

# Orange County Government

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



## **Draft Meeting Minutes**

**Tuesday, February 7, 2023**

**9:00 AM**

**County Commission Chambers**

**Board of County Commissioners**

**Call to Order**

County Mayor Jerry L. Demings called the meeting to order at 9:11 a.m.

**Present:** 6 - Mayor Jerry L. Demings, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Michael Scott

**Absent:** 1 - Commissioner Nicole Wilson

Others present:

County Comptroller Phil Diamond as Clerk  
County Administrator Byron Brooks  
Deputy County Administrator Jon Weiss  
County Attorney Jeffrey J. Newton  
Deputy County Attorney Joel Prinsell  
Public Works Director Joel Kunkel  
Assistant Deputy Clerk Jennifer Lara-Klimetz  
Minutes Coordinator Megan Fiocco

**Invocation - Mayor**

Bishop Kevin Cobaris, The Church of God International Headquarters

**Pledge of Allegiance**

**Presentation**

Proclamation recognizing February 11 through February 18, 2023 as National Entrepreneurship Week

**Presentation**

Art in the Chambers

**Public Comment**

The following persons addressed the Board during public comment:

- Melissa Rimsky
- Geraldine Haye
- Shantele Bennett
- Jon Dedo
- Sasha Horne
- Dawn Jones
- Angela Emerson
- Jose Santiago

- Yhoselyn Andrade
- Samuel Delgado
- Ericka Gomez-Tejeda
- David Maldonado

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

- Exhibit 1, from Angela Emerson
- Exhibit 2, from Ericka Gomez-Tejeda

## I. CONSENT AGENDA

### Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Item 4; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

**Absent:** 1 - Commissioner Wilson

### A. COUNTY COMPTROLLER

1. **23-253** Approval and execution of the minutes of the January 10, 2023 meeting of the Board of County Commissioners (Clerk's Office)
2. **23-254** 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:
  - January 20, 2023, to January 26, 2023; \$58,649,744.77
  - January 27, 2023, to February 2, 2023; \$52,944,764.94(Finance/Accounting)
3. **23-255** Disposition of Tangible Personal Property as follows. (Property Accounting)
  - a. Demolish asset by contractor.
  - b. Scrap assets.
  - c. Dispose of asset totaled by our third party administrator for its salvage value.
  - d. Remove lost asset from inventory.

**B. COUNTY SHERIFF**

1. **23-256** Approval and execution of Edward Byrne Memorial Justice Assistance Grant (JAG) Award Agreement for Award Title: C-8C219: Felony Crimes Unit Night Vision Devices in the amount of \$23,059.50, for the period of October 1, 2022 through September 30, 2023. No matching funds are required.

**C. COUNTY ADMINISTRATOR**

1. **23-257** Confirmation of Commissioner Uribe's reappointment to the Lake Anderson Advisory Board of David M. Harding and Diane D. Robinson with terms expiring December 31, 2024. (Agenda Development Office)
2. **23-258** Confirmation of Commissioner Uribe's reappointment to the Lake Conway Water and Navigation Control District Advisory Board of Dr. Elizabeth Nelson and John Evertsen with terms expiring December 31, 2024. (Agenda Development Office)
3. **23-259** Confirmation of Commissioner Uribe's reappointment to the Lake Holden Advisory Board of Caroline St. Clair, Michael Powell, and Dana L. Kruetzfeldt with terms expiring December 31, 2024. (Agenda Development Office)
4. **23-260** Confirmation of Commissioner Uribe's reappointment to the Lake Jessamine Water Advisory Board of Martha D. Wyatt-Mitchell and Carolyn Accola with terms expiring December 31, 2024. (Agenda Development Office)
5. **23-261** Confirmation of Commissioner Uribe's reappointment to the Lake Mary MSTU Advisory Board of Edwin Johnson, Nancy Crowell, and Nicholas S. Gurney with terms expiring December 31, 2024. (Agenda Development Office)
6. **23-262** Confirmation of the reappointment to the Membership and Mission Review Board of Randy Ross as the District 3 representative and Meka Beacham as the District 6 representative with terms expiring December 31, 2024. (Agenda Development Office)
7. **23-263** Confirmation of the reappointment of John J. Drago as the District 2 representative and Juan F. Velez as the District 3 representative on the Board of Zoning Adjustment with terms expiring December 31, 2024. (Agenda Development Office)
8. **23-264** Confirmation of the reappointment of George J. Wiggins as the District 2 representative on the Planning and Zoning Commission with a term expiring December 31, 2024

-and-

Confirmation of the appointment of Camille Evans as the District 6 representative on the Planning and Zoning Commission with a term expiring December 31, 2024. (Agenda Development Office)

9. **23-265** Approval and execution of A Resolution 2023-M-06 regarding the reimbursement of certain costs and repayment of interfund loans relating to the acquisition of land and construction and equipping of certain capital improvements thereon; providing for an effective date. (Fiscal and Business Services Division)
10. **23-266** Approval for the Orange County Sheriff's Office to spend \$10,000 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to IDignity, Inc. (Office of Management and Budget)
11. **23-267** Approval of budget amendments #23-15, #23-16, #23-17, and #23-18. (Office of Management and Budget)
12. **23-268** Approval of budget transfer #23-0732. (Office of Management and Budget)
13. **23-269** Ratification of payment of Intergovernmental claims of October 4, 2022, October 13, 2022, October 27, 2022, and November 17, 2022, totaling \$2,811,931.12. (Risk Management Division)

#### **D. ADMINISTRATIVE SERVICES DEPARTMENT**

1. **23-270** Approval to award Invitation for Bids Y22-1079-KS, HVAC Preventative Maintenance and Repair Services, to the low responsive and responsible bidder, Mechanical Services of Central Florida, Inc. The estimated contract award amount is \$1,480,297.57. ([Administrative Services Department Facilities Management Division] Procurement Division)
2. **23-271** Approval to award Invitation for Bids Y23-105-MV, Motor Fuels Transport Deliveries, to the low responsive and responsible bidders, Mansfield Oil Company of Gainesville, Inc., in the estimated contract award amount of \$8,808,239.41 for Lots 1 and 2 and Saratoga Rack Marketing, LLC. in the estimated contract award amount of \$1,947,614.56 for Lots 3, 4, and 5 for a one-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
3. **23-272** Approval to award Invitation for Bids Y22-7035-EB, Econlockhatchee Trail South of Lake Underhill Road to North of SR 408, to the low responsive and responsible bidder, Prince Contracting, LLC. The total contract award amount is \$66,776,000. ([Public Works Department Engineering Division] Procurement Division)
4. **23-273** Approval to award Invitation for Bids Y23-719-MB, Hoffner Avenue (State

Road 15) Perimeter Wall, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$1,274,000. ([Public Works Department Engineering Division] Procurement Division)

5. **23-274** Approval to award Invitation for Bids Y23-727-SH, Fire Rescue Headquarters Fuel Storage Systems Replacement, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$722,110. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **23-275** Approval to award Invitation for Bids Y23-733-CR, Regional History Center Elevator Modernization, to the low responsive and responsible bidder, Skyline Elevator, Inc. The total contract award amount is \$838,250. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. **23-276** Approval of Contract Y23-152, Orange County's Permanent Supportive Housing Program - Project Restore, with Grand Avenue Economic Development Corporation, in the estimated contract award amount of \$564,168 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
8. **23-277** Approval of Amendment No. 2, Contract Y17-125, Utilities Customer Information System Solution: Payment Gateway, Interactive Voice and Web Response Outbound Notifications, Call Center Module and Mobility Solution, with Selectron Technologies, Inc., in the amount of \$3,147,009, for a revised total contract award amount of \$6,027,438. ([Utilities Department Customer Service Division] Procurement Division)
9. **23-278** Approval of Amendment No. 12, Contract Y18-137, Occupational Medical Services, with Adventist Health System/Sunbelt, Inc., in the amount of \$420,000, for a revised annual estimated contract amount of \$1,505,660. ([Administration and Fiscal Services Risk Management Division] Procurement Division)
10. **23-279** Approval of Amendment No. 5, Contract Y18-150, Temporary Labor - Inmate Services, with AUE Staffing, Inc., in the amount of \$85,719.20, for a revised estimated contract amount of \$428,596. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)
11. **23-280** Approval of Amendment No. 3, Contract Y19-139, Wellness Nurse Services, with Adventist Health System/Sunbelt, Inc. dba Florida Hospital Centra Care, in the amount of \$92,080, for a revised estimated contract amount of \$729,484.90. ([Administration and Fiscal Services Human Resources Division] Procurement Division)

12. **23-281** Approval of Amendment No. 2, Contract Y22-113, Valve Exercise and Unidirectional Flushing - Term Contract, with Hydromax USA LLC, in the amount of \$1,145,340, for a revised estimated contract amount of \$3,957,610. ([Utilities Department Field Services Division] Procurement Division)
13. **23-282** Approval of Purchase Order M109953, Purchase of Taylor Dunn Carts, with Briggs Equipment DBA MacKinnon Equipment & Services, in the amount of \$168,663. ([Convention Center Facilities Operations Division] Procurement Division)
14. **23-283** Approval of Purchase Order M109965, Asset Management Software Services Public Works Package, with iWorQ Systems Inc., in the amount of \$202,000. ([Public Works Department Roads and Drainage Division] Procurement Division)
15. **23-284** Approval of Purchase Order M109991, Repairs to Leachate Tank MIP 8011867 (Tank 2), with Florida Aquastore & Utility Construction Inc., in the total amount of \$174,831. ([Utilities Department Solid Waste Division] Procurement Division)
16. **23-285** Approval of Purchase Order M110016, Broadband Literacy Classes for Orange County Residents, with From The Heart Charitable Foundation, in the not-to-exceed amount of \$250,000. ([Community and Family Services Department Community Action Division] Procurement Division)
17. **23-286** Ratification of Change Order No. 2, Purchase Order M106440, United States Postal Service Postage Pass Through for Mailing Billing Statements and Letters for Utilities Department, with Infosend, Inc., in the amount of \$57,146.33, for a revised not-to-exceed amount of \$547,146.33. ([Utilities Department Customer Service Division] Procurement Division)
18. **23-287** Selection of Clemons, Rutherford & Associated, Inc. to provide Design Services for Corrections Horizon Dormitory Improvements, Request for Proposals Y23-802-CC. ([Administrative Services Department Capital Projects Division] Procurement Division)
19. **23-288** Selection of SGM Engineering, Inc. to provide Design Services for Orange County Convention Center West Building - Building Automation System and Heating, Ventilation and Air Conditioning (HVAC) Upgrades, Request for Proposals Y23-808-GO. ([Convention Center Fiscal and Operations Division] Procurement Division)
20. **23-289** Approval and execution of Lease Agreement between Adanson Opportunity Fund LLC ("Landlord") and Orange County, Florida ("Tenant") and authorization for the Real Estate Management Division to exercise renewal

options, sign amendments, estoppel certificates and memorandum of leases, and furnish notices, required, or allowed by the lease, as needed for Facilities Management - Downtown 5135 Adanson Street, Suite 115, Orlando, Florida 32804. Lease File #10175. District 5. (Real Estate Management Division)

21. **23-290** Approval and execution of License Agreement between Orange County, Florida and Harbor House of Central Florida, Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the license agreement, as needed for Harbor House of Central Florida, Inc. - East Orange Community Center (CAD) 12050 E Colonial Dr., Orlando, Florida 32826. Lease File #10041. District 4. (Real Estate Management Division)
22. **23-291** Approval and execution of License Agreement between Orange County, Florida and Harbor House of Central Florida, Inc., related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the license agreement, as needed for Harbor House of Central Florida, Inc. - Hal P. Marston Community Center (CAD) 3933 WD Judge Dr., Orlando, Florida 32808. Lease File #10200. District 6. (Real Estate Management Division)
23. **23-292** Approval and execution of License Agreement between Orange County, Florida and Harbor House of Central Florida, Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the license agreement, as needed for Harbor House of Central Florida, Inc. - Holden Heights Community Center (CAD) 1201 20th Street, Orlando, Florida 32805. Lease File #10201. District 6. (Real Estate Management Division)
24. **23-293** Approval and execution of License Agreement between Orange County, Florida and Harbor House of Central Florida, Inc. related to not-for-profit community center utilization for the provision of services benefitting the public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the license agreement, as needed for Harbor House of Central Florida, Inc. - Pine Hills Community Center (CAD) 6400 Jennings Rd., Orlando, Florida 32818. Lease File #10202. District 6. (Real Estate Management Division)
25. **23-294** Approval and execution of License Agreement between Orange County, Florida and Harbor House of Central Florida, Inc. related to not-for-profit community center utilization for the provision of services benefitting the



public and authorization for the Manager of the Community Action Division to exercise renewal options, and furnish notice, required, or allowed by the license agreement, as needed for Harbor House of Central Florida, Inc. - Taft Community Center (CAD) 9450 S Orange Ave., Orlando, Florida 32824. Lease File #10203. District 3. (Real Estate Management Division)

26. 23-295 Approval and execution of Release of Temporary Construction Easement and authorization to disburse funds to pay recording fees and record instrument for Pine Hills Road #47020. District 2. (Real Estate Management Division)

#### **E. COMMUNITY AND FAMILY SERVICES DEPARTMENT**

1. 23-296 Approval and execution of Affiliation Agreement between Orange County, Florida and University of Kentucky, College of Social Work related to Experiential Learning Placement Program to facilitate the placement of students and authorization for the Mayor or designee to execute any amendments to this agreement. There is no cost to the County. (Youth and Family Services Division)

#### **F. HEALTH SERVICES DEPARTMENT**

1. 23-297 Approval and execution of Contractor Agreement NACCHO Contract # 2022-121201 by and between the National Association of County and City Health Officials and Orange County, Florida, with support from the Centers for Disease Control and Prevention, and the National Center for Injury Control and Prevention in the amount of \$179,397, for the period of November 1, 2022 through July 31, 2023 and approval for the County Mayor or designee to approve any increases or decreases in the award amount. (Drug Free Community Office)

#### **G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

1. 23-298 Approval and execution of School Concurrency Mitigation Agreement OC-22-023 Project Name: Nona West (Phase 2) Parcel ID#: 33-24-30-0000-00-021 by The School Board of Orange County, Florida, Orange County, Florida, and Adventist Health System/Sunbelt Inc. for a proportionate share mitigation payment to Orange County Public Schools in the amount of \$418,578. District 4.
2. 23-299 Approval and execution of Project Administration Subrecipient Agreements between Orange County, Florida and public service agencies regarding the Community Development Block Grant ("CDBG") Program in the amount of \$1,016,716 and Emergency Solutions Grant ("ESG") Program in the amount of \$545,900 for FY 2022-2023. All Districts. (Housing and Community Development Division)

3. **23-300** Approval and execution of Proportionate Share Agreement for Northeast Resort Parcel (NERP PD) Winter Garden-Vineland Road by and between HHR FSO Land, LLC and Orange County for a proportionate share payment in the amount of \$225,250. District 1. (Roadway Agreement Committee)
4. **23-301** Approval and execution of Thirteenth Amended Development Order for Southchase Development of Regional Impact. District 4. (Planning Division)

(This item was deferred.)

## H. PUBLIC WORKS DEPARTMENT

1. **23-302** Authorization to record the plat of Madison Waterstar. District 1. (Development Engineering Division)
2. **23-303** Approval to record Right-of-Way Declaration and Maintenance Map for Truman Road. District 5. (Roads and Drainage Division)
3. **23-304** Approval and execution of Second Amendment to Agreement between Hunter's Creek Community Association, Inc., and Orange County, Florida regarding maintenance of certain unpaved portions of State Road 550/441. District 1. (Roads and Drainage Division)

## II. INFORMATIONAL ITEMS\*\*

### A. COUNTY COMPTROLLER

1. **23-305** Receipt of the following items to file for the record: (Clerk's Office)
  - a. Florida Public Service Commission Consummating Order. In re: Petition for approval of new my energy bill+ program with income qualified component, by Duke Energy Florida, LLC.
  - b. Florida Public Service Commission Consummating Order. In re: Petition for limited proceeding to approve rate reductions associated with the Inflation Reduction Act of 2022, by Duke Energy Florida, LLC.
  - c. Florida Public Service Commission Consummating Order. In re: Petition for limited proceeding to approve refund and rate reduction resulting from implementation of Inflation Reduction Act, by Florida Power & Light Company.
  - d. City of Orlando Voluntary Annexation Request: 12525 and 12569 Narcoossee Rd. - ANX2022-10007 Ordinance 2022-72. The public hearing and request for second ordinance reading is scheduled for the City Council meeting to be held January 23, 2023. The first reading of this ordinance was

held on January 9, 2023. Ordinance 2022-72 Notice of Proposed Enactment. On Monday, January 23, 2023, the Orlando City Council will consider proposed Ordinance #2022-72, entitled an ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located east of Narcoossee Road, south of Vickrey Place, and west of Lake Whippoorwill, and comprised of 16.8 acres of land, more or less, amending the city's adopted growth management plan to designate the property as urban village, in part, and conservation, in part, on the City's official future land use map, and to establish a subarea policy to provide development standards; providing for consent to the municipal services taxing unit for Lake Whippoorwill; providing for amendment of the City's Growth Management Plan; providing for severability, correction of scrivener's errors and an effective date.

e. Orange County Comptroller Annual Investment Report for the year ended September 30, 2022.

These items were received and filed.

### III. DISCUSSION AGENDA

#### A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-306** Selection of two firms and three ranked alternates to provide Multi-Family Affordable Housing Development, Request for Proposals Y22-1047-RM, from the following five firms, listed alphabetically:

- Apopka Leased Housing Associates I, LLLP/Dominium Holdings I, LLC and Dominion Holdings II, LLC
- Osprey Sound Apartments, L.P./Ulysses Development Group, LLC
- Parkwood Plaza Apartments, Ltd./Lincoln Avenue Capital
- The Enclave at Canopy Park, LLC/Archway Partners, LLC
- WHFT Affordable I, Ltd./Wendover Housing Partners, LLC

([Planning, Environmental, and Development Services Department Housing and Community Development Division] Procurement Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to appoint WHFT Affordable I, Ltd./Wendover Housing Partners, LLC, 440 points, and Apopka Leased Housing Associates I, LLLP/Dominium Holdings I, LLC and Dominion Holdings II, LLC, 420 points as the selected firms; and further, appoint The Enclave at Canopy Park, LLC/Archway Partners, LLC, 417.50 points, Osprey Sound Apartments, L.P./Ulysses Development Group, LLC, 348 points and Parkwood Plaza Apartments, Ltd./Lincoln Avenue Capital, 312 points as the selected ranked alternates. The motion carried the following vote:

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

**Absent:** 1 - Commissioner Wilson

2. **23-307** Selection of one firm and two ranked alternates to provide Design Services for Western Water Supply Facility Ozone Treatment, Request for Proposals Y23-801-ZR, from the following three firms, listed alphabetically:

- Arcadis US, Inc.
- Black and Veatch Corporation
- Tetra Tech, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Scott, second by Commissioner Gomez Cordero, to appoint Tetra Tech, Inc, 490 points, as the selected firm; and further, appoint Black and Veatch Corporation, 458 points, and Arcadis US, Inc., 404 points, as the selected ranked alternates. The motion carried the following vote:

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

**Absent:** 1 - Commissioner Wilson

**B. COUNTY ADMINISTRATOR**

1. **23-308** United Way Update.

The Board took no action.

**C. COMMUNITY AND FAMILY SERVICES DEPARTMENT**

1. **23-309** Cooperative Extension Division Update. (Cooperative Extension Division)

The following person addressed the Board: Kevin Camm

The Board took no action.

**D. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

1. **23-310** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

**IV. WORK SESSION AGENDA**

**A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT**

1. **23-311** Chuluota Road Roadway Conceptual Analysis Study. (Transportation Planning Division)

The Board took no action.

## V. RECOMMENDATIONS

### 1. 23-312 January 19, 2023 Planning and Zoning Commission Recommendations

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

**Aye:** 5 - Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

**Absent:** 2 - Mayor Demings, and Commissioner Wilson

## VI. PUBLIC HEARINGS

### A. Petition to Vacate

#### 1. 23-028

Case # PTV-18-01-002

Kevin S. Herbert on behalf of Siri Real Estate Holdings, LLC., vacate portions of a right-of-way; District 2

**Consideration:** Resolution granting Petition to Vacate # 18-01-002, vacating a portion approximately 30 foot wide by 291 foot long right-of-way known as Arlington Avenue, and a portion of approximately 30 foot wide by 225 foot long right-of-way known as Market Street, containing a total of approximately 0.36 acres

**Location:** District 2; The parcel is unaddressed; S28/T22/R28, Orange County, Florida (legal property description on file)

The following person addressed the Board: Kevin Herbert

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the request listed in the staff report dated February 7, 2023. The motion carried by the following vote:

**Aye:** 5 - Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

**Absent:** 2 - Mayor Demings, and Commissioner Wilson

#### 2. 23-143 Case # PTV-18-05-015

Peter Anderson, on behalf of Alexander Russell and SJ Anderson Family Trust, vacate portions of a right-of-way; District 3

**Consideration:** Resolution granting Petition to Vacate # 18-05-015, vacating a portion of 50 feet wide by 120 feet long unopened and unimproved right-of-way known as E 7th Street.

**Location:** District 3; The parcel addresses are 9680 9th Avenue and 9706 9th Avenue;

S01/T24/R29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve the request listed in the staff report dated February 7, 2023. The motion carried the following vote:

**Aye:** 5 - Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

**Absent:** 2 - Mayor Demings, and Commissioner Wilson

## B. Substantial Change

### 3. 22-1049 Case # CDR-21-11-337

Sam Sebaali, Florida Engineering Group, Inc., Southchase Planned Development / Land Use Plan (PD / LUP), amend plan; District 4 (Continued from September 27, 2022 and November 15, 2022)

**Consideration:** A PD substantial change request to convert 32,340 square feet of commercial to 280 multi-family residential dwelling units based on trip equivalencies, and creating a new Parcel 44A from Parcel 44. In addition, the following waiver is requested from Orange County Code: 1. A waiver from Section 38-1258(d) for PD Parcel 44A to allow the multi-family residential buildings to have a maximum building height of four (4) stories, fifty (50) feet, with the buildings to be located a minimum of 150 feet from the residential property in lieu of the maximum three (3) stories or forty (40) feet subject to approval by the Board of County Commissioners; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 4; property generally located South of Wetherbee Road and west of South Orange Avenue; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Sam Sebaali
- Karen Bingle
- Michael Schulte
- Donald Poindexter
- Mohammed Abdallah

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

- Exhibit 1, Sam Sebaali
- Exhibit 2, Michael Schulte

Modified Condition of Approval #11:

11. ~~Existing trees located within the 25 ft. residential buffer along the western property line of parcel 44A shall be preserved; alternatively,~~ a 6 ft. high wall and enhanced landscaping shall be provided along the entire length of the western property line. This enhanced buffer shall consist of 2 parallel rows, planted 25 ft. on center, staggered, with alternating canopy shade and understory

trees. The canopy trees will be 4 inch caliber.

New Condition of Approval #14:

14. The Development Plan for parcel 44A shall be reviewed by the Board of County Commissioners at a Public Hearing.

Previous Conditions of Approval #14 and #15 are renumbered to Conditions of Approval #15 and #16.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the fifteen (15) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 26, 2023; further, approve modified condition of approval #11; further, approve new condition of approval #14; and further, approve and execute the Thirteenth Amended Development Order for Southchase Development of Regional Impact. The motion carried by the following vote:

**Aye:** 5 - Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

**Absent:** 2 - Mayor Demings, and Commissioner Wilson

and

#### I. CONSENT AGENDA (Deferred)

#### G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT (Deferred)

4. **23-301** Approval and execution of Thirteenth Amended Development Order for Southchase Development of Regional Impact. District 4. (Planning Division)

This consent item was approved.

#### VI. PUBLIC HEARINGS (Continued)

4. **23-144** Case # CDR-22-05-172

Kendell Keith, Oak Hill Planning Studio, LLC., Hamlin Planned Development - Unified Neighborhood Plan (PD-UNP) / Land Use Plan (PD / LUP), amend plan; District 1

**Consideration:** A PD Substantial Change to modify the PD to convert 262 Residential Bonus units to 70,950 square feet of retail to be allocated as follows: 7,870 to the CCM-1 district and 63,080 to the RW-1b district. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver is requested from Orange County Code Sec. 38-1390.53 to allow a decorative screen fencing as an alternative to the masonry knee wall along framework streets in lieu of providing a decorative masonry knee wall in accordance with the standards

described in Section 1390.52(b)(3). 2. A waiver is requested from Orange County Code Sec. 38-1414(b) to allow alcohol package sales within one thousand (1,000) feet of an existing alcohol package sales in lieu of the minimum five thousand (5,000) feet separation between the existing Walmart located at 16313 New Independence Parkway (Parcel ID 17-23-27-2714-01-000) and a proposed big box retailer located north of the Walmart (Parcel ID 17-23-27-2714-01-003); pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 1; property generally located South of New Independence Parkway, East of State Road 429; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jim Willard

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and further approve the substantial change request subject to the sixteen (16) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated January 26, 2023. The motion carried by the following vote:

**Aye:** 5 - Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

**Absent:** 2 - Mayor Demings, and Commissioner Wilson

### C. Preliminary Design Study

#### 5. 23-029 Innovation Way Preliminary Design Study (PDS); District 4 (CANCELED)

**Consideration:** The objective of the Preliminary Design Study is to identify a preferred alternative alignment of the extension of Innovation Way South to address the current and future transportation needs.

**Location:** District 4; Innovation Way South - Moss Park Road to Sunbridge Parkway; Orange County, Florida

This public hearing was canceled.

√ **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: 3:11 p.m.

ATTEST:

\_\_\_\_\_  
County Mayor Jerry L. Demings

Date: \_\_\_\_\_

ATTEST SIGNATURE:

Phil Diamond  
County Comptroller as Clerk

\_\_\_\_\_  
Jennifer Lara-Klimetz  
Assistant 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.**