

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, January 6, 2015
Location: Commission Chambers, Orange County Administration Center,
First Floor, 201 S. Rosalind Avenue, Orlando, Florida
Members Present: Vice Mayor S. Scott Boyd; Commissioners Bryan Nelson, Pete
Clarke, Jennifer Thompson, Victoria P. Siplin; Commissioner
Edwards joined the meeting where indicated.
Member Absent: County Mayor Teresa Jacobs
Others Present: Chief Deputy Comptroller Margaret A. McGarrity, County
Administrator Ajit Lalchandani, Deputy County Attorney Joel
Prinsell, Deputy Clerk Katie Smith, Minutes Coordinator Kathy
Heard

- CALL TO ORDER, 9:06 a.m.
- INVOCATION – Pastor Rod Pinder, Woodbury Presbyterian Church
- PLEDGE OF ALLEGIANCE
- PRESENTATION
Proclamation recognizing the Safe Drinking Water Act 40th Anniversary Day and
Presentation of the Platinum Award for Utility Excellence
- MEMBER JOINED: Commissioner Edwards
- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Mary Wilson
- Thomas Metz

• COUNTY CONSENT AGENDA

Motion/Second: Commissioners Clarke/Nelson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Vice Mayor deferred action on Community, Environmental and
Development Services Department Item 2 for consideration with public hearing for
Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, Vista Centre Planned
Development/Land Use Plan (PD/LUP); and further, the Board approved the balance of
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. Periods are as follows:
 - December 12, 2014, to December 18, 2014; total of \$23,249,571.68
 - December 19, 2014, to December 25, 2014; total of \$39,364,588.88
 - December 26, 2014, to January 1, 2015; total of \$59,509,010.62.

(Finance/Accounting)

County Administrator

1. Confirmation of the reappointment to the Board of Zoning Adjustment of Gabriela Ortigoni as the Mayor's representative
-and-
Confirmation of the appointment to the Board of Zoning Adjustment of Carolyn Karraker as the District 1 representative and Eugene Roberson Jr. as the District 6 representative with terms expiring December 31, 2016. (Agenda Development Office)
2. Confirmation of the reappointment to the Membership and Mission Review Board of Picton Warlow as the Mayor's representative with a term expiring December 31, 2016. (Agenda Development Office)
3. Confirmation of the reappointment to the Orange County Citizen Corps Council of Ramon E. Morales and Carol M. Palacio as Mayor's representatives with terms expiring December 31, 2016. (Agenda Development Office)
4. Confirmation of the reappointment to the Planning and Zoning Commission of Paul L. Wean as the Mayor's representative with a term expiring December 31, 2016. (Agenda Development Office)
5. Authorization to pay State of Florida Invoice OC-R34-DR1561 in the amount of \$333,440.84. (Fiscal and Business Services)
6. Approval of budget amendments #15-01 and #15-02. (Office of Management and Budget)
7. Approval of the faithful performance bond for Tiffany Moore Russell, Orange County Clerk of Courts. (Risk Management Division)
8. Approval of the faithful performance bonds for Commissioners Bryan Nelson and Victoria Pierre Siplin. (Risk Management Division)

Administrative Services Department

1. Approval to award Invitation for Bids Y15-136-LC, Secondary Canal and Ditch Mowing, to the low responsive and responsible bidder, Groundtek of Central Florida, LLC, in the estimated contract award amount of \$1,369,800 for a 1-year term contract. Further, authorized the Procurement Division to exercise the Option Years 1 and 2. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. Approval to award Invitation for Bids Y15-140-J2, Sidewalk Repair and Replacement II, to the low responsive and responsible bidders, Altair Environmental Group, LLC, LMR Construction, Inc., Conpilog International Company, Stage Door II, Inc., and Schuller Contractors Incorporated in the total overall annual estimated amount of \$5,500,000. 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 Y15-168-LC, Aluminum Sign Blanks, to the low responsive and responsible bidder, Osburn Associates, Inc, in the estimated contract award amount of \$225,830, for a 1-year period. Further, authorized the Procurement Division to renew the contract for two additional 1-year periods. ([Public Works Department Traffic Engineering Division] Procurement Division)
4. Approval to award Invitation for Bids Y15-702-PH, Chickasaw Wood, East Orlando, Orlando Terrace, Azalea Park, Azalea Cove, Gatlin Heights and Cimmaron Drive Pump Station Water and Wastewater Improvements to the low responsive and responsible bidder Pospiech Contracting, Inc., for the total contract award amount of \$3,137,188.90. ([Utilities Department Engineering Division] Procurement Division)
5. Approval to award Invitation for Bids Y15-705-RM, Public Works – AHU Replacement & Elevator Modernization, to the low responsive and responsible bidder, Air Mechanical & Service Corp. in the total contract award amount of \$763,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. Approval to award Invitation for Bids Y15-711-SB, Barnett Park Soccer Field, to the low responsive and responsible bidder, Jordan Brothers Construction, LLC, in the total contract award amount of \$750,117. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. Approval to award Invitation for Bids Y15-712-PH, Westwood Boulevard 24-inch Water Main Project to the low responsive and responsible bidder Metro Equipment Services, Inc., for the total contract award amount of \$2,591,760. ([Utilities Department Engineering Division] Procurement Division)

8. Approval to award Invitation for Bids Y15-715-PH, Vistana Water Treatment Plant Roof Replacement to the low responsive and responsible bidder Southland Rowe Roofing, Inc., for the total contract award amount of \$111,800. ([Utilities Department Water Division] Procurement Division)
9. Approval of Amendment No. 5, Contract Y12-1021, Sidewalk Curb and Gutter Repair, with Stage Door II, Inc. in an additional estimated amount of \$300,000 for a revised total estimated contract amount of \$1,911,063. ([Public Works Department Roads and Drainage Division] Procurement Division)
10. Approval and execution of Notice of Reservation and authorization to disburse funds to pay recording fees and record instrument for Peachtree Park OCU File #: 75065. District 1. (Real Estate Management Division)
11. Approval of purchase price above appraised value, Contract for Sale and Purchase, Agreement, Warranty Deed, Utility and Ingress/Egress Easement between William D. Carr and Nell Marie Carr and Orange County, Joinder and Consent to Utility and Ingress/Egress Easement from JPMorgan Chase Bank, n.a., s/b/m Chase Home Finance LLC, s/b/m to Chase Manhattan Mortgage Corporation, authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Pump Station No. 3221 (Harvey Street). District 3. (Real Estate Management Division)
12. Approval of Utility Easement between BETTJA JeBailey, LLC, successor by merger to SW Retail Investors, LLC, BETTJA JeBailey, LLC, successor by merger to Shadow Wood Investors, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from TD BANK, N.A. and authorization to record instruments for Shadow Wood Parcels D/E/F – Utility File #69968. District 1. (Real Estate Management Division)
13. Approval of Utility Easement between Windermere Trails Homeowners Association, Inc. and Orange County and authorization to record instrument for Windermere Trails Phase 3A OCU Permit #: 13-S-077. 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 2, 5 & 6. (Code Enforcement Division)

LC 14-1328	LC 14-0923	LC 14-1216	LC 14-1382	LC 14-1411
LC 14-1332	LC 14-0944	LC 14-1250	LC 14-1383	LC 14-1531
LC 14-1443	LC 14-0965	LC 14-1251	LC 14-1388	LC 14-1573

LC 14-1634	LC 14-1049	LC 14-1283	LC 14-1397	LC 14-1584
LC 14-1642	LC 14-1060	LC 14-1312	LC 14-1399	LC 14-1605
LC 14-1156	LC 14-1136	LC 14-1374	LC 14-1400	LC 14-1660
LC 14-0886	LC 14-1149	LC 14-1377	LC 14-1406	LC 14-1673
LC 14-0917	LC 14-1205	LC 14-1381	LC 14-1410	LC 14-1720

2. Adoption of Order Approving Rescission of Vista Centre DRI Development Order. District 1. (Planning Division)

(This item was deferred.)

Family Services Department

1. Approval of Florida Department of Children and Families Application for a License to Operate a Child Care Facility at Pine Hills Head Start. This application is only executed by Orange County. (Head Start Division)

Fire Rescue Department

1. Approval of Federally-Funded Subgrant Agreement Number: 15-CC... between the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2014-2015 in the amount of \$5,487. (Office of Emergency Management)
2. Approval of Federally-Funded Subgrant Agreement Number: 15-CI... between the State of Florida, Division of Emergency Management and Orange County for Fiscal Year 2014-2015 in the amount of \$5,728. (Office of Emergency Management)

Health Services Department

1. Approval of the renewal Certificate of Public Convenience and Necessity for Maitland Fire Rescue Department to provide Advanced Life Support Transport Service. The term of this certificate is from January 31, 2015 through January 31, 2017. There is no cost to the County. (EMS Office of the Medical Director)

Public Works Department

1. Approval to install a "No Parking, Stopping, Standing" zone on the west side of Crayford Avenue from Muscatello Street extending 680 feet south along the frontage of John Young Elementary School. District 4. (Traffic Engineering Division)
2. Approval of Traffic Control Devices and "No Parking" sign installations in Windermere Sound (aka Beck/Overstreet PD Phase 1). District 1. (Traffic Engineering Division)

3. Approval of Agreement for Traffic Law Enforcement on Private Roads located in Bella Isles by and between Orange County, Florida, and D.R. Horton, Inc. District 4. (Development Engineering Division)

- INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. West Orange Healthcare District (A Special District in Orange County, Florida), Financial Statements Year Ended September 30, 2014 and 2013, Independent Auditor's Report, and Management's Discussion and Analysis Years Ended September 30, 2014 and 2013.
 - b. Debt Service Coverage Report for the Public Service Tax Revenue Bonds.

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

- COUNTY DISCUSSION AGENDA

County Administrator

1. MetroPlan Orlando Board of Directors Appointments. (Agenda Development Office)

Commissioner Edwards moved to reappoint County Mayor Jacobs and Commissioner Clarke to the MetroPlan Orlando Board of Directors with terms expiring December 1, 2018.

Motion/Second: Commissioners Edwards/Thompson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board reappointed County Mayor Jacobs and Commissioner Clarke to the MetroPlan Orlando Board of Directors with terms expiring December 1, 2018.

Commissioner Thompson moved to appoint Commissioner Nelson to serve on the MetroPlan Orlando Board of Directors with a term expiring December 1, 2018.

Motion/Second: Commissioners Thompson/Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board appointed Commissioner Nelson to serve on the MetroPlan Orlando Board of Directors with a term expiring December 1, 2018.

Vice Mayor Boyd moved to appoint Commissioner Siplin to serve on the MetroPlan Orlando Board of Directors as the permanent alternate with a term expiring December 1, 2016.

Motion/Second: Vice Mayor Boyd/Commissioner Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board appointed Commissioner Siplin to serve as the permanent alternate on the MetroPlan Orlando Board of Directors with a term expiring December 1, 2016.

Commissioner Clarke moved to confirm the term expiration dates of Commissioners Thompson, Edwards and Boyd to serve on the MetroPlan Orlando Board of Directors as December 1, 2016.

Motion/Second: Commissioners Clarke/Thompson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board confirmed the term expiration dates of Commissioners Thompson, Edwards and Boyd on the MetroPlan Orlando Board of Directors as December 1, 2016.

2. Appointment of an elected official to the East Central Florida Regional Planning Council. (Agenda Development Office)

Commissioner Thompson moved to appoint Commissioner Nelson to serve on the East Central Florida Regional Planning Council.

Motion/Second: Commissioners Thompson/Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board appointed Commissioner Nelson to serve on the East Central Florida Regional Planning Council.

3. Appointment of two commissioners to the Community Action Board with terms expiring December 31, 2015 and December 31, 2018, respectively. (Agenda Development Office)

Vice Mayor Boyd moved to appoint Commissioner Nelson to serve on the Community Action Board with a term expiring December 31, 2015.

Motion/Second: Commissioners Clarke/Thompson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board appointed Commissioner Nelson to serve on the Community Action Board with a term expiring December 31, 2015.

Commissioner Thompson moved to appoint Commissioner Siplin to serve on the Community Action Board with a term expiring December 31, 2018.

Motion/Second: Commissioners Thompson/Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board appointed Commissioner Siplin to serve on the Community Action Board with a term expiring December 31, 2018.

County Attorney

1. 2016 Charter Review Commission

County staff presented an overview of the history, structure and function of the Charter Review Commission (CRC). Staff also informed the Board of its upcoming responsibilities related to the appointment of the 2016 CRC. On January 27, 2015, the Board will consider a resolution formally appointing the members of the 2016 CRC, as well as establishing the scope of duties, establish the first few meeting dates and address funding.

Action: None

Administrative Services Department

1. Selection of four consultants and two ranked alternates to provide Continuing Professional Stormwater Management Engineering Services, RFP Y15-900-J2, from the following firms listed alphabetically.

- AMEC Environment & Infrastructure, Inc.
- Atkins North America, Inc.
- CDM Smith, Inc.
- DeLoach Engineering Science, PLLC
- Dewberry Engineers Inc., d/b/a Dewberry Bowyer-Singleton
- DRMP, Inc.
- Geosyntec Consultants, Inc.
- Inwood Consulting Engineers, Inc.
- Singhofen & Associates, Inc.
- Tetra-Tech, Inc.
- Vanasse Hangen Brustlin, Inc.

Further recommend the Board authorize negotiation and execution of the final contracts by the Procurement Division to establish hourly rates for future requirements. The contract performance period will be for one year with two one-year renewals.

Motion/Second: Commissioner Thompson/Vice Mayor Boyd

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board selected four firms, Singhofen & Associates, Inc., CDM Smith, Inc., Geosyntec Consultants, Inc., Inwood Consulting Engineers, Inc., and two ranked alternates, #1 Tetra-Tech, Inc., and #2 Atkins North America, Inc., to provide Continuing Professional Stormwater Management Engineering Services; and further, authorized negotiation and execution of the final contracts by the Procurement Division to establish hourly rates for future requirements. The contract performance period will be for one year with two one-year renewals, RFP Y15-900-J2.

- COUNTY WORK SESSION AGENDA

Community, Environmental and Development Services Department

1. Chapter 31.5 Sign Standards. All Districts. (Zoning Division)

County staff presented an overview of the sign code amendments. The proposed amendments cover two geographic areas of the county: General Code (County-Wide) and the Tourism District Sign Code (I-Drive Area and Convention Plaza Districts). The proposed amendments address new technology, consolidation of sign standards and updates to outdated code provisions.

Board discussion ensued.

Action: None

- MEETING RECESSED, 10:17 a.m.

- MEETING RECONVENED, 2:03 p.m.

Members Present: Vice Mayor S. Scott Boyd; Commissioners Bryan Nelson, Pete Clarke, Jennifer Thompson, Ted Edwards, Victoria P. Siplin

Member Absent: County Mayor Teresa Jacobs

Others Present: County Administrator Ajit Lalchandani, Deputy County Attorney Joel Prinsell, Deputy Clerk Katie Smith, Minutes Coordinator Kathy Heard

• RECOMMENDATIONS

December 4, 2014 Board of Zoning Adjustment

Motion/Second: Commissioners Thompson/Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board accepted the recommendations of the Orange County Board of Zoning Adjustment under the date of December 4, 2014, with the exception of and authorizing public hearings be scheduled for those listed below; subject to the usual right of appeal by any aggrieved party:

- Case VA-14-12-083, Dominique Buhot, (Appeal filed)
- Case SE-14-12-088, Norberto Duarte, (Board-Called)

• PUBLIC HEARINGS

Preliminary Subdivision Plan

1. Matt Young, IBI Group, Inc., Ivey's Subdivision PD / Ivey's Subdivision Preliminary Subdivision Plan, Case # PSP-13-07-172, amend plan; District 1

Applicant: Matt Young, IBI Group, Inc.

Consideration: Ivey's Subdivision Planned Development (PD) / Ivey's Subdivision Preliminary Subdivision Plan - Case # PSP-13-07-172, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This request is proposing to construct 34 single-family residential dwelling units on a total of 10.65 acres.

Location: District 1; property generally located East of Turkey Lake Road / South of Conroy Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Matt Young.

Based upon input from the applicant, and with no objection by County staff, Condition of Approval #17 was modified to read as follows:

17. Prior to plat recordation, the developer shall deed the strip of land along the east property line labeled as Parcel 2 on the Land Use Plan to the Homeowners' Association ("HOA") and the HOA shall dedicate an emergency access and drainage easement over Parcel 2 to the County.

The following persons addressed the Board:

- Ken Bishop
- Pat Duckworth
- Rich Craig
- R.P. Mohnacky

Motion/Second: Vice Mayor Boyd/Commissioner Edwards

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved Ivey's Subdivision Planned Development (PD) / Ivey's Subdivision Preliminary Subdivision Plan - Case # PSP-13-07-172, on the described property, subject to the following conditions:

1. Development shall conform to the Ivey's Subdivision Planned Development; Orange County Board of County Commissioners (BCC) approvals; Ivey's Subdivision Preliminary Subdivision Plan dated "Received October 6, 2014," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received October 6, 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. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted, which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
5. Prior to construction plan approval, documentation shall be provided that this project has the legal right to overflow to the outfall to the east.
6. This project shall be a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.
7. Prior to concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
9. Prior to commencement of any 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 by the developer.
10. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading plans or review of construction plans if a Phase II Environmental Site Assessment acceptable to EPD and the Florida Department of Environmental Protection (FDEP) finds any contaminants exceeding applicable state standards, the applicant shall submit a copy of a FDEP site clean-up plan approval and a copy of a FDEP statement that the clean-up has been completed. This shall be provided

to Orange County Environmental Protection Division and Development Engineering Division by submittal of either an FDEP No Further Action letter or Site Rehabilitation Completion Order (SRCO) with or without conditions or controls, or documentation of specific permissions from FDEP.

11. No activity will be permitted on the site that may disturb, influence or interfere with: areas of soil or groundwater contamination, any remediation activities, or within the hydrological zone of influence of the contaminated area, unless prior approval has been obtained through FDEP and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
12. If the Environmental Site Assessment indicates site contamination of soil or groundwater or if the FDEP conducts contamination remediation then the covenants, conditions, and restrictions (CC&Rs) shall include notification that portions of this property have been identified with soil or groundwater contamination.
13. Due to the use of this site as a landscape nursery, a phase I and a phase II Environmental site Assessment will be conducted prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading plans or review of construction plans. These results will be provided to the Orange County Environmental Protection Division and to Development Engineering.
14. The covenants, conditions, and restrictions (CC&Rs) shall include notification to the homebuyer of the prior use of this property as a landscape nursery.
15. The covenants, conditions, and restrictions (CC&Rs) shall prohibit installation or operation of potable and irrigation water supply wells on site.
16. 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. The MUP must be approved prior to Construction Plan approval. Prior to construction plan approval, documentation with supporting calculations shall be submitted, certifying that this project is consistent with an approved Master Utility Plan (MUP) for the PD.
17. Prior to plat recordation, the developer shall deed the strip of land along the east property line labeled as Parcel 2 on the Land Use Plan to the Homeowners' Association ("HOA") and the HOA shall dedicate an emergency access and drainage easement over Parcel 2 to the County.
18. As of the date of approval of the Ivey's Subdivision Preliminary Subdivision Plan by the Board of County Commissioners ("Board"), the ownership of the land identified

as the "Gap Parcel" as shown on Sheet C1.1 of Plan A and Plan B of the Preliminary Subdivision Plan ("PSP") dated "Received October 6, 2014," is in question. To resolve such question of ownership with respect to the Gap Parcel, the owner of the PSP property ("Owner") recently filed an action in the Circuit Court to quiet title to the Gap Parcel, styled Phillips Parke XVI LLC v Price, Ada et al. Cir. Ct. Case No. 2014-CA-010772 -O and the quiet title case remains pending as of this date.

In the event the Owner is successful in the quiet title action, and the Court enters a Final Judgment that ownership of the Gap Parcel lies solely with the Owner or its successor and the time for any adversely affected private party to file an appeal from such Final Judgment expires without such an appeal being filed ("Court Approval"), then:

- (a) The Gap Parcel shall be deemed a part of the lands described in the PD zoning approval for the overall Ivey's Subdivision project previously approved by the Board, and shall be subject to all PD conditions and approvals; and
- (b) The Gap Parcel shall be deemed to be part of the approved Plan B PSP referenced and described herein, and shall be subject to all PSP conditions and approvals as provided for herein; and
- (c) The applicant shall not be required to obtain any additional approvals from the County staff or the Board in connection with the PD zoning approval or the PSP approval in connection with the Gap Parcel.

In the event: (i) there is no Court Approval, i.e., the Court enters a Final Judgment that the Owner or its successor does not have fee simple title to the Gap Parcel, then the Owner or its successor shall proceed forward with the development of the property without the Gap Parcel as shown on the Plan A PSP; or (ii) in the event Court Approval is not obtained by the Owner or its successor before July 31, 2015, or the Court Approval is obtained before that date but an appeal of the Court Approval is pending on that date, then the Owner or its successor shall be entitled to elect to proceed forward with the development of the property without the Gap Parcel (or to postpone the development further until such time as the Court has entered a Final Judgment in the quiet title case or an appeal from the Final Judgment has been resolved in the Owner's or its successor's favor, whichever is applicable).

Notwithstanding any of the foregoing, while the ownership of the Gap Parcel remains in question, Orange County will not hold up, delay or reject construction plan approvals, plat approval or recording, or other governmental approvals for this project without the Gap Parcel.

In the event the Owner or its successor obtains title to the Gap Parcel at any point after the date of approval of this PSP, the Owner or its successor shall be entitled to extend the depth of lots and common area tracts into the Gap Parcel and convey such lands to the appropriate lot/home buyers (or to the Homeowners Association as to any adjacent common area tract) within the project. In so doing, the Owner or its successor will not be required to (i) obtain any further Orange County approval; or (ii) replat the project to include the Gap Parcel, but only provided that title of the Gap Parcel is obtained after approval of the plat without the Gap Parcel.

19. Setbacks along the south property line shall be in accordance with the Plan A PSP.

NOTE: THE FOLLOWING PUBLIC HEARINGS WERE CONSIDERED TOGETHER.

Conservation Area Impact

3. Golden Oak Development, LLC., Golden Oak/Northeast Resort Parcel (NERP), Phase 4, permit; District 1

Applicant: Golden Oak Development, LLC
Consideration: Request for a Conservation Area Impact Permit to impact 0.22 acre Class I wetlands and 1.00 acre Class III wetlands, with associated secondary impacts to 0.36 acre of Class I wetlands in the development of Phase 4 of the Golden Oak/Northeast Resort Parcel
Location: District 1; property located at 9501 Vista Boulevard, Lake Buena Vista, Florida; Orange County, Florida (legal property description on file in Environmental Protection Division)

County staff identified this permit as (CAI-14-07-024).

and

2. Kathy Hattaway-Bengochea, HCI Planning and Land Development Consultants, Inc., Northeast Resort Parcel (NERP) PD / NERP Phase 4 Preliminary Subdivision Plan, Case # PSP-14-05-149; District 1

Applicant: Kathy Hattaway-Bengochea, HCI Planning and Land Development Consultants, Inc.
Consideration: Northeast Resort Parcel (NERP) Planned Development (PD) / NERP Phase 4 Preliminary Subdivision Plan - Case # PSP-14-05-149, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This request is proposing to construct 53 single-family residential dwelling units on a total of 132.99 acres.
Location: District 1; property generally located North of Vista Boulevard / East of Dream Tree Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Kathy Hattaway.

Motion/Second: Vice Mayor Boyd/Commissioner Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved Northeast Resort Parcel (NERP) Planned Development (PD) / NERP Phase 4 Preliminary Subdivision Plan - Case # PSP-14-05-149, on the described property, subject to the following conditions:

1. Development shall conform to the Northeast Resort Parcel (aka NERP) PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; NERP Phase 4 Preliminary Subdivision Plan dated "Received November 11, 2014," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received November 11, 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. Access from Vista Boulevard shall be permitted by Reedy Creek Improvement District.
5. This development is proposed to have private streets and is a continuation of an existing gated community previously approved by the Board of County Commissioners.
6. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan/preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
7. The site shall be stabilized following grubbing, clearing, earth work, or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans, a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
8. Prior to commencement of any 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 by the developer.
9. Unless a Conservation Area Impact Permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
10. Construction plans within this PSP shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.

Motion/Second: Vice Mayor Boyd/Commissioner Edwards

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board approved the request by Golden Oak Development, LLC for a Conservation Area Impact Permit (CAI-14-07-024), to impact 0.22 acre Class I wetlands and 1.00 acre Class III wetlands, with associated secondary impacts to 0.36 acre of Class I wetlands in the development of Phase 4 of the Golden Oak/Northeast Resort Parcel, on the described property; subject to the following conditions:

Specific Conditions:

1. 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 approval or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in violation of state or federal law.
2. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. The wetland impacts must be implemented in accordance with Exhibit A, Exhibit B, Sheet C-001, and Sheet C-250, prepared by Atkins and dated as received by the Environmental Protection Division (EPD) on September 19, 2014. 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.
4. The operational phase of this permit is effective upon the completion of construction and continues in perpetuity.
5. All wetland and upland buffer tracts as depicted on Sheet C-001, shall be platted as Conservation Tracts with all development rights dedicated to Orange County prior to certificate of completion.
6. No wetland or wetland buffer impact is allowed until proof of purchase of the 0.9 credit from the Reedy Creek Mitigation Bank is provided to EPD and the wetlands and wetland buffers depicted on Sheet C-001 have been platted/recorded as Conservation Tracts with development rights dedicated to Orange County.
7. Conservation areas must be clearly marked with signage that identifies the wetland and upland buffer. These signs must be installed every fifty (50) feet on any open space and on every other individual lot line. The signage must conform to the detail for installation and location shown on Sheet C-250, dated as received by the EPD on September 19, 2014. The signs must be installed prior the certificate of completion.

8. The applicant shall provide written notification to property owners that no alteration or encroachment of the platted Conservation Tracts shall occur unless approved by Orange County and other appropriate state or federal agencies. These restrictions shall be recorded as covenants and restrictions on the subdivision plat and shall be part of the documents provided to purchasers of lots within the subdivision. A copy of the notification that is to be provided to purchasers shall be submitted to EPD at the time of platting.
9. Properties must have an environmental berm and swale installed prior to the certificate of completion for any of the subject lots that abut a wetland or wetland buffer as depicted on Exhibits A and B and as depicted in the Preliminary Subdivision Plan. The berm and swale must be maintained throughout construction. EPD must be notified for inspection purposes prior to issuance of certificate of occupancy. Perpetual maintenance is the responsibility of the homeowners' association and the respective property owner. Berm and swale shall have a slope no greater than 4:1, be located landward of and immediately adjacent to the Conservation Tracts (including upland buffers), be immediately sodded after construction and be platted in an environmental or drainage easement.

General Conditions:

10. **Effective Date.** If no objections have been filed with the Environmental Protection Officer, this permit shall be final and effective as of the date of issuance. If a written objection has been received, this permit shall become final and effective upon expiration of the fifteen (15) 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.
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.
12. 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.
13. At least forty-eight (48) hours prior to commencement of activity authorized by this permit, the permittee shall submit to EPD, a "Construction Notice" (form CN-001-04) indicating the actual start date and expected completion date.

14. 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.
15. 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.
16. 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 from the affected owner or to remove the interference or encroachment within sixty (60) 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 termination.
17. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions.
18. Should any other regulatory agency require changes to the permitted system, 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. Prior to any filling within the 100-year flood zone a Flood Plain Permit shall be obtained from the Orange County Stormwater Management authorizing the fill.
21. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
22. The permittee shall notify EPD, in writing, within thirty days prior to any sale, conveyance, or other transfer of ownership or control of the real property is located. The permittee shall remain liable for any corrective actions that may be required as a result of any permit violations which occur prior to the transfer of the permit by Orange County. If applicable, no permit shall be transferred unless and

until adequate financial assurance has been provided and approved by Orange County.

23. 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. All excess lumber, scrap wood, trash, garbage, etc shall be removed from the wetlands, wetland buffers and/or surface water(s) immediately.
29. Any un-permitted impacts to wetlands as a result of the permitted activity shall result in the permittee restoring the impact to the satisfaction of EPD.
30. For one acre or more of disturbed land, a National Pollutant Discharge Elimination System Notice of Intent to use a Construction General Permit for stormwater discharges shall be completed and sent to EPD and copied to the EPD National Pollutant Discharge Elimination System Administrator prior to start of construction.

Preliminary Subdivision Plan

4. Seidel Road Investments Planned Development (PD) / Seidel Road Investments Preliminary Subdivision Plan, Case # PSP-14-04-087; District 1

Applicant: Eric Warren, Poulos & Bennett, LLC
Consideration: Seidel Road Investments Planned Development (PD) / Seidel Road Investments Preliminary Subdivision Plan - Case # PSP-14-04-087, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This request is proposing to construct 8 single-family residential dwelling units on a total of 11.33 acres.
Location: District 1; property generally located North of Seidel Road / West of Reams Road; Orange County, Florida (legal property description on file in Planning Division)

(This public hearing was canceled and will come before the Board at a future date.)

Conservation Area Impact

5. Seidel Road Investments, LLC., Seidel Road Investments, permit; District 1

Applicant: Seidel Road Investments, LLC
Consideration: Request for a Conservation Area Impact Permit to impact 0.017-acre of Class I wetlands in order to construct portions of a single family development
Location: District 1; property generally located Seidel Road, Winter Garden, Florida 34787; Parcel ID 03-24-27-0000-00-005; Orange County, Florida (legal property description on file in Environmental Protection Division)

(This public hearing was canceled and will come before that Board at a future date.)

Substantial Change

6. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, Vista Centre Planned Development / Land Use Plan (PD/LUP), Case # CDR-14-07-210, amend plan; District 1

Applicant: Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, Vista Centre Planned Development / Land Use Plan (PD / LUP), Case # CDR-14-07-210
Consideration: Substantial change request to amend the Vista Centre Planned Development/Land Use Plan (PD/LUP) to increase the number of hotel rooms on Lot 7 from 500 to 920 (an overall PD increase from 900 to 1,320 hotel rooms); to increase the maximum building height from 100 feet to 150 feet; and to add a second access along Lake

Street; 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 8175 Palm Parkway; generally located at the southwest corner of Palm Parkway and Lake Street; Orange County, Florida (legal property description on file)

and

- COUNTY CONSENT AGENDA (DEFERED)

Community, Environmental and Development Services Department (Deferred)

2. Adoption of Order Approving Rescission of Vista Centre DRI Development Order. District 1. (Planning Division)

The following person addressed the Board: Rebecca Wilson.

Motion/Second: Vice Mayor Boyd/Commissioner Clarke

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, approved the substantial change request by Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, Vista Centre Planned Development / Land Use Plan (PD / LUP), Case # CDR-14-07-210, to amend the Vista Centre Planned Development/Land Use Plan (PD/LUP) to increase the number of hotel rooms on Lot 7 from 500 to 920 (an overall PD increase from 900 to 1,320 hotel rooms); further, increased the maximum building height from 100 feet to 150 feet; further, added a second access along Lake Street; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Vista Centre PD / Land Use Plan (Lots 6 & 7) dated "Received October 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 October 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
5. Right of Way for the Lake Street roadway widening must be dedicated prior to development plan approval. Conveyance of Right of Way must be coordinated through the Road Agreement Committee.
6. A 20-foot-wide pedestrian/landscape/utility easement and a 15-foot-wide transit easement (for a total of 35 feet) along Palm Parkway shall be included in the development plan.
7. The developer shall obtain water, wastewater, and reclaimed water from Orange County Utilities.
8. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water,

wastewater, and reclaimed water systems have been designed to support all development within Lots 6 & 7 of the PD.

9. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 (Tourist Commercial Standards) of the Orange County Code.
10. Length of stay shall not exceed 179 days.
11. Outside sales, storage, and display shall be prohibited.
12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated November 1, 2005 and December 15, 1998, shall apply:
 - a. The following International Drive Strategic Plan conditions shall apply:
 - 1) Permitted and prohibited uses shall be those specified in Policies 1.1.3 and 1.1.6 of the International Drive Activity Center Plan.
 - 2) If the housing linkage program is in place prior to development plan approval, the development of nonresidential development shall be conditioned upon the development of residential units within the area designated Activity Center Residential on the Future Land Use Map.
 - 3) The Development Guidelines of the International Drive Activity Center shall apply to the subject property if they are established prior to development plan submittal.
 - 4) The property owner shall be required to participate in a property owners' association upon its creation.
 - 5) Stormwater management facilities shall be designed as an aesthetic feature, except where determined by the County engineer to be technically unfeasible.
 - 6) The development plan shall provide for the interconnection of adjacent developments either by cross access easement or public right-of-way. This shall include connection into and continuation of an area wide transportation plan for the International Drive Activity Center.
 - 7) Electrical distribution lines shall be underground.
 - 8) Participation in shuttle service connecting area attractions, major transportation centers, and on-site development shall be provided.
13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 23, 1991, shall apply:

- a. Lot #7 shall have a minimum setback of twenty-five feet along the western boundary. A minimum sixty (60)-foot setback shall be required along the north property line of Lot #7.
- b. The project shall be developed in accordance with the information, data, plans, and commitments contained in the Vista Center DRI/ADA and supplemental information unless otherwise directed by the recommendations enumerated below. For the purpose of this condition, the Application for Development Approval shall consist of the following items:
 - 1) Application for Development Approval dated June 29, 1990.
 - 2) First Sufficiency Response and Appendices dated September 1990.
 - 3) Second Sufficiency Response received November 1990.
- c. The project shall consist of a total of 1,320 hotel rooms on 27.8 acres.
- d. The applicant / owner shall establish and implement an inspection and maintenance program for all components of the surface water management system for the project site, to include schedules for the performance of:
 - 1) Stormwater facility operating inspections on a regular basis (e.g. quarterly) and following major rainfall events (e.g., 1/2 inch of rainfall) for the removal of excessive sediment, debris or other flow obstructions.
 - 2) Routine maintenance activities (e.g., mowing, trash removal, etc.). Ongoing educational programs for maintenance staff personnel regarding the correct usage of and application rates for fertilizers and chemicals (e.g., herbicides) near the stormwater management facilities, the removal of noxious weeds and retention of desirable aquatic vegetation, and correct procedures for other maintenance/landscaping-related activities which have the potential for adversely affecting the water quality conditions on the project site.
- e. The applicant (or owners/successors, as applicable) will incorporate additional water quality treatment and/or water management methods into the project's surface water management system to correct or mitigate any degradation if the measures implemented by the applicant/owners are found to be ineffective or to adversely impact water quality/quantity conditions on or downstream of the project site.
- f. In the interest of safety, and to promote alternative forms of transportation, the applicant shall construct a system of bikeways providing for the needs of both experienced (on road) and novice (off road) cyclists during all new roadway

construction and/or resurfacing projects. Special consideration shall be given to roadways connecting resort villas and hotels with commercial and restaurant parcels. Bicycle support facilities (e.g. parking) shall be made available at hotels, villas.

- g. On-site bicycle and pedestrian systems shall connect into external bicycle systems. Construction standards shall conform to latest state criteria. The remaining construction for Lake Avenue shall provide for pedestrian and bicycle movement.
- h. Bicycle lockers or bicycle racks, transit passenger shelters, and transit parking bays shall be constructed where necessary to augment and facilitate the operations of off-site transit and bicycle facilities.

and further, adopted the order approving Rescission of Vista Centre DRI Development Order.

7. Jennifer Stickler, Kimley-Horn and Associates, South Park Planned Development (PD) Land Use Plan (LUP), Case # CDR-14-09-271, amend plan; District 6

Applicant: Jennifer Stickler, Kimley-Horn and Associates, South Park Planned Development / Land Use Plan (PD / LUP) Case # CDR-14-09-271

Consideration: Substantial change request to amend the South Park Planned Development / Land Use Plan (PD/LUP) by increasing commercial development entitlements from 621,665 square feet to 672,236 square feet (an increase of 50,571 square feet). The request also includes the following waiver from the Orange County Code:

- 1) A waiver from Orange County Code Section 38-1476 to allow four (4) parking spaces for each 1,000 square feet of commercial shopping centers with over 50,000 square feet, in lieu of the requirement for 5 spaces for each 1,000 square feet of commercial for shopping centers with over 50,000 square 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 6; property located at 8101 South John Young Parkway; generally located southeast of the Sand Lake Road / John Young Parkway intersection; Orange County, Florida (legal property description on file)

The following persons addressed the Board:

- Jennifer Stickler
- Edna Trimble

Motion/Second: Commissioners Siplin/Nelson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, approved the substantial change request by Jennifer Stickler, Kimley-Horn and Associates, South Park Planned Development / Land Use Plan (PD / LUP) Case # CDR-14-09-271, to amend the South Park Planned Development / Land Use Plan (PD/LUP) by increasing commercial development entitlements from 621,665 square feet to 672,236 square feet (an increase of 50,571 square feet); and further, included the following waiver from the Orange County Code:

- 1) A waiver from Orange County Code Section 38-1476 to allow four (4) parking spaces for each 1,000 square feet of commercial shopping centers with over 50,000 square feet, in lieu of the requirement for 5 spaces for each 1,000 square feet of commercial for shopping centers with over 50,000 square feet;

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

1. Development shall conform to the South Park PD Land Use Plan dated "Received October 29, 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 October 29, 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
5. A waiver from Orange County Code Section 38-1476 is granted to allow four (4) parking spaces for each 1,000 square feet of commercial shopping centers with over 50,000 square feet, in lieu of the requirement for 5 spaces for each 1,000 square feet of commercial for shopping centers with over 50,000 square feet.
6. The Developer shall obtain wastewater service from Orange County Utilities.
7. New pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
8. Outside sales, storage, and display shall be prohibited.
9. A liquor license is not authorized with this approval; applicant must meet applicable requirements.

Substantial Change

8. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Ruby Lake PD / Ruby Lake Preliminary Subdivision Plan, Case # CDR-14-09-266, amend plan; District 1

Applicant: Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Ruby Lake Planned Development (PD) / Ruby Lake Preliminary Subdivision Plan (PSP) - Substantial Change – Case # CDR-14-09-266

Consideration: Substantial change request to the Ruby Lake PD / Ruby Lake PSP to convert 300,000 square feet of office for hotel use (up to 300 hotel rooms) on Lot 2 of the PSP, and to correct Lot 2 area to 5.51 acres; pursuant to Sections 34-69 and 30-89, Orange County Code.

Location: District 1; property generally located west of Marbella Palms Court / South of Palm Parkway; Orange County, Florida (legal property description on file in the Planning Division)

The following person addressed the Board: Rebecca Wilson.

Motion/Second: Vice Mayor Boyd/Commissioner Nelson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, approved the substantial change request by Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Ruby Lake Planned Development (PD) / Ruby Lake Preliminary Subdivision Plan (PSP) - Substantial Change – Case # CDR-14-09-266, to the Ruby Lake PD / Ruby Lake PSP to convert 300,000 square feet of office for hotel use (up to 300 hotel rooms) on Lot 2 of the PSP; and further, corrected Lot 2 area to 5.51 acres; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Ruby Lake PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Ruby Lake Preliminary Subdivision Plan dated "Received November 10, 2014," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received November 10, 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 20-foot-wide pedestrian/landscape/utility easement and a 15-foot-wide transit easement (for a total of 35 feet) along Palm Parkway shall be included in the development plan.
5. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
6. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities for approval at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
7. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated February 7, 2006, shall apply
 - a. ~~Development shall conform to the Ruby Lake PD; Orange County Board of County Commissioners' (BCC) approvals; Ruby Lake PSP, dated "Received November 28, 2005"; 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 BCC, or by action of the BCC.~~

~~PSP approval automatically expires on February 7, 2007, in accordance with the Orange County Subdivision Regulations as amended.~~

- b. Prior to construction plan approval, a master stormwater management plan shall be submitted to the Development Engineering Division for review and approval.
- c. Outdoor storage and display shall be prohibited.
- d. ~~Prior to construction plan approval, certification with supporting calculations shall be submitted, which states that this project is consistent with the approved Master Utility Plan for this PD.~~
- e. All development shall comply with Buena Vista North Standards as well as the Tourist Commercial Activity Center with the exception of the waivers approved with this plan.
- f. A waiver from Section 38-1501 and Section 38-830(7) of the Orange County Code is granted to allow a 15-foot setback from the normal high water elevation in lieu of 50-foot setback for Lots 3, 4, and 9 as Ruby Lake is wholly contained within the limits of this development. Any such setback reductions shall comply with Conservation Area Impact Permit 01-002.
- g. In recognition of the developer forgoing pole signs, a waiver from Section 28-1395.2 of the Orange County Code is granted to allow the sign requirements set forth in the approved Master Sign Plan.
- h. A waiver from Section 38-1396.1(2) of the Orange County Code is granted to allow light fixtures other than the acorn-style light fixtures.
- i. A waiver from Section 38-1393.2(4) of the Orange County Code is granted to allow metal roofs for architectural diversity.
- j. Development shall comply with the Orange County Conservation Impact Permit 01-002 as approved by the BCC on May 22, 2001.
- k. The drainage easement in the area northwest of Lake Ruby shall be restricted to the area as allowed in the Conservation Area Impact Permit 01-002.
- l. ~~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 his or her authorized agent) to the BCC at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the BCC in approving the development, could have reasonably been expected to have been relied upon by the BCC in approving the development, or could have reasonably induced or otherwise influenced the BCC to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the BCC by the applicant (or his or her authorized agent) if it was expressly made to the BCC at a public hearing where the development was considered or approved.~~

- m. Ruby Lake will be utilized for stormwater attenuation; therefore, fishing and swimming shall be prohibited.
- n. Development on the northwest strip of the project shall be limited to 1 story and shall be shielded from residential uses.

Shoreline Alteration/Dredge and Fill

9. God and Family, LLC., Lake Down, permit; District 1

Applicant: God and Family, LLC.

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

Location: District 1; on property located adjacent to Lake Down, located at 503 Jennifer Lane, Windermere, Florida; Section 9, Township 23 South, Range 28, East; Orange County, Florida (legal property description on file in Environmental Protection Division)

County staff stated that the applicant is proposing to replace the current seawall of approximately 225 feet and construct a new seawall on the remaining 90 feet of shoreline.

County staff identified this permit as (SADF-14-06-070); however, the Staff Report indicates the correct permit as (SADF-14-06-006).

Motion/Second: Vice Mayor Boyd/Commissioner Nelson

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board approved the request by God and Family, LLC., for a Shoreline Alteration/Dredge and Fill Permit (SADF-14-06-006), to replace the current seawall and construct a new seawall on the remaining shoreline, 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 the filing of the Board of County Commissioners (BCC) determination with the Clerk of the Board, 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 'Exhibit A' and 'Exhibit B' submitted by Hodgkin's Outdoor Living, Inc., dated 'received November 6, 2014' by the Environmental Protection Division (EPD). The permitted work must be commenced within six (6) months and completed within one (1) year from the date of issuance of the permit. In the event that project has not commenced within six (6) months or completed within a year, this permit is void.
3. This permit does not authorize any dredging or filling, except for the actual construction of the seawall. This permit does not authorize any dredging or filling which may be necessary to provide maintenance or creation of a navigable access from the seawall to the open water.
4. The portion of the seawall that is a replacement wall shall be constructed within one foot waterward and abutting the existing wall as depicted on "Exhibit B".
5. The portion of the seawall that is completely new shall be constructed a minimum of 1-foot landward from the jurisdictional wetland limits.
6. Construction silt fencing shall be installed as depicted on "Exhibit A" to protect the wetlands and littoral zone vegetation from construction trampling and siltation.
7. Native vegetation, including but not limited to pickerelweed (*Pontederia cordata*), duck potato (*Sagittaria lancifolia*), swamp fern (*Blechnum serrulatum*), and umbrella grasses (*Fuirena spp.*) may *not* be removed from the shoreline outside of the specified access corridor.
8. Native trees, including but not limited to cypress (*Taxodium spp.*), dahoon holly (*Ilex cassine*), and wax myrtle (*Myrica cerifera*) may *not be removed from the shoreline*.
9. The permittee must install riprap at a slope not steeper than 2:1 (Horizontal:Vertical) as depicted on 'Exhibit B' submitted by Hodgskin Outdoor Living, LLC and signed by T.B. Chehal, P.E., dated 'received November 6, 2014' by EPD.
10. All dredged and debris material shall be removed to an upland location immediately upon completion of construction.

11. 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.
12. Any permit extensions for the approved construction may be approved by way of Consent Agenda if there are no changes.

General Conditions:

13. 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.
14. 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.
15. 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.
16. 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 (60) 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.

17. 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.
18. 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.
19. 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.
20. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
21. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
22. 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.
23. 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.
24. 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.
25. 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.

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.

Rezoning

10. Chuck Whittall, Wyndham Orlando Resort and Shops Planned Development (PD), Case # LUP-13-09-227; District 6

Applicant: Chuck Whittall, Unicorp National Developments, Inc., Wyndham Orlando Resort and Shops Planned Development (PD)-Case # LUP-13-09-227

Consideration: Request to rezone the subject property from C-1 (Retail Commercial District) to PD (Planned Development District) in order to reflect existing development with limited expansion of commercial and hotel uses, and to incorporate a proposed Master Sign Plan (MSP). The existing development program consists of 102,378 square feet of commercial / retail uses; 613 hotel rooms; and 110,310 square feet of convention center uses. The requested modified and expanded development program consists of 138,000 square feet of commercial / retail uses; 1,613 hotel rooms; and 110,310 square feet of convention center uses. In addition, the applicant is seeking the following waivers from Orange County Code to allow development to be subject to the Convention Plaza District Overlay Zone development standards, and to incorporate alternative project sign standards consistent with a proposed Master Sign Plan (MSP):

1. A waiver from Orange County Code to allow the project and development to be subject to the requirements of Orange County Code, Article VII, Division 4.5 (Convention Plaza District Overlay Zone), in lieu of the requirements of Orange County Code, Article VIII (Planned Development District).
2. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 1 only:
 - a. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of a maximum of (1) wall sign per building face;
 - b. From Code Section 31.5-168(f) to allow a wall sign to extend 42" from the face of the wall on which it is erected, in lieu of the maximum 12" projection of a wall sign; and

- c. From Code Section 31.5-163(a)(2) to allow a tenant an additional 84.79 sq. ft. of wall sign copy area and total of 115.79 sq. ft. in lieu of a maximum wall sign copy area of 31 sq. ft.
3. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 2 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 36.28 sq. ft. of wall sign copy area and a total of 126.28 sq. ft., in lieu of the maximum wall sign copy area of 90 sq. ft; and
 - b. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face for a single tenant.
4. The following waiver from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 3 only:
 - a. From Code Section 31.5-166(a) to allow a tenant an additional 9.65 sq. ft. of copy area for a ground sign and a total copy area of 60 sq. ft., in lieu of the maximum allowed copy area for a ground sign of 50.35 sq. ft.
5. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 5 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 57.50 sq. ft. of wall sign copy area and a total copy area of 152.50 sq. ft., in lieu of a maximum wall sign copy area of 95 sq. ft;
 - b. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face.
 - c. From Code Section 31.5-163(a)(2) to allow a tenant an additional 13 sq. ft. of wall sign copy area and a total copy area of 40.50 sq. ft., in lieu of a maximum wall sign copy area of 27.50 sq. ft.
 - d. From Code Section 31.5-67(i) to allow individual tenant panels on a multi-tenant sign to contain a minimum 6.5 sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.
6. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 6 only:
 - a. From Code Section 31.5-168(f) to allow a wall sign to extend 36" from the face of the wall on which it is erected, in lieu of a maximum extension of 12" from the wall on which it is erected;
 - b. From Code Section 31.5-167(f) to allow two (2) pole signs, (erected on a tenant lot without the proper permit) to remain; in lieu of the requirement limiting the maximum number of pole signs to one (1) per parcel;
 - c. From Code Section 31.5-167(c) to allow for a minimum pole sign setback of 15' from the right-of-way and 8' from a side

- property line; in lieu of the minimum pole sign setback of 150' from the right-of way and 20' from the side property line; and
- d. From Code Section 31.5-167(g) to allow the minimum spacing of pole signs on a single parcel to be 100', in lieu of the minimum pole sign spacing of 200' on a single parcel.
7. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 7 only:
 - a. From Code Section 31.5-168(b) to allow multiple wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and
 - b. From Code Section 31.5-172(a) to allow for an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft. of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.
 8. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 8 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 83.58 sq. ft. of wall sign copy area and a total of 231.58 sq. ft. of wall sign copy area; in lieu of the maximum allowable wall sign copy area of 148 sq. ft.;
 - b. From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face; and
 - c. From Code Section 31.5-172(a) to allow an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft. of copy area, in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.
 9. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 9 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 67.5 sq. ft. of wall sign copy area and a total of 88.5 sq. ft. of copy area, in lieu of the maximum allowable copy area of 21 sq. ft.;
 - b. From Code Section 31.5-163(a)(2) to allow a tenant an additional 8.66 sq. ft. of wall sign copy area and a total of 38.16 sq. ft. of copy area, in lieu of the maximum allowable copy area of 29.50 sq. ft.;
 - c. From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and
 - d. From Code Section 31.5-67(i) to allow individual tenant panels on a multi-tenant sign to contain a minimum six (6) sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.

10. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 10 only:
 - a. From Code Section 31.5-163(a)(2) to allow an additional 68.18 sq. ft. of copy area and a total of 173.18 sq. ft. of copy area, in lieu of the maximum allowable copy area of 105 sq. ft.;
 - b. From Code Section 31.5-168(b) to allow two (2) wall signs on the west elevation, in lieu of a maximum of one (1) wall sign per building face for a single tenant or per store front for a multi-tenant site;
 - c. From Code Section 31.5-166(d) to allow for four (4) ground-monument signs within the subject parcel, in lieu of the allowance for only two (2) ground-monument signs within the subject parcel;
 - d. From Code Section 31.5-166(d) to allow for two (2) ground-monument signs within 100 ft. of each other within the subject parcel; in lieu of the requirement that any two (2) ground-monument signs within a parcel be separated by a distance of not less than 100 ft.;
 - e. From Code Section 31.5-166(a) to allow ground sign "RM-4" (as depicted on the Master Sign Plan) to have a maximum copy area of 94 sq. ft. in lieu of a maximum copy area of 60 sq. ft.;
 - f. From Code Section 31.5-166(a) to allow a maximum ground sign copy area of 240.43 sq. ft., in lieu of a maximum ground sign copy area of 120 sq. ft.;
 - g. From Code Section 31.5-172(a) to allow an additional 3.8 sq. ft. of copy area for any directional sign and a total of 9.8 sq. ft. of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign;
 - h. From Code Section 31.5-167(a) to allow for a maximum allowable copy area of 222 sq. ft. within an existing pole sign, in lieu of a maximum allowable copy area of 100 sq. ft.;
 - i. From Code Section 31.5-167(b) to allow an existing pole sign with a height of fifty-two (52) feet to remain, in lieu of the maximum pole sign height of thirty (30) feet;
 - j. From Code Section 31.5-167(c) to allow for an existing pole sign with a setback of 20' from the right-of-way to remain, in lieu of the requirement for a minimum pole sign setback of 150' from the right-of way; and
 - k. From Code Section 31.5-172(a) to allow for a maximum of two (2) directional signs with a maximum copy area of eight (8) sq. ft. each; in lieu of a maximum of one (1) directional sign with a maximum copy area of six (6) sq. ft.; pursuant to Orange County Code, Chapter 30.

Location: District 6; property located at 8001 International Drive; generally located on south side of W. Sand Lake Road, between International Drive and Universal Boulevard; Orange County, Florida (legal property description on file)

The following person addressed the Board: Chuck Whittall.

Motion/Second: Commissioners Siplin/Edwards

Absent: County Mayor Jacobs

AYE (voice vote): All present members

Action: The Board approved the request by Chuck Whittall, Unicorp National Developments, Inc., Wyndham Orlando Resort and Shops Planned Development (PD)-Case # LUP-13-09-227, to rezone the subject property from C-1 (Retail Commercial District) to PD (Planned Development District) in order to reflect existing development with limited expansion of commercial and hotel uses, and to incorporate a proposed Master Sign Plan (MSP); further, the existing development program consists of 102,378 square feet of commercial / retail uses; 613 hotel rooms; and 110,310 square feet of convention center uses; further, modified and expanded development program consists of 138,000 square feet of commercial / retail uses; 1,613 hotel rooms; and 110,310 square feet of convention center uses; and further, the applicant requested the following waivers from Orange County Code to allow development to be subject to the Convention Plaza District Overlay Zone development standards, and to incorporate alternative project sign standards consistent with a proposed Master Sign Plan (MSP):

1. A waiver from Orange County Code to allow the project and development to be subject to the requirements of Orange County Code, Article VII, Division 4.5 (Convention Plaza District Overlay Zone), in lieu of the requirements of Orange County Code, Article VIII (Planned Development District).
2. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 1 only:
 - a. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of a maximum of (1) wall sign per building face;
 - b. From Code Section 31.5-168(f) to allow a wall sign to extend 42" from the face of the wall on which it is erected, in lieu of the maximum 12" projection of a wall sign; and
 - c. From Code Section 31.5-163(a)(2) to allow a tenant an additional 84.79 sq. ft. of wall sign copy area and total of 115.79 sq. ft., in lieu of a maximum wall sign copy area of 31 sq. ft.
3. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 2 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 36.28 sq. ft. of wall sign copy area and a total of 126.28 sq. ft., in lieu of the maximum wall sign copy area of 90 sq. ft; and

- b. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face for a single tenant.
4. The following waiver from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 3 only:
 - a. From Code Section 31.5-166(a) to allow a tenant an additional 9.65 sq. ft. of copy area for a ground sign and a total copy area of 60 sq. ft., in lieu of the maximum allowed copy area for a ground sign of 50.35 sq. ft.
5. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 5 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 57.50 sq. ft. of wall sign copy area and a total copy area of 152.50 sq. ft., in lieu of a maximum wall sign copy area of 95 sq. ft;
 - b. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face.
 - c. From Code Section 31.5-163(a)(2) to allow a tenant an additional 13 sq. ft. of wall sign copy area and a total copy area of 40.50 sq. ft., in lieu of a maximum wall sign copy area of 27.50 sq. ft.
 - d. From Code Section 31.5-67(i) to allow individual tenant panels on a multi-tenant sign to contain a minimum 6.5 sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.
6. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 6 only:
 - a. From Code Section 31.5-168(f) to allow a wall sign to extend 36" from the face of the wall on which it is erected, in lieu of a maximum extension of 12" from the wall on which it is erected;
 - b. From Code Section 31.5-167(f) to allow two (2) pole signs, (erected on a tenant lot without the proper permit) to remain; in lieu of the requirement limiting the maximum number of pole signs to one (1) per parcel;
 - c. From Code Section 31.5-167(c) to allow for a minimum pole sign setback of 15' from the right-of-way and 8' from a side property line; in lieu of the minimum pole sign setback of 150' from the right-of way and 20' from the side property line; and
 - d. From Code Section 31.5-167(g) to allow the minimum spacing of pole signs on a single parcel to be 100', in lieu of the minimum pole sign spacing of 200' on a single parcel.
7. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 7 only:
 - a. From Code Section 31.5-168(b) to allow multiple wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and

- b. From Code Section 31.5-172(a) to allow for an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft. of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.
8. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 8 only:
- a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 83.58 sq. ft. of wall sign copy area and a total of 231.58 sq. ft. of wall sign copy area; in lieu of the maximum allowable wall sign copy area of 148 sq. ft.;
 - b. From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face; and
 - c. From Code Section 31.5-172(a) to allow an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft. of copy area, in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.
9. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 9 only:
- a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 67.5 sq. ft. of wall sign copy area and a total of 88.5 sq. ft. of copy area, in lieu of the maximum allowable copy area of 21 sq. ft.;
 - b. From Code Section 31.5-163(a)(2) to allow a tenant an additional 8.66 sq. ft. of wall sign copy area and a total of 38.16 sq. ft. of copy area, in lieu of the maximum allowable copy area of 29.50 sq. ft.;
 - c. From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and
 - d. From Code Section 31.5-67(i) to allow individual tenant panels on a multi-tenant sign to contain a minimum six (6) sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.
10. The following waivers from Orange County Code Section 31.5 which are applicable to Master Sign Plan (MSP) Lot 10 only:
- a. From Code Section 31.5-163(a)(2) to allow an additional 68.18 sq. ft. of copy area and a total of 173.18 sq. ft. of copy area, in lieu of the maximum allowable copy area of 105 sq. ft.;
 - b. From Code Section 31.5-168(b) to allow two (2) wall signs on the west elevation, in lieu of a maximum of one (1) wall sign per building face for a single tenant or per store front for a multi-tenant site;
 - c. From Code Section 31.5-166(d) to allow for four (4) ground-monument signs within the subject parcel, in lieu of the allowance for only two (2) ground-monument signs within the subject parcel;
 - d. From Code Section 31.5-166(d) to allow for two (2) ground-monument signs within 100 ft. of each other within the subject parcel; in lieu of the requirement that any two (2) ground-monument signs within a parcel be separated by a distance of not less than 100 ft.;

- e. From Code Section 31.5-166(a) to allow ground sign "RM-4" (as depicted on the Master Sign Plan) to have a maximum copy area of 94 sq. ft., in lieu of a maximum copy area of 60 sq. ft.;
- f. From Code Section 31.5-166(a) to allow a maximum ground sign copy area of 240.43 sq. ft., in lieu of a maximum ground sign copy area of 120 sq. ft.;
- g. From Code Section 31.5-172(a) to allow an additional 3.8 sq. ft. of copy area for any directional sign and a total of 9.8 sq. ft. of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign;
- h. From Code Section 31.5-167(a) to allow for a maximum allowable copy area of 222 sq. ft. within an existing pole sign, in lieu of a maximum allowable copy area of 100 sq. ft.;
- i. From Code Section 31.5-167(b) to allow an existing pole sign with a height of fifty-two (52) feet to remain, in lieu of the maximum pole sign height of thirty (30) feet;
- j. From Code Section 31.5-167(c) to allow for an existing pole sign with a setback of 20' from the right-of-way to remain, in lieu of the requirement for a minimum pole sign setback of 150' from the right-of way; and
- k. From Code Section 31.5-172(a) to allow for a maximum of two (2) directional signs with a maximum copy area of eight (8) sq. ft. each; in lieu of a maximum of one (1) directional sign with a maximum copy area of six (6) sq. ft.;

on the described property; subject to the following conditions:

1. Development shall conform to the Wyndham Orlando Resort and Shops PD / Land Use Plan dated "Received September 5, 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 September 5, 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan/preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
5. Prior to approval of the first set of construction plans within this PD, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed wastewater and reclaimed water systems have been designed to support the PD.
6. The Developer shall obtain wastewater and reclaimed water service from Orange County Utilities.
7. Outside sales, storage, and display shall be prohibited.
8. New pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
9. A waiver from Orange County Code is granted to allow the project and development to be subject to the requirements of Orange County Code, Article VII, Division 4.5 (Convention Plaza District Overlay Zone), in lieu of the requirements of Orange County Code, Article VIII (Planned Development District).
10. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 1 only:

- a. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of a maximum of (1) wall sign per building face;
 - b. From Code Section 31.5-168(f) to allow a wall sign to extend 42" from the face of the wall on which it is erected, in lieu of the maximum 12" projection of a wall sign; and
 - c. From Code Section 31.5-163(a)(2) to allow a tenant an additional 84.79 sq. ft. of wall sign copy area and total of 115.79 sq. ft. in lieu of a maximum wall sign copy area of 31 sq. ft.
11. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 2 only:
- a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 36.28 sq. ft. of wall sign copy area and a total of 126.28 sq. ft., in lieu of the maximum wall sign copy area of 90 sq. ft; and
 - b. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face for a single tenant.
12. The following waiver from Orange County Code Section 31.5 is granted and applicable to Master Sign Plan (MSP) Lot 3 only:
- a. From Code Section 31.5-166(a) to allow a tenant an additional 9.65 sq. ft. of copy area for a ground sign and a total copy area of 60 sq. ft., in lieu of the maximum allowed copy area for a ground sign of 50.35 sq. ft.
13. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 5 only:
- a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 57.50 sq. ft. of wall sign copy area and a total copy area of 152.50 sq. ft., in lieu of a maximum wall sign copy area of 95 sq. ft;
 - b. From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face;
 - c. From Code Section 31.5-163(a)(2) to allow a tenant an additional 13 sq. ft. of wall sign copy area and a total copy area of 40.50 sq. ft., in lieu of a maximum wall sign copy area of 27.50 sq. ft.; and
 - d. From Code Section 31.5-67(i) to allow individual tenant panels on a multi-tenant sign to contain a minimum 6.5 sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.

14. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 6 only:
 - a. From Code Section 31.5-168(f) to allow a wall sign to extend 36" from the face of the wall on which it is erected, in lieu of a maximum extension of 12" from the wall on which it is erected;
 - b. From Code Section 31.5-167(f) to allow two (2) pole signs, (erected on a tenant lot without the proper permit) to remain; in lieu of the requirement limiting the maximum number of pole signs to one (1) per parcel;
 - c. From Code Section 31.5-167(c) to allow for a minimum pole sign setback of 15' from the right-of-way and 8' from a side property line; in lieu of the minimum pole sign setback of 150' from the right-of way and 20' from the side property line; and
 - d. From Code Section 31.5-167(g) to allow the minimum spacing of pole signs on a single parcel to be 100', in lieu of the minimum pole sign spacing of 200' on a single parcel.
15. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 7 only:
 - a. From Code Section 31.5-168(b) to allow multiple wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and
 - b. From Code Section 31.5-172(a) to allow for an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.
16. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 8 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 83.58 sq. ft. of wall sign copy area and a total of 231.58 sq. ft. of wall sign copy area; in lieu of the maximum allowable wall sign copy area of 148 sq. ft.;
 - b. From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face; and
 - c. From Code Section 31.5-172(a) to allow an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft. of copy area, in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.

17. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 9 only:
 - a. From Code Section 31.5-163(a)(2) to allow a tenant an additional 67.5 sq. ft. of wall sign copy area and a total of 88.5 sq. ft. of copy area, in lieu of the maximum allowable copy area of 21 sq. ft.;
 - b. From Code Section 31.5-163(a)(2) to allow a tenant an additional 8.66 sq. ft. of wall sign copy area and a total of 38.16 sq. ft. of copy area, in lieu of the maximum allowable copy area of 29.50 sq. ft.;
 - c. From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and
 - d. From Code Section 31.5-67(i) to allow individual tenant panels on a multi-tenant sign to contain a minimum six (6) sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.

18. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 10 only:
 - a. From Code Section 31.5-163(a)(2) to allow an additional 68.18 sq. ft. of copy area and a total of 173.18 sq. ft. of copy area, in lieu of the maximum allowable copy area of 105 sq. ft.;
 - b. From Code Section 31.5-168(b) to allow two (2) wall signs on the west elevation, in lieu of a maximum of one (1) wall sign per building face for a single tenant or per store front for a multi-tenant site;
 - c. From Code Section 31.5-166(d) to allow for four (4) ground-monument signs within the subject parcel, in lieu of the allowance for only two (2) ground-monument signs within the subject parcel;
 - d. From Code Section 31.5-166(d) to allow for two (2) ground-monument signs within 100 ft. of each other within the subject parcel; in lieu of the requirement that any two (2) ground-monument signs within a parcel be separated by a distance of not less than 100 ft.;
 - e. From Code Section 31.5-166(a) to allow ground sign "RM-4" (as depicted on the Master Sign Plan) to have a maximum copy area of 94 sq. ft. in lieu of a maximum copy area of 60 sq. ft.;
 - f. From Code Section 31.5-166(a) to allow a maximum ground sign copy area of 240.43 sq. ft., in lieu of a maximum ground sign copy area of 120 sq. ft.;

- g. From Code Section 31.5-172(a) to allow an additional 3.8 sq. ft. of copy area for any directional sign and a total of 9.8 sq. ft. of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign;
 - h. From Code Section 31.5-167(a) to allow for a maximum allowable copy area of 222 sq. ft. within an existing pole sign, in lieu of a maximum allowable copy area of 100 sq. ft.;
 - i. From Code Section 31.5-167(b) to allow an existing pole sign with a height of fifty-two (52) feet to remain, in lieu of the maximum pole sign height of thirty (30) feet;
 - j. From Code Section 31.5-167(c) to allow for an existing pole sign with a setback of 20' from the right-of-way to remain, in lieu of the requirement for a minimum pole sign setback of 150' from the right-of way; and
 - k. From Code Section 31.5-172(a) to allow for a maximum of two (2) directional signs with a maximum copy area of eight (8) sq. ft. each; in lieu of a maximum of one (1) directional sign with a maximum copy area of six (6) sq. ft.
19. Parking structure shall be provided for additional hotel rooms (beyond 613 rooms) with a parking rate of 1.2 spaces per room, above the parking that is currently provided.
20. Vehicular and pedestrian connectivity shall be provided between International Drive and Universal Boulevard, and to development to the south.
21. Parking within the overall PD shall be shared by all lots and tenants.

• COUNTY DISCUSSION AGENDA (CONTINUED)

County Mayor

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

The following are issues of interest:

- Initiating a Pine Hills Community clean-up contest on Silver Star Road.
- Misuse of Single Family Residential properties.
- EMS Transport fees.

Board discussion ensued.

Action: None

• ADJOURNMENT, 3:04 p.m.

ATTEST:



County Mayor Teresa Jacobs

Date: FEB 24 2015

ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk

for Jessica Moore
Deputy Clerk

