

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, August 5, 2014  
Location: Commission Chambers, Orange County Administration Center,  
First Floor, 201 S. Rosalind Avenue, Orlando, Florida  
Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Fred  
Brummer, Pete Clarke, Jennifer Thompson; Commissioners Ted  
Edwards and Tiffany Moore Russell joined the meeting where  
indicated.  
Others Present: County Comptroller Martha Haynie as Clerk, County Administrator  
Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy Clerk  
Katie Smith, Senior Minutes Coordinator Craig Stopyra

- CALL TO ORDER, 9:05 a.m.
- MEMBER JOINED: Commissioner Ted Edwards
- INVOCATION – Kenneth Kuk, Youth Director, Korean Presbyterian Church
- PLEDGE OF ALLEGIANCE
- MEMBER JOINED: Commissioner Moore Russell
- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Mary Wilson
- Allen Robinson
- Sonja Spradling
- Keith Hastings
- Dawn Vroombout
- Nathan Cross
- Adrianna Sekula

- COUNTY CONSENT AGENDA

Motion/Second: Commissioners Boyd/Thompson

AYE (voice vote): All members

Action: The Board approved the County Consent Agenda items as follows:

County Comptroller

1. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended

accounts. Period as follows: July 25, 2014, to July 31, 2014; total of \$44,841,281.36. (Finance/Accounting)

2. Disposition of tangible personal property (Property Accounting)

Approval is requested of the following:

- a. To dispose of software that is no longer used.

County Administrator

1. Approval of the Membership and Mission Review Board recommendations for advisory board appointments and reappointments: (Agenda Development Office)

- A. Affordable Housing Advisory Board: Appointment of Shannon M. Currie to succeed Betsy VanderLey in the local planning agency representative category with a term expiring June 30, 2016.
- B. Citizens' Commission for Children: Appointment of Dr. Sylvia T. Caceras to succeed Nancy R. Nangle in the at large representative category with a term expiring December 31, 2016.
- C. Housing Finance Authority: Appointment of Vernice Atkins-Bradley to succeed Jeffrey Stueve in the commerce representative category with a term expiring December 31, 2016.
- D. Industrial Development Authority: Appointment of Justin J. Vermuth to succeed Laura P. Guitar in the at large representative category with a term expiring December 31, 2016.
- E. International Drive CRA Advisory Committee: Appointment of Thomas D. Smith to succeed Bradley M. Goeb in the Universal Boulevard Property Owners Association representative category with a term expiring January 1, 2016.
- F. Neighborhood Grants Advisory Board: Appointment of Frayda R. Morris to succeed Victor Flores in the at large representative category with a term expiring June 30, 2016.
- G. Orange County Enterprise Zone Development Agency: Reappointment of Shirley A. Walker in the local workforce development board representative category with a term expiring June 30, 2018.
- H. Parks and Recreation Advisory Board: Reappointment of Linda B. Becker in the senior citizen representative category and the appointment of Mark A. Arias to succeed Rene Plasencia in the District 3 representative category with terms expiring June 30, 2016. Note: This will be a third term for Ms. Becker and will require a supermajority (5) vote of the BCC.
- I. Tourist Development Council: Reappointment of Doug Gehret in the owner subject to the tax representative category with a term expiring April 30, 2018.

2. Approval of the Strategic Alliance Memorandum with the United States Small Business Administration and the Orange County Florida Government. (Office of Economic, Trade and Tourism Development)

#### County Attorney

1. Approval and execution of Interlocal agreement between Orange County, Florida and the Ranger Drainage District regarding the construction, maintenance, and operation of Lake 11a.

#### Administrative Services Department

1. Approval to award Invitation for Bids Y14-1036-ZM, Refrigeration Services, Preventative Maintenance and Repairs for the Orange County Convention Center, to the low responsive and responsible bidder, TWC Services, Inc., for a 3-year term contract in the estimated contract award amount of \$1,176,570.60. Further, authorized the Procurement Division to renew the contract for two additional years. ([Convention Center] Procurement Division)
2. Approval to award Invitation for Bids Y14-1050-J2, Stormwater Pipe Installation and Repair, to the low responsive and responsible bidder, Stage Door II, Inc., in the estimated contract award amount of \$6,485,430 for a 1-year term. Further, authorized the Procurement Division to exercise contract option years one and two. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. Approval to award Invitation for Bids Y14-1054-DG, Elevator Maintenance Services – Non-OEM, to the low responsive and responsible bidder, Skyline Elevator, Inc., in the estimated contract amount of \$425,140 for a 36-month term contract. Further, authorized the Procurement Division to renew the contract for two additional 1-year terms. ([Administrative Services Department Facilities Management Division] Procurement Division)
4. Approval to award Invitation for Bids Y14-1055-DG, Elevator Maintenance Services – OEM Courthouse and Corrections, to the low responsive and responsible bidder, ThyssenKrupp Elevator, in the estimated contract amount of \$980,012.20 for a 36-month term contract. Further, authorized the Procurement Division to renew the contract for two additional 1-year terms. ([Administrative Services Department Facilities Management Division] Procurement Division)
5. Approval to award Invitation for Bids Y14-622-PD, JLG Lifts, to the low responsive and responsible bidder, Florida Lift Systems, in the contract award amount of \$252,495. ([Convention Center Facility Operations Division] Procurement Division)
6. Approval to award Invitation for Bids Y14-7001-MM, Orange County Convention Center West Building Phase IV Garage Domestic Water Piping, to the low responsive

and responsible bidder, S.I. Goldman Company, Inc., for the total contract award amount of \$160,600. ([Convention Center] Procurement Division)

7. Approval of Utility Easement between 7-Eleven, Inc. and Orange County and authorization to record instrument for 7 Eleven Conway & Anderson - Utility File #69946. District 3. (Real Estate Management Division)
8. Approval of Utility Easement between Eagle Creek Development Corp. and Orange County, Temporary Access and Utility Easement between Eagle Creek Development Corp. and Orange County, Temporary Utility Easement between Eagle Creek Development Corp. and Orange County and authorization to record instruments for Eagle Creek PD Mere Parkway Utilities OCU File #74545. District 4. (Real Estate Management Division)
9. Approval of Temporary Access and Utility Easement between Eagle Creek Development Corp. and Orange County, Temporary Utility Easement between Eagle Creek Development Corp. and Orange County, Temporary Utility Easement between Creek Way Development II, LLC and Orange County and authorization to record instruments for Eagle Creek South Connector Road Phase 2 OCU File #72626. District 4. (Real Estate Management Division)
10. Approval of Conservation and Access Easement between KB Home Orlando, LLC and Orange County and authorization to record instrument for Village F Master PD APF (Horizon West Village). District 1. (Real Estate Management Division)

#### Community, Environmental and Development Services Department

1. Approval 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. Districts 1, 2, 3, 5, and 6. (Code Enforcement Division)

LC 14-0742	LC 14-0816	LC 13-1362	LC 13-1384	LC 13-1474
LC 14-0918	LC 14-0878	LC 13-1365	LC 13-1385	LC 13-1487
LC 14-0470	LC 14-0946	LC 13-1373	LC 13-1386	LC 13-1494
LC 14-0548	LC 14-0932	LC 13-1374	LC 13-1389	LC 13-1507
LC 14-0701	LC 14-0910	LC 13-1376	LC 13-1390	LC 13-1593
LC 14-0738	LC 13-0961	LC 13-1379	LC 13-1414	LC 13-1595
LC 14-0790	LC 13-1247	LC 13-1380	LC 13-1426	LC 13-1697
LC 14-0796	LC 13-1336	LC 13-1382	LC 13-1427	LC 13-1791

2. Approval of Fifth Amended and Restated Development Order for Little Lake Bryan Development of Regional Impact for purposes of reflecting an extended buildout date of December 31, 2014 and a project termination date of January 15, 2021. District 1. (Development Review Committee)

3. Approval of Modification and Extension for the Harold Mills Shoreline Alteration/Dredge and Fill permit (SADF-13-03-003). District 1. (Environmental Protection Division)
4. Approval of Second Amendment to Project Administration Agreement between Orange County, Florida and Seniors First, Inc., regarding the Community Development Block Grant Program Orange County, Florida. All Districts. (Housing and Community Development Division)
5. Approval of 2014-2015 Action Plan that includes a total allocation of \$7,715,445 for affordable housing and community development programs, Application for Federal Assistance SF 424, CPMP Non-State Grantee Certifications, Specific CDBG Certifications, Specific HOME Certifications, ESG Certifications, and Appendix to Certifications. All Districts. (Housing and Community Development Division)
6. Approval of Restated Interlocal Cooperation Agreement between Orange County, Florida and the City of Maitland; Orange County, Florida and the City of Ocoee; for Community Development Programs under the Urban County Program. Districts 1, 2 and 5. (Housing and Community Development Division)
7. Approval of the modification to Condition #1, correcting the plan date (March 21, 2014), for Project ABC Planned Development/Land Use Plan (PD/LUP), Case # CDR-13-12-297. District 4. (Planning Division)
8. Approval of First Amendment to Proportionate Share Agreement for Mango's Tropical Cafe Sand Lake Road: From Dr. Phillips Blvd to Turkey Lake Road, and From Turkey Lake Road to International Drive by and between Wallack Holdings, LLC and Orange County for an additional proportionate share payment in the amount of \$68,589. District 6. (Roadway Agreement Committee)

#### Family Services Department

1. Approval of School Board of Orange County, Florida and Orange County, Florida Tenth Amendment to Facility and Land Use Agreement for four additional permanent classrooms and space for offices at Early Learning and Prekindergarten Center and one additional permanent classroom at Evans High School. (Head Start Division)
2. Approval of the J & J Equipment Repair, Inc., grant for the Business Assistance for Neighborhood Corridors Program for June 2014 in the total amount of \$5,000. District 4. (Neighborhood Preservation and Revitalization Division)
3. Approval of the following Business Assistance for Neighborhood Corridors Program Grants for July 2014: Absolute Autos (\$600); Agner Auto Parts and

Radiator, Inc. (\$4,390); Bill's Auto and RV Service (\$4,994); Dixie Belle's Café (\$1,150); Primo's Gourmet Catering, Inc. (\$1,531); Lammers Electric of C.F. Inc. (\$5,000); and US 1844672 Ontario, Inc. (\$4,645). Districts 3, 5, and 6. (Neighborhood Preservation and Revitalization Division)

#### Public Works Department

1. Approval of Agreement for Traffic Law Enforcement on Private Roads in the gated community of Dellagio, a Subdivision of Dr. Phillips, Florida by and between Orange County, Florida and Park Square Dellagio LLC. District 1. (Development Engineering Division)

#### • COUNTY DISCUSSION AGENDA

#### Health Services Department

1. Mosquito-borne Disease Threats. (Mosquito Control Division)

County staff presented information regarding mosquito-borne diseases, such as Dengue Fever also known as breakbone fever and Chikungunya, which pose a threat to residents of Central Florida. There are no vaccines or medical treatment for these mosquito-borne diseases. The key to preventing local transmission of these diseases is control of the mosquito population. Control methods used by Mosquito Control like increasing door to door sweeps to inspect homeowner's property, increasing passive surveillance, deploying special traps, utilizing special equipment and insecticides, can decrease the likelihood of local transmission. Mosquito Control is coordinating with Orange County Emergency Management, Communications, Code Enforcement and the Health Department to communicate to the public regarding these mosquito-borne diseases.

Board discussion ensued.

The following person addressed the Board: County Comptroller Haynie.

Action: None

#### Administrative Services Department

1. Update regarding the renewal of SunTrust Building lease for the Property Appraiser and Tax Collector. (Real Estate Management)

- OFFICIALS RECOGNIZED: Orange County Property Appraiser Rick Singh  
Orange County Tax Collector Scott Randolph

County staff presented an update regarding office space for the Property Appraiser and Tax Collector. The report focused on construction, purchase, and lease options. County

staff presented to the Board several options such as construction, lease and purchase options. The County has negotiated a five-year lease term with SunTrust, pending Board approval scheduled on the Consent Agenda for August 19, 2014. County staff will continue to pursue purchase or build options for a permanent solution to office space needs for the Property Appraiser and Tax Collector.

Board discussion ensued.

The following person addressed the Board: County Comptroller Haynie.

Action: None

Community, Environmental and Development Services Department

1. Tymber Skan Condominiums Update. District 6. (CEDS Department Office)

County staff presented an update regarding infrastructure and critical services of garbage, building maintenance, parking and utility services including electric, sewer, water and wastewater provided within the Tymber Skan community for Sections 1 and 3 only. The County and Orlando Utilities Commission (OUC) negotiated a proposed plan to allow residents to pay for utilities directly to OUC. The homeowners association will enter into an agreement and abide with OUC's conditions in order to pay the outstanding water and wastewater debt. If the debt is not paid, then OUC will shut off water service at the master meter.

County staff indicated that they are coordinating with the homeowners association and the receiver in their development of a community business plan that will stabilize the community and their financial situation. Part of the community business plan for the homeowners association is to come to an agreement on the utility debt, water shut-off for and evicting tenants without accounts, boarding and securing vacant units, signing up with Orange County Sheriff's Office for the trespass program, payment of critical services, building improvements and strategies to increase revenues.

The following person addressed the Board: Frank Barber.

Board discussion ensued.

The following person addressed the Board: County Comptroller Haynie.

Action: None

2. Board direction regarding future funding of the St. Johns River Alliance. All Districts. (Environmental Protection Division)

Mark Middlebrook, Executive Director, St. Johns River Alliance, presented information regarding the organization of the Alliance, formed in 2003 after the St. Johns River was

given a national designation as an American Heritage River. Mr. Middlebrook requested future funding of the St. Johns River Alliance from the Board.

Board discussion ensued.

Action: None

3. Approval of Resolution of the Orange County Board of County Commissioners regarding the State Housing Initiatives Partnership (SHIP) Program and the Orange County Local Housing Assistance Plan (LHAP) for State Fiscal Years 2012-2013, 2013-2014, and 2014-2015; Certification to Florida Housing Finance Corporation; and State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan Amendment for State Fiscal Years 2012-2013, 2013-2014, 2014-2015. All Districts. (Housing and Community Development Division)

County staff presented information regarding amending the County's Local Housing Assistance Plan (LHAP) to include a new housing strategy and allow for changes to the existing program strategies.

Motion/Second: Commissioners Moore Russell/Brummer

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Brummer, Clarke, Thompson, Moore Russell

NO (voice vote): Commissioner Edwards

Action: The Board approved Resolution 2014-M-42 of the Orange County Board of County Commissioners regarding the State Housing Initiatives Partnership (SHIP) Program and the Orange County Local Housing Assistance Plan (LHAP) for State Fiscal Years 2012-2013, 2013-2014, 2014-2015, further, approved the Certification to Florida Housing Finance Corporation; further, approved the State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan Amendment for State Fiscal Years 2012-2013, 2013-2014, 2014-2015, and further, amended the Moderate Income Individual/Family Down Payment Assistance from \$15,000 to \$10,000 with amended change to appear in the Resolution, the State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan and any other other part of the documents where change would be necessary.

Utilities Department

1. Acceptance of the grant between St. Johns River Water Management District and Florida Department of Environmental Protection which will commit Orange County to a maximum of 25% of the cost of a project to convert septic to sewer for four subdivisions in the Wekiwa area; and selection of a payment method for capital charges. (Administration)

(This item was deleted.)

- MEETING RECESSED, 12:24 p.m.



- MEETING RECONVENED, 2:09 p.m.

Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Fred Brummer, Pete Clarke, Jennifer Thompson, Tiffany Moore Russell; Commissioner Ted Edwards joined the meeting where indicated.

Others Present: County Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy County Attorney Joel Prinsell, Deputy Clerk Katie Smith, Senior Minutes Coordinator Craig Stopyra

- RECOMMENDATIONS

July 18, 2014, Planning and Zoning Commission Recommendations

Motion/Second: Commissioners Boyd/Moore Russell

Absent: Commissioner Edwards

AYE (voice vote): All present members

Action: The Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of July 18, 2014; subject to the usual right of appeal by any aggrieved party.

- PUBLIC HEARINGS

Municipal Service Benefit Unit

1. Derringer Drive – Waterside Estates Phase 1, establish for speed hump installation; District 4

Applicant: Frank Yokiell, Orange County Public Works Traffic Engineering

Consideration: Establish by resolution a Municipal Service Benefit Unit for one time only speed hump installation at Derringer Drive Waterside Estates Phase 1

Location: District 4; Parcel ID (multiple parcels); Section 17, Township 23, Range 31; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Thompson/Clarke

Absent: Commissioner Edwards

AYE (voice vote): All present members

Action: The Board adopted a resolution establishing a Municipal Service Benefit Unit for one time only speed hump installation at Derringer Drive – Waterside Estates Phase 1, one time cost of \$88.00 per lot for installation of three (3) speed humps.

## Substantial Change

2. Timothy Wheeler, Meritage Homes of Florida, Inc., Kerina Parkside PD / Tract 1 Preliminary Subdivision Plan (PSP) Case # CDR-14-04-114; amend plan; District 1

Applicant: Timothy Wheeler, Meritage Homes of Florida, Inc., Kerina Parkside PD / Tract 1 Preliminary Subdivision Plan - Substantial Change - Case # CDR-14-04-114

Consideration: Substantial change request to the Kerina Parkside PD / Tract 1 PSP to modify BCC Condition of Approval #20 related to the timing of completion of Park Tract 1; approved by the Board of County Commissioners on September 9, 2008; pursuant to Sections 34-69 and 30-89, Orange County Code.

Location: District 1; property generally located East of South Apopka-Vineland Road / North and South of Buenavista Woods Boulevard; Orange County, Florida (legal property description on file in the Planning Division)

The following person addressed the Board: Adam Smith.

Motion/Second: Commissioners Boyd/Thompson

Absent: Commissioner Edwards

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by Timothy Wheeler, Meritage Homes of Florida, Inc., Kerina Parkside PD / Tract 1 Preliminary Subdivision Plan - Substantial Change - Case # CDR-14-04-114, to modify BCC Condition of Approval #20 related to the timing of completion of Park Tract 1; approved by the Board of County Commissioners on September 9, 2008; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. A Letter of Credit or Cash Escrow for 115% of the construction cost for the recreation facilities on Park Tract I, shall be provided prior to the Certificate of Completion for Phase 2. If the park is not completed by September 30, 2014, the County reserves the right to withhold the issuance of any Certificate of Occupancy for all homes until the Park Tract I is completed.
2. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 9, 2008, shall apply:
  - a. 4. Development shall conform to the Kerina Parkside Planned Development; Orange County Board of County Commissioners (BCC) approvals; Tract 1 Preliminary Subdivision Plan dated "~~Received August 4, 2008~~ September 6, 2012"; and to the following conditions of approval. Development based upon this approval shall comply with all applicable

federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent any applicable laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the Board of County Commissioners (BCC), or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the actual preliminary subdivision plan dated "~~Received August 1, 2008~~ September 6, 2012", the condition of approval shall control to the extent of such conflict or inconsistency.

*Note: This condition was updated after the April 23, 2014 Development Review Committee meeting to reflect the correct plan date, as approved by the Development Review Committee as a non-substantial change on August 8, 2012.*

- b. 2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered or approved.
- c. 3. Prior to construction plan approval, certification with supporting calculations shall be submitted, which demonstrates that the existing drainage system has the capacity to accommodate this development.
- d. 4. Master water, wastewater and reclaim water plan, including preliminary calculations, shall be required to be submitted for review and approval prior to submission of construction plans.
- e. 5. Unless a Conservation Area Impact Permit is approved by Orange County consistent with Chapter 15 prior to Construction Plan approval, no conservation area encroachments are permitted.
- f. 6. Prior to earthwork or construction, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division,

NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection.

- g. 7. A continuous bike lane shall be provided along Buenavista Woods Boulevard.
- h. 8. At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
- i. 9. The temporary swale from Tract F shall be piped within five years. A letter of credit, or other acceptable surety, sufficient to cover the cost for piping the outfall from Tract F, shall be in force until the temporary swale is piped.
- j. 40. Prior to construction plan approval, a wildlife survey and copies of correspondence with the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC) shall be provided to the Orange County Environmental Protection Division: Attention DRC Representative. If gopher tortoises are present, then prior to earthwork or construction, an incidental take or relocation permit shall be obtained.
- k. 44. The developer shall be responsible for proportionate share of any traffic signals that are shown to be warranted by a traffic signal.
- l. 42. This Preliminary Subdivision, Tract 1, will be developed in multiple phases. Prior to the issuance of a Certificate of Completion for any phase, the Buena Vista Woods Boulevard roadway shall be completed. Development within Phase 1 of this subdivision shall occur prior to or simultaneously with the development of any phase.
- m. 43. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street

lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.

- n. 44. Roads and drainage system, including the retention pond, will be owned and maintained by Orange County with an MSBU established for the Kerina Parkside stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Home Owners' Association.
- o. 45. Buena Vista Woods Boulevard, extending approximately 300 feet east from Apopka-Vineland road to the point where the existing 4-foot bike lane begins, (a portion of Section C-C, as currently depicted on Sheet 7 of the Preliminary Subdivision Plan), shall be modified to shift the road improvements northward by approximately four feet such that they are centered within the right-of-way. The purpose of this modification is to equalize the width of the landscape buffer and wall areas located on both sides of the road. The Orange County Traffic Engineering Division shall determine the appropriate lane striping and signal timing at the intersection of Buena Vista Woods Boulevard and Apopka-Vineland Road.
- p. 46. The developer shall be responsible for all construction and repairs to pavement, sod, irrigation and utilities associated with the modification of Buena Vista Woods Boulevard as required by Condition of Approval #15. The developer shall take reasonable measures, including the installation of barriers, to protect existing trees during the road modification work, but shall not be responsible for tree replacement if any trees die as a result of such work.
- q. 47. The bike lane and sidewalk north and south of the elementary school site shall transition to the 8-foot recreational trail in front of the elementary school at locations to be approved by the County Engineer. Currently, the note on Sheet 8 of the Preliminary Subdivision Plan only indicates this transition south of the elementary school.
- r. 48. All construction traffic, including site and vertical construction, shall be restricted to using only the portion of Buena Vista Woods Boulevard located south of the elementary school and the southern intersection of Buena Vista Woods Blvd. and Apopka-Vineland Road. All permits involving construction traffic shall include this access restriction and such permits shall require directional signage for construction traffic.
- s. 49. The entry sign located at the southeast corner of Buena Vista Woods Boulevard and Apopka-Vineland Road shall be incorporated into a signage tract with access to utilities for dedication by plat or conveyance

by deed to the Buena Vista Woods Master Association at the time of platting.

- t. ~~20.~~ Except as established in Condition #1, applicable to Phase 2, prior to issuance of a Certificate of Completion for any phase, the park for that phase shall be completed.

*Note: This condition was modified by the Development Review Committee on April 23, 2014.*

- u. 24. No site development, stormwater, underdrains, dewatering activities or other discharge shall flow into the stormwater system of either Emerald Forest or Diamond Cove. If the Developer is unable to secure a stormwater management permit from the SFWMD consistent with the PSP submittal dated August 1, 2008, then this subdivision plan approval shall be null and void.
- v. ~~22.~~ Prior to the issuance of a Certificate of Completion for any phase, the existing outfall structure for Stormwater Tract F/G shall be removed and the pipe shall be permanently plugged.

#### Substantial Change

3. William Burkett, Burkett Engineering, Orange Lake Country Club Planned Development (PD) Land Use Plan (LUP) Case # CDR-14-03-075; amend plan; District 1

Applicant: William Burkett, Burkett Engineering, Orange Lake Country Club Planned Development / Land Use Plan (PD/LUP), Case # CDR-14-03-075

Consideration: Substantial change request to amend the Orange Lake Country Club Planned Development / Land Use Plan (PD/LUP) to incorporate the following two (2) waivers from Orange County Code, applicable to PD Tract N1 only:

- 1) A waiver from Orange County Code Section 38-1272(a)(3)(c) to allow for a minimum expressway setback of thirty-five (35) feet, in lieu of the minimum required expressway setback of sixty (60) feet [existing PD reflects a seventy-five (75) foot setback].
- 2) A waiver from Orange County Code Section 38-1272(a)(3) to allow for a minimum PD perimeter setback of ten (10) feet, in lieu of a minimum required PD perimeter setback of twenty-five (25) feet; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1; property located at 8505 West Irlo Bronson Memorial Highway; generally located on the east side of North Village Circle and

west of SR 429 (Western Beltway); Orange County, Florida (legal property description on file)

The following person addressed the Board: Bill Burkett.

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioner Edwards

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by William Burkett, Burkett Engineering, Orange Lake Country Club Planned Development / Land Use Plan (PD/LUP), Case # CDR-14-03-075, to amend the Orange Lake Country Club Planned Development / Land Use Plan (PD/LUP) to incorporate the following two (2) waivers from Orange County Code, applicable to PD Tract N1 only:

- 1) A waiver from Orange County Code Section 38-1272(a)(3)(c) to allow for a minimum expressway setback of thirty-five (35) feet, in lieu of the minimum required expressway setback of sixty (60) feet [existing PD reflects a seventy-five (75) foot setback].
- 2) A waiver from Orange County Code Section 38-1272(a)(3) to allow for a minimum PD perimeter setback of ten (10) feet, in lieu of a minimum required PD perimeter setback of twenty-five (25) feet;

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

1. Development shall conform to the Orange Lake Country Club PD Land Use Plan dated "Received May 2, 2014," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval of this land use plan and the land use plan dated "Received May 2, 2014," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered or approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. A copy of the vested rights certificate for this parcel needs to be included in application for a building permit.
5. A Master Utility Plan (MUP) shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans within Orange County Utilities service area. The MUP must be approved prior to Construction Plan approval.
6. The Developer shall obtain water, waste water, and reclaimed water service from Orange County Utilities for those portions that are within the Orange County Utilities service area.
7. A waiver from Orange County Code Section 38-1272(a)(3)(c) is granted to allow for a minimum expressway setback of thirty-five (35) feet, in lieu of the minimum required expressway setback of sixty (60) feet.
8. A waiver from Orange County Code Section 38-1272(a)(3) is granted to allow for a minimum PD perimeter setback of ten (10) feet, in lieu of a minimum required PD perimeter setback of twenty-five (25) feet; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated December 20, 2005, shall apply:



- a. Billboards and pole signs shall be prohibited.
- b. Outdoor storage and display shall be prohibited.
- c. This project shall comply with Lighting Ordinance 2003-08.
- d. Conservation areas determined to be Class I wetlands may only incur impacts where there is no other feasible or practical alternative or where development may be shown to represent an overriding public benefit as determined before the BCC.

#### Shoreline Alteration/Dredge and Fill

#### 4. Scott Brady, Lake Butler, permit; District 1

Applicant: Scott Brady

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to construct a new seawall, pursuant to Orange County Code, Chapter 33, Article IV. Windermere Water and Navigation Control District; Section 33-129(d).

Location: District 1; on property located adjacent to Lake Butler, located at 41st Court, Windermere, FL; Section 17, Township 23 South, Range 28 East; Orange County, Florida (legal property description on file in Environmental Protection Division)

The location was published in the Orlando Sentinel as 41st Court, however, County staff identified the location as 4 1st Court.

County staff identified this permit as (SADF-14-04-002).

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

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioner Edwards

AYE (voice vote): All present members

Action: The Board approved the request by Scott Brady for a Shoreline Alteration/Dredge and Fill Permit (SADF-14-04-002) to construct a new seawall, on the described property, subject to the following conditions:

#### Specific Conditions:

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.

2. Construction activities shall be completed in accordance with the 'Site Plan' submitted by Streamline Permitting, Inc., dated as received on June 16, 2014, by the Environmental Protection Division (EPD). The permitted work must be commenced within six months and completed within one year from the date of issuance of the permit. In the event that project has not commenced within six months or completed within a year this permit is void.
3. Any permit extensions for the approved construction may be approved by way of Consent Agenda if there are no changes.
4. This permit does not authorize any dredging and/or filling other than what is authorized for construction of the seawall.
5. The planting must be implemented in accordance with the 'Planting Plan' approved with Lakeshore Protection Permit LSP-14-06-049 submitted by Biosphere, dated as received on June 5, 2014, by EPD.
6. New plantings must be initiated within thirty days of completion of the seawall. After one year, if 80% coverage of native species is not established, additional replanting will be required.
7. The permittee must install riprap at a 2 (Horizontal): 1 (Vertical) slope the entire length of the seawall.
8. The permittee may maintain a clear access corridor below the Normal High Water Elevation (NHWE), not to exceed 30 feet in width, of sufficient length waterward from the shoreline, to allow access to open water. Any future structures such as a boat dock must be located within this corridor.
9. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Orange County (OC) Zoning Division at 201 South Rosalind Avenue for approval in order to obtain a building permit. For further information, please contact the OC Zoning Division at (407) 836-5525.
10. After approved by OC Zoning, the certified site plans will need to be reviewed by the OC Building Division in order to obtain a building permit. For further information, please contact the OC Division of Building Safety at (407) 836-5550.

General Conditions:

11. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities,

including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.

12. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
13. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location and acreage of the impacts and preservation.
14. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
15. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittee agrees to either obtain written consent or to remove the offending structure or encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
16. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VI of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. Permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.
17. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving

the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

18. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
19. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
20. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
21. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
22. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
23. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
24. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
25. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
26. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain

requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

#### Conservation Area Impact

5. VF Horizon Investments, LLC, Seidel Road Realignment Project, permit, District 1

Applicant: VF Horizon Investments, LLC.

Consideration: Request for a Conservation Area Impact Permit to impact 4.26 acres of Class I wetlands and 0.14 acres of Class III wetlands in order to construct the realignment of the Seidel Road Right-of-Way

Location: District 1; property generally located approximately 1.5 miles east of State Road 429, just south of Summerlake Park Boulevard, and just northwest of Walt Disney World; Orange County, Florida (legal property description on file in Environmental Protection Division)

County staff identified this permit as (CAI-14-02-003).

The following person addressed the Board: Steve Butler.

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioner Edwards

AYE (voice vote): All present members

Action: The Board approved the request by VF Horizon Investments, LLC. for a Conservation Area Impact Permit (CAI-14-02-003) to impact 4.26 acres of Class I wetlands and 0.14 acres of Class III wetlands to construct the realignment of the Seidel Road Right-of-Way on the described property; subject to the following conditions:

#### Specific Conditions:

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day period following the date of rendition of the Board of County Commissioners' decision approving the permit, unless a petition for writ of certiorari or other legal challenge has been filed within this timeframe. Any timely filed petition or other challenge shall stay the effective date of this permit until the petition or other challenge is resolved in favor of the Board's decision.
2. The operational phase of this permit is effective upon the completion of the construction and continues in perpetuity.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on

the part of the County for issuance of the permit if the applicant fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

4. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
5. The wetland impacts must be completed in accordance with the "Wetland Impact Map – Segment Nos. 1 & 2" prepared by Poulos & Bennett, as dated as received by the Environmental Protection Division (EPD) on May 28, 2014.
6. Construction shall be completed within five (5) years from issuance of this permit unless extended in writing. Requests for permit extension must be submitted to the Environmental Protection Division (EPD) prior to the expiration date.
7. The mitigation plan must be implemented in accordance with "Figure 1 – Latham Mitigation Tract - Mitigation Utilization Exhibit" as dated as received by EPD on May 28, 2014. The Latham Mitigation Area, located offsite, must be utilized for this project. The area to be preserved at the Latham Mitigation Area must total at least 51.89 acres in size. A letter documenting the completion of the mitigation must be submitted to EPD prior to approval of construction or mass grading plans.

Latham Mitigation Area: In August 2013, 226.89 acres of the offsite mitigation area (aka Latham North Mitigation Site - Parcel ID # 03-24-27-0000-00-003) were placed under a Conservation Easement for use as mitigation for future projects. In August 2013, the Latham Park North project (CAI-12-10-022) encumbered 21.51 acres and in November 2013, the Latham Park South project (CAI-13-01-000) encumbered 41.68 acres. In January 2014, the Village F Master PD / Parcels N-2 & N-3 Hartog Property project (CAI-13-06-014) encumbered 7.38 mitigation acres. In February 2014, the Ivey Groves project (CAI-13-08-018) encumbered 30.38 acres. In April 2014, the Lakevue Shores project (CAI-13-11-031) and Seidel East projects encumbered 6.23 and 5.49 acres, respectively. The Seidel Road Right-of-Way Realignment project proposes to encumber another 51.89 acres; leaving 62.33 acres are remaining for future mitigation.

8. In the event that the permittee does not successfully complete the proposed mitigation, the permittee shall obtain a permit modification from the Environmental Protection Officer to provide alternative mitigation for the wetland impacts prior to the commencement of any construction activities.

#### General Conditions

9. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions

and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.

10. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
11. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location and acreage of the impacts and preservation.
12. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
13. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittee agrees to either obtain written consent or to remove the offending structure or encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
14. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article X of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. Permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.

15. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
16. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
17. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
18. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
19. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
20. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
21. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
22. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
23. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility exists of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
24. The existing ambient water quality within Outstanding Florida Waters shall not be lowered as a result of the proposed activity, except as authorized by the Florida Department of Environmental Protection under Rule 62-4.242(2) FAC.



## Comprehensive Plan

### 6. Transmittal of the 2014-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan

#### REGULAR CYCLE PRIVATELY-INITIATED AMENDMENTS

Amendment: 2014-2-A-1-1  
Applicant/Owner: Jim Hall, VHB, Inc. / AG-RW Grande Pines, LLC  
Consideration: Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)  
Location: Generally described as located north and west of International Dr. S., east of Westwood Blvd. and south of Central Florida Pkwy.; Parcel ID #s 13-24-28-6283-00-110 and portions of 13-24-28-6283-07-010; 115.3 gross ac.

- MEMBER JOINED: Commissioner Edwards

The following person addressed the Board: Jim Hall.

Motion/Second: Commissioners Boyd/Clarke  
AYE (voice vote): All members  
Action: The Board made a finding of consistency with the Comprehensive Plan (see International Drive Activity Center Element Goals ID3 and ID5 and Policy ID4.1.1; Housing Element Goal H1 and Objective H1.1; and Future Land Use Element Objectives FLU2.2 and FLU8.2 and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.4.D, FLU8.2.1, and FLU8.2.2; further, determined that the proposed amendment is in compliance; and further, approved transmitting Privately-Initiated Future Land Use Element Map Amendment 2014-2-A-1-1, Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR).

Amendment: 2014-2-A-1-2 (fka 2013-2-A-1-4)  
Applicant/Owner: Jim Hall, VHB, Inc. / Westgate Resorts, Ltd.  
Consideration: Growth Center-Commercial (GC-C) and Growth Center-Low Density Residential (GC-LDR) to Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR)  
Location: 14505 Avalon Road; Generally described as located on the east side of Avalon Rd., south of Hartzog Rd.; Parcel ID #s 31-24-27-0000-00-009/010/038/045 and 31-24-27-0306-04-011; 139.88 gross/76.8 net develop. ac.

The following person addressed the Board: Jim Hall.

Motion/Second: Commissioners Boyd/Brummer

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Future Land Use Element Objectives FLU2.2 and FLU8.2, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.4.F, FLU1.4.4, FLU7.4.4, FLU8.2.1, FLU8.2.2, and FLU8.2.10); further, determined that the proposed amendment is in compliance; and further, approved transmitting Privately-Initiated Future Land Use Element Map Amendment 2014-2-A-1-2 (fka 2013-2-A-1-4), Growth Center-Commercial (GC-C) and Growth Center-Low Density Residential (GC-LDR) to Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR).

Amendment: 2014-2-A-4-1

Applicant/Owner: John Florio, Donald W. McIntosh Associates, Inc. for Spring Isle C, LLC.

Consideration: Rural (R) and Planned Development – Low Density Residential/Commercial/Office/Parks and Recreation/Open Space/Conservation (PD-LDR/C/O/PR/OS/CONS) to Planned Development-Low Density Residential/Medium Density Residential/Commercial/Office/Parks and Recreation/Open Space/Conservation (PD-LDR/MDR/C/O/PR/OS/CONS) & Urban Service Area (USA) Expansion

Location: South Avalon Park Blvd.; Generally described as located north of South Avalon Park Blvd.; south of Sunflower Trl.; east of Crystal Bay Ln.; and, west of Montesino Dr.; Parcel ID #s 30-22-32-0000-00-015/019/022/043/046; 36.47 gross/32.04 net develop. ac.

The following person addressed the Board: John Florio.

Motion/Second: Commissioners Thompson/Brummer

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU1.1.2, FLU1.1.4, FLU1.1.5, FLU1.3.1, FLU1.4.1, and FLU8.2.1); further, determined that the proposed amendment is in compliance; and further, approved transmitting Privately-Initiated Future Land Use Element Map Amendment 2014-2-A-4-1, Rural (R) and Planned Development-Low Density Residential/Commercial/Office/Parks and Recreation/Open Space/Conservation (PD-LDR/C/O/PR/OS/CONS) to Planned Development-Low Density Residential/Medium Density Residential/Commercial/Office/Parks and Recreation/Open Space/Conservation (PD-LDR/MDR/C/O/PR/OS/CONS) and Urban Service Area (USA) Expansion.

Amendment: 2014-2-A-4-3

Applicant/Owner: Edward Williams, Williams Development Services, for Lidia Sims

Consideration: Industrial (IND) to Medium Density Residential (MDR)

Location: East of Curry Ford Rd.; Generally described as located south of Heritage Estates Av.; east of Heritage Point Dr., and west of

Meadow Branch Dr.; Parcel ID # 34-22-31-0000-00-005; 10.1 gross/3.84 net develop. ac.

The following persons addressed the Board:

- Ed Williams
- R.P. Mohnacky

Motion/Second: Commissioners Thompson/Boyd

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU1.4.1, FLU1.4.16 and FLU8.2.1); further, determined that the proposed amendment is in compliance; and further, approved transmitting Privately-Initiated Future Land Use Element Map Amendment 2014-2-A-4-3, Industrial (IND) to Medium Density Residential (MDR).

Amendment: 2014-2-A-5-1

Applicant/Owner: Donald W. McIntosh, Jr., Donald W. McIntosh Associates, Inc., for Vaughan Industrial Properties, LLC.

Consideration: Industrial (IND) to Medium Density Residential (MDR)

Location: 4460 & 4520 N. Goldenrod Rd.; Generally described as located on the west side of N. Goldenrod Rd., north of Key Colony Av.; south of Sandscope Ct.; and east of Metric Dr.; Parcel ID #s 02-22-30-0000-00-037/088; 16.62 gross ac.

The following person addressed the Board: Vivien Monaco.

Motion/Second: Commissioners Edwards/Clarke

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU1.4.16, FLU2.2.15, and FLU8.2.1); further, determined that the proposed amendment is in compliance; and further, approved transmitting Privately-Initiated Future Land Use Element Map Amendment 2014-2-A-5-1, Industrial (IND) to Medium Density Residential (MDR).

#### REGULAR CYCLE STAFF-INITIATED AMENDMENTS

Amendment: 2014-2-B-FLUE-1

Consideration: Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

Motion/Second: Commissioners Clarke/Boyd

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, approved

transmitting Staff-Initiated Future Land Use Element Map Amendment 2014-2-B-FLUE-1.

Amendment: 2014-2-B-CP-1

Consideration: Amendments to the Future Land Use and International Drive Activity Center Elements to amend the Floor Area Ratios (FAR) for commercial development

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, approved transmitting Staff-Initiated Future Land Use Element Map Amendment 2014-2-B-CP-1.

Amendment: 2014-2-B-CP-2

Consideration: Amendments to the Transportation and Capital Improvements Elements related to roadway deficiencies and Level of Service (LOS) definitions

Motion/Second: Commissioners Boyd/Thompson

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, approved transmitting Staff-Initiated Future Land Use Element Map Amendment 2014-2-B-CP-2.

Amendment: 2014-2-B-CP-3

Consideration: Amendments to the Transportation and Capital Improvements Elements related to concurrency and multimodal corridors

Motion/Second: Commissioners Clarke/Boyd

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, approved transmitting Staff-Initiated Future Land Use Element Map Amendment 2014-2-B-CP-3.

Amendment: 2014-2-C-CP-1

Consideration: Amendments to the Goals, Objectives, and Policies and maps in the Comprehensive Plan related to the Innovation Way Overlay

Motion/Second: Commissioners Thompson/Boyd

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, approved transmitting Staff-Initiated Future Land Use Element Map Amendment 2014-2-C-CP-1.

## REGULAR CYCLE PRIVATELY-INITIATED AMENDMENT

Amendment: 2014-2-A-4-4  
Applicant/Owner: Thomas Daly, Daly Design Group for Rio Reale Properties Orlando, LLC  
Consideration: Rural (R) to Innovation Way (IW) & Urban Service Area (USA) Expansion  
Location: Bunkhouse Rd.; Generally described as located south of Wewahootee Rd.; north of TM Ranch Rd.; Parcel ID # 01-24-31-0000-00-011; 1032.9 gross/676.90 net develop. ac.

The following persons addressed the Board

- Tom Daly
- Suzanne Arnold
- Pete Betterman
- Laura Heiselman

The following exhibit was received by the Clerk prior to the close of the public hearing: Exhibit 1, from Suzanne Arnold.

Motion/Second: Commissioners Thompson/Moore Russell  
AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Clarke, Thompson, Edwards, Moore Russell  
NO (voice vote): Commissioner Brummer  
Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU1.1.1, OBJ FLU1.2, FLU1.2.1 FLU1.2.2, OBJ FLU1.3, FLU1.3.1A, FLU1.3.2(f), GOAL FLU5, OBJ FLU5.1, FLU5.1.2, FLU5.1.5, FLU5.1.5A, FLU5.1.5B, FLU5.1.6, OBJ FLU5.2, FLU5.2.1, FLU5.2.2, FLU8.2.1, and Capital Improvements Element Policy CIE1.6.6, and Transportation Element Objectives OBJ T2.5 and OBJ T2.6; further, determined that the proposed amendment is in compliance; however, prior to adoption, the following shall be addressed: Innovation Way Multimodal Transportation Network Agreement; Compliance with school capacity requirements; Compliance with Environmental Land Stewardship Program requirements; and Compatibility and environmental buffers identified by the Lake Mary Jane Rural Settlement Alliance; and further, approved transmitting Privately-Initiated Future Land Use Element Map Amendment 2014-2-A-4-4, Rural (R) to Innovation Way (IW), and Urban Service Area (USA) Expansion.

## REGULAR CYCLE STAFF-INITIATED AMENDMENT

Amendment: 2014-2-B-FLUE-2  
Consideration: Amendment to Future Land Use Element Policy FLU1.2.4 regarding allocation of additional lands to the Urban Service Area (USA)

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, approved transmitting Staff-Initiated Future Land Use Element Map Amendment 2014-2-B-FLUE-2.

- COUNTY DISCUSSION AGENDA CONTINUED

County Mayor

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

Commissioner Edwards presented information to the Board regarding an issue of transportation impact fees for Trinity Preparatory School. The school is scheduled to demolish and construct a new building for additional amenities such as a new principal's office, new reception area, and concert facility to the campus but would not add any additional students to the school. The County's current Impact Fee Ordinance would require Trinity to pay for an Alternative Impact Fee Study prior to issuance of a building permit. The ordinance would require Trinity to pay impact fees regardless of whether new students or trips would be added by construction of this facility. Commissioner Edwards requested the Board enter into an agreement with Trinity Preparatory School to defer the potential payment of impact fees subject to monitoring trips after construction is complete.

The following person addressed the Board: Craig Maughan.

Board discussion ensued.

Motion/Second: Commissioners Edwards/Brummer

AYE (voice vote): All members

Action: The Board made a finding that an Alternative Impact Fee Study cannot be conducted at this time, due to school being out of session; further, therefore the Board waived the requirement that an Alternative Impact Fee Study be conducted prior to issuance of a building permit, allowing for the study to be conducted as soon as practicable after normal activity resumes; and further, the study shall be approved by the Board prior to the issuance of a Certification of Occupancy.

County staff presented information regarding Impact Fees. The impact fees consists of fire/rescue services, law enforcement, roads, parks and recreation and schools. The Board in 2011 amended the impact fee ordinance to reduce the impact fees by twenty-five percent until studies are finished determining the proper levels of fees.

County staff presented information regarding Transportation Impact Fees and indicated the fees are scheduled to increase on August 16, 2014. Impact fees in Orange County cover fifty percent of the 2014-2019 Capital Improvement Projects. Any modification to

the impact fee ordinance would require two public hearings, one with the Local Planning Agency and the other scheduled before the Board of County Commissioners.


County staff presented information regarding historical plat reviews. County staff identified to the Board that the quality of the plats have decreased and the complexity of the plats have increased.

Board discussion ensued.

The Board directed staff to schedule a public hearing before the Board of County Commissioners amending the Impact Fee ordinance.

- ADJOURNMENT, 4:14 p.m.

ATTEST:


  
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County Mayor Teresa Jacobs

Date: SEP 23 2014



ATTEST SIGNATURE:

Martha O. Haynie  
County Comptroller as Clerk

  
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Deputy Clerk