

BCC Mtg. Date: Jan. 24, 2017

# **Orange County Government**

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



## **Final BCC Meeting Minutes**

**Tuesday, November 29, 2016**

**9:00 AM**

**County Commission Chambers**

**Board of County Commissioners**

**Call to Order**

County Mayor Jacobs called the meeting to order at 9:13 a.m.

**Present:** 6 - Mayor Teresa Jacobs, Commissioner Bryan Nelson, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner S. Scott Boyd, and Commissioner Victoria P. Siplin

Others Present:

County Comptroller Martha Haynie as Clerk  
County Administrator Ajit Lalchandani  
County Attorney Jeffrey J. Newton  
Assistant County Attorney Joel Prinsell  
Deputy Clerk Katie Smith  
Minutes Coordinator Jennifer Lara-Klimetz

**Invocation**

Pastor Sean LaGasse, Next Community Church

**Pledge of Allegiance****Public Comment**

The following persons addressed the Board for public comment:

- Emily Bonilla
- Phillip Arroyo
- Jim Callahan
- Josephine Balzac
- Rhiannon Bowen
- Alaina Marshall
- Natalie Jackson
- Maria Bolton-Joubert
- Trini Quiroz
- Ann Hicks Murrah
- Thomas Ouellette
- Jim Braswell
- Mike Trepper
- Darius Sneed
- Ted Russell
- Zoraida Rios-Andino
- John Jordan
- Lawanna Gelzer
- Rasha Mubarak
- Bobby Beagles

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

## **I. CONSENT AGENDA**

### **Approval of the Consent Agenda**

The Vice Mayor deferred action on Community, Environmental and Development Services Department Items 2, 3, 12 and 14 for consideration with public hearing Rezoning LUP-16-06-216; further, deferred action on Community, Environmental and Development Services Department Item 13 for consideration with public hearing The Vinings at Cypress Pointe Planned Development / Land Use Plan (PD/LUP) Case # CDR-16-03-105; further deleted Family Services Item Department 3; and further, a motion was made by Commissioner Edwards, seconded by Commissioner Boyd, to approve the balance of the Consent Agenda. The motion carried by the following vote:

**Aye:** 6 - Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

**Absent:** 1 - Mayor Jacobs

### **A. COUNTY COMPTROLLER**

1. [16-309](#) Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended accounts. Periods are as follows:

-November 11, 2016, to November 17, 2016; total of \$17,827,195.95

-November 18, 2016, to November 22, 2016; total of \$29,958,704.50

(Finance/Accounting)

### **B. COUNTY SHERIFF**

1. [16-310](#) Approval of U.S. Department of Justice Office of Community Oriented Policing Services COPS Hiring Program Award, Award Number: 2016ULW0015 in the amount of \$2,500,000, with a required cash match of \$2,313,889 from the Orange County Sheriff's Office for the period of September 1, 2016 through August 31, 2019.

### **C. COUNTY ADMINISTRATOR**

1. [16-311](#) Confirmation of Commissioner Nelson's appointment of Brent Gardner to the Town of Eatonville CRA Board with a term expiring June 30, 2020.  
(Agenda Development Office)
2. [16-312](#) Receipt and filing of the minutes received by the Agenda Development

Office of various advisory board meetings. (Agenda Development Office)

3. [16-313](#) Approval and execution of Art Donation Agreement "Winged Runner" Sculpture by and between United Arts of Central Florida, Inc. and Orange County, Florida. (Arts and Cultural Affairs Office)
4. [16-314](#) Approval and execution of Agreement between Orange County Board of County Commissioners, Orange County, Florida and The Charles E. Brookfield Lodge #86 of The Fraternal Order of Police, Fiscal Years 2016-17 through 2017-18. (Human Resources Division)
5. [16-315](#) Approval and execution of Resolution 2016-M-55 of the Orange County Board of County Commissioners regarding The Application of Orange County to Co-Host the 2019, 2020, or 2021 NACo Conference in Orange County, Florida. (Office of Legislative Affairs)
6. [16-316](#) Approval for the Orange County Sheriff's Office to spend \$49,000 from the FY 2017 Law Enforcement Trust Fund for the purchase of PredPol, Inc. Subscription Agreement. (Office of Management and Budget)
7. [16-317](#) Approval of budget amendments #17-06, #17-07, #17-08, #17-09, #17-10, and #17-11. (Office of Management and Budget)
8. [16-318](#) Approval of budget transfers #16-000001619 and #16-000001621. (Office of Management and Budget)
9. [16-319](#) Approval of Ratification of payment of Intergovernmental claims of September 15, 2016 and September 29, 2016 totaling \$524,274.29. (Risk Management Division)
10. [16-320](#) Approval and execution of the faithful performance bonds for Commissioners VanderLey and Bonilla. (Risk Management Division)

#### D. ADMINISTRATIVE SERVICES DEPARTMENT

1. [16-321](#) Approval to award Invitation for Bids Y16-1107-MG, Corrections Employee Uniforms, to the low responsive and responsible bidder per Lot for a 3 year term.

<u>Bidder</u>	<u>Lot</u>	<u>Estimated Award Amount</u>
VF Imagewear, Inc.	No. 1	\$819,456.45
Bob Barker Company, Inc.	No. 2	\$264,060.00
Design Lab, Inc.	No. 3	\$779,763.15

([Corrections Department Fiscal and Operational Support Division] Procurement Division)
2. [16-322](#) Approval to award Invitation for Bids Y17-102-DG, Crane and Hoist Inspection, Testing and Certification, to the low responsive and responsible

- bidder, National Crane Services, Inc. The estimated contract award amount is \$145,250 for a 1-year term. ([Utilities Department Water Reclamation Division] Procurement Division)
3.     [16-323](#)     Approval to award Invitation for Bids Y17-126-MG, OEM Replacement Parts for Dodge Automotive and Light Trucks, to the sole responsive and responsible bidder, Orlando Dodge, Inc. The total estimated contract award amount is \$132,000 for a 1-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
4.     [16-324](#)     Approval of Purchase Order M81679, Renewal of Software Support and Licensing for DOC1, CODE1 and Mailstream Software with Pitney Bowes Software, Inc. in the total amount of \$92,156.15. ([Office of Accountability Information Systems and Services Division] Procurement Division)
5.     [16-325](#)     Approval of Purchase Order M81685, Renewal of Software Support and Licensing for GIS Software, with Environmental Systems Research Institute, Inc. (ESRI) in the total amount of \$122,150. ([Community, Environmental and Development Services Department Fiscal and Operational Support Division] Procurement Division)
6.     [16-326](#)     Approval of Purchase Order M81692, Purchase of a Morris Flow Pump for Eastern Water Reclamation Facility (EWRF) Phase I/II Internal Recirculation Pump, with Tom Evans Environmental, Inc. in the total amount of \$185,405. ([Utilities Department Engineering Division] Procurement Division)
7.     [16-327](#)     Approval of Purchase Order M81751, Renewal of Subscription and Support Annual Maintenance for Maximo and IBM Tririga Applications, with IBM Corporation, Inc. in the total amount of \$101,913.42, for the period of January 1, 2017 through December 31, 2017. ([Administrative Services Department Facilities Management Division] Procurement Division)
8.     [16-328](#)     Approval and execution of Utility Easement Agreement between Lake Hart Partners II, LTD, by Lake Hart Partners, Inc., as authorized agent and Orange County and authorization to disburse funds to pay all recording fees and record instrument for Innovation Place Project (a.k.a. Storey Park Utilities). District 4. (Real Estate Management Division)
9.     [16-329](#)     Approval of As Is Residential Contract for Sale and Purchase with Addendum to Contract between Orange County and Nazar Abbas, approval and execution of County Deed from Orange County to Nazar Abbas and authorization to perform all actions necessary and incidental to closing for NSP Resale - 9159 Avenue A, Orlando, FL 32824 (NCST). District 4. (Real Estate Management Division)
10.    [16-330](#)     Approval of Purchase Price Above Appraised Value, Purchase Agreement, Special Warranty Deed, Slope and Fill Easement, Drainage Easement, Wall

Maintenance Easement, Temporary Construction Easement between Chowder Apartments LP and Orange County, Subordination of Encumbrances to Property Rights to Orange County from U.S. Bank National Association, not in its individual capacity but solely in its capacity as Trustee for the Registered Holders of J.P. Morgan Chase Commercial Mortgage Securities Trust 2007-CIBC19, Commercial Mortgage Pass-Through Certificates, Series 2007-CIBC19, Subordination of Encumbrance to Property Rights to Orange County from Bright House Networks, LLC, f/k/a Time Warner Entertainment-Advance/Newhouse Partnership d/b/a Time Warner Cable f/k/a/ American Television & Communications Corporation formerly doing business as Orange/Seminole Cablevision, authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Holden Avenue RCA (John Young Parkway to Orange Blossom Trail). District 6. (Real Estate Management Division)

11. [16-331](#) Approval of Utility Easement between IP II Orlando LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Everbank, Subordination of Encumbrance to Property Rights to Orange County from Goodwill Industries of Central Florida, Inc. and authorization to record instruments for Goodwill Goldenrod OCU Permit: 15-U-077 OCU File #: 81569. District 3. (Real Estate Management Division)
12. [16-332](#) Approval of Subordination of Encumbrances to Property Rights to Orange County from Live Oak Banking Company and authorization to record instrument for Staybridge Suites Sea Harbor OCU Permit: B14903783 OCU File #: 81166. District 1. (Real Estate Management Division)
13. [16-333](#) Approval of Conservation Easement between Jen Florida 24, LLC and Orange County, Access Easement between Jen Florida 24, LLC and Orange County with Joinder and Consent to Access Easement from Duke Energy Florida, LLC, d/b/a Duke Energy, f/k/a Florida Power Corporation and authorization to record instruments for Preserve at Lakeside Village CAIP #16-02-006. District 1. (Real Estate Management Division)
14. [16-334](#) Approval of Utility Easement Between RITIMS Enterprises, LLC and Orange County, Subordination of Encumbrance to Property Rights to Orange County from Wendy's Properties, LLC and authorization to record instruments for Meadow Woods Plaza Permit: B15904348 OCU File #: 83686. District 4. (Real Estate Management Division)
15. [16-335](#) Approval of Donation Agreement and Special Warranty Deed between Lennar Homes, LLC and Orange County and authorization to perform all actions necessary and incidental to closing for Storey Park Ph 1 OCU Permit: 14-U-020 OCU File #:77207. District 4. (Real Estate Management Division)

16. [16-336](#) Approval of Utility Easement between NADG (Grande Lakes) LP and Orange County, Subordination of Encumbrances to Property Rights to Orange County from City National Bank of Florida, Subordination of Encumbrance to Property Rights to Orange County from WAWA Florida, LLC and authorization to record instruments for Grande Lakes Plaza Infrastructure Permit: B16901427 OCU File #: 85727. District 4. (Real Estate Management Division)
17. [16-337](#) Approval of Donation Agreement and Warranty Deed between Taylor Morrison of Florida, Inc. and Orange County and authorization to perform all actions necessary and incidental to closing for Estancia at Windermere Permit: 15-U-073 OCU File #: 81526. District 1. (Real Estate Management Division)
18. [16-338](#) Approval of Utility Easement between Rouse Road Partners, Ltd. and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Citibank, N.A., as Trustee for the Registered Holders of Banc of America Merrill Lynch Commercial Mortgage, Inc., MultiFamily Mortgage Pass-Through Certificates, Series 2015-K718 and authorization to record instruments for Cypress Club Apartments. District 4. (Real Estate Management Division)
19. [16-339](#) Approval of Temporary Utility Easement between KB Home Orlando, LLC and Orange County and authorization to record instrument for Orchard Park at Stillwater Crossing Phase 3 Permit: 14-S-082 OCU File #: 78408. District 1. (Real Estate Management Division)
20. [16-340](#) Approval of Quit Claim Deed from United States Environmental Protection Agency to Orange County and City of Orlando and authorization to disburse funds to pay recording fees and record instrument for Hamlin Groves Trail Northerly Extension. District 1. (Real Estate Management Division)

#### **E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

1. [16-341](#) Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 16-0831 LC 16-1160 LC 16-1194 LC 16-0839 LC 16-1085  
LC 16-0918 LC 16-1089 LC 16-0955 LC 16-0841 LC 16-1113  
LC 16-0885 LC 16-1199 LC 16-1196 LC 16-0880 LC 16-1116  
LC 16-0935 LC 16-1209 LC 16-0574 LC 16-0894 LC 16-1118  
LC 16-0995 LC 16-0729 LC 16-0811 LC 16-0912 LC 16-1119  
LC 16-1026 LC 16-0870 LC 16-0815 LC 16-0916 LC 16-1120

LC 16-1145 LC 16-1030 LC 16-0818 LC 16-1036 LC 16-1121  
LC 16-1154 LC 16-1108 LC 16-0835 LC 16-1048 LC 16-1144

4. [16-344](#) Approval and execution of Amended Escrow Agreement by and among Orange County, D.R. Horton, Inc., and Martha O. Haynie, Orange County Comptroller, required by Conservation Area Impact Permit CAI-15-08-028; Parcel ID No: 33-24-30-0000-00-011. District 4. (Environmental Protection Division)
5. [16-345](#) Approval and execution of Cost-Share Agreement between the St. Johns River Water Management District and Orange County (Contract #28853) for the Passive Nutrient Loading Reduction Systems for Onsite Sewage Disposal Program. District 2. (Environmental Protection Division)
6. [16-346](#) Approval and execution of Florida Department of Agriculture and Consumer Services Division of Administration Federal Financial Assistance Subrecipient Agreement by and between the Florida Department of Agriculture and Consumer Services and Orange County in the amount of \$49,875, relating to a study involving protecting and restoring urban tree canopy for stormwater management and authorization for the Community, Environmental and Development Services Department Deputy Director to approve non-substantial amendments. All Districts. (Environmental Protection Division)
7. [16-347](#) Acceptance of Recommendation of the Environmental Protection Commission to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with a condition that the applicant pay \$435 to the Conservation Trust Fund and approve the request for variance to Section 15-343(a) (side setback) for the Hoffman Dock Construction Permit BD-16-07-072. District 5. (Environmental Protection Division)
8. [16-348](#) Acceptance of Recommendation of the Environmental Protection Commission to uphold the Environmental Protection Officer's Recommendation of Approval of the request for Waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b), with the condition the applicant pay \$1,160 to the Conservation Trust Fund for the Brantley Dock Construction Permit BD-16-07-077. District 5. (Environmental Protection Division)
9. [16-349](#) Acceptance of the Recommendation of the Environmental Protection Commission to uphold the Environmental Protection Officer's recommendation of approval of a Variance to Orange County Code, Chapter 15, Article IX, Section 15-342(d) for the Huff Dock Construction Permit BD-16-07-084, with the condition that the applicant enter into a Hold Harmless and Indemnification Agreement with Orange County for the Dock being constructed below the Normal High Water Elevation. District 5.



(Environmental Protection Division)

10. [16-350](#) Acceptance of Recommendation of the Environmental Protection Commission to uphold the Environmental Protection Officer's Recommendation of the approval of the After-the-Fact Variance to Orange County Code, Chapter 15, Article IX, Section 15-342(d) for the Tovey Dock Construction Permit BD-16-05-049, with the condition that the applicant enter into a Hold Harmless and Indemnification Agreement with Orange County for the Dock being constructed below the Normal High Water Elevation, and payment of \$200 to the Conservation Trust Fund. District 5. (Environmental Protection Division)
11. [16-351](#) Approval of the correction to the received plan date (June 2, 2016) for the Village F Master Planned Development. District 1. (Planning Division)

#### **F. FAMILY SERVICES DEPARTMENT**

1. [16-355](#) Approval and execution of License Agreement between Orange County, Florida and AIDS Healthcare Foundation, Inc. regarding the use of Orange County's Community Centers for the Pine Hills Community Center and the John Bridges Community Center. (Community Action Division)
2. [16-356](#) Receipt and filing of Head Start Policy Council Program Information and Updates October 2016 and Head Start Policy Council Meeting Minutes September 15, 2016 for the official county record. (Head Start Division)
3. [16-357](#) Approval of November 2016 Neighborhood Pride Entranceway Grants as recommended by the Neighborhood Grants Advisory Board for Hidden Woods Community (\$5,000); Wedgewood Commons HOA (\$5,000); Ashbury Park HOA (\$5,000); Windsor Place HOA (\$3,000); Miller's Cove HOA (\$3,000) and Country Chase I HOA (\$5,000). Districts 2, 3, 5 and 6. (Neighborhood Preservation and Revitalization Division)
- (This item was deleted)
4. [16-358](#) Approval of the November 2016 Neighborhood Pride Mini-Grant as recommended by the Neighborhood Grants Advisory Board for Valencia Gardens Neighborhood (\$1,500). District 3. (Neighborhood Preservation and Revitalization Division)
5. [16-359](#) Approval of November 2016 Neighborhood Pride Wall Repair Grant as recommended by the Neighborhood Grants Advisory Board for Chatham Place Subdivision (\$8,000). District 3. (Neighborhood Preservation and Revitalization Division)

#### **G. PUBLIC WORKS DEPARTMENT**

1. [16-360](#) Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc. and Orange County for Installation of a new full width concrete surface crossing on Titan Row (Crossing #622329E). District 6. (Roads & Drainage Division)
2. [16-361](#) Approval to construct speed humps on Lilwill Avenue. District 6. (Traffic Engineering Division)

#### **H. UTILITIES DEPARTMENT**

1. [16-362](#) Approval of an affirmative finding that a public health hazard exists for the existing development, Shady Oaks Trailer Court, located at 15627 East Colonial Drive, allowing potable water service to be extended to this area outside the Urban Service Area, in accordance with Comprehensive Plan Policy PW1.4.2(B). District 5.
2. [16-363](#) Approval and execution of First Amendment to Utility Line Construction Reimbursement Agreement for Hamlin Groves Trail Extension by and between Orange County and SLF IV/Boyd Horizon West JV, LLC, increasing the County's maximum cost obligation by \$2,148,340.61. District 1.
3. [16-364](#) Approval and execution of Change Order No. 5 to Contract No. Y15-702, Chickasaw Woods, East Orlando, Orlando Terrace, Azalea Park, Azalea Cove, Gatlin Heights and Cimarron Drive Pump Station, Water and Wastewater System Improvements Package 2 to Pospiech Contracting, Inc. in the amount of \$152,694.84 for a revised contract amount of \$3,314,769.65. Districts 3 and 4. (Field Services Division)

### **II. INFORMATIONAL ITEMS\*\***

#### **A. COUNTY COMPTROLLER**

1. [16-365](#) Receipt of the following items to file for the record: (Clerk's Office)
  - a. Jurisdictional Boundary Map Update in reference to Ordinance No. 2016-63, 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 north of E. Michigan St, east of S. Brown Av and south of E. Crystal Av, addressed as 1401 E. Michigan St and comprised of 0.692 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as Residential Low Density, in part and Mixed Use Corridor Medium Intensity Village, in part, on the City's Official Future Land Use Maps; designating the property as the R-2A Family District along with the Traditional City Overlay, in part and the MU-1 Medium Intensity Mixed Use Corridor District along with the Traditional City Overlay District, in part, on

the City's Official Zoning Maps; providing for amendment of the City's Official Future Land Use and Zoning Maps; providing for severability, correction of scrivener's errors, permit disclaimer and an effective date.

b. Florida Public Service Commission Consummating Order re: Petition for approval of modification to and extension of the approved economic development and re-development rider experimental pilot tariffs, by Duke Energy Florida, LLC.

c. City of Winter Garden Notice of Annexation Ordinances, Attachment A (Legal Descriptions) and Location Maps as follows:

-Ordinance 16-55, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 1.58 ± acres located at 15001 West Colonial Drive at the northwest corner of West Colonial Drive and Tildenville School Road into the City of Winter Garden Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

-Ordinance 16-62, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.21 ± acres located at 420 West Story Road on the southeast corner of West Story Road and Foster Avenue into the City of Winter Garden, Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

-Ordinance 16-65, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 3.74 ± acres located at 14991 West Colonial Drive at the northeast corner of West Colonial Drive and Tildenville School Road into the City of Winter Garden Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

d. Minutes of the July 25, 2016, East Park Community Development District meeting.

e. City of Ocoee Ordinance No. 2016-008, with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance No. 2016-008 (Annexation Ordinance for The Park at 429 PUD), Tax Parcel ID: 13-22-27-0000-00-016, 12-22-27-0000-00-031, 07-22-28-0000-00-095; Case No. AX-04-16-058: The Park at 429 PUD. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately ±45.54 acres located on the north side of Palm Drive, on the west side of SR 429, and on the east

side of East Crown Point Road, pursuant to the application submitted by the property owners; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code, and the Joint Planning Area Agreement; providing for and authorizing the updating of Official City Maps; providing for direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.

f. City of Orlando Ordinance with Exhibits A and B (Legal Description Forms), Exhibits C, D & E (Future Land Use Maps and Zoning Maps), Fiscal Impact Statements and Orlando Sentinel Notice of Proposed Enactment for Ordinance No. 2016-34 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 Kirby Smith Road and west of Lake Whippoorwill and comprised of 48.78 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 Maps; establishing a new subarea policy for the same property to provide a maximum development program, required land development regulations, and inclusion in the Southeast Orlando Sector Plan; providing for amendment of the City's Official Future Land Use Maps; providing for a lot split application; providing for consent to the Municipal Services Taxing Unit for Lake Whippoorwill; providing for severability, correction of scrivener's errors, and an effective date.

g. City of Orlando Voluntary Annexation Request - Formosa North - ANX2016-00002. Notice of Proposed Enactment. Proposed Ordinance 2016-85 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 Formosa Avenue, south of Indiana Avenue, and north of Harmon Avenue; addressed as 1230 Formosa Avenue, and comprised of 0.652 acres, more or less; amending the City's adopted Growth Management Plan to designate the property as Residential Medium Intensity on the City's Official Future Land Use Maps; providing for amendment of the City's Official Future Land Use Maps; providing findings, amendment of the City's boundary description, and for amendment of the City's Official Maps; providing for severability, correction of scrivener's errors, and an effective date. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd Floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.

h. City of Winter Garden Notice of Annexation Ordinance Attachment A (Legal Description) with Map, Ordinance No. 16-68, an Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 8.82± acres located at 602 East Story Road at the southwest corner of East Story Road and 9th Street

into the City of Winter Garden Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

This item was received and filed.

### III. DISCUSSION AGENDA

#### A. COUNTY ADMINISTRATOR

1. [16-366](#) Approval of 2017 Legislative Priorities. All Districts. (Office of Legislative Affairs)

A motion was made by Commissioner Boyd, seconded by Commissioner Clarke, to approve the overall agenda for the 2017 Legislative Session; and further, oppose efforts to dilute access to existing statutory funding sources such as the transportation system surtax fund. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

2. [16-367](#) Mad Cow Theatre Cultural Tourism Funding Follow-up. (Arts and Cultural Affairs Office)

The following person addressed the Board: Hal Kantor.

The following conditions were presented to the Board. Mad Cow Theatre must meet conditions before funding is released. The conditions are as follows:

- The President of Mad Cow Theatre shall certify to Orange County that all fees, commissions, compensation and salary due to artists, staff and technical support personnel are currently paid in full as of the date of certification, which shall be on or before December 1, 2016.
- A written statement as to Mad Cow's intentions regarding its proposed event description as it relates to its plans to modify its budget for their current fiscal year (ending June 30, 2017) to either replace the amount that is distributed for past-due compensation or to reduce the programming costs for the fiscal year or its plan for obtaining additional sponsorship and funding.
- A written statement as to Mad Cow's plan to deal with its long-term debt.
- A written statement as to Mad Cow's intention as to how it will fund new positions or personnel for the following duties: a) development, b) marketing, and c) business operations.
- A copy of the Management Letters (and any responses to these letters) from the past three fiscal years in connection with Mad Cow's annual audit.
- Evidence that Mad Cow has modified its internal operating procedures to remove any

employee as a voting member of the Board of Directors.

A motion was made by Commissioner Edwards, seconded by Commissioner Nelson, to approve the funding of \$75,000 to the Mad Cow Theatre subject to the six conditions listed in the staff memo. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

## **B. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [16-368](#) Selection of two firms and two ranked alternates to provide Building Commissioning Services, Request for Proposals Y17-900-CC, from the following four firms, listed alphabetically:
  - FCM Engineering
  - Graef-USA, Inc.
  - SGM Engineering, Inc.
  - TLC Engineering for Architecture, Inc.([Administrative Services Department Capital Projects Division]  
Procurement Division)

A motion was made by Commissioner Clarke, seconded by Commissioner Nelson, to appoint Graef-USA, Inc. as the selected firm; and further, to appoint FCM Engineering, as first ranked alternate and SGM Engineering, Inc., as second ranked alternate. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

## **IV. WORK SESSION AGENDA**

### **A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

1. [16-369](#) Extending Hours of Operation for Alcohol Consumption.

The Board took no action.

2. [16-370](#) Helipad Regulation.

The following person addressed the Board: Judith Ann Jarrette.

The Board took no action.

## **V. RECOMMENDATIONS**

1. [16-371](#) November 3, 2016 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Boyd, seconded by Commissioner Clarke, 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 Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

## VI. PUBLIC HEARINGS

1. [16-188](#) Municipal Service Benefit Unit

Silver Star Terrace - Denson Drive, establish for streetlighting; District 2

**Consideration:** Establish by resolution a Municipal Service Benefit Unit for streetlighting at Silver Star Terrace-Denson Drive

**Location:** District 2; Parcel ID (Multiple parcels); Sections 12 and 13, Township 22, Range 28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Nelson, seconded by Commissioner Boyd, that this item be approved. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

2. [16-189](#) Municipal Service Benefit Unit

Cobble Stone, amend for streetlighting; District 2

**Consideration:** Amend by resolution an existing Municipal Service Benefit Unit for streetlighting to include Cobble Stone.

**Location:** District 2; Section 29, Township 21, Range 29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Nelson, seconded by Commissioner Edwards, that this item be approved. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

3. [16-190](#) Municipal Service Benefit Unit

Cypress Chase Unit 1 and Cypress Chase Unit 2 Replat, install a turn lane on Winter Garden Vineland Road; District 1

**Consideration:** Establish by resolution a Municipal Service Benefit Unit for the installation of a Turn Lane on Winter Garden Vineland Road at Cypress Chase Unit 1 and Cypress Chase Unit 2 Replat.

**Location:** District 1; Section 5, Township 24, Range 28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Boyd, seconded by Commissioner Nelson, that this item be approved. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

4. [16-241](#) Shoreline Alteration/Dredge and Fill

Thomas Pearson, Lake Nan, permit, District 5

**Consideration:** Request for a Shoreline Alteration/Dredge and Fill Permit to construct a replacement seawall on Lake Nan, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control; Section 15-218(d).

**Location:** District 5; property located at 7789 Broken Arrow Trail, Winter Park, Florida, on Lake Nan; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Edwards, seconded by Commissioner Thompson, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-16-09-010) for Thomas Pearson, subject to the conditions listed in the staff report. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

5. [16-245](#) Preliminary Subdivision Plan

Adam Smith, VHB, Inc., Ruby Lake PD / Lot 3 - Townhomes PSP, Case # PSP-16-06-208; District 1

**Consideration:** Ruby Lake PD / Lot 3 - Townhomes Preliminary Subdivision Plan, Case # PSP-16-06-208, submitted in accordance with Sections 34-69 and 30-89, Orange County Code, This Preliminary Subdivision Plan (PSP) is a request to subdivide 15.82 acres in order to construct 132 single-family attached residential dwelling units; This project is proposing to be gated under Orange County Code Sections 34-280, 34-290, and 34-291. The request also includes the following waivers from the Orange County Code: 1. A waiver is requested from Section 34-209 to allow for a six-foot stemwall / fence panel, in lieu of a six-foot high masonry wall along Palm Parkway. 2. A waiver is requested from Section 34-290(d) to allow for an alley-type access tract in lieu of construction of streets and drainage systems to County standards as stipulated in 34-171(1), and 34-171(3)c.

**Location:** District 1; property generally located West of Palm Parkway / South of Daryl Carter Parkway; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Adam Smith.

A motion was made by Commissioner Boyd, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan (CP); and further, approve the Preliminary Subdivision request subject to the conditions listed under the DRC Recommendation in the Staff Report. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin



6. [16-146](#) Pedestrian Safety Study

UCF/Alafaya Trail Pedestrian Safety Study, This study is an INVEST Program Project intended to evaluate challenges and opportunities to improve bicycle/pedestrian safety within the Study corridor; and approval of the updated Campus Development Agreement (CDA) which includes Partnership Projects resulting from the Study; District 5

The following person addressed the Board: John Hitt.

A motion was made by Commissioner Edwards, seconded by Commissioner Thompson, to approve the UCF/Alafaya Trail Pedestrian Safety Study findings; further, make a finding of consistency of the study recommendations with the Comprehensive Plan; and further, approve the UCF Campus Development Agreement entered into pursuant to Section 1013.30, Florida Statutes. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

7. [16-372](#) Resolution

Designating certain land within unincorporated Orange County as the Universal Boulevard: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of Environmental Remediation, Rehabilitation, and Economic Development (Continued from October 18, 2016 and November 29, 2016)

**Consideration:** DESIGNATING CERTAIN LAND WITHIN UNINCORPORATED ORANGE COUNTY: PARCEL ID 06-24-29-0000-00-004 AS THE UNIVERSAL BOULEVARD: ROCC (REDEVELOPING ORANGE COUNTY COMMUNITIES) AND AS A BROWNFIELD AREA FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION, REHABILITATION, AND ECONOMIC DEVELOPMENT

The following persons addressed the Board:

- Brad Goeb
- Peter Latham
- Allison Turnbull

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

- Exhibit 1, from Brad Goeb
- Exhibit 2, from Brad Goeb
- Exhibit 3, from Peter Latham

A motion was made by Commissioner Siplin, seconded by Commissioner Clarke, to approve the Resolution for Universal Boulevard East. The motion failed by the following vote:

**Aye: 3** - Commissioner Clarke, Commissioner Edwards, Commissioner Siplin

**Nay: 3** - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson

**Abstain: 1** - Commissioner Boyd

A motion was made by Commissioner Nelson, seconded by Commissioner Thompson, to continue the public hearing until December 20, 2016, at 2 p.m. The motion failed by the following vote:

**Aye: 3** - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson

**Nay: 3** - Commissioner Clarke, Commissioner Edwards, Commissioner Siplin

**Abstain: 1** - Commissioner Boyd

A motion was made by Commissioner Nelson, seconded by Commissioner Thompson, to continue the public hearing until December 13, 2016, at 2 p.m. The motion carried by the following vote:

**Aye:** 4 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, and Edwards

**Nay:** 2 - Commissioner Clarke, and Commissioner Siplin

**Abstain:** 1 - Commissioner Boyd

8. [16-147](#) Rezoning

Tyrone K. Smith, Orange County Public Schools, Dr. Phillips Area Relief High School PD/LUP, Case # LUP-16-06-232; District 1

**Consideration:** A request to rezone 50.0 acres from R-CE and PD to PD in order to construct a public high school with up to 400,000 square feet. In addition, the following three (3) waivers from Orange County Code have been requested:

1. A waiver from Section 38-1755(1) to allow for a high school site with a minimum net lot area of fifty (50) acres, in lieu of sixty-five (65) acres.
2. A waiver from Section 38-1755(2) to allow a maximum building height of eighty-four (84) feet for all buildings beyond one hundred (100) feet of residential zoned property, in lieu of fifty (50) feet.
3. A waiver from Chapter 38, Article VIII, Division 9 to allow this development to use the Planned Development Commercial Standards (Chapter 38-1272), in lieu of the Buena Vista North District Standards (Chapter 38-1391.1 thru 38.1397.3); pursuant to Orange County Code, Chapter 30.

**Location:** District 1; property generally located South of Fenton Street and west of Palm Parkway; Orange County, Florida (legal property description on file)

The following person addressed the Board: Tyrone Smith.

Modification of Condition of Approval # 13:

13. Pole signs and billboards ~~and electronic message centers~~ shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.

A motion was made by Commissioner Boyd, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan (CP); and further, approve the Rezoning request subject to the conditions listed under the PZC Recommendation in the Staff Report along with the modification to Condition of Approval 13. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

9. [16-140](#) Ordinance

Creating Grove Resort Community Development District

**Consideration:** AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS FOR ORANGE COUNTY, FLORIDA, CREATING "GROVE RESORT COMMUNITY DEVELOPMENT DISTRICT" PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR FINDINGS OF FACT; PROVIDING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR THE APPLICABLE FILING FEE; PROVIDING FOR AN INTERLOCAL AGREEMENT; PROVIDING FOR COMPLIANCE WITH CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR REPEAL IN THE ABSENCE OF BONDS BEING ISSUED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**Court Reporter:** Lisa Penkacik, Landmark Reporting

The following person addressed the Board: Wesley Haber.

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from Wesley Haber.

A motion was made by Commissioner Boyd, seconded by Commissioner Nelson, to approve to conduct a Public Hearing to create the Community Development District; further, adopt Ordinance 2016-29 of the Board of County Commissioners for Orange County, Florida, creating "Grove Resort Community Development District" pursuant to Chapter 190, Florida Statutes; further, providing for the establishment and naming of the district; further, providing for the legal description or the external boundaries of the district; further, providing for findings of fact; further, providing the functions and powers of the district; further, designating the members of the district's Board of Supervisors; further, providing for the applicable filing fee; further, providing for an interlocal agreement; further, providing for compliance with Chapter 190, Florida Statutes, and all other applicable laws and ordinances; further, providing for repeal in the absence of bonds being issued; further, providing for severability; and providing an effective date; further, approve an Agreement between The Grove Resort and Spa, LLC and Orange County, for the creation of the Grove Resort Community Development District; and further, approve an Interlocal Agreement between Orange County and The Grove Resort Community Development District regarding the Exercise of power and Cooperation on Various Projects. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

**10.**     [16-240](#)           Ordinance

Amending Orange County Code, Article IV, Chapter 25, Section 25-140  
& Enacting Section 25-147, pertaining to Tourist Development Plan

**Consideration:** AN ORDINANCE PERTAINING TO TAXATION IN ORANGE COUNTY, FLORIDA; AMENDING ARTICLE IV OF CHAPTER 25 OF THE ORANGE COUNTY CODE; AMENDING SECTION 25-140, TOURIST DEVELOPMENT PLAN; ENACTING A NEW SECTION 25-147, TOURIST DEVELOPMENT TAX GRANT APPLICATION AND EVALUATION PROCESS PROVIDING FOR AN EFFECTIVE DATE

Modification of Line 88:

Section 25-147 - Tourist Development Tax Grant Application and Evaluation Process.

(d) Application review committee. Complete applications shall be scheduled for consideration by an application review committee ("ARC") comprised of eleven (11) members appointed by the board of county commissioners including three (3) representatives recommended by the tourist development council, two of whom shall represent owners or operators of tourist accommodations in the county and one of whom shall represent a community arts organizations in the county and eight (8) representatives selected by the board of county commissioners including one representative recommended by each district commissioner and two representatives recommended by the Mayor. The ARC shall be established by county resolution and shall receive administrative and legal support from county staff. The ARC shall (i) recommend a funding allocation between capital and events grant funding; (ii) develop an application cycle and process for capital and events grants; and (iii) rank applications and make written funding recommendations to the tourist development council and board of county commissioners. The ARC shall evaluate applications using the criteria set forth in subsection (g) below. Applicants may be required to present their funding proposals to the ARC.

A motion was made by Commissioner Edwards, seconded by Commissioner Nelson, to adopt Ordinance 2016-30 of the Board of County Commissioners of Orange County, Florida, Pertaining to Taxation in Orange County, Florida; further, Amending Article IV of Chapter 25 of the Orange County Code Section 25-140, Tourist Development Plan; further, Enacting a new Section 25-147, Tourist Development Tax Grant Application And Evaluation Process; and further, Providing For An Effective Date; along with the modificaiton to Section 25-147, line 88. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

**11.**     [16-234](#)           Substantial Change

Charles Whittall, Unicorp Companies, Orlando International Hotel Planned Development / Land Use Plan (PD / LUP), Case # CDR-15-12-372, amend plan; District 6 (Continued from September 13, 2016 and November 29, 2016)

**Consideration:** A PD substantial change request to add a helitour facility (*to be operated from atop an existing parking garage*) as a permitted use, and to modify the existing PD Master Sign Plan (MSP). The applicant has also requested the following waiver from Orange County Code:

1. A waiver from Section 31.5 to allow a "helicopter" architectural feature (tourist photo opportunity) without advertising copy or logo graphics; 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 6; property located at 8351 International Drive; or generally located east of International Drive, west of Universal Boulevard, and north of Via Mercado; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Siplin, seconded by Commissioner Edwards, to continue the public hearing until December 13, 2016, at 2 p.m. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

**12.     [16-138](#)           Substantial Change**

Jeff W. Banker, Highland Engineering, Inc., Delores Planned Development / Land Use Plan (PD/LUP), Case # CDR-16-03-092, amend plan; District 1

**Consideration:** A PD substantial change request to convert a mixture of uses into 279 hotel rooms, while adding access locations (full access, right-in/right-out), and modifying gross and net land areas, conservation areas, proposed conservation encroachment areas, and total buildable areas. In addition, the following waiver from Orange County Code has been requested: 1. A waiver from Section 38-1272(a)(5) to allow a maximum building height of ninety (90) feet, in lieu of fifty (50) feet, and in lieu of thirty-five (35) feet within one hundred (100) feet of residential; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 1; property generally located North of Winter Garden Vineland Road / West of Apopka Vineland Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jeff Banker.

A motion was made by Commissioner Boyd, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan (CP); and further, approve the substantial change request subject to the conditions listed under the DRC Recommendation in the Staff Report. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

**13.     [16-185](#)           Substantial Change**

Scott M. Gentry, Kelly, Collins & Gentry, Inc., The Vinings at Cypress Pointe  
Planned Development / Land Use Plan (PD / LUP) - Case #  
CDR-16-03-105, amend plan; District 1

**Consideration:** Substantial change request to amend the PD/LUP by aggregating PD Lot 8 (Tourist Commercial) into PD Lot 6 (Tourist Commercial); adding a trip equivalency matrix; and converting 23,018 square feet of commercial entitlements into 170 hotel rooms; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 1, property generally South of Vinings Way Boulevard and east of South Apopka Vineland Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Sean Fortier.

A motion was made by Commissioner Boyd, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan (CP); further approve the substantial change request subject to the conditions listed under the DRC Recommendation in the Staff Report; and further approve the rescission of the Vinings at Cypress Pointe Development of Regional Impact (DRI). The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

and

## I. CONSENT AGENDA ITEM DEFERRED

### E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

13. [16-353](#) Approval and execution of Order Approving Rescission of the Development Order for the Vinings at Cypress Pointe Development of Regional Impact. District 1. (Planning Division)

This item was approved.

## VI. PUBLIC HEARINGS

14. [16-297](#) Substantial Change

Geoff McNeill, AGMCI, LLC, Orange Lake Country Club Planned Development (PD), Case # CDR-16-04-135, amend plan; District 1

**Consideration:** Substantial change request to to use a land use exchange matrix to reduce timeshare/short term rental units from 4,150 to 3,150; reduce the amount of golf holes from 72 to 54; reduce hotel rooms from 400 to 200; reduce retail square footage from 260,000 to 216,800; and by introducing 121,300 square feet of office; 50 single-family conventional residential dwelling units; 825 multi-family residential dwelling units; and 307 age-restricted residential dwelling units. In addition, the applicant is revising existing PD/LUP site datum tables by adding

the new uses, and re-designating PD parcels NW1, NW2, and NW3 accordingly. Finally, three (3) waivers have been requested to allow for increased multi-family building heights and decreased building separation.

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

The following person addressed the Board: Geoff McNeill.

A motion was made by Commissioner Boyd, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan (CP); and further, approve the substantial change request dated "Received November 16, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

15. [16-235](#) Amending Orange County Code, adopting 2016-2 Out-of-Cycle Privately-Initiated Large-Scale Amendment to the 2010-2030 Comprehensive Plan (CP), and concurrent Rezoning request; and 2016-2 Out-of-Cycle Staff-Initiated Large Scale Text and Future Land Use Map Amendment and Adoption of Ordinance

Privately-Initiated Large Scale Future Land Use Map Amendment

Amendment 2016-2-A-4-2

James Zboril, Tavistock East Services, LLC, for Suburban Land Reserve, Inc.; Farmland Reserve, Inc.; Central Florida Property Holdings 100 & 200, LLC

**Consideration:** Industrial (IND) and Rural (R) to Innovation Way (IW) and Urban Service Area (USA) Expansion

**Location:** Parcel ID#s: Multiple parcels (a complete list of Parcel IDs can be obtained from the Orange County Planning Division); Generally describe as located east of SR 417, north and south of SR 528, and west of Turkey Creek - 4,787.00 gross acres

**Court Reporter:** Lisa Craft, 1st Choice Reporting and Video Services

The following persons addressed the Board:

- Richard Levey
- Suzanne Arnold
- Bruce Johnson
- Kurt Ardaman
- Tom Daly

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

- Exhibit 1, from Richard Levey



- Exhibit 2, from Suzanne Arnold
- Exhibit 3, from Kurt Ardaman
- Exhibit 4, from Kurt Ardaman
- Exhibit 5, from Tom Daly

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker was/were not presented to the Board.

- Submittal 1, from Richard Levey
- Submittal 2, from Suzanne Arnold

Modification of Condition of Approval # 6:

6. A ~~Transportation Agreement~~ Term Sheet shall be required prior to or concurrently with consideration of the Sunbridge PD-RP by the Board of County Commissioners, with a Transportation Agreement approved by the County prior to or concurrently with the first Preliminary Subdivision Plan or Development Plan for development within the Sunbridge PD.

Modification of Term Sheet - Community, Environmental Development Services Department Consent Item 14:

20. There will be no roads connecting parcel CS-2, as shown on the attached Exhibit "F" to any roads within the ~~Lake and Pine Estate section within the Lake Mary Jane Settlement, located along the southwestern boundary of the Camino South parcel.~~ Any ingress or egress by road to said parcel shall only occur via direct connection to the Sunbridge Parkway. Further, there will be no roads connecting parcel CS-2 to parcel CS-1. Access over the Roberts Island Slough shall be permitted in connection with ingress and egress to and from CS-2 and for Sunbridge Parkway as depicted on Exhibit "F".

County staff noted the Acknowledgement, Joinder, and Consent Agreement was inadvertently not included however the Agreement is to be included with Community, Environmental and Development Services Consent Item 03.

Modification of Condition of Approval # 18:

18. The ~~Impaired Water Rule~~ Outstanding Florida Water criteria, Chapter 62-303 of the Florida Administrative Code may increase the requirements for pollution abatement treatment and monitoring of stormwater as part of future approvals of the associated Basin Management Action Plans related to this site by the state Department of Environmental Protection (FDEP). The applicant is advised to follow related legislation in order to assure compliance with future regulations. Outstanding Florida Water criteria

New Condition of Approval # 30:

30. Prior to the approval of the first residential PSP, the Developer shall enter into a Joint Park



Development Agreement with the County to participate in the funding and development of the APF Community Park shown on the Final Regulating Plan.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; further, approve the International Corporate Park Planned Development, subject to the sixteen (16) conditions listed in the staff report; further, approve Order for rescission of Development Order for International Corporate Park DRI; further, make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goals, Objectives, and Policies FLU1.4.2, GOAL FLU5, OBJ FLU5.1, FLU5.1.2, FLU5.1.5, FLU5.2.1, OBJ FLU5.5, OBJ FLU8.2, and FLU8.2.1); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2016-2-A-4-2, Industrial (IND) and Rural (R) to Innovation Way (IW); further, make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; further, adopt Amendment 2016-2-B-FLUE-1; further, make a finding of consistency with the Comprehensive Plan, determine that the amendments are in compliance; further, adopt Ordinance 2016-31, consistent with today's actions, approving the proposed Future Land Use Map and Text Amendments; further, make a finding of consistency with the Comprehensive Plan; further, approve the Sunbridge Planned Development - Regulating Plan (PD-RP), subject to the twenty-nine (29) conditions listed in the staff report along with modifications to Conditions of Approval #6 and #18 and new Condition of Approval #30; further, approve the Adequate Public Facilities Agreement for Sunbridge PD; further, approve the Sunbridge PD Road Term sheet along with modification to #20; and further, approve the Environmental Land Stewardship Agreement International Corporate Park, Innovation Way East and Camino Reale South. The motion carried by the following vote:

**Aye:** 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Boyd, Edwards, and Commissioner Siplin

and

**16.**     [16-236](#)     Concurrent Rezoning Request

James Zboril, Tavistock East Services, LLC, for Suburban Land Reserve Inc.; Farmland Reserve, Inc.; Central Florida Property Holdings 100 & 200, LLC  
Rezoning Case # LUP-16-06-216

**Consideration:** PD (International Corporate Park PD) and A-2 to PD (Sunbridge PD-RP). The proposed development program includes up to 7,370 residential dwellings (single-family and multi-family); 6,350,000 square feet of office / retail uses; 2,900,000 square feet of industrial uses; 490 hotel rooms; and schools, parks and a fire station

**Location:** Parcel ID#s: Multiple parcels (a complete list of Parcel IDs can be obtained from the Orange County Planning Division); Generally describe as located east of SR 417, north and south of SR 528, and west of Turkey Creek - 4,787.00 gross acres

This item was approved.

and

16.     [16-068](#)           Substantial Change

James L. Zboril, Tavistock East Services, International Corporate Park (ICP)  
Planned Development / Land Use Plan (PD / LUP), Case #  
CDR-16-08-271, amend plan; District 4 (Continued from October 18, 2016)

**Consideration:** A PD substantial change to extract 2,476.18 gross acres from the existing International Corporate Park (ICP) Planned Development (PD), concurrently with an associated request to rescind the ICP Development of Regional Impact (DRI). The proposed PD/LUP has been revised to include updated Parcel ID Numbers, site datum, and an adjusted Development Program consisting of up to 667,000 square feet of manufacturing; 1,967,640 square feet of warehouse / distribution; and 473,360 square feet of warehouse / distribution / office showroom / manufacturing; 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 generally located south of S.R. 528, north of Wewahootee Road, east of Monument Parkway, and south/southwest of Aerospace Parkway. Orange County, Florida (legal property description on file)

This item was approved.

and

17.     [16-237](#)           Staff-Initiated Large Scale Text and Future Land Use Map Amendment

Amendment 2016-2-B-FLUE-1  
Text amendment to Future Land Use Element Policy FLU1.2.4 regarding  
allocation of additional lands to the Urban Service Area (USA)

**Consideration:** Text amendment to Future Land Use Element Policy FLU 1.2.4 regarding allocation of additional lands to the Urban Service Area (USA)

This item was approved.

and

18.     [16-238](#)           Ordinance/Comprehensive Plan

Amending Orange County Code, adopting 2016-2 Large Scale  
State-Expedited Review Amendments to the 2010-2030 Comprehensive  
Plan (CP), adopting amendments pursuant to Section 163.3184(3), 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 AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2016 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE

DATES.

This item was adopted.

and

**I. CONSENT AGENDA ITEM DEFERRED**

**E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT**

2.     [16-342](#)       Approval and execution of Adequate Public Facilities Agreement for Sunbridge PD by and between Tavistock East Holdings, LLC and Orange County. District 4. (Development Review)

This item was approved.

and

3.     [16-343](#)       Approval and execution of Environmental Land Stewardship Agreement International Corporate Park, Innovation Way East and Camino Reale South by and between Tavistock East Holdings, LLC, and Orange County. District 4. (Environmental Protection Division)

This item was approved.

and

12.    [16-352](#)       Approval and execution of Order Approving the Rescission of Development Order for International Corporate Park Development of Regional Impact. District 4. (Planning Division)

This item was approved.

and

14.    [16-354](#)       Approval of Sunbridge PD Road Term sheet outlining the parameters for a future transportation agreement addressing development within Sunbridge PD-RP. District 4.


This item was approved.

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

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

ADJOURNMENT: 4:56 p.m.

ATTEST:

  
County Mayor Teresa Jacobs  
JAN 24 2017  
Date: \_\_\_\_\_



ATTEST SIGNATURE:

Martha O. Haynie  
County Comptroller as Clerk

  
Katie Smith  
Deputy Clerk

\* \* \*

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.