

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, October 29, 1996. The following were present:

- County Chairman Linda Chapin
- Commissioners Tom Staley, Mary Johnson, Clarence Hoenstine, Bill Donegan, and Mable Butler
- County Comptroller as Clerk Martha Haynie
- County Administrator Jean Bennett
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

Commissioner Bob Freeman joined the meeting where indicated.

There being a quorum, the County Chairman called the meeting to order at 9 a.m.

FISCAL AND HUMAN RESOURCES DIVISION ANNUAL REPORT

Fiscal and Human Resources Division Director Sharon Laisure presented the division's annual report. Ms. Laisure explained how the division's perspective was changed to assure that its programs and systems are in alignment with the County's mission and strategic goals. She presented the following division staff members who gave an overview of their department's accomplishments:

- Human Resources Department Administrator Ricardo Day
- Human Resources Department Technician Charles Smith
- Risk Management Safety Administrator Lance Sanders
- Office of Management and Budget Analyst Alex Morales
- Purchasing and Contracts Department Supervisor Elaine Walker

Ms. Laisure recognized the leaders of cross-divisional teams for their work by presenting them with bricks symbolic of the strong structure of County government.

Discussion

The Board discussed the advantages of cross-divisional teams, the number of pending loans in the loan initiative program, and loan guarantees for black-owned business

Commissioner Freeman joined the meeting.

COUNTY CHAIRMAN'S REPORT - DISCUSSION AGENDA - ADDENDUM 1

1. Lake Tibet-Butler Preserve agreement with the South Florida Water Management District.

Staff Report

Parks and Recreation Department Manager Lynn Sordel reported on the status of the effort to install boat ramps at the R.D. Keene Park, Lake Sheen, and Lake Down sites. Mr. Sordel stated that the deadline for the County to respond to the South Florida Water Management District's (SFWMD) request for additional information regarding the R.D. Keen Park site is next week and the staff will meet that deadline. He noted that the Sportsmen's Association has not been contacted regarding the Lake Sheen site, but that preliminary design plans for that ramp facility have been completed. Mr. Sordel said the County has begun the acquisition process for an additional ten acres to be used for parking at the existing Lake Down boat ramp.

In response to a question from Commissioner Freeman regarding delays in obtaining the SFWMD permit, County Attorney Tom Wilkes explained that staff made a decision to modify the County's permit application to take advantage of favorable changes in the regulations that govern permits issued by water management districts and the Florida Department of Environmental Protection. Mr. Wilkes stated this caused a delay in responding to the SFWMD's request for additional information.

Assistant County Attorney Joel Prinsell reviewed the new regulations and how they benefit the County. Mr. Prinsell pointed out that once the deadline for the request for additional information is past, the SFWMD will have 30 to 90 days to review the material and make a decision of intent to issue or not to issue the permit. He added that other interested parties can challenge the notice of intent and initiate the administrative hearing process at that time.

Assistant to the Health and Community Services Director Dan Kirchner discussed the efforts that staff has made to address this issue with the SFWMD. Mr. Kirchner added that staff will present a proposal for the proposed Lake Sheen boat ramp site within the next two weeks if discussions with the Sportsmen's Club are not successful.

Discussion

The Board discussed the possibility of reopening the Tibet-Butler Nature Preserve agreement with the SFWMD, the permitting process, the choice of three sites versus one site, the date for issuance of the permit for the Keene's Point site and the cost to obtain it, and the possibility of lengthy litigation by residents of the Lake Isleworth area.

Motion

The Board did not take any action.

FISCAL AND HUMAN RESOURCES DIVISION DISCUSSION AGENDA

1. Board direction regarding the termination of a contract with PRC Public Sector, Inc., for the purchase of a computer-aided dispatch (CAD) system for the Fire and Rescue Division and the Sheriff's Office (Purchasing and Contracts Department).

Julie Peternick, vice president, PRC Public Sector, Inc., addressed the Board and stated that PRC has the highest level of commitment to CAD systems, and that she has confidence in the overall reliability of the system. Ms. Peternick noted that her company has provided a schedule and plan for correcting problems with the system, and that a new program manager, Chip April, has been appointed to oversee the County's project. She stated that Mr. April has begun daily meetings, is submitting status reports, and has instituted a corrective action process to fix software "bugs." Ms. Peternick admitted that the company had been overly optimistic in initially estimating the project's completion date.

Staff Report

Chief of Purchasing and Contracts Warren Geltch explained that PRC had an excellent industry reputation for CAD systems when the project was bid. He said the County has requested a letter of credit to recover its money from PRC if the system is not provided and that PRC has repeatedly failed to perform. Mr. Geltch stated that a notice of termination has been issued and that the cure period expires on November 15, 1996.

Assistant County Attorney Linda Brehmer said that staff has attempted to negotiate with PRC, but has not been able to reach an agreement. She stressed that PRC desires contract language stating that the County will accept a CAD system with software bugs, or "noncritical problems," and wants a third party to arbitrate the system function issue.

Linda Rauner, vice president, PRC, stated that the company would return the County's money if the system is not working by May 30, 1997, and is seeking

a revised payment milestone schedule. She stated that there would be no litigation if the parent guarantee is in place or the use of a third party arbitrator.

Acting Fire Administration and Communications Department Manager Charles Middleton pointed out that with PRC's inability to deliver a functional specification document or an acceptance test plan, full capacity of the system cannot be measured.

Acting Sheriff's Technical Projects Administrator Jack Van Sandt stated that he concurs with Mr. Middleton in the expectation and need for a CAD system. Mr. Van Sandt noted that PRC has not delivered the whole system and that it is missing three important elements: FCIC2, the Geodata file, and the incident file. Mr. Van Sandt said the Sheriff's Office is anxious to move its staff into the new communications center; and as an alternative to the PRC system, a new manual track system costing \$50,000 or a Lotus Notes Local Area Network system costing \$120,000 could be used.

Information Resource Coordinator Janice Knight said that from a technical standpoint PRC is in trouble and that the company has not supported the County's project. She further stated that the Sheriff's Office and the Fire Rescue Division are unwilling to put public safety at risk and doubt PRC's ability to deliver a reliable system.

Discussion

The Board discussed the date for the system to "go live," and the lengthy delays in implementing it, the absence of an actual system at the time PRC was awarded the contract, the obtaining of a letter of credit, and the existence of problems with PRC's CAD installations in other cities. The Board also discussed the cost of alternatives to PRC's system for emergency dispatch functions, and the possibility of holding money back from PRC until software bugs are eliminated.

Action

By consensus, the Board continued this item for further discussion (see page 231).

Commissioners Freeman and Butler left the meeting.

NONAGENDA - COUNTY COMPTROLLER

County Comptroller Martha Haynie presented a check for \$1.5 million to the Board and the County taxpayers representing operational savings and unspent revenues for fiscal year 1995-96.

FISCAL AND HUMAN RESOURCES DIVISION DISCUSSION AGENDA

- 2. Selection of one firm and two ranked alternates for award of a contract for asbestos and lead consulting services for the Historic Courthouse Complex, per RFP Y6-661-SS, ([Construction Administration Department] Purchasing and Contracts Department).

Staff Report

County Administrator Jean Bennett requested that the Board select one firm and two ranked alternates to enter into contract negotiations to provide asbestos and lead consulting services for the County, RFP Y6-661-SS, from the following firms listed alphabetically:

- Evans Environmental and Geotechnical Science and Management, Inc.
- Law Engineering and Environmental Services, Inc.
- Occupational Health Conservation, Inc.

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; Commissioners Freeman and Butler were absent; the Board approved the following short list ranked as follows:

- #1 Law Engineering and Environmental Services, Inc.
- #2 Occupational Health Conservation, Inc.
- #3 Evans Environmental and Geotechnical Science and Management, Inc.

and further, authorized staff to enter into contract negotiations to provide asbestos and lead consulting services to the County, RFP Y6-661-SS.

(Contract Y6-661-SS will be on file in the Purchasing and Contracts Department.)

HEALTH AND COMMUNITY SERVICES DIVISION DISCUSSION AGENDA

- 1. Approval of the Conceptual Master Plan for Long Branch Regional Park, Districts 4 and 5 (Parks and Recreation Department).

Staff Report

Assistant to the Director Sherry Hooper requested approval of the Conceptual Master Plan for Long Branch Regional Park.

Discussion

The Board discussed the role of parks in the preservation of wildlife and as spaces for children's activities.

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; Commissioners Freeman and Butler were absent; the Board approved the Conceptual Master Plan for Long Branch Regional Park.

Commissioner Freeman joined the meeting.

- 2. Approval and authorization to proceed with Phase 1 to build eight new soccer fields within three approved County parks at a cost of \$375,000 in capital funds and \$15,000 in operations funds for fiscal year 1996-97. Funds will be provided from three commissioners' discretionary funds, all districts (Parks and Recreation Department).

Staff Report

Parks and Recreation Department Manager Lynn Sordel reported that the Youth Summit had recognized the growth in soccer's popularity, the need for both tournament-style and practice fields, and that over 5000 County children currently play the game. He explained that a basic field consists of unirrigated Bahia grass and that a tournament-quality field is made of irrigated Bermuda grass. Mr. Sordel said soccer fields would be constructed at previously approved master planned Lake George Park, Warren Park, and West Orange Park as part of Phase 1.

Discussion

The Board discussed additional operational expenses at Warren Park and Lake George Park, the operational cost per year for basic and tournament-style fields, and the number of fields online.

Commissioner Donegan left the meeting.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; Commissioners Donegan and Butler were absent; the Board approved proceeding with Phase 1 to build eight new soccer fields at a cost of \$375,000 in capital funds and \$15,000 in operating funds for fiscal year 1996-97 with commissioners' discretionary funds to be provided as follows: Commissioner Freeman, \$200,000; Commissioner Hoenstine, \$75,000; and Commissioner Donegan, \$75,000; and further, directed that no capital funds be released for actual construction until an agreement with the appropriate soccer clubs is presented to the Board for approval that provides for annual operations funding; or, as an alternative, a fee structure that provides for appropriate fees to be charged for the use of fields that provides sufficient funds for operations is brought to the Board.

COUNTY CONSENT AGENDA

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Butler, and carried with all present members voting AYE by voice vote; Commissioners Donegan and Butler were absent; the Board approved the County Consent Agenda items as follows:

County Administrator

1. Approval of a resolution urging the citizens of Florida to vote in favor of an amendment to the Florida Constitution allowing the Governor to appoint members of the Constitutional Revision Commission thirty days following the 1997 regular legislative session and restoring the commission's authority to review matters relating to taxation or the state budgetary process (County Administrator).

(Resolution 96-LEG-04 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

County Comptroller

1. Approval to pay the Property Appraiser's first billing in the amount of \$1,342,501.10 (Administrative/Fiscal Division).
2. Authorization and execution by the County Chairman of the assignment agreement for an MSTU/BU for streetlighting in the Orangewood/Westwood area (Administrative/Fiscal Division).

(Agreement and resolution are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

3. Approval to make monthly draws to Lynx as follows: October 1996, \$1,421,029.75, of which \$277,487 represents a capital expenditure; November 1996 through September 1997, equal amounts of \$1,143,542.75. These draws represent the operating subsidy for fiscal year 1996-97 (Administrative/Fiscal Division).
4. Acknowledge "File for the Record" documents received in the Office of the Comptroller Clerk of the Board of County Commissioners as follows:
 - a. Florida Public Service Commission Notice of Hearing re: Docket No. 930330TP, complaint of Florida Interexchange Carriers Association, MCI Telecommunications Corporation, and AT&T Communications of the Southern States, Inc., against Bellsouth Telecommunications; dated September 30, 1996.
 - b. Copy of the Tax Collector's final fiscal year 1996-97 budget as submitted to the State Department of Revenue; dated September 30, 1996.
 - c. Copy of the Property Appraiser's Budget Transfer/ Amendment for the year ending September 30, 1997; dated September 26, 1996.
 - d. Florida Public Service Commission Urgent Notice re: cancellation and rescheduling of the October 8, 1996, Commission Conference; dated October 7, 1996.

(Comptroller Clerk of the Board of County Commissioners)

5. Authorize the disbursement of warrants, vouchers, and wire transfers, having been certified that same had not been drawn on overexpended accounts, as follows:

- Period from October 8, 1996, to October 14, 1996; total of \$16,295,578.87.
- Period from October 15, 1996, to October 21, 1996; total of \$7,735,391.99.

(Finance and Accounting Department)

Sheriff's Office

1. Approval and execution of a Deputy Sheriffs' Blanket Surety Bond for fiscal year 1996-97, an insurance bond for Sheriff for fiscal year 1996-97.

Administrative Support Division

1. Approval and execution by the County Chairman of a notice of reservation and authorization to record instrument: Dr. Phillips Boulevard (Woodgreen Drive to Conroy-Windermere Road), Notice of Reservation, District 1 (Real Estate Management Department).

Fiscal and Human Resources Division

1. Approval to award Invitation for Bid Y7-101-RW to the low responsive and responsible bidders, AMT Corporation, dba Fidler Construction (primary) and CDR Home Improvement (alternate) for a two-year term contract, renewable for an additional 36 months, for the Weatherization Program. The annual estimated cost is \$375,000 (\$325,000 federal grant and \$50,000 local funds) ([Community Affairs Department] Purchasing and Contracts Department).
2. Approval to award Invitation for Bid Y7-103-SS to the low responsive and responsible bidder, ISS Landscape Management Services, Inc., for a three-year term contract, renewable for a maximum 24 additional months, for right-of-way landscape maintenance throughout the County. The total estimated annual cost is \$322,559.55 ([Roads and Drainage Department] Purchasing and Contracts Department).

3. Approval of the selection of four firms, RFP Y7-900-MK, to provide right-of-way and eminent domain services as follows:

- GAI Consultants
- Miller-Sellen Associates
- Tampa Bay Engineering
- Transportation Consulting Group

([Highway Construction Department] Purchasing and Contracts Department).

4. Approval of Amendment 3 to Contract Y6-3018 with the Local Health Council of East Central Florida, Inc., for fiscal agent services for Ryan White Title I pass-through accounts, in the additional amount of \$1,412,297, for a contract total of \$2,053,233 ([Office of the County Chairman] Purchasing and Contracts Department).
5. Approval to enter into a contract with the only known source, RMRS System, for the purchase of metered postage for fiscal year 1996-97 in the estimated amount of \$446,600 ([General Services Department] Purchasing and Contracts Department).
6. Approval of the renewal of software maintenance for the AMS financial systems for fiscal year 1996-97 with American Management Systems in the amount of \$132,675 ([Division of Information Technologies] Purchasing and Contracts Department).
7. Approval of the renewal of the annual software license/support for Oracle data base products for fiscal year 1996-97, with Oracle Corporation in the amount of \$260,164.90 ([Division of Information Technologies] Purchasing and Contracts Department).
8. Approval of Task Authorization 46 for Contract Y2-902 with Boyle Engineering for continuing engineering services during the construction of the South Service Area reuse improvements project in an amount not to exceed \$304,908 ([Utilities Engineering Department] Purchasing and Contracts Department).
9. Approval to award an annual maintenance contract to Motorola Inc., for all County departments and local municipalities utilizing the 800-MHz radio backbone network. The total cost for fiscal year 1996-97 is \$777,594 ([Division of Information Technologies/Network and Systems Department] Purchasing and Contracts Department).
10. Confirmation of the County Chairman's staff reappointments for the month of September 1996:

- M. Krishnamurthy, Manager, Stormwater Management, Public Works Division
- Lee Ann Lowery, Manager, Citizens Commission for Children, Health and Community Services Division
- Bruce McClendon, Director, Planning and Development Division
- Kathleen Cepregi, Manager, Corrections Administration Services Department, Corrections Division
- Sharon Donoghue, Manager, Office of Management and Budget, Fiscal and Human Resources Division
- Robert Lemley, Manager, Civil Emergency Management Department, Fire Rescue Division
- William Greenleaf III, Manager, Financial Services Department, Utilities Division
- Tom Babington, Director, Division of Information Technologies

(Human Resources Department)

11. Approval of Budget Transfer 97-26 (OMB).

(Budget Transfer 97-26 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

12. Approval of the payment of Intergovernmental claims for October 10, 1996, totaling \$335,235.80 (Risk Management Department).
13. Receipt and filing of the minutes of the October 3, 1996, meeting of the Intergovernmental Risk Management Committee (Risk Management Department).

Health and Community Services Division

1. Approval and execution of a lease agreement renewal for the Macedonia Baptist Church Head Start Program to provide services to low-income residents. The value of the agreement is \$13,440, which will be treated as an in-kind contribution. The County will reimburse the lessor a total of \$13,950 for utilities and janitorial services. There will be no additional cost to the County, District 5 (Community Affairs Department).

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

Planning and Development Division

1. Approval and execution of a contract for support funding between the County and the Non-profit Housing Roundtable of Central Florida to provide a grant in the amount of \$3,000 for operational support for fiscal year 1996-1997 (Department of Housing and Community Development).

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

2. Approval of an amendment to the Dedication of Conservation Easement for Little Lake Bryan Planned Development/Development of Regional Impact to accommodate the sidewalk on International Drive, District 1 (Planning Department).
3. Approval of the payment of \$282,043 to the Metropolitan Planning Organization and execution of the fiscal year 1996-97 funding agreement, all districts (Planning Department).

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

Public Works Division

1. Approval to adopt a resolution vacating a portion of Lake Park Highlands, District 1 (Development Engineering Department).

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
2. Approval to adopt a resolution vacating a portion of the plat of Woodbury Road Apartments, District 4 (Development Engineering Department).

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
3. Approval to install "Stop" signs in the Percival Point Subdivision, District 5 (Traffic Engineering Department).
4. Approval to install "Yield" signs in The Islands Subdivision Phase 4, District 5 (Traffic Engineering Department).
5. Approval to install "Stop" and "Yield" signs in the Lake Underhill Pines Subdivision, District 3 (Traffic Engineering Department).
6. Approval to establish "No Parking" zones on the north side of Ivel Drive beginning 480 feet from the west right-of-way line of Crystal Lake Drive extending 20 feet west, District 4 (Traffic Engineering Department).
7. Approval to establish "No Parking" zones on both sides of Lewis Drive beginning from the Maitland city line extending 700 feet south; both sides

of Elvin Avenue beginning from the east right-of-way line of Lewis Drive extending 300 feet east and both sides of Benjamin Avenue beginning from the south right-of-way line of Elvin Avenue extending 500 feet south, District 5 (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. The following were present:

- County Chairman Linda Chapin
- Commissioners Tom Staley, Mary Johnson, Clarence Hoenstine, and Mable Butler
- County Administrator Jean Bennett
- County Attorney Tom Wilkes
- Chief Deputy Comptroller as Clerk Jim Moye
- Deputy Clerk Rosilyn Stapleton

Commissioners Bob Freeman and Bill Donegan joined the meeting where indicated.

The Board paused for an invocation by Chaplain Karl Holsberg, of the Good News Jail and Prison Ministry, followed by the Pledge of Allegiance to the Flag.

Presentation of the Charter Review Commission report by members of the Charter Review Commission.

Action

By consensus, the Board deleted this item.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS OF OCTOBER 17, 1996

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Butler, and carried with all present members voting AYE by voice vote; Commissioner Hoenstine abstained from voting on Case Z-96-80 in the name of Randall C. Starcher; Commissioners Freeman and Donegan were absent; the Board accepted the recommendations of the Orange County Planning and Zoning Commission under date of October 17, 1996, with the exception of Case Z-96-052 and Case Z-96-076; subject to the usual right of appeal by any aggrieved parties; and further, authorized scheduling public hearings as follows:

- Case Z-96-052, in the name of Nicholas A. Musashe, on December 10, 1996;
- Case Z-96-076, in the name of FNB Properties, Inc., on December 10, 1996.

(Conflict of interest memo is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

For the record, appeals of the recommendations of the Orange County Board of Zoning Adjustment under date of October 17, 1996, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- None filed.

Commissioner Freeman joined the meeting.

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, AFFORDABLE HOUSING PROVISIONS OF THE IMPACT FEE ORDINANCES AND THE WASTEWATER CAPITAL CHARGE ORDINANCE; AND AFFORDABLE HOUSING SINGLE AND MULTI-FAMILY DEVELOPMENTS ADMINISTRATIVE REGULATION 11.02.06

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

AN ORDINANCE AMENDING AFFORDABLE HOUSING PROVISIONS OF THE ORANGE COUNTY IMPACT FEE ORDINANCES AND WASTEWATER CAPITAL CHARGE ORDINANCE BY AMENDING SECTION 23-27, SECTION 23-32, SECTION 23-64, SECTION 23-88, SECTION 23-98, SECTION 23-163, SECTION 37-303, AND SECTION 37-304 OF THE ORANGE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Acting Housing and Community Development Department Manager Mitchell Glasser and Assistant County Attorney Joel Prinsell reviewed the proposed ordinance and administrative regulation and outlined their provisions.

Commissioner Donegan joined the meeting.

Appearances

The following person addressed the Board in opposition to the proposed ordinance:

- R. P. Mohnacky (no address given).
- Bob Harrell, Bob Harrell Properties, 5300 South Orange Avenue, Orlando, Florida.

No one appeared in favor of 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 all members present and voting AYE by voice vote, the Board adopted the proposed ordinance amending affordable housing provisions of the Impact Fee Ordinance and the Wastewater Capital Charge Ordinance; and further adopted Affordable Housing Single and Multi-family Developments Administrative Regulation 11.02.06.

(Ordinance 96-35 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: ROBERT HARRELL, LAKE UNDERHILL PINES PRELIMINARY SUBDIVISION; BLANKET VARIANCE FOR REAR-YARD SETBACK; DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider a substantial change request by Robert Harrell, Lake Underhill Pines Preliminary Subdivision, for a blanket variance to allow a 25-foot rear yard setback in lieu of a 30-foot rear yard setback, pursuant to Orange County Code, Article II, Section 34-27; on property generally located north of Lake Underhill Road and west of the Eastern Beltway; District 3; Section 30, Township 22, Range 31; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath reviewed the change request and the Development Review Committee's determination of substantial change; and further, stated the Development Review Committee recommended approval of the request.

Appearances

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

- Robert Harrell, the applicant, 5300 South Orange Avenue, Orlando, Florida.

The following person addressed the Board with general comments:

- R. P. Mohnacky (no address given).

No one appeared in opposition to the request.

Discussion

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

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board approved the request by Robert Harrell, for Lake Underhill Pines Preliminary Subdivision for a blanket variance to allow a 25-foot rear yard setback in lieu of a 30-foot rear yard setback; which constitutes a substantial change to the development on the above-described property; and further subject to the previous BCC conditions as follows:

1. Development shall conform to the Lake Underhill Pines Preliminary Subdivision Plan, dated "Received June 9, 1995," and to the following conditions of approval. Development based on 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.

This Preliminary Subdivision Plan approval automatically expires on July 25, 1996, in accordance with Orange County Subdivision Regulations, as amended.

2. A waiver of Orange County Code Section 34-250(c) to allow sheet flow into the retention pond is approved.
3. Prior to construction plan approval, a permit from Florida Power Corporation will be required which would allow the use of a portion of the power easement for the retention pond.
4. Prior to construction plan approval, a drainage permit from the Expressway Authority shall be required for the outfall (discharge) from this project into the expressway drainage system.
5. A mandatory homeowners' association shall be required and shall be responsible for the maintenance of the wall along Lake Underhill.
6. A waiver of Section 34-209 to allow a landscape buffer in lieu of a six-foot wall along the Eastern Beltway is granted.
7. The minimum square footage for all houses shall be 1200 square feet.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - EASTWOOD PLANNED DEVELOPMENT/MERION POINTE PRELIMINARY SUBDIVISION, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Eastwood Planned Development/Merion Pointe Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property generally located south of Colonial Drive and east of Woodbury Road; District 4; Section 36, Township 22, Range 31; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

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

- Lucius Cushman; Dyer, Riddle, Mills, and Precourt (no address given); for Bengel Corporation/Warlick Enterprises, the applicant.

No one appeared in opposition to the plan.

Discussion

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

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the Eastwood Planned Development/Merion Pointe Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Eastwood Planned Development/Merion Pointe Preliminary Subdivision Plan, dated "Received September 23, 1996," and to the following conditions of approval. Development based on 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.

This Preliminary Subdivision Plan approval automatically expires on October 29, 1997, in accordance with Orange County Subdivision Regulations, as amended.

- 2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved Master Drainage Plan for this Planned Development.
- 3. No Certificate of Completion for utilities for this subdivision shall be issued until the Certificate of Completion for all utilities in Golfway Boulevard has been issued and the right-of-way for Golfway Boulevard has been dedicated to the County.
- 4. Waiver from Section 34-152(c) to allow private streets is granted. The developer shall comply with Resolution 96-M-22 on Gated Communities.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - SEMINOLE RIDGE PRELIMINARY SUBDIVISION, DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Seminole Ridge Preliminary Subdivision Plan (affordable housing), submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property generally located north of Silver Star Road and west of Hiawassee Road; District 2; Section 14, Township 22, Range 28; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath stated that the developer has requested a continuance.

Appearances

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

- John Moseler, ZOM Development, the applicant (no address given).

No one appeared in opposition to the plan.

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 all members present and voting AYE by voice vote, the Board continued the public hearing to consider the Seminole Ridge Preliminary Subdivision Plan until November 12, 1996, at 2 p.m.

DEVELOPMENT REVIEW COMMITTEE APPEAL - APPELLANT/APPLICANT: CARLOS DE LA UZ, ARENAL ESTATES PRELIMINARY SUBDIVISION; DISTRICT 4 (CONTINUED FROM OCTOBER 8, 1996)

By consensus, the Board reopened the public hearing to sit as a Board of Appeal to consider an appeal by Carlos de la Uz regarding the Development Review Committee's (DRC) decision of denial of the request for a one-year extension of the expiration date for the preliminary subdivision plan from August 16, 1996, to August 16, 1997, continued from the October 8, 1996, Board meeting.

(The legal property description is on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath explained that the public hearing was continued to allow the applicant to be present. Mr. Heath reviewed the request for a one-year extension of the expiration date for the preliminary subdivision plan from August 16, 1996, to August 16, 1997, and the DRC's decision of denial. He stated staff recommends denial of the request.

Appearances

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

- Carlos De La Uz, the appellant/applicant (no address given).

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 County Chairman Chapin, and carried with all members present and voting AYE by voice vote, the Board upheld the decision of the Development Review Committee and denied the request of Carlos de la Uz for a one-year extension of the expiration date for the preliminary subdivision plan from August 16, 1996, to August 16, 1997.

NONAGENDA - INTRODUCTION OF STAFF

Planning Department Manager David Heath introduced a new staff member, Chief Planner Carol Strickland, who will be in charge of the Comprehensive Plan process.

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, CHAPTER 3, THE ADULT ENTERTAINMENT ORDINANCE

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

AN ORDINANCE AMENDING THE ORANGE COUNTY ADULT ENTERTAINMENT CODE, WHICH IS CODIFIED AT CHAPTER 3 OF THE ORANGE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

A court reporter, Michelle Irazoqui, Perry Reporting, was present; Deputy Clerk Rosilyn Stapleton read the Notice of Appeal into the record.

Staff Report

Assistant County Attorney Joel Prinsell reviewed the proposed ordinance and outlined its provisions. Mr. Prinsell further outlined recommended changes to the proposed ordinance as follows:

- Revise Section 3-6, page 10, lines 382-384, as follows:
- Change the word "patron" to "customer"
- Revise Section 3-29, page 18, as follows:
- ("grant; denial") to match Section 3-28
- Delete Section 3-104(e) ("Sexually oriented business"), page 38, lines 1546-1550
- Delete Section 3-105(b) ("Escort services"), page 39, lines 1565-1568, and reletter subsequent subsections as "(b)" and "(c)"
- Revise Section 3-143 ("Prohibited acts..."), page 49, lines 1966-1987, as follows:
- In the paragraph beginning "It shall be unlawful...", delete the words "at such a business";

- Revise Section 3-143(a), page 49, as follows:
 - after "worker" insert "or operator";
- Revise Section 3-143(b), page 49, as follows:
 - after "areas" insert "while in the presence of a worker or operator of the sexually oriented business;";
- Revise Section 3-143(c), page 49, as follows:
 - after "worker" insert "or operator" and delete the subparagraph beginning "It is an affirmative defense...";
- Revise Section 3-144(a), page 50, as follows:
 - after "meeting" insert "or serving"; after "immediately" insert "meeting with"; after "area" insert "and doing each";
- Revise Section 3-144(a)1., page 50, to read as follows:
 - "provide the time of arrival and the estimated time of departure";
- Revise Section 3-144(a)2., page 50, as follows:
 - change the word "presenting" to "present"; after "and" insert "the";
- Revise Section 3-144(a)3., page 50, as follows:
 - change the word "identifying" to "identify"; after "herself" insert "identify"; after "her" insert "state"; after "meeting" insert "or servicing; and";
- Revise Section 3-144(a)4., page 50, as follows:
 - insert "describe" before "the location"; in the subparagraph, change "Notifying" to "notify"; after "upon" insert "departing";
- Revise Section 3-144(c), page 50, as follows:
 - after "customer" insert "between"; after "week" insert "and 9:00 a.m. of the following day;"

Appearances

The following person appeared in favor of the proposed ordinance:

- Assistant State Attorney Joe Cocchiarella, assigned to the Metropolitan Bureau of Investigation.

The following person addressed the Board in opposition to the proposed ordinance:

- David Wasserman, Esquire (no address given); for area adult entertainment establishments.

County Chairman Chapin accepted the following exhibit from Assistant State Attorney Joe Cocchiarella:

- Clerk's Composite Exhibit 1, Testimony and Evidence provided by the Metropolitan Bureau of Investigation in Support of Amendments to the Orange County Adult Entertainment Code; notebook containing information relating to the prosecution of four cases; notebook containing escort service advertisements.

Discussion

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

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board adopted the proposed ordinance amending the Orange County Adult Entertainment Code, to include the corrections and revisions as outlined by staff as follows:

- Revise Section 3-6, page 10, lines 382-384, as follows:
 - Change the word "patron" to "customer"
- Revise Section 3-29, page 18, as follows:
 - ("grant; denial") to match Section 3-28
- Delete Section 3-104(e) ("Sexually oriented business"), page 38, lines 1546-1550

- Delete Section 3-105(b) ("Escort services"), page 39, lines 1565-1568, and reletter subsequent subsections as "(b)" and "(c)"
- Revise Section 3-143 ("Prohibited acts..."), page 49, lines 1966-1987, as follows:
 - In the paragraph beginning "It shall be unlawful...", delete the words "at such a business";
 - Revise Section 3-143(a), page 49, as follows:
 - after "worker" insert "or operator";
 - Revise Section 3-143(b), page 49, as follows:
 - after "areas" insert "while in the presence of a worker or operator of the sexually oriented business;";
 - Revise Section 3-143(c), page 49, as follows:
 - after "worker" insert "or operator" and delete the subparagraph beginning "It is an affirmative defense...";
 - Revise Section 3-144(a), page 50, as follows:
 - after "meeting" insert "or serving"; after "immediately" insert "meeting with"; after "area" insert "and doing each";
 - Revise Section 3-144(a)1., page 50, to read as follows:
 - "provide the time of arrival and the estimated time of departure";
 - Revise Section 3-144(a)2., page 50, as follows:
 - change the word "presenting" to "present"; after "and" insert "the";
 - Revise Section 3-144(a)3., page 50, as follows:
 - change the word "identifying" to "identify"; after "herself" insert "identify"; after "her" insert "state"; after "meeting" insert "or servicing; and";

- Revise Section 3-144(a)4., page 50, as follows:
- insert "describe" before "the location"; in the subparagraph, change "Notifying" to "notify"; after "upon" insert "departing";
- Revise Section 3-144(c), page 50, as follows:
- after "customer" insert "between"; after "week" insert "and 9:00 a.m. of the following day;"

(Ordinance 96-34 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: CONKLIN, PORTER & HOLMES FOR HILO ENTERPRISES; CASE Z-96-031, SEPTEMBER 19, 1996; DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Conklin, Porter, and Holmes Engineering for HiLo Enterprises, to rezone Farmland Rural (A-2) (1957) to Planned Development District (PD), on property generally located at the northeastern intersection of Brown Road and Fort Christmas Road; District 5; Section 1, Township 22, Range 32, Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning and Development Division Director Bruce McClendon outlined the request and identified the location of the subject property, the surrounding zoning classifications, and the future land use map designations in the area.

Appearances

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

- Dean Cannon, Esquire; Gray, Harris & Robinson, P.A. (no address given); for the applicant.

No one appeared in opposition to the request.

A court reporter, Greg Averill, MacWynn Reporters, was present; Deputy Clerk Rosilyn Stapleton read the Notice of Appeal into the record.

Commissioner Johnson 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 Freeman, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board approved the request by Conklin, Porter & Holmes for HiLo Enterprises to rezone Farmland Rural (A-2) (1957) to Planned Development District (PD), on the above-described property; subject to the following conditions:

1. Development shall conform to the HiLo Enterprises Planned Development/Land Use Plan, dated "Received March 1, 1996," and to the following conditions of approval. Development based on 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. No mobile homes or trailers will be permitted.
3. The minimum living area shall be 1500 square feet.
4. A maximum density of one dwelling unit per ten acres.
5. A set back of 150 feet around the entire property line.
6. Proposed access location onto North Fort Christmas Road shall be determined at the Preliminary Subdivision Plan review.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: SOUTHERN WAREHOUSING AND DISTRIBUTION, LTD.; CASE Z-96-059, SEPTEMBER 19, 1996; DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Southern Warehousing and Distribution, Ltd., to rezone Wholesale Commercial District (C-3) (1957), Restricted Industrial District (I-1) (1981), and Multi-family Dwelling District (R-3) (1990) to Planned Development (PD), on property generally located on the south side of West Pine Loch Avenue, 376 feet west of South Orange Avenue; District 4; Section 11, Township 23, Range 29; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning and Development Division Director Bruce McClendon stated that the applicant has requested a continuance in order to resolve access issues with area residents.

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 Hoenstine, seconded by County Chairman Chapin, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board continued the public hearing to consider the request by Southern Warehousing and Distribution, Ltd., to rezone Wholesale Commercial District (C-3) (1957), Restricted Industrial District (I-1) (1981), and Multi-family Dwelling District (R-3) (1990) to Planned Development until December 10, 1996, at 2:45 p.m.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: BROSSIER COMPANY; CASE Z-96-062, SEPTEMBER 19, 1996; DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by the Brossier Company, to rezone Farmland Rural (A-2) (1957) to Professional Office (PO), on property generally located one mile west of North Alafaya Trail, two miles west of O'Berry Hanover Road; District 4; Section 27, Township 22, Range 31; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning and Development Division Director Bruce McClendon outlined the request and identified the location of the subject property, the surrounding zoning classifications, and the future land use map designations in the area.

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 Hoenstine, seconded by Commissioner Freeman, and carried with all present members voting AYE by voice vote; Commission Johnson was absent; the Board approved the request by the Brossier Company to rezone Farmland Rural (A-2) (1957) to Professional Office (PO), on the above described property; subject to the following conditions:

1. Development shall conform to the Waterford Lakes Office Park Planned Development Land Use Plan, dated "Received July 17, 1996," and to the following conditions of approval. Development based on 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. Prior to construction plan approval, certification with supporting calculations shall be submitted which indicates that the outfall system has the capacity to accommodate this project.
3. A left-turn lane along Lake Underhill Road at the proposed entrance shall be constructed.
4. Utility and access easements shall be acquired prior to Land Use Plan approval.
5. Building height in excess of 56 feet will require a change determination with the Development Review Committee.

FISCAL AND HUMAN RESOURCES DIVISION DISCUSSION AGENDA - CONTINUED

- 1. Board direction regarding the termination of a contract with PRC Public Sector, Inc., for the purchase of a computer-aided dispatch (CAD) system for the Fire and Rescue Division and the Sheriff's Office (Purchasing and Contracts Department).

Staff Report

Chief of Purchasing and Contracts Warren Geltch reported on progress made by staff in negotiations with representatives of PRC Public Sector, Inc., concerning such items as the payment schedule and letter of credit, a parent guarantee from Litton Industries, milestones for contract termination, the warranty period, the determination of final acceptance, and increased onsite support.

County Attorney Tom Wilkes advised that the negotiations would have to be concluded by the end of next week in order for the item to appear on the November 12, 1996, agenda.

Discussion

The Board discussed the cost of moving the Sheriff's dispatch operations to the new communications center.

County Chairman Chapin directed staff to report to the Board on November 12, 1996, as to whether an agreement on outstanding issues has been reached with PRC.

Commissioner Donegan left the meeting.

County Chairman Chapin adjourned the afternoon session.

MEETING RECONVENED

The Board of County Commissioners reconvened in Commission Chambers on the First Floor, Orange County Administration Center. The following were present:

- County Chairman Linda Chapin
- Commissioners Bob Freeman, Tom Staley, Clarence Hoenstine, Bill Donegan, and Mable Butler
- Chief Deputy Comptroller as Clerk Jim Moye
- Deputy County Administrator Byron Brooks
- County Attorney Tom Wilkes

- Deputy Clerk Rosilyn Stapleton

Commissioner Mary Johnson joined the meeting where indicated.

NONAGENDA - RECOGNITION OF VISITORS

County Chairman Chapin recognized members of Boy Scout Troop 76, sponsored by St. John Vianney Catholic Church.

(NOTE: THE FOLLOWING TWO PUBLIC HEARINGS WERE CONSIDERED TOGETHER; FOR APPEARANCES, DISCUSSION, AND MOTIONS SEE PAGES 234-238.)

ORDINANCE PUBLIC HEARING - CREATING GUIDELINES FOR COMMUNITY VILLAGE CENTERS (2ND HEARING CONTINUED FROM SEPTEMBER 17, 1996)

and

ORDINANCE PUBLIC HEARING - CREATING GUIDELINES FOR THE FOUR CORNERS COMMUNITY VILLAGE CENTER (2ND HEARING CONTINUED FROM SEPTEMBER 17, 1996)

By consensus, the Board reopened the public hearings to consider proposed ordinances providing for creating guidelines for community village centers, and for creating guidelines for the Four Corners Community Village Center, continued from the September 17, 1996, Board meeting.

Staff Report

Planning and Development Division Director Bruce McClendon stated that these public hearings were continued to allow for additional time for staff and the property owners to work with area residents on proposed changes and refinements to these ordinances. Mr. McClendon reviewed the proposed ordinances and outlined their provisions.

Commissioner Donegan joined the meeting.

Mr. McClendon outlined recommended changes to the June 28, 1996, draft of the proposed ordinance creating guidelines for community village centers as follows:

- Amend Section 38-1354.A and B ("Signage"), page 21, lines 872 through 874 to read as follows:
 - 8. Pole signs; and
 - 9. Backlit signs.
- B. Only one ground sign shall be allowed per fully directional frontage access point for nonresidential development. The maximum copy area.

- Amend Section 38-1355.F.4 ("Small trees"), page 28, line 1174 to read as follows:

- Koelreuteria formosa Golden Rain Tree

- Amend Section 38-1356.J ("Exterior Lighting") at page 30, line 1277 and 1278 to read as follows:

All parking lot and security lighting shall be shielded and directed downward.

Further, Mr. McClendon outlined recommended changes to the June 28, 1996, draft of the proposed ordinance creating guidelines for the Four Corners Community Village Center as follows:

- Amend Section 38-1372.C ("Nonresidential development"), page 6, lines 217 through 235 to read as follows:

- 1. The following parcels in the southwest quadrant have been developed as of October 29, 1996:

- 16-23-28-0000-00-011
 - 16-23-28-0000-00-014

If any of these parcels is redeveloped, it shall be redeveloped only as office uses at the greater of 0.14 Floor Area Ratio (FAR or the intensity existing on October 29, 1996, based on trip generation, and to appear and function only as a single, unified and integrated development with the other nonresidential development in the southwest quadrant. Such redevelopment shall be submitted as a Planned Development in accordance with these guidelines and standards. For purposes of this ordinance, FAR shall be calculated based upon gross acreage of the affected parcel.

- 2. The following parcel in the southwest quadrant has been developed as of October 29, 1996:

- 16-23-28-0000-00-001

This parcel may be redeveloped only as a single, unified and integrated development with the other nonresidential development in the southwest quadrant.

- Amend Section 38-1372.J ("Nonresidential development"), page 8, line 314 to read as follows:

in height or include any habitable or leasable square footage.

- Amend Section 38-1373.A* ("Residential development"), page 9, line 360* to read as follows:

09-23-28-0000-00-004 one acre lots abutting

- Amend Section 38-1373.B* ("Residential development"), page 9, line 376 to read as follows:

Corners residential Planned Development, provided the density may not exceed three (3) dwelling units per acre within any quadrant.

- Amend Section 38-1376. ("Stormwater management"), page 14, line 587 to read as follows:

and shall recover the same over a fourteen (14) day period.

Commissioner Johnson joined the meeting.

Mr. McClendon stated that the significant issues still to be resolved are the amount of commercial/retail development allowed and how much additional nonretail development will be allowed.

A court reporter, Linda Miller Dyer, MJC Reporting, Inc., was present; Deputy Clerk Rosilyn Stapleton read the Notice of Appeal into the record.

Appearances

The following persons addressed the Board in favor of the proposed ordinances:

- Cecelia Bonifay, Esquire; Akerman, Senterfitt & Eidson, P.A. (no address given), representing Windermere Property Holdings, owners of the northwest, southeast, and southwest corners.

- Brian Canin, Canin and Associates; 500 Delaney Avenue, Orlando, Florida.
- Nick Pope, Esquire; Lowndes, Drosdick, Doster, Kantor, & Reed, P.A. (no address given), representing KMH Properties, owners of the northeast corner.
- Jim Sellen, Miller-Sellen Associates (no address given).
- Mary Ball, 9143 Woodbreeze Boulevard, Windermere, Florida.
- Paul McGarigal, 5333 Greenside Court, Orlando, Florida.
- Ralph Kazaros (no address given).

The following persons addressed the Board in opposition to the proposed ordinances:

- Bob Horner, 8742 Landsmere Lane, Orlando, Florida.
- Ronald E. Marini, 8745 Landsmere Lane, Orlando, Florida.
- Joe Parinella, 8619 Wythmere Lane, Orlando, Florida.
- Timothy W. Brughton, 9401 Woodbreeze Boulevard, Windermere, Florida.
- Ron Fink, 4453 Willow Cove Court, Orlando, Florida.

The following persons addressed the Board with general comments:

- Victoria Dunn, 4410 Willow Shade Court, Orlando, Florida, representing The Willows Homeowners' Association.
- Walter Guilbeault, 8718 Wythmere Lane, Orlando, Florida.
- Bob Folmor, 8705 Wythmere Lane, Orlando, Florida.
- Robert Allen, P.O. Box 1605, Windermere, Florida.
- Diana Hoover, 2936 Midsummer Drive, Windermere, Florida.
- Falco L. Witkamp, 8316 Wilson Terrace, Orlando, Florida.
- Peter G. Dunn, 4410 Willow Shade Court, Orlando, Florida.

County Chairman Chapin accepted the following exhibits from Ms. Bonifay:

- Clerk's Exhibit 1, a flier entitled "Are You Aware?"
- Clerk's Exhibit 2, a copy of a magazine article entitled "Home From Nowhere," which appeared in the The Atlantic Monthly magazine (September 1996).
- Clerk's Exhibit 3, resume of James W. Lee.
- Clerk's Exhibit 4, Four Corners Traffic Impact Analysis Study, prepared by Mr. Lee.

County Chairman Chapin accepted the following exhibit from Mr. Sellen:

- Clerk's Exhibit 5, a proposed site plan and architect renderings of the proposed development on the northeast corner.

Commissioner Donegan left the meeting.

Discussion

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

Following discussion, staff presented a proposed revision to the June 28, 1996, draft of the proposed ordinance creating guidelines for the Four Corners Community Village Center:

- Page 8, subsection (h), lines 300 through 302 to read as follows:

Residential uses may occur vertically above nonresidential uses, but any such residential uses shall be counted against the density allocations permitted under Section 38-1373 and against the second story office allocations permitted under 38-1372.

Motion

A motion by Commissioner Freeman, seconded by Commissioner Butler, to adopt the proposed ordinance creating general guidelines and standards for Community Village Centers; and further, adopt the proposed ordinance creating guidelines and standards for the Four Corners Community Village Center, both as revised above by staff, with Commissioners Freeman, Staley, and Butler voting AYE by voice vote; County Chairman Chapin and Commissioners Johnson and Hoenstine voting NO by voice vote; Commissioner Donegan was absent failed.

Motion

A motion by Commissioner Hoenstine, seconded by Commissioner Staley, to amend the above motion to adopt the proposed ordinance creating guidelines for community village centers; further, to adopt the proposed ordinance creating guidelines for the Four Corners Community Village Center, both as revised above by staff; and further, to amend the proposed Four Corners Community Village Center Ordinance as follows:

- Amend page 4, line 150, concerning the northeast quadrant as follows:
- raise the number of acres from 10.0 to 13.3

with Commissioners Staley, Johnson, and Hoenstine voting AYE by voice vote; County Chairman Chapin and Commissioners Freeman and Butler voting NO by voice vote; Commissioner Donegan was absent failed.

Commissioner Butler left the meeting.

Motion

Upon a motion by County Chairman Chapin, seconded by Commissioner Hoenstine, and carried with County Chairman Chapin and Commissioners Johnson and Hoenstine voting AYE by voice vote; Commissioners Freeman and Staley voting NO by voice vote; Commissioners Donegan and Butler were absent; the Board adopted the proposed ordinance creating general guidelines for community village centers to include revisions as outlined by staff as follows:

- Section 38-1354.A and B ("Signage"), page 21, lines 872 through 874 to read as follows:
 - 8. Pole signs; and
 - 9. Backlit signs.
- B. Only one ground sign shall be allowed per fully directional frontage access point for nonresidential development. The maximum copy area.

- Section 38-1355.F.4 ("Small trees"), page 28, line 1174 to read as follows:

- Koelreuteria formosa Golden Rain Tree

- Section 38-1356.J ("Exterior Lighting") at page 30, line 1277 and 1278 to read as follows:

All parking lot and security lighting shall be shielded and directed downward.

(Ordinance 96-33 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Motion

Upon a motion by County Chairman Chapin, seconded by Commissioner Hoenstine, and carried with County Chairman Chapin and Commissioners Staley, Johnson, and Hoenstine voting AYE by voice vote; Commissioner Freeman voting NO by voice vote; Commissioners Donegan and Butler were absent; the Board continued the second of two public hearings to consider the proposed ordinance creating guidelines for the Four Corners Community Village Center until November 12, 1996, at 4 p.m., for decision only.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 9 p.m.