

**ORANGE COUNTY
PLANNING AND ZONING COMMISSION (PZC) / LOCAL PLANNING AGENCY
(LPA)
Meeting of June 21, 2018**

The Orange County Planning and Zoning Commission (PZC) / Local Planning Agency (LPA) met at 9:00 a.m. on June 21, 2018 in the Orange County Commission Chambers, 201 South Rosalind Avenue, Orlando, Florida 32801.

PRESENT:	James Dunn (Chairperson)	District 1
	William Gusler	District 2
	Tina Demostene	District 3
	Pat DiVecchio	District 4
	Gordon Spears	District 5
	JaJa Wade	District 6
	Yog Melwani (Vice Chairperson)	At Large
	Jose Cantero	At Large
	Paul Wean	At Large

ABSENT: None

ALSO

PRESENT: Planning Division: Alberto Vargas, Manager; John Smogor, Planning Administrator; Olan Hill, Assistant Planning Manager; Eric Raasch, Chief Planner; Steven Thorp, Planner; Nicolas Thalmueller, Planner; Greg Gologowski, Chief Planner; and Terri-Lyn Pontius, Administrative Assistant.

Chairperson Dunn called the meeting to order. Following the Pledge of Allegiance, the following agenda items were called:

APPROVAL OF MINUTES

A motion was made by Commissioner Wean to approve the April 19, 2018 minutes. The motion was seconded by Commissioner Melwani, and then approved unanimously (9-0 vote).

A motion was made by Commissioner Wean to approve the May 17, 2018 minutes. The motion was seconded by Commissioner Melwani, and then approved unanimously (9-0 vote).

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

No new business was discussed.

2018-2 Privately Initiated Transmittal Cases Continued:

Amendment # 2018-2-A-1-1

Applicant: Kathy Hattaway, Poulous & Bennett, LLC

Continued Amendment 2018-2-A-1-1 to the 2019-1 Regular Scale Cycle

Motion/Second: Paul Wean / William Gusler

AYE (voice vote): Paul Wean, William Gusler, JaJa Wade, Jose Cantero, Gordon Spears, Tina Demostene, Pat DiVecchio, Yog Melwani and James Dunn

NAY (voice vote): None

Absent: None

Staff Initiated Text Amendment 2018-2-P-1-5

Request: Text amendment to proposed Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1 related to the proposed Lake Mabel Rural Residential Enclave

Continue Amendment 2018-2-P-1-5 to the 2019-1 Regular Scale Cycle

Speakers: Gerald Reynolds (Opposed)
David Winter (Opposed)
Katherine Winter (Opposed)

Motion/Second: Paul Wean / William Gusler

AYE (voice vote): Paul Wean, William Gusler, JaJa Wade, Jose Cantero,
Tina Demostene, Pat DiVecchio, James Dunn, Gordon
Spears and Yog Melwani

CONVENTIONAL REZONING PUBLIC HEARINGS:

1. Alison M. Yurko, RZ-18-05-026, District 2

Consideration: A request to rezone 0.475 gross acres from C-1 (Retail Commercial District) **to** C-2 (General Commercial District) for validation of existing, prohibited contractor's office with outdoor storage.

Location: 6448 N. Orange Blossom Trail, generally on the southwest side of N. Orange Blossom Trail, south of National Street and west of Busby Avenue.

Tract Size: 0.475 gross acres

Speakers: Alison M. Yurko (Applicant)
Vincent Robinson (Opposed)

Action: Make a finding of consistency with the Comprehensive Plan, and recommend **APPROVAL** of the C-2 rezoning.

Motion / Second: William Gusler / Pat DiVecchio

AYE (voice vote): William Gusler, Pat DiVecchio, Yog Melwani, Tina Demostene, Gordon Spears, James Dunn, and Jose Cantero

NAY (voice vote): JaJa Wade and Paul Wean

Absent None

2. Thomas Jones, RZ-18-06-030, District 3

Consideration: A request to rezone 0.99 gross acres from A-2 (Farmland Rural District) **to** C-3 (Commercial District) for a landscaping and irrigation business.

Location: 4628 Old Goldenrod Road, or generally located on the west side of Old Goldenrod Road, east of the intersection of Hoffner Avenue and S. Goldenrod Road.

Tract Size: 0.99 gross acre

Speakers: Tom Jones (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the alternative staff recommendation of C-2 (General Commercial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited;
- 2) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate C-2 uses.

Motion / Second: Tina Demostene / Yog Melwani

AYE (voice vote): Tina Demostene, Yog Melwani, Pat DiVecchio, Jose Cantero, Gordon Spears, William Gusler James Dunn, Paul Wean and JaJa Wade

NAY (voice vote): None

Absent: None

3. Jason Owens, RZ-18-06-032, District 5

Consideration: A request to rezone 0.37 gross acres from A-2 (Farmland Rural District) **to** R-2 (Residential District).

Location: 2448 Garbelia Avenue; or generally on the north side of Garbelia Avenue, east of Trevarthon Road, and east of N. Econlockhatchee Trail.

Tract Size: 0.37 gross acre

THE APPLICANT WITHDREW THIS REQUEST PRIOR TO THE HEARING AND ACTION WAS REQUIRED.

4. Robert D. Williams, RZ-18-06-033, District 3

Consideration: A request to rezone 0.28 gross acres from R-1A (Single-Family Dwelling District) **to** R-1 (Single-Family Dwelling District) to allow for two (2) single-family detached dwelling units (one per lot, pending approved lot split).

Location: 1801 S. Fern Creek Avenue, or generally located on the east side of S. Fern Creek Avenue and south side of George Street, approximately 160 feet north of E. Kaley Avenue.

Tract Size: 0.28 gross acre

Speakers: Robert D. Williams (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested R-1 (Single-Family Dwelling District) zoning.

Motion / Second: Tina Demostene / Gordon Spears

AYE (voice vote): Tina Demostene, Gordon Spears, Yog Melwani, Pat DiVecchio, Jose Cantero, William Gusler, Paul Wean, JaJa Wade, and James Dunn

NAY (voice vote): None

Absent: None

OUT OF CYCLE SMALL SCALE ADOPTION AMENDMENT & REZONING

Privately Initiated Staff Amendment #2018-1-C-3-1 & RZ-18-06-031

Applicant: Jonathan Huels for Clermont Investments, LLC

Consideration: Medium Density Residential (MDR) and Commercial (C) **to** Commercial (C) and concurrent rezoning from R-3 (Multiple-Family Dwelling District) and C-1 (Retail Commercial District) **to** C-1 (Retail Commercial District).

Location: Generally located west of Conway Road, north of McCoy Road West, east of Daetwyler Drive, and south of Monarch Drive

Tract Size: 2.98 gross acres

Speakers: Jonathan Huels, (Applicant)
Stanley Roberson (Information)

Action: Make a finding of consistency with the Comprehensive Plan (see Future Land Use Objective FLU1.4 and FLU8.2 Policies FLU1.4.3, FLU1.4.9, FLU8.2.1, and FLU8.2.10, and Neighborhood Element Objective N1.1 and FLU OBJ8.2); determine that the proposed amendment is in compliance and recommend **ADOPTION** of Amendment 2018-1-C-3-1, Medium Density Residential (MDR) and Commercial (C) to Commercial (C).

Motion/ Second: Tina Demostene / Jose Cantero

AYE (voice vote): Tina Demostene, Jose Cantero, JaJa Wade, William Gusler, Gordon Spears, Pat DiVecchio, James Dunn, Paul Wean, and Yog Melwani

NAY (voice vote): None

Absent: None

Concurrent Rezoning RZ-18-06-031

Consideration: To rezone from R-3 (Multiple-Family Residential) and C-1 (Retail Commercial District) **to** C-1 (Retail Commercial District)

Action: Make a finding of consistency with the Comprehensive Plan and **APPROVE** rezoning RZ-18-06-031 from R-3 (Multiple-Family Dwelling District) and C-1 (Retail Commercial) **to** C-1 (Retail Commercial District).

Motion: Tina Demostene / Jose Cantero

AYE (voice vote): Tina Demostene, Jose Cantero, Pat DiVecchio, Paul Wean, JaJa Wade, William Gusler, James Dunn, Gordon Spears, and Yog Melwani

NAY (voice vote): None

Absent: None

STAFF INITIATED TEXT ADOPTION AMENDMENT 2018-2-C-FLUE-1 RURAL RESIDENTIAL ENCLAVES

Consideration: Text and Map Amendments to adopt Future Land Use Element Policies that recognize and protect existing rural neighborhoods within or in close proximity to the Urban Service Area from suburban development pressure. The amendment would designate boundaries for three Rural Residential Enclaves (Lake Mabel, Berry Dease, and Chickasaw), establish minimum lot sizes and other development guidelines; update the Zoning and Future Land Use Correlation Table; and amend policies associated with the Village Future Land Use designation.

Revisions: Proposed policy FLU 2.5.4 has been revised to address the ability to develop single-family homes on existing legally created parcels with less than the minimum acreage required by the Policy.

Location: District 5

Speakers: Olan Hill, Assistant Planning Manager
David Winter (In Favor)
Catherine Winter (In Favor)
Garold Rennells (Opposed)
Linda D. Kleiss (In Favor)
Audrey Arnold (Opposed)
Randy Whiting (In Favor)

Action: Make a finding of with the Comprehensive Plan; (see OBJ FLU2.5, FLU2.5.1, through FLU2.5.7, FLU4.1.9, and FLU8.1.1); determine that the proposed text and map amendments are in compliance and recommend **ADOPTION** of proposed amendment 2018-2-C-FLUE-1 related to Rural Residential Enclaves with modifications from Commissioner Demostene.

Motion/ Second: Tina Demostene / Paul Wean

AYE (voice vote): Tina Demostene, Paul Wean, Yog Melwani, Jose Cantero, William Gusler, Gordon Spears, Pat DiVecchio, JaJa Wade, and James Dunn

NAY (voice vote): None

Absent: None

2018-2 TRANSMITTAL REGULAR CYCLE AMENDMENTS

Amendment 2018-2-A-1-2

Applicant: Kathy Hattaway, Poulos & Bennett, LLC

Consideration: Growth Center – Resort - Planned Development (GC-R-PD) **to** Growth Center – Planned Development – Resort / Low-Medium Density Residential (GC-PD-R/LMDR)

Location: Generally located on the west of Avalon Road, and north and south of Grove Blossom Way

Tract Size: 108.03 gross acres / 96.29 developable acres

Speakers: Kathy Hattaway (Applicant)

Motion: Make a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Future Land Use Element Objective FLU8.2, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.4.F, FLU7.4.4, FLU8.1.4, FLU8.2.1, and FLU8.2.2); determine that the proposed amendment is in compliance and recommend **TRANSMITTAL** of Amendment 2018-2-A-1-2, Growth Center/ Resort/ Planned Development (GC-R-PD) **to** Growth Center- Planned Development-Resort / Low Medium Density Residential (GC-PD-R/LMDR).

Motion/ Second: Pat DiVecchio / William Gusler

AYE (voice vote): Pat DiVecchio, William Gusler, JaJa Wade, Jose Cantero, Gordon Spears, Tina Demostene, Yog Melwani, Paul Wean, and James Dunn

NAY (voice vote): None

ABSENT: None

Amendment 2018-2-A-1-3

Applicant: Miranda F. Fitzgerald, Lowndes, Drosdick, Doster, Kantor and Reed, P.A.

Consideration: Activity Center Mixed Use (ACMU) **to** Activity Center Residential (ACR)

Location: Generally located north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange / Osceola County line

Tract Size: 23.13 gross acres

Speakers: Miranda Fitzgerald (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan (see International Drive Activity Center Element Goal ID3 and Policies ID4.1.1, Housing Element Goal H1 and Objective H1.1, and Future Land Use Element Objective FLU2.2 and FLU8.2. and Policies FLU1.2.A, FLU1.1.4.D, and FLU8.2.1) determine that the proposed amendment is in compliance and recommend **TRANSMITTAL** of amendment 2018-2-A-1-3, Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR).

Motion/ Second: Jose Cantero / Pat DiVecchio

AYE (voice vote): Jose Cantero, Pat DiVecchio, Paul Wean, Yog Melwani, Tina Demostene, William Gusler, Gordon Spears, Yog Melwani and James Dunn

NAY (voice vote): None

Absent: None

Amendment 2018-2-A-1-4

Applicant: Miranda F. Fitzgerald, Lowndes, Drosdick, Doster, Kantor and Reed, P.A.

Consideration: Low Density Residential (LDR), Low Medium Density Residential (LMDR), and Rural / Agricultural (R) **to** Planned Development – Commercial / Office / Medium Density Residential / Low Density Residential / Senior Living Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)

Location: Generally located east and west of S. Apopka Vineland Road, south of Buena Vista Road, south of Buena Vista Woods Boulevard, and north of Lake Street.

Tract Size: 215.67 gross acres / 123.07 developable acres

Speakers: Miranda Fitzgerald (Applicant)

Motion: Make a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1 and Objective H1.1, Future Land Use Element Goal FLU2, Objective FLU2.2, and

FLU8.2, and Policies FLU1.1.1, FLU1.4.4, FLU8.2.1, FLU8.2.10, and FLU8.2.2,) determine that the proposed amendment is in compliance, and recommend **TRANSMITTAL** of amendment 2018-2-A-1-4, Low Density Residential (LDR), Low Medium Density Residential (LMDR), and Rural / Agricultural (R) **to** Planned Development-Commercial / Office / Medium-Density Residential / Low Density Residential / Senior Living Conservation (PD-C/O/MDR/LDR/Senior Living/ CONS).

Motion / Second: Pat DiVecchio / Gordon Spears

AYE (voice vote): Pat DiVecchio, Gordon Spears, Jaja Wade, Jose Cantero and Tina Demostene

NAY (voice vote): Paul Wean, James Dunn, Yog Melwani, and William Gusler

Absent: None

Amendment # 2018-2-A-1-6

Applicant: VHB, Inc.

Consideration: Activity Center Mixed Use (ACMU), Activity Center Residential (ACR) and Low Medium Density Residential (LMDR) **to** Planned Development – Commercial / Medium High Density Residential (PD-C/MHDR)

Location: Generally located north of Interstate 4 and south of Fenton Street

Tract Size: 82.30 gross acres / 79.50 net developable acres

Speakers: Chuck Whittall (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan (see International Drive Element Goal 1 and 3, Housing Element Goal H1 and Objective OBJ H1.1, and Future Land Use Element Objectives FLU2.2, and FLU8.2 and Policies FLU1.1.1, FLU1.1.2A, FLU1.1.4D, DLU1.4.2, FLU1.4.4, FLU8.2.1, and FLU8.2.2) determine that the proposed amendment is in compliance and recommend

TRANSMITTAL of amendment 2018-2-A-1-6, Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low Medium Density Residential (LMDR) to Planned Development Commercial / Medium High Density Residential (PD-C/MHDR).

Motion/ Second: Pat DiVecchio/ Jose Cantero

AYE (voice vote): Pat DiVecchio, Jose Cantero, Yog Melwani, William Gusler, Gordon Spears, James Dunn, Tina Demostene, and Yog Melwani

NAY (voice vote): Paul Wean

Absent: None

Amendment # 2018-2-A-1-7

Applicant: Momtaz Barq, Terra-Max Engineering, Inc.

Consideration: Planned Development – Time Share / Medium Density Residential / Hotel / Office (PD-TS/MDR/Hotel/O) **to** Planned Development – Time Share / Medium High Density Residential / Hotel / Office (PD-TS/MHDR/Hotel/O)

Location: Generally located west of Turkey Lake Road, south of SR 528, east of Smith Bennett Road, and north of Central Florida Parkway

Tract Size: 52.04 gross acres / 16.82 developable acres

Speakers: Jonathan Huels (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan (see Future Land Use Objective FLU1.4, and FLU8.2, Policies FLU1.1.2 (C), FLU1.4.1, FLU2.2.15, FLU8.1.4, FLU8.2.1, FLU8.2.2), determine that the proposed amendment is in compliance and recommend **TRANSMITTAL** of Amendment 2018-2-A-1-7, Planned Development –Time Share/Medium Density Residential/ Hotel/ Office (PD-TS/MDR/Hotel/O) **to** Planned Development-

Time Share / Medium-High Density Residential / Hotel / Office (PD-TS/MHDR/Hotel/O)

Motion / Second: Pat DiVecchio / Tina Demostene

AYE (voice vote): Pat DiVecchio, Tina Demostene, JaJa Wade, James Dunn, Paul Wean, and Jose Cantero

NAY (voice vote): None

Absent: None

(Gordon Spears conflict of interest)

(Yog Melwani and William Gusler were not present to vote)

Amendment # 2018-2-A-5-1

Applicant: Julie Salvo, AICP, Orange County Public Schools (OCPS)

Consideration: Rural / Agricultural (R) **to** Educational (EDU)

Location: Generally located north of Hamilton Drive, east of Lockwood Drive, south of Old Cheney Highway, and west of Story Partin Road.

Tract Size: 15.65 gross acres

Speakers: Julie Salvo (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan, (see Future Land Use Element Objective FLU8.2 and FLU8.7 and Policies FLU8.2.1, FLU8.7.7 and FLU8.7.9, Public School Facilities Element Policy PS5.3.2, Potable Water Element Policy PW1.4.2, and Waterwater Element Policy WW1.4.3); determine that the proposed amendment is in compliance and recommend **TRANSMITTAL** of Amendment 2018-2-A-5-1, Rural / Agricultural (R) **to** Educational (EDU).

Motion / Second: Gordon Spears / Tina Demostene

AYE (voice vote): Gordon Spears, Tina Demostene, JaJa Wade, James Dunn, Pat DiVecchio, Jose Cantero, Yog Melwani, and Paul Wean

NAY (voice vote): None

Absent: William Gusler

Staff Initiated Text Amendment 2018-2-B-FLUE-1

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

District: Countywide

Action: Make a finding of consistency with the Comprehensive Plan, determine that the proposed amendment is in compliance and recommend **TRANSMITTAL** of Amendment 2018-2-B-FLUE-1, consistent with today's actions.

Motion/ Second: Jose Cantero / Tina Demostene

AYE (voice vote): Jose Cantero, Tina Demostene, Yog Melwani, JaJa Wade, Paul Wean, Pat DiVecchio, Gordon Spears, and James Dunn

NAY (voice vote): None

Absent: William Gusler

Staff Initiated Text Amendment 2018-2-B-FLUE-2

Consideration: Text Amendment to the Horizon West Village Policies for perimeter remnant parcels Amends FLU4.1.9 and FLU4.5.1

District: 1

Speaker: Ed Williams (Opposed)

Action: Make a finding of consistency with the Comprehensive Plan, determine that the proposed amendment is in compliance; and recommend **TRANSMITTAL** of Amendment 2018-2-B-FLUE-2, consistent with today's action.

Motion/ Second: Pat DiVecchio / William Gusler

AYE (voice vote): Pat DiVecchio, William Gusler, Gordon Spears, Yog Melwani, Tina Demostene, James Dunn, Jose Cantero, Paul Wean, and JaJa Wade

NAY (voice vote): None

Absent: None

Work Session
Dog-Friendly Dining Ordinance

Purpose: A PZC work session on a pending study for the Dog Friendly Dining Ordinance. As a work session, no action was required.

Speakers: Cristina Berrios, County Attorney's Office

MEETING ADJOURNED

With no further business, Commissioner Wean made a motion to adjourn. The motion was seconded by Commissioner DiVecchio and passed with a 9-0 vote. The meeting adjourned at approximately 2:15 p.m.

James Dunn, Chairperson

Terri-Lyn Pontius, Recording Secretary