

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, August 23, 1994. County Chairman Linda Chapin, Commissioners Bob Freeman, Tom Staley, Bill Donegan, and Mable Butler were present. Commissioner Mary Johnson, Commissioner Fran Pignone, and County Comptroller Martha Haynie entered where indicated. Also present were County Administrator Jean Bennett, Senior Assistant County Attorney Joe Passiatore, Chief Deputy Comptroller as Clerk Jim Moye, and Deputy Clerk Rosilyn Stapleton. There being a quorum, the County Chairman called the meeting to order at 9:15 a.m.

ORAL INTERVIEWS REGARDING CONTINUING ENGINEERING SERVICES FOR RESOURCE RECOVERY PROJECTS**Staff Report**

Chief of Purchasing and Contracts Warren Geltch stated that three firms would make presentations for selection of one firm and two ranked alternates for entering into contract negotiations for continuing engineering services for Resource Recovery Projects - Y4-907-MK. Mr. Geltch further explained the rules for the firms to follow regarding the order of presentations and the time limitations.

Commissioner Pignone entered the meeting.

Commissioner Johnson entered the meeting.

The Board heard presentations from the following firms, after which there were question and answer periods:

- Camp, Dresser & McKee
- Post, Buckley, Schuh & Jernigan
- CH2M Hill/Glace & Radcliffe

Discussion

The Board asked the presenters about their prior experience, the expertise of their staffs, and their familiarity with alternative technologies in designing and consulting for resource recovery.

Action

The Board cast votes for selection of one firm and two ranked alternates for entering into contract negotiations for continuing engineering services for Resource Recovery Projects - Y4-904-MK, as follows:

- Camp, Dresser & McKee
- CH2M Hill/Glace & Radcliffe
- Post, Buckley, Schuh & Jernigan none

Commissioners Freeman and Pignone

County Chairman Chapin and Commissioners Butler, Donegan, and Johnson

resulting in the following ranking:

- #1 CH2M Hill/Glace & Radcliffe
- #2 Camp, Dresser & McKee
- #3 Post, Buckley, Schuh & Jernigan

NONAGENDA - NETHERLANDS CONSUL REVERSES TRAVEL ADVISORY

County Chairman Chapin reported that the Consul General of the Netherlands has withdrawn a travel advisory regarding crime against foreign tourists in Florida. She explained that this withdrawal is in response to the safety provided in Orange County to those attending the World Cup USA soccer matches.

HEALTH AND COMMUNITY SERVICES DIVISION DISCUSSION AGENDA

1. Presentation of the 1994 Update to the Orange County Bicycle Plan (Parks and Recreation Department).

Staff Report

Parks and Recreation Department Manager Lynn Sordel presented an overview of the 1994 Orange County Bikeways Plan. Mr. Sordel outlined the gains to bicyclists from implementation of the 1987 Bikeways Plan; they include bicycle lanes on arterial roads, more bicycle safety education in the schools, and an added position at the Metropolitan Planning Organization in charge of bicycle/pedestrian programs in the Tri-County area.

Chief Deputy Comptroller as Clerk Jim Moye left the meeting.

County Comptroller as Clerk Martha Haynie joined the meeting.

John Puhek, chairman of the Orange County Bikeways Advisory Board, addressed the Board and reviewed the goals of the bikeways plan to improve safety through education, enforcement, engineering, and encouragement. Mr. Puhek reviewed the recommendations in the plan including continuing the Children's Safety Village, enforcing existing laws such as night reflectors, constructing four-foot bike lanes on both sides of selected roads, and

completing planned walking/bike trails and a feasibility study on providing more trails.

Discussion

The Board discussed safety issues, the possibility of adding bicycle lanes to existing roads as well as including them in future Orange County roads, and the need for information on what the plan's recommendations will cost.

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 accepted the "1994 Orange County Bicycle Plan."

Commissioner Donegan left the meeting.

NONAGENDA - PROTOCOL MANUAL FOR ORANGE COUNTY

Commissioner Johnson presented the Board with copies of the Orange County Protocol Manual prepared by Assistant County Administrator Consuelo Gomez.

COUNTY CONSENT AGENDA

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all present commissioners voting AYE by voice vote; Commissioner Donegan was absent; the Board deleted Fiscal and Human Resource Item 2; and further, approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Approval to pay Clerk of the Courts' invoices in the total amount of \$283,714.57 (Administrative/Fiscal).
2. Approval to dispose of tangible personal property (Property Accounting).
3. Warrants and vouchers, having been certified that same had not been drawn on overexpended accounts:
 - Regular Board: Total - \$16,943,148.45

Convention Center

1. Approval for payment of I-Drive Master Transit District invoice in the amount of \$165,000 representing the Convention Center's assessment from the District for costs associated with the I-Ride bus system.

Fire and Rescue Services Division

1. Approval to waive Administrative Regulation 7.12.01/Moving Expenses to reimburse Assistant Chief Charles G. Middleton \$1,500 for moving expenses incurred relocating from Fairfax, Virginia.

Fiscal and Human Resource Division

1. Award of Invitation for Bid Y4-165-HF to Tri-County Supply, Inc., a responsive and responsible bidder with utilization of the M/WBE Ordinance 10% Preference policy, for a one-year term contract to furnish janitorial supplies, \$302,736.78 ([Corrections Division] Purchasing and Contracts Department).
2. Award of Invitation for Bid Y4-762-CT, Contract 1 to the low responsive and responsible bidder, Hewitt Contracting Company, Inc., Eastern Regional Water Treatment Facility, \$1,290,490 ([Public Utilities Engineering Department] Purchasing and Contracts Department).

(As indicated in the above motion, this item was deleted.)

3. Award of Invitation for Bid Y4-767-EG to the low responsive and responsible bidder, Prairie Construction Company, Inc., Holstein Road Paving and Drainage Improvements, \$272,031.75 ([Highway Construction] Purchasing and Contracts Department).
4. Award of Invitation for Bid Y4-768-CT to the low responsive and responsible bidder, Prime Construction Group, Inc., Tam Drive and Verona Park Lift Station Rehabilitation, \$179,000 ([Public Utilities Engineering Department] Purchasing and Contracts Department).
5. Award of Invitation for Bid Y4-772-EG to the low responsive and responsible bidder, Metropolitan Construction, Inc., Junction Road Sidewalk Improvements, \$76,687.32 ([Highway Construction Department] Purchasing and Contracts Department).

(Contracts for Items 1 and 3 through 5 are on file in the Purchasing and Contracts Department.)

6. Ratification of the following emergency purchases to replace the wastewater force main on Sand Lake Road: Davis Meter, \$226,812; International Piping,

\$55,500; Hertz Equipment, \$22,504; Velvet Sod, \$17,271.20; Empire Pipe, \$8,040; Neff Machinery, \$780; total amount of \$330,907.20 ([Public Utilities Engineering Department] Purchasing and Contracts Department).

7. Approval of Change Order 2, Contract Y3-791, HVAC and Electrical Renovations for Orange County Public Utilities Operations Center with Grunau Company, Inc., \$48,000.60 ([Public Utilities Engineering Department] Purchasing and Contracts Department).
8. Approval of Change Order 4, Contract Y3-737, Construction of Fleet Management Complex with Walker and Company, \$21,353 ([Construction Administration Department] Purchasing and Contracts Department).
9. Approval of Change Order 3, Contract Y3-7007, South Apopka Facility Parking with Williams Contracting, Inc., \$2,363 ([Construction Administration Department] Purchasing and Contracts Department).
10. Approval of Change Order 4, Contract Y3-7007, South Apopka Facility Parking with Williams Contracting, Inc., \$6,495.87 ([Construction Administration Department] Purchasing and Contracts Department).
11. Approval to enter into a formal contract with WBQ Design and Engineering, Inc., for engineering services for Lake Margaret Drive/Conway Road Intersection Drainage Retrofit, RFP Y4-808-MK, \$85,245.24 ([Stormwater Management Department] Purchasing and Contracts Department).
12. Approval to enter into a formal contract with Glatting, Jackson, Kercher, Anglin, Lopez, Rinehart for consulting services of the Convention Center District Transportation Study, RFP Y4-811-MK, \$458,806 ([Traffic Engineering Department] Purchasing and Contracts Department).
13. Approval of Amendment 1, Contract Y3-815, engineering services for Forsyth Road with Professional Engineering Consultants, \$245,863 ([Highway Construction Department] Procurement Committee).
14. Approval for reimbursement in the amount of \$847,131 from the General Fund to the Sheriff's Office for expenditures related to World Cup Soccer Law Enforcement (OMB).
15. Approval of Budget Transfers 94-495 through 94-498 (OMB).

(Budget Transfers 94-495 through 94-498 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
16. Approval of Budget Amendment 94-85 (OMB).

(Budget Amendment 94-85 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

17. Approval of CIP Amendment 74-94 (OMB).

(CIP Amendment 74-94 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

18. Approval of payment of Intergovernmental Claims (July 28 and August 4, 1994) totaling \$250,974.51 (Risk Management Department).
19. Receipt and filing of the July 21 and 28, 1994, minutes of the Intergovernmental Risk Management Committee (Risk Management Department).
20. Approval to ratify issuance of 1994 Orange County Housing Finance Authority Single Family Mortgage Revenue Bonds not to exceed \$50,000,000 (Housing Finance Authority).

(Resolution No. 94-B-08 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Health and Community Services Division

1. Approval and execution of Amendment to HRS Residential Group Care Contract YGJ7B requiring the County to report the total amount of budgeted and actual employee compensation expenditures. No additional funding required, all districts (Human Services Department).
2. Approval and execution of Amendment to HRS Emergency Shelter Crisis Services Contract YGJ5C requiring the County to report the total amount of budgeted and actual employee compensation expenditures. No additional funding required, all districts (Human Services Department).
3. Approval and execution of Amendment to HRS Emergency Shelter Contract YGJ4C requiring the County to report the total amount of budgeted and actual employee compensation expenditures. No additional funding required, all districts (Human Services Department).
4. Approval and execution of Amendment to HRS Homemaker Contract GJ213 requiring the County to report the total amount of budgeted and actual employee compensation expenditures. No additional funding required, all districts (Human Services Department).

5. Approval and execution of Amendment to HRS Intensive Crisis Counseling Program Contract GJ211 requiring the County to report the total amount of budgeted and actual employee compensation expenditures. No additional funding required, all districts (Human Services Department).

(Amendments are on file in the office of the Comptroller Clerk of the Board or County Commissioners.)

Planning and Development Division

1. Approval and execution of the Community Development Block Grant (CDBG) application and subsequent grant agreement and reporting documents (Housing and Community Development Department).
2. Approval and execution of Road Impact Fee Agreement regarding an Alternative Traffic Study between Carter Tabernacle CME Church and Orange County, District 6 (Planning Department).

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

3. Approval to advertise Resolutions to Lien (Resolution Nos. LC 94-089, LC 94-091, LC 94-095, LC 94-098, LC 94-099, LC 94-100, LC 94-101, LC 94-102, LC 94-103, LC 94-104, LC 94-105, LC 94-106, LC 94-107, LC 94-109, LC 94-110 and LC 94-111) for property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning (Zoning Department).

(Resolution Nos. 94-ZON-120 through 94-ZON-135 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Public Utilities Division

1. Authorization for the Chairman to execute CSX Transportation, Inc., Pipeline Crossing Agreement No. CSX-022801 for the Sand Lake Road Force Main Relocation Project, District 6.

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

2. Receipt and filing of the November 11, 1993, Local Government Solid Waste Advisory Board minutes for the official County record.
3. Receipt and filing of the June 2 and July 7, 1994, Commercial Recycling Advisory Board minutes for the official County record.

Public Works Division

1. Approval to adopt resolution to vacate:
 - a. Portion of a plat, Irlo Bronson's Subdivision, District 4 (Engineering Department).
 - b. Portion of a plat, Hunter's Creek, Tract 430-A, Phase I, District 1 (Engineering Department).
2. Approval to reduce the existing speed limit from 50 miles per hour to 45 miles per hour:
 - a. Central Florida Parkway from 0.5 miles west of Orange Blossom Trail to Orangewood Boulevard, District 1 (Traffic Engineering Department).
 - b. Clarcona Road from 0.1 miles south of Cleveland Street to 0.1 miles north of Keene Road, District 2 (Traffic Engineering Department).

County Chairman Chapin adjourned the morning session.

MEETING RECONVENED

The Board of County Commissioners reconvened in Commission Chambers on the First Floor, Orange County Administration Center, with County Chairman Linda Chapin, Commissioners Tom Staley, Mary Johnson, and Mable Butler present. Commissioners Bob Freeman, Bill Donegan, and Fran Pignone entered where indicated. Also present were Assistant County Administrator Howard Tipton, Assistant County Attorney Joel Prinsell, Chief Deputy Comptroller as Clerk Jim Moye, and Deputy Clerk Rosilyn Stapleton. The Board paused for an invocation by the Reverend James Clark, of the Powers Drive Baptist Church, followed by the Pledge of Allegiance to the Flag.

PUBLIC DISCUSSION

Commissioner Freeman joined the meeting.

1. Presentation of plaques.

Historical Museum Director Sara Van Arsdel presented plaques to the Board in appreciation of their support of the "Anne Frank in the World Exhibit."

2. Presentation of award.

County Chairman Chapin congratulated Corrections Division Director Tom Allison upon his receipt of the 1994 National Public Services Award from the

American Society for Public Administration and National Academy of Public Administration.

Commissioner Pignone joined the meeting.

Commissioner Donegan joined the meeting.

APPEAL OF DEVELOPMENT REVIEW COMMITTEE DECISION - APPLICANT: CHARLES BRENNER; SEPTIC TANK VARIANCE REQUEST #94-57 (CONTINUED FROM AUGUST 16, 1994), DISTRICT 5

By consensus, the Board reopened the hearing to sit as a Board of Appeal to consider the Development Review Committee's decision regarding a request by Charles Brenner for variance from Section 37-540(f-2) of the On-site Sewage Disposal System Ordinance, Septic Tank Variance Request DRC 94-57, for a three-foot (3') separation above the normal wet season water table, for Lots 4 and 5, Block 1 of Karolina on Killarney Drive, located north of Fairbanks Avenue and east of I-4, continued from the August 16, 1994, Board meeting.

Staff Report

Public Works Division Director George Cole reviewed the request and DRC's recommendation of denial. Mr. Cole explained that the public hearing was continued for staff to inspect the site. He reported that as a result of the inspection, staff recommends permitting installation of a septic tank subject to the invert of the drain field being 12 inches above natural grade on the site today to insure a 24-inch separation from the normal high water level mark as required by State code.

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 Donegan, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board overruled the decision of the Development Review Committee and approved the request by Charles Brenner for a variance from Section 37-540(f-2) of the On-site Sewage Disposal System Ordinance, Septic Tank Variance Request DRC 94-57, for a three-foot (3') separation above the normal wet season water table; subject to the invert of the drain field being 12 inches above natural grade, on the site today, providing for a 24-inch separation as required by State code, for Lots 4 and 5, Block 1 of Karolina on Killarney Drive, located north of Fairbanks Avenue and east of I-4.

SHORELINE ALTERATION PUBLIC HEARING - APPLICANT: DR. OHARAM PAUL, 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 Dr. Oharam Paul to remove vegetation and replant in accordance with Article VII of Chapter 15, Orange County Code, on property described as follows:

Lot 15, The Lakes Subdivision, Plat Book 11, Pages 12 and 13, Orange County, Florida, said property being located adjacent to Lake Down.

Staff Report

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

Appearances

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

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. Oharam Paul to remove vegetation and replant in accordance with Article VII of Chapter 15, Orange County Code, on the above-described property, 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 species listed in the application.
3. Cleared vegetation must be removed to the 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 (1) 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 is to 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: MARIO VILLARROEL, VEGETATION REMOVAL AND REPLANTING, BIG SAND LAKE, DISTRICT 1

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

Lot 283, Sand Lake Point Unit IV, according to the plat thereof, as recorded in Plat Book 31, Pages 105-108 of the Public Records of Orange County, Florida, said property being located adjacent to Big Sand Lake.

Staff Report

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

Appearances

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

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 permit application of Mario Villarroel to remove vegetation and replant in accordance with Article VII of Chapter 15, Orange County Code, on the above-described property, subject to 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 species listed in the application.
3. Cleared vegetation must be removed to the landward of the Normal High Water Elevation 90 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 (1) 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 is to 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.

REZONING PUBLIC HEARING - APPLICANT: PHILLIP C. HOLLIS, HOLLIS ENGINEERING, INC.;
AMEND LAND USE PLAN FOR "THE VILLAGES AT WATERSIDE PLANNED DEVELOPMENT"; DISTRICT
4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the request for approval of a rezoning by Phillip C. Hollis, Hollis Engineering, Inc., for "The Villages at Waterside Planned Development (PD)," to amend the approved Land Use Plan to convert the multi-family land use on the western portion of the PD to single-family residential; convert the industrial use on the eastern portion of the PD to multi-family and single-family residential; a reduction in the typical lot size from 50 feet x 100 feet to 45 feet x 95 feet; increase in park site from 2.4 acres to 3.2 acres; and change in project phasing, pursuant to Orange County Code, Section 38-1207, on property described as follows:

North 1/2 of Section 17, Township 23 South, Range 31 East, lying west of the boundary of Young Pine Road, less the west 461.65 feet thereof, and less the south 500 feet thereof as measured from the south boundary of the north 1/2 of the said section; all in Orange County, Florida.

Less Parcel A: Commencing at the NE corner of the NW 1/4 of Section 17, Township 23 South, Range 31 East, in Orange County, Florida; thence N89°47'57"E, 739.29 feet to the westerly right-of-way of Young Pine Road; thence along the arc of a curve along the westerly right-of-way of Young Pine Road, the curve being concave to the northeast, having a radius of 5782.59 feet, a central angle of 01°23'59", for an arc distance of 141.26 feet to a point of tangency; thence S18°15'51"E,

along the westerly right-of-way of Young Pine Road, 1404.51 feet to the point of beginning for the description; thence continuing S18°15'51"E, along the westerly right-of-way of Young Pine Road, 730.05 feet; thence S89°50'56"W, 1548.40 feet; thence N00°09'04"W, 250.00 feet; thence N89°50'56"E, 500.00 feet; thence N45°00'00"E, 340.00 feet; thence N82°00'00"E, 371.01 feet; thence N18°15'51"W, 79.65 feet; thence N71°44'09"E, 250.00 feet to the point of beginning for this description. Contains: 145.63 acres.

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the amendments to the Land Use Plan and the Development Review Committee's recommendation for approval.

Appearances

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

- Phillip Hollis, P.E., the applicant; Hollis Engineering, Inc.; 605 East Robinson Street, Suite 450, Orlando, Florida.

The following person addressed the Board in opposition to the request:

- Jane Wiley, 841 Long Leaf Pine Park, East Orange County, Florida.

Discussion

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

County Chairman Chapin directed staff to obtain information on future school sites from the Orange County School Board.

Motion

Upon a motion by County Chairman Chapin, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board continued the request for approval of a rezoning by Phillip C. Hollis, Hollis Engineering, Inc., for "The Villages at Waterside Planned Development (PD)," to amend the approved Land Use Plan to convert the multi-family land use on the western portion of the PD to single-family residential; convert the industrial use on the eastern portion of the PD to multi-family and single-family residential; a reduction in the typical lot size from 50 feet x 100 feet to 45 feet x 95 feet; increase in park site from 2.4 acres to 3.2 acres; and change in project phasing, pursuant to Orange County Code, Section 38-1207, until August 30, 1994, at 2:45 p.m.

REZONING PUBLIC HEARING - APPLICANT: MIKE PREJEAN, WILLIAMSBURG REALTY; AMEND LAND USE PLAN FOR "ORANGEWOOD PLANNED DEVELOPMENT/ ORANGEWOOD COVE"; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request for approval of a rezoning by Mike Prejean, Williamsburg Realty, for "Orangewood Planned Development (PD)/Orangewood Cove," to amend the approved Land Use Plan to convert the land use from High Density Residential (12-20 Dwelling Units/acre - 148 units) to 60,000 square feet of Tourist Commercial uses, pursuant to Orange County Code, Section 38-1207, on the following described property:

Part of Section 18, Township 24 South, Range 29 East, Orange County, Florida, being described as follows: Commence at the north 1/4 corner of said Section 18; thence S89°10'28"W, along the north line thereof, 992.13 feet to the centerline of an Orlando Utilities Commission Easement (135 feet wide) as recorded in Official Records Book 1934, Pages 12, 13, and 14, Orange County, Florida; thence S00°20'04"E along said centerline, 776.60 feet to the point of beginning; thence S00°20'04"W, 162.30 feet; thence S42°12'08"W, 448.00 feet; thence N66°15'48"W, 753.59 feet to a point on a curve, concave westerly and having a radius of 2949.79 feet; thence from a tangent bearing of N20°07'13"E, run along the arc of said curve a distance of 186.89 feet through a central angle of 03°37'48"; thence N89°10'28"E, 931.24 feet to the point of beginning. Containing 7.405 acres, more or less.

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the amendments to the Land Use Plan and the Development Review Committee's recommendation for approval.

Appearances

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

- Terry Costolo, Esquire; Lowndes, Drosdick, Doster, Kantor & Reed, P.A.; 215 North Eola Drive, Orlando, Florida; for the applicant.

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 Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board approved the request for rezoning by Mike Prejean, Williamsburg Realty, for "Orangewood Planned Development (PD)/Orangewood Cove," to amend the approved Land Use Plan to convert the land use from High Density Residential (12-20 Dwelling Units/acre - 148 units) to 60,000 square feet of

Tourist Commercial uses, on the above- described property, subject to the following conditions:

1. Development shall conform to the Orangewood Cove Land Use Plan Amendment, dated "Received June 6, 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 the the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.
2. The proposed median opening and access location are not approved with this plan and shall be determined at development plan submittal.
3. 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. Commercial 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 approval, development of nonresidential development shall be conditioned upon the development of residential units within the area designated as Activity Center Residential on the Future Land Use Map. Past affordable housing efforts by the developer shall be recognized in any housing 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, site 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. A 20-foot wide pedestrian/landscape/utility easement plus a 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 may provide for interconnection of adjacent developments either by cross-access easements or public right-of-way.
- h. Sidewalks may be a minimum of 10-foot wide along International Drive.
- i. Participation in a shuttle service connecting area attractions, major transportation centers, and on-site development shall be required.

REZONING PUBLIC HEARING - APPLICANT: GARY SINGER, UNIBILT DEVELOPMENT CORPORATION; AMEND LAND USE PLAN FOR "ORANGEWOOD PLANNED DEVELOPMENT/WATERVIEW SECTIONS 2 AND 3"; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request for approval of a rezoning by Gary Singer, Unibilt Development Corporation, for "Orangewood Planned Development/Waterview Sections 2 and 3," to amend the approved Land Use Plan to convert the land use from townhouse to single-family residential use, pursuant to Orange County Code, Section 38-1207, on the following described property:

A part of Sections 7, 8, 17, and 18, Township 24 South, Range 29 East, Orange County, Florida, described as follows:

Commence at the southeast corner of said Section 7; thence N67°47'09"E, 493.58 feet to the point of beginning; thence S01°43'54"E, 669.22 feet to a point on the northerly right-of-way line of Valencia Drainage District Canal C-1, as recorded in Official Records Book 2593, Pages 1260 through 1284, inclusive, said point on a curve, concave southeasterly, having a radius of 546.50 feet; thence along the northerly right-of-way line of said Canal C-1, the following nine (9) courses and distances; from a tangent bearing of S74°26'54"W, run 170.00 feet along the arc of said curve through a central angle of 17°49'23" to the point of tangency thereof; thence S56°37'31"W, 472.56 feet to a point of curvature of a curve, concave southeasterly, having a radius of 1011.86 feet and a central angle of 11°59'41"; thence 211.83 feet along the arc of said curve to the point of tangency thereof; thence S44°37'50"W, 345.60 feet; thence N45°22'10"W, 3.00 feet; thence S44°37'50"W, 378.47 feet to a point of curvature of a curve, concave northwesterly, having a radius of 284.01 feet and a central angle of 46°45'17"; thence 231.76 feet along the arc of said curve to the point of tangency thereof; thence N88°36'53"W, 99.26 feet to the intersection of the northerly right-of-way line of said Canal C-1, with the easterly right-of-way line of Orangewood Boulevard, as shown on the Plat of Somerset Village, as recorded in Plat Book 13,

Pages 30, 31, 32, and 33 inclusive, Public Records of Orange County Florida; thence along the easterly right-of-way line of Orangewood Boulevard, the following six (6) courses and distances; N01°23'07"E, 193.07 feet to a point of curvature of a curve, concave westerly, having a radius of 761.45 feet and a central angle of 18°31'54"; thence 246.28 feet along the arc of said curve to the point of tangency thereof; thence N17°08'47"W, 840.94 feet to a point of curvature of a curve, concave northeasterly, having a radius of 2701.51 feet; thence 587.20 feet along the arc of said curve, through a central angle of 12°27'14" to the point of tangency thereof; thence N04°41'33"W, 416.37 feet to a point of curvature of a curve concave southeasterly, having a radius of 25.00 feet and a central angle of 80°49'35"; thence run 35.27 feet along the arc of said curve to a point of reverse curvature on the southerly right-of-way of Central Florida Parkway, as recorded in Official Records Book 3546, Page 148, Public Records of Orange County, Florida, said curve concave northerly, having a radius of 3884.72 feet; thence the following five (5) courses and distances along said southerly right-of-way, from a tangent bearing of N76°08'02"E run 541.19 feet along the arc of said curve through a central angle of 07°58'55", to the point of tangency thereof; thence N68°09'07"E, 355.46 feet to a point of curvature of a curve, concave southerly, having a radius of 3754.72 feet and a central angle of 21°32'13"; thence 1411.36 feet along the arc of said curve to the end thereof; thence S89°09'55"E, 500.10 feet to a point of curvature of a curve, concave northerly having a radius of 4065.00 feet and a central angle of 00°54'45"; thence from a tangent bearing a N89°41'20"E, run 64.74 feet along the arc of said curve to the end thereof; thence leaving said southerly right-of-way of Central Florida Parkway, S00°04'20"W, 490.43 feet; thence S55°30'48"W, 1057.53 feet to the point of beginning. Containing 102.028 acres more or less.

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the amendments to the Land Use Plan and the Development Review Committee's recommendation for approval.

Appearances

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

- Gary Singer, Unibilt Development Corporation, the applicant; 6305 Westwood Boulevard, Orlando, Florida.

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 the request for rezoning by Gary Singer, Unibilt Development Corporation, for Orangewood Planned Development/ Waterview Sections 2 and 3 to amend the approved Land Use Plan to convert the land use from townhouse to single-family residential use, on the above-described property, subject to the following conditions:

1. Development shall conform to the Orangewood Planned Development, BCC approvals and Waterview - Sections 2 and 3 Amended Land Use Plan, dated "Received May 31, 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 the the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.
2. This approval does not approve the street and lot waiver request as shown on the referenced plan.

CHANGE DETERMINATION PUBLIC HEARING - APPLICANT: DAVID EVANS, P.E.; SUNSET RIDGE SUBDIVISION, TO WAIVE CONDITION OF APPROVAL 7 FOR A FOUR-FOOT SIDEWALK ON THE EAST SIDE OF LAKE PLEASANT ROAD, NORTH OF DEANNA DRIVE; (CONTINUED FROM AUGUST 16, 1994), DISTRICT 2

By consensus, the Board reopened the public hearing to consider a change determination request by David Evans, P.E., for Sunset Ridge Subdivision to waive the BCC Condition of Approval 7 for a four-foot sidewalk on the east side of Lake Pleasant Road, north of Deanna Drive, pursuant to Section 34-27, continued from the August 16, 1994, Board meeting.

Staff Report

Public Works Division Director George Cole reviewed the change determination request and the Development Review Committee's (DRC's) determination of substantial change; and further, stated the DRC recommended approval of the request. Mr. Cole explained that the public hearing was continued so that staff could inspect the site, adding that as a result of the inspection, staff recommends approval of the request subject to the developer constructing eight driveways (additional to the ones already designated for construction) as part of the Lake Pleasant Road construction plans.

Appearances

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

- Joann Sanderlin (no address given), for the applicant.

The following persons addressed the Board in opposition to the request:

- John Wooten, 303 Lake Pleasant Road, Orlando, Florida.
- Howard Goff, 110 Lake Pleasant Road, Orlando, Florida.
- Janice Brown, 221 Lake Pleasant Road, Orlando, Florida.

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 Johnson, and carried with County Chairman Chapin and Commissioners Staley, Johnson, Donegan, and Butler voting AYE by voice vote; Commissioners Freeman and Pignone voting NO by voice vote; the Board approved the change request by David Evans, P.E., for Sunset Ridge Subdivision to waive the BCC Condition of Approval 7 for a four-foot sidewalk on the east side of Lake Pleasant Road, north of Deanna Drive, which constitutes a substantial change to the Sunset Ridge Subdivision Planned Development/Land Use Plan; subject to the award of Transportation Impact Fee credits for 50 percent of the cost of construction of South Lake Pleasant Road provided that construction includes all driveways as shown on the revised plan.

Commissioner Johnson left the meeting.

Commissioner Pignone left the meeting.

ORDINANCE PUBLIC HEARING - COMMERCIAL RECYCLING ORDINANCE

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

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, PERTAINING TO COMMERCIAL RECYCLING; AMENDING CHAPTER 32 OF THE ORANGE COUNTY CODE; PROVIDING FOR LICENSING OF COMMERCIAL GARBAGE HAULERS; PROVIDING FOR REGISTRATION OF RECYCLERS ON A COUNTY-WIDE BASIS; PROVIDING FOR MANDATORY COMMERCIAL RECYCLING; CREATING A BLUE BAG PROGRAM; PROVIDING FOR OTHER REQUIREMENTS TOO NUMEROUS TO MENTION HEREIN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Report

Public Utilities Deputy Division Director Stan Keely reviewed the proposed ordinance, noted that several clarifying changes are incorporated in the current

version, and requested the public hearing be continued to allow further review of the changes.

Assistant County Attorney Alison Yurko reviewed the changes to the recycling ordinance.

Commissioner Johnson rejoined the meeting.

County Chairman Chapin left the meeting.

Appearances

The following persons appeared in favor of the proposed ordinance:

- David Dee, Esquire; Carlton, Fields, Ward, Emmanuel, Smith & Culture, P.A.; 255 South Orange Avenue, Orlando, Florida; representing recyclers.
- Steve Bechtel, Esquire; Mateer, Harbert & Bates; 225 East Robinson Street, Orlando, Florida; representing recyclers.
- George Elder, Public Affairs Manager, Southeast Paper, Atlanta, Georgia.
- Stephen Levenson (no address given), representing the Jefferson Smurfit Corporation.

No one appeared in opposition to the proposed ordinance.

Discussion

Vice-chairman Staley closed the public hearing and opened the matter for Board discussion.

Motion

By consensus, the Board continued the public hearing concerning the proposed ordinance pertaining to commercial recycling until August 30, 1994, at 2:45 p.m.

MEETING ADJOURNED

There being no further business, the Vice-chairman adjourned the meeting at 3:30 p.m.

ATTEST:

Martha O. Haynie

County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator