Contract Y18-1070-AH, Third Party Administration Services for Orange County Health Services Department, with Health First Administrative Plans, Inc., in the amount of \$2,000,000, for a revised contract amount of \$12,740,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
16. **20-1028** Approval of Amendment No. 1, Contract Y20-2056, Provision of Community Services and Facility Use, with Central Florida Regional Workforce Development Board, Inc. DBA Career Source Central Florida, in the amount of \$100,025, for a revised total contract amount of \$200,000. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
17. **20-1029** Approval of Amendment No. 1, AT&T Master Agreement 20110830-0051, Upgrade 911 Mapping System to RapidDeploy Radius Mapping, with AT&T,

in the estimated amount of \$1,483,520.39 for a three-year term.
([Administration and Fiscal Services Department Information Systems and Services Division] Procurement Division)

18. **20-1030** Approval of Purchase Order M101164, Enterprise Addressing System, with Bradshaw Consulting Services, Inc., in the amount of \$135,550. ([Planning, Environmental, and Development Services Department Fiscal and Operational Support Division] Procurement Division)
19. **20-1031** Ratification of Amendment No. 8, Contract Y15-1093D, Heavy Equipment Parts and Labor, with Ring Power Corporation, in the amount of \$300,000, for a revised total contract amount of \$2,411,281.60. ([Administrative Services Department Fleet Management Division] Procurement Division)
20. **20-1032** Ratification of Sub-Recipient Agreement Y20-2300, Assistance Reviewing Applications for Small Business Financial Assistance Program Eligibility, with the University of Central Florida Board of Trustees, in the award amount not-to-exceed \$249,986. ([Administration and Fiscal Services County Administrator's Office] Procurement Division)
21. **20-1033** Ratification of Sub-Recipient Agreement Y20-2305, COVID-19 Testing and PPE Reimbursement, with Community Health Centers, Inc., in the award amount not-to-exceed \$157,300.04. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
22. **20-1034** Ratification of Sub-Recipient Agreement Y20-2312, Provision of Supplemental Staff, Personal Protective Equipment, and Professional Cleaning, with Samaritan Resource Center, Inc., in the award amount not-to-exceed \$142,843.50. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
23. **20-1035** Ratification of Purchase Order M101102, 3-ply Surgical Masks, with PARTpoint, Inc in a not-to-exceed amount of \$540,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
24. **20-1036** Ratification of Purchase Order M101239, 3-Ply Disposable Protective Face Masks, with Municipal Emergency Services Inc. in a not-to-exceed amount of \$525,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
25. **20-1037** Selection of Lerch Bates, Inc. to provide Design Services for the Orange County Courthouse Elevator Modernization, Request for Proposals Y20-821-RM. ([Administrative Services Department Capital Projects Division] Procurement Division)
26. **20-1038** Approval and execution of First Amendment to License Agreement by and between Orlando Health Central, Inc. and Orange County, Florida for Fire

Rescue UCAPIT Machine 17000 Porter Road, Winter Garden, Florida
34787 Lease File #10090. District 1. (Real Estate Management Division)

27. **20-1039** Approval and execution of Commercial Lease Agreement by and between Consolidated Bedding Group, LLC and Orange County, Florida and delegation of authority to the Real Estate Management Division to exercise renewal options, execute tenant estoppel certificates, and furnish notices, required or allowed by the lease, as needed for Suddath Warehouse 101 Suddath Drive, Suite B, Orlando, Florida 32806 Lease File #10105. District 3. (Real Estate Management Division)
28. **20-1040** Approval and execution of Fifth Amendment to Lease Agreement by and between Pyramid Properties III, LLP f/k/a Pyramid Properties III and Orange County, Florida for Parkway Center III 4548 Parkbreeze Court, Orlando, Florida 32808 Lease File #2015. District 2. (Real Estate Management Division)
29. **20-1041** Approval and execution of Notice to Exercise Rights of Reservation and authorization to disburse funds to pay recording fees and record instrument for All American Boulevard (Forest City Road to Clarcona-Ocoee Road). District 2. (Real Estate Management Division)
30. **20-1042** Approval and execution of Resolution and authorization to initiate condemnation proceedings for Kennedy Boulevard (Forest City Road to Wymore Road). District 2. (Real Estate Management Division)
31. **20-1043** Approval and execution of Resolution and authorization to initiate condemnation proceedings for Kennedy Boulevard (Forest City Road to Wymore Road). District 2. (Real Estate Management Division)
32. **20-1044** Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Clarcona Horse Park Ride Cover. District 2. (Real Estate Management Division)
33. **20-1045** Approval and execution of Distribution Easements from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Conserv II - Rib Site 6. District 1. (Real Estate Management Division)
34. **20-1046** Approval and execution of Donation Agreement between LJF Acquisitions, LLC and Orange County, approval of Special Warranty Deed from LJF Acquisitions, LLC to Orange County, and authorization to perform all actions necessary and incidental to closing for Donation of CEMT / LJF Acquisitions, LLC Parcel. District 5. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-1047** Approval and execution of Florida Department of Children and Families Application for a License to operate a Child Care Facility at South Orlando YMCA Head Start. This application is only executed by Orange County. (Head Start Division)

G. CONVENTION CENTER DEPARTMENT

1. **20-1048** Approval and execution of 2020-2021 Fiscal Year Funding Agreement by and between Orange County and the International Drive Master Transit and Improvement District. (Fiscal and Operational Support Division)

H. CORRECTIONS DEPARTMENT

1. **20-1049** Approval and execution of Agreement between Orange County, Florida and the Orange County Sheriff's Office regarding emergency response for a period of three years with up to two additional one-year automatic renewals.

I. FIRE RESCUE DEPARTMENT

1. **20-1050** Approval and execution of 1) State of Florida Florida Division of Emergency Management State - Funded Subaward and Grant Agreement Emergency Management Preparedness and Assistant Grants Agreement Number: A0093 for Fiscal Year 2020-2021 in the amount of \$105,806 and 2) FY 2020-2021 EMPA Agreement Exhibit 4 - 27-19 Florida Administrative Code EM Director or Part - Time Coordinator Certification. There is no match require. (Office of Emergency Management)
2. **20-1051** Approval and execution of State of Florida Florida Division of Emergency Management Federally Funded Subaward and Grant Agreement Emergency Management Performance Grants Agreement Number: G0074 for Fiscal Year 2020-2021 in the amount of \$253,561. A match in the amount of \$253,561 is required. (Office of Emergency Management)
3. **20-1052** Approval and execution of 1) State of Florida Florida Division of Emergency Management Federally Funded Subaward and Grant Agreement Emergency Management Performance Grant, COVID-19 Supplemental Agreement Number: G0091 for Fiscal Year 2020-2021 in the amount of \$61,234.30 and 2) FY 2020 - 2021 EMPG-S Agreement Exhibit 4 Certification & Compliance with EMPG-S Notice of Funding Opportunity (NOFO) Objectives, Priorities, and Funding Restrictions. A match in the amount of \$61,234.30 is required. (Office of Emergency Management)
4. **20-1053** Approval and execution of Interagency Agreement between The School Board of Orange County, Florida and Orange County, Florida regarding emergency evacuation shelters. (Office of Emergency Management)

J. HEALTH SERVICES DEPARTMENT

1. **20-1054** Approval and execution of the renewal Certificate of Public Convenience and Necessity for the Orange County Fire Rescue Operations - EMS Section to provide Advanced Life Support Transport Service. The term of this certificate is from July 31, 2020 through July 31, 2022. There is no cost to the County. (EMS Office of the Medical Director)
2. **20-1055** Approval and execution of the renewal Certificate of Public Convenience and Necessity for the Winter Park Fire Rescue to provide Advanced Life Support Transport Service. The term of this certificate is from July 31, 2020 through July 31, 2022. There is no cost to the County. (EMS Office of the Medical Director)

K. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-1056** Approval and execution of Fifth Amendment to the First Amended and Restated Development Order for Greenway Park Development of Regional Impact. District 4. (Planning Division)
2. **20-1057** Approval and execution of Tenth Amendment to Amended and Restated Development Order of Meadow Woods Development of Regional Impact. District 4. (Planning Division)

(This item was deferred.)

3. **20-1058** Approval and execution of Adequate Public Facilities Agreement for West Orange Environmental Resources C&D Disposal & Recycling Facility/Communication Tower PD by and between OCE West Orange, LLC and Orange County. District 1. (Planning Division)

(This item was deferred.)

4. **20-1059** Approval and execution of First Amendment to Transportation Impact Fee Agreement The Registry on Grass Lake Avalon Road/CR 545 by and among 18 Avalon Road LLC, The Registry at Grass Lake, LLC, and Orange County to extend the time frame for conveyance. District 1 (Roadway Agreement Committee)

(This item was deferred.)

5. **20-1060** Approval and execution of Transportation Impact Fee Agreement The Registry on Grass Lake (Added Parcel) Avalon Road (C.R. 545), 2020 by The Registry at Grass Lake, LLC and Orange County for the conveyance of 0.066 acres of right-of-way for \$22,770 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

(This item was deferred.)

6. **20-1061** Approval and execution of Proportionate Share Agreement for Epoch Aloma Aloma Avenue from Tangerine Avenue to Seminole County Line and Semoran Boulevard to Tangerine Avenue by and between Epoch Aloma, LLC and Orange County for a proportionate share payment in the amount of \$158,080. District 5. (Roadway Agreement Committee)

L. PUBLIC WORKS DEPARTMENT

1. **20-1062** Approval to increase the speed limit on Nova Road between State Road 520 and Orange County/Osceola County limits from 30 mph to 50 mph. District 4. (Traffic Engineering Division)
2. **20-1063** Approval to install multi-way "Stop" signs on Summerlake Park Boulevard at Summerlake Groves Street. District 1. (Traffic Engineering Division)
3. **20-1064** Approval of "No Parking" signs installation on Page Avenue and Dawley Avenue at the fence line of the retention pond. District 3. (Traffic Engineering Division)

M. UTILITIES DEPARTMENT

1. **20-1065** Approval and execution of Florida Department of Environmental Protection v. Orange County Utilities Water Reclamation Division, OGC File No.: 20-0221 OCUD South WRF, FLA107972 Consent Order and authorization for the County Administrator to execute the Consent Order; approval of the maintenance bay LED lighting P2 project at the SWRF; and authorization to pay costs and expenses in the amount of \$250. District 6. (Water Reclamation Division)
2. **20-1066** Approval and execution of Fourth Amendment to Interlocal Agreement between the Water Cooperative of Central Florida and Reedy Creek Improvement District relating to the preliminary design and permitting of the alternative water supply project known as the Cypress Lake Wellfield and related matters. All Districts.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-910** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Florida Public Service Commission Consummating Order. In re: Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.46% to 6.07%, effective January 1,

2020, by Duke Energy.

b. Florida Public Service Commission Notice of Proposed Agency Action Order Approving Duke Energy Florida, LLC's Amended Standard Offer Contract and Rate Schedule. In re: Petition for approval of amended standard offer contract (Schedule COG-2), by Duke Energy Florida, LLC d/b/a Duke Energy.

c. Florida Public Service Commission Notice of Proposed Agency Action Order Approving Florida Power and Light Company's Standard Offer Contract and Rate Schedule QS-2. In re: Petition for approval renewable energy tariff and standard offer contract, by Florida Power & Light Company.

d. Florida Public Service Commission Final Order Approving Determination of Need for an Electrical Transmission Line. In re: Petition for determination of need for the Orlando/St. Cloud Regional Resiliency Connection 230kV transmission line project in Orange and Osceola Counties, by Orlando Utilities Commission.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **20-1067** FY 2021 State of the Arts and Budget Recommendations from the Arts and Cultural Affairs Advisory Council. (Arts and Cultural Affairs Office)

The Board took no action.

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1068** Selection of one firm and two ranked alternates to provide Design Services for the Orange County Courthouse Lighting Upgrades, Request for Proposals Y20-822-FH, from the following five firms, listed alphabetically:

- Graef-USA, Inc.
- Hanson Professional Services, Inc.
- Matern Professional Engineering, Inc.
- SGM Engineering, Inc.
- TLC Engineering Solutions, Inc.

([Administrative Services Department Capital Projects Division]
Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to appoint TLC Engineering Solutions, Inc., 480 points, as the selected firm; and further, appoint Graef-USA, Inc., 452.50 points, and Hanson Professional Services, Inc., 427.50 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. **20-1069** Selection of one firm and two ranked alternates to provide Engineering Services for Ficquette Road, Request for Proposals Y20-824-TA, from the following five firms, listed alphabetically:

- Atkins North America, Inc.
- Barnes, Ferland, and Associates, Inc.
- CPH, Inc.
- Reiss Engineering, Inc.
- Woolpert, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to appoint CPH, Inc., 493.25 points, as the selected firm; and further, appoint Barnes, Ferland, and Associates, Inc., 450 points, and Woolpert, Inc., 412.50 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

3. **20-1070** Selection of one firm and two ranked alternates to provide Design Services for the Orange County Corrections North and South Perimeter Buildings, Request for Proposals Y20-829-FH, from the following three firms, listed alphabetically:

- KMF Architects
- MRI Architectural Group, Inc.
- Rhodes + Brito Architects, Inc.

([Administrative Services Department Capital Projects Division] Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to appoint KMF Architects, 374 points, as the selected firm; and further, appoint Rhodes + Brito Architects, Inc., 357 points, and MRI Architectural Group, Inc., 325 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. **20-1071** (1) Approval and authorization for Mayor or designee to execute funding suggestions at the maximum amounts presented by staff; and (2) Delegation of signature authority to Mayor or designee to enter into funding agreements with designated agencies and execute any related modifications or amendments to such agreements provided that the funding agreements, related modifications or amendments have been approved by the County Attorney's Office, Risk Management Division and County Administration. (Fiscal and Operational Support Division)

The following person addressed the Board: Mimi Coenen.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to approve and authorize the Mayor or designee to execute funding suggestions at the maximum amounts presented by staff; and further, delegate signature authority to Mayor or designee to enter into funding agreements with designated agencies and execute any related modifications or amendments to such agreements provided that the funding agreements, related modifications or amendments have been approved by the County Attorney's Office, Risk Management Division and County Administration. 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

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-1072** Parking Enforcement.

The Board took no action.

B. PUBLIC WORKS DEPARTMENT

1. **20-1073** Proposed Amendments to Orange County Code relative to Pedestrian Safety/Americans with Disabilities Act (ADA) standards and Amendments to Public Works Department Administrative Code. (Planning and Transportation Division)

The Board took no action.

III. DISCUSSION AGENDA (Continued)

A. COUNTY ADMINISTRATOR

2. **20-1074** COVID-19 Update.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to expand the eligibility criteria to allow home-based businesses and sole proprietors with three or less

employees residing in the home, and operating within zoning laws and jurisdictional code, to receive a one-time grant up to \$3,000, but not to exceed 10% of the total gross revenues for the prior calendar year; and further, expand the Federal CARES PPP loan to qualifying business from \$50,000, or less, to \$75,000. 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. RECOMMENDATIONS

1. 20-1075 June 18, 2020 Planning and Zoning Commission Recommendations

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

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

2. 20-015 July 2, 2020 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to approve the recommendations, with the exception of Case # SE-20-03-013, Orlando Torah Center (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

VI. PUBLIC HEARINGS

1. 20-824 Petition to Vacate

Adam Coyman, on behalf of Wigaris Jeannette Valdes Diaz, Petition to Vacate 18-10-032; portion of drainage and utility easement; District 4

Consideration: Resolution granting Petition to Vacate # 18-10-032, vacating a 5 foot wide portion of a 10 foot wide drainage and utility easement located five feet off the rear property line of a residential lot located within the Cypress Springs Subdivision, containing approximately 387 square feet

Location: District 4; property located at 1753 Branchwater Trail; S04/T23/R31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner VanderLey, 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

2. 20-922 Petition to Vacate

Candice Hawks, Poulos & Bennett, LLC, on behalf of Jen Florida 36 LLC and John and Katherine Ratliff, Petition to Vacate 20-03-009; portions of unopened, unimproved and unnamed rights-of-way; District 1

Consideration: Resolution granting Petition to Vacate # 20-03-009, vacating six (6) portions of unopened, unimproved and unnamed 50 foot wide rights-of-way, and two (2) portions of unopened, unimproved and unnamed 30 foot wide right-of-way containing a total of approximately 14.09 acres.

Location: District 1; Three parcel addresses are 17263 Lake Ingram Road, 17395 Lake Ingram Road, and 17425 Lake Ingram Road, all other parcels are unaddressed; S19/T23/R27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to approve the request subject to the recordation of a temporary right-of-way easement and a temporary utility easement over areas requested for vacation. 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. 20-813 Conservation Area Impact

Millenia Park Partners, LLC, permit (CAI-20-02-019); District 6

Consideration: Conservation Area Impact (CAI) requesting for authorization of direct impacts to a Class I surface water and Class III wetlands in order to construct a new multi-family development.

Location: District 6; The project is located at the site of the former Eaglewood Golf Course on P G A Boulevard, Orlando, FL 32839; Orange County, Florida (legal description on file in Environmental Protection Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division staff; and further, approve the Conservation Area Impact Permit (CAI-20-02-019), for Millenia Park Partners, LLC, subject to the twenty six (26) conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

Absent: 1 - Commissioner VanderLey

4. 20-911 Shoreline Alteration/Dredge and Fill

John and Jean Amm, Lake Conway, after-the-fact permit, SADF # 20-03-008; District 3

Consideration: Request for an After-the-fact Shoreline Alteration/Dredge and Fill Permit SADF # 20-03-008 to construct a seawall and fence along the shoreline of Lake Conway, pursuant to Orange County Code, Chapter 33, Article II, Lake Conway Water and Navigation Control District

Location: District 3; on property located adjacent to Lake Conway located at 4091 Conway Place Circle, Orlando, FL 32812; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: John Amm.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to accept the findings and recommendation of the Environmental Protection Division staff; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-20-03-008) for John and Jean Amm, subject to the twenty three (23) conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

Absent: 1 - Commissioner VanderLey

5. 20-825 Board of Zoning Adjustment Board-Called

Solange Dao, Case # VA-20-04-017, May 20, 2020; District 3

Consideration: Request for a variance in the IND-2/IND-3 zoning district to allow for construction of 7 industrial buildings with a 15 ft. (east) setback from a residential zoning district in lieu of a setback of 60 ft.

Location: District 3, property located at 6682 Hoffner Ave; Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board: Solange Dao.

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to continue the Board of Zoning Adjustment Board-Called public hearing Case # VA-20-04-017 and the Zoning Manager Determination Appeal public hearing until November 17, 2020, at 2 p.m. The motion carried by the following vote:

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

and

6. 20-826 Zoning Manager Determination Appeal

Solange Dao; appeal of the determination of the Zoning Manager on Section 24-5(a)(2) - Type B Buffer; District 3

Consideration: Zoning Manager Determination Appeal on Section 24-5(a)(2) - Type B Buffer.

Location: District 3; property located at 6682 Hoffner Ave; Orange County, Florida (legal property description on file in Zoning Division)

The Zoning Manager Determination Appeal public hearing was continued.

7. **20-815** Land Use Plan Amendment

Robert Reese, Brossier Corporation, Registry on Grass Lake Planned Development (PD), Case # LUPA-19-08-262; District 1

Consideration: A request to rezone one parcel containing 1.33 acres from A-1 (Citrus Rural District) to PD (Planned Development District) and incorporate the subject parcel into The Registry on Grass Lake PD. There is no proposed increase in entitlements associated with this request. The request also includes the following waivers from Orange County Code:

1. A waiver from 38-1258(a) to allow the buildings that will be 5 stories, 70 ft. tall to be 30 ft. from single family, in lieu of buildings within 100 ft. of single family to be single story.
2. A waiver from Section 38-1258(b) to allow 100% of multi-family buildings to be five (5) stories, 70 feet in height, thirty (30) feet from single-family zoned property, in lieu of a maximum of fifty (50) percent of the building being three (3) stories (not to exceed forty (40) feet) in height with the remaining building being one (1) story or two (20) stories in height located between 100 and 150 feet from single-family zoned property.
3. A waiver from Section 38-1258(c) to allow multi-family buildings five (5) stories, seventy (70) feet in height, thirty (30) feet from single-family properties, in lieu of multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property not exceeding three (3) stories (forty (40) feet) in height.
4. A waiver from Section 38-1258(d) to allow two (2) story multi-family buildings twenty-five (25) feet from single-family zoned properties and five (5) stories, seventy (70) feet, multi-family buildings thirty (30) feet from single-family properties, in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property being restricted to single-story in height and multi-family buildings located within one-hundred and fifty (150) feet of single-family zoned property not exceeding three (3) stories (forty (40) feet) in height; pursuant to Orange County Code, Chapter 30.

Location: District 1; property located at 14506 Avalon Road; or approximately 2,800 feet north of US 192 on the west side of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

New Condition of Approval #11:

11. Prior to approval of the first PSP / DP, applicant shall amend CEA-OC-18-040 to include the property added to the PD by LUPA-19-08-262.

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the ten (10) conditions of approval listed under the Planning and Zoning Commission

recommendation in the Staff Report, as amended; further, approve new Condition of Approval #11; further, approve and execute the First Amendment to Transportation Impact Fee Agreement The Registry on Grass Lake Avalon Road/CR 545 by and among 18 Avalon Road LLC, The Registry at Grass Lake, LLC, and Orange County to extend the time frame for conveyance; and further, approve and execute the Transportation Impact Fee Agreement The Registry on Grass Lake (Added Parcel) Avalon Road (C.R. 545), 2020 by The Registry at Grass Lake, LLC and Orange County for the conveyance of 0.066 acres of right-of-way for \$22,770 in transportation impact fee credits. 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)

K. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

4. **20-1059** Approval and execution of First Amendment to Transportation Impact Fee Agreement The Registry on Grass Lake Avalon Road/CR 545 by and among 18 Avalon Road LLC, The Registry at Grass Lake, LLC, and Orange County to extend the time frame for conveyance. District 1 (Roadway Agreement Committee)

This consent item was approved.

and

5. **20-1060** Approval and execution of Transportation Impact Fee Agreement The Registry on Grass Lake (Added Parcel) Avalon Road (C.R. 545), 2020 by The Registry at Grass Lake, LLC and Orange County for the conveyance of 0.066 acres of right-of-way for \$22,770 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

8. **20-816** Land Use Plan Amendment

Michelle Heatherly, Demetree Global, Collegiate Village Planned Development (PD), Case # LUPA-19-11-394; District 5

Consideration: To rezone .73 acre from R-3 (Multiple-Family Dwelling District) (Parcel # 10-22-31-9652-10-100) to PD (Planned Development District). In addition, the applicant has requested the following waivers from Orange County Code for the entire PD:

1. A waiver from Section 38-1476(a) to allow for a reduction in parking requirements for student

housing to 0.9 spaces per bedroom, in lieu of 1 space per bedroom.

2. A waiver from Section 38-1254 to allow a setback of 10 feet, in lieu of a setback of 40 feet from Alafaya Trail right-of-way.

3. A waiver from Section 38-1253(b) to allow a reduction in required recreational space to 1.25 acres per one thousand (1,000) projected population, in lieu of 2.5 acres per one thousand (1,000) project population; pursuant to Orange County Code, Chapter 30.

Location: District 5; property generally located south of University Boulevard and West of Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Alison Turnbull
- Norman Nash

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

- Exhibit 1, from Norman Nash
- Exhibit 2, from Norman Nash
- Exhibit 3, from Norman Nash
- Exhibit 4, from Norman Nash
- Exhibit 5, from Alison Turnbull

New Conditions of Approval #11, #12, and #13 requested by David Simmons were presented by Norman Nash:

11. The dimensions, materials, landscaping, and aesthetics shown on Exhibits 2 and 3 submitted by David Simmons at the July 28, 2020 Orange County Board of County Commissioners hearing shall be the same or better than those shown thereon.

12. The Collegiate Village PD shall not change the historic volume of or historic drainage carried by the drainage easement located in the "Parcel Strip A" as shown on the Land Use Plan.

13. The foregoing conditions shall run with the land and be binding upon the owners, developers, lessees, and their respective successors in interest of the real property that is legally described in the Land Use Plan 19-11-394.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the ten (10) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; and further, approve new Conditions of Approval #11, #12, and #13, as presented by Norman Nash. The motion carried by the following vote:

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

Nay: 1 - Mayor Demings

9. 20-817 Planning and Zoning Commission Rezoning Board-Called

Geoff Summitt, G.L. Summitt Engineering, Inc., Case # RZ-20-03-019, May 21, 2020; District 2

Consideration: Request to rezone 11.7 acres from A-1 (Citrus Rural District) to R-1 (Single-Family Dwelling District) in order to construct up to forty (40) single-family detached dwelling units.

Location: District 2; property located at 615 & 627 N. Thompson Road; or generally east of N. Thompsom Road and north of Votaw Road; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Jason Searl
- Robert Richcreek
- Mary Cottrell
- Larry Loveland
- Scott Smothers
- Jerry Smothers
- Lee Blackwelder
- Chris Fitzgerald
- Sue Viar
- Kelly Butera
- Troy Overman
- Clair Ludvig
- Howard Ludvig
- Barbara Vaught
- Barry Vaught
- Tray Roberts
- Jack Cooper
- Brian Milburn

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

- Exhibit 1, from Sue Viar
- Exhibit 2, from Jason Searl

A motion was made by Commissioner Moore, seconded by Commissioner Siplin, to make a finding of inconsistency with the Comprehensive Plan; and deny the rezoning request from A-1 (Citrus Rural District) to R-1 (Single-Family Dwelling District), in order to construct up to (40) single-family detached dwelling units. 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. 20-816 Land Use Plan Amendment

Michelle Heatherly, Demetree Global, Collegiate Village Planned Development (PD), Case # LUPA-19-11-394; District 5

Consideration: To rezone .73 acre from R-3 (Multiple-Family Dwelling District) (Parcel # 10-22-31-9652-10-100) to PD (Planned Development District). In addition, the applicant has requested the following waivers from Orange County Code for the entire PD:

1. A waiver from Section 38-1476(a) to allow for a reduction in parking requirements for student housing to 0.9 spaces per bedroom, in lieu of 1 space per bedroom.
2. A waiver from Section 38-1254 to allow a setback of 10 feet, in lieu of a setback of 40 feet from Alafaya Trail right-of-way.
3. A waiver from Section 38-1253(b) to allow a reduction in required recreational space to 1.25 acres per one thousand (1,000) projected population, in lieu of 2.5 acres per one thousand (1,000) project population; pursuant to Orange County Code, Chapter 30.

Location: District 5; property generally located south of University Boulevard and West of Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

Mayor Demings reconsidered the Collegiate Village PD Land Use Amendment public hearing for clarification of the conditions of approval previously approved by the Board of County Commissioners. County staff indicated that if Board members assumed differently than what Commissioner Bonilla intended, the Board would need to take a motion to reconsider. Commissioner Bonilla clarified that her motion was to approve the request subject to Staff's recommended conditions approved by the PZC (Planning and Zoning Commission).

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to reconsider the approval of the Collegiate Village PD Land Use Amendment public hearing which made a finding of consistency with the Comprehensive Plan; further, approved the request subject to the ten (10) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; and further, approved new Conditions of Approval #11, #12, and #13, as presented by Norman Nash. 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 motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and further, approve the request subject to the ten (10) conditions of approval listed under the Planning and Zoning Commission recommendation only 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. 20-822 Planning and Zoning Commission Rezoning Board-Called

Kathy Hattaway, Poulos & Bennett, LLC, Case # RZ-19-11-055; February 20, 2020; District 5

Consideration: Request to rezone 292.79 gross acres (253.26 net developable acres) from R-CE-C (Country Estate Cluster District) to R-CE-C (Country Estate Cluster District) to amend the Lake Pickett Cluster Plan to allow non-lakefront lot size to be a minimum one-third acre within Phases 2, 3, 5, and 6. There is no proposed change to the approved development program, density, or dwelling unit count within the Cluster Plan. This case was postponed at the April 21, 2020 Board of County Commissioners meeting.

Location: District 5; property generally located on the west side of TV Tower Road, north of Lake Pickett Road, and southwest of North Fort Christmas Road; Orange County, Florida (legal property description on file in Planning Division)

The request was withdrawn and the Planning and Zoning Commission Rezoning public hearing was canceled.

11. 20-823 Substantial Change

Barry Johnson, Miller Johnson Law, P.L., Meadow Woods Planned Development / Land Use Plan (PD / LUP), Case # CDR-18-05-144, amend plan; District 4

Consideration: A PD Substantial change to allow outdoor storage of boats, recreational vehicles, trailers and vehicles, but not the rental or display of U-Hauls or moving trucks, on PD Parcel 12.1; 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 4; property located at 13450 Landstar Boulevard; generally located north of State Road 417, west of Landstar Boulevard, and south of Pinnacle Cove Boulevard; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the twelve (12) conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve and execute the Tenth Amendment to Amended and Restated Development Order of Meadow Woods Development of Regional Impact. 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)

K. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

2. 20-1057 Approval and execution of Tenth Amendment to Amended and Restated Development Order of Meadow Woods Development of Regional Impact. District 4. (Planning Division)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)**12. 20-814 Rezoning**

Neel Shivcharran, Galleon Consulting Group, LLC, Old Cheney Townhomes
Planned Development (PD), Case # LUP-19-06-225; District 5

Consideration: Request to rezone 1.14 gross acres from R-1A (Single-Family Dwelling District) and R-3 (Multiple-Family Dwelling District) to PD (Planned Development District), in order to construct ten (10) single-family attached residential dwelling units. The request also includes the following waivers from Orange County Code:

- a. A waiver from Section 38-1272(a)(3) to allow a 10' rear yard setback between the residential and commercial site internal to the PD, in lieu of the 25' setback.
- b. A waiver from Section 24-5(a)(3) for a 5' buffer between the commercial and residential internal to the PD, in lieu of the 15' required buffer.
- c. A waiver from Section 38-1254(a) to allow for a 5' side yard setback along the north property line, in lieu of the 25' perimeter setback.
- d. A waiver from Section 38-1272(a)(3) to allow an 8.3' setback from Turrisi Boulevard for the commercial portion, in lieu of the 30' setback.
- e. A waiver from Section 38-1272(a)(3) to allow an 18.7' setback from Old Cheney Highway for the commercial portion, in lieu of 30'.
- f. A waiver from Section 38-1254(1) to allow a 20' setback from Turrisi Boulevard, in lieu of 25'.
- g. A waiver from Section 38-12-53 to waive the requirement for a recreational area.
- h. A waiver from Section 30-248(8) to allow backing of vehicles on the right-of-way, in lieu of not permitting backing of vehicles on the right-of-way, as shown on the plans.
- i. A waiver from Section 30-248(7) to allow parking, stopping and maneuvering of vehicles in the right-of-way, in lieu of not allowing parking, stopping and maneuvering of vehicles on the right-of-way, as shown on the plans; pursuant to Orange County Code, Chapter 30.

Location: District 5; property located at 5565 Old Cheney Highway; or generally at the northeast corner of the Old Cheney Highway and Turrisi Boulevard intersection; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Neel Shivcharran.

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request from R-1A (Single-Family Dwelling District) and R-3 (Multi-Family Dwelling District) to PD (Planned Development District), in order to construct ten (10) single-family attached residential dwelling units, subject to the fourteen (14) 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

13. 20-821 Rezoning

Mary D. Solik, Doty Solik Law, P.A., West Orange Environmental Resources C&D Disposal & Recycling Facility / Communication Tower Planned Development / Land Use Plan, Case # LUP 19-01-044; District 1

Consideration: Request to rezone 44.02 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) to allow the use of an existing landfill and a new 140-foot tall monopole communication tower; pursuant to Orange County Code, Chapter 30

Location: District 1; property generally located north of Schofield Road, east of SR 429, and west of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Mary Solik.

A motion was made by Commissioner VanderLey, seconded by Mayor Demings, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request from A-1 (Citrus Rural District) to PD (Planned Development District), to allow the use of an existing landfill and a new 140-foot tall monopole communication tower, subject to the ten (10) 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 West Orange Environmental Resources C&D Disposal & Recycling Facility/Communication Tower PD by and between OCE West Orange, 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)

K. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 3. **20-1058** Approval and execution of Adequate Public Facilities Agreement for West Orange Environmental Resources C&D Disposal & Recycling Facility/Communication Tower PD by and between OCE West Orange, LLC and Orange County. District 1. (Planning Division)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

- 14. **20-989** Ordinance

Amending Orange County Code, Chapter 23, pertaining to impact fees economic development incentives;

Consideration: AN ORDINANCE AMENDING CHAPTER 23 ("IMPACT FEES") BY AMENDING SECTION 23-29 ("IMPACT FEES, WITH ANNUAL INDEXING; COMPARABLE

USES; ALTERNATIVE IMPACT FEE CALCULATION; PERIODIC UPDATES; TIME OF PAYMENT"); SECTION 23-60("FEES; COMPARABLE USES, ADJUSTMENTS; PERIODIC ADJUSTMENTS; TIME OF PAYMENT. "); SECTION 23-91("LIMITATION OF ISSUANCE OF BUILDING PERMITS"); SECTION 23-98 ("EXEMPTIONS AND DISCOUNTS"); SECTION 23-142 ("PAYMENT"); SECTION 23-180 ("IMPACT FEES; COMPARABLE USES; ADJUSTMENTS; PERIODIC ADJUSTMENTS; TIME OF PAYMENT"); AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2020-16 amending Chapter 23 ("Impact Fees") allowing for deferral of payment of impact fees until Certificate of Occupancy; and further, create an exemption for payment of transportation impact fees for change of use permits. 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. 20-893 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2019-2 Continued Privately-Initiated Small-Scale Development Amendment to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning Request and Adoption of Ordinance

Privately-Initiated Small Scale Development Future Land Use Map Amendment

Amendment 2019-2-S-5-4

Tom Sullivan for Winter Park Prime Properties, LLC; District 5

Consideration: Low-Medium Density Residential (LMDR) to Commercial (C) (south 1.085 ac.)

Location: 1123 W. Fairbanks Ave.; Generally located north of W. Fairbanks Ave., east of Estill Ct., west of Adanson St., and south of Alton Ave.; Parcel ID#: 03-22-29-0900-02-000; 1.085 gross ac.

The following person addressed the Board: Tom Sullivan.

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Objectives and Policies FLU 1.1, FLU 1.1.1, FLU 1.4.1, FLU 1.4.2, FLU 1.4.4, FLU 1.4.10, FLU 8.2, FLU 8.2.1, FLU 8.2.10, FLU 8.2.11, Conservation Element Goal C1, Open Space Element Policy 1.3.6, and Neighborhood Element Objective OBJ N1.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2019-2-S-5-4, Low-Medium Density Residential (LMDR) to Commercial (C), up to six (6) dwelling units (north 0.664 acres), and up to 70,566 square feet of C-1 commercial uses (1.5 FAR) (south 1.085 acres); further, approve the rezoning request from R-1A (Single-Family Dwelling District) to C-1 (Retail Commercial District) on the south 1.085 portion of the subject parcel and R-1 (Single-Family Dwelling District) on the north

0.664 acres of the subject parcel, subject to the six (6) restrictions listed in the Staff Report; and further, approve new Restriction #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

and

15. 20-894 Concurrent Rezoning Request

Tom Sullivan for Winter Park Prime Properties, LLC; District 5
Rezoning RZ-19-10-041

Consideration: Request to rezone from R-1A (Single-Family Dwelling District) to C-1 (Retail Commercial District) (south 1.085 ac.) and R-1A (Single-Family Dwelling District) to R-2 (Single-Family Dwelling District) (north 0.664 ac.)

Location: 1123 W. Fairbanks Ave.; Generally located north of W. Fairbanks Ave., east of Estill Ct., west of Adanson St., and south of Alton Ave.; Parcel ID#: 03-22-29-0900-02-000; 1.75 gross ac.

County staff stated that the original rezoning request was C-1 (Retail Commercial District) on the commercial portion and R-2 (Single-Family Dwelling District) on the residential. County staff and the PZC (Planning and Zoning Commission) recommend rezoning Case # RZ-19-10-041 be approved but with a R-1 (Single-Family Dwelling District) classification and not the requested R-2 (Single-Family Dwelling District).

New Restriction #7:

7. For the residential property on the north 0.664 acres of the subject parcel, the parties agree to R-1 zoning rather than R-2, and only single family detached homes will be constructed.

The concurrent rezoning public hearing Case # RZ-19-10-041 was approved.

15. 20-895 Small-Scale Development Ordinance

Amending Orange County Code, adopting 2019-2 Small-Scale Development Amendment to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3187, F.S.

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

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in

compliance; and further, adopt Ordinance 2020-17, approving the proposed Future Land Use Map, consistent with today's actions. 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. 20-897 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2020-1 Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning or Substantial Change Requests and Adoption of Ordinance

Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-1-1

Alison Yurko, Alison M. Yurko, P.A., for Paul Wadina; District 1

Consideration: Low Density Residential (LDR) to Office (O)

Location: 3750 Old Winter Garden Rd; Generally located south of Old Winter Garden Rd., west of Rowe Ave., north of Market St., and east of Division Ave.; Parcel ID#: 28-22-28-6689-13-190; 0.20 gross ac.

The following person addressed the Board: Alison Yurko.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objectives FLU2.1 and FLU8.2; Policies FLU1.1.4A, FLU1.4.1, FLU1.4.2, FLU1.4.13, FLU2.2.1, FLU8.2.1, FLU8.2.10; and Neighborhood Element Objective N1.1); further, determine that the amendment is in compliance; further, adopt Amendment 2020-1-S-1-1, Low Density Residential (LDR) to Office (O), to allow for the development of a 1,150-square-foot medical office building; further, make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request from A-1 (Citrus Rural District) to P-O (Professional Office District), subject to the three (3) restrictions and two (2) variance requests listed in the Staff Report.. The motion carried by the following vote:

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

and

16. 20-898 Concurrent Rezoning Request

Alison Yurko, Alison M. Yurko, P.A., for Paul Wadina; District 1
Rezoning RZ-20-04-068

Consideration: Request to rezone from A-1 (Citrus Rural District) to P-O (Professional Office

District)

Location: 3750 Old Winter Garden Rd; Generally located south of Old Winter Garden Rd., west of Rowe Ave., north of Market St., and east of Division Ave.; Parcel ID#: 28-22-28-6689-13-190; 0.20 gross ac.

The concurrent rezoning public hearing Case # RZ-20-04-068 was approved.

16. 20-899 Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-1-2

Constance D. Silver, PE, Tri3 Civil Engineering, for Karam Duggal; District 1

Consideration: Office (O) to Activity Center Mixed Use (ACMU)

Location: 11444 S. Apopka Vineland Rd; Generally located west of S. Apopka Vineland Rd., south of Lake Buena Vista Woods Blvd., and north of Lake St.; Parcel ID#: 15-24-28-1080-01-000 (portion of); 1.68 gross ac.

The following person addressed the Board: Constance Silver.

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goals, Objectives and Policies FLU1.4, FLU1.4.3, FLU1.4.10, FLU1.4.21, FLU8.2.1, and FLU8.2.11, Neighborhood Element Goals, Objectives and Policies N1.1, and International Drive Element Goals, Objectives and Policies ID1.1.2); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2020-1-S-1-2, Office (O) to Activity Center Mixed Use (ACMU), up to 219,542 square feet of non-residential uses (FAR 3.0) or 100 hotel lodgings (60 rooms per acre) or up to 15 residential units on 1/2 acre (30 du's per acre max of 30% of the site in residential use) with the remainder of the site in non-residential or lodgings; further, make a finding of consistency with the Comprehensive Plan; and further, approve the Buena Vista Commons PD to include Activity Center Mixed Use uses for Buildings 1 and 2, subject to the ten (10) conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

and

16. 20-900 Concurrent Substantial Change Request

Constance D. Silver, PE, Tri3 Civil Engineering, for Karam Duggal; District 1
Substantial Change CDR-20-01-003

Consideration: Substantial Change Request to the Buena Vista Commons PD to include Activity Center Mixed Use uses for Buildings 1 and 2.

Location: 11444 S. Apopka Vineland Rd; Generally located west of S. Apopka Vineland Rd., south of Lake Buena Vista Woods Blvd., and north of Lake St.; Parcel ID#: 15-24-28-1080-01-000 (portion of); 1.68 gross acres (CED affected acres)/8.52 acres (Buena

Vista Commons PD overall acres)

The substantial change public hearing Case # CDR-20-01-003 was approved.

16. **20-901** Amending Orange County Code, adopting 2020-1 Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning or Substantial Change Requests and Adoption of Ordinance (Continued from July 28, 2020)

Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-2-2

Junias Desamour for Jolieview, LLC; District 2
Office (O) to Low-Medium Density Residential (LMDR); District 2

Consideration: Office (O) to Low-Medium Density Residential (LMDR)

Location: 310 S. Lake Pleasant Rd.; Generally located on the west side of S. Lake Pleasant Rd., north of E. Semoran Blvd., south of Wekiva Crossing Blvd., and east of Semoran Commerce Pl.; Parcel ID#: 11-21-28-0000-00-058; 0.50 gross ac.

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to continue Amendment 2020-1-S-2-2 and concurrent rezoning public hearing Case # RZ-20-04-072, until September 1, 2020, at 2 p.m. The motion carried by the following vote:

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

and

16. **20-902** Concurrent Rezoning Request

Rezoning RZ-20-04-072
Office (O) to Low-Medium Density Residential (LMDR); District 2

Consideration: Request to rezone from P-O (Professional Office District) to R-2 (Residential District)

Location: 310 S. Lake Pleasant Rd.; Generally located on the west side of S. Lake Pleasant Rd., north of E. Semoran Blvd., south of Wekiva Crossing Blvd., and east of Semoran Commerce Pl.; Parcel ID#: 11-21-28-0000-00-058; 0.50 gross ac.

The concurrent rezoning public hearing Case # RZ-20-04-072 was continued.

16. **20-903** Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-2-3
Jean M. Abi-Aoun, P.E., Florida Engineering Group, Inc., for Kingdom Church, Inc.; District 2

Consideration: Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) (Senior Housing)

Location: Generally located on the west side of N. Powers Dr., north of Fox Briar Trl., south of Quarter Horse Ln., and east of Renoir Dr.; Parcel ID#: 01-22-28-0000-00-009; 8.97 ac.

The following persons addressed the Board:

- Jean Abi-Aoun
- Samuel Abraham
- David Outing
- David Jacques

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Objectives FLU1.1 and FLU1.2, FLU2.1, FLU8.2 and Policies FLU1.1.5, FLU1.4.1, FLU1.4.2, FLU 8.1.1(b), FLU8.2.1, FLU8.2.2 and FLU8.2.11, Housing Element Goal H1 and Housing Element Objective OBJ H1.1, and Open Space Element Policy OS1.3.6); further, determine that the amendment is in compliance; further, adopt Amendment 2020-1-S-2-3, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), up to fifty-nine (59) single-family attached or detached units; further, make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request from A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD), subject to the eighteen (18) 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

and

16. 20-904 Concurrent Rezoning Request

Jean M. Abi-Aoun, P.E., Florida Engineering Group, Inc., for Kingdom Church, Inc.; District 2
Rezoning LUP-19-12-418

Consideration: Request to rezone from A-1 (Citrus Rural District) to PD (Planned Development District) (Kings Landing PD)

Location: Generally located on the west side of N. Powers Dr., north of Fox Briar Trl., south of Quarter Horse Ln., and east of Renoir Dr.; Parcel ID#: 01-22-28-0000-00-009; 8.97 ac.

The concurrent rezoning public hearing Case # LUP-19-12-418 was approved.

16. 20-905 Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2020-1 Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP),

and where applicable Concurrent Rezoning or Substantial Change Requests and Adoption of Ordinance (Continued from July 28, 2020)

Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-3-2

Jon C. Wood for AC Five, LLC; District 3

Consideration: Planned Development-Commercial (PD-C) to Planned Development-Medium-High Density Residential (PD-MHDR)

Location: 8751 Valencia College Ln.; Generally located north of Valencia College Ln., west of SR 417, and east of John Wesley Wy.; Parcel ID#: 24-22-30-0000-00-005; 7.83 gross ac.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue Amendment 2020-1-S-3-2 until August 11, 2020, at 2 p.m. The motion carried by the following vote:

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

16. 20-906 Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-3-4

Elizabeth Bertrand, Palumbo & Bertrand, P.A., for Palumbo & Bertrand, PA;
District 3

Consideration: Low-Medium Density Residential (LMDR) to Office (O)

Location: 2500 S. Bumby Ave.; Generally located on the west side of S. Bumby Ave., south of E. Crystal Lake Ave., east of Gowen St., and north of E. Jersey Ave.; Parcel ID#: 06-23-30-1420-02-011; 0.17 gross ac.

The following person addressed the Board: Elizabeth Bertrand.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objective FLU8.2; Policies FLU1.1.4A, FLU1.1.5, FLU2.2.1, FLU8.2.1, and FLU8.2.10); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2020-1-S-3-4, Low-Medium Density Residential (LMDR) to Office (O), to allow for the development of up to 1,900 square feet of office uses; further, make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request from R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District), subject to the two (2) restrictions and the variance request listed in the Staff Report.. The motion carried by the following vote:

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

and

16. **20-907** Concurrent Rezoning Request

Elizabeth Bertrand, Palumbo & Bertrand, P.A., for Palumbo & Bertrand, PA;
District 3
Rezoning RZ-20-04-074

Consideration: Request to rezone from R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District)

Location: 2500 S. Bumby Ave.; Generally located on the west side of S. Bumby Ave., south of E. Crystal Lake Ave., east of Gowen St., and north of E. Jersey Ave.; Parcel ID#: 06-23-30-1420-02-011; 0.17 gross ac.

The concurrent rezoning public hearing Case # RZ-20-04-074 was approved.

16. **20-908** Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-4-1
Carlos A. Rivero for 707 Woodbury, LLC; District 4

Consideration: Low-Medium Density Residential (LMDR) to Medium-High Density Residential (MHDR) (Senior Housing)

Location: 707 Woodbury Rd.; Generally located south of Lake Underhill Rd., east of Woodbury Rd., north of Woodbury Pines Cr., and west of Lexingdale Dr.; Parcel ID#: 26-22-31-0000-00-014; 1.80 gross ac.

Amendment 2020-1-S-4-1 was withdrawn and no action is needed.

and

16. **20-909** Concurrent Rezoning Request

Carlos A. Rivero for 707 Woodbury, LLC; District 4
Rezoning LUP-20-01-001

Consideration: Request to rezone from R-2 (Residential District) to PD (Planned Development District) (Gardens at Waterford Lakes PD). Also requested are nine (9) waivers from Orange County Code:

- 1) A waiver from Section 38-1258(a) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of 1 story within 100' of single-family zoned property;
- 2) A waiver from Section 38-1258(b) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of 3 story or 40' height within 100-150' of single-family zoned property;
- 3) A waiver from Section 38-1258(c) to allow 4 story / 60 feet tall multi-family building to be located 20' from the closest single-family zoned property in lieu of a maximum of 3 story within 150' of single-family zoned property;

- 4) A waiver from Section 38-1258(d) to allow 4 story / 60 feet tall multi-family building in lieu of a maximum 3 story building;
- 5) A waiver from Section 38-1258(e) to allow parking and / or paved areas within 10' in lieu of 25' of single-family zoned property;
- 6) A waiver from Section 38-1258(f) to not require a 6' masonry, brick, or block wall adjacent to single-family zoned property;
- 7) A waiver from Section 38-1254(i) to allow setbacks of 20' for rear (east side of property) and 15' for the sides (north and south sides of property) in lieu of 25'. The front setback will be a minimum of 25';
- 8) A waiver from Section 38-1476(a) to allow 1.2 parking spaces in lieu of 1.5 spaces per 1 bedroom unit and 1.7 parking spaces in lieu of 2 spaces per 2 bedroom unit; and
- 9) A waiver from Section 38-1255 to allow shade trees at a ratio of one (1) shade tree per three (3) units in lieu of the required one (1) shade tree per unit.

Location: 707 Woodbury Rd.; Generally located south of Lake Underhill Rd., east of Woodbury Rd., north of Woodbury Pines Cr., and west of Lexingdale Dr.; Parcel ID#: 26-22-31-0000-00-014; 1.80 gross ac.

Due to the withdrawal of Amendment 2020-1-S-4-1, the concurrent rezoning public hearing Case # LUP-20-01-001 was not considered.

16. 20-913 Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-6-2

Rafael Santiago Casallas for Adriana I. Hincapie; District 6

Consideration: Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

Location: 4301 S. Rio Grande Ave.; Generally located east of S. Rio Grande Ave., south of 43rd St., west of S. Nashville Ave., and north of 44th St.; Parcel ID#: 10-23-29-6152-04-110; 0.30 gross ac.

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, and FLU8.2.1; and Housing Element Goal H1 and Objective H1.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2020-1-S-6-2, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), up to two (2) single-family lots; further, make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District). 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

16. 20-914 Concurrent Rezoning Request

Rafael Santiago Casallas for Adriana I. Hincapie; District 6
Rezoning RZ-20-04-067

Consideration: Request to rezone from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)

Location: 4301 S. Rio Grande Ave.; Generally located east of S. Rio Grande Ave., south of 43rd St., west of S. Nashville Ave., and north of 44th St.; Parcel ID#: 10-23-29-6152-04-110; 0.30 gross ac.

The concurrent rezoning public hearing Case #RZ-20-04-067 was approved.

16. 20-915 Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-6-3
Harland Chadbourne for Waste Pro Southeast; District 6

Consideration: Neighborhood Residential (NR) and Commercial (C) to Commercial (C)

Location: 1400 S. Orange Blossom Trl.; Generally located west of S. Orange Blossom Trl., south of Indiana St., north of W. Miller Ave., and east of S. Rio Grande Ave.; Parcel ID#: 34-22-29-6316-00-252; 4.49 gross ac.

The following person addressed the Board: Harland Chadbourne.

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goals, Objectives and Policies FLU1, FLU1.1, FLU1.1.1, FLU1.2, FLU1.4.1, FLU1.4.2, FLU1.4.3, FLU1.4.4, FLU1.4.9, FLU2.2, FLU8.1.4, FLU8.2, FLU8.2.1, and FLU8.2.11); further, determine that the amendment is in compliance; and further, adopt Amendment 2020-1-S-6-3, Neighborhood Residential (NR) and Commercial (C) to Commercial (C), to allow the construction of a compression natural gas station to service Waste Pro company vehicles. 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. 20-916 Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-6-4
Andrea Cardo, Interplan, LLC, for Virtus North America, LLC; District 6

Consideration: Medium Density Residential (MDR) to Commercial (C)

Location: Generally located south of Burroughs Ct., west of Environs Blvd., east of N. Hiwassee Rd., and north of Silver Star Rd.; Parcel ID#: 13-22-28-0000-00-044; 1.42 gross ac.

A motion was made by Commissioner Siplin, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objective FLU8.2; Policies FLU1.1.5, FLU1.4.4, FLU1.4.6, and FLU8.2.1; and Neighborhood Element Objective N1.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2020-1-S-6-4, Medium Density Residential (MDR) to Commercial (C),

up to 14,000 square feet of C-1 (Retail Commercial District) uses. 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. 20-917 Small-Scale Development Privately-Initiated Amendment

Amendment 2020-1-S-6-5
Debica Lachman; District 6

Consideration: Low Density Residential (LDR) to Industrial (IND)

Location: 318 and 324 Metcalf Ave.; Generally located west of Metcalf Ave., south of W. South St., east of Tremont Ave., and north of Huppel Ave.; Parcel ID#'s: 30-22-29-6244-03-050/070; 0.24 ac.

The following person addressed the Board: Debica Lachman.

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goals, Objectives and Policies FLU1, FLU1.1, FLU1.1.1, FLU1.2, FLU1.4.1, FLU1.4.2, FLU1.4.3, FLU1.4.4, FLU1.4.9, FLU2.2, FLU8.1.4, FLU8.2, FLU8.2.1, and FLU8.2.11); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2020-1-S-6-5, Low Density Residential (LDR) to Industrial (IND), to use the subject property for truck parking; further, make a finding of consistency with the Comprehensive Plan; and further, approve the rezoning request from R-1 (Single-Family Dwelling District) to I-2/I-3 (Industrial District), subject to the two (2) restrictions listed in the Staff Report. The motion carried by the following vote:

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

and

16. 20-918 Concurrent Rezoning Request

Debica Lachman; District 6
Rezoning RZ-20-04-075

Consideration: Request to rezone from R-1 (Single-Family Dwelling District) to I-2/I-3 (Industrial District)

Location: 318 and 324 Metcalf Ave.; Generally located west of Metcalf Ave., south of W. South St., east of Tremont Ave., and north of Huppel Ave.; Parcel ID#'s: 30-22-29-6244-03-050/070; 0.24 ac.

The concurrent rezoning public hearing Case # RZ-20-04-075 was approved.

16. 20-919 Small-Scale Staff-Initiated Text Amendment

Amendment 2020-1-S-FLUE-1

Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County; Countywide

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to continue Amendment 2020-1-S-FLUE-1 until August 11, 2020, at 2 p.m. The motion carried by the following vote:

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

16. 20-921 Small-Scale Development Ordinance

Amending Orange County Code, adopting 2020-1 Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3187, F.S.

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

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2020-18, approving the proposed Future Land Use Map Amendments, consistent with today's actions. 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. 20-995 Transmittal of the 2020-2 Out of Cycle Regular Cycle Staff-Initiated Text Amendments to the 2010-2030 Comprehensive Plan

Out-Of-Cycle Regular Cycle Staff-Initiated Text Amendment

Amendment 2020-2-C-PSFE-1

Text amendment to Public Schools Facilities Element Policy PS6.3.1 addressing the ability of the Board to consider school overcrowding when reviewing certain rezoning and comprehensive plan amendment requests

County staff proposes amending Policy PS6.3.1 as follows:

PS6.3.1:

~~Orange County shall not approve~~ When reviewing a developer-initiated Comprehensive Plan amendment or rezoning that would increase residential density ~~on property that is not otherwise vested,~~ Orange County shall seek input from until such time as OCPS has determined as to whether sufficient school capacity will exist concurrent with the development, or a capacity enhancement agreement is executed that provides for. If OCPS indicates there is insufficient capacity in the affected schools, Orange County may take into consideration the severity of the overcrowding and the timing of the availability of the needed capacity to accommodate the proposed development when deciding whether to approve or deny the requested Comprehensive Plan amendment or rezoning.

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, transmit Amendment 2020-2-C-PSFE-1. 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. 20-996 Out-of-Cycle Regular Cycle Staff-Initiated Text Amendment

Amendment 2020-2-C-FLUE-2

Text amendment to Future Land Use Element Policy FLU8.2.5.1 to not require a rezoning for properties with inconsistent Zoning and Future Land Use Map designations when the proposed use is single-family detached residential; the Zoning and Future Land Use Map designations are both residential; and the lot is a Lot of Record or has been legally subdivided.

County staff proposes amending FLU8.2.5.1 as follows:

FLU8.2.5.1 A rezoning may not be required for properties with inconsistent zoning and Future Land Use Map (FLUM) designations under the following circumstances:

A. For non-residential uses when the proposed use is permitted in the existing zoning district, and the same use is permitted in each of the zoning districts that are consistent with the adopted FLUM designation; or

B. For non-residential and residential uses when the proposed use is permitted in the existing zoning district, but the use would require a special exception if the property is rezoned to be consistent with the adopted FLUM designation. In this case, however, the same use must be permitted or allowed by special exception in each of the zoning districts that are consistent with the adopted FLUM designation; or-

C. For residential uses when the proposed use is single-family detached residential and the Zoning and Future Land Use are both residential. The lot upon which the single-family detached residential is proposed must be a Lot of Record, a lot created through a plat, or a lot split as recognized by Orange County.

Any development of such properties shall meet the minimum site and building requirements of the existing zoning district, except for substandard Lots of Record. Subsequent requests for

expansions and changes in the permitted uses on the property must conform to this policy. Requests not conforming to this policy shall be subject to a rezoning, special exception, or FLUM amendment.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, transmit Amendment 2020-2-C-FLUE-2. 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: 5:27 p.m.

ATTEST:

Jerry L. Demings

for

County Mayor Jerry L. Demings

SEP 01 2020

Date: _____



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.