

BCC Mtg. Date: Jan. 26, 2016

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, November 17, 2015
Location: Commission Chambers, Orange County Administration Center,
First Floor, 201 S. Rosalind Avenue, Orlando, Florida
Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd,
Bryan Nelson, Pete Clarke, Jennifer Thompson, Ted Edwards
Member Absent: Commissioner Victoria P. Siplin
Others Present: Chief Deputy Comptroller Margaret A. McGarrity as Clerk, County
Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton,
Deputy County Attorney Joel Prinsell, Senior Minutes Coordinator
Noelia Perez, Senior Minutes Coordinator Craig Stopyra

- CALL TO ORDER, 2:05 p.m.
- INVOCATION - Pastor Willie Barnes, International Church of Faith
- PLEDGE OF ALLEGIANCE

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Boyd.

- ANNOUNCEMENT

County Mayor Jacobs announced her Holiday Hero Toy Drive and invited Orange County employees and citizens to participate in this initiative during this time.

- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Jonathan Sebastian Blount
- Doug Head
- Trini Quiroz

- COUNTY CONSENT AGENDA

Motion/Second: Commissioners Nelson/Clarke

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Mayor

- Deferred action on Administrative Services Department Item 8
- Deferred action on Community, Environmental and Development Services Department Item 4 for consideration with public hearing for Scott Stuart, Kelly, Collins and Gentry,

Inc., for Asbury Theological Seminary, Asbury Theological Planned Development / Land Use Plan, Case # LUP-15-08-236

- Deleted Family Services Department Item 2
- Deferred action on Public Works Department Item 11

and further, the Board approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Approval of the minutes of the September 3, September 17, and September 22, 2015, meetings of the Board of County Commissioners. (Clerk's Office)
2. 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:
 - October 30, 2015, to November 5, 2015; total of \$31,747,179.28
 - November 6, 2015, to November 12, 2015; total of \$36,161,252.84.

(Finance/Accounting)

County Sheriff

1. Approval of U.S. Department of Justice FY15 Justice Assistance Grant Program, Award Number 2015-DJ-BX-0493, in the amount of \$354,471 for the period of October 1, 2014 through September 30, 2018.

County Administrator

1. Receipt and filing of the minutes received by the Agenda Development Office of various advisory board meetings for the official county record. (Agenda Development Office)
2. Adoption of a Resolution 2015-B-09 of the Board of County Commissioners of Orange County, Florida, approving the issuance by the Orange County Health Facilities Authority of its Revenue Bonds (Orlando Senior Health Network Project), Series 2015, in an aggregate principal amount not to exceed \$42,000,000; and providing an Effective Date. (Health Facilities Authority)
3. Approval of Orange County, Florida and University of Central Florida FY 2016 Grant Agreement and authorization to disburse \$750,000 as provided in the FY 2015-16 adopted budget. (Office of Economic, Trade and Tourism Development)

4. Approval for the Orange County Sheriff's Office to spend \$5,000 from the FY 2016 Law Enforcement Trust Fund to provide an eligible contribution to Boy Scouts of America, Central Florida Council. (Office of Management and Budget)
5. Approval to disburse \$150,000 to the Orange Blossom Trail Development Board by December 7, 2015 for administration in order to maintain normal operations for the first quarter of FY 2015-16. (Office of Management and Budget)
6. Approval of budget amendments #16-04, #16-05, and #16-06. (Office of Management and Budget)
7. Approval of budget transfers #15-1631 and #15-1646. (Office of Management and Budget)

Administrative Services Department

1. Approval to award Invitation for Bids Y16-134-DG, Water Watch and Mobile Irrigation Lab Audit Program, to the low responsive and responsible bidder, Groundtek of Central Florida, LLC, for a 36-month term contract in the estimated amount of \$1,151,191.20. Further, authorized the Procurement Division to renew the contract for two additional twelve month periods. ([Utilities Department Water Division] Procurement Division)
2. Approval to award Invitation for Bids Y15-7013-PH, Sweetwater Country Club Subdivision Water Main Improvements, to the low responsive and responsible bidder, Stage Door II, Inc., for the estimated contract award amount of \$1,251,125. ([Utilities Department Engineering Division] Procurement Division)
3. Approval of Purchase Order M75666, Renewal of the Software Maintenance Agreement for the AMS Financial Software (Advantage), with CGI Technologies and Solutions, Inc. (formerly American Management Systems, Inc.) in the annual amount of \$756,977. Further, authorized the Procurement Division to renew this contract for four additional 1-year periods. ([Office of Accountability Information Systems and Services Division] Procurement Division)
4. Approval of Amendment No. 8, Contract Y12-170A, Wraparound Orange Family Partner Services with Youth Advocate Programs, Inc. for a 90-day performance extension for an additional amount of \$68,782, and a revised total annual contract amount of \$560,568. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)
5. Approval of Amendment No.2, Contract Y15-151B, Temporary Labor – Manual, with Ace Staffing, Inc., to add an estimated amount of \$75,000 to the contract for a revised total estimated contract amount of \$455,688. ([Administrative Services Department] Procurement Division)

6. Approval of Contract Y16-118-JS, Thompson Pump Parts and Repairs, with Thompson Pump & Manufacturing Company, Inc. at an estimated contract amount of \$549,525 for a 3-year contract. Further, authorized the Procurement Division to renew the contract for two additional 1-year terms. ([Administrative Services Department Fleet Management Division] Procurement Division)
7. Approval of Contract Y16-147-PD, Procurement, Installation and Support of Hardware and Software to Upgrade Existing Offender Imaging System, with Dynamic Imaging Systems, Inc. (DISI, Inc.) in the contract award amount of \$157,634.80 for a two-year contract. ([Office of Accountability Information Systems and Services Division] Procurement Division)
8. Approval of Contract Y16-163, Rapid Re-housing, with the Homeless Services Network (HSN) in the amount of \$1,500,000 for a 1-year period. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)

(This item was deferred.)

9. Ratification of Purchase Order M75807, Emergency Security System Installation at Corrections with Rocha Controls, in the estimated amount of \$400,480.22. ([Office of Accountability Information Systems and Services Division] Procurement Division)
10. Approval of As Is Residential Contract for Sale and Purchase with Comprehensive Rider to the Residential Contract for Sale and Purchase between Orange County and Aris Y. Guzman, approval and execution of County Deed from Orange County to Aris Y. Guzman and authorization to perform all actions necessary and incidental to closing for NSP Resale – 12553 Indiana Woods Lane, Orlando, FL 32824 (NCST). District 4. (Real Estate Management Division)
11. Approval of Utility Easement between I-Drive & Central Florida Parkway, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from United Legacy Bank, a division of National Bank of Commerce and authorization to record instruments for Dollar Tree @ Williamsburg Downs OCU Permit: B14901115 OCU File #: 77346. 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. All Districts. (Code Enforcement Division)

LC 15-1286	LC 15-1241	LC 15-0646	LC 15-1144	LC 15-1255
LC 15-1300	LC 15-1190	LC 15-1065	LC 15-1165	LC 15-1261
LC 15-1157	LC 15-1346	LC 15-1106	LC 15-1225	LC 15-1265

LC 15-1183	LC 15-1146	LC 15-1126	LC 15-1235	LC 15-1297
LC 15-1206	LC 15-1154	LC 15-1128	LC 15-1238	LC 15-1299
LC 15-1208	LC 15-1198	LC 15-1129	LC 15-1247	LC 15-1322
LC 15-1253	LC 14-1371	LC 15-1131	LC 15-1248	LC 15-1323
LC 15-1148	LC 15-0359	LC 15-1137	LC 15-1250	LC 15-1388

2. Acceptance of Recommendation of the Environmental Protection Commission to approve the request for an After-the-Fact waiver to Section 15-342(b) terminal platform size for the Emmerson Boat Dock Permit BD-15-04-044 with the condition that the applicant pay \$943 to the Conservation Trust Fund. District 1. (Environmental Protection Division)
3. Approval of Second Amendment to the Program Administration Agreement Between Orange County, Florida And Life Concepts, Inc., d.b.a., Quest Inc. Regarding the State Housing Initiatives Partnership Program to increase funding in the amount of \$127,713 and to amend the project rehabilitation budget. District 1, 2, and 3. (Housing and Community Development Division)
4. Approval of Transportation Impact Fee Agreement Asbury Theological Seminary Valencia College Lane by and between Asbury Theological Seminary and Orange County for the conveyance of 0.311 acres of right-of-way for Valencia College Lane in return for \$37,254.69 in transportation impact fee credits. District 3. (Roadway Agreement Committee)

(This item was deferred.)
5. Approval of Hold Harmless and Indemnification Agreement Parcel ID: 02-23-29-3672-01-140 between Charles and Charlotte Hornsby and Orange County to construct a carport at 3221 Alamo Drive, Orlando, Florida. District 3. (Zoning Division)

Family Services Department

1. Approval of Facility and Land Use Agreement Between The School Board of Orange County, Florida and Orange County, Florida regarding Head Start Program 2015-2016. (Head Start Division)
2. ~~Approval of the October 2015 Business Assistance for Neighborhood Corridors Program Grants for South Orlando Christian Academy (\$3,750); Castro Realty Group (\$3,915); and Image Graphics (\$5,000). Districts 3 and 5. (Neighborhood Preservation and Revitalization Division)~~

(This item was deleted.)

3. Approval to add two positions to the Head Start Division manning table. Head Start five year grant funds, award number 04CH010230-01-00, will be used to cover costs for the Licensed Practical Nurse and Maintenance Tech positions. (Head Start Division)

Health Services Department

1. Approval of Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Grant Award Number: 2015-DC-BX-0013, Orange County Juvenile Delinquency Drug Court Program – Enhancement and Expansion for the Delinquency Drug Court Program in the amount of \$400,000 for the period of October 1, 2015 – September 30, 2017. There is a 25% match which has been met by the Orange County Ninth Judicial Circuit Juvenile Delinquency Drug Court Program. (Drug Free Community Office)
2. Approval of the renewal Paratransit Services License for CHAMPION TRANSPORT SERVICES LLC to provide wheelchair/stretchers service. The term of this License is from November 30, 2015 through November 30, 2017. There is no cost to the County. (EMS Office of the Medical Director)
3. Approval of EMS County Grant Application Florida Department of Health Emergency Medical Services Program for 2015-2016 in the amount of \$182,961, and approval for the County Mayor or her designee to sign for the award payment. There is no county match required for this grant. (EMS Office of the Medical Director)

Public Works Department

1. Approval of State of Florida Department of Transportation County Resolution 2015-M-40 Grade Crossing Traffic Control Devices and Future Responsibility, Financial Project No. 43755715701, and State of Florida Department of Transportation Railroad Reimbursement Agreement Grade Crossing Traffic Control Devices – County, Financial Project No. 43755715701, by and between the Florida Department of Transportation, Florida Central Railroad Company, Inc. and Orange County for traffic control improvements at the Florida Central Railroad grade crossing on CR-437/Lakeview Drive in Plymouth. District 2. (Traffic Engineering Division)
2. Approval of Homeowner's Association Agreement for Spring Lake Villas Subdivision Traffic Control Devices by Spring Lake Villas Homeowner's Association, Inc., in favor of Orange County, Florida, that provides for the Association to maintain decorative street name and traffic control signposts. District 1. (Traffic Engineering Division)

3. Approval to remove the "No Parking, Stopping, Standing" zone on the north side of Avenue of the Groves by 150 feet from New Independence Parkway to Old Thicket Trace. District 1. (Traffic Engineering Division)
4. Approval to install a "No Parking Anytime" zone on the west side of Sunbeam Avenue from Wallace Road extending south 300 feet. District 1. (Traffic Engineering Division)
5. Approval to install a "No Parking" zone on the south side of Sugargrove Way from 150 feet north of Crystal Bay Lane to the cul-de-sac. District 4. (Traffic Engineering Division)
6. Approval to install street name signs for alleys with appropriate traffic control and with indication that the alley is unmaintained. All Districts. (Traffic Engineering Division)
7. Authorization to record the plat of Fletcher Center. District 4. (Development Engineering Division)
8. Approval to construct speed humps on Davenport Road, Seidner Road, and Williams Road. District 1. (Traffic Engineering Division)
9. Approval to construct speed humps on Dangler Road and Spyglass Hill Road. District 1. (Traffic Engineering Division)
10. Approval to install traffic calming islands on Bass Lake Boulevard and East Jersey Avenue. District 3. (Traffic Engineering Division)
11. Approval of the Locally Funded Agreement Between the State of Florida Department of Transportation and Orange County (State Road 400/I-4 and Daryl Carter Parkway Interim Interchange Analysis Financial Project Number: 432100-1-22-05). District 1. (Transportation Planning Division)

(This item was deferred.)

12. Approval of Agreement for Traffic Law Enforcement on Private Roads located in the gated community of The Reserve at Phillips Cove by and between Orange County, Florida, and Taylor Morrison of Florida, Inc. District 1. (Public Works Administration)
13. Authorization to record the plat of James Creek Road. District 4. (Roads & Drainage Division)
14. Approval of Resolution 2015-M-41 of the Orange County Board of County Commissioners regarding establishing a No Truck or Tractor Trailer Parking zone for FHWA Vehicle Classifications 6 through 13 and a No Parking Tow Away zone

for those same vehicle classifications on Avalon Park Boulevard northbound and southbound between Tanja King Boulevard and Golden Rain Tree Boulevard. District 4. (Traffic Engineering Division)

Utilities Department

1. Approval of Utility Line Construction Reimbursement Agreement for Watermark Phase 2 by and between Orange County and Meritage Homes of Florida, Inc. in an amount not-to-exceed \$62,600. District 1. (Engineering Division)

• INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. Jurisdictional Boundary Map Update in reference to Ordinance No. 2015-9, An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of Columbia Street, east of S Ivey Ln and south and west of Elston Ln comprised of 0.84 acres of land, more or less; amending the City's adopted Growth Management Plan to designate the property as mixed use corridor medium intensity on the City's official future land use maps; and designating the property as the medium intensity mixed use corridor district on the City's official zoning maps; providing for amendment of the City's official Land Use and Zoning Maps; providing for severability, correction of scrivener's errors and an effective date.
 - b. City of Ocoee Ordinances with Exhibit "A" (Legal Descriptions), and Exhibit "B" (Location Maps) as follows:
 - Ordinance No. 2015-014 (Annexation Ordinance for Ansine & Dukes Property – 5907 Ingram Road) Tax Parcel ID # 05-22-28-0000-00-014; Case No. AX-05-15-52: Ansine & Dukes Property Annexation; An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 4.98 acres located on the east side of Ingram Road approximately 750 feet north of the Clarcona-Ocoee road intersection; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee comprehensive plan, the Ocoee City Code, and the Joint Planning Area Agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.
 - Ordinance No. 2015-016 (Annexation Ordinance for Homes in Partnership N Lakewood Ave) Tax Parcel ID #s 08-22-28-5956-12-050, 08-22-28-5956-12-070, & 08-22-28-5956-12-080; Case No. AX-05-15-54: Homes in Partnership N Lakewood Ave Annexation: An Ordinance of the City of Ocoee, Florida, annexing into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.52 acres located on the west side N

- Lakewood Avenue and on the south side of 13th Ave; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee comprehensive plan, the Ocoee City Code, and the Joint Planning Area Agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.
- Ordinance No. 2015-018 (Annexation Ordinance for Homes in Partnership 535 Woodson Avenue) Tax Parcel ID #s 17-22-28-8420-01-022; Case No. AX-05-15-53: Homes in Partnership (535 Woodson Ave.) Annexation; An Ordinance of the City of Ocoee, Florida, annexing to into the corporate limits of the City of Ocoee, Florida, certain real property containing approximately 0.19 acres located on the east side of Woodson Ave, approximately 180 feet south of the intersection of Woodson Avenue and Center Street; pursuant to the application submitted by the property owner, finding said annexation to be consistent with the Ocoee Comprehensive Plan, the Ocoee City Code, and the Joint Planning Area Agreement; providing for and authorizing the updating of official city maps; providing direction to the City Clerk; providing for severability; repealing inconsistent ordinances; providing for an effective date.

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

- COUNTY CONSENT AGENDA (CONTINUED)

Public Works Department (Deferred)

11. Approval of the Locally Funded Agreement Between the State of Florida Department of Transportation and Orange County (State Road 400/I-4 and Daryl Carter Parkway Interim Interchange Analysis Financial Project Number: 432100-1-22-05). District 1. (Transportation Planning Division)

Board discussion ensued.

Motion/Second: Commissioners Boyd/Edwards

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board approved the Locally Funded Agreement Between the State of Florida Department of Transportation and Orange County (State Road 400/I-4 and Daryl Carter Parkway Interim Interchange Analysis Financial Project Number: 432100-1-22-05).

- COUNTY CONSENT AGENDA (CONTINUED)

Administrative Services Department (Deferred)

8. Approval of Contract Y16-163, Rapid Re-housing, with the Homeless Services Network (HSN) in the amount of \$1,500,000 for a 1-year period. ([Health Services Department Mental Health and Homeless Issues Division] Procurement Division)

Board discussion ensued.

Motion/Second: Commissioners Edwards/Nelson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board approved the Contract Y16-163, Rapid Re-housing, with the Homeless Services Network (HSN) in the amount of \$1,500,000 for a 1-year period; and further, subject to renewal coming before the Board of County Commissioners.

- ANNOUNCEMENT

County Administrator Lalchandani officially announced a Brownfield Notice, this meeting will be held at 6:00 p.m., or soon thereafter on November 17, 2015, at Stone Lake Elementary School. Florida Statutes requires this meeting be advertised and posted as well as the County making an announcement of the public hearing taking place. The purpose of the meeting is to designate a parcel located on Innovation Way just north of Stanton Energy Power Plant as a Brownfield Area. This topic will be brought before the Board of County Commissioners for a public hearing on December 1, 2015.

- COUNTY DISCUSSION AGENDA

Commissioner's Report

1. Commissioner Nelson would like to discuss Wekiva Springs Area Projects.

Commissioner Nelson discussed with the Board a plan to improve water quality to the Wekiva Springs Area. The proposal includes allocating funds to upgrade septic tanks rather than replacing them. Board discussion ensued. County staff contributed to the discussion.

Action: None

• PUBLIC HEARINGS

Comprehensive Plan

1. Amending Orange County Code, adopting 2015-2 Regular Cycle and Small-Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP)

County staff announced that the 2015-2 Regular Cycle and Small-Scale will be heard in two (2) sessions with Session 2 scheduled for January 26, 2016. Furthermore, Privately-Initiated Small Scale Amendment 2015-2-S-6-1 will not be heard and will be brought before the Board during Session 2. The Spring Hill Planned Development, Case # CDR-15-07-198, Substantial Change Public Hearing, will not be heard and will be brought back before the Board at a later date.

EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT

Amendment: Amendment 2015-2-A-1-7 (fka 2015-1-S-1-1)
Applicant/Owner: James G. Willard for SLF IV/Boyd Horizon West JV, LLC
Consideration: Horizon West, Town Center Specific Area Plan (SAP)-Greenbelt (GB), and Bridgewater Village Specific Area Plan (SAP)-Townhome/Apartment District (THD), Wetland/Conservation (CONS), and Greenbelt (GB) to Horizon West, Town Center Specific Area Plan (SAP)-Corporate Campus Mixed Use (CCM-3), Wetland/Conservation (CONS), and Greenbelt (GB)
Location: Generally described as located east of SR 429 and south of New Independence Pkwy., Parcel ID#s 21-23-27-0000-00-036, and portions of 21-23-27-0000-00-033/004 and 20-23-27-0000-00-030; 9.99 gross ac.

(This amendment was pulled for a separate public hearing.)

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

EXPEDITED REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amendment: 2015-2-B-FLUE-3
Consideration: Text amendments to Future Land Use Element policies related to Horizon West Village I

County staff indicated the request is for Transportation oriented text amendments to Future Land Use Element Policies related to Horizon West Village I.

and

EXPEDITED REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN
MAP AMENDMENTS

Amendment: 2015-2-B-FLUM-1
Consideration: Map amendment to the Future Land Use Map consistent with Conservation Element Policy C1.4.4 to change the designation for a Green PLACE property from Parks and Recreation/Open Space (PR/OS) to Preservation (PRES)

and

Amendment: 2015-2-B-FLUM-2
Consideration: Map amendment removing Future Land Use Map designations for parcels previously annexed by incorporated jurisdictions within Orange County

and

EXPEDITED REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN
TEXT AMENDMENT

Amendment: 2015-2-B-TRAN-1
Consideration: Text amendments to Transportation Element policies based on the East Central Florida Corridor Task Force's Guiding Principles

and

EXPEDITED REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN
MAP AMENDMENT

Amendment: 2015-2-B-TRAN-2
Consideration: Map amendments to Map 1 of Transportation Element - Long Range Transportation Plan (LRTP)

Motion/Second: Commissioners Edwards/Clarke

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed Future Land Use Map and text amendments are in compliance; and further, adopted the Future Land Use Map and text amendments on the expedited agenda, except for Privately-Initiated Future Land Use Element Map Amendment 2015-2-A-1-7 (fka 2015-1-S-1-1), as follows:

- Staff-Initiated Comprehensive Plan Text Amendment 2015-2-B-FLUE-3
- Staff-Initiated Comprehensive Plan Map Amendment 2015-2-B-FLUM-1

- Staff-Initiated Comprehensive Plan Map Amendment 2015-2-B-FLUM-2
- Staff-Initiated Comprehensive Plan Text Amendment 2015-2-B-TRAN-1
- Staff-Initiated Comprehensive Plan Map Amendment 2015-2-B-TRAN-2

EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE
ELEMENT MAP AMENDMENT CONTINUED

Amendment: Amendment 2015-2-A-1-7 (fka 2015-1-S-1-1)
 Applicant/Owner: James G. Willard for SLF IV/Boyd Horizon West JV, LLC
 Consideration: Horizon West, Town Center Specific Area Plan (SAP)-Greenbelt (GB), and Bridgewater Village Specific Area Plan (SAP)-Townhome/Apartment District (THD), Wetland/Conservation (CONS), and Greenbelt (GB) to Horizon West, Town Center Specific Area Plan (SAP)-Corporate Campus Mixed Use (CCM-3), Wetland/Conservation (CONS), and Greenbelt (GB)
 Location: Generally described as located east of SR 429 and south of New Independence Pkwy., Parcel ID#s 21-23-27-0000-00-036, and portions of 21-23-27-0000-00-033/004 and 20-23-27-0000-00-030; 9.99 gross ac.

The following persons addressed the Board:

- Jeff McNeil
- Trini Quiroz

Motion/Second: Commissioners Boyd/Nelson
 Absent: Commissioner Siplin
 AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU4.1.1, FLU4.5.1, and FLU4.5.6); further, determined that the proposed amendment is in compliance; and further, adopted the Privately-Initiated Future Land Use Element Map Amendment 2015-2-A-1-7 (fka 2015-1-S-1-1), Town Center Specific Area Plan (SAP) – Greenbelt (GB), and Bridgewater Village Specific Area Plan (SAP) – Townhome/Apartment District (THD), Wetland/Conservation (CONS), and Greenbelt (GB) to Town Center Specific Area Plan (SAP) – Corporate Campus Mixed Use (CCM-3), Wetland/Conservation (CONS), and Greenbelt (GB).

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

NON-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND
USE ELEMENT MAP AMENDMENT AND CONCURRENT REZONING
REQUEST

Amendment: 2015-1-A-4-2
Applicant/Owner: R. Lance Bennett, P.E., Poulos and Bennett, LLC / LRS Volusia, LLC; Lursai LLC; and Forsyth LC
Consideration: Industrial (IND) to Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR)
Location: 10162 Lake Underhill Rd.; Generally described as located on the south side of Lake Underhill Rd., east of S. Dean Rd. and west of Fieldstream West Blvd., Parcel ID# 32-22-31-0000-00-001/030/031/032/033; 38.14 gross ac.

and

REZONING PUBLIC HEARING

Applicant: R. Lance Bennett, P.E., Poulos and Bennett, LLC / LRS Volusia, LLC; Lursai LLC, and Forsyth L.C., Case # LUP-14-12-368
Consideration: Request to rezone from PD (Planned Development District) (Fieldstream PD) to PD (Planned Development District) (Twin Acres at Lake Underhill PD), with the following waivers requested: 1) A waiver from Orange County Code Section 38-1501 to reduce the primary structure front setback from 20 feet to 17 feet and to include a front porch setback of 10 feet for both single-family attached and detached units; and 2) A waiver from Orange County Code Section 38-1502(b) to reduce the primary structure side corner setback from 15 feet to 10 feet for both single-family attached and detached units.
Location: 10162 Lake Underhill Rd.; Generally described as located on the south side of Lake Underhill Rd., east of S. Dean Rd. and west of Fieldstream West Blvd., Parcel ID# 32-22-31-0000-00-001/030/031/032/033; 38.14 gross ac.

Commissioner Edwards announced a conflict of interest for the following reason, as stated in a Memorandum of Voting Conflict filed in the Clerk's Office: "A measure came or will come before my agency which inured to the special gain or loss of my relative, Owned by my fiancée's family, Nicole Hiers Seybold. The measure before my agency and the nature of my conflicting interest in the measure is as follows:

IV. PUBLIC HEARINGS

A. Comprehensive Plan

1. Amending Orange County Code, Adopting 2015-2 Regular Cycle and Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP) NON-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP AND TEXT AMENDMENTS AND WHERE APPLICABLE, CONCURRENT REZONING

OR SUBSTANTIAL CHANGE REQUESTS

Amendment 2015-1-A-4-2

R. Lance Bennett, P.E., Poulos and Bennett, LLC, for LRS Volusia, LLC; Lursai LLC; and Forsyth LC Industrial (IND) to Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR) - District 4

and

Rezoning Public Hearing LUP-14-12-368

PD (Planned Development District) (Fieldstream PD) to PD (Planned Development District) (Twin Acres at Lake Underhill PD)"

- MEMBER EXITED: Commissioner Edwards

The following persons addressed the Board:

- Paul Rosenthal
- Brandon Tanguay
- Zoraida Rios Andino
- Trini Quiroz
- Samuel Brightman

Board discussion ensued. County Administrator Lalchandani and County staff contributed to the discussion.

Based upon input by the District Commissioner, the following new Condition of Approval #23 was proposed to the Concurrent Rezoning Public Hearing Land Use Plan, Case # LUP-14-12-368, to be considered with Amendment 2015-1-A-4-2.

The language proposed was as follows: Residential development shall be limited to single-family detached only.

Discussion ensued among the applicant and the Board regarding a proposed change to the Land Use Plan.

The following person addressed the Board: Nikki Seybold.

New Condition of Approval #23 proposed by the District Commissioner was opposed by the applicant. Board discussion ensued.

Motion/Second: Commissioners Thompson/Nelson

Action: The motion to adopt the Privately-Initiated Future Land Use Element Map Amendment 2015-1-A-4-2, Industrial (IND) to Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR) was withdrawn.

(Amendment 2015-1-A-4-2 and Concurrent Rezoning Public Hearing, Case # LUP-14-12-368, were tabled to later in the afternoon.)

- MEMBER EXITED: Commissioner Thompson

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

NON-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT AND CONCURRENT SUBSTANTIAL CHANGE REQUEST

Amendment: 2015-2-A-1-2
Applicant/Owner: Dana E. Boyte, Dewberry for Dan Traylor and Sean Froelich, Spring Grove, LLC
Consideration: Horizon West, Village H Specific Area Plan (SAP)-Apartment District (APT) and Wetland/Conservation (CONS) to Horizon West, Village H Specific Area Plan (SAP)-Village Home District (VHD) and Wetland/Conservation (CONS)
Location: 11355 Avalon Rd.; Generally described as located on the east side of Avalon Rd., north of Lake Star Rd., south of Flamingo Crossings Blvd., and west of SR 429, Parcel ID# 17-24-27-0000-00-008; 24.96 gross ac.

and

SUBSTANTIAL CHANGE PUBLIC HEARING

Applicant: Dana E. Boyte, Dewberry for Dan Traylor and Sean Froelich, Spring Grove, LLC, Case # CDR-15-07-198
Consideration: Substantial change request to the Springhill PD amending the land use designation of PD Parcel 45 from Apartment District (APT) and Conservation/Wetland (CONS) to Village Home District (VHD) and Conservation/Wetland (CONS)
Location: 11355 Avalon Rd.; Generally described as located on the east side of Avalon Rd., north of Lake Star Rd., south of Flamingo Crossings Blvd., and west of SR 429, Parcel ID# 17-24-27-0000-00-008; 24.96 gross ac.

County staff indicated that the Substantial Change Public Hearing, Case # CDR-15-07-198, will not be heard.

The following person addressed the Board: Heather Himes.

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioners Thompson, Edwards, Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU1.4.1, FLU1.4.2, FLU4.1.1, FLU8.2.1, FLU8.2.2, and FLU8.2.11); further, determined that the proposed amendment is in compliance; and further, adopted the Privately-Initiated Future Land Use Element Map Amendment 2015-2-A-1-2, Horizon West, Village H Specific Area Plan (SAP) – Apartment District (APT) and Wetland/Conservation (CONS) to Horizon West, Village H Specific Area Plan (SAP) – Village Home District (VHD) and Wetland/Conservation (CONS).

NON-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT

Amendment: 2015-2-A-1-4

Applicant/Owner: Jim Hall, VHB, Inc., for Developco Inc.

Consideration: Horizon West, Lakeside Village Specific Area Plan (SAP)-Greenbelt (GB) and Wetland/Conservation (CONS) to Horizon West, Lakeside Village Specific Area Plan (SAP)-Estate District (ED) and Wetland/Conservation (CONS)

Location: 7721 Ficquette Rd.; Generally described as located on the east side of Ficquette Rd., south and west of Winter Garden Vineland Rd. and north of Center Dr., Parcel ID# 27-23-27-0000-00-020; 306.80 gross ac.

- MEMBERS RE-ENTERED: Commissioners Thompson and Edwards

The following persons addressed the Board:

- Jim Hall
- Eric Whynot
- Don Kendzior
- Kelley Lumb
- Bonnie Welcome

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

- Exhibit 1, from Jim Hall
- Exhibit 2, from Don Kendzior
- Exhibit 3, from Jim Hall

The following materials were received by the Clerk prior to the close of the public hearing. The materials referenced by the speaker were not presented to the Board.

- Submittal 1, from Don Kendzior
- Submittal 2, from Kelley Lumb
- Submittal 3, from Bonnie Welcome

Board discussion ensued. County staff contributed to the discussion.

Motion/Second: Commissioners Boyd/Nelson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Policies FLU1.4.2, FLU4.1.1, FLU4.1.5, FLU4.5.1, FLU4.5.4.1, FLU4.5.6, FLU8.2.1, and FLU8.2.11); further, determined that the proposed amendment is in compliance; and further, adopted the Privately-Initiated Future Land Use Element Map Amendment 2015-2-A-1-4, Horizon West, Lakeside Village Specific Area Plan (SAP) – Greenbelt (GB) and Wetland/Conservation (CONS) to Horizon West, Lakeside Village (SAP) – Estate District (ED), Wetland/Conservation (CONS) and Greenbelt (GB).

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

NON-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT AND CONCURRENT REZONING REQUEST

Amendment: 2015-2-A-2-1

Applicant/Owner: Kendell Keith, Planning Design Group, LLC, for Stephen R. Parks, Longwood Lincoln Mercury, Inc.

Consideration: Rural Settlement 1/1 (RS 1/1) to Commercial (C) Rural Settlement (RS)

Location: 2301 N. Orange Blossom Tr.; Generally described as located at the northwest corner of N. Orange Blossom Tr. and Junction Rd., west of Spillman Dr., and south of W. Ponkan Rd., Parcel ID# 26-20-27-0000-00-022; 11.60 gross ac.

and

REZONING PUBLIC HEARING

Applicant: Kendell Keith, Planning Design Group, LLC, for Stephen R. Parks, Longwood Lincoln Mercury, Inc., Case # RZ-15-10-041

Consideration: Request to rezone from A-1 (Citrus Rural District) to C-1 (Retail Commercial District)

Location: 2301 N. Orange Blossom Trl.; Generally described as located at the northwest corner of N. Orange Blossom Trl. and Junction Rd., west of Spillman Dr., and south of W. Ponkan Rd., Parcel ID# 26-20-27-0000-00-022; 11.60 gross ac.

- RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice-Mayor Boyd.

The following person addressed the Board: Kendell Keith.

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice-Mayor Boyd.

Based upon input from the applicant and agreed upon by the District Commissioner, the following restrictions were proposed by the applicant as follows:

1. Labor pools and labor halls, as defined by F.S. §§ 448.22(1) and (3), respectively;
2. Any business in which a material part of its services includes loans secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance and retail installment lenders;
3. Any business commonly known as "check cashing," or any business in which a material part of its services includes future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
4. Pawnshops, as defined by F.S. § 539.001(2)(1);
5. Bail bond agencies, as defined by F.S. § 648.25(1);
6. Flea markets, except for those operating in conjunction with not-for-profit functions;
7. Fortune tellers, tarot card readers, palm readers, psychics, and similar businesses;
8. Bottle clubs, cocktail lounges, pubs, bars, and liquor stores;
9. Residential storage as a principal use, temporary mobile homes, travel trailers and recreation vehicles, temporary portable storage containers.
10. Community residential homes (any size).
11. Short term rental, resort residential, resort villa.

12. Boarding, lodging, rooming houses, hotels, motels, timeshare units, bed and breakfast inn, country inn.
13. Single family in conjunction with a commercial use.
14. Communication towers.
15. Tobacco shops.
16. Newsstands, magazine stands, video tape rental stores, record and tape stores.
17. Costume rental, dating services, escort services, tanning salons, tattoo, body art, or body piercing businesses.
18. Arcades, video games, fortune tellers, billiard parlors, bingo parlors, indoor skating rinks.
19. Paintball operations, day camps, rodeos, and go-cart.
20. Ambulatory surgical facilities, birthing facilities, alcohol and drug treatment, aids treatment, outpatient clinics, birth control centers.
21. Charter schools, private kindergarten, elementary, junior high, middle and high schools.
22. Dorms, frats and sorority houses.

The following persons addressed the Board:

- Mark Daniel
- Marvin Barrett

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

- Exhibit 1, from Kendell Keith
- Exhibit 2, from Kendell Keith

Motion/Second: Commissioners Nelson/Boyd

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objective FLU6.2 and Policies FLU6.2.2, FLU6.2.5, FLU6.2.9, FLU6.2.10, FLU6.2.12, FLU8.2.1, and FLU8.2.11); further, determined that the proposed amendment is in compliance; and further, adopted the Privately-Initiated

Future Land Use Element Map Amendment 2015-2-A-2-1, Rural Settlement 1/1 (RS 1/1) to Commercial (C) – Rural Settlement (R/S).

Motion/Second: Commissioners Nelson/Boyd

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the request by Kendell Keith, Planning Design Group, LLC, for Stephen R. Parks, Longwood Lincoln Mercury, Case # RZ-15-10-041, to rezone from A-1 (Citrus Rural District) to C-1 (Retail Commercial District), on the described property; subject to the following restrictions:

1. Labor pools and labor halls, as defined by F.S. §§ 448.22(1) and (3), respectively;
2. Any business in which a material part of its services includes loans secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance and retail installment lenders;
3. Any business commonly known as "check cashing," or any business in which a material part of its services includes future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
4. Pawnshops, as defined by F.S. § 539.001(2)(1);
5. Bail bond agencies, as defined by F.S. § 648.25(1);
6. Flea markets, except for those operating in conjunction with not-for-profit functions;
7. Fortune tellers, tarot card readers, palm readers, psychics, and similar businesses;
8. Bottle clubs, cocktail lounges, pubs, bars, and liquor stores;
9. Residential storage as a principal use, temporary mobile homes, travel trailers and recreation vehicles, temporary portable storage containers.
10. Community residential homes (any size).
11. Short term rental, resort residential, resort villa.
12. Boarding, lodging, rooming houses, hotels, motels, timeshare units, bed and breakfast inn, country inn.

13. Single family in conjunction with a commercial use.
14. Communication towers.
15. Tobacco shops.
16. Newsstands, magazine stands, video tape rental stores, record and tape stores.
17. Costume rental, dating services, escort services, tanning salons, tattoo, body art, or body piercing businesses.
18. Arcades, video games, fortune tellers, billiard parlors, bingo parlors, indoor skating rinks.
19. Paintball operations, day camps, rodeos, and go-cart.
20. Ambulatory surgical facilities, birthing facilities, alcohol and drug treatment, aids treatment, outpatient clinics, birth control centers.
21. Charter schools, private kindergarten, elementary, junior high, middle and high schools.
22. Dorms, frats and sorority houses.

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

NON-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT AND CONCURRENT REZONING REQUEST

Amendment: 2015-2-A-3-1
 Applicant/Owner: Scott Stuart, Kelly, Collins and Gentry, Inc. / Asbury Theological Seminary
 Consideration: No Designation (former SR 417 Right-of-Way) to Planned Development-Commercial/Office (PD-C/O)
 Location: Generally described as located north of Valencia College Ln., west of SR 417, south of Millinockett Ln., and east of N. Chickasaw Tr., Parcel ID# 24-22-30-0000-00-130; 16.57 gross ac.

and

REZONING PUBLIC HEARING

Applicant: Scott Stuart, Kelly, Collins and Gentry, Inc. / Asbury Theological Seminary, Asbury Theological Seminary Planned Development / Land Use Plan (PD/LUP), Case # LUP-15-08-236

Consideration: Request to rezone from R-1A (Single-Family Dwelling District), C-1 (Retail Commercial District) and No Zoning (former SR 417 Right-of-Way) to PD (Planned Development District)

Location: Generally described as located north of Valencia College Ln., west of SR 417, south of Millinockett Ln., and east of N. Chickasaw Tr Parcel ID#s 24-22-30-0000-00-130, 24-22-30-0000-00-008/044 and 24-22-30-8856-00-001/010/020/030; 37.00 gross ac.

and

- COUNTY CONSENT AGENDA (CONTINUED)

Community, Environmental and Development Services Department (Deferred)

4. Approval of Transportation Impact Fee Agreement Asbury Theological Seminary Valencia College Lane by and between Asbury Theological Seminary and Orange County for the conveyance of 0.311 acres of right-of-way for Valencia College Lane in return for \$37,254.69 in transportation impact fee credits. District 3. (Roadway Agreement Committee)

The following person addressed the Board: Scott Stuart.

- FOR THE RECORD

The Roadway Agreement listed in Condition of Approval #11 for the Rezoning Public Hearing, Case # LUP-15-08-236, is entitled the Transportation Impact Fee Agreement Asbury Theological Seminary Valencia College Lane.

Motion/Second: Commissioners Clarke/Thompson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objective OBJ FLU2.2 and Policies FLU1.1.5, FLU2.2.1, and FLU8.2.1, and Transportation Element Policies T2.3.1 and T2.3.5); further, determined that the proposed amendment is in compliance; further, adopted the Privately-Initiated Future Land Use Element Map Amendment 2015-2-A-3-1, no Future Land Use Map designation to Planned Development-Commercial/Office (PD-C/O); and further, approved the Transportation Impact Fee Agreement Asbury Theological Seminary Valencia College Lane by and between Asbury Theological Seminary and Orange County for the conveyance of 0.311 acres of right-of-way for Valencia College Lane in return for \$37,254.69 in transportation impact fee credits.

Motion/Second: Commissioners Clarke/Thompson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the request by Scott Stuart, Kelly, Collins and Gentry, Inc. / Asbury Theological Seminary, Asbury Theological Seminary Planned Development / Land Use Plan (PD/LUP), Case # LUP-15-08-236, to rezone from R-1A (Single-Family Dwelling District), C-1 (Retail Commercial District) and No Zoning (former SR 417 Right-of-Way) to PD (Planned Development District), on the described property; subject to the following conditions:

1. Development shall conform to the Asbury Theological Seminary Land Use Plan dated "Received September 23, 2015," 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 23, 2015," 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 current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal.
5. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
6. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
7. Outside sales, storage, and display shall be prohibited.
8. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
9. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the PD.
10. The Developer shall obtain water and wastewater service from Orange County Utilities.
11. The Developer shall comply with the "** Road Agreement" for the conveyance of right-of-way required for Valencia College Lane.
12. Prior to DP approval, the applicant shall provide a special transportation study pursuant to Policy T2.2.9 and T.2.3.7 to determine needed multimodal improvements/site design and ensure bike/ped improvements per Policy T2.2.4.
13. Vehicular connectivity to the PD to the east shall be provided.
14. This project shall not impact the Orange County Public School System through the attendance of any school-aged children in grades K-12. Any proposed change to this condition shall be a substantial change to the PD and may subject the project to the requirements of school concurrency.

REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amendment: 2015-2-B-FLUE-1 (fka 2013-1-B-FLUE-4)
Consideration: Text amendments to the Future Land Use Element related to the Narcoossee Corridor Overlay Area

- MEMBER EXITED: Commissioner Clarke

Motion/Second: Commissioners Thompson/Nelson
Absent: Commissioners Clarke, Siplin
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, adopted the Staff-Initiated Comprehensive Plan Text Amendment 2015-2-B-FLUE-1 (fka 2013-1-B-FLUE-4).

- MEMBER EXITED: Commissioner Edwards

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

NON-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT AND CONCURRENT REZONING REQUEST (CONTINUED)

Amendment: 2015-1-A-4-2
Applicant/Owner: R. Lance Bennett, P.E., Poulos and Bennett, LLC / LRS Volusia, LLC; Lursai LLC; and Forsyth LC
Consideration: Industrial (IND) to Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR)
Location: 10162 Lake Underhill Rd.; Generally described as located on the south side of Lake Underhill Rd., east of S. Dean Rd. and west of Fieldstream West Blvd., Parcel ID# 32-22-31-0000-00-001/030/031/032/033; 38.14 gross ac.

and

REZONING PUBLIC HEARING (CONTINUED)

Applicant: R. Lance Bennett, P.E., Poulos and Bennett, LLC / LRS Volusia, LLC; Lursai LLC; and Forsyth L.C., Case # LUP-14-12-368
Consideration: Request to rezone from PD (Planned Development District) (Fieldstream PD) to PD (Planned Development District) (Twin Acres at Lake Underhill PD), with the following waivers requested:
1) A waiver from Orange County Code Section 38-1501 to reduce

the primary structure front setback from 20 feet to 17 feet and to include a front porch setback of 10 feet for both single-family attached and detached units; and 2) A waiver from Orange County Code Section 38-1502(b) to reduce the primary structure side corner setback from 15 feet to 10 feet for both single-family attached and detached units.

Location: 10162 Lake Underhill Rd.; Generally described as located on the south side of Lake Underhill Rd., east of S. Dean Rd. and west of Fieldstream West Blvd., Parcel ID# 32-22-31-0000-00-001/030/031/032/033; 38.14 gross ac.

The following person addressed the Board: Paul Rosenthal.

Based upon input from the applicant and agreed upon by County staff, the following new Condition of Approval #23 was proposed as follows:

The development shall be restricted to one hundred fifty (150) single-family detached on the minimum 40 foot wide lots.

Motion/Second: Commissioners Thompson/Nelson

Absent: Commissioners Clarke, Siplin

Abstain: Commissioner Edwards

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Nelson, Thompson

Action: The Board made a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Conservation Element Policy C1.5.8, Future Land Use Element Goal FLU2, Future Land Use Element Objective FLU8.2, and Future Land Use Element Policies FLU1.1.1, FLU1.1.5, FLU1.4.2, FLU1.1.4.19, FLU8.2.1, FLU8.2.2, and FLU8.2.10); further, determined that the proposed amendment is in compliance; further, adopted the Privately-Initiated Future Land Use Element Map Amendment 2015-1-A-4-2, Industrial (IND) to Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR); and further, approved the following condition: The development shall be restricted to one hundred fifty (150) single-family detached on the minimum 40 foot wide lots.

• MEMBER RE-ENTERED: Commissioner Clarke

Motion/Second: Commissioners Thompson/Nelson

Absent: Commissioner Siplin

Abstain: Commissioner Edwards

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Nelson, Clarke, Thompson

Action: The Board made a finding of consistency with the Comprehensive Plan; and further, approved the request by R. Lance Bennett, P.E., Poulos and Bennett, LLC, for LRS Volusia, LLC; Lursai LLC; and Forsyth LC, Twin Acres at Lake Underhill Planned Development / Land Use Plan (PD / LUP), Case # LUP-14-12-368, to rezone from PD (Planned Development District) (Fieldstream PD) to PD (Planned Development District)

(Twin Acres at Lake Underhill PD); on the described property; subject to the following conditions:

1. Development shall conform to the Twin Acres at Lake Underhill Land Use Plan dated "Received October 23, 2015," 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 23, 2015," 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. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.

5. The covenants, conditions, and restrictions (CC&Rs) shall include notification to potential purchasers, builders, tenants, Home Owners Associations, and Property Owner Associations of this development that neither potable wells nor irrigation wells using local groundwater will be allowed on site.
6. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
7. 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 any 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 any 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.
8. At the time of platting, the Covenants, Conditions, and Restrictions (CC&Rs) shall include language to give notice that this site has been the location of buried waste disposal.
9. If the environmental site assessment monitoring indicates site contamination of soil, groundwater, surface water, or if the FDEP is currently conducting contamination remediation then the covenants, conditions, and restrictions (CC&Rs) and lease agreements shall include notification that portions of this property have been identified with soil, groundwater, or surface water contamination.
10. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
11. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan, with a tree removal and mitigation plan, have been approved by Orange County.
12. Outside sales, storage, and display shall be prohibited.
13. The following shall be prohibited over areas of waste disposal if any waste or contaminants remain in place: 1) No adult/child care centers; 2) No uses with attendant educational buildings and recreational activities. Some types of recreation may be permitted over remnant waste areas, including recreation facilities defined in Orange County Code Chapter 34-131 (b) (20) as Groups A or C (excluding beaches) and Group B Swimming Pools (but only pools constructed by

the developer). Nothing contained herein or within any approvals are intended to nor shall relieve any party of its obligations pursuant to that certain Agreement Concerning Twin Acres on Lake Underhill Planned Development, recorded in O.R. Book 10963, Page 0970, Public Records of Orange County, Florida.

14. All development on this site shall comply with the guidelines established in the most recent edition of, "Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida" published by the Florida Department of Environmental Protection.
15. Prior to any dewatering activities occurring on site, the applicant shall provide the Orange County Environmental Protection Division copies of the St. John's River Water Management District and the Florida Department of Environmental Protection approved dewatering plans.
16. At the time of platting, the Covenants, Conditions, and Restrictions (CC&Rs) shall include language to give notice of the proximity to the existing waste disposal areas as currently known, but not limited to, the northeast boundary and on the north side of Lake Underhill Road.
17. The following Education Condition of Approval shall apply:
 - a. Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of June 8, 2015.
 - b. Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 0 residential units allowed under the zoning existing prior to the approval of the PD zoning.

The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

- c. Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.

- d. Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
18. 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.
 19. The Developer shall obtain water and wastewater service from Orange County Utilities.
 20. 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.
 21. A waiver from Orange County Code Section 38-1501 is granted to reduce the primary structure front setback from 20 feet to 17 feet, and to include a front porch setback of 10 feet for both single-family attached and detached units.
 22. A waiver from Orange County Code Section 38-1502(b) is granted to reduce the primary structure side corner setback from 15 feet to 10 feet for both single-family attached and detached units.
 23. The development shall be restricted to one hundred fifty (150) single-family detached on the minimum 40 foot wide lots.

REGULAR CYCLE STAFF-INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT

Amendment: 2015-2-B-FLUE-2
 Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

Motion/Second: Commissioners Boyd/Clarke
 Absent: Commissioners Edwards, Siplin
 AYE (voice vote): All present members
 Action: The Board made a finding of consistency with the Comprehensive Plan; further,

determined that the proposed amendment is in compliance; and further, adopted the Staff-Initiated Comprehensive Plan Map Amendment 2015-2-B-FLUE-2.

ORDINANCE REGULAR CYCLE STATE COORDINATED
REVIEW/COMPREHENSIVE PLAN PUBLIC HEARING

Amending Orange County Code, adopting 2015-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184, F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2015 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES

- MEMBER RE-ENTERED: Commissioner Edwards

Motion/Second: Commissioners Clarke/Thompson

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the amendments are in compliance; further, adopted Ordinance 2015-20, consistent with today's actions; and further, approved the proposed Future Land Use Map and Text Amendments to the Board of County Commissioners (BCC).

ORDINANCE REGULAR CYCLE STATE EXPEDITED
REVIEW/COMPREHENSIVE PLAN PUBLIC HEARING

Amending Orange County Code, adopting 2015-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184, F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(4), FLORIDA STATUTES, FOR THE 2015 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES

Motion/Second: Commissioners Thompson/Clarke

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the amendments are in compliance; further, adopted Ordinance 2015-21, consistent with today's actions; and further, approved the proposed Future Land Use Map and Text Amendments to the Board of County Commissioners (BCC)

EXPEDITED SMALL SCALE DEVELOPMENT PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT

Amendment: 2015-2-S-2-3

Applicant/Owner: William Ray, AICP, Ray and Associates, for Storage Units, LLC

Consideration: Low Density Residential (LDR) (Rural Settlement) (RS) and Commercial (C) (Rural Settlement) (RS) to Planned Development-Commercial (PD-C) (Rural Settlement) (RS)

Location: 2208 Stillwater Ave; Generally described as located on the south side of Stillwater Ave. and the west side of Ocoee Apopka Rd., north of Beach Ave. and south of S. Binion Rd., Parcel ID# 30-21-28-0000-00-008; 3.12 gross ac.

The following person addressed the Board: William A. Ray.

Motion/Second: Commissioners Nelson/Boyd

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Element Objective FLU8.2; Policies FLU1.4.4, FLU6.2.9, FLU6.2.10, FLU8.2.1, and FLU8.2.10; Neighborhood Element Objective N1.1; and Open Space Element Policy OS1.3.6); further, determined that the proposed amendment is in compliance; and further, adopted the Small Scale Development Privately-Initiated Future Land Use Element Map Amendment 2015-2-S-2-3, Low Density Residential (LDR) (Rural Settlement) (RS) and Commercial (C) (Rural Settlement) (RS) to Planned Development-Commercial (PD-C) (Rural Settlement) (RS).

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

EXPEDITED SMALL CYCLE DEVELOPMENT PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT AND CONCURRENT REZONING REQUEST

Amendment: 2015-2-S-4-1

Applicant/Owner: Daniel A. Shaw, Isle of Pines Country Store, LLC

Consideration: Commercial (C) Rural Settlement (RS) to Rural Settlement 1/1 (RS 1/1)

Location: 13024 S. Lake Mary Jane Rd.; Generally described as located west of S. Lake Mary Jane Rd. and south of Roberts Island Rd., Parcel ID#s 25-24-31-3872-00-021/022/023; 1.72 gross ac.

and

REZONING PUBLIC HEARING

Applicant: Daniel A. Shaw, Isle of Pines Country Store, LLC, Case # RZ-15-10-030

Consideration: Request to rezone from C-1 (Retail Commercial District) to R-CE (Country Estate District)

Location: 13024 S. Lake Mary Jane Rd.; Generally described as located west of S. Lake Mary Jane Rd. and south of Roberts Island Rd., Parcel ID#s 25-24-31-3872-00-021/022/023; 1.72 gross ac.

and

EXPEDITED SMALL CYCLE DEVELOPMENT PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT

Amendment: 2015-2-S-4-2

Applicant/Owner: Kenneth J. Leeming, P.E., for Merado Moreno

Consideration: Industrial (IND) to Planned Development Industrial/Commercial (PD-IND/C)

Location: 4507 E. Wetherbee Rd.; Generally described as located north of E. Wetherbee Rd., west of Boggy Creek Rd., Parcel ID# 20-24-30-0000-00-007; 2.19 gross ac.

and

EXPEDITED SMALL CYCLE DEVELOPMENT PRIVATELY-INITIATED FUTURE LAND USE ELEMENT MAP AMENDMENT AND CONCURRENT REZONING REQUEST

Amendment: 2015-2-S-6-2

Applicant/Owner: Walter Persaud / R & A Investments of Orlando, Inc.

Consideration: Low Density Residential (LDR) to Commercial (C)

Location: Generally described as located on the west side of N. Mission Rd., south of Old Winter Garden Rd. and north of Edgemoor Ave., Parcel ID# 30-22-29-4206-04-080; 0.65 gross ac.

and

REZONING PUBLIC HEARING

Applicant: Walter Persaud / R & A Investments of Orlando, Inc., Case # RZ-15-10-031
Consideration: Request to rezone from R-1 (Single-Family Dwelling District) to C-2 (General Commercial District)
Location: Generally described as located on the west side of N. Mission Rd., south of Old Winter Garden Rd. and north of Edgemoor Ave., Parcel ID# 30-22-29-4206-04-080; 0.65 gross ac.

Motion/Second: Commissioners Boyd/Clarke

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendments are in compliance; and further, adopted the Small Scale Development Privately-Initiated Future Land Use Element Map Amendments as follows:

Amendment 2015-2-S-4-1

Amendment 2015-2-S-4-2

Amendment 2015-2-S-6-2

and further, approved the concurrent rezoning requests on the expedited small scale agenda as follows:

Applicant: Daniel A. Shaw, Isle of Pines Country Store, LLC, Case # RZ-15-10-030

Consideration: Request to rezone from C-1 (Retail Commercial District) to R-CE (Country Estate District)

Location: 13024 S. Lake Mary Jane Rd.; Generally described as located west of S. Lake Mary Jane Rd. and south of Roberts Island Rd., Parcel ID#s 25-24-31-3872-00-021/022/023; 1.72 gross ac.

Subject to the following restrictions:

No restrictions listed.

and

Applicant: Walter Persaud / R & A Investments of Orlando, Inc., Case # RZ-15-10-031

Consideration: Request to rezone from R-1 (Single-Family Dwelling District) to C-2 (General Commercial District)

Location: Generally described as located on the west side of N. Mission Rd., south of Old Winter Garden Rd. and north of Edgemoor Ave., Parcel ID# 30-22-29-4206-04-080; 0.65 gross ac.

Subject to the following restrictions:

1. The applicant/developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping and parking) prior to the expansion of any existing structures or site improvements to accommodate C-2 (General Commercial District) uses.
2. A Type "B" buffer, consisting of a completely opaque six-foot high masonry wall, fence, berm, planted and/or existing vegetation (or any combination thereof), shall be provided between the subject property and adjacent residentially-zoned properties.
3. Billboards and pole signs shall be prohibited.

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER.

NON-EXPEDITED SMALL CYCLE DEVELOPMENT PRIVATELY-INITIATED
FUTURE LAND USE ELEMENT MAP AMENDMENT AND CONCURRENT
SUBSTANTIAL CHANGE REQUEST

Amendment: 2015-2-S-2-4
Applicant/Owner: Central Florida Regional Transit Authority d/b/a LYNX for Central Florida Urban League
Consideration: Medium Density Residential (MDR) to Commercial (C)
Location: 2804 Belco Dr.; Generally described as located on the west side of Belco Dr., north of Silver Star Rd, south of Spring Hill Cr., and east of Greenfield Ave., Parcel ID# 18-22-29-0169-00-020; 5.52 gross ac.

and

SUBSTANTIAL CHANGE PUBLIC HEARING

Applicant: Central Florida Regional Transit Authority d/b/a LYNX, for Central Florida Urban League, Pine Hills Center Planned Development / Land Use Plan (PD/LUP), Case # CDR-15-08-226
Consideration: Substantial change request to the Pine Hills Center PD amending the permitted land uses from 'community park' to 'commercial' (General Commercial District Uses). More specifically, PD Parcel A would be limited to C-1 uses and the C-2 use of a bus transfer station only, and PD Parcel B would be limited to C-1 uses only

Location: 2804 Belco Dr.; Generally described as located on the west side of Belco Dr., north of Silver Star Rd, south of Spring Hill Cr., and east of Greenfield Ave., Parcel ID# 18-22-29-0169-00-020; 5.52 gross ac.

The following person addressed the Board: Carleen Flynn.

Motion/Second: Commissioners Nelson/Clarke

Absent: Commissioner Siplin

AYE (voice vote): All present members

Action: The Board made a finding of consistency with the Comprehensive Plan (see Future Land Use Policies FLU1.1.5, OBJ FLU2.3, FLU2.3.13, FLU8.2.1, FLU8.2.10, FLU8.2.11; Transportation Policies T3.1.3, T3.3.6, T3.4.6, T3.4.7; and Neighborhood Policies N6.1.5); further, determined that the proposed amendment is in compliance; and further, adopted the Small Scale Development Privately-Initiated Future Land Use Element Map Amendment 2015-2-S-2-4, Medium Density Residential (MDR) to Commercial (C).

Motion/Second: Commissioners Nelson/Clarke

Absent: Commissioner Siplin

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 Central Florida Regional Transit Authority d/b/a LYNX, for Central Florida Urban League, Pine Hills Center Planned Development / Land Use Plan (PD/LUP), Case # CDR-15-08-226, to the Pine Hills Center PD amending the permitted land uses from 'community park' to 'commercial' (General Commercial District Uses); and further, PD Parcel A would be limited to C-1 uses and the C-2 use of a bus transfer station only, and PD Parcel B would be limited to C-1 uses only; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Pine Hills Center PD Land Use Plan dated "Received September 29, 2015" 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, ordinance 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 zoning and the land use plan

dated "Received September 29, 2015," 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 developer shall obtain wastewater service from Orange County Utilities.
5. All proposed vertical structures must be located a minimum of 18 feet from the centerline of the existing OCU 12-inch wastewater force main.
6. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater systems have been designed to support all development within the PD.
7. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
9. A 25' Type B buffer shall be provided along Parcel A & B on the west.

SMALL SCALE DEVELOPMENT STAFF-INITIATED COMPREHENSIVE PLAN
TEXT AMENDMENT

Amendment: 2015-2-S-FLUE-1
Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

Motion/Second: Commissioners Boyd/Nelson
Absent: Commissioner Siplin
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the proposed amendment is in compliance; and further, adopted the Small Scale Development Staff-Initiated Comprehensive Plan Text Amendment 2015-2-S-FLUE-1.

ORDINANCE/COMPREHENSIVE PLAN PUBLIC HEARING

Amending Orange County Code, adopting 2015-2 Small Scale Development Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184, F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING SMALL SCALE DEVELOPMENT AMENDMENTS AND RELATED TEXT AMENDMENTS PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; AND PROVIDING EFFECTIVE DATES

Motion/Second: Commissioners Clarke/Thompson
Absent: Commissioner Siplin
AYE (voice vote): All present members
Action: The Board made a finding of consistency with the Comprehensive Plan; further, determined that the amendments are in compliance; further, adopted Small Scale Comprehensive Plan Amendment Ordinance 2015-22, consistent with today's actions; and further, approved the proposed Future Land Use Map and Text Amendments to the Board of County Commissioners (BCC).

- ADJOURNMENT, 5:13 p.m.

ATTEST:



County Mayor Teresa Jacobs

Date: JAN 26 2016



ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk



Deputy Clerk