

Orange County Government

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



Final Meeting Minutes

Tuesday, October 27, 2020

9:00 AM

Communications Media Technology

Board of County Commissioners

Call to Order

County Mayor Demings called the meeting to order at 9:02 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
Deputy County Administrator Danny Banks
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Assistant Deputy Clerk Jessica Vaupel

Invocation - District 2

Pastor Peter Brunton, Northwest Church

Pledge of Allegiance**Presentation**

Proclamation designating October 27, 2020 as Eddie Engram Day

Public Comment

The following persons addressed the Board for public comment:

- Blair Isenhour
- Nicole Lerner
- Alice Gawronski
- Isabel Geary
- Emily Geary

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

- Edward Juan Lynum
- Luann Brooks

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

The Mayor deferred action on Planning, Environmental, and Development Services Department

Item 4; and further, a motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

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

A COUNTY MAYOR

1. **20-1495** Confirmation of the Mayor's managerial appointment of Darren Gray as Deputy County Administrator and Carla Bell Johnson as Assistant County Administrator.

B. COUNTY COMPTROLLER

1. **20-1496** Approval of the minutes of the September 10, September 22, and September 24, 2020 meetings of the Board of County Commissioners. (Clerk's Office)
2. **20-1497** 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 9, 2020, to October 15, 2020; \$26,610,090.57
 - October 16, 2020, to October 22, 2020; \$39,427,265.89(Finance/Accounting)
3. **20-1498** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Dispose of assets not found during previous inventory cycles.
 - b. Sell assets through online auction.
 - c. Offer assets to non-profit.
 - d. Scrap remaining assets.

C. COUNTY ADMINISTRATOR

1. **20-1499** Approval and execution of Consent to Transfer of Ownership Interest by Orange County, Florida, Central Florida Young Men's Christian Association, Inc., Harris Rosen Foundation, Inc., and Rosen Aquatic and Fitness Center, Inc. for the Aquatic Center Property.
2. **20-1500** Approval and execution of Contract #Y21-121 between Orange County, Florida and United Arts of Central Florida, Inc. regarding the provision of funding for art grants and services in the amount of \$1,386,080 for Fiscal Year 2020-2021 from the General Fund. (Arts and Cultural Affairs Office)
3. **20-1501** Approval and execution of Contract #Y21-122 Orange County, Florida and

United Arts of Central Florida, Inc. Management/Fiscal Agency Agreement for Orange County Arts & Cultural Affairs Tourist Development Tax (TDT) Revenue - Arts & Cultural Affairs Grants Program in the amount of \$5,000,000. (Arts and Cultural Affairs Office)

4. **20-1502** Approval and execution of Orange County, Florida and Downtown Arts District, Inc. Funding Agreement relating to FusionFest 2021 and authorization to disburse \$135,000 as provided in the FY2020-21 adopted budget. (Arts and Cultural Affairs Office)
5. **20-1503** Approval of a one-year extension to the completion deadline for the Blockbuster Funding to Creative City Project IMMERSE Festival. (Arts and Cultural Affairs Office)
6. **20-1504** Approval and execution of Resolution 2020-B-05 of the Orange County Board of County Commissioners regarding authorization for Water and Wastewater Utility Revenue Bonds, Series 2020. (Fiscal and Business Services Division)
7. **20-1505** Approval for the Orange County Sheriff's Office to spend \$1,000 from the FY 2021 Law Enforcement Trust Fund to provide an eligible contribution to Legal Aid Society. (Office of Management and Budget)
8. **20-1506** Approval of budget transfer #20-1411. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **20-1507** Approval of Change Order No. 1, Purchase Order Number M92364, with Borrelli & Partners Inc, in the amount of \$65,470.21, for a revised lump sum contract amount of \$115,702.42. (Capital Projects Division)
2. **20-1508** Approval to award Invitation for Bids Y20-1048-AH, Hospitalist Group Services for Corrections Health Services Division, to the sole responsive and responsible bidder, David Mazer MD PA. The estimated contract award amount is \$605,640 for a two-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
3. **20-1509** Approval to award Request for Quotations Y20-1057-PH, High Rise Window Cleaning, to the low responsive and responsible quoter, Florida Cleaning Systems, Inc. The estimated amount is \$103,224 for a one-year term. ([Administrative Services Department Facilities Management Division] Procurement Division)
4. **20-1510** Approval to award Invitation for Bids Y20-1062-AH, Furnish Asphalt Products for Public Works, Roads and Drainage Division, to the low responsive and responsible bidder, Ranger Construction Industries, Inc., for Lots 1 and 2. The estimated contract award amount is \$5,971,500 for a

three-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)

5. **20-1511** Approval to award Invitation for Bids Y20-1104-RM, Countywide Restoration of Shoulders and Ditches, to the low responsive and responsible bidders, Condor Construction Corp. The estimated contract award amount is \$1,459,600 for the base year and RMS Constructors, Group, LLC in the estimated contract award amount of \$1,614,300 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. **20-1512** Approval to award Invitation for Bids Y20-763-EB, Facilities East District Building HVAC and Roof Replacement, to the low responsive and responsible bidder, Air Mechanical and Services Corp. The total contract award amount is \$896,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. **20-1513** Approval to award Invitation for Bids Y20-767-RM, Keystone Drive Nutrient-Separating Baffle Box and Upflow Filter Water Quality Improvement Project, to the low responsive and responsible bidder, Carr & Collier, Inc. The total contract award amount is \$743,157. ([Planning, Environmental, and Development Services Department Environmental Protection Division] Procurement Division)
8. **20-1514** Approval of Contracts, Request for Proposals Y20-1032-AH, Housing Opportunities for Persons with AIDS (HOPWA), in the overall total annual amount of \$5,094,928.87 by Lot to: Aspire Health Partners, Inc. for Lots 1, 2, 3, 4, 5, and 6 in the annual amount of \$1,271,951.20; Catholic Charities of Central Florida, Inc. for Lots 1 and 2 in the annual amount of \$407,132.67; Center for Multicultural Wellness and Prevention, Inc. for Lots 1, 2, 3, 4, and 5 in the annual amount of \$1,130,356; Homeless Services Network of Central Florida, Inc. for Lots 3 and 5 in the annual amount of \$541,531; Miracle of Love, Inc. for Lots 1, 3, 4, 5, and 6 in the annual amount of \$1,582,868; and X-Tending Hands, Inc. for Lot 2 in the annual amount of \$161,090. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
9. **20-1515** Approval of Contract, Request for Proposals Y20-1051, Adult Drug Court Substance Abuse Treatment and Case Management, with Aspire Health Partners, Inc., in the estimated contract award amount of \$580,560 for a one-year term. ([Health Services Department Drug Free Office] Procurement Division)
10. **20-1516** Approval of Contract, Request for Proposals Y20-1067-AH, Plumbing Services, with Frank Gay Services, LLC for Lots A, B, and C in the contract award amounts listed:

<u>Lot</u>	<u>Description</u>	<u>Annual Fee Proposal</u>
------------	--------------------	----------------------------

Lot A	Facilities Management	\$640,000
Lot B	Orange County Convention Center	\$640,000
Lot C	Utilities, Fire Rescue, and other County Sites	\$478,750

([Administrative Services Department Facilities Management Division]
Procurement Division)

11. **20-1518** Approval of Contract Y21-124, Enhanced Treatment Alternatives, with Aspire Health Partners, Inc., in the estimated contract award amount of \$1,281,656.16 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
12. **20-1519** Approval of Amendment No. 11, Contract Y17-121A, Motor Oils and Lubricants, with Lynch Oil Company, Inc., in the amount of 20,000, for a revised total contract amount of \$258,300.26. ([Utilities Department Solid Waste Division] Procurement Division)
13. **20-1520** Approval of Change Order No. 5, Purchase Order M100925, Nightly Fogging at the Courthouse, with Cubix, Inc., in the amount of \$26,726.40, for a revised total contract amount of \$120,601.44. ([Administrative Services Department Facilities Management Division] Procurement Division)
14. **20-1521** Approval of Change Order No. 3, Purchase Order M100969, Security Guard Services for Orange County Courthouse and Miscellaneous Sites, with G4S Secure Solutions USA, Inc., in the amount of \$289,194.40, for a revised total amount of \$1,031,029.28. ([Administrative Services Department Facilities Management Division] Procurement Division)
15. **20-1522** Ratification of Sub-Recipient Agreement Y20-2360, Social Services and Community Needs Program, with The University of Central Florida Board of Trustees, in the not-to-exceed award amount of \$221,027.40. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
16. **20-1523** Ratification of Sub-Recipient Agreement Y20-2364, Expanding Telehealth and Social Distancing Capacity at Shepherd's Hope Medical Facilities, with Shepherd's Hope, Inc., in the not-to-exceed amount of \$212,722.32. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
17. **20-1524** Ratification of Sub-Recipient Agreement Y20-2368, Provision of Supplemental Staff, Telehealth Technology, PPE, and Professional Cleaning, with Latino Leadership, Inc., in the not-to-exceed amount of \$131,115.84. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
18. **20-1525** Ratification of Change Order No. 2, Purchase Order M100886, Courthouse

Buildings A, B, and C COVID-19 Disinfectant Services, with Diversified Maintenance-RWS LLC, in the amount of \$9,743.28, for a revised total amount of \$113,019.28. ([Administrative Services Department Facilities Management Division] Procurement Division)

19. **20-1526** Ratification of Change Order No. 2, Purchase Order M100969, Security Guard Services for Orange County Courthouse and Miscellaneous Sites, with G4S Secure Solutions USA, Inc., in the amount of \$148,028.32, for a revised total amount of \$741,834.88. ([Administrative Services Department Facilities Management Division] Procurement Division)
20. **20-1527** Ratification of Purchase Order M102067, Maintenance Renewal of Box Area Run Card Builder (BARB) and Dispatch Validator (DiVa), with Deccan International Corporation, in the amount of \$105,870. ([Fire Rescue Department Planning and Technical Services Division] Procurement Division)
21. **20-1528** Ratification of Purchase Order M102085, Renewal of Software Support and Licensing for DOC1, CODE1, and Mailstream Software, with Pitney Bowes Software, Inc., in the amount of \$118,741.42. ([Utilities Department Customer Service Division] Procurement Division)
22. **20-1529** Selection of CDM Smith, Inc. to provide Professional Construction Engineering and Inspection (CEI) and Resident Compliance Specialist Services for Shingle Creek Phase 1 Segment 2 (from S.R. 528 to Destination Parkway) Construction Project, Request for Proposals Y20-826-CH. ([Public Works Department Highway Construction Division] Procurement Division)
23. **20-1530** Approval and execution of Land Exchange Agreement (Hamlin Fire Station Site) by and between SLF/IV Boyd Horizon West JV, LLC and Orange County, Florida, Resolution 2020-M-49 Declaring County Property Surplus and Authorization to Exchange Certain County Property for Receipt of Other Real Property, County Deed from Orange County, Florida to SLF/IV Boyd Horizon West JV, LLC, and Purchase Agreement by and between City of Orlando and Orange County, Approval of Special Warranty Deed from SLF/IV Boyd Horizon West JV, LLC to Orange County, Florida, City Deed from City of Orlando to Orange County, and Memorandum of Understanding between Orange County Fire Rescue Department and Orange County Utilities Department for Real Estate Transfer related to Edwards Parcel by and between Orange County Fire Rescue Department and Orange County Utilities Department, delegation of authority to the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Land Exchange Agreement (Hamlin Fire Station Site), and authorization to disburse funds to pay purchase price and closing costs and to perform all actions necessary and incidental to closing for Horizon West Town Center / Conserv Property Exchange. District 1.

(Real Estate Management Division)

24. **20-1531** Approval and execution of Resolution and authorization to initiate condemnation proceedings for Kennedy Boulevard (Forest City Road to Wymore Road). District 2. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **20-1532** Approval and execution of Agreement between Orange County, Florida and Homeless Services Network of Central Florida, Inc. for the purpose of Interagency Referral Agreement. (Head Start Division)
2. **20-1533** Approval and execution of Contract No. 20-C59 Contribution Agreement by and among Central Florida Regional Transportation Authority D/B/A LYNX and Orange County, Florida for the Pine Hills Trail Phase II. District 6. (Parks and Recreation Division)

F. FIRE RESCUE DEPARTMENT

1. **20-1534** Approval and execution of Volunteer Florida Community Emergency Response Team (CERT) Contract 2020-2021 Contract #: CERT 21-010 by and between the Florida Commission on Community Service, d/b/a Volunteer Florida, and Orange County Emergency Management in the amount of \$5,000. The contract requires an in-kind match. (Office of Emergency Management)
2. **20-1535** Approval and execution of Volunteer Florida Citizens Corps Contract 2020-2021 Contract #: CC 21-003 by and between the Florida Commission on Community Service, d/b/a Volunteer Florida, and Orange County Emergency Management in the amount of \$5,000. The contract requires an in-kind match. (Office of Emergency Management)

G. HEALTH SERVICES DEPARTMENT

1. **20-1536** Approval and execution of Y20-2306 Amendment #1 Central Florida Family Health Center, Inc. County Contract No. Y20-2306 in the amount of \$228,941, for a revised total amount of \$917,927, for COVID-19 Testing and Vaccine Storage Reimbursement and authorization for the Mayor or designee to execute any related modifications or amendments.
2. **20-1537** Approval and execution of State of Florida Department of Health Standard Contract Contract Number CODRW for the administration of the Housing Opportunities for Persons with AIDS Grant Program for Fiscal Year 2020 - 2022 in the amount of \$1,900,000 and authorization for the Mayor or designee to sign any future amendments to this agreement. No county match is required. (Fiscal and Operational Support Division)

H. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. **20-1538** 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 20-0833 LC 20-0863 LC 20-0646 LC 20-0745 LC 20-0796
LC 20-0713 LC 20-0864 LC 20-0673 LC 20-0755 LC 20-0811
LC 20-0692 LC 20-0804 LC 20-0676 LC 20-0767 LC 20-0821
LC 20-0781 LC 20-0814 LC 20-0698 LC 20-0768 LC 20-0822
LC 20-0816 LC 20-0818 LC 20-0710 LC 20-0769 LC 20-0826
LC 20-0835 LC 20-0567 LC 20-0724 LC 20-0775 LC 20-0827
LC 20-0841 LC 20-0581 LC 20-0727 LC 20-0777 LC 20-0828
LC 20-0860 LC 20-0632 LC 20-0734 LC 20-0787 LC 20-0829

2. **20-1539** Approval and execution of Joint Participation Agreement between Orange County, Florida and City of Orlando, Florida, for completion of a 4e Reasonable Assurance Plan (RAP) for the Lake Orlando Basin, including reimbursing the City of Orlando for costs not to exceed \$11,468.74. District 2. (Environmental Protection Division)
3. **20-1540** Approval and execution of Order approving the rescission of the Development Order for the Greenway Park Development of Regional Impact. District 4. (Planning Division)
4. **20-1541** Approval and execution of Adequate Public Facilities Agreement for Horizon West - Village I Karr PD by and among SP Commercial Investors, LLC; Thomas J. Karr Jr. and Tami G. Karr; Donald R. Allen, Jr. and Patricia A. Allen; and Orange County conveying 9.33 acres of APF Land and providing \$99,225 in Transportation Impact Fee Credits. District 1. (Roadway Agreement Committee)

(This item was deferred.)

5. **20-1542** Approval and execution of Proportionate Share Agreement for 7-Eleven Meadow Woods Boggy Creek Road by and between William D. Bishop Trust and Orange County for a proportionate share payment in the amount of \$111,552. District 4. (Roadway Agreement Committee)
6. **20-1543** Approval and execution of Proportionate Share Agreement for Creative World School University Boulevard and Dean Road by and between Barnabei Family Group LLC and Orange County for a proportionate share payment in the amount of \$171,404. District 5. (Roadway Agreement Committee)

7. **20-1544** Approval of Street Name Petition to name Travelers Parkway and authorization for County staff to update associated records. District 1. (Zoning Division)

I. PUBLIC WORKS DEPARTMENT

1. **20-1545** Authorization to record the plat of Cottages at Alafaya. District 5. (Development Engineering Division)
2. **20-1546** Authorization to record the plat of South Orange Logistics Center. District 4. (Development Engineering Division)
3. **20-1547** Approval to construct speed humps on Belvedere Road and East Orlando Road. District 5. (Traffic Engineering Division)
4. **20-1548** Approval to construct speed humps on Bonnie Brook Boulevard. District 6. (Traffic Engineering Division)
5. **20-1550** Approval to construct speed humps on Minnesota Avenue. District 5. (Traffic Engineering Division)
6. **20-1551** Approval to replace the existing "Yield" signs with "Stop" signs at 10 intersections in Andover Lakes Phase 1A and 1B. District 4. (Traffic Engineering Division)
7. **20-1552** Approval of "No Parking" signs installation in The Palms. District 2. (Traffic Engineering Division)
8. **20-1553** Approval of "No Parking" signs installation on both sides of Marinell Drive from Hoffner Avenue to Lacon Avenue. District 3. (Traffic Engineering Division)
9. **20-1554** Approval of "No Parking" signs installation in Summerport Phase 2. District 1. (Traffic Engineering Division)
10. **20-1555** Approval of Traffic Control Devices and "No Parking" signs installation in Reserve at Sawgrass Phase 6. District 4. (Traffic Engineering Division)
11. **20-1556** Approval of Traffic Control Devices and "No Parking" signs installation in Reserve at Park Manor. District 4. (Traffic Engineering Division)
12. **20-1557** Approval of Traffic Control Devices and "No Parking" signs installation in Bishop Landing. District 4. (Traffic Engineering Division)
13. **20-1558** Approval of Traffic Control Devices and "No Parking" signs installation in Dean's Crossing. District 3. (Traffic Engineering Division)

14. **20-1559** Approval of Traffic Control Devices and "No Parking" signs installation in Somerset Crossings. District 4. (Traffic Engineering Division)
15. **20-1560** Approval of Traffic Control Devices and "No Parking" signs installation in Avalon Cove. District 1. (Traffic Engineering Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **20-1561** Receipt of the following items to file for the record: (Clerk's Office)
- a. Orange County Health Facilities Authority Oaths of Office for the following individuals:
- Darlene A. Baptiste
 - Melissa Schott-Gomez

This item was received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **20-1562** Approval of the Arts and Cultural Affairs Advisory Council's funding recommendations for Arts and Cultural Affairs Grants for cultural tourism for FY 2021. (Arts and Cultural Affairs Office)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to approve the Arts and Cultural Affairs Advisory Council's funding recommendations for Arts and Cultural Affairs Grants for cultural tourism for Fiscal Year 2021. 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. **20-1563** Selection of one firm and two ranked alternates to provide Special Legal Counsel for the Orange County Code Enforcement Division, Request for Proposals Y20-1020-AV, from the following three firms, listed alphabetically:
- Pittman Law Group, L.L.C.
 - Shepard Smith Kohlmyer and Hand, P.A.
 - Trask Daigneault, LLP

([Planning, Environmental, and Development Services Department Code Enforcement Division] Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to

appoint Shepard Smith Kohlmyer and Hand, P.A., 368.75 points, as the selected firm; and further, appoint Pittman Law Group, L.L.C., 338.45 points, and Trask Daigneault, LLP, 324.38 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

2. **20-1564** Selection of one firm and two ranked alternates to provide Barber Park Recreation Center and Gym Master Plan, Request for Proposals Y20-836-JS, from the following three firms, listed alphabetically:

- Borrelli + Partners, Inc.
- KMF Architects
- Le-Huu Partners, P.A.

([Community and Family Services Department Parks and Recreation Division] Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to appoint Borrelli + Partners, Inc., 422 points, as the selected firm; and further, appoint Le-Huu Partners, P.A., 336.17 points, and KMF Architects, 321.50 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. **20-1565** Selection of three firms and an alternate to provide Continuing Professional Transportation Planning Engineering Services, Request for Proposals Y20-901-CH, from the following four firms, listed alphabetically:

- AECOM Technical Services, Inc.
- HDR Engineering, Inc.
- Traffic & Mobility Consultants, LLC
- Vanasse Hangen Brustlin, Inc.

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

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to appoint Vanasse Hangen Brustlin, Inc., 444.50 points, Traffic & Mobility Consultants, LLC, 438.33 points, and HDR Engineering, Inc., 435 points as the selected firms; and further, appoint AECOM Technical Services, Inc., 352.50 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

A. COUNTY ADMINISTRATOR (Continued)

1. **20-1566** COVID-19 Coronavirus Update.

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

2. **20-1568** Building Code Update Proposed Amendments. (Division of Building Safety)

The Board took no action.

V. RECOMMENDATIONS

1. **20-1569** October 1, 2020 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Moore, to approve the recommendations, with the exception of Case # SE-20-11-097, Iglesia Hispana El Camino (Jonathan Soule) (Board Called), which was pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

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

VI. PUBLIC HEARINGS

1. **20-1383** Conservation Area Impact

Young Pine Business Park, LLLP, permit; District 4

Consideration: Request for a Conservation Area Impact Permit for 1.17 acres of Class I wetlands for stormwater ponds and an access road associated with the construction of a new industrial warehouse facility.

Location: District 4; property generally located on Young Pine Road; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Thomas Skelton.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner VanderLey, to approve the Conservation Area Impact Permit (CAI-20-06-044) subject to the twenty six (26) conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

2. 20-1405 Development Plan

Michelle Heatherly, Demetree Global, Collegiate Village Planned Development / Collegiate Village CVC - East Parcel Development Plan, Case # DP-19-12-420; District 5

Consideration: Collegiate Village Planned Development / Collegiate Village CVC - East Parcel Development Plan submitted in accordance with Article II of the Orange County Subdivision Regulations; This request is to construct a student housing development with 176 units / 511 beds on a total of 2.79 acres; pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89

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

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Bonilla, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the fifteen (15) 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

3. 20-1382 Preliminary Subdivision Plan

Scott M. Gentry, Kelly, Collins & Gentry, Inc. Hamlin West Planned Development - Unified Neighborhood Plan / Hamlin West Preliminary Subdivision Plan, Case # PSP-20-03-073; District 1

Consideration: Hamlin West Planned Development - Unified Neighborhood Plan / Hamlin West Preliminary Subdivision Plan, Case # PSP-20-03-073, 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 156.98 acres into 4 lots with an infrastructure road to serve future development.

Location: District 1; property generally located south of New Independence Parkway / east of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Scott Gentry.

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty three (23) 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

4. 20-1392 Preliminary Subdivision Plan

Albert Bustamante, Fekany Brothers Enterprise, Old Cheney 10 Preliminary Subdivision Plan, Case # PSP-20-01-020; District 5

Consideration: Old Cheney 10 Preliminary Subdivision Plan, Case # PSP-20-01-020, 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 0.87 acres in order to construct 10 single-family residential dwelling units.

Location: District 5; property generally located north of Old Cheney Highway / east of Truman Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the fifteen (15) 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

5. 20-1402 Preliminary Subdivision Plan

Sam J. Sebaali, Florida Engineering Group, Inc., Blue Diamond Preliminary Subdivision Plan, Case # PSP-20-03-092; District 3

Consideration: Blue Diamond Preliminary Subdivision Plan, Case # PSP-20-03-092, 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 31.50 acres in order to construct 49 single-family residential dwelling units.

Location: District 3; property generally located North of Heather Road / West of Forsyth Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Max Sabeti
- Sam Sebaali
- Keith Walls
- Mike Alderman
- Steve Haas
- Natalie Haas
- Diane Agee

- Kelly Semrad
- Jason Schatz

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

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty (20) 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

7. 20-1388 Substantial Change

Jennifer Stickler, Kimley-Horn & Associates, Inc., First Baptist Church of Windermere Planned Development / Land Use Plan (PD/LUP), Case CDR-19-09-318, amend plan; District 1

Consideration: A PD substantial change to amend the PD to create a 14.70 acre Garden Home District and convert 123,233 square feet of church with day care and recreation uses to 60 single-family residential dwelling units and one transfer development right unit. The location of the southwestern most access point is also proposed to be relocated.

Location: District 1; property located at 8464 Winter Garden Vineland Road; or generally located south of Winter Garden Vineland Road and east of Reams Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Chuck Whittall
- Jim Hall
- Gerald Reynolds
- Tom Valley
- Missy Renard
- JoAnne Quarles
- Michael Dutton
- Alan Haughey
- Ian McDonald
- Laura Kleiss
- Laura Spencer
- Jennifer Stickler
- James Taylor

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

- Exhibit 1, from Tom Valley
- Exhibit 2, from JoAnne Quarles
- Exhibit 3, from Alan Haughey
- Exhibit 4, from Jim Hall

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 Douglas Mikkelsen.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan; including Future Land Use Element Policy 4.1.1 which states the higher density should be encouraged in proximity to the Village Center District; Future Land Use Objective 8.2 which states the compatibility will be the fundamental consideration on all the land use design decisions; and Future Land Use Policy 8.2.1 which requires that land use changes be compatible with the existing development of the area; and further, deny the substantial change request because if request is approved this higher density would be in proximity to a Village Center District regardless this density would not be compatible with surrounding single family development in the area including the R-CE and A-1 zoned lots to the south and south east and Lake Mabel Shore Club division to the east. The motion carried by the following vote:

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

and

6. 20-1390 Preliminary Subdivision Plan

Jennifer Stickler, Kimley-Horn & Associates, Inc., First Baptist Church of
Windermere PD / Chapel Crossing Preliminary Subdivision Plan, Case #
PSP-20-02-037; District 1

Consideration: First Baptist Church of Windermere PD / Chapel Crossing Preliminary Subdivision Plan, Case # PSP-20-02-037, 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 14.70 acres in order to construct 60 single-family residential dwelling units. The request also includes the following waivers from Orange County Code: 1. A waiver from Orange County Code Section 38-1384(i)(4) to allow front loaded garage homes for lots 18-22 and lot 39 facing open space tracts (OS- 1 and OS-6) in lieu of requiring all lots greater than fifty (50) feet in width that face neighborhood squares and parks provide vehicular access from a rear alley easement of from a front driveway where the garages are located at or beyond the rear wall of the primary structure. Lots included under this waiver shall be "J" loaded. 2. A waiver is from Orange County Code Section 38-1384(g)(3)f to allow garages oriented toward the side yard to be placed in front of the primary structure on lots fifty (50) feet wide or greater in lieu of lots sixty (60) feet wide or greater.

Location: District 1; property generally located south of Winter Garden Vineland Road / east of

Reams Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to make a finding of inconsistency with the Comprehensive Plan; and deny the request for Preliminary Subdivision Plan Case # PSP-20-02-037, which is not consistent with the existing Planned Development program which does not allow Garden Home District with sixty single family residential dwelling units at the site. The motion carried by the following vote:

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

8. 20-1378 Substantial Change

Brian Lower, Holiday Inn Club Vacations, Inc., Orange Lake Country Club
Planned Development / Land Use Plan (PD / LUP), Case #
CDR-20-06-155, amend plan; District 1

Consideration: A PD substantial change to the Orange Lake Country Club PD to convert 279 single-family residential units into 468 multi-family units within the Northwest 3 (NW3) section, plus transfer in 4 previously approved multi-family units in Northwest 4 (NW4) section, for a net total of 472 total multi-family residential units in the NW3 section; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

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

The following person addressed the Board: Gregory Lee.

A motion was made by Commissioner VanderLey, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the eleven (11) 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

9. 20-1384 Substantial Change

Thomas R. Sullivan, Gray Robinson, Grassmere Reserve Planned
Development / Land Use Plan (PD/LUP), Case CDR-20-02-064, amend
plan; District 2

Consideration: A PD substantial change to add 32,670 square feet of commercial development and remove notes #10 and #12 from the plan, which required the evaluation of a masonry wall adjacent to U.S. 441 at the Preliminary Subdivision Plan stage, and based the number of homes on site on the available uplands as documented by a Conservation Area Determination (CAD). The CAD has been completed and there are no changes proposed to the number of homes within

the community. No waivers are associated with this request.

Location: District 2; property generally located north of Orange Blossom Trail and east of Junction Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Tom Sullivan.

A motion was made by Commissioner Moore, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the eleven (11) 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

10. 20-1385 Substantial Change

Frank Cawthon, Spring Isle C, LLC, Spring Isle Planned Development / Land Use Plan (PD/LUP), Case CDR-20-08-213, amend plan; District 4

Consideration: A PD substantial change to transfer 40,000 square feet of C-1 (Retail Commercial District) uses from PD Parcel G to PD Parcel H, and to the existing transportation equivalency matrix to convert 14,473 square feet of commercial uses to 11,999 square feet of daycare uses on PD Parcel H. No waivers from Orange County Code are associated with this request.

Location: District 4; property generally located east and west of Golden Isle Boulevard, north of S. Avalon Park Boulevard, and south of Hidden Gem Way; Orange County, Florida (legal property description on file in Planning Division)

This public hearing was canceled.

11. 20-1387 Substantial Change

Hal H. Kantor, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Chatham Village Planned Development / Land Use Plan (PD/LUP), Case CDR-20-08-240, amend plan; District 1

Consideration: A PD substantial change to request the following waiver from Orange County Code for Parcel 17-24-28-0000-00-011: 1) A waiver from Section 38-1476 to allow 1.8 parking spaces for 2 & 3 bedroom units, in lieu of 2 parking spaces per unit.

Location: District 1; property generally located west of Winter Garden Vineland Road, north of Vista Boulevard, and south of Royal Cypress Way; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Hal Kantor.

A motion was made by Commissioner VanderLey, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the nine (9) 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

12. 20-1389 Substantial Change

Kathy Hattaway, Poulos & Bennett, LLC, Horizon West Village H Parcels
12A and 12B Planned Development / Land Use Plan (PD/LUP), Case
CDR-20-05-128, amend plan; District 1

Consideration: A PD substantial change to split Parcel 12B into two (2) parcels, 12B and 12C, change the Special Planning Area Land Use from Townhome to Village Center on new Parcel 12C, allocate 100,000 square feet of non-residential uses to Parcel 12C for a self-storage facility, reduce the townhome units from 89 units to 84 units, and add a 0.23 acre upland greenbelt tract. Additionally, the following waiver from Orange County Code is requested: 1. A waiver from Section 38-1387.1(a)(10) to allow a fourteen (14) foot building separation between interior townhome buildings, in lieu of twenty (20) feet.

Location: District 1; property generally located south of Flamingo Crossings Boulevard and 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.

A motion was made by Commissioner VanderLey, seconded by Commissioner Uribe, to deny the substantial change request; further, making a finding of inconsistency with the Comprehensive Plan based upon Future Land Use Element 4.1.7 and Section 38-1289 of the County Code relating to the Village Center. This development would create a Village Center that is not compact and that would extend the Village Center toward the edge of the Village farther away from the existing centralized location. The request is also inconsistent with the Future Land Use Element Policy 1.4.3, which states that the location of the commercial shall be concentrated at major intersections; further, it is inconsistent with Future Land Use Element Policy 1.4.4., which says the disruption of residential area by poorly located and designed commercial activities shall be avoided; and further, it is inconsistent with Future Land Use Element Objective FLUE 8.2, which states that compatibility will be the fundamental consideration at all land use zoning decisions and with Future Land Use Element Policy 8.2.1, which requires land use change to be compatible with existing development and development trends within that area. 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

13. 20-1391 Substantial Change

Julie Salvo, Tavistock Development Company, Ginn Property (aka Greenway Park) Planned Development / Land Use Plan (PD/LUP), Case CDR-20-07-196, amend plan; District 4

Consideration: A PD substantial change to revise the entitlements for PD Parcels 1-6 to; reduce the overall number of single-family detached units, hotel rooms, industrial, and industrial square footage; to increase the number of multi-family and townhome units; increase the commercial square footage; to add student housing as a use and add 192 student housing beds; and to split PD Parcel 6 into PD Parcels 6B, 6C, and 6D. No waivers from Orange County Code are associated with this request.

Location: District 4; property generally located north and east of S.R. 417, and west of Boggy Creek Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Chris Roper.

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 substantial change request subject to the twelve (12) 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

14. 20-1386 Rezoning

Kathy Hattaway, Poulos & Bennett, LLC, Horizon West - Village I - Karr PD, Case # LUP-18-11-375; District 1

Consideration: A request to rezone 134.09 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 454 single-family attached and detached dwelling units, 250 multi-family residential dwelling units, and 10,000 square feet of neighborhood commercial uses. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver, for Parcels 2, 16, 18, and 23, from Orange County Code Section 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, for Parcels 2, 16, 18, and 23, from Orange County Code 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, for Parcels 2, 16, 18, and 23, from Orange County Code Section 38-1384(g)(1) to allow garage access to be setback from an alley tract in lieu of an easement. 4. A waiver, for Parcels 2, 16, 18, and 23, from Orange County Code 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, for Parcels 2, 16, 18, and 23 from Orange County Code 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. 6. A waiver from Orange County Code Section 38-1258(a), for Parcel 15, to allow multi-family residential buildings twenty (20) 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 Karr PD. 7. A waiver from Orange County Code Section 38-1258(b), for Parcel 15, to allow multi-family residential buildings twenty (20) 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 Karr PD. 8. A waiver from Orange County Code Section 38-1258(c), for Parcel 15, to allow multi-family buildings twenty (20) 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 Karr PD. 9. A waiver from Orange County Code Section 38-1258(d), for Parcel 15, 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 Karr PD. 10. A waiver from Orange County Code Section 38-1258(e), for Parcel 15, to allow parking and paved areas for multi-family development ten (10) 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 Karr PD. 11. A waiver from Orange County Code Section 38-1258(f), for Parcel 15, 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 Karr PD. 12. A waiver from Orange County Code Section 38-1258(g), for Parcel 15, 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 Karr PD. 13. A waiver from Orange County Code Section 38-1258(i), for Parcel 15, 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 Karr PD. 14. A waiver from Orange County Code Section 38-1258(j), for Parcel 15, to allow 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 Karr PD. 15. A Waiver from Orange County Code Section 38-1387.2(a)(8)(b) to allow a ten (10) foot side setback in lieu of the fifteen (15) foot side setback requirement for apartment buildings. 16. A waiver from Orange County Code Section 38-1387.1(a)(10) to allow a fourteen (14) foot building separation between townhomes in lieu of twenty (20) feet. 17. A waiver from Orange County Code Section 38-1387.1(a)(3) to allow a 90- foot lot depth in lieu of 100-feet. 18. A Waiver from Orange County Code Section 30-714(c) to allow development within the Karr PD to proceed beyond five percent (5%) of the project's approved PD entitlements prior to either: (1) the option being exercised and the property being conveyed; or (2) the developer paying the appropriate fee in lieu of conveyance as described in Orange County Code Section 30-714(d).

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: Juli James.

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 A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 454 single-family attached and detached dwelling units, 250 multi-family residential dwelling units, and 10,000 square feet of neighborhood commercial uses subject to the twenty four (24) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report; further, approve and execute the Adequate Public Facilities Agreement for Horizon West - Village I Karr PD by and among SP Commercial Investors, LLC; Thomas J. Karr Jr. and Tami G. Karr; Donald R. Allen, Jr. and Patricia A. Allen; and Orange County conveying 9.33 acres of APF Land; and further, provide \$99,225 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)

H. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

4. **20-1541** Approval and execution of Adequate Public Facilities Agreement for Horizon West - Village I Karr PD by and among SP Commercial Investors, LLC; Thomas J. Karr Jr. and Tami G. Karr; Donald R. Allen, Jr. and Patricia A. Allen; and Orange County conveying 9.33 acres of APF Land and providing \$99,225 in Transportation Impact Fee Credits. District 1. (Roadway Agreement Committee)

This item was approved.

VI. PUBLIC HEARINGS (Continued)**15. 20-1396 Planning and Zoning Commission Rezoning Board-Called**

Jose Hernandez, Case # RZ-20-02-081, August 30, 3030; District 4
(WITHDRAWN)

Consideration: Request to rezone 8.88 gross acres from A-2 (Farmland Rural District) to R-2 (Residential District) in order to construct thirteen (13) attached single-family units as part of Phase One (1), with the intent to develop another (42) units as part of Phase Two (2) under a separate rezoning application.

Location: District 4; property located at 1975 4th Street; generally located south of Pine Street, west of Hoenstine Avenue and north of 4th Street; Orange County, Florida (The legal description of the property is on file in the Planning Division.)

This public hearing was withdrawn.

16. 20-1275 Amending Orange County Code, adopting Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), and where applicable Concurrent Rezoning and Adoption of Ordinance (Continued from October 13, 2020)

Small-Scale Land Use Map Amendments to Future Land Use Map and
Concurrent Rezoning Request

Amendment SS-20-07-040

Hans Pistor, Hanlex Development, LLC.,

Consideration: A Small Scale Comprehensive Plan Amendment request to change the subject property's Future Land Use Map designation from RS 1/1 (Rural Settlement 1 Unit / 1 Acre) to C-RS (Commercial - Rural Settlement), in order to construct a Dollar General Store; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 5; property located at 24926 and 24918 E. Colonial Drive; or generally located on the southwest corner of the E. Colonial Drive and St. Catherine Avenue intersection, east of Cupid Avenue. (The legal description is on file in the Planning Division.)

This public hearing was withdrawn.

16. 20-1276 Concurrent Rezoning Request

Rezoning RZ-20-07-041

Consideration: A rezoning request to change the subject property's zoning from A-2 (Farmland Rural District) and C-2 (General Commercial District) to C-1 (Retail Commercial District), in order to allow for commercial retail uses; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code, Chapter 30

Location: District 5; property located at 24926 and 24918 E. Colonial Drive; or generally located

on the southwest corner of the E. Colonial Drive and St. Catherine Avenue intersection, east of Cupid Avenue. (The legal description is on file in the Planning Division.)

This public hearing was withdrawn.

16. 20-1570 Small Scale Development Ordinance

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

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN." AS AMENDED, BY ADOPTING SMALL-SCALE DEVELOPMENT AMENDMENTS PURSUANT TO SECTION 161.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

This public hearing was withdrawn.

17. 20-1265 Ordinance

Amending Orange County Code, Chapter 23, Impact Fees, Article IV, Pertaining to Transportation Impact Fees. (Continued from September 22, 2020)

Consideration: AN ORDINANCE AMENDING THE ORANGE COUNTY TRANSPORTATION IMPACT FEE ORDINANCE; PROVIDING FOR UPDATES AND AMENDMENTS TO THE ORANGE COUNTY CODE, CHAPTER 23, IMPACT FEES, ARTICLE IV, TRANSPORTATION IMPACT FEES; PROVIDING FOR UPDATED TRANSPORTATION IMPACT FEES, INCLUDING NEW AND INCREASED FEES IN CERTAIN LAND USE CATEGORIES; AND PROVIDING AN EFFECTIVE DATE

County staff proposed the modifications to the Ordinance as presented in staff powerpoint as follows:

- Modify 23-92(a)
- Include indexing at a rate of 3.4% annually, effective January 1 of each year beginning January 1, 2023
- Insert 3 new fee tables with footnotes as described in staff's powerpoint
- Update the effective date of the Ordinance to November 8, 2020

Modification to Section 23-92(a)1.:

23-92(a)1. - For the period beginning November 8, 2020 and ending July 3, 2021**

Footnote date references to be "For the period of November 8, 2020 - February 6, 2021, no..."

Modification to Section 23-92(a)2.:

23-92(a)2. - For the period beginning July 4, 2021 and ending July 2, 2022

Modification to Section 23-92(a)3.:

23-92(a)3. - On or after July 3, 2022

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, adopt Ordinance 2020-31 amending the Orange County Transportation Impact Fee Ordinance; further, provide for Updates and Amendments to the Orange County Code, Chapter 23, Impact Fees, Article IV, Transportation Impact Fees; further, provide for Updated Transportation Impact Fees, including New and Increased Fees in Certain Categories; further, provide for an Effective Date; further, allow staff to make amendments consistent with Board direction and correct scriveners errors; and further, modify Section 23-92(a) as presented by staff. 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

18. 20-1401 Ordinance

Relating to Taxation Granting an Economic Development Exemption from Certain Ad Valorem Taxation for The Sherwin-Williams Company, an expansion of an existing business; All Districts

Consideration: AN ORDINANCE OF ORANGE COUNTY, FLORIDA RELATING TO TAXATION; GRANTING AN ECONOMIC DEVELOPMENT EXEMPTION FROM CERTAIN AD VALOREM TAXATION FOR THE SHERWIN-WILLIAMS COMPANY, AN EXPANSION OF AN EXISTING BUSINESS; PROVIDING FOR DEFINITIONS; PROVIDING FINDINGS; PROVIDING FOR THE ESTIMATED REVENUE LOSS ATTRIBUTABLE TO THE EXEMPTION GRANTED TO THE SHERWIN-WILLIAMS COMPANY; PROVIDING THE LEVEL OF EXEMPTION AND TERM THE EXEMPTION WILL REMAIN IN EFFECT; PROVIDING FOR APPLICABILITY; PROVIDING AN EFFECTIVE DATE.

The following persons addressed the Board:

- Tracy Turk
- Jacqueline Takacs
- Carol Henderson

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to adopt Ordinance 2020-32 of Orange County, Florida relating to taxation; further, grant an economic development exemption from certain ad valorem taxation for The Sherman Williams Company an existing business; further, provide findings; further, provide for the estimating revenue loss attributable to the exemption granted to The Sherwin Williams Company; further, provide the level of the exemption and term the exemption will remain in effect; further, provide the applicability; further, provide an effective date; and further, approve the Economic Development Ad Valorem

Tax Exemption Agreement between Orange County and The Sherman Williams Company. The motion carried by the following vote:

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

Nay: 2 - Mayor Demings, and Commissioner Bonilla

IV. WORK SESSION AGENDA (Deferred)

A. PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. 20-1567 Micromobility Devices. (Transportation Planning Division)

The following material was received by the Clerk prior to the close of the work session. The material referenced by the speaker was not presented to the Board: Submittal 1, from Christina Martin.

The Board took no action.

√ **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: 6:14 p.m.

ATTEST:

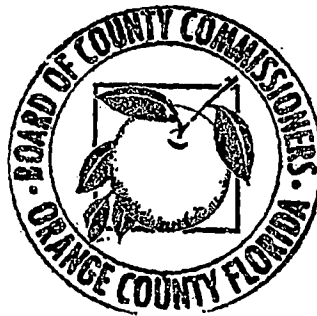
Bruce M. Brown
for County Mayor Jerry L. Demings

Date: NOV 17 2020

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith
Katie Smith
Deputy Clerk



* * *

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

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

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

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

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