

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, June 14, 1994. County Chairman Linda Chapin, Commissioners Tom Staley, Mary Johnson, Fran Pignone, Bill Donegan, and Mable Butler were present. Commissioner Bob Freeman entered the meeting where indicated. Also present were County Administrator Jean Bennett, County Attorney Tom Wilkes, Chief Deputy Comptroller as Clerk Jim Moye, and Assistant Deputy Clerk Tom Stark. There being a quorum, the County Chairman called the meeting to order at 1:30 p.m. The Board paused for an invocation by the Reverend Wayne Curry of the First United Methodist Church, Orlando, followed by the Pledge of Allegiance to the Flag.

PUBLIC DISCUSSION1. Presentation of plaques

Andrew Pughe, president of the Home Builders Association, presented plaques of appreciation to the Building Department employees who worked on the Miracle House, a project which will benefit the Adam Walsh Children's Fund and local charities.

NONAGENDA - UNITED ARTS WORKPLACE GIVING CAMPAIGN

County Chairman Chapin presented a resolution to Office of Management and Budget Management Supervisor Cindy Hall for her work on behalf of the United Arts Workplace Giving Campaign.

Commissioner Freeman joined the meeting.

WORKSESSION - INTERNAL WORK GROUP - APPROVAL AND DIRECTION TO PURSUE PHASE 1 (ORGANIZATIONAL/TECHNICAL CHANGES) AND PHASE 2 (PURSUE ENVIRONMENTAL PERMITTING STREAMLINING) PER RECOMMENDED SCHEDULE

Staff Report

Assistant County Administrator Ceretha Leon informed the Board that this group was formed to review and update the mission, functions, regulations, and organization of the Environmental Protection Department; and further, to suggest revisions to County Codes, and to revise regulations to streamline permitting.

Ms. Leon narrated a video presentation outlining the Internal Work Group's report regarding the Environmental Protection Department.

Acting Environmental Protection Manager Nick Sassic reviewed the department's mission statement outlining its goals and recommendations.

Ms. Leon concluded the presentation by explaining that the Internal Work Group recommends pursuing these changes in two phases. Phase 1, which would commence in June 1994 and end in August 1994, includes the following changes:

- Transfer Environmental Permitting to the Environmental Protection Department
- Place the Environmental Protection Department on the Development Review Committee
- Transfer the Environmental Protection Department to the Planning and Development Division
- Update the Environmental Protection Department manager position
- Expand composition functions of the Environmental Protection Department

Ms. Leon outlined Phase 2 of the plan which should commence in early 1995, to include permitting consolidation and delegation issues as follows:

- Update excavation/fill and tree protection ordinance
- Pursue permit delegation of state wetland programs
- Pursue permit delegation of state wastewater permitting programs
- Consolidate all environmental permits into one permit

Discussion

The Board discussed the possibility of placing the Environmental Protection Department under the Public Works Division rather than the Planning Department. It was further suggested that the recommendations be forwarded to the Development Advisory Board (DAB), and upon completion of a review by the DAB, a public forum be scheduled to discuss the issues.

Commissioner Butler left the meeting.

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Johnson, and carried with County Chairman Chapin and Commissioners Staley, Johnson, Donegan, and Freeman voting AYE by voice vote; Commissioner Pignone voting NO by voice vote; Commissioner Butler was absent; the Board approved forwarding the recommendations of the Internal Work Group to the Development Advisory Board; and further, after completion of a review by the Development Advisory Board, scheduling an open public forum to discuss the issues.

Commissioner Butler rejoined the meeting.

WORKSESSION - RYAN WHITE AIDS GRANT UPDATE - APPROVAL TO ENTER INTO INTERLOCAL AGREEMENT WITH CITY OF ORLANDO FOR HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FUNDS; APPROVAL FOR TWO GRANT-FUNDED POSITIONS.

Staff Report

Health and Human Services Division Deputy Director Pete Clarke addressed the Board and requested approval of an Interlocal Agreement with the City of Orlando for administration of the Housing Opportunities for Persons with Aids (HOPWA) program and for two grant-funded positions.

Mr. Clark presented a video regarding the Ryan White Title I program update.

Commissioner Freeman left the meeting.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all present commissioners voting AYE by voice vote; Commissioner Freeman was absent; the Board approved entering into an Interlocal Agreement with the City of Orlando to administer the Housing Opportunities for Persons with AIDS (HOPWA) program; and further, approved two grant-funded positions.

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Commissioner Freeman rejoined the meeting.

COMMISSIONER'S DISCUSSION AGENDA

1. Commissioner Pignone wishes to discuss the Courthouse/ Convention Center construction projects.

Commissioner's Report

Commissioner Pignone addressed the Board regarding her May 16, 1994, memo to County Chairman Chapin, requesting that updates regarding the Convention Center and Courthouse construction projects be provided to the Board on a bi-weekly basis.

County Administrator Jean Bennett responded that this request has been placed on the agenda today to seek the Board's direction as to the necessity of bi-weekly updates. Ms. Bennett pointed out that each Board member receives a monthly report regarding both the Convention Center and the Courthouse construction projects, and that in the near future the Courthouse

project will be accessible on-line. She further noted that a meeting with construction project managers has been scheduled for August.

Commissioner Pignone stated that it is not necessary to have these matters brought before the Board every two weeks; however, she requested to be notified whenever major contracts are made available for bidding by the construction manager.

Motion

The Board did not take any action.

FISCAL AND HUMAN RESOURCE DIVISION DISCUSSION AGENDA

1. Selection of one firm and three ranked alternates for entering into contract negotiations for architectural design services for the Convention Center Phase I Retrofit, Y4-814-MK: ([Construction Administration] Purchasing and Contracts Department).

Staff Report

Chief of Purchasing and Contracts Warren Geltch requested that the Board select one firm and three ranked alternates to enter into contract negotiations for architectural design services for the Convention Center Phase I Retrofit, Y4-814-MK, from the following firms, listed alphabetically:

- Bellon & Taylor/HOK, a Joint Venture
- Borrelli & Associates
- Spillis Candela & Partners, Inc.
- VOA Associates, Inc.

Discussion

Hal Kantor, Esquire, of the law firm of Lowndes, Drosdick, Doster, Kantor & Reed, who represents Bellon & Taylor, addressed the Board stating that the Board is changing the rules by hearing oral presentations after the PSRC (Professional Services Review Committee) has already made evaluations based on written and oral presentations. Mr. Kantor further stated that to extend the review period to July 12, 1994, in order to hear a second oral presentation could extend the appeal period thereby jeopardizing the Convention Center construction schedule. Mr. Kantor noted that he will object if his client is not selected.

County Administrator Jean Bennett responded that this will not place the Convention Center in jeopardy provided these presentations are heard on July 12, 1994.

Action

By consensus, the Board directed staff to schedule oral presentations on July 12, 1994, at 10 a.m.

COUNTY CONSENT AGENDA

Upon a motion by Commissioner Donegan, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved the County Consent Agenda items as follows:

County Comptroller

- 1. Approval to pay Lynx invoices in the amount of \$823,463.41 (Administrative/Fiscal).
- 2. Execution of resolution to donate surplus drinking fountain cooling system to Azalea Park Little League, Inc. (Property Accounting).

(Resolution No. 94-M-35 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

- 3. Approval to dispose of tangible personal property (Property Accounting).
- 4. Approval of the minutes of the May 10, 1994, Board of County Commissioners meeting (Clerk of the Board of County Commissioners).
- 5. Acknowledge "File for the Record" documents received and filed in the Comptroller Clerk of the Board of County Commissioners' office as follows (Clerk of the Board of County Commissioners):
 - a. Florida Public Service Commission Hearing Notice re: Adoption of numeric conservation goals and consideration of National Energy Policy Act Standards (Section III), dated May 20, 1994.
 - b. Notice to Owner and Preliminary Notice to Owner, Contractor, Subcontractor, and Surety, if applicable, filed pursuant to Florida Statute 713.06 and 713.23, by Simplex Time Recorder Company; dated May 17, 1994.
- 6. Warrants and vouchers, having been certified that same had not been drawn on overexpended accounts:

Regular Board - Total: \$21,199,108.27
 Regular Board - Total: \$ 4,649,037.25

County Administrator

1. Approval of resolution and approval and execution of the "1993-94 Fiscal Year Funding Agreement" necessary for payment to the International Drive Master Transit and Improvement District of the ad valorem taxes collected in the District through three MSTU's, and the "Second Year Funding Agreement" to loan \$389,000 to purchase buses for the operation of the system.

(Resolution No. 94-M-36 and agreements are on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

Administrative Support Division

1. Approval and authorization to conduct closing, disburse warrant, record instrument, pay appropriate closing costs and approval of any additional recording fees not to exceed \$25; Bithlo Park Project, Special Warranty Deed, Parcel 102, District 5 (Real Estate Management Department).
2. Approval and execution by County Chairman of agreement between the City of Orlando and Orange County; approval and authorization to conduct closing, disburse warrant, record instrument, pay appropriate closing costs and approval of any additional recording fees not to exceed \$10; Old Winter Garden Road (Ivey Lane to U.S. 441), City Deed, Parcel 9219, District 6 (Real Estate Management Department).

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

3. Approval and execution by County Chairman of addendum to lease agreement to exercise the provisions of Section 4(a) of the lease agreement between Aldaberto Arana, Jr., M.D., and Orange County; Addendum to Sheriff's Sector II Lease Agreement, District 3 (Real Estate Management Department).

(Addendum to lease agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Corrections Division

1. Approval of contract between Orange County and JurisMonitor, Inc., for \$10,000 for a trial period from July 1, 1994, through September 30, 1994, for training, program design, and electronic monitoring of certain offenders charged with stalking or battery in domestic violence situations and to

allow for intervention longer than the minimum 30 days (Community Corrections Department).

(Contract is on file in the Purchasing and Contracts Department.)

Fiscal and Human Resource Division

1. Award of Invitation for Bid Y4-156-GJ (Items 1, 2, 3, and 4) to the low responsive and responsible bidder, Robinson Textiles, for a one-year term contract to furnish inmate apparel, estimated annual cost \$91,692 ([Corrections] Purchasing and Contracts Department).
2. Award of Invitation for Bid Y4-170-NS to the two low responsive and responsible bidders, Indoor Air Purification Services as primary contractor and Mechanical Services, Inc., as secondary contractor for a one-year term contract to furnish air conveyance system decontamination services, estimated annual cost \$220,000 ([Risk Management] Purchasing and Contracts Department).
3. Award of Invitation for Bid Y4-178-CI to low responsive and responsible bidder, Rinker Materials Corporation for a one-year term contract to furnish ready-mix concrete, estimated annual cost \$465,000 ([Highway Maintenance Department] Purchasing and Contracts Department).
4. Award of Invitation for Bid Y4-751 to the low responsive and responsible bidder, Planted Earth Contracting, Inc., for John Young Parkway landscaping (Sand Lake Road to 33rd Street), \$354,458.45 ([Highway Construction] Purchasing and Contracts Department).
5. Approval of the sole-source procurement of telecommunications equipment from AT&T in the amount of \$137,984.36 (this is a sole-source because the equipment is only available from AT&T and no other equipment will integrate with the existing AT&T system) ([Telecommunications] Purchasing and Contracts Department).
6. Approval to issue purchase order to Thomas Built Buses for the purchase of two school buses with options, utilizing Florida Department of Education Contract 94-07, \$95,735 ([Community Affairs] Purchasing and Contracts Department).
7. Approval to enter into a formal contract with Greiner, Inc., for consulting engineering services for Rio Pinar Master Drainage Plan, Y4-801-MK, \$132,964 ([Stormwater Management Department] Purchasing and Contracts Department).

8. Approval to enter into a formal contract with Greiner, Inc., for engineering services for Boggy Creek and Lake Hart drainage basins, Y4-802-MK, \$500,000 ([Stormwater Management Department] Purchasing and Contracts Department).
9. Approval to accept negotiated fee of \$78,745 with Breedlove, Dennis, and Associates for consulting services for Phase II of the Split Oak Forest Mitigation Park, Y3-828 ([Community Services and Housing] Purchasing and Contracts Department).
10. Approval to enter into a formal contract with Blount Sikes & Associates for continuing engineering services for Public Utilities Division, Y3-910A ([Public Utilities Engineering Department] Purchasing and Contracts Department).

(Contracts for Items 7-10 are on file in the Purchasing and Contracts Department.)
11. Approval of Budget Amendment #94-62 (OMB).

(Budget Amendment #94-62 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
12. Approval of payment of Intergovernmental claims (May 19 and 26, 1994) totaling \$300,617.94 (Risk Management Department).
13. Receipt and filing of the May 12 and 19, 1994, minutes of the Intergovernmental Risk Management Committee (Risk Management Department).
14. Review and approval of Public Officials' Bonds (Risk Management Department).

Health and Community Services Division

1. Approval and execution of an agreement for purchase of transportation services between Central Florida Boys and Girls Club, Inc., and Orange County, District 6 (Community Affairs).

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Planning and Development Division

1. Approval to temporarily waive the driveway approach and sidewalk requirements as requested by Unibilt Development Company for Lots 1 and 2, Waterview townhouses and accept \$1,502 in escrow, District 1 (Building Department).

2. Approval of Model Homes Request, Bradfordt Pines aka Woodbury Trace, District 4 (Zoning Department).
3. Approval of Model Homes Request, Clarcona Estates (formerly Oakmonte), District 2 (Zoning Department).
4. Approval of Street Name Petition, Galliher Circle, District 2 (Zoning Department).
5. Approval of the Citation Ordinance Resolution setting forth the training and qualifications for Code Enforcement officers and providing for the form of the Code Enforcement Citation (Zoning Department).

(Resolution No. 94-M-37 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS OF JUNE 2, 1994

Staff Report

Zoning Department Manager Melvin Pittman presented the recommendations of the Orange County Board of Zoning Adjustment under the date of June 2, 1994.

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Staley, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board accepted the recommendations of the Orange County Board of Zoning Adjustment under the date of June 2, 1994, subject to the usual right of appeal by any aggrieved parties.

For the record, appeals of the recommendations of the Orange County Board of Zoning Adjustment under the date of June 2, 1994, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing as follows:

- Appellant: Harry A. Stewart, Esquire, for the applicant;
Applicant: K-Mart Garden Center; Board of Zoning Adjustment #27; Public Hearing date: July 19, 1994 at 1:35 p.m.

ADOPTION PUBLIC HEARING FOR COMPREHENSIVE POLICY PLAN AMENDMENT ORDINANCE AND AMENDMENTS 94A-1-7 AND 94B-2-2 (CONTINUED FROM MAY 17, 1994)

By consensus, the Board reopened the public hearing to consider adoption of proposed amendments to the 1990-2010 Comprehensive Policy Plan. Planning

Department Manager David Heath stated that this hearing was continued because there was no signed Interlocal Agreement with the City of Kissimmee.

Future Land Use (FLU) Map Amendment 94A-1-7 - Applicant: Charles K. Swan, III, Orange Lake Country Club, Inc.

Staff Report

Planning Department Manager David Heath reported this is a request to change the FLU map designation from rural/agricultural to growth center/commercial. He stated the recommendation is for approval of the request.

Appearances

No one appeared in favor of or in opposition to the proposed amendment.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved Future Land Use (FLU) Map Amendment 94A-1-7 for inclusion in the 1994 Comprehensive Policy Plan Amendment Ordinance.

Future Land Use (FLU) Map Amendment 94B-2-2 - Applicant: Orange County

Staff Report

Planning Department Manager David Heath informed the Board that this amendment has been withdrawn.

Action

By consensus, the Board deleted Future Land Use (FLU) Map Amendment 94B-2-2 from the 1994 Comprehensive Policy Plan Amendment Ordinance.

Final Adoption of 1994 Comprehensive Policy Plan Amendment Ordinance

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Staley, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board adopted the 1994 Comprehensive Policy Plan Amendment Ordinance, as amended.

(Ordinance No. 94-13 is on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

ORDINANCE PUBLIC HEARING AMENDING ORANGE COUNTY CODE, CHAPTER 35, TRAFFIC, PERTAINING TO TOW-AWAY ZONES

Notice was given that the Board of County Commissioners would hold a public hearing to consider the following proposed ordinance:

AN ORDINANCE RELATED TO TRAFFIC IN ORANGE COUNTY, FLORIDA; AMENDING ORANGE COUNTY CODE, CHAPTER 35, TRAFFIC, TO PROVIDE AUTHORITY FOR LAW ENFORCEMENT OFFICERS, AS DEFINED, TO TOW VEHICLES PARKED OR STANDING IN DESIGNATED TOW AWAY ZONES; PROVIDING FOR RELATED IMPLEMENTING REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.

Staff Report

Traffic Engineering Manager Mark Massaro reviewed the proposed ordinance.

Appearances

No one appeared in favor of or in opposition to the proposed ordinance.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board adopted an ordinance amending Orange County Code, Chapter 35, Traffic, pertaining to tow-away zones.

(Ordinance No. 94-12 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

SHORELINE ALTERATION PUBLIC HEARING - APPLICANT: JOHN PRAWLOCKI, VEGETATION REMOVAL AND REPLANTING, LAKE DOWN, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the permit application of John Prawlocki to remove vegetation and replant in accordance with Chapter 15, Article VII, Orange County Code, on property described as follows:

Lot 11, Windermere Oaks, according to the plat thereof, as recorded in Plat Book 10, Page 27 of the Public Records of Orange County, Florida, which is located adjacent to Lake Down.

Staff Report

Acting Environmental Protection Department Manager Nick Sassic outlined the request and the recommendation for approval subject to conditions.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved the permit application of John Prawlocki to remove vegetation and replant on Lake Down, subject to the following conditions:

1. The Environmental Protection Department will be notified by the applicant of the date the activity will begin and upon completion of the work.
2. Excluding a 30-foot access clearing, the cleared areas must be planted with the species listed in the application.
3. Cleared vegetation must be removed to landward of the normal high water elevation, 99.5 feet.
4. Revegetation will occur in the above cleared areas within 30 days of removal. An 80% survival rate will be required after one (1) year, otherwise replanting will be required.
5. At the end of one year, a survey of surviving plants including photographic representation, will be submitted to the department.
6. This permit must be posted in a conspicuous place on site, before activity begins and must remain until completion.
7. Erosion and turbidity which may result must be controlled with screens and/or other technology so that turbidity is confined to the area of work.
8. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. If these conditions conflict with those of any other department or agency, the permittee must comply with the strictest conditions.

SHORELINE ALTERATION PUBLIC HEARING - APPLICANT: DIXIE FRAILEY, VEGETATION REMOVAL AND REPLANTING, LAKE WAUSEON BAY, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the permit application of Dixie Frailey to remove vegetation and replant in accordance with Chapter 15, Article VII, Orange County Code, on property described as follows:

Lot 8, Block A, Wauseon Ridge, Plat Book X, Page 49, Public Records of Orange County, Florida, said property being located adjacent to Lake Wauseon Bay.

Staff Report

Acting Environmental Protection Department Manager Nick Sassic outlined the request and the recommendation for approval subject to conditions.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Staley, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved the permit application of Dixie Frailey to remove vegetation and replant on Wauseon Bay, subject to the following conditions:

1. The Environmental Protection Department will be notified by the applicant of the date the activity will begin and upon completion of the work.
2. Excluding a 50-foot access clearing, the cleared areas must be planted with the species listed in the application.
3. Cleared vegetation must be removed to landward of the normal high water elevation, 99.5 feet.
4. Revegetation will occur in the above cleared areas within 30 days of removal. An 80% survival rate will be required after one (1) year, otherwise replanting will be required.
5. At the end of one year, a survey of surviving plants including photographic representation, will be submitted to the department.

- 6. This permit must be posted in a conspicuous place on site, before activity begins and must remain until completion.
- 7. Erosion and turbidity which may result must be controlled with screens and/or other technology so that turbidity is confined to the area of work.
- 8. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. If these conditions conflict with those of any other department or agency, the permittee must comply with the strictest conditions.

SHORELINE ALTERATION PUBLIC HEARING - DR. ELLIOT COOPERMAN, VEGETATION REMOVAL AND REPLANTING, LAKE SHEEN, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the permit application of Dr. Elliot Cooperman to remove vegetation and replant in accordance with Chapter 15, Article VII, Orange County Code, on property described as follows:

Lot 25, Cypress Point, Phase II as recorded in Plat Book 26, Pages 12-14 of the Public Records of Orange County, Florida, said property being located adjacent to Lake Sheen.

Staff Report

Acting Environmental Protection Department Manager Nick Sassic outlined the request and the recommendation for approval subject to conditions.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved the permit application of Dr. Elliot Cooperman to remove vegetation and replant on Lake Sheen, subject to the following conditions:

- 1. The Environmental Protection Department will be notified by the applicant of the date the activity will begin and upon completion of the work.

2. Excluding a 30-foot access clearing, the cleared areas must be planted with the species listed in the application.
3. Cleared vegetation must be removed to landward of the normal high water elevation, 99.5 feet.
4. Revegetation will occur in the above cleared areas within 30 days of removal. An 80% survival rate will be required after one (1) year, otherwise replanting will be required.
5. At the end of one year, a survey of surviving plants including photographic representation, will be submitted to the department.
6. This permit must be posted in a conspicuous place on site, before activity begins and must remain until completion.
7. Erosion and turbidity which may result must be controlled with screens and/or other technology so that turbidity is confined to the area of work.
8. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. If these conditions conflict with those of any other department or agency, the permittee must comply with the strictest conditions.

PETITION TO VACATE PUBLIC HEARING - APPLICANT: PATRICK CARNEY, LAKE VISTA VILLA, LTD.; PETITION TO VACATE 94-01, AN 80-FOOT BY 714-FOOT PORTION OF A PAVED 80-FOOT RIGHT-OF-WAY, KNOWN AS MEADOW CREEK DRIVE; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the vacation of that certain 80-foot by 714-foot portion of a paved 80-foot right-of-way, known as Meadow Creek Drive, described as follows:

Commence at the southeast corner of the northeast 1/4 of Section 28, Township 24 South, Range 28 East; thence along the east line of the southeast 1/4 of said Section 28, run S00°24'05"W, 1060.30 feet for a point of beginning being a point of curvature of a curve concave northwesterly and having a 1434.00 foot radius; thence from a tangent bearing of S55°00'49"W, run southwesterly 714.84 feet along the arc of said curve through a central angle of 28°33'42" to a point of termination on a line that is parallel to said east line of the southeast 1/4.

County Chairman Chapin announced that this Petition to Vacate has been withdrawn.

Action

By consensus, the Board accepted the withdrawal of Petition to Vacate 94-01.

PETITION TO VACATE PUBLIC HEARING - APPLICANT: H. C. VANDERLEE; PETITION TO VACATE 94-05, TWO, 5-FOOT SIDE-LOT UTILITY EASEMENTS; DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider the vacation of those certain two, 5-foot side-lot utility easements described as follows:

A 10' wide strip of land, the centerline of which is that lot line common between Lots 4 and 5, exclusively, the Meres, as recorded in Plat book 24, Page 81, of the Public Records of Orange County, Florida, less that portion lying within the 10-foot utility easement along the front of said lots.

Staff Report

Public Works Division Deputy Director William Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board adopted a resolution vacating two, 5-foot side-lot utility easements as described above.

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

PETITION TO VACATE PUBLIC HEARING - APPLICANT: MICHAEL DOBE AND JULIANNE E. GODEEN; PETITION TO VACATE 94-07, AN 8-FOOT PORTION OF A 30-FOOT REAR-YARD DRAINAGE EASEMENT ON LOT 150, RIO PINAR EAST; DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider the vacation of that certain 8-foot portion of a 30-foot rear-yard drainage easement on Lot 150, Rio Pinar East, described as follows:

The west 8 feet of the east 30 feet of Lot 150, Rio Pinar East, as recorded in Plat Book 4, Pages 146-147, Public Records of Orange County, Florida, containing 540 square feet.

Staff Report

Public Works Division Deputy Director William Baxter reviewed the request and the recommendation for approval of the petition to vacate subject to the applicant executing a Hold Harmless Agreement with Orange County.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Johnson, seconded by County Chairman Chapin, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board adopted a resolution vacating an 8-foot portion of a 30-foot rear-yard drainage easement on Lot 150, Rio Pinar East, as described above, subject to execution of a Hold Harmless Agreement.

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

PETITION TO VACATE PUBLIC HEARING - APPLICANT: JUNE H. STAGGS; PETITION TO VACATE 94-10, A 3.5-FOOT PORTION OF A 5-FOOT SIDE-LOT UTILITY EASEMENT ON LOT 17, LAKE GANDY SHORES, DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider the vacation of that certain 3.5-foot portion of a 5-foot side-lot utility easement on Lot 17, Lake Gandy Shores described as follows:

The west 3.5 feet of the east 5 feet, less the north 10.00 feet and less the south 5.00 feet thereof, of Lot 17, Lake Gandy Shores, according to the plat thereof, as recorded in Plat Book 19, Page 109, of the Public Records of Orange County, Florida.

Staff Report

Public Works Division Deputy Director William Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Staley, seconded by County Chairman Chapin, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board adopted a resolution vacating a 3.5-foot portion of a 5-foot side-lot utility easement on Lot 17, Lake Gandy Shores, as described above.

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

PETITION TO VACATE PUBLIC HEARING - APPLICANT: CAMILLE ERICKSON; PETITION TO VACATE 94-11, TWO, 5-FOOT SIDE-LOT UTILITY EASEMENTS, LOTS 15 AND 16, LAKE NONA, PHASE 1-A, PARCEL 9; DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the vacation of those certain two, 5-foot side-lot utility easements, Lots 15 and 16, Lake Nona, Phase 1-A, Parcel 9, described as follows:

The easterly 5.00 feet of Lot 15 (less the northerly 10.00 feet thereof) and the westerly 5.00 feet of Lot 16 (less the northerly 10.00 feet thereof) as shown on the plat "Partial Replat-Lake Nona Phase 1-A, Parcel 9," recorded in Plat Book 24, Page 10, Public Records of Orange County, Florida, in Section 7, Township 24 South, Range 31 East.

Staff Report

Public Works Division Deputy Director William Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared in favor of or in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Pignone, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board adopted a resolution vacating two, 5-foot side-lot utility easements, Lots 15 and 16, Lake Nona, Phase 1-A, Parcel 9, as described above.

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

CHANGE DETERMINATION PUBLIC HEARING - APPLICANT: JIM HALL, CANIN AND ASSOCIATES; WILDERNESS CREEK PLANNED DEVELOPMENT (PD)/LAND USE PLAN (LUP), REQUEST FOR CHANGE DETERMINATION TO AMEND PLANNED DEVELOPMENT (PD)/LAND USE PLAN (LUP), DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a change request by Jim Hall, Canin and Associates for Wilderness Creek PD/LUP to relocate all commercial uses to the northwest portion of the project, while the multi-family will be relocated to the southeast side of International Drive pursuant to Orange County Code, Section 38-1207(d), on property described as follows:

That part of Lots 24, 43, 44, 50, 51, and 52; and all of Lots 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 45, 46, and 47 and a portion of the 15.00 feet Munger's rights-of-way of the Willis R. Munger's Subdivision, situated in Section 24, Township 24 South, Range 28 East, as recorded in Plat Book "E," Page 22 of the Public Records of Orange County, Florida, being more particularly described as follows: Commence at the northwest corner of the northeast 1/4 of said Section 24; thence run S00°40'47"W along the west line of the northeast 1/4 a distance of 15.00 feet for a point of beginning; thence S87°34'12"E along the north line of said Lot 8, Willis R. Munger's Subdivision and a projection thereof 330.15 feet to the northeast corner of said Lot 8; thence S00°33'40"W along the east line of said Lot 8 a distance of 682.12 feet to the southeast corner of said Lot 8; thence N88°06'46"W along the south line of said Lot 8 and an extension thereof a distance of 331.49 feet to the southeast corner of the northeast 1/4 of the northeast 1/4 of the northwest 1/4; thence N89°58'22"W along the south line of said northeast 1/4 of the northeast 1/4 of the northwest 1/4 a distance of 15.00 feet to the northeast corner of the aforesaid Lot 24, Willis R. Munger's Subdivision; thence S00°40'47"W along the east line of the north 1/2 of said Lot 24 a distance of 342.60 feet to the southeast corner of said north 1/2 of Lot 24; thence N89°55'48"W along the south line of said north 1/2 a distance of 326.94 feet to the southwest corner of said north 1/2; thence S00°35'34"W along the east line of the aforesaid Lot 23, a distance of 342.35 feet to the southeast corner of said Lot 23; thence N89°53'15"W along the south line of said Lot 23 a distance of 341.42 feet to the southwest corner of said Lot 23; thence S00°30'20"W along the east line of the north 1/2 of the aforesaid Lot 43, Willis R. Munger's Subdivision, and a projection thereof 372.09 feet to the southeast corner of said north 1/2; thence N89°50'41"W along the south line of said north 1/2 a distance of 340.85 feet to the northeast corner of the southeast 1/4 of the aforesaid Lot 44; thence S00°25'05"W along the east line of said southeast 1/4 a distance of 341.84 feet to the southeast corner of said southeast 1/4; thence N89°48'06"W along the south line of said southeast 1/4, a distance of 170.16 feet to the southwest corner of said southeast 1/4; thence N00°22'28"E

along the west line of said southeast 1/4, a distance of 341.71 feet to the northwest corner of said southeast 1/4; thence N89°50'41"W along the south line of the northwest 1/4 of said Lot 44 a distance of 170.42 feet to the southwest corner of said northwest 1/4; thence S00°19'51"W along the east line of the southeast 1/4 of the aforesaid Lot 45 and the east line of the north 1/2 of the aforesaid Lot 52 a distance of 683.15 feet to the southeast corner of said north 1/2; thence N89°45'31"W along the south line of said north 1/2 of Lot 52 a distance of 339.81 feet to the southwest corner of said north 1/2; thence S00°14'35"W along the east line of the aforementioned Lot 51 a distance of 341.32 feet to the southeast corner of said Lot 51; thence N89°42'55"W along the south line of said Lot 51 and the south line of the aforementioned Lot 50, a distance of 604.14 feet to the northwesterly line of a 160.00 feet wide Florida Power Corporation easement as recorded in Deed Book 810, Page 471, and Official Record Book 3860, Page 1131, of the aforementioned Public Record of Orange County, Florida; thence departing said south line run N42°10'39"E along said northwesterly line 552.00 feet; thence departing said northwesterly line run N47°49'21"W 368.36 feet to the south line of a 50.00 feet wide right-of-way easement as recorded in Official Record Book 1477, Page 490, of the aforesaid Public Records of Orange County, Florida; thence N89°48'06"W along said south right-of-way easement line 171.31 feet to the west line of the aforementioned Lot 50; thence departing said south right-of-way easement line run N00°04'03"E along the west line of the aforesaid Lots 50, 47, 18, 15 a distance of 2099.86 feet to the northwest corner of said Lot 15; thence N89°56'33"E along the north line of said Lot 15 and the north line of the aforementioned Lots 14, 13, 12, 11, 10, and 9 and an extension thereof a distance of 2404.58 feet to the point of beginning. Together with: The north 1/2 of Lot 80 and the southwest 1/4 of Lot 80 and the northwest 1/4 of Lot 79 of the Willis R. Munger's Subdivision situated in Section 24, Township 24 South, Range 28 East, as recorded in Plat Book "E," Page 22, of the Public Records of Orange County, Florida, being more particularly described as follows: Commence at the west 1/4 corner of said Section 24; thence run S00°00'20"W along the west line of the southwest 1/4 of said Section 24, a distance of 15.00 feet to the point of intersection of said west line with the westerly projection of the north line of the aforementioned Lot 80, Willis R. Munger's Subdivision; thence S89°42'55"E, along said westerly projection 15.00 feet to the northwest corner of said Lot 80, said point also being the point of beginning; thence continue S89°42'55"E along said north line of Lot 80 and the north line of the aforementioned northwest 1/4 of Lot 79, Willis R. Munger's Subdivision a distance of 493.86 feet to the northeast corner of said northwest 1/4 of Lot 79; thence S00°07'54"W along the east line of said northwest 1/4 a distance of 322.96 feet to the southeast corner of said northwest 1/4 thence N89°43'59"W along the south line of said northwest 1/4 and the south line of the northeast 1/4 of said Lot 80 a distance of 331.26 feet to the southwest corner of said northeast 1/4; thence S00°02'51"W along the east line of the southwest 1/4 of said Lot 80 a distance of 323.06 feet to the southeast corner of said southwest 1/4; thence N89°45'04"W along the south line of said southwest 1/4 a distance of

161.65 feet to the southwest corner of said Lot 80; thence N00°00'20"E along the west line of said Lot 80 a distance of 646.22 feet to the point of beginning. Together with: That part of Lots 49, 50, and 51 of the Willis R. Munger's Subdivision situated in Section 24, Township 24 South, Range 28 East as recorded in Plat Book "E," Page 22, of the Public Records of Orange County, Florida, being more particularly described as follows: Commence at the west 1/4 corner of said Section 24; thence run S89°42'55"E along the east-west center section line of said Section 24 a distance of 14.92 feet; thence departing said east-west center section line run perpendicular N00°17'05"E 15.00 feet to the southwest corner of the aforementioned Lot 49 of Willis R. Munger's Subdivision, said point also being the point of beginning; thence N00°01'13"W along the west line of the south 1/2 of said Lot 49 a distance of 340.57 feet to the northwest corner of said south 1/2 of Lot 49; thence S89°45'31"E, along the north line of said south 1/2 a distance of 324.81 feet to the northeast corner of said south 1/2; thence N00°04'03"E along the west line of the aforementioned Lot 50 a distance of 315.81 feet to the south line of a 50.00 feet wide right-of-way easement as recorded in Official Record Book 1477, Page 490, of the aforementioned Public Records of Orange County, Florida, said point also being 25.00 feet south of, when measured perpendicular to the northwest corner of said Lot 50; thence departing said west line of Lot 50, run S89°48'06"E along said south right-of-way easement line 171.31 feet; thence departing said line, run S47°49'21"E 368.36 feet to the northwesterly line of a 160.00 feet wide Florida Power Corporation easement, as recorded in Deed Book 810, Page 471 and Official Record Book 3860, Page 1131, of the aforesaid Public Records of Orange County, Florida; thence S42°10'39"W along said northwesterly line 552.00 feet to the south line of the aforesaid Lot 50; thence departing said northwesterly line run N89°42'55"W along said south line of Lot 50 and the south line of the aforementioned Lot 49 a distance of 398.72 feet to the point of beginning. Less and except: A 125.00 feet wide right-of-way for International Drive as recorded in Official Record Book 4010, Pages 673 through 699, of the Public Records of Orange County, Florida, bounded by the above described legal description, being more particularly described as follows: Commence at the northwest corner of the northeast 1/4 of Section 24, Township 24 South, Range 28 East, Orange County, Florida; thence run S89°56'33"W along the north line of the northwest 1/4 a distance of 467.09 feet to the southeasterly right-of-way line of the aforesaid International Drive; thence departing said north line run S41°45'55"W along said southeasterly right-of-way line 20.13 feet to the south right-of-way line of Willis R. Munger's Subdivision, as recorded in Plat Book "E," Page 22, of the Public Records of Orange County, Florida, said point also being the point of beginning; thence departing said south right-of-way line run along said southeasterly right-of-way line of International Drive the following courses and distances: S41°45'55"W 500.06 feet to the point of curvature of a curve concave northwesterly and having a radius of 1667.67 feet; thence run southwesterly along the arc of said curve 889.70 feet through a central angle of 30°34'01" to the point of tangency, thence S72°19'56"W 439.07 feet to the point of curvature of a curve concave southeasterly and having a radius of 1957.50 feet;

thence run southwesterly along the arc of said curve 230.61 feet through a central angle of 06°45'00" to the point of tangency, thence S65°34'56"W 198.00 feet to the point of curvature of a curve concave northwesterly and having a radius of 1972.50 feet; thence run southwesterly 44.85 feet through a central angle of 01°18'10" to the west line of Lot 18 of Willis R. Munger's Subdivision, as recorded in Plat Book "E," Page 22, of the Public Records of Orange County, Florida; thence departing

said curve and the aforesaid southeasterly right-of-way line run N00°04'03"E 136.79 feet to the northwesterly right-of-way line of the aforesaid International Drive; thence run along said northwesterly right-of-way line the following courses and distances: N65°34'56"E 186.15 feet to the point of curvature of a curve concave southeasterly and having a radius of 2082.50 feet; thence run northeasterly along the arc of said curve 245.34 feet through a central angle of 06°45'00" to the point of tangency; thence N72°19'56"E 439.07 feet to the point of curvature of a curve concave northwesterly and having a radius of 1542.67 feet; thence run northeasterly along the arc of said curve 823.01 feet through a central angle of 30°34'01" to the point of tangency, thence N41°45'55"E, 388.20 feet to the aforementioned south right-of-way line of Willis R. Munger's Subdivision, thence N 89°56'33"E along said south right-of-way line 167.74 feet to the point of beginning. Less and except: A retention pond per a Special Warranty Deed, as recorded in Official Record Book 4159, Page 2705 through 2708, of the Public Records of Orange County, Florida, being described as follows: That part of Lots 22 and 23, situated in Section 24, Township 24 South, Range 28 East, Orange County, Florida, of Willis R. Munger's Subdivision, as recorded in Plat Book "E," Page 22, of the Public Records of Orange County, Florida, being more particularly described as follows: Commencing at the southeast corner of the northeast 1/4 of the northwest 1/4 of said Section 24; thence run N89°53'15"W along the south line of said northeast 1/4 of the northwest 1/4 a distance of 479.97 feet; thence departing said south line run N00°06'45"E 24.71 feet for a point of beginning; thence N49°23'11"W 20.00 feet; thence N40°36'49"E 33.00 feet; thence N49°23'11"W 73.48 feet; thence S40°36'49"W 125.61 feet to the south line of the aforesaid Lot 23; thence N89°53'15"W along said south line and the south line of the aforesaid Lot 22 a distance of 230.00 feet to the easterly line of a Florida Power Corporation Easement, as recorded in Deed Book 810, Page 471 and Official Record Book 3860, Page 1131, of the aforesaid Public Records; thence departing said south line run N42°10'39"E along said easterly line 188.18 feet; thence departing said easterly line run N47°49'21"W 55.00 feet; thence N42°10'39"E parallel with said easterly line 25.00 feet; thence S47°49'21"E 55.00 feet to said easterly line; thence N42°10'39"E along said easterly line 540.00 feet to the east line of aforesaid Lot 23; thence S00°35'34"W along said east line 240.00 feet; thence departing said east line run S40°36'49"W 279.12 feet; thence S49°23'11"E 73.48 feet; N40°36'49"E 33.00 feet; thence S49°23'11"E 20.00 feet; thence S40°36'49"W 81.00 feet to the point of beginning. All of the above described containing therein 113.592 acres, more or less. Subject to a 160.00 feet wide Florida Power Corporation Easements, recorded in Deed Book 810, Page

471, and Official Records Book 3860, Page 1131, of the Public Records of Orange County, Florida. Subject to a Drainage Easement, as recorded in Official Records Book 4159, Pages 2718 through 2723, of the Public Records of Orange County, Florida. Subject to restrictions and easements, if any, of record.

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the change determination request and the Development Review Committee's recommendation of approval.

Appearances

The following person appeared in favor of the request:

- Jim Hall, Canin and Associates (no address given), for the applicant.

No one appeared in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved a change determination request by Jim Hall, Canin and Associates for Wilderness Creek PD/LUP to relocate all commercial uses to the northwest portion of the project, and to relocate the multi-family uses to the southeast side of International Drive, which constitutes a substantial change to the Wilderness Creek PD/LUP.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: BUSCH PROPERTIES OF FLORIDA, INC., "SIERRA LAND PLANNED DEVELOPMENT (PD)/DEVELOPMENT OF REGIONAL IMPACT (DRI)," DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Busch Properties of Florida, Inc., "Sierra Land PD/DRI," aka "International Corner PD," and Lake Bryan International PD in a PD zone to amend the Land Use Plan (LUP) for commercial and hotel use and to establish a DRI, on the following described property:

Beg. at the NE cor. of the NE 1/4 of the SE 1/4 of the NE 1/4 of the NE 1/4 of Sec. 34, Twp. 24 S, Rge. 28 E, Orange County, Florida; th. run S 944.65 ft. sd. pt. also being a pt. on a curve concave N'ly and hvg. a radius of 1847.36 ft.; th. from a chord bearing of S 83°53'16" W, run W'ly 665.47 ft. thru a central angle of 20°38'22" to the pt. of tangency; th. N 85° W 332.98 ft. th. 304.04 ft. th. cont.

N 687.54 ft. th. S 89° E 989.58 ft. to the POB, and Beg. at the NW cor. of the E 1/2 of the NW 1/4 of the SE 1/4 of the NE 1/4 of Sec. 34, Twp. 24 S, Rge. 28 E, run S 304.12 ft. th. N 85° W 651.91 ft. th. run N 36° W 320.99 ft. th. S 89° E 844.13 ft. to the POB, which is located on the northeast corner of State Road 535 and International Drive (NE 1/4 34-24-28 Tract Size: 27.51 acres District #1).

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the change determination request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the request:

- Miranda Fitzgerald, Esquire; Lowndes, Drosdick, Doster, Kantor & Reed; 215 North Eola Drive, Orlando, Florida; for the applicant.

No one appeared in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Pignone, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved the request by Busch Properties of Florida, Inc., "Sierra Land PD/DRI," previously known as "International Corner PD," and Lake Bryan International PD in a PD zone to amend the Land Use Plan for commercial and hotel uses and to establish a DRI on the above described property; and further, approved the Development Order.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved the "Sierra Land PD/LUP," subject to the following conditions as amended:

1. Development shall conform to the Sierra Land Planned Development, BCC approvals, the Sierra Land Use Plan, dated "Received February 3, 1994," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by

action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

2. The stormwater management system shall be designed to comply with the approved design of the International Drive Stormwater System and Orange County Subdivision Regulations.
3. Left turn lane shall be provided along International Drive.
4. To the extent required to comply with the consistency provisions of the Growth Management Act, the following additional conditions shall be added to the conditions of approval:
 - a. Land uses shall be limited to those stated in Policy 1.1.3 of the International Drive Activity Center Plan. Furthermore, Policy 1.1.6 of the International Drive Activity Center Plan dealing with prohibited uses shall apply to development approvals.
 - b. If the housing linkage program is in place prior to development plan approval, development of non-residential development shall be conditioned upon the development of residential units within the area designated as Activity Center Residential on the Future Land Use Map as set forth in the CPP. Past affordable housing efforts of Busch Properties of Florida, Inc., shall be recognized in any current linkage program.
 - c. The development guidelines of the International Drive Activity Center shall apply to the subject property if they are established prior to development plan submittal, including but not limited to lighting standards, sign regulations, open space regulations, trip-reduction program, access management controls, transit access design standards, building orientation, and location of parking lots.
 - d. The property owner shall be required to participate in a property owners' association upon its creation.
 - e. Stormwater management facilities shall be designed as an aesthetic feature, except where determined by the county engineer to be technically unfeasible.
 - f. Twenty (20) foot-wide pedestrian/landscape/utility easement plus a fifteen (15) foot-wide transit easement along International Drive for a total of 35 feet (with the transit easement along International Drive) shall be included in the development plan.

- g. The development plan shall provide for interconnection of adjacent developments either by cross-access easements or public right-of-way.
 - h. Sidewalks shall be a minimum of ten feet (10') wide along International Drive.
 - i. Participation in a shuttle service connecting area attractions, major transportation centers and on-site development shall be required.
5. The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.
 6. Prior to construction plan approval, the developer shall agree to utilize reclaimed water for landscaping and green area irrigation.

(Development Order is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Commissioner Staley left the meeting.

HIGHWAY IMPROVEMENT PROJECT PUBLIC HEARING - FORSYTH ROAD FROM COLONIAL DRIVE (S.R. 50) TO ALOMA AVENUE, DISTRICTS 3 AND 5

Notice was given that the Board of County Commissioners would hold a public hearing to afford interested persons the opportunity to express their views concerning the proposed highway improvement for Forsyth Road from Colonial Drive (S.R. 50) to Aloma Avenue.

Staff Report

Highway Construction Manager William Wythe presented a video regarding findings of the Preliminary Engineering Study conducted by Professional Engineering Consultants, Inc. (PEC), for the Forsyth Road project improvements planned through the design year of 2016. He noted that the study pertained to the section of Forsyth Road from Colonial Drive (S.R. 50) to Aloma Avenue (S.R. 426).

Mr. Wythe gave an overview of the following major areas of the study:

- Existing Roadways
- Traffic
- Typical Sections
- Alignment

- Intersections
- Contamination
- Geotechnical
- Drainage
- Environmental
- Costs

Mr. Wythe concluded his presentation by pointing out three alternatives for the possible realignment of the Eastbrook Boulevard/Aloma Avenue/Forsyth Road intersections, noting that staff recommends Alternative 3:

1. Leave the offset intersection as it presently exists.
2. Close the Aloma Avenue median opening.
3. Realign the intersection to form a normal "plus" intersection with one traffic signal.

A court reporter, Karen Vincent of Century Reporters, 14 East Washington Street, Orlando, Florida, was present; Assistant Deputy Clerk Tom Stark read the Notice of Appeal into the record.

Appearances

The following persons addressed the Board regarding the University Boulevard traffic divider:

- Clyde King, 3300 University Boulevard, Winter Park, Florida, representing NTS.
- Sharon Senape, chairman of the Forsyth Committee, 3335 Heartwood Avenue, Winter Park, Florida.

The following persons addressed the Board with general comments:

- Jane Rochford, president of the Eastbrook Homeowners' Association, 1487 Eastbrook Boulevard, Winter Park, Florida.
- Rick Kaplan (no address given), representing United Telephone.

Commissioner Butler left the meeting.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all present commissioners voting AYE by

voice vote; Commissioner Butler was absent; the Board directed staff to proceed with the Forsyth Road Highway Improvement Project; and further, adopted Alternative 1 to permit the intersection at the Eastbrook Subdivision entrance to remain as it presently exists.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 7:10 p.m.

ATTEST:

Martha O. Haynie

County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator