

BCC Mtg. Date: May 24, 2016

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, April 5, 2016
Location: Commission Chambers, Orange County Administration Center,
First Floor, 201 S. Rosalind Avenue, Orlando, Florida
Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd,
Bryan Nelson, Pete Clarke, Jennifer Thompson, Ted Edwards,
Victoria P. Siplin
Others Present: County Comptroller Martha Haynie as Clerk, County Administrator
Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy Clerk
Katie Smith, Documents Coordinator Lakela Christian

- CALL TO ORDER, 9:10 a.m.
- INVOCATION - Pastor Stanley Murray, Mount Zion Tabernacle Church
- PLEDGE OF ALLEGIANCE
- PRESENTATION
Proclamation designating the month of April as Sexual Assault Awareness Month
- PRESENTATION
Proclamation designating April 22, 2016 as Earth and Arbor Day
- PRESENTATION
Proclamation designating April 5, 2016 as National Service Recognition Day
- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Maria Bolton-Joubert
- Trevor Sorbo
- Megan Sorbo
- Chuck O'Neal
- Trini Quiroz
- Kenneth Pinson
- Steve Micciche
- Emily Bonilla
- Kai'Veikeni Martinez

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

- Exhibit 1, from Kenneth Pinson
- Exhibit 2, from Steve Micciche
- Exhibit 3, from Steve Micciche

• COUNTY CONSENT AGENDA

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Mayor

- Deferred action on County Attorney Item 1 for consideration with public hearing for Ordinance pertaining to Taxation in Orange County, Florida, Tourism Development Plan
- Deleted Administrative Services Department Item 14
- Deferred action on Community, Environmental and Development Services Department Item 3 for consideration with public hearing for Allison M. Yurko, Bridgewater West Apartments School, Case # DRCA-15-10-312
- Deleted Community, Environmental and Development Services Department Item 5

and further, the Board approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Approval of the minutes of the February 9, 2016 and February 16, 2016, meetings of the Board of County Commissioners. (Clerk's Office)
2. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on over expended accounts. Periods are as follows:
 - March 11, 2016, to Month 17, 2016; total of \$29,846,612.09
 - March 18, 2016, to March 24, 2016; total of \$23,977,403.64
 - March 25, 2016, to March 31, 2016; total of \$62,275,330.05.

(Finance/Accounting)

3. Disposition of Tangible Personal Property (Property Accounting)

Approval is requested of the following:

- a. Trade-in assets toward the purchase of new equipment
- b. Cannibalize and recycle assets
- c. Dispose of assets totaled by our Third Party Administrator for their salvage value

County Attorney

1. Approval and execution of Orange County, Florida and Central Florida Sports Commission, Inc. COPA America Centenario 2016 Funding Assurance Agreement.

(This item was deferred.)

County Administrator

1. Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments: (Agenda Development Office)
 - A. Agricultural Advisory Board: Reappointment of Jennifer Parrish in the foliage industry representative category and Brenda Hagemeister and Hugh Dietrich, III in the equine industry representative category with terms expiring December 31, 2017.
 - B. Arts and Cultural Affairs Advisory Council: Reappointment of Sara M. Segal in the Tourist Development Council representative category with a term expiring June 30, 2017.
 - C. Building Codes Board of Adjustment and Appeals: Reappointment of Michael R. Holloway in the plumbing contractor representative category, Victor Diaz in the electrical engineer/contractor representative category, Eric O. Kleinsteuber in the architect representative category, Donald P. Graham in the structural engineer representative category, and Jamie L. Rodriguez in the consumer representative category and the appointment of Mukesh R. Joshi to succeed Anthony A. Millward in the mechanical engineer representative category with terms expiring December 31, 2017.
 - D. Citizens' Commission for Children: Reappointment of Ronita Sanders and Alger M. Studstill, Jr. in the at large representative category with terms expiring December 31, 2016.
 - E. Citizens' Review Panel for Human Services: Reappointment of Bobby L. Watson in the at large representative category with a term expiring December 31, 2018.

- F. Development Advisory Board: Reappointment of Elizabeth Badillo in the primary group representative category (developer) and Joshua L. Marinov in the secondary group representative category (general contractor) and the appointment of Leigh Newton to succeed Angie Dos Santos in the primary group representative category (HOA/residential representative) with terms expiring June 30, 2017.
 - G. Disability Advisory Board: Appointment of Kirk E. Root to succeed Mira Tanna in the at large representative category with a term expiring June 30, 2017.
 - H. Fire and Life Safety Code Board of Adjustment and Appeals: Reappointment of Peter T. Schwab in the at large representative category with a term expiring December 31, 2017.
 - I. Health Facilities Authority: Reappointment of Yvonne Holmes in the at large representative category with a term expiring December 31, 2019.
 - J. Neighborhood Grants Advisory Board: Reappointment of Desmond M. Taylor in the District 4 representative category with a term expiring June 30, 2017.
 - K. Orange County Research and Development Authority: Appointment of David L. Brewer to succeed Vanessa Littleton in the at large representative category with a term expiring August 24, 2016.
 - L. Sustainability Advisory Board: Appointment of Byron Knibbs to succeed Luz Aviles in the environmental protection, natural resources management, or sustainability practices representative category with a term expiring June 30, 2016.
2. Adoption and execution of Resolution 2016-B-04 of the Board of County Commissioners of Orange County, Florida, approving the issuance by the Orange County Health Facilities Authority of its Hospital Revenue Bonds (Orlando Health Obligated Group), in one or more series and in an aggregate principal amount not to exceed \$460,000,000 and the loan of the proceeds thereof to Orlando Health, Inc., a Florida not-for-profit corporation, and Orlando Health Central, Inc., a Florida not-for-profit corporation. (Health Facilities Authority)
 3. Approval and execution of Orange County, Florida and OrlandoX FY 2016 Grant Agreement and authorization to disburse \$20,000 as provided in the FY 2016-17 adopted budget. (Office of Economic, Trade and Tourism Development)
 4. Approval for the Orange County Sheriff's Office to spend \$2,000 from the FY 2016 Law Enforcement Trust Fund to provide an eligible contribution to Mothers Against Drunk Driving (MADD) Central Florida Chapter. (Office of Management and Budget)
 5. Approval of budget amendments #16-33, #16-34, #16-35, and #16-36. (Office of Management and Budget)
 6. Approval of budget transfer #16C-124. (Office of Management and Budget)

Administrative Services Department

1. Approval to award Invitation for Bids Y16-156-MA, Sale of Scrap Metal Material Countywide, to the highest responsive and responsible bidder, Trademark Metal Recycling, for a 3-year revenue generating contract in the estimated amount of \$2,715,894.72. Further, authorized the Procurement Division to renew the contract for two additional one year periods. ([Administrative Services Department Facilities Management Division] Procurement Division)
2. Approval to award Invitation for Bids Y16-176-RM, Asphalt Milling and Resurfacing, to the low responsive and responsible bidders, Hubbard Construction Company in the estimated annual contract award amount of \$4,968,500, Ranger Construction Industries, Inc. in the estimated annual contract award amount of \$5,443,049.25 and Preferred Materials, Inc. in the estimated annual contract award amount of \$5,488,025. Further, authorized the Procurement Division to exercise contract option years one and two. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. Approval to award Invitation for Bids Y16-183-EB, Stormwater Pond and Primary Canal Cleaning and Restoration Services, to the low responsive and responsible bidder, Adventure Environmental, Inc. in the estimated annual contract award amount of \$996,100. Further, authorized the Procurement Division to exercise contract option years one and two. The estimated contract amount includes every conceivable requirement that may arise during the performance of the contract. ([Public Works Department Stormwater Division] Procurement Division)
4. Approval to award Invitation for Bids Y16-189-PD, Animal Care Supplies, to the low responsive and responsible bidder, Merritt Veterinary Supplies, Inc., for line items 3, 5, 9, 10, 12, 19, 20, 43, 47, 48, 51, 53, 56, 62, 64, 71 and 93 for a 1-year term contract in the estimated contract award amount of \$104,061.60. Further, authorized the Procurement Division to renew the contract for four additional 1-year terms. ([Health Services Department Animal Services Division] Procurement Division)
5. Approval to award Invitation for Bids Y16-197-JS, Polyethylene Water Fittings, to the low responsive and responsible bidder, The Pipe Nipple & Supply Company, Inc., in the estimated annual contract award amount of \$373,418.20. Further, authorized the Procurement Division to renew the contract for two additional 1-year periods. ([Utilities Department Field Services Division] Procurement Division)
6. Approval to award Invitation for Bids Y16-1003-PD, Nuisance Sign Removal Services, to the low responsive and responsible bidder, Jam 5:20, Inc., for an estimated contract amount of \$131,935 for a 1-year term. Further, authorized the Procurement Division to renew the contract for four additional 1-year terms. ([Community, Environmental and Development Services Department Code Enforcement Division] Procurement Division)

7. Approval to award Invitation for Bids Y16-720-CC, Corrections – Horizons Flooring Replacement & Recreation Yard Security Screen Replacement, to the low responsive and responsible bidder, Café Construction & Development, Inc., in the total contract award amount of \$2,098,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
8. Approval to award Invitation for Bids Y16-730-EB, Lake Down Sub-Basin 9 Second Generation Baffle Box, to the low responsive, and responsible bidder, Gregori Construction, Inc., in the estimated contract award amount of \$319,410. ([Public Works Department Highway Construction Division] Procurement Division)
9. Approval to award Invitation for Bids Y16-735-MM, Orange County Convention Center Oversight Pedestrian Bridge Coating Improvements, to the low responsive and responsible bidder, Viktor Construction Corp., for the total contract award amount of \$997,000 (Alternate Bid). ([Convention Center] Procurement Division)
10. Approval to award Invitation for Bids Y15-777-CH, Pine Hills Trail (Alhambra Drive to Silver Star Road) FPID 428047; FAN 8886-671-A, to the low responsive and responsible bidder, Gibbs & Register, Inc., in the estimated contract award amount of \$5,676,736. This project will be funded by the Florida Department of Transportation. (FDOT). ([Public Works Department Engineering Division] Procurement Division)
11. Approval of Purchase Order M-77506, Pro-Q Dispatch Call-Taking Software and Annual Software Maintenance & Support with Priority Dispatch Corporation in the amount of \$171,970. ([Fire Rescue Department] Procurement Division)
12. Ratification of Purchase Order M77932, Haul Rejected Recycling Materials, with T. Wayne Hill Trucking, Inc. in the estimated amount of \$226,800 for a five-month period. ([Utilities Department Solid Waste Division] Procurement Division)
13. Approval of Amendment No. 5, Contract Y13-1018, Term Contract for County-Wide Demolition, with Sunrise Systems of Brevard, Inc. in the amount of \$373,560 for a revised contract amount of \$2,740,986.50. Funds will be available upon issuance of the individual delivery orders. ([Community, Environmental and Development Services Department Code Enforcement Division] Procurement Division)
- ~~14. Approval of Contract Y16-1048-TA, Mobile Compliance Software, for the period of April 1, 2016 through January 31, 2019 with MobileGuard, at a contract award amount of \$441,000. ([Office of Accountability Information Systems and Services Division] Procurement Division)~~

(This item was deleted.)

15. Approval and execution of Notice of Reservation and authorization to disburse funds to pay recording fees and record instrument for Young Pine Community Park. District 4. (Real Estate Management Division)
16. Approval and execution of Utility Easement between The School Board of Orange County, Florida and Orange County and authorization to record instrument for Clay Springs ES OCU Permit: 14-E-067/OCU File No. 79005. District 2. (Real Estate Management Division)
17. Approval of As Is Residential Contract for Sale and Purchase between Orange County and Janet Laucer Martinez, approval and execution of County Deed from Orange County to Janet Laucer Martinez and authorization to perform all actions necessary and incidental to closing for NSP Resale – 12009 Green Emerald Ct., Orlando, FL 32837 (NCST). District 1. (Real Estate Management Division)
18. Approval of Utility Easement between Spring Isle C, LLC and Orange County and authorization to record instrument for Golden Isle BV Ext OCU Permit: 10-E-021 OCU File #: 49125. District 4. (Real Estate Management Division)
19. Approval of Conservation Easement between Lennar Homes, LLC and Orange County and authorization to record instrument for Moss Park Conservation Area Impact Permit #CAI-13-09-022. District 4. (Real Estate Management Division)
20. Approval of Temporary Drainage Easement between Lennar Homes, LLC and Orange County and authorization to record instrument for Storey Grove Ph 1A-1 (Springhill PD (Horizon West)/Springhill Ph 1 PSP Case # PSP-13-08-203). District 1. (Real Estate Management Division)

Community, Environmental and Development Services Department

1. Approval and execution of the 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 16-0036	LC 16-0088	LC 16-0272	LC 16-0172	LC 16-0091
LC 16-0065	LC 16-0098	LC 16-0276	LC 16-0204	LC 16-0092
LC 16-0198	LC 16-0016	LC 16-0292	LC 16-0226	LC 16-0096
LC 16-0260	LC 16-0052	LC 16-0302	LC 16-0240	LC 16-0250
LC 16-0288	LC 16-0073	LC 16-0047	LC 15-1048	LC 16-0251
LC 16-0021	LC 16-0074	LC 16-0070	LC 16-0011	LC 16-0255
LC 16-0026	LC 16-0078	LC 16-0100	LC 16-0030	LC 16-0257
LC 16-0053	LC 16-0269	LC 16-0168	LC 16-0042	LC 16-0277

2. Approval and execution of the Orange County, Florida, Resolutions regarding Claim of Special Assessment Liens Pursuant to Section 9-278 of the Orange County Code, Property Maintenance, and approval to file Claim of Special Assessment Liens by Resolution for unsafe structures demolished by Orange County. District 6. (Code Enforcement Division)

<u>Case No.</u>	<u>Dist. #</u>	<u>Property Owner</u>	<u>Amount*</u>
A 14-0447	6	LANE MICHAEL D	\$ 5,876.52
A 14-0448	6	LANE MICHAEL D	\$ 8,235.87
A 14-0573	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 11,433.06
A 14-0575	6	COLLADO FIORDALIZA	\$ 11,433.06
A 14-0576	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 11,433.05
A 14-0578	6	COLLADO FIORDALIZA	\$ 11,433.04
A 14-0579	6	JOHNSON ANTHONY B	\$ 11,433.04
A 14-0580	6	GREENBAUM YEHUDA	\$ 11,977.15
A 14-0665	6	DANBOISE CHERYL S; COLLINS THERESA	\$ 6,523.03
A 15-0033	6	TAN MING MEI; TAN MING ZHUANG; TAN MING SHENG	\$ 12,851.47
A 15-0034	6	JIMENEZ MINELLI	\$ 12,851.47
A 15-0035	6	DOROTHY S RANKIN TRUST	\$ 12,851.47
A 15-0036	6	WATKINS CHRISTINE; WATKINS NATHANIEL SR; WATKINS NATHANIEL	\$ 12,851.47
A 15-0037	6	RAMOS JUAN	\$ 12,851.46
A 15-0038	6	GALLAGHER MORTGAGE CO INC	\$ 12,851.46
A 15-0039	6	BARKWATER LLC	\$ 11,427.70
A 15-0040	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 11,778.63
A 15-0041	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 11,307.35
A 15-0043	6	UNITED COMMUNITY DEVELOPMENT INC	\$ 11,778.63
A 15-0044	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 11,778.63
A 15-0045	6	AKHTAR JAWAID	\$ 11,778.63
A 15-0046	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 11,778.63
A 15-0138	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 10,001.41
A 15-0148	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 9,636.30

3. Approval and execution of School Concurrency Mitigation Agreement OC-15-036
Project Name: Bridgewater West Apartments (a/k/a The Addison at Windermere)
Parcel ID #: 23-23-27-8445-00-020 by The School Board of Orange County,
Florida, Orange County, Florida, and Clarcona, Inc. District 1. (Concurrency
Management Office)

(This item was deferred.)

4. Acceptance of Recommendation of the Environmental Protection Commission to
approve the requests for waivers to Section 15-342(b) (terminal platform size) and
Section 15-344(a) (side setback distance) for the Masters Condominiums, Inc.,
Semi-Private Dock Construction Permit BD-15-10-114 with the payment of \$2,900
to the Conservation Trust Fund within 60 days of the BCC decision date. District 1.
(Environmental Protection Division)

- ~~5. Acceptance of Recommendation of the Environmental Protection Commission to
approve the request for a waiver to Section 15-342(b) (terminal platform size), and
approve the requests for variances to Section 15-343(a) (side setback) and
Section 15-342(a) (water depth) for the Martin Krytus Dock Construction Permit
BD-15-03-028. District 1. (Environmental Protection Division)~~

(This item was deleted.)

Family Services Department

1. Approval of the April 2016 Sustainable Communities Grant as recommended by
the Neighborhood Grants Advisory Board for Oxford Moor HOA (\$5,000). District 1.
(Neighborhood Preservation and Revitalization Division)
2. Approval of the April 2016 Neighborhood Pride Entranceway Grant as
recommended by the Neighborhood Grants Advisory Board for Christiana Gardens
HOA (\$2,500). District 2. (Neighborhood Preservation and Revitalization Division)
3. Approval of the April 2016 Neighborhood Pride Mini-Grant as recommended by the
Neighborhood Grants Advisory Board for Glenwood Oaks (\$1,500). District 2.
(Neighborhood Preservation and Revitalization Division)
4. Approval of the March 2016 Business Assistance for Neighborhood Corridors
Program Grants for Green Day Learning Center (\$5,000), Magic Suds Car Wash
(\$5,000), and Negril Jamaican Restaurant (\$5,000). Districts 3, 5 and 6.
(Neighborhood Preservation and Revitalization Division)

Health Services Department

1. Approval and execution of the renewal Paratransit Services License for Unicare Transport Services to provide wheelchair/stretchers service. The term of this License is from April 1, 2016 through April 1, 2018. There is no cost to the County. (EMS Office of the Medical Director)

Public Works Department

1. Approval and execution of Agreement for Traffic Law Enforcement on Private Roads located in the gated community of Ruby Lake Phase 1 and Ruby Lake Phase 2 by and between Orange County, Florida, Pulte Home Corporation, and Jen Florida XXI, LLC. District 1.
2. Approval and execution of Utility Relocation Agreement by and between Orange County and Bellsouth Telecommunications, LLC d/b/a AT&T Florida for the relocation of utility facilities on Holden Avenue from John Young Parkway to Orange Blossom Trail. District 6. (Engineering Division)
3. Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc. and Orange County, for the design of a new tub platform grade crossing surface at CSX Railroad Crossing #622329E on Titan Way, west of Currency Drive and authorization to pay \$17,500 for the preliminary engineering design. District 4. (Roads and Drainage Division)
4. Approval and execution of Project Addendum to Master Agreement by and between CSX Transportation, Inc. and Orange County, for the design of a new tub platform grade crossing surface at CSX Railroad Crossing #621691A on Central Florida Parkway, east of United Way and authorization to pay \$17,500 for the preliminary engineering design. District 4. (Roads and Drainage Division)
5. Approval to issue Change Order No. 1-PW to Contract No. Y15-792 Peppermill Pond Erosion Control Project to Construct Co, Inc. in the amount of \$55,748.33, for a revised contract amount of \$738,296.50. District 4. (Highway Construction Division)
6. Approval to construct speed humps on David Avenue. District 6. (Traffic Engineering Division)
7. Approval and execution of Second Amendment to the Homeowner's Association Agreement for Orchard Hills Subdivision Traffic Control Devices by Orchard Hills Homeowners' Association, Inc., and Orange County, Florida that provides for the Association to maintain decorative street name and traffic control signposts. District 1. (Traffic Engineering Division)

8. Approval of Traffic Control Devices and "No Parking" sign installations in Lakeview Pointe at Horizon West Phase 1. District 1. (Traffic Engineering Division)
9. Approval of Traffic Control Devices and "No Parking" sign installations in Ashlin Park Phase 1. District 1. (Traffic Engineering Division)
10. Approval of Traffic Control Devices and "No Parking" sign installations in Lakeview Pointe at Horizon West Phase 2A. District 1. (Traffic Engineering Division)
11. Approval to construct speed humps on Westland Drive and Spring Land Drive. District 6. (Traffic Engineering Division)
12. Approval of Traffic Control Devices and "No Parking" sign installations in Summerlake PD Phase 4B. District 1. (Traffic Engineering Division)
13. Approval of Traffic Control Devices and "No Parking" sign installations in Orchard Hills Phase 3. District 1. (Traffic Engineering Division)
14. Installation of a "No Parking" zone from 12:00 a.m. to 8:00 a.m. on Shawn Circle south of Kristenright Lane on the odd number address side of the road from Kristenright Lane (W) to Kristenright Lane (E); Installation of a "No Parking" zone from 12:00 a.m. to 8:00 a.m. on Shawn Circle north of Kristenright Lane on the north side of the road from Kristenright Lane (W) to 3933 Shawn Circle; and Installation of a "No Parking" zone from 12:00 a.m. to 8:00 a.m. on Shawn Circle north of Kristenright Lane on the south side of the road from 3933 Shawn Circle to Kristenright Lane (E). District 5. (Traffic Engineering Division)
15. Approval to install a "No Trucks" sign on eastbound Pine Street west of Orange Avenue approaching the railroad crossing, installation of a "Right-Turn Only" sign on eastbound Pine Street west of Orange Avenue, and installation of a "No Thru Traffic" sign on westbound Pine Street east of Orange Avenue. District 4. (Traffic Engineering Division)

Utilities Department

1. Approval and execution of Fifth Amendment to Memorandum of Agreement between City of St. Cloud, Tohopekaliga Water Authority, Orange County, Polk County and Reedy Creek Improvement District for Cost Sharing and Permit Compliance Coordination. All Districts.
2. Approval of Irrevocable Standby Letter of Credit No. 50209100, dated March 3, 2016, from Floridian Bank on behalf of Disposall, Inc., in favor of Orange County, for payment surety in the amount of \$250,000. All Districts. (Solid Waste Division)

- INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the March 9, 2016, Meeting in the Sunshine. Commissioners Bryan Nelson and Victoria P. Siplin met via telephone conference to discuss safety concerns for students at Evans High School.
 - b. Jurisdictional Boundary Map Update in reference to:
 - Ordinance No. 2016-03, 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 Dickson Av, South of E Jersey Av and West of Ives Av, addressed as 1730 E Jersey Av and comprised of 0.324 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as residential low intensity, in part, and mixed use corridor medium intensity, in part, on the City's Official Future Land Use Maps; designating the property as the MU-1 medium intensity mixed use corridor district along with the traditional city overlay district, in part, and the R-2A 1-2 Family District along with 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 and an effective date.
 - Ordinance No. 2016-12, 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 Harding St, East of S Fern Creek Ave, South of E Kaley St and West of Kasper Ct and comprised of 0.15 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as residential low intensity on the City's Official Future Land Use Maps; designating the property as the R-2A 1-2 Family District along with traditional city overlay district 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 and an effective date.
 - Ordinance No. 2015-38, 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 Curry Ford Rd, East and South of Camellia Garden Dr and West of Colton Dr, addressed as 6933 Curry Ford Rd and comprised of 44.74 acres, more or less; amending the City's adopted Growth Management Plan to designate the property as residential low intensity on the City's Official Future Land Use Maps; providing for amendment of the City's Office Land Use Maps; providing findings, amendment of the City's Boundary Description and for the amendment of

the City's Official Maps; providing for severability, correction of scrivener's errors and an effective date.

c. City of Orlando Proposed Voluntary Annexation Requests as follows:

- Voluntary Annexation, 3604 W. New Hampshire St. - ANX2015-00015. Notice of Proposed Enactment. On March 28, 2016, the Orlando City Council will consider proposed Ordinance #2016-32, 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 WD Judge Dr., East of Mercy Dr., South of W. Princeton St., and West of N. John Young Pkwy., and comprised of 9.6 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as Industrial on the City's Official Future Land Use Maps; designating the property as the planned development district along the Wekiva Zoning Overlay District on the City's Official Zoning Maps; providing a development plan and special land development regulations of the planned development district; providing for amendment of the City's Official Future Land Use and Zoning 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.
- Voluntary Annexation, 6440 Narcoossee Road - ANX2015-00018. Notice of Proposed Enactment. On March 28, 2016, the Orlando City Council will consider proposed Ordinance #2016-10, 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 to the South and southwest of the Intersection of Narcoossee Rd. and Harbor Ben Cir., and comprised of 8.62 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as Office Low Intensity on the City's Official Future Land Use Maps; designating the property as the O-1 Office and Residential district along with the aircraft noise overlay district 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, 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.

d. City of Orlando Adopted Ordinance No. 2016-11 with Exhibit A (Legal Description), Exhibit B (Annexation Map), Orlando Sentinel Notice of Proposed Enactment and Fiscal Impact Statement. Ordinance No. 2016-11 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 Tavistock Lakes Blvd., east of Lower Harden Ave., south of Lake Nona High School, and west of Narcoossee Rd., addressed as 13000 Narcoossee Rd., and comprised of 14.63 acres of land, more or less;

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.

- e. City of Orlando Adopted Ordinance with Exhibit A (Legal Description), Exhibit B (Annexation Map), Exhibit C (Zoning Map) and Exhibit D (Development Plan). Ordinance No. 2016-2 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 Tyson Rd., east of Narcoossee Rd., and southwest of Lake Whippoorwill, addressed as 12873 Narcoossee Rd., and comprised of 43.909 acres of land, more or less; designating the property as the planned development district on the City's Official Zoning Maps; providing a development plan and special land development regulations of the planned development district; providing for severability, correction of scrivener's errors, and an effective date.
- f. City of Orlando Adopted Ordinance with Exhibit A (Legal Description), Exhibit B (Annexation Map), and Exhibit C (Future Land Use Map) & Exhibit D (Zoning Map), Orlando Sentinel Notice of Proposed Enactment and Fiscal Impact Statement as follows:
 - Ordinance No. 2016-16 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 at the southwest corner of the intersection of S. Semoran Blvd. and Hoffner Ave., and comprised of 0.75 acres of land, more or less, amending the City's adopted Growth Management plan to designate the property as community activity center on the City's Official Future Land Use Maps; designating the property as the AC-1 district along with the aircraft noise and Semoran gateway special plan overlay districts 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, and an effective date.
 - Ordinance No. 2016-17 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 Mayer St., south of E. Crystal Lake Ave., and west of S. Brown Ave., and comprised of 0.161 acres of land, more or less, amending the City's adopted Growth Management plan to designate the property as Residential Low Intensity on the City's Official Future Land Use Maps; designating the property as the R-2A 1-2 Family District along with the traditional overlay district 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, and an effective date.
 - Ordinance No. 2016-19 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 to the northeast of Hoffner Ave. and to the west of Old Goldenrod Rd., and comprised of 1.02 acres of land, more or less,

- amending the City's adopted Growth Management plan to designate the property as community activity center on the City's Official Future Land Use Maps; designating the property as the AC-1 community activity center district along with the aircraft noise overlay districts 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, and an effective date.
- Ordinance No. 2016-8 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 Old Winter Garden Rd., east of Ferguson Dr., South of W. colonial Dr., and west of Haralson Ave., and comprised of 0.42 acres of land, more or less, amending the City's adopted Growth Management plan to designate the property as industrial on the City's Official Future Land Use Maps; designating the property as industrial-general 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, and an effective date.
 - g. City of Orlando Ordinance with Exhibit A (Legal Description), Exhibit B (Annexation Map), and Exhibit C (Future Land Use Map) & Exhibit D (Zoning Map) and Orlando Sentinel Notice of Proposed Enactment. Ordinance No. 2016-5 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 Daubert St., east of Maltby Ave., south of Roush Ave., and west of Jamajo Blvd., and comprised of 1.88 acres of land, more or less, amending the City's adopted Growth Management plan to designate the property as Residential Low Intensity, in part, and Industrial, in part, on the City's Official Future Land Use Maps; designating the property as the R-1 One Family Residential District along with the aircraft noise overlay district, in part, and the industrial-commercial district along with the aircraft noise 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, and an effective date.
 - h. Attached Legal Notice description regarding the Orange County Community Redevelopment Area (CRA) and Orange County OBT (Orange Blossom Trail) CRA Fiscal Year 2014-2015 Annual Report.
 - i. Minutes of the November 18, 2015, Stoneybrook West Community Development District meeting.
 - j. City of Ocoee Ordinance No. 2016-001 with Exhibit A (Legal Description), and Exhibit B (Location Map); (Annexation Ordinance for Daniel Ray Property), Tax Parcel ID: 30-22-28-0000-00-035, 30-22-28-0000-00-002, 30-22-28-0000-00-074; Case No. AX-08-15-55: Daniel Ray Property. Ordinance No. 2016-001, entitled: An Ordinance of the City of Ocoee, Florida, annexing into

the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-6.95 acres located adjacent to the West 50 commercial subdivision, 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 direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.

- k. Audit Report No. 451 – Follow-up Audit of the Orange County Community Action Division.

*With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

- COUNTY DISCUSSION AGENDA

County Administrator

1. Legislative Update.

- OFFICIAL RECOGNIZED: Florida Representative Mike Miller
- OFFICIAL RECOGNIZED: Florida Representative Rene Plasencia

County staff presented to the Board an update regarding the 2016 Legislative session. The update included legislative agenda, additional issues, and session overview.

The following persons addressed the Board:

- Florida Representative Mike Miller
- Florida Representative Rene Plasencia
- Travis Blanton

Board discussion ensued.

- RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Nelson.

The following person addressed the Board: County Comptroller Martha Haynie

Action: None

Administrative Services Department

1. Selection of one firm and one ranked alternate to provide Interior Design Services for Orange County Convention Center, Request for Proposals, Y16-196-MM, from the following firms listed alphabetically. Recommend the Board authorize negotiation and execution of the final contract by the Procurement Division in the estimated contract award of \$750,000 for a 3-year term with two 1-year renewals.

- Ramski & Company, Inc.
- TJNG Partners, Inc.

([Convention Center] Procurement Division)

Motion/Second: Commissioners Clarke/Thompson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board selected one firm, TJNG Partners, Inc., and one ranked alternate, Ramski & Company, Inc. to provide Interior Design Services for Orange County Convention Center; and further, authorized negotiation and execution of the final contract by the Procurement Division in the estimated contract award of \$750,000 for a 3-year term with two 1-year renewals, Request for Proposals Y16-196-MM.

Utilities Department

1. Orange County Utilities Landfill Operations Update. (Solid Waste Division)

County staff presented to the Board an update regarding landfill odors. The update included a plan to reduce landfill odors over the next six months, odor source evaluation, and landfill community outreach.

• REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Nelson.

Board discussion ensued.

Action: None

County Mayor

1. Open discussion on issues of interest to the Board.

Commissioner Boyd discussed with the Board Smart Irrigation Technologies. Commissioner Boyd requested the Board of County Commissioners consider passing a resolution that would state Orange County's position and encourage potential rulemaking regarding the use of Smart Irrigation Devices. County staff provided a

presentation which included a synopsis of the study results and potential action to support implementation of the Smart Irrigation Technologies. County Mayor Jacobs directed staff to move forward in drafting a resolution for the Water Management District to revise their regulations.

Action: None

- MEETING RECESSED, 11:34 a.m.

- MEETING RECONVENED, 1:41 p.m.

Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Bryan Nelson, Pete Clarke, Jennifer Thompson, Victoria P. Siplin; Commissioner Ted Edwards joined the meeting where indicated

Others Present: County Administrator Ajit Lalchandani, Deputy County Attorney Joel Prinsell, Senior Minutes Coordinator Craig Stopyra, Documents Coordinator Lakela Christian

- PRESENTATION

Employee Service Award to: Beth A. Jackson (20), Environmental Protection, Community, Environmental and Development Services; Mollie Jenifer Dibartolo (20), Admin Command, Jacquelyn Shawanna Jones (20), Community Corrections, Corrections; Katrena L. Riley (25), Head Start, Family Services; Larkin E. Cockram (40), Development Engineering, Public Works

- MEMBER JOINED: Commissioner Edwards

- PRESENTATION (CONTINUED)

Ivory Sneed (25), Stormwater Management, Public Works; Daniel L. Rentz (25), Water Reclamation, Linda L. Young (30), Customer Service, Utilities

- PRESENTATION

Proclamation designating the month of April as Water Conservation Month

- RECOMMENDATIONS

March 3, 2016 Board of Zoning Adjustment Recommendations

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Board of Zoning Adjustment under the date of March 3, 2016, with the exception of and authorizing a public hearing be scheduled for Case # SE-16-01-143, Save a Life Pet Rescue, Inc.; subject to the usual right of appeal by any aggrieved party.

March 17, 2016 Planning and Zoning Commission Recommendations

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of March 17, 2016, subject to the usual right of appeal by any aggrieved party.

• WORK SESSION AGENDA

County Administrator

2. School Impact Fee Update. All Districts.

County staff presented to the Board an outline of School Impact Fees. The outline included Impact Fee background, technical study, and next steps.

Nilgun Kamp, Principal, Tindale-Oliver, presented to the Board the methodology and findings from the Orange County Schools Impact Fee Update Study.

Board discussion ensued.

The following person addressed the Board: Miranda Fitzgerald.

Board discussion ensued.

Action: None

1. School Siting Regulations.

County staff presented to the Board an outline regarding School Siting Regulations. The outline included a presentation of the background, public school signage, alcohol separation requirements between businesses and public schools, regulations of charter schools, and next steps.

• RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Nelson.

Jesma Lambert, Director of Facilities Planning, Orange County Public Schools, presented to the Board current Orange County Public School site standards for new elementary, middle and high schools along with the proposed minimum site standards based on the 1999 SREF (State Requirements for Educational Facilities) within the rural service area, the urban service area and special land use. She also provided school designs for new schools and schools that have been rebuilt.

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Nelson.

Board discussion ensued.

Eileen Fernandez, Associate General Counsel, Orange County Public Schools, presented to the Board the proposed process by Orange County Public Schools of reviewing public school sites.

Board discussion ensued.

Action: None

- PUBLIC HEARINGS

Municipal Service Benefit Unit

1. Pointe at Hunter's Creek, establish for streetlighting and for retention pond(s) maintenance; District 1 (Continued from March 1, 2016)

Applicant: Craig C Harris, Manager, JTD Land Company, LLC Developer

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Pointe at Hunter's Creek

Location: District 1; Parcel ID (multiple parcels); Section 36, Township 24, Range 28; Orange County, Florida (legal property description on file)

- MEMBER EXITED: Commissioner Nelson

Motion/Second: Commissioners Boyd/Thompson

Absent: Commissioner Nelson

AYE (voice vote): All present members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting at Pointe at Hunter's Creek, annual cost of \$88.00 per lot for streetlighting for operational expenses and administrative fees.

Motion/Second: Commissioners Boyd/Thompson

Absent: Commissioner Nelson

AYE (voice vote): All present members

Action: The Board continued the resolution establishing a Municipal Service Benefit Unit for retention pond(s) maintenance at Pointe at Hunter's Creek until May 24, 2016, at 2 p.m.

2. Chicora Crossing Boulevard – Avalon Park Village 3, establish for speed hump installation; District 4

Applicant: Frank Yokiel, Orange County Public Works Traffic Engineering

Consideration: Establish by resolution a Municipal Service Benefit Unit for one time only speed hump(s) installation at Chicora Crossing Boulevard – Avalon Park Village 3

Location: District 4; Parcel ID (multiple parcels); Section 5, Township 23, Range 32; Orange County, Florida (legal property description on file)

• MEMBER RE-ENTERED: Commissioner Nelson

Motion/Second: Commissioners Thompson/Clarke

AYE (voice vote): All members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for one time only speed hump(s) installation at Chicora Crossing Boulevard – Avalon Park Village 3, one time only speed hump cost of \$135.00 per lot for installation of three (3) speed humps.

3. Lake Preserve – Phase 1 and Lake Preserve – Phase 2, establish for retention pond(s) maintenance; District 4

Applicant: Brian Kittle, Meritage Homes of Florida, Inc. Developer

Consideration: Establish by resolution a Municipal Service Benefit Unit for retention pond(s) maintenance at Lake Preserve – Phase 1 and Lake Preserve – Phase 2

Location: District 4; Parcel ID (multiple parcels); Section 33, Township 24, Range 30; Orange County, Florida (legal property description on file)

• MEMBER EXITED: Commissioner Siplin

Motion/Second: Commissioners Thompson/Edwards

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for maintenance of retention pond(s) at Lake Preserve – Phase 1 and Lake Preserve – Phase 2, annual cost of \$77.00 per lot for maintenance of retention pond(s).

4. Lakeshore Preserve Phase 1, establish for streetlighting and for retention pond(s) maintenance; District 1

Applicant: Andre Vidrine, Toll Brothers Land Development, Developer

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Lakeshore Preserve Phase 1

Location: District 1; Parcel ID (multiple parcels); Section 5, Township 24, Range 27; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Thompson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Lakeshore Preserve Phase 1, annual cost of \$95.00 per lot for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

5. Lakeview Pointe at Horizon West Phases 1, 1B and 2A, establish for streetlighting and for retention pond(s) maintenance; District 1

Applicant: Doug Hoffman, Director of Land Development Pulte Home Corporation, Developer

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Lakeview Pointe at Horizon West Phases 1, 1B and 2A

Location: District 1; Parcel ID (multiple parcels); Section 33, Township 23, Range 27; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Thompson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Lakeview Pointe at Horizon West Phases 1, 1B and 2A, annual cost of \$140.00 per lot for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

6. Latham Park North and Latham Park South, amend for streetlighting and for retention pond(s) maintenance; District 1

Applicant: Mike Galvin, VF Horizon Investments, LLC, Developer

Consideration: Amend by resolution an existing Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Latham Park North and Latham Park South

Location: District 1; Parcel ID (multiple parcels); Sections 3 and 4, Township 24, Range 27; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution amending an existing Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Latham Park North and

Latham Park South, annual cost of \$140.00 per lot for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

7. Royal Legacy Estates and Royal Legacy Estates Tract M, amend for streetlighting and for retention pond(s) maintenance; District 1

Applicant: Doug Hoffman, Pulte Homes Corporation, Developer

Consideration: Amend by resolution an existing Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Royal Legacy Estates and Royal Legacy Estates Tract M

Location: District 1; Parcel ID (multiple parcels); Section 01, Township 24, Range 27; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Thompson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution amending an existing Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Royal Legacy Estates and Royal Legacy Estates Tract M, annual cost of \$127.00 per lot for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

8. Sawgrass Pointe, Phase 1, establish for streetlighting and for retention pond(s) maintenance; District 4

Applicant: Ben Shoemaker, KB Home Orlando LLC, Developer

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Sawgrass Pointe, Phase 1

Location: District 1; Parcel ID (multiple parcels); Section 19, Township 24, Range 30; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Thompson/Boyd

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Sawgrass Pointe, Phase 1, annual cost of \$165.00 per lot for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

9. Summerlake Area, amend for streetlighting and for retention pond(s) maintenance; District 1

Applicant: Patrick Rob Bonin with Lennar Homes LLC, Michael Mosher with SLV Summerlake LLC Developer

Consideration: Amend by resolution an existing Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Summerlake Area
Location: District 1; Multiple parcels and Sections, Townships, and Ranges; Orange County, Florida (legal property description on file)

• MEMBER EXITED: Commissioner Thompson

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioners Thompson and Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution amending an existing Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Summerlake Area, annual cost of \$107.00 per lot for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

10. Summerlake Groves and Highlands at Summerlake Groves Area, establish for streetlighting and for retention pond(s) maintenance; District 1

Applicant: David Byrnes, Diana Cabrera, MI Homes of Orlando, LLC, Ed Kassik, K Hovnanian Homes, Developers

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Summerlake Groves and Highlands at Summerlake Groves Area

Location: District 1; Parcel ID (multiple parcels); Section 33, Township 23, Range 27; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioners Thompson and Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Summerlake Groves and Highlands at Summerlake Groves Area, annual cost of 141.00 for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

11. Waterleigh Phase 1A and Waterleigh Phase 1B, amend for streetlighting and for retention pond(s) maintenance; District 1

Applicant: Ben Shoemaker, DR Horton, Inc., Developer

Consideration: Amend by resolution an existing Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Waterleigh Phase 1A and Waterleigh Phase 1B

Location: District 1; Multiple parcels and Sections, Townships, and Ranges; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Boyd/Nelson

Absent: Commissioner Thompson and Siplin

AYE (voice vote): All present members

Action: The Board adopted a resolution amending an existing Municipal Service Benefit Unit for streetlighting and maintenance of retention pond(s) at Waterleigh Phase 1A and Waterleigh Phase 1B, annual cost of \$120.00 per lot for streetlighting for operational expenses and administrative fees and \$77.00 per lot for maintenance of retention pond(s).

Petition to Vacate

12. Douglas J. Wagner, on behalf of Compass Rose Corporation and Evan Rabinowitz, on behalf of Rockharbor Residential II, LLC, Petition to Vacate # 15-08-020, vacate an opened and improved variable width right-of-way; District 1

Applicant: Douglas J. Wagner, on behalf of Compass Rose Corporation and Evan Rabinowitz, on behalf of Rockharbor Residential II, LLC

Consideration: Resolution granting Petition to Vacate # 15-08-020, vacating a portion of an opened and improved variable width right-of-way known as Seidel Road containing approximately 0.979 acres

Location: District 1; The parcels are unaddressed; S04/T24/R27; Orange County, Florida (legal property description on file)

The County Mayor noted the applicant present, waived time to address the Board and is in concurrence with staff's recommendation.

• MEMBER RE-ENTERED: Commissioner Siplin

Motion/Second: Commissioners Boyd/Nelson

Absent: Commissioner Thompson

AYE (voice vote): All present members

Action: The Board adopted a resolution granting Petition to Vacate # 15-08-020 vacating a portion of an opened and improved variable width right-of-way known as Seidel Road containing approximately 0.979 acres, subject to the completion of the new Seidel Road prior to final processing of the petition to vacate, on the described property.

Board of Zoning Adjustment Appeal

13. Cyber Outdoor, Case ZM-16-02-147, February 4, 2016; District 1

Appellant: Brad Cowherd, Agent for Cyber Outdoor

Applicant: Cyber Outdoor

Case: Board of Zoning Adjustment Case # ZM-16-02-147; February 4, 2016

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment of the Zoning Manager's determination that the applicant's billboard

request is subject to the West SR 50 Overlay District which prohibits the erection of billboards.

Location: District 1; property generally located South side of W. SR 50, 200 ft. east of 9th St., 1/4 mile west of Beulah St.; Orange County, Florida (legal property description on file in Zoning Division)

- MEMBER RE-ENTERED: Commissioner Thompson

The following persons addressed the Board:

- Mary Solik
- Mamie Sue Hurley
- Kurt Ardaman
- Ed Williams
- Jay Marder
- Mike Rumer

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

- Exhibit 1, from Mary Solik
- Exhibit 2, from Mary Solik
- Exhibit 3, from Mary Solik
- Exhibit 4, from Mary Solik

Board discussion ensued.

Motion/Second: Commissioners Boyd/Nelson

AYE (voice vote): All members

Action: The Board upheld the decision of the Orange County Board of Zoning Adjustment and the Zoning Manager's determination and denied the request by Cyber Outdoor, Case # ZM-16-02-147, on the described property.

Development Review Committee Appeal

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

14. Alison M. Yurko, Bridgewater West Apartments School, Case # DRCA-15-10-312; School Concurrency Vested Rights Determination; District 1

Appellant: Alison M. Yurko, P.A., Bridgewater West Apartments School Concurrency Vested Rights Determination, Case # DRCA-15-10-312

Consideration: Appeal of a decision of Orange County's Development Review Committee (DRC) to uphold the Concurrency Management's Office denial for School Concurrency Vested Rights.

Location: District 1; property generally located West of Ficquette Road /

Southwest of Summerport Village Parkway; Orange County, Florida
(legal property description on file in Planning Division)

The following persons addressed the Board:

- Michelle Carlton
- Alison Yurko
- Kendell Keith
- Eileen Fernandez
- Jim Car (phonetic)

Board discussion ensued.

The following person addressed the Board: Lee Chira.

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

- Exhibit 1, from Alison Yurko
- Exhibit 2, from Alison Yurko
- Exhibit 3, from Kendell Keith

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board overruled the February 10, 2016 decision of the Development Review Committee and approved the request by Alison M. Yurko, P.A., Bridgewater West Apartments School Concurrency Vested Rights Determination, Case # DRCA-15-10-312, on the described property.

and

• COUNTY CONSENT AGENDA (CONTINUED)

Community, Environmental and Development Services Department (Deferred)

3. Approval and execution of School Concurrency Mitigation Agreement OC-15-036
Project Name: Bridgewater West Apartments (a/k/a The Addison at Windermere)
Parcel ID #: 23-23-27-8445-00-020 by The School Board of Orange County, Florida, Orange County, Florida, and Clarcona, Inc. District 1. (Concurrency Management Office)

(The Concurrency Mitigation Agreement was withdrawn by the applicant.)

18. Rick Violette, Waterford Commons Planned Development (PD), Case # CDR-15-12-382, amend plan; District 1

Applicant: Rick Violette, Waterford Commons Planned Development (PD), Case # CDR-15-12-382

Consideration: A PD substantial change request to allow operation of an existing helipad from 8 a.m. – 8 p.m., and until dusk during daylight savings time. An existing condition states that the helipad shall be used only during daylight hours; 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 located at 12625 International Drive; or generally located on the south side of International Drive, southeast of Vineland Avenue, and west of Darryl Carter Parkway; Orange County, Florida (legal property description on file)

The following person addressed the Board: Bob Ziegenfuss.

(This request was withdrawn by the applicant.)

Ordinance

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

15. Amending Orange County Code, Article IV, Chapter 25, Section 25-140, pertaining to Taxation in Orange County, Florida; Tourist Development Plan

Consideration: AN ORDINANCE PERTAINING TO TAXATION IN ORANGE COUNTY, FLORIDA; AMENDING ARTICLE IV OF CHAPTER 25 OF THE ORANGE COUNTY CODE SECTION 25-140, TOURIST DEVELOPMENT PLAN; AUTHORIZING FUNDING TO THE CENTRAL FLORIDA SPORTS COMMISSION, INC., FOR AN ASSURANCE OF FUNDING FOR THE COPA AMERICA CENTENARIO 2016 SOCCER GAMES; PROVIDING FOR AN EFFECTIVE DATE

The following person addressed the Board: Gregory Lee

and

- COUNTY CONSENT AGENDA (CONTINUED)

County Attorney (Deferred)

1. Approval and execution of Orange County, Florida and Central Florida Sports Commission, Inc. COPA America Centenario 2016 Funding Assurance Agreement.

Motion/Second: Commissioners Siplin/Edwards

AYE (voice vote): All members

Action: The Board adopted Ordinance 2016-07 of the Board of County Commissioners of Orange County, Florida, Pertaining to Taxation in Orange County, Florida; Amending Article IV of Chapter 25 of the Orange County Code Section 25-140, Tourist Development Plan; Authorizing Funding to the Central Florida Sports Commission, Inc. for an Assurance of Funding for the COPA America Centenario 2016 Soccer Games; Providing for an Effective Date; and further, approved and executed the Orange County, Florida and Central Florida Sports Commission, Inc. COPA America Centenario 2016 Funding Assurance Agreement.

- MEMBER EXITED: Commissioner Clarke

Substantial Change

16. Christina Baxter, Poulos & Bennett, LLC, Meadow Woods Planned Development (PD) Land Use Plan (LUP), Case # CDR-15-09-278, amend plan; District 4

Applicant: Christina Baxter, Poulos & Bennett, LLC, Meadow Woods Planned Development (PD), Case # CDR-15-09-278

Consideration: Substantial change request to amend the Meadow Woods Planned Development / Land Use Plan (PD/LUP) by adding the permitted use of Medium Density Residential (MDR) to PD Parcel 30.1 (in addition to Community Commercial), and converting 66,883 square feet of commercial use into 206 single-family attached dwelling units (townhomes); 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 East of Landstar Boulevard, north of Rhode Island Woods Circle, and south of Arbor Meadows Boulevard; Orange County, Florida (legal property description on file)

- MEMBER EXITED: Commissioner Edwards

The following person addressed the Board: Lance Bennett.

Motion/Second: Commissioners Thompson/Nelson

Absent: Commissioners Clarke and Edwards

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and

further, approved the substantial change request by Christina Baxter, Poulos & Bennett, LLC, Meadow Woods Planned Development (PD), Case # CDR-15-09-278, to amend the Meadow Woods Planned Development / Land Use Plan (PD/LUP) by adding the permitted use of Medium Density Residential (MDR) to PD Parcel 30.1 (in addition to Community Commercial), and converting 66,883 square feet of commercial use into 206 single-family attached dwelling units (townhomes); which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Meadow Woods Planned Development / Land Use Plan (PD/LUP) dated "Received November 2, 2015," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received November 2, 2015," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered or approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to

Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and/or Development Plan (DP) submittal.
5. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
6. Short term / transient rental is prohibited. Length of stay shall be for 180 days or greater.
7. The following Education Condition of Approval shall apply:
 - a. Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of March 3, 2016.
 - b. Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 0 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
 - c. Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
 - d. Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

- e. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
8. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 22, 2015, shall apply:
- a. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
 - b. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
 - c. The developer shall obtain water and wastewater service from Orange County Utilities.
 - d. A waiver from Orange County Code Section 38-1258(j) is granted to allow for a minimum twenty (20) foot separation between all multi-family buildings within PD Parcel 50 only; in lieu of a minimum separation of thirty (30) feet for two-story buildings, forty (40) feet for three-story buildings, and proportional separations for additional structural heights, where doors, windows, or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated August 4, 2015, shall apply:
- a. No trucks or trailers may be parked in the Right of Way.
 - b. For parcels 15, 15.1, and 15.2 only, one truck for hire may be parked in the customer parking area.
 - c. Outside storage of vehicles shall be permitted along the south property line for Parcels 15, 15.1, and 15.2 only.
10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 24, 2011, shall apply:
- a. The access configuration point to Parcel 12 shall be determined at the (Development Plan) DP submittal.
 - b. All previous applicable Conditions of Approval shall apply:

- 1) Reduce the number of units from 14.9 units per acre to 6 units per acre for a total of 296 units. (This condition pertains only to Parcels 28, 29, AND 30.2)
 - 2) Restrict the type of structure to townhomes with fee simple ownership. (This condition pertains only to Parcels 28, 29, and 30.2)
 - 3) Tower shall meet all the requirements of the communication tower ordinance. Any variance shall require approval by the Board of Zoning Adjustment.
- c. A waiver from Section 38-1258(e) is granted for Parcel 12 in order to allow for understory trees with a maximum height of ten (10) feet in lieu of all shade trees as required per Type C buffers due to the existing power lines.
 - d. A waiver from Section 24-4(a)(3) c. and d. is granted for Parcel 12 in order to allow for understory trees with a maximum height of ten (10) feet in lieu of all required shade trees within interior landscaped areas due to the existing power lines.
 - e. A waiver from Section 38-1258(f) is granted to allow a fence in lieu of a six (6) foot high masonry wall. (Note: This applies to Parcel 12, but was not specified, when adopted by the BCC).
17. Miranda F. Fitzgerald, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Buena Vista Park Planned Development (PD), Case # CDR-15-11-341, amend plan; District 1

Applicant: Miranda F. Fitzgerald, Lowndes, Drosdick, Doster, Kantor, & Reed, P.A., Buena Vista Park Planned Development (PD), Case # CDR-15-11-341

Consideration: Substantial change request for the following nine (9) waivers from Orange County Code:

1. A waiver from Section 31.5-195(1)(b) to allow for two wall signs to be placed on the primary façade and to be placed on the secondary façade, in lieu of a single wall sign placed on the primary façade, for Parcel 1 only;
2. A waiver from Section 38-1272(a)(1) to allow for a maximum impervious coverage of seventy-six (76) percent of the net land area, in lieu of seventy (70) percent, for Parcel 1 only;
3. A waiver from Section 38-1287(4) to allow for a paving setback of 20 feet from Palm Parkway, in lieu of 25 feet, for Parcel 1 only;
4. A waiver from Section 38-1392.1 to allow for a streetside building setback of 15 feet from Lake Street for the parking garage, in lieu of 20 feet, for Parcel 1 only;

5. A waiver from Section 38-1393.3(1) to allow one or more sloped roofs on sixty-nine (69) percent of the linear length of the primary façade, in lieu of at least seventy-five (75) percent, for Parcel 1 only;
6. A waiver from Section 38-1393.3(2) to allow the use of a non-decorative flat parapet wall without a cornice, in lieu of a flat parapet wall that shall be decorative in style with a cornice, for Parcel 1 only;
7. A waiver from Section 38-1394(1)(a) to allow three (3) silver date palms (understory trees) and sixteen (16) crape myrtle (ornamental tress) and a continuous double shrub row for streetscape planting in the median of Palm Parkway, in lieu of five (5) shade trees and ten (10) ornamental trees;
8. A waiver from Section 38-1394(2) to allow silver date palms (understory trees) and crape myrtle (ornamental trees) within the median of Palm Parkway, in lieu of only live oak and laurel oak trees planted as streetscape shade trees; and
9. A waiver from Section 38-1394.1(a) to allow for an average of 15 feet of green space around the base of a building five or more stories in height, in lieu of a minimum width of 20 feet, for Parcel 1 only; 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 side of Lake Street, east of Palm Parkway; Orange County, Florida (legal property description on file)

The following person addressed the Board: Miranda Fitzgerald.

Motion/Second: Commissioners Boyd/Nelson

Absent: Commissioners Clarke and Edwards

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by Miranda F. Fitzgerald, Lowndes, Drosdick, Doster, Kantor, & Reed, P.A., Buena Vista Park Planned Development (PD), Case # CDR-15-11-341, for the following nine (9) waivers from Orange County Code:

1. A waiver from Section 31.5-195(1)(b) to allow for two wall signs to be placed on the primary façade and to be placed on the secondary façade, in lieu of a single wall sign placed on the primary façade, for Parcel 1 only;
2. A waiver from Section 38-1272(a)(1) to allow for a maximum impervious coverage of seventy-six (76) percent of the net land area, in lieu of seventy (70) percent, for Parcel 1 only;
3. A waiver from Section 38-1287(4) to allow for a paving setback of 20 feet from Palm Parkway, in lieu of 25 feet, for Parcel 1 only;
4. A waiver from Section 38-1392.1 to allow for a streetside building setback of 15

- feet from Lake Street for the parking garage, in lieu of 20 feet, for Parcel 1 only;
5. A waiver from Section 38-1393.3(1) to allow one or more sloped roofs on sixty-nine (69) percent of the linear length of the primary façade, in lieu of at least seventy-five (75) percent, for Parcel 1 only;
 6. A waiver from Section 38-1393.3(2) to allow the use of a non-decorative flat parapet wall without a cornice, in lieu of a flat parapet wall that shall be decorative in style with a cornice, for Parcel 1 only;
 7. A waiver from Section 38-1394(1)(a) to allow three (3) silver date palms (understory trees) and sixteen (16) crape myrtle (ornamental tress) and a continuous double shrub row for streetscape planting in the median of Palm Parkway, in lieu of five (5) shade trees and ten (10) ornamental trees;
 8. A waiver from Section 38-1394(2) to allow silver date palms (understory trees) and crape myrtle (ornamental trees) within the median of Palm Parkway, in lieu of only live oak and laurel oak trees planted as streetscape shade trees; and
 9. A waiver from Section 38-1394.1(a) to allow for an average of 15 feet of green space around the base of a building five or more stories in height, in lieu of a minimum width of 20 feet, for Parcel 1 only;

which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Buena Vista Park Planned Development / Land Use Plan (PD/LUP) dated "Received February 25, 2016," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received February 25, 2016," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or

otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and/or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's/ Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
7. Outside sales, storage, and display shall be prohibited.
8. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with the Buena Vista North Overlay District.
9. Development shall comply with the Buena Vista North Overlay District standards unless waivers are explicitly granted by the Board of County Commissioners.
10. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
11. The Developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.
12. The following waivers from Orange County Code are granted:
 - a. A waiver from Section 31.5-195(1)(b) to allow for two wall signs to be placed on the primary façade and to be placed on the secondary façade, in lieu of a single wall sign placed on the primary façade, for Parcel 1 only;
 - b. A waiver from Section 38-1272(a)(1) to allow for a maximum impervious coverage of seventy-six (76) percent of the net land area, in lieu of seventy (70) percent, for Parcel 1 only;
 - c. A waiver from Section 38-1287(4) to allow for a paving setback of 20 feet from Palm Parkway, in lieu of 25 feet, for Parcel 1 only;
 - d. A waiver from Section 38-1392.1 to allow for a streetside building setback of 15 feet from a thoroughfare for the parking garage, in lieu of 20 feet, from Lake Street, for Parcel 1 only;
 - e. A waiver from Section 38-1393.3(1) to allow one or more sloped roofs on sixty-nine (69) percent of the linear length of the primary façade, in lieu of at least seventy-five (75) percent, for Parcel 1 only;
 - f. A waiver from Section 38-1393.3(2) to allow the use of a non-decorative flat parapet wall without a cornice, in lieu of a flat parapet wall that shall be decorative in style with a cornice, for Parcel 1 only;

- g. A waiver from Section 38-1394(1)(a) to allow three (3) silver date palms (understory trees) and sixteen (16) crape myrtle (ornamental trees) and a continuous double shrub row for streetscape planting in the median of Palm Parkway, in lieu of five (5) shade trees and ten (10) ornamental trees;
 - h. A waiver from Section 38-1394(2) to allow silver date palms (understory trees) and crape myrtle (ornamental trees) within the median of Palm Parkway, in lieu of only live oak and laurel oak trees planted as streetscape shade trees; and
 - i. A waiver from Section 38-1394.1(a) to allow for an average of 15 feet of green space around the base of a building five or more stories in height, in lieu of a minimum width of 20 feet, for Parcel 1 only.
13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 30, 1997, shall apply:
- a. Development shall be consistent with the Activity Center Turkey Lake Road Network Agreement approved by the Board of County Commissioners on September 24, 1996. Prior to the issuance of any Certificate of Occupancy, the Turkey Lake Road Extension shall be constructed as a four-lane roadway from Lake Avenue to Central Florida Parkway in accordance with the agreement.
 - b. To the extent required to comply with the consistency provisions of the Growth Management Act, the following conditions shall be added to the conditions of approval:
 - 1) Permitted and prohibited uses shall be those specified in Policies 1.1.3 and 1.1.6 of the International Drive Activity Center Plan.
 - 2) If the housing linkage program is in place prior to development plan approval, the development of nonresidential development shall be conditioned upon the development of residential units within the area designated Activity Center Residential on the Future Land Use Map.
 - 3) The development guidelines of the International Drive Activity Center shall apply to the subject property if they are established prior to development plan submittal, including but not limited to lighting standards, sign regulations, open space regulations, trip reduction programs, access management controls, transit access design standards, building orientation, and location of parking lots.
 - 4) The property owner shall be required to participate in a property owners' association upon its creation.

- 5) Stormwater management facilities shall be designed as an aesthetic feature, except where determined by the County engineer to be technically unfeasible.
 - 6) The development plan shall provide for interconnection of adjacent development either by cross-access easement or public right-of-way.
 - 7) Electrical distribution lines shall be underground.
 - 8) Participation in shuttle service connecting area attractions, major transportation centers, and on-site development shall be required.
19. Scott M. Gentry, Kelly, Collins, and Gentry, Inc., Hamlin Planned Development / Unified Neighborhood Plan / Land Use Plan (PD/UNP/LUP), Case # CDR-15-09-255, District 1

Applicant: Scott M. Gentry, Kelly, Collins, and Gentry, Inc., Hamlin Planned Development / Unified Neighborhood Plan / Land Use Plan (PD/UNP/LUP), Case # CDR-15-09-255

Consideration: Substantial change request to modify the Maximum Land Use Program/Overall Project Density (per SAP) table on Sheet 10 of the PD/UNP for the CCM-3 and CCM-7 Districts, to be consistent with the Lakewalk at Hamlin PSP (PSP 15-08-222) and the proposed CCM-7 Subdivision PSP (PSP-15-04-101). The number of residential dwelling units allowed in CCM-3 would increase from 50 to 316 (an increase of 266 units), the non-residential square footage would decrease from 92,700 square feet to zero (0), and the number of hotel rooms would decrease from 12 to zero (0). The number of residential dwelling units allowed in CCM-7 would increase from 112 to 115 (an increase of 3 units), the non-residential square footage would decrease from 205,700 to zero (0), and the number of hotel rooms would decrease from 25 to zero (0). To accommodate the adjustments to CCM-3 and CCM-7 in the table, the maximum land use program for the CCM-2 District would decrease from 80 to 76 units (a decrease of 4 units), the RW-1 District would increase the non-residential square footage from 155,100 to 247,800 (an increase of 92,700 square feet) and the number of hotel rooms would increase from 72 to 84 (an increase of 12 rooms), and the RW-2 District would increase the non-residential square footage from 105,400 to 311,100 (an increase of 205,700 square feet) and increase the number of hotel rooms from zero (0) to twenty-five (25), an increase of 25 rooms. In addition, the applicant is accessing 265 of the 374 available bonus residential units, thereby decreasing the number of remaining bonus units to 109. The overall development program for the PD remains unchanged; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and

Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located East of State Road 429; north and south of New Independence Parkway; and west of Lake Hartley and Lake Hancock; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Scott Gentry
- David Russell

• MEMBERS RE-ENTERED: Commissioners Clarke, Edwards

Board discussion ensued.

Motion/Second: Commissioners Boyd/Nelson

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by Scott M. Gentry, Kelly, Collins, and Gentry, Inc., Hamlin Planned Development / Unified Neighborhood Plan / Land Use Plan (PD/UNP/LUP), Case # CDR-15-09-255, to modify the Maximum Land Use Program/Overall Project Density (per SAP) table on Sheet 10 of the PD/UNP for the CCM-3 and CCM-7 Districts, to be consistent with the Lakewalk at Hamlin PSP (PSP 15-08-222) and the proposed CCM-7 Subdivision PSP (PSP-15-04-101). The number of residential dwelling units allowed in CCM-3 would increase from 50 to 316 (an increase of 266 units), the non-residential square footage would decrease from 92,700 square feet to zero (0), and the number of hotel rooms would decrease from 12 to zero (0). The number of residential dwelling units allowed in CCM-7 would increase from 112 to 115 (an increase of 3 units), the non-residential square footage would decrease from 205,700 to zero (0), and the number of hotel rooms would decrease from 25 to zero (0). To accommodate the adjustments to CCM-3 and CCM-7 in the table, the maximum land use program for the CCM-2 District would decrease from 80 to 76 units (a decrease of 4 units), the RW-1 District would increase the non-residential square footage from 155,100 to 247,800 (an increase of 92,700 square feet) and the number of hotel rooms would increase from 72 to 84 (an increase of 12 rooms), and the RW-2 District would increase the non-residential square footage from 105,400 to 311,100 (an increase of 205,700 square feet) and increase the number of hotel rooms from zero (0) to twenty-five (25), an increase of 25 rooms. In addition, the applicant is accessing 265 of the 374 available bonus residential units, thereby decreasing the number of remaining bonus units to 109. The overall development program for the PD remains unchanged; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Hamlin Planned Development / Unified Neighborhood Plan (PD / UNP) dated "Received February 2, 2016," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received February 2, 2016," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered or approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 1, 2015, shall apply:

- a. The following waivers from Orange County Code are granted:
 - 1) A waiver from Section 38-1384(g)(2) to allow for a minimum thirteen (13) foot front-loaded garage door setback from the front property line, in lieu of a minimum twenty (20) foot front-loaded garage door setback from the front property line, and applicable to the Overlook 2 at Hamlin PSP lots 46, 49, and 55 only; and
 - 2) A waiver from Section 38-1384(g)(2) to allow front-loaded garage doors to be located a maximum of 5.7 feet forward of the nearest adjacent plane of the primary structure (living area), in lieu of the requirement that front-loaded garage doors be recessed a minimum of ten (10) feet (or 7 feet with a qualifying porch) behind the nearest adjacent plane of the primary structure, and applicable to the Overlook 2 at Hamlin PSP lots 38, 42, 45, 46, 49, 55, and 58 only.
 - b. The applicant has requested that the County release the hold on building permits for lots 38, 45, and 58 prior to the approval of the waiver listed in condition of approval #4b. Such building permits may be released only after the applicant executes a Hold Harmless and Indemnification Agreement acceptable to the County, and which recognizes that the applicant is proceeding with construction on lots 38, 45, and 58 at their own risk and, should the above-referenced waivers be denied by the Board, may be required to substantially modify or completely remove, if necessary, any previously constructed improvements on lots 38, 45, or 58 in order to meet County Code.
5. Except as amended, modified, and/or superseded, the following previous BCC Conditions of Approval, dated February 10, 2015, shall apply:
- a. To demonstrate concurrency entitlements have been met for this project the developer must provide an Assignment of Vested Trips document concurrent with or prior to Development Plan submittal. In addition, the Development Plan must show a legend with trip allocations by parcel identification number and phase of the development.
 - b. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
 - c. The following Education Condition of Approval shall apply:
 - 1) Developer shall comply with all provisions of the Capacity Enhancement Agreements (CEA 06-11-09) entered into with the Orange County School Board as of 11/14/2006, CEA OC-12-002 entered into with the

Orange County School Board on 01/29/2013, and CEA OC-12-002 A1 approved by the Orange County School Board on 01/29/2015.

- 2) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 22 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County shall again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
 - 3) Developer, or its successor(s) and/or assign(s) under the Capacity Enhancement Agreements, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
 - 4) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement. At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreements.
6. Except as amended, modified, and/or superseded, the following previous BCC Conditions of Approval, dated July 8, 2014, shall apply:
- a. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination and a Conservation Area Impact Permit. Approval of this plan does not permit any proposed conservation impacts.
 - b. The covenants, conditions, and restrictions (CC&Rs) shall contain notification to potential purchasers, builders or tenants of this development of the proximity of the West Orange & 545 solid waste disposal facilities that are located 0.2 miles to the southwest.
 - c. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with the Village Center standards of Section 38-1389 (d)(5) with the exception of any waivers explicitly granted by the Board.

7. Except as amended, modified, and/or superseded, the following previous BCC Conditions of Approval, dated March 12, 2013, shall apply:
- a. No activity will be permitted within the boundaries of the site that may disturb, influence or interfere with: areas of soil or groundwater contamination, remediation activities, or with the hydrological zone of influence of the contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection. Such approval may include, but is not limited to: an FDEP No Further Action letter, Site Rehabilitation Completion Order (SRCO), or documentation of specific permission from FDEP. Such documentation shall be provided to the Environmental Protection Division of Orange County.
 - b. Neither potable wells nor irrigation using local groundwater will be allowed on sites where identified soil or groundwater contamination has been documented.
 - c. On properties where contamination has been documented, the covenants, conditions, and restrictions (CC&Rs) and lease agreements shall include notification that the property has been identified with solid and groundwater contamination and shall state the status of the resulting remediation.
 - d. The Developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.
 - e. A Master Utility Plan (MUP) shall be submitted to Orange County Utilities prior to approval of the first PSP/DP. The MUP must be approved prior to Construction Plan approval.
 - f. The Developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the project to accommodate the ultimate flows for the entire Town Center Village (SAP). Utilities infrastructure shall be built connecting to the build-out points of connection approved in the Master Utilities Plan (MUP).
 - g. Prior to construction plan approval, all property owners within the Hamlin PD shall be required to sign an agreement between the parties, addressing their proportionate share of funds for the costs of the offsite and onsite master utilities, sized to the Town Center Village (SAP) build-out requirements.
 - h. Prior to final approval of the first PSP/DP for any portion of the project, applicant shall form a Property Owners Association (POA) for the project, which association shall be responsible for the maintenance of (i) street lighting, landscaping, irrigation, common signage and hardscape within the rights-of-way of New Independence Parkway, Hamlin Trail and Porter Road,

and (ii) public sidewalks, multi-use trails, master stormwater system, on-street parking and common areas I open space and park elements within the project and as required by the Town Center Planned Development Code. A Right-of-Way Use Agreement describing maintenance responsibilities will be required. It is understood that none of the foregoing public areas or elements will be owned or maintained by the County unless herein specifically agreed to in writing by the County.

- i. Waivers to any development standard of Chapter 38 of the Orange County Code may be granted by the Board of County Commissioners at a public hearing in conjunction with the approval of any PSP for a parcel(s) of land within the Hamlin PD/UNP, except as may be provided to the contrary in Section 38-1207 regarding substantial changes to a PD Land Use Plan. A revised PD/UNP noting the requested waivers (applicable to the specific PSP) shall be submitted with the PSP application. Notification of waiver requests prior to the public hearing shall be the same as that required for a substantial change to a PD Land Use Plan, e.g., including notice to owners of property within 300 feet of the perimeter of the PD/UNP. Board approval of the PSP and requested waivers shall constitute Board approval of the revised PD/UNP (waivers applicable to the specific PSP), which shall be deemed a non-substantial change.

Preliminary Subdivision Plan

20. Dennis Seliga, Boyd Horizon West, LLC, Hamlin PD / UNP / CCM – 7 Preliminary Subdivision Plan, Case # PSP-15-04-101; District 1 (Continued from March 15, 2016)

Applicant: Dennis Seliga, Boyd Horizon West, LLC, Hamlin PD / UNP / CCM - 7 Preliminary Subdivision Plan – Case # PSP-15-04-101

Consideration: Hamlin PD / UNP / CCM – 7 Preliminary Subdivision Plan, Case # PSP-15-04-101, submitted in accordance with Section 34-69 Orange County Code (Subdivision Regulations); and Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207; This Preliminary Subdivision Plan (PSP) is a request to subdivide and construct 115 single family residential dwelling units on 37.26 gross acres in two (2) phases; The following waivers from Chapter 38 of the Orange County Code are also requested:

1. A waiver from Orange County Code Section 38-1384(F)(2) is granted to eliminate the required pedestrian path or walkway from the primary entrance to the sidewalk, in lieu of all lots with alleys or lots sixty feet (60') in width or less requiring a pedestrian path or walkway from the primary entrance to the sidewalk.

2. A waiver from Orange County Code Section 38-1384(G)(B) is granted to allow for double wide garage entries on front-loaded lots that are less than sixty-five feet (65') in width, but greater than fifty feet (50') in width, specifically on lots 4, 8, 25, 33, 37, 42, 61, 67, 72, 82, 86, 92, 99, 104, 111; in lieu of the requirement that prohibits double-wide garage entries on all front-loaded lots less than sixty-five feet (65') in width.
3. A waiver from Orange County Code Section 38-1384(G)(3) is granted to allow side-loaded/ courtyard entry garages to be placed in front of the primary structure on lots equal to or greater than fifty feet (50') in width (subject to applicable design standards), specifically on lots 2, 13, 14, 29, 30, 50, 51, 58, 59, 63, 64, 79, 80, 94, 95, 112, 113; in lieu of only lots greater than sixty-five feet (65') in width to allow side-loaded / courtyard entry garages to be placed in front of the primary structure.
4. A waiver from Orange County Code Section 38-1390.54(A)(4) is granted to eliminate the requirement for three (3) steps to elevate the finished floor of residential buildings above the adjacent sidewalk grade, where side-loaded/courtyard entry garages are proposed, in lieu of the requirement that residential building finished floor elevations shall be elevated a minimum of three (3) steps above the adjacent sidewalk grade.

Location: District 1; property generally located South of Porter Road / West of Hamlin Groves Trail; Orange County, Florida (legal property description on file)

The following person addressed the Board: Scott Gentry.

Motion/Second: Commissioners Boyd/Nelson

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, approved Hamlin PD / UNP / CCM – 7 Preliminary Subdivision Plan, Case # PSP-15-04-101; and further, the following waivers from Chapter 38 of the Orange County Code are also requested:

1. A waiver from Orange County Code Section 38-1384(F)(2) is granted to eliminate the required pedestrian path or walkway from the primary entrance to the sidewalk, in lieu of all lots with alleys or lots sixty feet (60') in width or less requiring a pedestrian path or walkway from the primary entrance to the sidewalk.
2. A waiver from Orange County Code Section 38-1384(G)(B) is granted to allow for double wide garage entries on front-loaded lots that are less than sixty-five feet (65') in width, but greater than fifty feet (50') in width, specifically on lots 4, 8, 25, 33, 37, 42, 61, 67, 72, 82, 86, 92, 99, 104, 111; in lieu of the requirement that prohibits double-wide garage entries on all front-loaded lots less than sixty-five feet (65') in width.

3. A waiver from Orange County Code Section 38-1384(G)(3) is granted to allow side-loaded/ courtyard entry garages to be placed in front of the primary structure on lots equal to or greater than fifty feet (50') in width (subject to applicable design standards), specifically on lots 2, 13, 14, 29, 30, 50, 51, 58, 59, 63, 64, 79, 80, 94, 95, 112, 113; in lieu of only lots greater than sixty-five feet (65') in width to allow side-loaded / courtyard entry garages to be placed in front of the primary structure.
4. A waiver from Orange County Code Section 38-1390.54(A)(4) is granted to eliminate the requirement for three (3) steps to elevate the finished floor of residential buildings above the adjacent sidewalk grade, where side-loaded/courtyard entry garages are proposed, in lieu of the requirement that residential building finished floor elevations shall be elevated a minimum of three (3) steps above the adjacent sidewalk grade

on the described property, subject to the following conditions:

1. Development shall conform to the Hamlin PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; CCM -7 Preliminary Subdivision Plan dated "Received February 15, 2016*," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received February 15, 2016," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered or approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to

Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
5. Prior to commencement of any earth work or construction, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
6. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
7. All home designs/types proposed for this PSP shall be submitted to the County for setback & architectural review a minimum of 90 days prior to model home requests and/or permitting.
8. Signage shall comply with Chapter 31.5 and Chapter 38.
9. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.
10. A mandatory pre-application / sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application / sufficiency review meeting prior to formal submittal of the plat to the County.

11. A current Level One (1) Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval prior to Construction Plan submittal.
12. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.
13. To demonstrate concurrency entitlements have been met for this project the developer must provide an Assignment of Vested Trips document concurrent with or prior to Development Plan submittal. In addition, the Development Plan must show a legend with trip allocations by parcel identification number and phase of the development.
14. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement (Agreement effective as of March 19, 2013, and recorded at Book 10581, Page 6634, Public Records of Orange County, Florida, as amended by that certain First Amendment effective as of January 27, 2015, and recorded at Book 10880, Page 1825, Public Records of Orange County, Florida). Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
15. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PSP, including hydraulically dependent parcels outside the PSP boundaries; such MUP shall include supporting calculations showing that the PSP-level MUP is consistent with the approved MUP for the Village, or shall include an update to the Village MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.

16. A waiver from Orange County Section 38-1384(F)(2) is granted to eliminate the required pedestrian path or walkway from the primary entrance to the sidewalk, in lieu of all lots with alleys or lots sixty feet (60') in width or less requiring a pedestrian path or walkway from the primary entrance to the sidewalk.
17. A waiver from Orange County Section 38-1384(G)(B) is granted to allow for double wide garage entries on front-loaded lots that are less than sixty-five feet (65') in width, but greater than fifty feet (50') in width, specifically on lots 4, 8, 25, 33, 37, 42, 61, 67, 72, 82, 86, 92, 99, 104, 111; in lieu of the requirement that prohibits double-wide garage entries on all front-loaded lots less than sixty-five feet (65') in width.
18. A waiver from Orange County Section 38-1384(G)(3) is granted to allow side-loaded/ courtyard entry garages to be placed in front of the primary structure on lots equal to or greater than fifty feet (50') in width (subject to applicable design standards), specifically on lots 2, 13, 14, 29, 30, 50, 51, 58, 59, 63, 64, 79, 80, 94, 95, 112, 113; in lieu of only lots greater than sixty-five feet (65') in width to allow side-loaded / courtyard entry garages to be placed in front of the primary structure.
19. A waiver from Orange County Section 38-1390.54(A)(4) is granted to eliminate the requirement for three (3) steps to elevate the finished floor of residential buildings above the adjacent sidewalk grade, where side-loaded/ courtyard entry garages are proposed, in lieu of the requirement that residential building finished floor elevations shall be elevated a minimum of three (3) steps above the adjacent sidewalk grade.
20. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.
21. A left turn lane shall be provided at the northern entrance of Hamlin Groves Trail.

Preliminary Subdivision Plan/Development Plan

21. Dennis Seliga, Boyd Horizon West, LLC, Hamlin PD / UNP / Lakewalk at Hamlin Preliminary Subdivision Plan / Development Plan, Case # PSP-15-08-222; District 1 (Continued from March 15, 2016)

Applicant: Dennis Seliga, Boyd Horizon West, LLC, Hamlin PD / UNP / Lakewalk at Hamlin Preliminary Subdivision Plan / Development Plan, Case # PSP-15-08-222

Consideration: Hamlin PD / UNP / Lakewalk at Hamlin Preliminary Subdivision Plan / Development Plan, Case # PSP-15-08-222, submitted in accordance with Section 34-69 Orange County Code (Subdivision Regulations); and

Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207; This Preliminary Subdivision Plan (PSP) is a request to subdivide and construct 316 multi-family residential dwelling units on 21.96 gross acres in one (1) phase; The following waiver from Chapter 38 of the Orange County Code is also requested:

1. A waiver from Orange County Section 38-1890.51 Table 4-1 and Section 38-1390.55 (C)(10) is granted to allow a minimum setback of zero (0) feet for the locations identified on the PSP-DP, in lieu of ten (10) feet.

Location: District 1; property generally located South of New Independence Parkway / East of Hamlin Groves Trail; Orange County, Florida (legal property description on file)

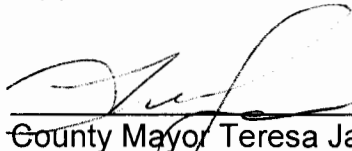
Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board continued the public hearing until May 24, 2016, at 2 p.m.

- ADJOURNMENT, 5:49 p.m.

ATTEST:


County Mayor Teresa Jacobs

Date: MAY 24 2016



ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk

for Genrico Vaupel
Deputy Clerk