

Orange County Government

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



Draft Meeting Minutes

Tuesday, October 26, 2021

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:01 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, 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
Senior Minutes Coordinator Jennifer Lara-Klimetz

Invocation – District 5

Rabbi Chaim Lipskier, Chabad at University of Central Florida

Pledge of Allegiance**Presentation**

Art in the Chambers

Presentation

American Association for State and Local History's Excellence and History in Progress Awards, Florida Historical Society's David C. Brotemarkle Award, and Gold Telly Award

Public Comment

The following persons addressed the Board for public comment:

- Karin Settle
- Angela Emerson
- Sarah Gonder
- Christianah Oyenuga
- Ryan Wilson
- Jennifer Lane
- Jose Cotti
- Justin Harvey
- Maria Bolton-Joubert
- Kelly Maccagnano

- John Bagdon
- Lou Goby
- Steve Brown
- Andrea Burnsp
- Steve Schildwachter
- Susanne Torriente
- Anne Campbell
- Ann Hill-Mitchell
- Janet Erne
- Lorie Ingraham

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

Exhibit 1, from Karin Settle

Exhibit 2, from Ann Hill-Mitchell

The following material was received by the Clerk during public comment. The material referenced by the speaker was not presented to the Board: Submittal 1, from Kelly Maccagnano.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on Planning, Environmental, and Development Services Department Items 1 and 2; 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 Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY MAYOR

1. **21-1254** Confirmation of the Mayor's managerial appointment of Iulia Siemen, CGC, P.E., as Manager, Water Division, Utilities Department.
2. **21-1255** Approval and execution of Orange County, Florida FY 2022 Grant Agreements for the period of October 1, 2021 through September 30, 2022 by and between 1) University of Central Florida Research Foundation, Inc. in the amount of \$550,000; 2) University of Central Florida Research Foundation, Inc. in the amount of \$200,000; 3) University of Central Florida Research Foundation, Inc. in the amount of \$227,336; 4) Black Orlando Tech in the amount of \$202,337; 5) CFF I, LLC in the amount of \$100,000; 6) Rollins College Crummer Center for Advanced Entrepreneurship in the amount of \$45,000; 7) Starter Studio in the amount of \$150,000; and 8) Veteran Entrepreneurship Initiative, Inc. in the amount of \$157,527, for a total

amount of \$1,632,200. (Office of Economic, Trade and Tourism Development)

3. **21-1256** Approval and execution of Orange County, Florida and Hispanic Business Initiative Fund of Florida, Inc. FY 2022 Grant Agreement and authorization to disburse \$139,049 as provided in the FY 2021-22 adopted budget. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **21-1257** Approval of the minutes of the September 28, 2021 meeting of the Board of County Commissioners. (Clerk's Office)
2. **21-1258** 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 08, 2021, to October 14, 2021; \$35,689,703.39
 - October 15, 2021, to October 21, 2021; \$67,021,609.15

(Finance/Accounting)
3. **21-1259** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Sell assets through online auction.
 - b. Offer assets to non-profits.
 - c. Scrap remaining assets.

C. COUNTY ADMINISTRATOR

1. **21-1260** Approval and execution of Service Funding Agreement by and between Orange County, Florida and Central Florida Regional Transportation Authority for FY 2021-22 in the amount of \$54,590,239. All Districts.
2. **21-1261** Approval and execution of Contract #Y22-129 between Orange County, Florida and United Arts of Central Florida, Inc. regarding the provision of funding for arts grants and services in the amount of \$1,415,260 for Fiscal Year 2021-2022 from the General Fund. (Arts and Cultural Affairs Office)
3. **21-1262** Approval and execution of Contract #Y22-130 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 \$5,700,000, and authorization for the Procurement Manager to authorize extensions to the contract. (Arts and Cultural Affairs Office)
4. **21-1263** Approval to disburse payment of \$147,837 to the Florida Association of

Counties for the annual membership fee and the third and final installment of the Special Assessment for Public Awareness Fund. (Office of Management and Budget)

5. **21-1264** Approval to disburse CRA funds totaling \$54,517,560 to Orange County's Community Redevelopment Agencies. (Office of Management and Budget)
6. **21-1265** Approval of budget amendment #21-67. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-1266** Approval to award Invitation for Bids Y21-717-TA, Northwest Water Reclamation Facility Solar Plant, to the low responsive and responsible bidder, Ecolectrics Solar LLC. The total contract award amount is \$3,787,751. ([Utilities Department Engineering Division] Procurement Division)
2. **21-1267** Approval to award Invitation for Bids Y21-772-JS, Dr. Phillips Park Playground Improvements, to the low responsive and responsible bidder, Sloan Builders, Inc. The total contract award amount is \$589,612. ([Administrative Services Department Capital Projects Division] Procurement Division)
3. **21-1268** Approval to award Invitation for Bids Y21-7010-FH, Regional History Center Building Automation System, Fire Alarm, and Smoke Controls Replacement, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$1,049,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
4. **21-1269** Approval to award Invitation for Bids Y21-7016-TA, Econlockhatchee Trail Parallel Water Main 1, to the low responsive and responsible bidder, R.P. Utility & Excavation Corp. The total contract award amount is \$1,473,711.71. ([Utilities Department Engineering Division] Procurement Division)
5. **21-1270** Approval to award Invitation for Bids Y21-7042-R2, Bonnie Brook Subdivision Underdrain Installation, to the low responsive and responsible bidder, Triple Crown Construction, LLC. The total contract award amount is \$1,102,307. ([Public Works Department Roads and Drainage Division] Procurement Division)
6. **21-1271** Approval to award Invitation for Bids Y21-7043-R2, Camellia Gardens Subdivision Underdrain Installation, to the low responsive and responsible bidder, RMS Constructors Group, LLC. The total contract award amount is \$1,904,456. ([Public Works Department Roads and Drainage Division] Procurement Division)
7. **21-1272** Approval of Contract Y21-1009, Rental Assistance Agreement, with the

- Central Florida Family Health Center, Inc. dba True Health in the total contract award amount of \$279,000 for a one-year term. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
8. **21-1273** Approval of Amendment No. 3, Contract Y20-140A, County Wide Roof Maintenance and Repairs, with Advanced Roofing, Inc., in the amount of \$50,000, for a revised total contract amount of \$613,265.30. ([Administrative Services Department Facilities Management Division] Procurement Division)
9. **21-1274** Ratification of Purchase Order M104177, Change Order No. 8, Turnkey COVID-19 Testing at Barnett Park and Vaccination Services at Camping World Stadium, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$2,018,000, for a revised not-to-exceed amount of \$12,109,303.15. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
10. **21-1275** Ratification of Purchase Order M104931, Change Order No. 2, Turnkey COVID-19 Testing Services at Econ Soccer Complex, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$1,653,000, for a revised not-to-exceed amount of \$5,999,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
11. **21-1276** Ratification of Purchase Order M104979, Change Order No. 2, Turnkey COVID-19 Testing Services at the former Clarcona Elementary School, with CDR Maguire, Inc. dba CDR Health Care, Inc., in the amount of \$947,750, and Change Order No. 3, for a decrease of \$2,500,000 for a revised not-to-exceed amount of \$1,700,550. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
12. **21-1277** Ratification of Purchase Order M105278, Maintenance Renewal of Box Area Run Card Builder (BARB) and Dispatch Validator (DiVa), with Deccan International Corporation in the amount of \$109,047. ([Fire Rescue Department Planning and Technical Services Division] Procurement Division)
13. **21-1278** Ratification of Purchase Order M105284, Renewal of Software Support and Licensing for DOC1, CODE1 and Mailstream Software, with Precisely Software Inc., in the amount of \$124,338.13. ([Utilities Department Customer Service Division] Procurement Division)
14. **21-1279** Approval and execution of Resolution 2021-M-50 authorizing the County Mayor or his designee to execute documents to transfer certain County right of way to the State of Florida Department of Transportation (FDOT), Amended and Restated Memorandum of Agreement between FDOT and Orange County, and Perpetual Easement from Orange County to the State of Florida Department of Transportation, and authorization for the Real

Estate Management Division to perform any and all actions necessary and incidental to closing for FDOT - S.R. 434 (Forest City Road) from S.R. 424 (Edgewater Drive) to Seminole County Line (F.P. # 239422 1). District 2. (Real Estate Management Division)

15. **21-1280** Approval and execution of Purchase Agreement for Fee Simple Right of Way, Permanent Easements and Temporary Construction Easements (Parcels 1004, 9004, 8004A, 8004B, 8004C, 7004A, and 7004C - Rock Forest City, Inc.) between Rock Forest City, Inc. and Orange County, Florida, and approval of Warranty Deed, Permanent Slope Easement, Permanent Drainage Easement, and Temporary Construction Easement between Rock Forest City, Inc. and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Rock Forest City, Inc., Subordination of Encumbrances to Property Rights to Orange County and Waiver and Consent from 4R Central Kitchen, LLC, Subordination of Encumbrances to Property Rights to Orange County and Waiver and Consent from 4R Restaurant Group, LLC, Subordination of Encumbrances to Property Rights to Orange County and Waiver and Consent from Walgreen Co., Subordination of Encumbrances to Property Rights to Orange County and Waiver and Consent from Genuine Parts Company, Subordination of Encumbrances to Property Rights to Orange County and Waiver and Consent from Cliffwood California, LLC, and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Kennedy Boulevard (Forest City Rd to Wymore Rd). District 2. (Real Estate Management Division)
16. **21-1281** Approval and execution of Easement from The School Board of Orange County, Florida to Orange County and authorization to record instrument for Poitras Off-Site Force Main Extension Permit 20-U-078 OCU File #98255. District 4. (Real Estate Management Division)
17. **21-1282** Approval and execution of Right of Entry Agreement between Orange County and Jen Florida 36, LLC for Town Center West (Silverleaf) RAC. District 1. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-1283** Acceptance of Criminal Justice Mental Health and Substance Abuse Reinvestment Grant and approval and execution of Grant Agreement Contract No. LH818 between the Florida Department of Children and Families and Orange County in the amount of \$400,000 per year for three years, for a total amount of \$1,200,000. A match in the amount of \$400,000 per year for three years is required. (Mental Health and Homelessness Division)

F. FIRE RESCUE DEPARTMENT

1. **21-1284** Approval of FY 2021-2022 payment to Valencia College Fire Rescue Institute Invoice #2210 in the amount of \$153,758.10 for annual membership training services associated with Interlocal Agreement between Orange County and Central Florida Fire Consortium. (Operations Division)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-1285** Approval and execution of Eighth Amended and Restated Development Order for World Gateway (Formerly Called the Greene Property) PD Development of Regional Impact. District 1. (Development Review Committee)

(This item was deferred.)

2. **21-1286** Approval and execution of Amendment to Development Order for the Quadrangle Development of Regional Impact. District 5. (Development Review Committee)

(This item was deferred.)

3. **21-1287** Approval and execution of State of Florida Department of Environmental Protection Standard Grant Agreement Agreement Number: NS091 between the State of Florida Department of Environmental Protection and Orange County in the total amount of \$141,030 relating to Lake Gandy Magnolia Village Best Management Practices Construction and authorization for the Environmental Protection Division Manager to make non-substantial amendments to the agreement. District 2. (Environmental Protection Division)

4. **21-1288** Approval and execution of School Concurrency Mitigation Agreement OC-21-004 Project Name: Durham Apartments Parcel ID#: 15-23-29-0000-00-020 by The School Board of Orange County, Florida, Orange County, Florida, and Lake Bumby Properties for a proportionate share mitigation payment to Orange County Public Schools in the amount of \$200,733. District 3. (Fiscal and Operational Support Division)

5. **21-1289** Approval and execution of Multi-family Affordable Housing Developer's Agreement for Impact Fee Exemption (Durham Apartments) by and between Orange County, Florida, Lake Bumby Properties, and The School Board of Orange County, Florida providing for the exemption of \$852,108 in school and transportation impact fees. District 3. (Housing and Community Development Division)

6. **21-1290** Approval and execution of Affordable Housing Funding and Program Administration Agreement between Orange County, Florida and Neighborhood Lending Partners of Florida, Inc., in an amount not to exceed

\$50,000 per year for three years to provide technical services, loan underwriting, project management, and loan servicing. All Districts. (Housing and Community Development Division)

7. **21-1291** Approval of First Amendment to the 2021-2022 One-Year Action Plan Budget to include reprogrammed Community Development Block Grant funds in the amount of \$924,000 for the Pine Hills Community Cultural Center, Phase II. All Districts. (Housing and Community Development Division)
8. **21-1292** Approval and execution of HOME ARP Grant Agreement Title II of the Cranston-Gonzalez National Affordable Housing Act Assistance Listings #14.239 - HOME Investment Partnership Program Grant Number M21-UP120213 between Orange County, Florida and the U.S. Department of Housing and Urban Development Office of Community Planning and Development. All Districts. (Housing and Community Development Division)
9. **21-1293** 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. (Neighborhood Services Division)

LC 21-0554	LC 21-0553	LC 21-0547	LC 21-0452	LC 21-0539
LC 21-0563	LC 21-0561	LC 21-0555	LC 21-0474	LC 21-0540
LC 21-0571	LC 21-0587	LC 21-0569	LC 21-0481	LC 21-0551
LC 21-0572	LC 21-0600	LC 21-0574	LC 21-0506	LC 21-0570
LC 21-0495	LC 21-0620	LC 21-0525	LC 21-0519	LC 21-0578
LC 21-0515	LC 21-0471	LC 21-0593	LC 21-0530	LC 21-0580
LC 21-0550	LC 21-0588	LC 21-0625	LC 21-0531	LC 21-0589
LC 21-0552	LC 21-0594	LC 21-0394	LC 21-0535	LC 21-0590
10. **21-1294** Approval and execution of Escrow Agreement for permitting services Universal Major Economic Development Project by and among Universal City Development Partners, Ltd., Orange County, and the Orange County Comptroller. District 6. (Fiscal and Operational Support Division)
11. **21-1295** Approval and execution of Proportionate Share Agreement for Science Drive Student Housing Alafaya Trail by and between Orlando Property Investors Holding, LLC and Orange County for a proportionate share payment in the amount of \$386,582. District 5. (Roadway Agreement Committee)
12. **21-1296** Approval and execution of Proportionate Share Agreement for Lone Palm Reserve Colonial Drive and Woodbury Road by and between Richard G. Barrington, Mariella R. Barrington, and Orange County for a proportionate share payment in the amount of \$484,915. District 4. (Roadway Agreement

Committee)

H. PUBLIC WORKS DEPARTMENT

1. **21-1297** Approval and execution of (1) Resolution 2021-M-51 of the Orange County Board of County Commissioners regarding authorization to convey the County's property rights and interests in a parcel of property to the City of Ocoee and (2) County Deed for transfer of parcel perpendicular to Lauren Beth Avenue. District 2. (Roads and Drainage Division)
2. **21-1298** Approval and execution of (1) Interlocal Agreement between the City of Ocoee, Florida and Orange County, Florida regarding the transfer of jurisdiction of Lauren Beth Avenue and (2) County Deed for Lauren Beth Avenue. District 2. (Roads and Drainage Division)

I. UTILITIES DEPARTMENT

1. **21-1299** Approval and execution of Regional Biosolids Planning Study Interlocal Agreement by and between Tohopekaliga Water Authority, Orange County, the City of Orlando, and the City of Altamonte Springs in the amount of \$39,148.50. All Districts.
2. **21-1300** Approval and execution of Florida Department of Environmental Protection v. Orange County Utilities Water Reclamation Division, OGC File No.: 21-0920 OCUD/South WRF, FLA107972 Consent Order; authorization for the County Administrator to execute the Consent Order; and authorization to pay costs and expenses in the amount of \$49,500. District 6. (Water Reclamation Division)
3. **21-1301** Approval and execution of State of Florida Department of Environmental Protection Standard Grant Agreement Agreement Number: LPA0199 for design and construction of a central sanitary sewer system in an amount not-to-exceed \$500,000 and authorization for the County Administrator to approve scheduling or other administrative changes and execute minor amendments or other modifications to the agreement which do not affect the total aggregate amount of the budget or intent of the project. District 2. (Engineering Division)
4. **21-1302** Approval and execution of Water Wheeling Infrastructure Master Cost-Sharing Agreement between and among the Water Cooperative of Central Florida, the City of St. Cloud, the Tohopekaliga Water Authority, Orange County, and Polk County and authorization for the County Administrator to approve and execute Project Sub-Agreements Nos. SA-1, SA-2, SA-3, and SA-4. All Districts.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **21-1303** Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Winter Park Notice of Intent to Annex Property 3303 and 3313 Corrine Drive, and that part of Northwood Terrace Drive lying west thereof. Notice of Annexation Ordinance, with Exhibit A (Map) as follows: Ordinance 3219-21. An Ordinance of the City of Winter Park, Florida, providing for the annexation of approximately 0.41 acres of real property located at 3303 and 3313 Corrine Drive and the adjacent Northwood Terrace Drive Street right-of-way lying west of 3303 Corrine Drive, as more specifically described herein, into the municipal boundaries of the City of Winter Park; redefining the City boundaries to give the City of Winter Park jurisdiction over said property; providing for severability; providing an effective date.
 - b. The Florida Public Service Commission Order Denying Motion for Reconsideration. In re: Application for increase in water and wastewater rates in Charlotte, Highlands, Lake, Lee, Marion, Orange, Pasco, Pinellas, Polk, and Seminole Counties by Utilities, Inc. of Florida.
 - c. City of Orlando Council Agenda Item relating to a street name change. A proposed Ordinance with Exhibit A (Map), Legal description, and copy of an Orlando Sentinel Notice as follows: Ordinance No. 2021-55. An Ordinance of the City Council of the City of Orlando, Florida, relating to a street name change; renaming "Currin Drive" which is described in the plat of Metro West unit three according to the plat thereof, as recorded in plat book 97, page 143 of the public records of Orange County, Florida, generally located south of Raleigh Street, between S. Hiawassee Road and Park Center Drive to "Binloop Drive"; directing amendments to the official maps of the City of Orlando, Florida; providing for severability, correction of scrivener' errors, and an effective date.
 - d. Notice of Meetings Vista Lakes Community Development District for Fiscal Year 2022.
 - e. Audit Report No. 491 - Audit of the Maintenance of the Bridges of Orange County.

These items were received and filed.

III. DISCUSSION AGENDA**A. ADMINISTRATIVE SERVICES DEPARTMENT**

1. **21-1304** Selection of one firm and two ranked alternates to provide Statement Printing and Mailing Services-Orange County Utilities Department, Request

for Proposals Y21-1023-TJ, from the following three firms, listed alphabetically:

- Cathedral Corporation
- Envelopes and Forms, Inc. dba SureBill
- Infosend, Inc.

([Utilities Department Customer Service Division] Procurement Division)

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to appoint Infosend, Inc., 323.17 points, as the selected firm; and further, appoint Envelopes and Forms, Inc. dba SureBill, 320 points, and Cathedral Corporation, 317.79 points as the selected ranked alternates. The motion carried by the following vote:

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

Absent: 1 - Commissioner Wilson

B. COUNTY ADMINISTRATOR

1. **21-1305** Approval of the Arts and Cultural Affairs Advisory Council's funding recommendations for Arts and Cultural Affairs Grants for Cultural Tourism for FY 2022. (Arts and Cultural Affairs Office)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Wilson, to approve the Arts and Cultural Affairs Advisory Council's funding recommendations for 32 Arts and Cultural Affairs Grants for Cultural Tourism for FY 2022. The motion carried by the following vote:

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

Absent: 1 - Commissioner Uribe

C. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-1306** Regional History Center Update. (Regional History Center Division)

The Board took no action.

D. UTILITIES DEPARTMENT

1. **21-1307** Wekiwa Springs Septic to Sewer Retrofit Program - Phase 2. District 2.

The Board took no action.

B. COUNTY ADMINISTRATOR (Continued)

2. **21-1308** COVID-19 Update.

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-1309** Tree Preservation and Removal Ordinance.

The Board took no action.

V. RECOMMENDATIONS

1. **21-1310** October 7, 2021 Board of Zoning Adjustment Recommendations

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the recommendations, with the exception of Case # SE-21-04-008, Vaishnav Sangh of USA (Amit Shah) (Appeal) and Case # VA-21-10-090, Guimer Bernal (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: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

VI. PUBLIC HEARINGS

A. Municipal Service Taxing Unit

1. **21-1126** Big Sand Lake, amend general lake cleaning, maintenance, aquatic plant control and navigational improvements, District 1

Consideration: Amend by resolution the Big Sand Lake Municipal Service Taxing Unit for General Lake Cleaning Maintenance, Aquatic Plant Control and navigational improvements to include Sand Lake Sound Replat and O-Town Glasshouse

Location: District 1; Parcel ID (Multiple Parcels); Section 14 and 35, Township 23 and 24, Range 28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request as referenced in the staff report dated October 13, 2021. The motion carried by the following vote:

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

2. **21-1127** Lake Pickett, amend general lake cleaning maintenance and aquatic plant control, District 5

Consideration: Amend by resolution the Lake Pickett Municipal Service Taxing Unit for General

Lake Cleaning Maintenance and Aquatic Plant Control to include Sunset Preserve - Phase 4 Subdivision

Location: District 5; Parcel ID (Multiple Parcels); Section 10, Township 22, Range 32; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to approve the request as referenced in the staff report dated October 13, 2021. The motion carried by the following vote:

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

B. Petition to Vacate

3. 21-1121 PTV-19-04-014

Jeffrey and Helene Tylman, vacate a utility easement; District 3

Consideration: Resolution granting Petition to Vacate # 19-04-014, vacating a 6 foot wide utility easement that lies along the northern side of the petitioner's residential lot located at 4884 Waterwitch Point Drive within the Waterwitch Point Subdivision, containing approximately 697 square feet.

Location: District 3; property located at 4884 Waterwitch Point Drive; Section 13, Township 23, Range 29; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jeffrey Tylman.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to approve the request listed in the Staff Report dated October 26, 2021. The motion carried by the following vote:

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

4. 21-1196 PTV 20-11-045

Scott A. Glass, Shutts & Bowen LLP, on behalf of Sand Lake 4805 LLC, vacate an improved, opened and unnamed right-of-way; District 6

Consideration: Resolution granting Petition to Vacate # 20-11-045, vacating a partially improved, opened and unnamed 62.5 foot wide right-of-way that lies along the south property line of the petitioners property located at 4805 W Sand Lake Road, containing approximately 1.47 acres

Location: District 6; property generally located at 4805 W Sand Lake Road; Section 30, Township 23, Range 29; Orange County, Florida (legal property description on file)

The following person addressed the Board: Scott Glass.

A motion was made by Commissioner Siplin, seconded by Commissioner Gomez Cordero, to approve the request listed in the Staff Report dated October 26, 2021 subject to the dedication of 30 foot wide portion of the area requested for vacation along the southern boundary of the right-of-way. The motion carried by the following vote:

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

5. **21-1197** PTV 21-04-023

Sherwin Jay and Marebel Alcordo, vacate utility easements; District 2

Consideration: Resolution granting Petition to Vacate # 21-04-023, vacating two (2) five (5) foot wide utility easements, through the center of their residential lot and along the rear property line of their residential lot located at 5234 Andrus Avenue in Winter Park, containing approximately 900 square feet

Location: District 2; property generally located at 5234 Andrus Avenue; Section 24, Township 22, Range 28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Sherwin Jay.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to approve the request listed in the Staff Report dated October 26, 2021. The motion carried by the following vote:

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

6. **21-1198** PTV 20-03-011

Stephen Langton, vacate an unopened, unimproved and unnamed alleyway; District 1

Consideration: Resolution granting Petition to Vacate # 20-03-011, vacating a portion of a 16 foot wide unopened, unimproved and unnamed alleyway located between the petitioner's two residential lots within the Orange Center Subdivision, containing approximately 800 square feet

Location: District 1; property generally located at 11419 S Apopka Vineland Road and the other parcel is unaddressed; Section 15, Township 24, Range 28; Orange County, Florida (legal property description on file)

The following person addressed the Board: Stephen Langton.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request listed in the Staff Report dated October 26, 2021. The motion carried by the following vote:

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

C. Shoreline Alteration Dredge and Fill Permit

7. **21-1049** Case # SADF-21-02-004

James Willard, Lake Butler, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-02-004 to construct a new seawall with riprap and backfill along the shoreline of the property; pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District.

Location: District 1; on property located adjacent to Lake Butler, located at 228 W. 7th Ave. Windermere, FL 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following person addressed the Board: Jim Willard.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-02-004) subject to the twenty nine (29) conditions of approval listed in the Staff Report dated September 28, 2021. The motion carried by the following vote:

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

8. **21-1122** Case # SADF-21-07-017

Henry and Jenna Moseley, Lake Tibet-Butler, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-07-017 to construct a new seawall directly in front of an existing, dilapidated seawall; pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District.

Location: District 1; on property located adjacent to Lake Tibet-Butler, located at 9173 Bay Point Drive, Orlando, FL 32819; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-07-017) subject to the twenty nine (29) conditions of approval listed in the Staff Report dated October 1, 2021. The motion carried by the following vote:

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

D. Preliminary Subdivision Plan**9. 21-1125 Case # PSP-20-11-326**

Scott Gentry, Kelly, Collins & Gentry, Inc., Hamlin West Planned Development - Unified Neighborhood Plan / Northshore of Lake Hamlin Preliminary Subdivision Plan; District 1

Consideration: Hamlin West Planned Development - Unified Neighborhood Plan / Northshore of Lake Hamlin Preliminary Subdivision Plan, Case # PSP-20-11-326, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 21.10 acres in order to construct 225 single-family residential dwelling units. In addition, a waiver from Orange County Code is being requested: A waiver from Orange County Code Section 38-1253(b) is requested to allow for 1.20 acres of recreation area in lieu of the required 1.74 acres of recreation area.

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)

Replacement to Condition of Approval #27:

~~27. A waiver from Orange County Code Section 38-1253(b) is granted to allow for 1.2 acres of recreation area in lieu of the required 1.74 acres of recreation area.~~

27. The 0.9-acre open space area designated in yellow on Sheet UN-1.0 shall be designated as a recreation area to meet the minimum requirements of Orange County Code Sec. 38-1253(b). A separate Development Plan will be required for this recreation area, consistent with condition #15 of this approval.

The following persons addressed the Board:

- Jim Willard
- Andrea Burnap
- Steve Schildwachter

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty seven (27) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 14, 2021; and further, approve the replacement to condition of approval #27. The motion carried by the following vote:

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

E. Substantial Change**10. 21-1192 Case # CDR-21-05-164**

Tom Daly; Daly Design Group, Tyson Ranch Planned Development / Land
Use Plan (PD / LUP), amend plan; District 4

Consideration: A PD substantial change to allow 4-story apartment buildings on Parcel 3 and to amend the approved setbacks for the apartment buildings. The request includes a clarification that the approved use of climate controlled self storage is permitted within parcels 1 and 2. Additionally, the following waivers are requested from Orange County Code: 1. A waiver from Section 38-1258(d) to allow 4-story (65' height) multi-family buildings within parcel 3, in lieu of 3-story and 45' in height. 2. A waiver from Section 38-1258(a) to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, to allow 4 story (65' height) multi-family buildings to be located 90' from the east property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 100' from single family zoned property west of the site, in lieu of Multi-family buildings located within one hundred (100) feet of single-family zoned property, as measured from the property line of the proposed multi-family development to the nearest property line of the single-family zoned property, shall be restricted to single story in height. 3. A waiver from Section 38-1258(b) to allow 4 story multi-family buildings (65' height) to be located 90' from the east property line of Parcel 3, to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 100' from single family zoned property west of the site, in lieu of Multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property shall vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height. 4. A waiver from Section 38-1258(c) to allow 4 story multi-family buildings (65' height) to be located 90' from the east property line of Parcel 3, to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 100' from single family zoned property west of the site, in lieu of Multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (40 feet) in height, except as provided in (d) below. 5. A waiver from Section 38-1254(1) to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, to allow 4 story (65' height) multi-family buildings to be located 90' from the east property line of Parcel 3, to allow 4 story (65' height) multi-family buildings to be located 20' from the north property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 20' from the west property line of Parcel 3, in lieu of structures in excess of two (2) stories should increase this setback to reflect the additional structural height; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located on the west side of Boggy Creek Road, north of Simpson Road, south of Lake Nona Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Tom Daly.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the seven (7) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 14, 2021. The motion carried by

the following vote:

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

11. 21-1193 Case # CDR-21-04-134

Brooks Stickler; Kimley Horn & Associates, Inc., Nadeen-Tanmore II
Planned Development / Land Use Plan (PD / LUP), amend plan; District 1

Consideration: A PD substantial change to realign the lot orientation within Parcel 4. Additionally, the applicant has requested the following waivers from Orange County Code: a. A waiver from Section 38-1258(a) is requested along the eastern and southern boundaries of the proposed multifamily development to allow a multifamily building with a maximum height of sixty-seven (67) feet/five (5) stories with a minimum setback of 25 feet from single-family zoned in lieu of the single-story height requirement where the multifamily buildings are located within one hundred (100) feet of single-family zoned property. b. A waiver from Section 38-1258(b) is requested along the eastern and southern boundaries of the proposed multifamily development to allow a multifamily building with a maximum height of sixty-seven (67) feet/five (5) stories with a minimum setback of 25 feet from single-family zoned property along the southern and eastern boundaries in lieu of the varying building height where the multifamily buildings are located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned properties. c. A waiver from Section 38-1258(c) is requested along the eastern and southern boundaries of the proposed multifamily development to allow a multifamily building with a maximum height of sixty-seven (67) feet/five (5) stories with a minimum setback of 25 feet from single-family zoned property located along the eastern and southern boundaries in lieu of forty (40) feet/ three (3) stories in height where the multifamily buildings are located within one hundred and fifty (150) feet of single-family zoned properties. d. A waiver from Section 38-1258(d) is requested along the eastern and southern boundaries of the proposed multifamily development to allow a multifamily building with a maximum height of sixty-seven (67) feet/five (5) stories with a minimum setback of 25 feet from single-family zoned property located along the eastern and southern boundaries in lieu of forty (40) feet/ three (3) stories in height. e. A waiver from Section 38-1258(e) is requested along the eastern and southern boundaries of the proposed multifamily development to allow for parking and other paved areas for multi-family development to be located 7.5 feet from any single-family zoned property in lieu of twenty-five (25) feet. f. A waiver from Section 38-1476 to provide 1.69 parking spaces per unit in lieu of the required 1.83 spaces per unit; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property generally located North of World Center Drive / East of International Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Brooks Stickler.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the fifteen (15) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 14, 2021. The motion carried by the following vote:

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

12. 21-1194 Case # CDR-20-05-133

Stephanie Lerret; Avalon Park Group, Avalon Park Planned Development / Land Use Plan (PD / LUP), amend plan; District 4

Consideration: A PD substantial change to add sign type "F" to approved Master Sign Plan as well as update verbiage for special events plans. Additionally, the following waiver is requested from Orange County Code: 1. A waiver from Orange County Code is requested to allow three-foot setbacks from adjacent rights-of-way and / or property lines in lieu of 10-feet for sign "F"; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 4; property generally located North and south of Tanja King Boulevard, west of Avalon Park West Boulevard, north of Avalon Lake Drive; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Stephanie Lerret.

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the sixteen (16) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 14, 2021. The motion carried by the following vote:

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

13. 21-1195 Case # CDR-21-08-258

Steven Thorp, Orange County Public Schools, Hackney Prairie Planned Development / Land Use Plan (PD / LUP), amend plan; District 2

Consideration: A PD substantial change to amend the November 1, 2011 BCC Condition #3 to read as "Billboards and pole signs shall be prohibited. All signage, including electronic message centers (EMC), shall comply with the provisions of Section 38-1755(o)."; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 2; property generally north of Hackney Prairie Road and west of North Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Steven Thorp.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the seven (7) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 26, 2021. The motion carried by the following

vote:

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

F. Planning and Zoning Commission Rezoning Board-Called

14. 21-981 Case # RZ-21-07-044

Luis Lopez, July 23, 2021; District 3 (Continued from September 28, 2021)

Consideration: Request to rezone from A-2 (Farmland Rural District) to R-2 Restricted (Residential District) in order to allow for two residential dwelling units.

Location: District 3; property located at 6954 Redditt Road; generally south and east of Redditt Road, and approximately 1,050 feet north of Nassau Avenue; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to continue the public hearing until November 9, 2021, at 2 p.m. The motion carried by the following vote:

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

15. 21-982 Case # RZ-21-07-046

Jeremy Anderson, Common Oak Engineering, July 23, 2021; District 3
(Continued from September 28, 2021)

Consideration: Request to rezone from R-1A (Single-Family Dwelling District) to R-1 Restricted (Single-Family Dwelling District), in order to construct two (2) detached single-family homes.

Location: District 3; property located at 2712 Alamo Drive; or generally located on the west side of Alamo Drive, approximately 50 feet south of W. Michigan Street; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jeremy Anderson.

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; and approve the requested R-1 Restricted (Single-Family Dwelling District) zoning, subject to the one (1) restriction listed in the staff report dated October 14, 2021. The motion carried by the following vote:

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

G. Development Plan

16. 21-1124 Case # DP-21-04-126

Brian Potts, Tannath Design, Inc., Waterleigh Planned Development / Phase 2 Preliminary Subdivision Plan / Waterleigh Kiddie Academy Development Plan; District 1

Consideration: Request for a Development Plan (DP) to construct a 12,500 square foot building on 1.49 acres (Kiddie Academy site), 2.44 acres overall. In addition, a waiver from Orange County Code is being requested: A waiver from Orange County Code Section 38-1388(a) to allow a maximum building size of 12,500 square feet in lieu of a maximum building size of 10,000 square feet.

Location: District 1; property generally located North of Atwater Bay Drive / East of Lost Creek Drive; Orange County, Florida (legal property description on file)

The following person addressed the Board: Brian Potts.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, 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 dated October 14, 2021. The motion carried by the following vote:

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

H. Land Use Plan Amendment

17. **21-1191** Case # LUPA-21-03-110

Robert Paymayesh, PE Group, LLC, Ten Acres International Orlando PD; District 1

Consideration: To rezone a portion of one parcel containing 19.23 gross acres from PD (World Gateway PD) to PD (Ten Acres International Orlando PD), in order to add the acreage and associated 372 hotel room entitlements from the World Gateway PD into the Ten Acres International Orlando PD. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 38-1272(a)(3)(b) to allow a minimum thirty-five (35) foot arterial road setback adjacent to International Drive, in lieu of a forty (40) foot arterial road setback. 2. A waiver from Section 38-1287(2) to allow the minimum side setback from the property line to be twenty-five (25) feet, in lieu of thirty (30) feet.; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located south of World Center Drive and east of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Robert Paymayesh.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty-one (21) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 14, 2021; and further, approve and execute

the Eighth Amended and Restated Development Order for World Gateway (Formerly Called the Greene Property) PD Development of Regional Impact. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **21-1285** Approval and execution of Eighth Amended and Restated Development Order for World Gateway (Formerly Called the Greene Property) PD Development of Regional Impact. District 1. (Development Review Committee)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

I. Board of Zoning Adjustment Board-Called

18. **21-1047** Case # SE-21-07-063

Brianne Heffner for Whispering Oaks; August 5, 2021; District 6

Consideration: Request for a Special Exception and Variance in the R-3 zoning district as follows: 1) Special Exception to allow a 3-story multi-family development to be located 30 ft. from the east property line in lieu of 100 ft. from the property line of a single-family dwelling district and use. 2) Variance to allow a maximum building height of 43 ft. in lieu of 35 ft.

Location: District 6; property generally located at N. Hiawasse Rd., Orlando, FL 32818; Orange County, Florida (legal property description on file in Zoning Division)

Modified Condition of Approval #1:

1. Development shall be in accordance with the site plan and elevations dated July 15, 2021, as modified and as further modified to restrict the location of trash receptacles and/ or trash enclosures to the east rear portion of the property, subject to the conditions of approval and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviation, change, or modification shall be subject to the Zoning Manager's review and approval. Any proposed substantial deviation, change, or modification shall be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).

The following person addressed the Board: Aaron Vargas.

A motion was made by Commissioner Siplin, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the four (4) conditions of approval with the Board of Zoning Adjustment recommendation in the staff report dated September 24, 2021; and further, approve modified condition of approval #1. The motion carried by the following vote:

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

J. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendment and Ordinance

- 19. 21-1184** Adoption of Future Land Use Map Amendment SS-20-07-047 Jonathan P. Huels; Lowndes, Drosdick, Doster, Kantor & Reed, P.A, Ordinance, and Concurrent Rezoning Request LUPA-21-02-040

a. Amendment SS-20-07-047

Consideration: A Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map (FLUM) designation from Low Density Residential (LDR) to Planned Development - Commercial (PD-C); pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 4; property generally located south of E. Colonial Drive and west of Alafaya Trail (The legal description is on file in the Planning Division.)

And

b. Ordinance for Proposed Amendment

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 163.3187, Florida Statutes; and providing effective dates.

And

c. Rezoning LUPA-21-02-040

Consideration: A request to rezone 1.03 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District) and incorporate it into the Waterford Oaks PD. Additionally, the Master Sign Plan is being amended to show additional signage and incorporate the additional acreage; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 4; property generally located south of E. Colonial Drive and west of Alafaya Trail (The legal description is on file in the Planning Division.)

The following person addressed the Board: Jonathan Huels.

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

make a finding of consistency with the Comprehensive Plan; further, adopt amendment SS-20-07-047, Low Density Residential (LDR) to Planned Development – Commercial (PD-C), for general C-1 commercial uses; further, adopt the associated Small-Scale Ordinance 2021-41; and further, approve rezoning LUPA-21-02-040 request from A-2 (Farmland Rural District) to PD (Planned Development District – Waterford Oaks PD), subject to the eleven (11) conditions listed in the Staff Report dated October 26, 2021. The motion carried by the following vote:

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

Absent: 1 - Commissioner Bonilla

K. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendment, Concurrent Planned Development Substantial Change Request, and Ordinance

- 20. 21-1186** Adoption of Future Land Use Map Amendment SS-21-01-090 Scott Stuart; Kelly, Collins & Gentry, Inc., Ordinance, and Concurrent Planned Development Substantial Change Request CDR-20-12-340 (Quadrangle Planned Development)

a. Amendment SS-21-01-090

Consideration: A request to change the Future Land Use Map designation from Office (O) to Planned Development Commercial and High Density Residential - Student Housing (PD - C / HDR - Student Housing).; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 5; property located at 12124 High Tech Ave; Generally located on the north side of University Blvd., east of Systems Way, west of Turbine Dr., south of High Tech Ave. (The legal description is on file in the Planning Division.)

And

b. Ordinance for Proposed Amendment

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 163.3187, Florida Statutes; and providing effective dates.

And

c. Substantial Change Request CDR-20-12-340 (Quadrangle Planned Development); District 5

Consideration: A PD substantial change to convert the land use on Tract 23A to Commercial / Student Housing to allow for 950 beds and 3,000 square feet of commercial uses. Additionally, the following waivers are requested from Orange County Code: 1. A waiver from Orange County Code Section 38-1259(c) to allow a maximum of 950 bedrooms in lieu of a maximum of 750 bedrooms. 2. A waiver from Orange County Code Section 38-1259(d) to allow no masonry wall in

lieu of a six-foot masonry wall along right of way. 3. A waiver from Orange County Code Section 38-1259(k) to allow a maximum building height of 10 stories / 135-feet in lieu of 3 stories / 40-feet. 4. A waiver from Orange County Code Section 38-1259(j) to allow a density calculation of 4.261 bedrooms equals 1 multi-family unit in lieu of 4 bedrooms equals 1 multi-family unit. 5. A waiver from Orange County Code Section 38-1477 to allow offsite parking to be provided within 1,300 feet from the principal entrance in lieu of 300 feet. 6. A waiver from Orange County Code Section 38-1254 to allow a 20-foot building setback from the right of way line of Turbine Drive and High Tech Avenue in lieu of 25-feet. 7. A waiver from Orange County Code Section 38-1254 to allow a 35-foot building setback from the right of way line of University Boulevard in lieu of 50-feet; and in lieu of the prior centerline setback requirement of 114-feet and the current 70-foot setback from the centerline for a building or structure. 8. A waiver from Orange County Code Section 38-1501 to allow a minimum unit size of 250 square feet in lieu of 500 square feet; pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30.

Location: District 5; property located at 12124 High Tech Ave; Generally located on the north side of University Blvd., east of Systems Way, west of Turbine Dr., south of High Tech Ave. (The legal description is on file in the Planning Division.)

New Condition of Approval # 12:

12. Prior to issuance of the first Certificate of Occupancy for student housing on Parcel 23A, the applicant shall install the parking improvements shown on the Recommended Parking Improvements plan dated "Received October 25th, 2021."

Existing Condition of Approval #12 and all subsequent Condition of Approval numbers will change accordingly.

The following persons addressed the Board:

- Scott Stuart
- Mary Solik
- Chuck Carroll

The following material was presented to the Board: Exhibit 1, Mary Solik.

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, adopt amendment SS-21-01-090, Office (O) to Planned Development Commercial and High Density Residential - Student Housing (PD-C/HDR - Student Housing) Future Land Use, for student housing development (950 beds) / 3,000 SF of Commercial; further, adopt the associated Small-Scale Ordinance 2021-42; further, approve the substantial change request subject to the twenty six (26) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 26, 2021; further, approve new condition of approval #12; and further, approve and execute the Amendment to Development Order for the Quadrangle Development of Regional Impact. The motion carried by the following vote:

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

and

I. CONSENT AGENDA (Deferred)

G. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

2. **21-1286** Approval and execution of Amendment to Development Order for the Quadrangle Development of Regional Impact. District 5. (Development Review Committee)

This consent item was approved.

VI. PUBLIC HEARINGS (Continued)

L. Board of Zoning Adjustment Board Called and Appeal

21. **21-910** Case # SE-21-07-039

Kelsey Weiss for Orlando Speedworld, July 1, 2021; District 5

Consideration: Request amendment to an existing Special Exception for an existing race track in the A-2 zoning district to allow for a revised site plan that includes additional associated accessory structures.

Location: District 5; property located at 19164 E. Colonial Dr., Orlando, FL 32820 Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board:

- Kelsey Weiss
- Juanita Martinez
- Carl Weisinger
- Randall Weisinger
- Marco Lopez
- Sabrina Martinez
- Osvaldo Moya

The following materials were presented to the Board:

- Exhibit 1, Juanita Martinez
- Exhibit 2, Randall Weisinger

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to continue the public hearing until November 9, 2021, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, 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: 5:05 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith
Deputy Clerk

* * *

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

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

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

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

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