

Orange County Government

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



Final Meeting Minutes

Tuesday, November 12, 2019

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:04 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Betsy VanderLey, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Craig Stopyra
Senior Minutes Coordinator Lakela Louis

Invocation - District 2

Dr. Rob Arnold, Lockhart Church

Pledge of Allegiance**Presentation**

Proclamation designating November 12, 2019 as Terry Delahunty Day

Presentation

Mayor Demings Holiday Toy Drive

Public Comment

No one addressed the Board for public comment.

I. CONSENT AGENDA**Approval of the Consent Agenda**

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 2, 5, 6, 10 and 11; and further, a motion was made by Commissioner Moore, seconded by Commissioner VanderLey, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A. COUNTY MAYOR

1. **19-1679** Confirmation of the Mayor's managerial appointment of Claudia Yabrudy as Manager, Fiscal and Operational Support Division, Health Services Department.

ADDENDUM #1

2. **19-1784** Confirmation of the Mayor's appointments of Joseph C. Kunkel, P.E. as Director, Public Works Department and Diana Almodovar, P.E. as Deputy Director, Public Works Department.

B. COUNTY COMPTROLLER

1. **19-1680** Approval of the minutes of the October 8, 2019 meeting of the Board of County Commissioners. (Clerk's Office)
2. **19-1681** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - October 18, 2019, to October 24, 2019; \$41,416,860.66
 - October 25, 2019, to October 31, 2019; \$53,214,742.79
 - November 01, 2019, to November 07, 2019; \$41,797,156.30.

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **19-1682** Approval and execution of Service Funding Agreement by and between Orange County, Florida and Central Florida Regional Transportation Authority for FY 2019-20 in the amount of \$55,564,736. All Districts.
2. **19-1683** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments. (Agenda Development Office)
 - A. Commission on Aging: Appointment of Javecia C. Colston to succeed Dr. Carmel Munroe in the active caregiver representative category with a term expiring June 30, 2020 and Gloria J. Harris to succeed Kinda Haddad in the at large representative category with a term expiring June 30, 2021.
 - B. M/WBE Advisory Committee: Appointment of Jo K. Newell to succeed Christine I. Parrish in the at large representative category with a term

expiring June 30, 2021.

C. Nuisance Abatement Board: Appointment of Raymond E. Rios to succeed Nicole C. Soltau-Woods in the at large representative category with a term expiring January 1, 2021.

D. Orange Blossom Trail Development Board: Appointment of Charles Sasser to succeed Emmett O'Dell in the Orange County representative category with a term expiring January 14, 2021.

3. **19-1684** Confirmation of Commissioner VanderLey's appointment of Charles D. Kurtz to the Butler Chain of Lakes Advisory Board with a term expiring December 31, 2022. (Agenda Development Office)
4. **19-1685** Approval to sunset the Tobacco/Nicotine Surcharge effective December 31, 2019. (Human Resources Division)
5. **19-1686** Approval for the Orange County Sheriff's Office to spend \$75,985 from the FY 2020 Law Enforcement Trust Fund to provide eligible contributions to Harbor House (\$5,000), Holocaust Memorial Resource and Education Center of Florida (\$5,000), and Boy Scouts of America, Central Florida Council (\$5,000); and for the purchase of a Fleet Management Generator (\$60,985). (Office of Management and Budget)
6. **19-1687** Approval to disburse CRA funds totaling \$50,704,943 to Orange County's 15 Community Redevelopment Agency Areas. (Office of Management and Budget)
7. **19-1688** Approval and execution of Resolution 2019-B-06 of the Orange County Board of County Commissioners regarding a Resolution pertaining to Financing; authorizing transfer of surplus funds in the County Water and Wastewater Utility Reserve Fund to the County's General Fund; specifically revising and superseding any Resolution in conflict with this Resolution; providing an effective date. (Office of Management and Budget)
8. **19-1689** Approval of budget amendment #20-12. (Office of Management and Budget)
9. **19-1690** Approval of budget transfers #19-1441, #19-1442, #19-1447, and #20-0485. (Office of Management and Budget)
10. **19-1691** Approval to pay quarterly assessments to the Florida Department of Financial Services for self-insurer assessments in an amount not to exceed \$350,000. These payments will satisfy the County's obligations to the state of Florida pursuant to Sections 440.49(9) and 440.51, Florida Statutes. (Risk Management Division)

D. COUNTY ATTORNEY

1. **19-1692** Approval of proposed revised Administrative Regulation No.: 6.14, titled "Auditor Selection and Oversight."

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1693** Approval to award Invitation for Bids Y19-1120-SW, Car Washing and Detailing Services for Orange County, to the sole responsive and responsible bidder, Sweetwater Car Wash D.P. LLC. The estimated annual contract award amount is \$372,600 for a 3-year term. ([Administrative Services Department Fleet Management Division] Procurement Division)
2. **19-1694** Approval to award Invitation for Bids Y19-1132-AV, Landscape Management-Chemical Application at the Orange County Convention Center, to the low responsive and responsible bidder, Trugreen Limited Partnership. The estimated contract award amount is \$261,648 for a 3-year term. ([Convention Center Facility Operations Division] Procurement Division)
3. **19-1695** Approval to award Invitation for Bids Y19-1138-MV, Emergency and Temporary Heating, Ventilation and Air Conditioning (HVAC) Equipment Rental and Installation Services, to the sole responsive and responsible bidder, Portable Air L.C. The estimated contract award amount is \$545,820 for a 3-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
4. **19-1696** Approval to award Invitation for Bids Y19-1153-AV, Yard Trash Grinding, to the low responsive and responsible bidder, Camo Farms, Inc. The estimated contract award amount is \$2,340,900 for a 3-year term. ([Utilities Department Solid Waste Division] Procurement Division)
5. **19-1697** Approval to award Invitation for Bids Y19-1156-AV, Janitorial Supplies for the Fire Rescue Department, to the low responsive and responsible M/WBE compliant bidder, Premier Janitorial Supply, Inc. The estimated contract award amount is \$633,849.90 for a 3-year term. ([Fire Rescue Department Infrastructure and Support Division] Procurement Division)
6. **19-1698** Approval to award Invitation for Bids Y19-1157-AV, Crane and Hoist Inspection, Testing and Certification, to the low responsive and responsible bidder, National Crane Services, Inc. The estimated contract award amount is \$433,410 for a 3-year term. ([Utilities Department Water Division] Procurement Division)
7. **19-1699** Approval to award Invitation for Bids Y20-116-TJ, Compressed Gasses Services for Orange County Utilities Laboratory, to the sole responsive and responsible bidder, Matheson Tri-Gas, Inc. The estimated contract award amount is \$162,550.86 for a 3-year term. ([Utilities Department Water

Division] Procurement Division)

8. **19-1700** Approval to award Invitation for Bids Y20-124-TJ, Golf Cart Preventative Maintenance and Repair for Orange County Convention Center, to the low responsive and responsible bidder, The Forklift Medic LLC. The estimated contract award amount is \$1,365,000 for a 3-year term. ([Convention Center Facility Operations Division] Procurement Division)
9. **19-1701** Approval to award Invitation for Bids Y19-700-CH, North Fort Christmas Road Safety Improvements Project - FPN: 437458-1-58-01 FAN: D518-008-B, to the low responsive and responsible bidder, Southern Development & Construction, Inc. The estimated contract award amount is \$933,000. ([Public Works Department Engineering Division] Procurement Division)
10. **19-1702** Approval to award Invitation for Bids Y19-768-RM, Yucatan Park Playground Cover, to the low responsive and responsible bidder, J. Costa Group LLC. The total contract award amount is \$189,978.65. ([Administrative Services Department Capital Projects Division] Procurement Division)
11. **19-1703** Approval to award Invitation for Bids Y19-778-CH, Alafaya Trail Sidewalk Improvements, to the low responsive and responsible bidder, Parthenon Construction Company. The estimated contract award amount is \$501,224.65. ([Public Works Department Engineering Division] Procurement Division)
12. **19-1704** Approval to award Invitation for Bids Y19-783-EB, North Lake Mann Neighborhood Sidewalk Construction Services, to the low responsive and responsible bidder, Parthenon Construction Company. The estimated contract award amount is \$149,890.45. ([Public Works Department Engineering Division] Procurement Division)
13. **19-1705** Approval to award Invitation for Bids Y20-703-RC, Construction of Orange County Fire Station #87, to the low responsive and responsible bidder, Mulligan Constructors, Inc. The total contract award amount is \$3,597,629. ([Administrative Services Department Capital Projects Division] Procurement Division)
14. **19-1706** Approval to award Invitation for Bids Y20-717-TA, Water Conserv II Transmission Main Booster Pump Station Improvements, to the low responsive and responsible bidder, Garney Companies, Inc. The total estimated base bid contract award amount is \$12,876,000. ([Utilities Department Engineering Division] Procurement Division)
15. **19-1707** Approval of Contract Y20-162, Lease Assistance Agreement, with Community Health Centers, Inc., in the estimated contract award amount of \$586,244 for a 2-year term. ([Health Services Department Fiscal and

Operational Support Division] Procurement Division)

16. **19-1708** Approval of Amendment No. 7, Contract Y15-160, HIV/AIDS Data System, with Groupware Technologies, in the amount of \$26,000, for a revised contract amount of \$951,344. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
17. **19-1709** Approval of Amendment No. 3, Contract Y17-1118, Basic Construction Education Program for Inmates, with Valencia College, in the amount of \$96,000, for a revised contract amount of \$320,000. ([Corrections Department Community Corrections and Inmate Administrative Services Division] Procurement Division)
18. **19-1710** Approval of Amendment No. 6, Contract Y18-137, Occupational Medical Services, with Adventist Health System/Sunbelt, Inc. dba AdventHealth Centra Care, in the amount of \$1,173,480, for a revised total contract amount of \$3,256,980. ([Administration and Fiscal Services Risk Management and Professional Standards Division] Procurement Division)
19. **19-1711** Approval of Amendment No. 1, Contract Y19-1129-AH, Transportation Services, with Orange County Public Schools, in the amount of \$110,000, for a revised estimated contract award amount of \$710,000. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
20. **19-1712** Approval of Purchase Order M98478, Renewal of Software Support and Licensing for GIS Software, with Environmental Systems Research Institute, Inc., in the amount of \$140,250. ([Administration and Fiscal Services Information Systems and Services Division] Procurement Division)
21. **19-1713** Approval of Purchase Order M98580, Mixers, Servers, Cards, Amplifiers, and Microphones, with Biamp Systems, LLC, in the amount of \$137,770. ([Administration and Fiscal Services Court Administration Division] Procurement Division)
22. **19-1714** Approval of Change Order No.4, Purchase Order M94691, Radiological Examination Services for the Orange County Medical Clinic, with Orlando Health Imaging Center, in the amount of \$26,050. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
23. **19-1715** Approval of Funding Agreement Y20-2062 for the Provision of Funding a Functional Family Therapy Team, with Bay Area Youth Services dba BAYS Florida, in the amount of \$565,000 for a 1-year term. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
24. **19-1716** Ratification of Amendment No. 6, Contract Y17-108A, EMS Equipment and

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- Supplies, with Bound Tree Medical, LLC, in the amount of \$240,000, for a revised contract amount of \$1,379,653.50. ([Fire Rescue Department Infrastructure and Support Division Procurement Division])
25. **19-1717** Ratification of Purchase Order M98241, Box Area Run Card Builder (BARB) and Dispatch Validator (DiVa), with Deccan International Corporation, in the amount of \$102,787. ([Fire Rescue Department Planning and Technical Services Division] Procurement Division)
26. **19-1718** Ratification of Purchase Order M98479, Renewal of Software Support and Licensing for DOC1, CODE1 and Mailstream Software, with Pitney Bowes Software, Inc., in the amount of \$113,087.07. ([Utilities Department Customer Service Division] Procurement Division)
27. **19-1719** Selection of Groundtek of Central Florida, LLC to provide Landscape Management and Irrigation at the Orange County Convention Center, Request for Proposals Y19-1131-AV. ([Convention Center Facility Operations Division] Procurement Division)
28. **19-1720** Selection of Brown and Caldwell and Jacobs Engineering Group, Inc. to provide Continuing Professional Services for Master Planning and Program Management Services for Wastewater Collection, Water, and Reclaimed Water Distribution Systems, Request for Proposals Y19-903-TA. ([Utilities Department Engineering Division] Procurement Division)
29. **19-1721** Approval and execution of Six Month Lease Agreement between The District Board of Trustees of the Tallahassee Community College and Orange County, Florida and delegation of authority to the Real Estate Management Division to exercise renewal options and furnish notices, required or allowed by the lease, as needed for Tallahassee Community College 300 West Pensacola Street, Suite F, Tallahassee, Florida 32301 Lease File #2056. Leon County. (Real Estate Management Division)
30. **19-1722** Approval and execution of Lease Agreement by and between Orange County, Florida and Goodwill Industries of Central Florida, Inc. and delegation of authority to the Real Estate Management Division to exercise renewal options, approve holdover, and furnish notices, required or allowed by the lease, as needed for Goodwill Industries of Central Florida 823 West Central Boulevard, Orlando, Florida 32805 Lease File #10060. District 6. (Real Estate Management Division)
31. **19-1723** Approval and execution of Commercial Account Right of Entry Agreement between Orange County and Bright House Networks, LLC for 1944 E. Michigan Street, Orlando, FL 32806. District 3. (Real Estate Management Division)
32. **19-1724** Approval and execution of Corrective Utility Easement between Monsters of

Midway Properties, LLC and Orange County and authorization to disburse funds to pay all recording fees and record instrument for Lakeview Pointe at Horizon West Phase 1 OCU Permit 14-S-026 OCU File #:76847. District 1. (Real Estate Management Division)

33. **19-1725** Approval and execution of Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy, approval and execution of Aerial Easement Agreement between Orange County and Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instruments for Duke Energy Transmission Line (Curry Ford Road to Wewahootee Road). District 4. (Real Estate Management Division)
34. **19-1726** Approval and execution of Distribution Easement from Orange County to Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for Orange County Orlando Magic West Orange Recreation Center and Mildred Dixon Boys & Girls Club Expansion (Invest). District 1. (Real Estate Management Division)
35. **19-1727** Approval and execution of Utility Easement between The School Board of Orange County, Florida and Orange County, Florida and authorization to record instrument for OCPS Elementary School Site 25-E-SW-4 (18-E-045) 96841. District 1. (Real Estate Management Division)
36. **19-1728** Approval of License Agreement between WRI-TC Marketplace at Dr. Phillips, LLC and Orange County and delegation of authority to the Real Estate Management Division to furnish notices required or allowed by the license, as needed for SOE Voter Parking for Southwest Branch Library 7506 Dr. Phillips Boulevard, Orlando, Florida, 32819 Lease File #3016. District 1. (Real Estate Management Division)
37. **19-1729** Approval of Agreement between Chickasaw Property, LLC, Vista Pines Partners, LTD., and Orange County and Special Warranty Deed from Chickasaw Property, LLC to Orange County and authorization to disburse funds to pay consideration and closing costs and perform all actions necessary and incidental to closing for Pump Station 3244R (Autumnwood Drive). District 3. (Real Estate Management Division)
38. **19-1730** Approval of Drainage Easement from Jeffrey Bruce Pohlig and Holly Anne Pohlig, as Co-Trustees of The Pohlig Family Trust UTA Dated October 26, 2010 to Orange County and authorization to record instrument for Lake Waunatta Drive Relocation of Drainage Pipe & Outfall 18-E-025. District 5. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **19-1731** Authorization for the County Attorney to terminate the State of Florida Department of Economic Opportunity Agreement Number:

17WX-0G-06-58-08-025, Federally-Funded Sub-grant Agreement Weatherization Assistance Program for Low-Income Persons between the State of Florida, Department of Economic Opportunity and Orange County in the amount of \$1,632,860.75, and authorization for the Mayor or designee to sign for termination of the agreement. The termination date will be October 1, 2019. (Community Action Division)

2. **19-1732** Receipt and filing of Head Start Policy Council Program Information and Updates September 2019 and Head Start Policy Council Meeting Minutes August 22, 2019 for the official county record. (Head Start Division)
3. **19-1733** Approval and execution of Lease Agreement by and between Mt. Sinai Missionary Baptist Church of Orlando, Inc. and Orange County, Florida for the operation of the Head Start Program. Head Start grant funds will be used to pay \$269,280 for rent. There is no cost to the County. (Head Start Division)
4. **19-1734** Approval and execution of Interagency Agreement between The Circuit 9 Department of Children and Families Substance Abuse and Mental Health Program Office and Orange County, Florida (Amendment 1) regarding the Youth Mental Health Management Network Consortium. (Mental Health and Homelessness Division)

G. FIRE RESCUE DEPARTMENT

1. **19-1735** Approval and execution of Affiliation Agreement between Orange County, Florida and Valencia College related to Fire Rescue's Emergency Medical Technician ("EMT") Educational Field Experience Program, including automatic renewal for up to 4 additional 1-year terms.

H. HEALTH SERVICES DEPARTMENT

1. **19-1736** Approval and execution of Florida Department of Agriculture and Consumer Services Division of Administration State Financial Assistance Recipient Agreement by and between the Florida Department of Agriculture and Consumer Services and Orange County Arthropod Control, in the estimated amount of \$52,556.66 for the period of October 1, 2019 through September 30, 2020 and authorization for the Mayor or designee to sign future amendments to this agreement. No county match is required. (Mosquito Control Division)
2. **19-1737** Approval and execution of Florida Department of Health Emergency Medical Services Program EMS County Grant Application for 2019-2020 in the amount of \$190,416 and authorization for the County Mayor or designee to sign for the award payment. There is no county match required for this grant. (EMS Office of the Medical Director)

3. **19-1738** Approval and execution of the renewal Paratransit Services License for Dorsar Patient Transport LLC to provide wheelchair/stretchers service. The term of this license is from November 30, 2019 through November 30, 2021. There is no cost to the County. (EMS Office of the Medical Director)

I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-1739** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 19-0966	LC 19-0860	LC 19-0973	LC 19-0961	LC 19-1007
LC 19-1044	LC 19-0867	LC 19-1025	LC 19-0965	LC 19-1008
LC 19-0862	LC 19-0882	LC 19-1052	LC 19-0967	LC 19-1021
LC 19-0898	LC 19-0948	LC 19-1062	LC 19-0991	LC 19-1023
LC 19-0943	LC 19-0956	LC 19-0714	LC 19-0997	LC 19-1035
LC 19-0970	LC 19-1010	LC 19-0909	LC 19-0998	LC 19-1040
LC 19-0983	LC 19-1038	LC 19-0928	LC 19-0999	LC 19-1041
LC 19-1047	LC 19-1056	LC 19-0960	LC 19-1000	LC 19-1049

2. **19-1740** Acceptance of the findings and recommendation of Environmental Protection Division staff to approve the request for Conservation Area Impact Permit No. CAI-19-08-045 for Chuck Hollow, Inc. District 4. (Environmental Protection Division)

(This item was deferred.)

3. **19-1741** Approval and execution of Amendment No. 1 to Funding Agreement relating to Pre-Development Funds for Low-Income Homes between Orange County, Florida and Grand Avenue Economic Community Development Corp. to amend the scope of work to include additional units on an adjacent parcel. District 3. (Housing and Community Development Division)

4. **19-1742** Approval and execution of U.S. Department of Housing and Urban Development Office of Community Planning and Development 1) Community Development Block Grant Program Funding Approval/Agreement Project/Grant No. 1 B-19-UC-12-0003; 2) Funding Approval and HOME Investment Partnerships Agreement Grant Number M19-UC120213; and 3) Funding Approval/Agreement Emergency Solutions Grants Program Unique Federal Award Identification Number: E-19-UC-12-0003. All Districts. (Housing and Community Development Division)

5. **19-1743** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I Withers PD by and between Withers, LLC, Columnar

Partnership Holding I, LLC, Orange County, and The School Board of Orange County, Florida. District 1. (Planning Division)

(This item was deferred.)

6. **19-1744** Approval and execution of Adequate Public Facilities Agreement for KRPC Hartzog - Village I Planned Development by and between KRPC Hartzog, LLC and Orange County. District 1. (Planning Division)

(This item was deferred.)

7. **19-1745** Approval and execution of Proportionate Share Agreement for Windermere Cay Phase 3 Reams Road by and between Timberlock Partners II, LP and Orange County for a proportionate share payment in the amount of \$269,536. District 1. (Roadway Agreement Committee)

8. **19-1746** Approval and execution of Proportionate Share Agreement for South Goldenrod Subdivision Goldenrod Road by and between CND-Goldenrod, LLC and Orange County for a proportionate share payment in the amount of \$151,620. District 3. (Roadway Agreement Committee)

9. **19-1747** Approval and execution of First Amendment Right-of-Way and Proportionate Share Agreement for Heartwood Right-of-Way for Lake Pickett Road Improvements and Proportionate Share Contribution for Chuluota Road from Colonial Drive to Lake Pickett Road by and between Home Dynamics Heartwood, LLC and Orange County due to a change of ownership and a minor increase in impact fee creditable right-of-way to be conveyed. District 5. (Roadway Agreement Committee)

10. **19-1748** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I - West Neighborhood Lake Mac PD by and between Spring Grove, LLC, Columnar Partnership Holding I, LLC, and Orange County for the conveyance of 4.97 acres of APF lands providing \$43,425 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

(This item was deferred.)

11. **19-1749** Approval and execution of Second Amendment to Adequate Public Facilities and Right of Way Agreement for Village I, Spring Grove - Northeast Planned Development (County Road 545) by and among Columnar Partnership Holding I, LLC, KHOV Winding Bay II, LLC, and Orange County to adjust the APF acreage requirements. District 1. (Roadway Agreement Committee)

(This item was deferred.)

12. **19-1750** Approval and execution of Supplemental Road Agreement to Hartzog Road Right-of-Way Agreement Hartzog Road by and between Holiday Inn Club Vacations Incorporated and Orange County to provide for reimbursement of impact fees paid under protest and apply impact fee credits earned towards the construction of Hartzog Road. District 1. (Roadway Agreement Committee)
13. **19-1751** Approval and execution of Third Amendment to Amended and Restated Road Impact Fee Agreement Vineland Pointe Planned Development (Vineland Avenue) by and among Vineland Pointe Owner LLC, Altis Vineland Pointe Realty, LLC, and Orange County to provide transportation impact fee credits for the Preliminary Design Study and to swap a portion of the development programs between Phases 2 and 3. District 1. (Roadway Agreement Committee)
14. **19-1752** Approval and execution of Hold Harmless and Indemnification Agreement Parcel ID: 21-23-28-0560-05-030 by and between Jeffrey R. Burt and Kathleen L. Burt and Orange County to construct a swimming pool, wood deck, guest house/pool cabana, and covered porch at 9124 Mid Pines Ct., Orlando, Florida 32819 . District 1. (Zoning Division)

J. PUBLIC WORKS DEPARTMENT

1. **19-1753** Authorization to record the plat of Eagle Creek PD Phase 2A-3 Tract H. District 5. (Development Engineering Division)
2. **19-1754** Approval of multi-way stop installation at the intersection of Perkins Road and Gondola Drive. District 3. (Traffic Engineering Division)
3. **19-1755** Approval of Traffic Control Devices and "No Parking" signs installation in Lakeshore Preserve Phase 4. District 1. (Traffic Engineering Division)
4. **19-1756** Approval of Traffic Signal installation at Westwood Boulevard and the main entrance of the DoubleTree Hotel. District 1. (Traffic Engineering Division)
5. **19-1757** Approval of Traffic Control Devices and "No Parking" signs installation in Wincey Groves Phase 1. District 1. (Traffic Engineering Division)
6. **19-1758** Approval of Traffic Control Device signs installation in Moss Park Preserve Phase 1. District 4. (Traffic Engineering Division)
7. **19-1759** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0281 Project Number: 4337-200-R by the State of Florida, Division of Emergency Management, and Orange County and (2) Federal Funding Accountability and Transparency Act Instructions and Worksheet in the amount of \$150,000 for Westmoreland Drive at Kaley

Avenue Traffic Signal Mast Arm Upgrade. A 25% project cost match in the amount of \$50,000 is required. District 6. (Traffic Engineering Division)

8. **19-1760** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0282 Project Number: 4337-202-R by the State of Florida, Division of Emergency Management, and Orange County and (2) Federal Funding Accountability and Transparency Act Instructions and Worksheet in the amount of \$150,000 for North Powers Drive at Balboa Drive Traffic Signal Mast Arm Upgrade. A 25% project cost match in the amount of \$50,000 is required. District 6. (Traffic Engineering Division)
9. **19-1761** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0285 Project Number: 4337-204-R by the State of Florida, Division of Emergency Management, and Orange County and (2) Federal Funding Accountability and Transparency Act Instructions and Worksheet in the amount of \$150,000 for Clay Street at Minnesota Avenue Traffic Signal Mast Arm Upgrade. A 25% project cost match in the amount of \$50,000 is required. District 5. (Traffic Engineering Division)
10. **19-1762** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0286 Project Number: 4337-205-R by the State of Florida, Division of Emergency Management, and Orange County and (2) Federal Funding Accountability and Transparency Act Instructions and Worksheet in the amount of \$187,500 for Edgewater Drive at Magnolia Homes Road Traffic Signal Mast Arm Upgrade. A 25% project cost match in the amount of \$62,500 is required. District 2. (Traffic Engineering Division)
11. **19-1763** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0287 Project Number: 4337-206-R by the State of Florida, Division of Emergency Management, and Orange County and (2) Federal Funding Accountability and Transparency Act Instructions and Worksheet in the amount of \$150,000 for Gatlin Avenue at Dixie Belle Drive Traffic Signal Mast Arm Upgrade. A 25% cost match in the amount of \$50,000 is required. District 3. (Traffic Engineering Division)
12. **19-1764** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0288 Project Number: 4337-210-R by the State of Florida, Division of Emergency Management, and Orange County and (2) Federal Funding Accountability and Transparency Act Instructions and Worksheet in the amount of \$150,000 for Bumby Avenue at Kaley Avenue Traffic Signal Mast Arm Upgrade. A 25% project cost match in the amount of \$50,000 is required. District 3. (Traffic Engineering Division)
13. **19-1765** Approval and execution of (1) Federally-Funded Subaward and Grant Agreement Agreement Number: H0289 Project Number: 4337-211-R by the State of Florida, Division of Emergency Management, and Orange County and (2) Federal Funding Accountability and Transparency Act Instructions

and Worksheet in the amount of \$150,000, for Balboa Drive at Hastings Street Traffic Signal Mast Arm Upgrade. A 25% project cost match in the amount of \$50,000 is required. District 6. (Traffic Engineering Division)

14. **19-1766** Approval and execution of State of Florida Department of Transportation Local Agency Program Supplemental Agreement Supplemental No. 1 Contract No. G1912 FPN 441400-1-58/68-01 for the Sadler Road-U.S. 441 Project in the amount of \$468,409, reflecting lower construction bids. District 2. (Transportation Planning Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **19-1767** Receipt of the following items to file for the record: (Clerk's Office)
- a. Minutes of the October 9, 2019, Meeting in the Sunshine. County Mayor Jerry L. Demings and Commissioner Emily Bonilla met to discuss Community Comprehensive Plan Amendments.
- b. City of Orlando Voluntary Annexation Request - 2900 S. Delaney Street - ANX2018-10022. Notice of Proposed Enactment. Proposed Ordinance #2019-51, 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 Oak Estates Drive, East of South Orange Avenue, South of E. Pineloch Avenue and West of S. Osceola Avenue, and comprised of 0.34 acres of land, more or less, and amending the City's boundary description; 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 Low Intensity Office Residential with the specially planned area Overlay District for Orange and Michigan special plan area on the City's official zoning maps; providing for amendment of the City's Official future Land Use and Zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.
- c. City of Ocoee Ordinance No. 2019-027 with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance 2019-027 (Annexation Ordinance for Skipper Property - 1936 Adair Street), Tax Parcel ID: 08-22-28-0000-00-084; Case No. AX-05-19-82: Skipper Property - 1936 Adair Street Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-1.01 acres located on the West Side of Adair Street, South side of Clarcona-Ocoee Road, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code; 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.

d. City of Ocoee Ordinance No. 2019-029 with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance 2019-029 (Annexation Ordinance for Crews/Smeller Property - 1557 Blackwood Avenue), Tax Parcel ID: 29-22-28-0000-00-098; Case No. AX-06-19-83: Crews/Smeller Property - 1557 Blackwood Avenue Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/-0.51 acres located on the East Side of Blackwood Avenue, South side of Old Winter Garden Road, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City code; 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.

e. City of Ocoee Ordinance No. 2019-031 with Exhibit A (Legal Description), and Exhibit B (Location Map). Ordinance No. 2019-031 (Annexation Ordinance for Hackney Prairie Road Property - 8815 Hackney Prairie Road), Tax Parcel ID: 03-22-28-0000-00-071; Case No. AX-06-19-84: Hackney Prairie Road Property - 8815 Hackney Prairie Road Annexation. An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately +/- 2.80 acres located on the North side of Hackney Prairie Road, approximately 2,683 feet East of North Clarke Road, pursuant to the application submitted by the property owner; finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City code; 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.

f. City of Winter Garden Ordinance 19-36 with Exhibit A (Legal Description Form), and Exhibit B (Location Map). An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 28.32 + acres located at 14908 and 14950 Tilden Road, East of State Road 429, West of Winter Garden Vineland Road, and South of Tilden Road into the City of Winter Garden, Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

g. City of Winter Garden Ordinance 19-41 with Exhibit A (Legal Description Form), and Exhibit B (Location Map). An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.45 + acres located at 902 Avalon

Road on the West side of Avalon Road, North of Tour Pointe Blvd and South of Egret Hammock Drive into the City of Winter Garden Florida; redefining the City boundaries to give the City jurisdiction over said property; providing for severability; providing for an effective date.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **19-1768** Approval and execution of Orange County, Florida and Black Business Investment Fund, Inc. FY 2020 Grant Agreement and authorization to disburse \$152,847 as provided in the FY 2019-20 adopted budget. (Office of Economic, Trade and Tourism Development)

The following person addressed the Board: Inez Long.

A motion was made by Mayor Demings, seconded by Commissioner Siplin, to approve and execute the Orange County, Florida and Black Business Investment Fund, Inc. FY 2020 Grant Agreement and authorization to disburse \$152,847 as provided in the FY 2019-20 adopted budget. The motion carried by the following vote:

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

2. **19-1769** Approval and execution of Orange County, Florida and Hispanic Business Initiative Fund of Florida, Inc. FY 2020 Grant Agreement and authorization to disburse \$139,049 as provided in the FY 2019-20 adopted budget. (Office of Economic, Trade and Tourism Development)

The following person addressed the Board: Katia Medina.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to approve and execute the Orange County, Florida and Hispanic Business Initiative Fund of Florida, Inc. FY 2020 Grant Agreement and authorization to disburse \$139,049 as provided in the FY 2019-20 adopted budget. The motion carried by the following vote:

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

3. **19-1770** Approval and execution of 1) Agreement for Economic Development Services Orlando Economic Partnership, Inc. and Orange County Fiscal Year 2019-2020 and authorization to disburse \$681,899 as provided in the FY 2019-20 adopted budget; 2) Orange County, Florida and Orlando Economic Partnership, Inc. Agreement related to an Industrial Development Authority Fiscal Year 2019-2020; and 3) Orange County, Florida and Orlando Economic Partnership, Inc. Agreement for Branding and Marketing

and authorization to disburse \$500,000 as provided in the FY 2019-20 adopted budget. (Office of Economic, Trade and Tourism Development)

The following persons addressed the Board:

- Bill Dymond
- Tim Giuliani

A motion was made by Mayor Demings, seconded by Commissioner Moore, to approve and execute 1) Agreement for Economic Development Services Orlando Economic Partnership, Inc. and Orange County Fiscal Year 2019-2020 and authorization to disburse \$681,899 as provided in the FY 2019-20 adopted budget; 2) Orange County, Florida and Orlando Economic Partnership, Inc. Agreement related to an Industrial Development Authority Fiscal Year 2019-2020; and 3) Orange County, Florida and Orlando Economic Partnership, Inc. Agreement for Branding and Marketing and authorization to disburse \$500,000 as provided in the FY 2019-20 adopted budget. The motion carried by the following vote:

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

4. **19-1771** Approval and execution of Orange County, Florida and University of Central Florida Research Foundation, Inc. FY 2020 Grant Agreement and authorization to disburse \$811,824 as provided in the FY 2019-20 adopted budget. (Office of Economic, Trade and Tourism Development)

The following persons addressed the Board:

- Fred Kittinger
- Carol Ann Dykes Logue

A motion was made by Mayor Demings, seconded by Commissioner Bonilla, to approve and execute the Orange County, Florida and University of Central Florida Research Foundation, Inc. FY 2020 Grant Agreement and authorization to disburse \$811,824 as provided in the FY 2019-20 adopted budget. The motion carried by the following vote:

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

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. **19-1772** Selection of one firm and an alternate to provide Design Services for Orange County Corrections Uninterruptable Power System Replacement (UPS), Request for Proposals Y19-824-EB, from the following two firms, listed alphabetically:

- Critical Power Solutions Group, Inc.
- SGM Engineering, Inc.

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

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to appoint SGM Engineering, Inc., 452 points, as the selected firm; and further, appoint Critical Power Solutions Group, Inc., 110 points, as the selected ranked alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

2. **19-1773** Selection of one firm and two ranked alternates to provide Federal Lobbying Services, Request for Proposals Y20-101, from the following six firms, listed alphabetically:

- Alcalde & Fay, LTD. INC.
- Becker & Poliakoff, P.A.
- Cogent Strategies, LLC
- The Ferguson Group, L.L.C.
- Thorn Run Partners, LLC
- Van Scoyoc Associates, Inc.

([County Mayor Legislative Affairs Office] Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to appoint Cogent Strategies, LLC, 389 points, as the selected firm; and further, appoint Becker & Poliakoff, P.A., 375 points, and Alcalde & Fay, LTD. Inc., 353 points, as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

3. **19-1774** Selection of one firm and an alternate to provide Engineering Services for South Water Reclamation Facility (SWRF) Phase 6A Improvements, Request for Proposals Y20-802-TA, from the following two firms, listed alphabetically:

- Black & Veatch Corporation
- Jacobs Engineering Group, Inc.

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to appoint Black & Veatch Corporation, 469.95 points, as the selected firm; and further, appoint Jacobs Engineering Group Inc., 409.97 points, as the alternate. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

C. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **19-1775** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

D. COUNTY MAYOR

1. **19-1776** Open discussion on issues of interest to the Board.

The Board took no action.

IV. EXECUTIVE SESSION

Due to the nature of the discussion, this meeting is not open to the public.

A. COUNTY ADMINISTRATOR

1. **19-1777** Orange County Fire Rescue Department, International Association of Fire Fighters (IAFF) Battalion Chief Contract Negotiations.

V. RECOMMENDATIONS

1. **19-1778** October 17, 2019 Planning and Zoning Board Recommendations

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to approve the recommendations, with the exception of Case # RZ-19-09-037, James Catan (Appeal filed), Case # RZ-19-10-046, Max Sabeti (Appeal filed) and Case # RZ-19-10-040, Khaled Hussein (Board Called), which were pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

Absent: 1 - Commissioner Moore

VI. PUBLIC HEARINGS

1. **19-1498** Board of Zoning Adjustment Board-Called

Florida Engineering Group, Inc., Case # SE-19-09-105, September 5, 2019;
District 5 (Continued from November 12, 2109)

Consideration: Request for a Special Exception and Variance in the R-2 zoning district as follows: 1.) Special Exception to allow two-story multi-family buildings within 100 ft. of the property line of any single-family dwelling district; 2.) Variance to allow a 10 ft. side (east) setback in lieu of the required 30 ft. side setback where adjacent to a single family district.

Location: District 5; property located at 10135 Buck Rd., Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Greg Crawford
- Cruz M. Roman
- Norberto Arias

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the public hearing until December 3, 2019, at 2 p.m. The motion carried by the following vote:

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

2. 19-1504 Preliminary Subdivision Plan

Claude Cassagnol, GTC Engineering Corporation, Tyson Ranch Planned Development / Tyson Ranch Infrastructure Preliminary Subdivision Plan, Case # PSP-19-05-181; District 4

Consideration: Tyson Ranch Planned Development / Tyson Ranch Infrastructure Preliminary Subdivision Plan, Case # PSP-19-05-181, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 73.81 acres in order to create four (4) parcels and one (1) tract, in order to construct utility, stormwater, and road infrastructure.

Location: District 4; property generally located North of Simpson Road / West of Boggy Creek Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Claude Cassagnol.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

3. 19-1249 Rezoning

Julie C. Salvo, Orange County Public Schools, OCPS Northwest

Maintenance Facility PD, Case # LUP-19-01-045; District 1 (Continued from September 10, 2019)

Consideration: Request to rezone one (1) parcel containing 9.68 gross acres from R-2 (Residential District) to PD (Planned Development District), in order to repurpose an existing elementary school site into an OCPS maintenance facility and educational facility with agricultural uses. No waivers from Orange County Code are requested; pursuant to Orange County Code, Chapter 30.

Location: District 1; property located at 1100 E. Maple Street; or generally located on the south side of E. Maple Street, approximately 700 feet west of Bethune Avenue; Orange County, Florida (legal property description on file in Planning Division)

Court Reporter: Sara Miller, Veritext

The following persons addressed the Board:

- Julie Salvo
- Charlie Mae Wilder

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-19-01-045 to rezone one (1) parcel containing 9.68 gross acres from R-2 (Residential District) to PD (Planned Development District), in order to repurpose an existing elementary school site into an OCPS maintenance facility and educational facility with agricultural uses, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report. The motion carried by the following vote:

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

4. 19-1779 Rezoning

Darcy Unroe, Unroe Engineering, Paradise Cove PD, Case # LUP-18-09-308; District 1 (Continued from October 8, 2019)

Consideration: Request to rezone five (5) parcels containing 16.77 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) for a water sports rental, wedding, and banquet venue. Additionally, this request will remove the prohibition of loudspeakers currently included in the Special Exception approvals for this site.

The request also includes the following four (4) waivers from Orange County Code:

1. A waiver from Section 38-1287(2) to allow for a twenty-one (21) foot side setback on the north property line only, in lieu of a thirty (30) foot side setback.
2. A waiver from Section 38-1272(3) to allow for a twenty-one (21) foot PD perimeter setback on the north property line only, in lieu of a twenty-five (25) foot PD perimeter setback.
3. A waiver from Section 38-1287(4) to allow a five (5) foot side paving setback on the north

property line only, in lieu of a seven and one-half (7.5) foot side paving setback.

4. A waiver from Section 38-1503 to allow for a normal high water elevation setback of two (2) feet, in lieu of a normal high water elevation setback of fifty (50) feet; pursuant to Orange County Code, Chapter 30

Location: District 1; property generally located east of State Road 535, south of Ski Holiday Drive and immediately adjacent to Lake Bryan; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- George Dennison
- Karen Wonsetler

Based upon input from the applicant and agreed upon by County staff new conditions of approval #'s 24 and 25 were presented as follows:

24. Prior to the issuance of a building permit, the property owner shall record in the official records of Orange County an indemnification/Hold Harmless Agreement which indemnifies Orange County from any damages caused by flooding and shall inform all interested parties that the structure(s) are no closer than 2 feet from the normal high water elevation of Lake Bryan.

25. The applicant agrees that all activities and operations at the property shall comply with the Noise Control Ordinance, codified at Sections 15-176 through 15-191 of the Orange County Code. In addition, the applicant agrees that all activities and operations shall be subject to the following heightened noise/sound prohibitions, limitations and restrictions:

- a. No impulsive sound (as defined by the Noise Control Ordinance) shall be permitted at any time;
- b. The maximum allowable sound level at the boundary of the property shall be 55 decibels (dB); and
- c. All outdoor speakers and other amplified sound shall be directed away from adjoining residential uses.

Board discussion ensued. This item was deferred until later in the afternoon.

5. 19-1490 Rezoning

Chris Dougherty, S&ME, Inc., Wise Colonial PD, Case # LUP-19-03-088;
District 5 (Continued from November 12, 2019)

Consideration: Request to rezone two (2) parcels containing 12.77 gross acres from C-3 to PD, in order to develop 280 multi-family dwelling units and 19,600 square feet of C-1 retail commercial uses. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 38-1258(c) to allow 3-story buildings to be setback 90 feet, in lieu of 150 feet from single-family zoned property; 2. A waiver from Section 38-1258(d) to allow a maximum

building height of 55 feet, in lieu of 40 feet, provided that the building is setback 150 feet from single-family zoned property; pursuant to Orange County Code, Chapter 30.

Location: District 5; property located at 6525 and 6575 E. Colonial Drive; or generally located on the north side of E. Colonial Drive, approximately 1,400 feet west of N. Forsyth Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Chris Dougherty.

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to continue the public hearing until December 3, 2019, at 2 p.m. The motion carried by the following vote:

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

6. 19-1491 Rezoning

Bryan Potts, Tannath Design Inc., Rouse Road Townhomes PD, Case # LUP-18-11-386; District 5

Consideration: Request to rezone two (2) parcels containing 8.58 gross acres from R-1 (Single-Family Dwelling District) to PD (Planned Development District), in order to construct fifty-four (54) attached residential dwelling units. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1254 is requested to allow a minimum PD perimeter setback of ten (10) feet along the north property lines for one-story and two-story buildings, in lieu of a minimum PD perimeter setback of twenty-five (25) from all boundaries of the PD; pursuant to Orange County Code, Chapter 30.

Location: District 5; property located at 2460 and 2484 Rouse Road; generally located south of Jay Blanchard Trail, and west of Rouse Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the board: Bryan Potts.

A motion made by Commissioner Bonilla to make a finding of inconsistency with the Comprehensive Plan; and further, deny the rezoning request died for lack of a second.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-18-11-386 to rezone two (2) parcels containing 8.58 gross acres from R-1 (Single-Family Dwelling District) to PD (Planned Development District), in order to construct fifty-four (54) attached residential dwelling units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bonilla

7. 19-1492 Rezoning

Khaled Hussein, Harrell Oaks PD, Case # LUP-19-02-074; Districts 3 & 5

Consideration: Request to rezone four (4) parcels containing 16.9 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District), in order to construct sixty-four (64) single-family detached dwelling units. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1254(1) to allow for a twenty (20) foot setback to apply to the PD perimeter in lieu of the required twenty-five (25) foot PD perimeter setback; pursuant to Orange County Code, Chapter 30.

Location: Districts 3 & 5; property generally located east of Harrell Road, north and south of Trevarthon Road, and west of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Rick Baldocchi.

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-19-02-074 to rezone four (4) parcels containing 16.9 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District), in order to construct sixty-four (64) single-family detached dwelling units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report. The motion carried by the following vote:

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

8. 19-1552 Rezoning

Kathy Hattaway, Poulos & Bennett, LLC, Withers Planned Development (PD), Case # LUP-18-10-355; District 1

Consideration: Request to rezone eight (8) parcels containing 320.75 gross acres from A-1 and A-2 to PD, in order to construct 814 residential units, 10,000 square feet of commercial uses, and dedication of an APF (Adequate Public Facility) park, a middle school, and an elementary school. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 34-152(c), for PD Parcels 4, 5, 11, 12, and 17, to allow lots to front a mews, park, open space, etc. and have access via a tract or easement, in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver from Section 38-1382(h)(4), for PD Parcels 4, 5, 11, 12, and 17, to allow alleys to be designed as a tract, in lieu of the requirement that they shall be designed as a private easement. 3. A waiver from Section 38-1384(g)(1), for PD Parcels 4, 5, 11, 12, and 17, to allow garage access to be setback from an alley tract, in lieu of an easement. 4. A waiver from Section 38-1384(i)(2), for PD Parcels 4, 5, 11, 12, and 17, to allow vehicular access to garages or other off-street parking to be from a rear alley tract, in lieu of an easement. 5. A waiver from Section 38-1384(g)(2), for PD Parcels 4, 5, 11, 12, and 17, to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot, in lieu of detached garages without access to a rear alley easement,

including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 6. A waiver from Section 30-714(c) to allow the project to proceed beyond 5% of the approved PD entitlements, which 5% threshold is identified in the APF Agreement as 40 dwelling units (attached or detached); provided, however, that prior to said 5% threshold being reached or exceeded: (A) the approximately 5.81 acres of Future APF Right-of-Way have been conveyed to the County or to an escrow agent who is obligated to release a deed conveying such right-of-way to the County, in accordance with that certain Hartzog Road Right-of-Way Agreement recorded at ORB 9712/4850, as amended, and as affected by that certain First Amendment to Agreement Concerning Hartzog Road Right-of-Way Agreement recorded at ORB 11021/4154, as amended; (B) the approximately 0.98 acres of APF ROW have been conveyed to the County or placed into escrow, pursuant to an escrow agreement acceptable to the County; and (C) the approximately 5.0 acre APF Park has been conveyed to the County or placed into escrow, pursuant to an escrow agreement acceptable to the County.; pursuant Orange County Code, Chapter 30.

Location: District 1; property generally located east of Avalon Road, north of Hartzog Road, and south of Western Way; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

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

Based upon input from the applicant and agreed upon by County staff, condition of approval # 8 was modified as follows:

8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to ~~construction plan plat approval submittal~~ and must apply for and obtain a capacity reservation certificate 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 capacity encumbrance letter or a capacity reservation certificate.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-18-10-355 to rezone eight (8) parcels containing 320.75 gross acres from A-1 and A-2 to PD, in order to construct 814 residential units, 10,000 square feet of commercial uses, and future conveyance of an Adequate Public Facility (APF) park, a middle school, and an elementary school, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; further, approve modification to condition of approval # 8; and further, approve and execute the Adequate Public Facilities Agreement for Horizon West Village I Withers PD by and between Withers, LLC, Columnar Partnership Holding I, LLC, Orange County, and The School Board of Orange County, Florida. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

5. **19-1743** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I Withers PD by and between Withers, LLC, Columnar Partnership Holding I, LLC, Orange County, and The School Board of Orange County, Florida. District 1. (Planning Division)

This item was approved.

VI. PUBLIC HEARINGS (Continued)

9. **19-1549** Rezoning

Kathy Hattaway, Poulos and Bennett, LLC, Lake Mac Planned Development (PD), Case # LUP-18-07-225; District 1

Consideration: Request to rezone two (2) parcels containing 107.57 gross acres from A-1 and A-2 to PD, in order to construct 399 dwelling units and 196,000 square feet of commercial uses. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 34-152(c), for Parcel 23, to allow lots to front a mews, park, open space, etc. and have access via a tract or easement in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver from Section 38-1382(h)(4), for Parcel 23, to allow alleys to be designed as a tract in lieu of the requirement that they shall be designed as a private easement. 3. A waiver from Section 38-1384(g)(1), for Parcel 23 to allow garage access to be setback from an alley tract in lieu of an easement. 4. A waiver from Section 38-1384(g)(2), for Parcel 23, to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 5. A waiver from Section 38-1384(i)(2), for Parcel 23, to allow vehicular access to garages or other off-street parking to be from a rear alley tract in lieu of an easement. 6. A waiver from Section 38-1258(a), for Parcel 21, to allow multi-family residential buildings fifteen (15) feet from single-family zoned property and to be constructed up to five-stories and 75 feet in height in lieu of the requirement that multi-family buildings within one hundred (100) feet of a single-family zoned property be restricted to a single-story height. This waiver is both internal and external to the Lake Mac PD. 7. A waiver from Section 38-1258(b), for

Parcel 21, to allow multi-family residential buildings fifteen (15) feet from single-family zoned property and to be constructed up to five-stories and 75 feet in height in lieu of the requirement that multi-family buildings within one hundred and fifty (150) feet of a single-family zoned property vary in building height. This waiver is both internal and external to the Lake Mac PD. 8. A waiver from Section 38-1258(c), for Parcel 21, to allow multi-family buildings fifteen (15) feet from a single-family zoned property and to be constructed up to five-stories and 75 feet in height, in lieu of the requirement that multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (forty (40) feet) in height. This waiver is both internal and external to the Lake Mac PD. 9. A waiver from Section 38-1258(d), for Parcel 21, to allow multi-family buildings constructed up to five-stories and 75 feet in height, in lieu of the restriction that a multi-family development shall be limited to three (3) stories (forty (40) feet) in height. This waiver is both internal and external to the Lake Mac PD. 10. A waiver from Section 38-1258(e), for Parcel 21, to allow parking and paved areas for multi-family development fifteen (15) feet from single-family zoned property, in lieu of the restriction that a parking and paved areas shall be twenty-five (25) feet from single-family zoned property. This waiver is both internal and external to the Lake Mac PD. 11. A waiver from Section 38-1258(f), for Parcel 21, to not require a six (6) foot high masonry, brick, or block wall as part of the multi-family development since it is adjacent to single-family zoned property, in lieu of the a six (6) foot high masonry, brick, or block wall requirement. This waiver is both internal and external to the Lake Mac PD. 12. A waiver from Section 38-1258(g), for Parcel 21, to allow shared access for multi-family and single-family residential and to allow multi-family residential to directly access a right-of-way serving platted single-family residential development, in lieu of the requirement that multi-family development shall not directly access any right-of-way serving platted single-family residential. This waiver is both internal and external to the Lake Mac PD. 13. A waiver from Section 38-1258(i), for Parcel 21, to not require fencing as part of the multi-family development simply because it is adjacent to right-of-way that has single family zoned property across the right-of-way, in lieu of the requirement that multi-family development shall have fencing as part of the development because it is adjacent to right-of-way that has single family zoned property across the right-of-way. This waiver is both internal and external to the Lake Mac PD. 14. A waiver from Section 38-1258(j), for Parcel 21, to require a minimum separation of twenty (20) feet between buildings, in lieu of the requirement 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, there shall be a minimum separation of thirty (30) feet for two-story buildings, and forty (40) feet for building three (3) stories. This waiver is both internal and external to the Lake Mac PD; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located on the west side of Avalon Road and south of Flemings Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

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

Based upon input from the applicant and agreed upon by County staff, condition of approval # 21 was modified as follows:

21. Prior to a Certificate of Completion for the first phase of any Preliminary Subdivision Plan, Flemings Road or Orange County approved alternate shall be improved or constructed to Orange County standards.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-18-07-225 to rezone two (2) parcels containing 107.57 gross acres from A-1 (Citrus Rural District) and A-2 (Farmland Rural District) to PD (Planned Development District) in order to construct 399 single-family detached, attached, and multi-family residential dwelling units and 196,000 square feet of commercial uses, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; further, approve modification to condition of approval # 21; and further, approve and execute the Adequate Public Facilities Agreement for Horizon West Village I - West Neighborhood Lake Mac PD by and between Spring Grove, LLC, Columnar Partnership Holding I, LLC, and Orange County for the conveyance of 4.97 acres of APF lands providing \$43,425 in transportation impact fee credits. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

10. **19-1748** Approval and execution of Adequate Public Facilities Agreement for Horizon West Village I - West Neighborhood Lake Mac PD by and between Spring Grove, LLC, Columnar Partnership Holding I, LLC, and Orange County for the conveyance of 4.97 acres of APF lands providing \$43,425 in transportation impact fee credits. District 1. (Roadway Agreement Committee)

This item was approved.

VI. PUBLIC HEARINGS (Continued)

10. **19-1551** Rezoning

Kathy Hattaway, Poulos & Bennett, LLC, KRPC Hartzog Road Planned Development (PD), Case # LUP-18-07-223; District 1

Consideration: Request to rezone two (2) parcels containing 19.90 gross acres from R-T-2 (Combination Mobile Home and Single-Family Dwelling District) to PD (Planned Development District), in order to construct 54 single-family dwelling units; pursuant to Orange County Code, Chapter 30.

Location: District 1; property located at 14080 Hartzog Road; or generally located on the north side of Hartzog Road, approximately 3,800 feet east of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

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

Based upon input from the applicant and agreed upon by County staff, condition of approval # 6 was modified as follows:

6. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to ~~construction-plan~~ plat approval ~~submittal~~ and must apply for and obtain a capacity reservation certificate 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 capacity encumbrance letter or a capacity reservation certificate.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the rezoning request Case # LUP-18-07-223 to rezone two (2) parcels containing 19.90 gross acres from R-T-2 to PD, in order to construct 54 single-family dwelling units, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; further, approve modification to condition of approval # 6; and further, approve and execute the Adequate Public Facilities Agreement for KRPC Hartzog – Village I Planned Development by and between KRPC Hartzog, LLC and Orange County. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

6. **19-1744** Approval and execution of Adequate Public Facilities Agreement for KRPC Hartzog - Village I Planned Development by and between KRPC Hartzog, LLC and Orange County. District 1. (Planning Division)

This item was approved.

VI. PUBLIC HEARINGS (Continued)

11. **19-1550** Substantial Change

Kathy Hattaway, Poulos and Bennett, LLC, Spring Grove - Northeast PD
Planned Development / Land Use Plan (PD/LUP) - Case # CDR-18-10-352;
District 1

Consideration: A PD substantial change request to relocate the existing middle school site from Parcel 28 to the proposed Withers PD, decrease the number of dwelling units for Parcel 27 from 165 to 164, change the designation of Parcel 28 from School to Village Home District, and increase the number of dwelling units for Parcel 28 from 0 units to 107 units (an overall increase of 106 dwelling units). The request also includes the following waivers from Orange County Code: 1. A waiver from 34-152(c) to allow lots to front a mews, park, open space, etc. and have access via a tract or easement in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver from Section 38-1382(h)(4) to allow alleys to be designed as a tract in lieu of the requirement that they shall be designed as a private easement. 3. A waiver from Section 38-1384(g)(1) to allow garage access to be setback from an alley tract in lieu of an easement. 4. A waiver from Section 38-1384(g)(2) to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 5. A waiver from Section 38-1384(i)(2) to allow vehicular access to garages or other off-street parking to be from a rear alley tract in lieu of an easement; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located east of Avalon Road, west of State Road 429, and south of Water Spring Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

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

Based upon input from County staff and agreed upon by the applicant, condition of approval # 9.a.1-5 was modified as follows:

1. Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of May 9, 2016, and as amended on October 9, 2018, and as further amended on October 4, 2019 ("CEA 15-008"). Additionally, for purposes of CDR-18-10-352, the project contains 106 unvested units (the "Second Additional New Units," as such term is defined in CEA 15-008) that are subject to the County's school capacity policy (a/k/a the "Martinez Doctrine"). The developer has contracted with Spring Grove, LLC to acquire Owner's Capacity Credits, as defined in CEA 15-008, and as established under the Capacity Enhancement Agreement by and between D.R. Horton, Inc. and the School Board dated August 18, 2006, recorded at O.R. Book 8845, Page 2062, as amended ("CEA # 05-030" and together

with CEA 15-008, the Capacity Enhancement Agreements). The number of Owner's Capacity Credits equals the number of Second Additional New Units. The County shall not record a plat for any of the Second Additional New Units until it receives notice from Orange County Public Schools that the developer has closed on the acquisition of the Owner's Capacity Credits from Spring Grove, LLC. The developer shall comply with all provisions of the Capacity Enhancement Agreements.

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 Agreements, the County shall immediately cease issuing building permits for any unvested units. 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 Agreements. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreements, 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, and 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 Agreements, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreements.

5. 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 Agreements.

Based upon input from the applicant and agreed upon by County staff, condition of approval # 7 was modified as follows:

7. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to ~~construction plan~~ plat approval ~~submittal~~ and must apply for and obtain a capacity reservation certificate 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 capacity encumbrance letter or a capacity reservation certificate.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; further, approve modification to condition of approval # 7; further, approve modification to condition of approval #9.a.1-5; and further, approve and execute the Second Amendment to Adequate Public Facilities and Right of Way Agreement for Village I, Spring Grove – Northeast Planned Development (County Road 545) by and among Columnar

Partnership Holding I, LLC, KHOV Winding Bay II, LLC, and Orange County to adjust the APF acreage requirements. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

and

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

11. **19-1749** Approval and execution of Second Amendment to Adequate Public Facilities and Right of Way Agreement for Village I, Spring Grove - Northeast Planned Development (County Road 545) by and among Columnar Partnership Holding I, LLC, KHOV Winding Bay II, LLC, and Orange County to adjust the APF acreage requirements. District 1. (Roadway Agreement Committee)

This item was approved.

VI. PUBLIC HEARINGS (Continued)

12. **19-1494** Substantial Change

Erika Hughes, VHB, Inc., Boggy Creek Crossings Planned Development / Land Use Plan (PD/LUP), Case # CDR-18-12-412, amend plan; District 4

Consideration: A PD substantial change to convert 124,250 square feet of commercial uses to 336 multi-family dwelling units. Additionally, the following ten (10) waivers are requested from Orange County Code: 1. A waiver from Section 38-79(114)e to allow detached accessory buildings be located in front of principal buildings in lieu of no detached accessory building being located in front of principal buildings; 2. A waiver from Section 38-1254(1) to allow two-story accessory buildings and two-story multi-family buildings to provide a minimum ten (10) foot setback along all boundaries of the PD, in lieu of a minimum twenty-five (25) foot setback from all boundaries of the PD with increased setbacks for structures in excess of two (2) stories to reflect the additional structural height; 3. A waiver from Section 38-1254(2)(b) to allow a minimum setback of ten (10) feet for two-story accessory buildings along the southern boundary of the PD, in lieu of thirty-five (35) feet; 4. A waiver from Section 38-1254(2)(c) to allow a minimum setback of ten (10) feet for two-story accessory buildings along the east boundary of the PD, in lieu of fifty (50) feet; 5. A waiver from Section 38-1258(a) to allow for all boundaries of the PD to allow multi-family buildings located ten (10) feet from single-family zoned property have a maximum building height of two-stories, in lieu of being restricted to single story in height; 6. A waiver from Section 38-1258(b) to allow for all boundaries of the PD to allow all multi-family buildings located one hundred and two (102) feet from single-family zoned property have a maximum building height of four (4) stories/sixty (60) feet in lieu of varying building heights with a maximum of fifty

(50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height and the remaining buildings being one (1) story or two (2) stories in height; 7. A waiver from Section 38-1258(c) to allow for all boundaries of the PD to allow multi-family buildings located one hundred and two (102) feet of single family zoned property to have a maximum building height of four (4) stories/sixty (60) feet in height, in lieu of not allowing to exceed three (3) stories (forty (40) feet) in height within 150 feet of single family zoned property; 8. A waiver from Section 38-1258(d) to allow for multi-family buildings to be four (4) stories or sixty (60) feet in height in lieu of three (3) stories or forty (40) feet; 9. A waiver from Section 38-1258(e) to allow for parking and other paved areas for multi-family development be located at least ten (10) feet from any single-family zoned property with no landscape buffer, in lieu of twenty-five (25) feet and Type C landscape buffer; 10. A waiver from Section 38-1258(j) to allow for a minimum building separation of twenty (20) feet between all multi-family buildings 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, in lieu of providing thirty (30) feet for two-story buildings and forty (40) feet for buildings three (3) stories; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property located at 5757 Simpson Road, or generally located at the northwest corner of Simpson Road and Boggy Creek Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: John Prowell.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 2 - Commissioner Uribe, and Commissioner Bonilla

13. 19-1502 Substantial Change

Jennifer Stickler, Kimley-Horn and Associates, Inc., Hubbard Place Planned Development / Land Use Plan (PD / LUP), Case # CDR-19-08-278, amend plan; District 1

Consideration: A PD substantial change request to reduce the number of lots from 13 to 11. In addition, the applicant has requested the following waivers from Orange County Code: A waiver from Section 38-79(114)(E) is requested to allow for detached accessory structures to be located in the front of the primary dwelling unit, in lieu of locating them in the rear one-half (1/2) of the lot. 1. A waiver from Section 38-79(114)(G) is requested for lots equal to or greater than 1.5 acres in size to allow accessory structures to have a cumulative maximum square footage of 6,875 square feet or 40% of the living area of the principal residence, whichever is less, and for lots equal to or greater than one (1) acre and less than 1.5 acres in size to allow accessory structures to have a cumulative maximum square footage of 3,000 square feet or 25% of the living area of the principal residence, whichever is less, in lieu of a maximum of 500 square feet or twenty-five percent (25%) of the living area of the principal residence, whichever is greater up to a maximum

of 1,000 square feet. 2. A waiver from Section 38-79(114)(H) is requested to allow accessory structures to have a maximum building height of 35 feet / 2 stories, in lieu of a maximum height of 15 feet / one (1) story; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property located at 8997-9100 Hubbard Place; or generally located west of Hubbard Place, south of Lady Bet Drive, and east of Lake Tibet Butler; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jennifer Stickler.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

14. 19-1503 Substantial Change

Jay R. Jackson, Kimley Horn and Associates, Inc., Buena Vista Park Planned Development / Land Use Plan (PD / LUP) - Case # CDR-19-06-217; District 1

Consideration: A PD substantial change to request the following waiver from Orange County Code: 1. A waiver from Section 38-1394.1(2) to allow one canopy tree for each 1,000 square feet of green space, in lieu of the required one per 100 square feet for PD Lot 5; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property located at 11942 Ravallo Resort Drive; or generally located on the west side of Ravallo Resort Drive and north of Lake Street; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Jay Jackson.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

15. 19-1548 Substantial Change

Marc Stehli, Poulos & Bennett, LLC, Moss Park North Planned Development / Parcel B Preliminary Subdivision Plan, Case # CDR-19-09-302; District 4

Consideration: This request is to remove a portion of the July 10, 2018, BCC Condition of Approval #8, which states "Temporary addressing must be provided for permits and the Certificate of Completion be issued prior to approval and recording of a plat."; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89

Location: District 4; property generally located North of Moss Park Road / East of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Candice Hawks.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

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

16. 19-1553 Substantial Change

Jonathan P. Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.,
Orangewood N-1 Planned Development / Land Use Plan (PD / LUP) - Case
CDR-19-06-192; District 1

Consideration: A PD substantial change request to modify the approved Master Sign Plan to allow for four ground signs. Additionally, the applicant has requested the following waivers from Orange County Code: 1. A waiver from Sec. 31.5-166(d) to allow four (4) ground signs in lieu of two (2) ground signs. 2. A waiver from Sec. 31.5-166(a) to allow four (4) ground signs with a maximum copy area of greater than 80 sq. ft. 3. A waiver from Sec. 31.5-166(d) to allow 50 feet of separation distance between two (2) ground signs in lieu of 100 feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located at the southwest corner of Westwood Boulevard and International Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Rebecca Wilson.

Condition of approval #10 was modified as follows:

10. Except as amended, modified, and/or superseded, the following BCC Conditions of Approval, dated ~~November 8, 1984~~ January 28, 1985 shall apply:

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve modification to condition of approval #10. The motion carried by the following vote:

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

VI. PUBLIC HEARING (Deferred)

4. 19-1779 Rezoning

Darcy Unroe, Unroe Engineering, Paradise Cove PD, Case # LUP-18-09-308; District 1 (Continued from October 8, 2019)

Consideration: Request to rezone five (5) parcels containing 16.77 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) for a water sports rental, wedding, and banquet venue. Additionally, this request will remove the prohibition of loudspeakers currently included in the Special Exception approvals for this site.

The request also includes the following four (4) waivers from Orange County Code:

1. A waiver from Section 38-1287(2) to allow for a twenty-one (21) foot side setback on the north property line only, in lieu of a thirty (30) foot side setback.
2. A waiver from Section 38-1272(3) to allow for a twenty-one (21) foot PD perimeter setback on the north property line only, in lieu of a twenty-five (25) foot PD perimeter setback.
3. A waiver from Section 38-1287(4) to allow a five (5) foot side paving setback on the north property line only, in lieu of a seven and one-half (7.5) foot side paving setback.
4. A waiver from Section 38-1503 to allow for a normal high water elevation setback of two (2) feet, in lieu of a normal high water elevation setback of fifty (50) feet; pursuant to Orange County Code, Chapter 30

Location: District 1; property generally located east of State Road 535, south of Ski Holiday Drive and immediately adjacent to Lake Bryan; Orange County, Florida (legal property description on file in Planning Division)

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

Based upon input from the applicant and agreed upon by the District Commissioner, new condition of approval # 25 previously presented was modified to include additional c, d, and e by the applicant as follows:

25. The applicant agrees that all activities and operations at the property shall comply with the Noise Control Ordinance, codified at Sections 15-176 through 15-191 of the Orange County Code. In addition, the applicant agrees that all activities and operations shall be subject to the following heightened noise/sound prohibitions, limitations and restrictions:

- a. No impulsive sound (as defined by the Noise Control Ordinance) shall be permitted at any time;
- b. The maximum allowable sound level at the boundary of the property shall be 55 decibels (dB); and

- c. Omni directional speakers shall be prohibited outdoors. All outdoor speakers and other amplified sound shall be directed away from adjoining residential uses.
- d. No live bands shall play or perform at any outdoor reception; provided, however live music during the wedding ceremony shall be allowed.
- e. Any outdoor speakers used for ceremonial purposes shall not be used for reception purposes.

The following person addressed the Board: Victor Marsich.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the rezoning request Case # LUP-18-09-308 to rezone five (5) parcels containing 16.77 gross acres from A-2 to PD for a water sports rental, wedding, and banquet venue, subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; and further, approve new conditions of approval # 24 and 25. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS (Continued)

17. **19-694** Amending Orange County Code, adopting 2019-1 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP) (Continued from May 21, 2019) and Adoption of Ordinance

Small Scale Development Privately-Initiated Amendment

Amendment 2019-1-S-3-2

Harlan Hanson, Harlan Hanson, Inc./Carse Limited Partnership 1; District 3

Consideration: Commercial (C) and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR)

Location: 1700 S. Bumby Ave.; Generally located on the west side of S. Bumby Ave., south of Henderson Dr., east of Cloverlawn Ave., and north of Carlton Dr.; Parcel ID#s: 06-23-30-1432-02-010/030/041; 1.74 gross ac

This public hearing was withdrawn.

17. **19-1780** Small Scale Development Ordinance

Amending Orange County Code, adopting 2019-1 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184 and 163.3187 F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE

PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING SMALL SCALE DEVELOPMENT AMENDMENTS AND RELATED TEXT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

This public hearing was withdrawn.

- 18. 19-673** Amending Orange County Code, adopting Session IV 2018-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP) (Continued from June 4, July 2, and August 6, 2019) and Adoption of Ordinance

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2018-2-A-1-2

Kathy Hattaway, Poulos & Bennett, for BB Groves, LLC Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR); District 1

Consideration: Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)

Location: Generally located west of Avalon Rd., and north and south of Grove Blossom Wy.; Parcel ID#s: 30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036; 108.03 gross ac.

The following person addressed the Board: Kathy Hattaway.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to continue the public hearing until July 7, 2020, at 2 p.m. The motion carried by the following vote:

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

- 18. 19-1076** Regular Cycle Privately Staff-Initiated Comprehensive Plan Map Amendment

Amendment 2018-2-B-FLUE-3

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

The Board took no action, due to the continuance of Amendment 2018-2-A-1-2.

- 18. 19-1044** Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance

Amending Orange County Code, adopting Session IV 2018-2 Regular Cycle

Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2018 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES

The Board took no action, due to the continuance of Amendment 2018-2-A-1-2.

- 19. 19-1612** Amending Orange County Code, adopting 2019-2 Session I Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP) and where applicable concurrent rezoning request

and

Adoption of Ordinance

Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment and Concurrent Rezoning Request

Amendment 2019-2-A-1-1

David Evans, Evans Engineering, Inc., for Hartzog Road Property, LLC/Westport Capital Partners
Growth Center/Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center/Planned Development-Low-Medium Density Residential (GC-PD-LMDR) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR); District 1

Consideration: Growth Center/Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center/Planned Development-Low-Medium Density Residential (GC-PD-LMDR) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)

Location: Generally located on the east side of Avalon Rd., south of Hartzog Rd., north of Arrowhead Blvd., and west of Vista Del Lago Blvd.; Parcel ID#'s: 31-24-27-0000-00-016/039/040/044; 37.83 gross ac.

The following person addressed the Board: David Evans.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Future Land Use Element Objectives FLU2.2 and FLU8.2, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.4.F, FLU1.4.4, FLU7.4.4, FLU8.1.4, FLU8.2.1, FLU8.2.2, and FLU8.2.10); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2019-2-A-1-1 Growth Center-Planned Development-Commercial/Low-Medium

Density Residential (GC-PD-C/LMDR) and Growth Center-Planned Development/Low-Medium Density Residential (GC-PD/LMDR) to Growth Center-Planned Development-Commercial/Medium-High Density Residential (GC-PD-C/MDR), for up to 300 short-term rental units and 300 multi-family dwelling units; further, make a finding of consistency with the Comprehensive Plan; and further, approve the Avalon Groves Planned Development/Land Use Plan (PD/LUP), subject to the fourteen (14) conditions listed in the staff report, but with the removal of condition 8 requesting a school Capacity Enhancement Agreement. The motion carried by the following vote:

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

and

19. 19-1613 Rezoning LUPA-18-12-405

PD (Planned Development District) (Island Reef Planned Development) and PD (Planned Development District) (Groves of West Orange Planned Development) to PD (Planned Development District) (Avalon Grove Planned Development)

Consideration: Rezone from PD (Planned Development District) (Island Reef Planned Development) and PD (Planned Development District) (Groves of West Orange Planned Development) to PD (Planned Development District) (Avalon Grove Planned Development)

Location: Generally located on the east side of Avalon Rd., south of Hartzog Rd., north of Arrowhead Blvd., and west of Vista Del Lago Blvd.; Parcel ID#'s: 31-24-27-0000-00-016/039/040/044; 37.83 gross ac.

This item was approved.

I. CONSENT AGENDA (Deferred)

I. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 2. 19-1740** Acceptance of the findings and recommendation of Environmental Protection Division staff to approve the request for Conservation Area Impact Permit No. CAI-19-08-045 for Chuck Hollow, Inc. District 4. (Environmental Protection Division)

The following persons addressed the Board:

- John Miklos
- Tom Sullivan

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to approve acceptance of the findings and recommendation of Environmental Protection Division staff; and further, approve the request for Conservation Area Impact Permit Number

CAI-19-08-045 for the Woodbury Apartments Project Site. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bonilla

and

VI. PUBLIC HEARING

19. 19-1614 Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2019-2-A-4-2

Tom Sullivan, Gray Robinson, P.A., for Chuck Hollow, Inc. et al
Commercial (C) to Planned Development-Medium High Density Residential
(PD-MHDR); District 4

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

Location: 12400 and 12464 E. Colonial Dr., Generally located north of Waterford Wood Cir., east of Woodbury Rd., south of E. Colonial Dr., and west of SR 408; Parcel ID#'s: 23-22-31-0000-00-012/013; 10.08 gross ac.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan (Future Land Use Element Goal FLU1, Objectives OBJ FLU1.1, OBJ FLU1.4, OBJ FLU2.1 Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.2.B, FLU1.1.4.B, FLU 1.4.1, FLU1.4.2, FLU8.1.2, FLU8.1.4, FLU8.2.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2019-2-A-4-2 Commercial (C) to Planned Development – Medium-High Density Residential (PD-MHDR), for up to 256 multi-family dwelling units with an approved CAI permit. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bonilla

VI. PUBLIC HEARINGS

19. 19-1615 Regular Cycle Privately-Initiated Comprehensive Plan Map Amendment

Amendment 2019-2-A-4-3 (fka 2019-1-A-4-2)

Jim Hall, Hall Development Services, Inc., for SBEGC, LLC
Parks and Recreation/Open Space (PR/OS) to Medium Density Residential
(MDR); District 4

Consideration: Parks and Recreation/Open Space (PR/OS) to Medium Density Residential (MDR)

Location: 2900 Northampton Ave.; Generally located north of S. Alafaya Trl., west of Northampton Ave., south of Stoneybrook Blvd.; Parcel ID#: 01-23-31-0000-00-001 (portion of); 14.50 gross ac.

The following persons addressed the Board:

- Rebecca Wilson
- Cecelia Bonifay
- Neil Kirsch
- Kevin Yeh
- Angela Spoto
- Elizabeth Jacobs
- Jason Joyce
- Kinard Lafate
- Jamie Joyce
- Chi Yeh
- Bruce Kaufman
- Brian Jacobs
- Mike Regner
- Jay Snell
- Whitney Russell
- Nanette Parratto-Wagner
- Harold Massa
- Neil Kynaston
- Hal Kantor

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

- Exhibit 1, from Rebecca Wilson
- Exhibit 2, from Elizabeth Jacobs
- Exhibit 3, from Bruce Kaufman

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board: Submittal 1, from Elizabeth Jacobs.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Uribe, to continue Amendment 2019-2-A-4-3 and the rezoning public hearing until January 14, 2020, at 2 p.m. The motion carried by the following vote:

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

and

19. 19-1637 Rezoning LUP-18-12-413

PD (Planned Development District) (Stoneybrook PD) to PD (Planned Development District) (Alafaya Apartments PD)

Consideration: Rezone from PD (Planned Development District) (Stoneybrook PD) to PD (Planned Development District) (Alafaya Apartments PD). Also Requested are 4 waivers from Orange County Code:

- 1) A waiver from Section 38-1258(j) to allow a minimum building separation of twenty (20) feet, in lieu of a minimum separation of thirty (30) feet for two-story buildings, and forty (40) feet for buildings three (3) stories;
- 2) A waiver from Section 38-1251 (b) to allow the maximum coverage of all buildings to not exceed 50% of the gross land area, in lieu of the maximum coverage of all buildings not exceeding 30% of the gross land area;
- 3) A waiver from Section 38-1254(2)(c) to allow the setback from Arterial street rights-of-way to be twenty-five (25) feet, in lieu of fifty (50) feet; and
- 4) A waiver from Section 38-1258(d) to allow a maximum building height of forty-five (45) feet, three (3) stories, in lieu of forty (40) feet.

Location: 2900 Northampton Ave.; Generally located north of S. Alafaya Trl., west of Northampton Ave., south of Stoneybrook Blvd.; Parcel ID#: 01-23-31-0000-00-001 (portion of); 14.50 gross ac.

The public hearing was continued.

19. 19-1616 Regular Cycle Staff-Initiated Map and Text Amendments

Amendment 2019-2-B-FLUE-1

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2019-2-B-FLUE-1, consistent with today's actions. The motion carried by the following vote:

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

19. 19-1617 Regular Cycle Staff-Initiated Map and Text Amendments

Amendment 2019-2-B-FLUE-3

Text amendment to Future Land Use Element addressing Accessory Dwelling Units (ADUs) not to be counted as density; Countywide

Text Amendment to Future Land Use Element Policy FLU1.1.2 C. was modified as follows:

FLU 1.1.2 C. Density and Floor Area Ratio (FAR) calculation is determined by dividing the total number of units/square footage by the net developable land area. Accessory Dwelling Units (ADUs) shall not be included in density calculations. The net developable land area for density and FAR calculation (intensity) is defined as the gross land area, excluding surface waters and certain conservation areas from the land area calculations.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; further, approve modification to Text Amendment to Future Land Use Element Policy FLU1.1.2 C., and further, adopt Amendment 2019-2-B-FLUE-3. The motion carried by the following vote:

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

19. 19-1618 Regular Cycle Staff-Initiated Map and Text Amendments

Amendment 2019-2-B-FLUE-4

Text amendment to Future Land Use Element regarding Assisted Living Facilities (ALFs); Countywide

A motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to continue the public hearing until February 11, 2020, at 2 p.m. The motion carried by the following vote:

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

19. 19-1619 Regular Cycle Staff-Initiated Map and Text Amendments

Amendment 2019-2-B-FLUM-1

Map Amendment removing Future Land Use Map designations for parcels previously annexed by incorporated jurisdictions within Orange County; Countywide

A motion was made by Commissioner Uribe, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2019-2-B-FLUM-1. The motion carried by the following vote:

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

19. 19-1620 Regular Cycle Staff-Initiated Map and Text Amendments

Amendment 2019-2-B-FLUM-2 (fka 2019-2-A-5-1)

Map Amendment to the Future Land Use Map to change the designation for a Green PLACE property from Rural/Agricultural (R) to Preservation (PRES); District 5

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2019-2-B-FLUM-2. The motion carried by the following vote:

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

19. 19-1621 Regular Cycle State-Expedited Review Comprehensive Plan Amendments Ordinance

Amending Orange County Code, adopting 2019-2 Session I Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184(3), F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2019 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, determine that the amendments are in compliance; and further, adopt Ordinance 2019-18, approving the proposed Comprehensive Plan Amendments, consistent with today's actions. The motion carried by the following vote:

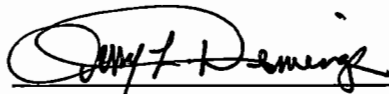
Aye: 7 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

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

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

ADJOURNMENT: 5:45 p.m.

ATTEST:



County Mayor Jerry L. Demings

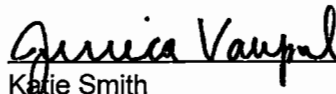
Date: 12/17/19



ATTEST SIGNATURE:

Phil Diamond

County Comptroller as Clerk

for 
Katie Smith
Deputy Clerk

* * *

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

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

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

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

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