

**ORANGE COUNTY
PLANNING AND ZONING COMMISSION (PZC) / LOCAL PLANNING AGENCY
(LPA)
Meeting of August 20, 2020**

The Orange County Planning and Zoning Commission (PZC) / Local Planning Agency (LPA) met at 9:00 a.m. on August 20, 2020, in the Orange County Commission Chambers, 201 South Rosalind Avenue, Orlando, Florida 32801.

PRESENT:	Diane Velazquez	District 2
	Eddie Fernandez (Vice Chairperson)	District 3
	Carlos Nazario	District 4
	Gordon Spears (Chairperson)	District 5
	JaJa Wade	District 6
	Mohammed Abdallah	At Large
	Evelyn Cardenas	At Large
	James Dunn	District 1

ABSENT:	Nelson Pena	At Large
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ALSO

PRESENT:	<u>Orange County Staff:</u> Eric Raasch, Planning Administrator; Jason Sorensen, Chief Planner; Nicolas Thalmueller, Planner; Nate Wicke, Planner; Irina Pashinina, Planner; Sapho Vatel, Planner; James Hartsfield, Planner; John Harbilas, Planner; Roberta Alfonso, Assistant County Attorney; Greg Gologowski, Chief Planner, and Terri-Lyn Pontius, Administrative Assistant.
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Chairman Spears 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 Cardenas to **APPROVE** the July 16, 2020 minutes. The motion was seconded by Commissioner Fernandez and was then approved unanimously on a 7-0 vote. Commissioner Wade and Pena were absent.

OLD BUSINESS

No old business was discussed.

NEW BUSINESS

No new business was discussed.

Public Hearing Ordinance:

Consideration: Ordinance amending Chapter 30, Article XV, Orange County Code, entitle Multi-Jurisdictional Approval of Residential Rezoning and Comprehensive Plan Amendments and providing and effective date.

Speakers: Whitney Evers, Assistant County Attorney's Office

Action: Make a finding of consistency with the Comprehensive Plan, and recommend **APPROVAL** of an ordinance Amending Article XV, "Multi-Jurisdictional approval of residential rezoning's and comprehensive plan amendments, "Chapter 30, of the Orange County Code; and providing an effective date.

Motion / Second: Jimmy Dunn / Mohammed Abdallah

AYE (voice vote): Jimmy Dunn, Mohammed Abdallah, Diane Velazquez, Gordon Spears, Evelyn Cardenas, Carlos Nazario, JaJa Wade, and Eddie Fernandez

NAY (voice vote): None

Absent: Nelson Pena

Conventional Rezoning Public Hearings

1. Ravin Persaud RZ-20-01-079 District 3

Applicant: Ravin Persaud

Consideration: To rezone 0.86 acres from A-2 (Farmland Rural District) to C-1 (Retail Commercial District) for general C-1 uses.

Location: 1712 Renee Avenue and 1719 Sue Ann Street, generally on the east side of Sue Ann Street, 230 feet south of E Colonial Drive

Tract Size: 0.86 gross acres

Speakers: Ravin Persaud (Applicant)
Mr. Romero (Opposed)

Action: Make a finding of inconsistency with the Comprehensive Plan and recommend **DENIAL** of the requested C-1 (Retail Commercial District) zoning.

Motion/Second: Diane Velazquez / Carlos Nazario

AYE (voice vote): Diane Velazquez, Carlos Nazario, Gordon Spears, Mohammed Abdallah, Evelyn Cardenas, JaJa Wade, and Jimmy Dunn

NAY (voice vote): None

Absent: Nelson Pena and Eddie Fernandez

2. Jose Hernandez RZ-20-02-081 District 4

Applicant: Jose Hernandez

Consideration: To rezone 8.88 gross acres from A-2 (Farmland Rural District) **to** R-2 (Residential District) to construct thirteen (13) attached single-family units as part of Phase One.

Location: 1975 4th Street, generally south of Pine Street, west of Hoenstine Avenue, and north of 4th Street.

Tract Size: 8.88 gross acres

Speakers: Jose Hernandez (Applicant)
Paul Benson (Opposed)
Patricia Ludoloza (Opposed)
Vicki Benson (Opposed)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested R-2 (Residential District) zoning, subject to the following restrictions:

1. Development shall be limited to thirteen (13) units
2. No less than two (2) access points shall be provided.

Motion /Second: Carlos Nazario / Diane Velazquez

AYE (voice vote): Carlos Nazario, Diane Velazquez, Mohammed Abdallah, Gordon Spears, Jimmy Dunn, Eddie Fernandez, JaJa Wade and Evelyn Cardenas

NAY (voice vote): None

Absent: Nelson Pena

3. S. Brent Spain, Esq. RZ-20-07-051 District 2

Applicant: S. Brent Spain, Esq.

Consideration: To rezone 0.21 gross acres from R-1A (Single-Family Dwelling District) **to** R-T-1 (Mobile Home Subdivision District)

Location: 3605 Cilia Street, or generally north of Willow Street and approximately 435 feet west of Day Care Center Road

Tract Size: 0.21 gross acres

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested R-T-1 (Mobile Home Subdivision District) zoning.

Motion / Second: Diane Velazquez / Carlos Nazario

AYE (voice vote): Diane Velazquez, Carlos Nazario, JaJa Wade, Eddie Fernandez, Mohammed Abdallah, Jimmy Dunn, Gordon Spears, and Evelyn Cardenas

NAY (voice vote) None

Absent: Nelson Pena

4. Natasha Nicolas RZ-20-08-052 District 6

Applicant: Natasha Nicolas, Canaan Church of Orlando Inc.

Consideration: To rezone 0.85 gross acres from R-3 (Multiple Family Dwelling District) **to** P-O (Professional Office) for the purpose of a Vocational School (in addition to the existing church).

Tract Size: 0.85 gross acres

Location: 5265 Alhambra Drive, generally on the north side of Alhambra Drive, approximately 445 feet west of Sunniland Drive.

Speakers: Natasha Nicolas (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested P-O (Professional Office) zoning, subject to the following restrictions:

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

Motion ./ Second: JaJa Wade / Jimmy Dunn

AYE (voice vote): JaJa Wade, Jimmy Dunn, Evelyn Cardenas, Carlos Nazario, Eddie Fernandez, Diane Velazquez, and Gordon Spears

NAY (voice vote): None

Absent Nelson Pena and Mohammed Abdallah

Gregory Crawford RZ-20-08-053 District 1

Applicant: Gregory Crawford, Florida Engineering Group, Inc.

Consideration: To rezone 3.90 gross acres from R-CE (Country Estate District) **to** R-1A (Single-Family Dwelling District) for the purpose of up to eight (8) single-family residential dwelling units.

Tract Size: 3.90 gross acres

Location: 4500 S. Hiawassee Road, or generally located on the west side of S. Hiawassee Road, approximately 989 feet north of Conroy Windermere Road

Speakers: Greg Crawford (Applicant)
Martin Forester (Opposed)
Katia Paterson (Opposed)

Action: Make a finding of consistency with the Comprehensive Plan, recommend **APPROVAL** of the requested R-1A (Single Family Dwelling District) zoning subject to the following restriction:

1. The subject property shall be limited to a maximum of eight (8) units with single-family detached residential dwelling units.

Motion / Second: Jimmy Dunn / Mohammed Abdallah

AYE (voice vote): Jimmy Dunn, Mohammed Abdallah, Gordon Spears, Diane Velazquez, JaJa Wade, Evelyn Cardenas, Carlos Nazario, and Eddie Fernandez

NAY (voice vote) None

Absent: Nelson Pena

Small Scale Amendment with Concurrent Rezoning RZ-20-07-041

5. SS-20-07-040 Hans Pistor District 5

Applicant: Hanlex Development LLC

Consideration: A request to rezone 1.67 gross acres from RS-1/1. (Rural Settlement 1/1) **to** C (Commercial District) and rezone from C-2 (Commercial General District) & A-2 (Farmland Rural District) to C-1 (Retail Commercial District) for the purpose of a Dollar General Retail Store..

Location: 24926 & 24918 E. Colonial Drive, or generally located the southwest corner of the intersection of E. Colonial Drive and St Catherine Avenue, east of Cupid Avenue

Tract Size: 1.67 gross acres

Speakers: Jeremy Anderson (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested Commercial (C) Future Land Use.

Motion / Second: Gordon Spears / Carlos Nazario

AYE (voice vote): Gordon Spears, Carlos Nazario, Jimmy Dunn, Mohammed Abdallah, Evelyn Cardenas, JaJa Wade, Diane Velazquez, and Eddie Fernandez

NAY (voice vote): None

Absent Nelson Pena

Concurrent Rezoning RZ-20-07-041

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested C-1 (Retail Commercial District) zoning.

Motion /Second: Gordon Spears / Jimmy Dunn

AYE (voice vote) Gordon Spears, Jimmy Dunn, Carlos Nazario, JaJa Wade, Mohammed Abdallah, Evelyn Cardenas, Diane Velazquez, and Eddie Fernandez

NAY (voice vote) None

Absent Nelson Pena

6. SS-20-08-054 Gonzalo Ochoa District 1

Applicant: Gonzalo Ochoa

Consideration: A request to rezone 2.20 gross acres from O (Office District) **to** C (Commercial District) and rezone from P-O (Professional Office District) to C-1 (Retail Commercial District) for the proposal to add a yoga studio to an existing medical office building.

Location: 6645 Vineland Road, Unit 2 & 6651 Vineland Road Unit 1, or generally located on the northeast corner of Vineland Road and Turkey Lake Road and south of Lake Cane Drive

Tract Size: 2.20 gross acres

Speakers: Applicant not present

Action: Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested Commercial (C) Future Land Use.

Motion / Second: Jimmy Dunn / Diane Velazquez

AYE (voice vote): Jimmy Dunn, Diane Velazquez, Carlos Nazario, Mohammed Abdallah, Evelyn Cardenas, JaJa Wade, Gordon Spears and Eddie Fernandez

NAY (voice vote): None

Absent Nelson Pena

Concurrent Rezoning RZ-20-08-055

Action: Make a finding of consistency with the Comprehensive Plan, and recommend **APPROVAL** of the requested C-1 (Retail Commercial District) zoning, subject to the following restriction:

1. Uses are limited to those permitted under the Professional Office (P-O) zoning district, in addition to a yoga studio.

Motion / Second: Jimmy Dunn / Evelyn Cardenas

AYE (voice vote): Jimmy Dunn, Evelyn Cardenas, JaJa Wade, Diane Velazquez, Carlos Nazario, Eddie Fernandez, Gordon Spears, and Mohammed Abdallah

NAY (voice vote): None

Absent: Nelson Pena

2020-2 Out of Cycle Staff Initiated Transmittal Regular Cycle Amendment

Amendment 2020-2-C-CP-1

Consideration: Text and Map Amendment to update the Comprehensive Plan to remove the Alternative Mobility Area (AMA) to reflect the updated tiered Transportation Impact Fee assessment areas; Urban Suburban and Rural.

Location: Countywide

Action: Make a finding of consistency with the Comprehensive Plan, determine that the proposed Comprehensive Plan text and amendment is in compliance, and recommend **TRANSMITTAL** of Amendment 2020-2-C-CP-1, deleting

references related to the Alternative Mobility Area (AMA) and deleting Map 16, Alternative Mobility Area of the Transportation Element.

Motion / Second: Carlos Nazario / Diane Velazquez

AYE (voice vote): Carlos Nazario, Diane Velazquez, Jimmy Dunn, JaJa Wade, Mohammed Abdallah, Evelyn Cardenas, and Gordon Spears

NAY (voice vote): None

Absent: Nelson Pena and Eddie Fernandez

Public Hearing Chapter 23 Transportation Impact Fee Ordinance:

Consideration: AN ORDINANCE AMENDING THE ORANGE COUNTY TRANSPORTATION IMPACT FEE ORDINANCE; PROVIDING FOR UPDATES AND AMENDMENTS TO THE ORANGE COUNTY CODE, CHAPTER 23, IMPACT FEES, ARTICLE IV, TRANSPORTATION IMPACT FEES; PROVIDING FOR UPDATED TRANSPORTATION IMPACT FEES, INCLUDING NEW AND INCREASED FEES IN CERTAIN LAND USE CATEGORIES; AND PROVIDING AN EFFECTIVE DATE.

Speakers: Renzo Nastasi, Manager, Transportation Planning
Roberta Alfonso, Assistant County Attorney

Action: Make a finding of consistency with the Comprehensive Plan, and **ADOPT** to the Board of County Commissioners Chapter 23 Transportation Impact Fee Ordinance with additional changes discussed at the Planning and Zoning Hearing.

Motion / Second: Mohammed Abdallah / Diane Velazquez

AYE (voice vote): Mohammed Abdallah, Diane Velazquez, Carlos Nazario, Evelyn Cardenas, and Gordon Spears

NAY (voice vote): Eddie Fernandez, JaJa Wade, and Jimmy Dunn

Absent: Nelson Pena

2020-1 Privately Initiated Adoption Amendment

Amendment 2020-1-S-1-4

Applicant: Doug Kelly, GAI Consultants, Inc

Consideration: To change the future land use from Resort/ Planned Development (R/PD) to Resort / Planned Development (R/PD)

Location: 9905 Winter Garden Vineland Road, generally located east of Winter Garden Vineland Road, south of Lake Sheen Reserve Blvd, and adjacent to the Grand Cypress Resort

Tract Size: 4.30 gross acres

Speakers: Doug Kelly (Applicant)
Ric Martini (Opposed)
Maureen Kelly (Opposed)

Action: Make a finding of inconsistency with the Comprehensive Plan, determine that the amendment is not in compliance and recommend **DENIAL** of Amendment 2020-1-S-1-4, Resort/ Planned Development to Resort/ Planned Development.

Motion / Second: Evelyn Cardenas / Carlos Nazario

AYE (voice vote): Evelyn Cardenas, Carlos Nazario, Eddie Fernandez, and JaJa Wade

NAY (voice vote) Mohammed Abdallah, and Diane Velazquez

Absent: Jimmy Dunn and Nelson Pena

Gordon Spears, voting of conflict of interest

2020-1 Staff Initiated Text Amendment

Amendment 2020-1-S-FLUE-3

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

Location: District 1

Action: Make a finding of inconsistency with the Comprehensive Plan, including Amendment 2020-1-S-1-4 in Policy FLU8.1.4 and recommend **DENIAL** of Staff Initiated Text Amendment 2020-1-S-FLUE-3.

Motion / Second: JaJa Wade / Evelyn Cardenas

AYE (voice vote): JaJa Wade, Evelyn Cardenas and Carlos Nazario

NAY (voice vote): Mohammed Abdallah and Diane Velazquez

Absent: Nelson Pena, Jimmy Dunn, and Eddie Fernandez

Gordon Spears, conflict of interest in voting

2020-2 Privately Initiated Transmittal Amendments

Amendment 2020-2-A-2-1

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

Consideration: Rural Settlement ½ (RS ½) and Rural Settlement 1/5 (RS 1/5) to Planned Development -Commercial Assisted Living Facility (Rural Settlement) (PD-C/ALF) (RS)

Speakers: Victor Chapman (Attorney for Applicant)

Location: Generally located north of Claracona Ocoee Road, west of Gilliam Road, and east of North Apopka Vineland Road

Action: ***To continue the 2020-2-A-2-1 to the September 17, 2020 Planning and Zoning Hearing at 9:00am.***

Motion / Second: Diane Velazquez/ Evelyn Cardenas

AYE (voice vote): Diane Velazquez, Evelyn Cardenas, Carlos Nazario, Gordon Spears, JaJa Wade, and Mohammed Abdallah

NAY (voice vote): None

Absent: Nelson Pena, Jimmy Dunn, and Eddie Fernandez

Amendment 2020-2-A-5-1

Applicant: James G. Willard

Consideration: Industrial (IND) **to** Medium Density Residential (MDR)

Location: 6730 Hanging Moss Road and 2308 Mercator Drive, generally located on the south side of Hanging Moss Road, east of North Semoran Blvd, and north of Commerce Blvd, and west of Mercator Drive

Speakers: Jim Willard (Applicant)

Action: Make a finding of consistency with the Comprehensive Plan, and recommend to the Board of County Commissioners that Amendment 2020-2-A-5-1 be **TRANSMITTED** to the reviewing agencies.

Motion / Second: Gordon Spears / Carlos Nazario

AYE (voice vote): Gordon Spears, Carlos Nazario, Diane Velazquez, JaJa Wade, Mohammed Abdallah, and Evelyn Cardenas

NAY (voice vote): None

Absent: Nelson Pena, Jimmy Dunn, and Eddie Fernandez

MEETING ADJOURNED

With no further business, Chairman Spears made a motion to adjourn. The motion was seconded by Commissioner Dunn and passed with a 5-0 vote. The meeting adjourned at approximately 3:30 PM

Gordon Spears, Chairperson

Terri-Lyn Pontius, Recording Secretary