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Agenda

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Osceola County
Board of County Commissioners
Meeting Agenda

November 15, 2021 - 5:30 PM

Commission Chambers (4th Floor)

1 Courthouse Square

Kissimmee, Florida 34741

If you want to address the Board, provide written comments or submit documents for the record on an item that is on the Agenda, Request to Speak/Submit Comments/Documents forms shall be submitted online by 5:00 p.m. the day before the meeting by going to www.osceola.org to pre-register. For Consent/Public Hearing and Public Hearing Items (includes quasi-judicial items), Request to Speak forms may be completed in writing 15 minutes prior to the start of the meeting or submitted online by 5:00 p.m. the day before the meeting. Access to the meeting is also being provided telephonically. Please call (407) 205-0551 Code 301797 to listen to the meeting.

Board of Commissioners

Brandon Arrington, District 3, Chair

Viviana Janer, District 2, Vice Chair

Peggy Choudhry, District 1

Cheryl L. Grieb, District 4

Ricky Booth, District 5

County Staff

Don Fisher, County Manager

Frank Townsend, County Attorney

Agenda

Moment of Silence

Pledge of Allegiance

Approval of Agenda

The Commission will approve an agenda which sets the order of the meeting. This approval could include an addendum representing new items, additions, corrections, and/or deletions of existing items as submitted by the County Manager.

Recognitions/Proclamations/Presentations

Presentations

1. Presentation by Dr. Kathleen Plinske, President of Valencia College.

Hear the Audience

Except for those matters specifically exempted under the State Statute and Local Ordinance, the Board shall provide an opportunity for public comment prior to the undertaking by the Board of any action on the agenda. The Board will not vote on any item during this portion of the meeting. Rather, this portion of the meeting is to allow for public comments to be heard on items that are on the agenda for that meeting. Comments will be limited to three minutes. Each speaker may only speak once during Hear the Audience unless the Board requests additional clarification. Donation of speaker time may be provided to a single representative up to a total maximum of 12 minutes of speaking time. Donation of time waives the opportunity to speak individually. Pre-registration requirements shall be followed. Proper decorum will be observed.

Consent Agenda

The Consent Agenda is a technique designed to expedite the handling of routine and miscellaneous business of the County Commission. The County Commission in one motion may adopt the entire Consent Agenda. The motion for adoption is non-debatable and must receive unanimous approval. By request of any Board Member, an item may be removed from the Consent Agenda for discussion.

Clerk of the Courts

2. Approval of the meeting minutes of the July 19, 2021, 5:30 p.m. meeting.

Sheriff's Office

3. Approval to expend Law Enforcement Trust Funds in support of the Boys and Girls Club; \$13,500.00.

County Administration

4. Approval and authorization for the Chair/Vice Chair to sign the Community Services Grant funding agreement with Osceola Council on Aging for Fiscal Year 2021/2022 for the Access and Physician Partnership Initiative Program to the citizens of Osceola County; \$120,000.00.
5. Advice and consent for the County Manager to appoint Raymond C. Stangle as Administrator of Community Development, effective February 2022, pursuant to Article II, Section 2.3 of the Osceola County Home Rule Charter, and Chapter 1, Section 1.6 of the Osceola County Administrative Code.

Community Development Administration

6. Adoption of Resolution #21-299R, amending the Fiscal Year (FY) 2021 Budget and appropriating funds as detailed in Budget Supplement BA #21-073 to recognize \$3,401,023.95 for the Shuttered Venue Operators Grant (SVOG) for Osceola Heritage Park from the United States Small Business Administration in the prior fiscal year in order to incorporate eligible revenue losses during that time period per the grant requirements; remaining funds will be brought forward into FY 2022 in the first budget amendment.

7. PS21-00022: Applicant requests approval of a Preliminary Subdivision (PS) for Solara Resort Phase 3, consisting of 158 single-family homes and 60 townhomes on approximately 43.1 acres. The project is within a Planned Development (PD) Zoning District and is located on Westside Boulevard and Sand Mine Road.

Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Jonathan Droor, Mattamy Homes (Applicant), Robbie Newberry, Hanson, Walter & Associates, Inc. (Agent).

Commission District: 1

Staff Recommendation: Approval with conditions

Osceola County School District Comments: The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees. Westside K-8 School is overcapacity and utilizes twenty-three (23) relocatables to accommodate its existing capacity. The school district is actively pursuing the purchase of school site and the 5-Year CIP includes funding for a relief school to open in the 23/24 school year. Westside K-8 School is projected NOT/to have capacity to serve the potential students generated through the 2023/2024 school year. Capacity may be met through existing space reconfigurations, classroom wing additions, the addition of relocatables, redistricting and/or charter schools.

Planning Commission Recommendation: Approval with conditions

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

8. PS21-00014: Applicant requests approval of a Preliminary Subdivision (PS) for Triple H Ranch South, consisting of 873 lots on approximately 206.1 acres. The project is within a Low Density Residential (LDR) Zoning District and is located southeast of the intersection of Hickory Tree Road and Lakeview Acres Road. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Kal Hussein, KRDK Investments, LLC (Applicant), Craig Zetwo, Hanson, Walter & Associates, Inc. (Agent).

Commission Districts: 5

Staff Recommendation: Approval with conditions

Osceola County School District Comments: The proposed Triple H Ranch Development will be divided into Triple H Ranch South and Triple H Ranch North. The combined 700-acre development may generate up to 2,400 residential units. Based on this assumption and all units calculated at either a SF or TH generation rate, approximately 381 elementary school students, 180 middle school students, and 318 high school students are projected to be generated from the overall Triple H Ranch Development. The School Board maintains its rights and entitlement consistent with applicable law and ordinances to collect Educational System Impact Fees for all residential development within the Triple H Ranch Development.

Additionally, the School Board reserves its rights to enter into negotiations for the dedication, not donation, of a K-8 School Site within the Triple H Ranch North Development plan. Any increased residential density resulting in additional school capacity impacts is subject to further negotiation and mitigation with the School Board.

Planning Commission Recommendation: Approval with conditions

Note: This item was continued from the September 20, 2021, Board Meeting.

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

9. PS21-00019: Applicant requests approval of a Preliminary Subdivision Plan (PS) for Westview Pod B consisting of 1849 units and 147 tracts on approximately 802.08 acres. The project is within a Planned Development (PD) Zoning District and is located west of Poinciana Parkway, and north of the Osceola County Line. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Heather Isaacs, Taylor Morrison (Applicant/Owner) Santiago Machado, Waldrop Engineering (Agent)

Commission District: 3

Staff Recommendation: Approval with Conditions

Osceola County School District Comment: Through the conveyance of property for the construction of schools within the Solivita Grand Development and the continuing obligation to pay school impact fees for all residential development, the Developer will have mitigated school capacity impacts generated by the development based on the approved build-out of 6,101 residential dwelling units (4,448 SFU and 1,653 MFU) units in PD20-00010 approved by the Board of County Commissioners on March 15, 2021. Any increased residential density above the approved build-out in PD20-00010 resulting in additional school capacity impacts is subject to further negotiation and mitigation with the School District. The School District maintains its right and entitlement consistent with applicable law and ordinances to collect school impact fees for all residential development within the Solivita Grand Development. The School Mitigation and Funding Agreement between Avatar Properties, Inc. and The School Board of Osceola County should be executed within the next ninety (90) days.

Planning Commission: Approval with Conditions

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

10. PS21-00020: Applicant requests approval of a Preliminary Subdivision Plan (PS) for Edgewater ED-5 consisting of 570 units and 20 tracts on approximately 196.33 acres. The project is within a Mixed Use (MXD) Zoning District and is located approximately 0.3 miles south of the Kissimmee Park Rd overpass on Florida's Turnpike. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Noah Breakstone, Edgewater Property Holdings LLC, Illahaw Ranch LLC (Applicants/Owners)
John Adams, RJ Whidden and Assoc. Inc (Agent)

Commission District: 4

Staff Recommendation: Approval with Conditions

Osceola County School District Comment: Edgewater ED-5 is within Edgewater East. As part of Edgewater East, the applicant is required to address school capacity mitigation with the School District of Osceola County (SDOC) prior to approval of the Site Development Plan. The high school site will be purchased with both cash and Educational System Impact Fee Credits. The School Board has entered into discussions with the Applicant to finalize the School Capacity Funding and Mitigation Agreement for the high school site and to further refine the school site. The District has a history of working closely with Osceola County to alleviate school capacity issues created by expanded residential development. The District does not object to the expansive residential development proposed but does want to ensure proper mitigation of such impact on school capacity and the collection of Educational System Impact Fees. Neptune Elementary School - A new K-8 school is planned to open in the 2024/2025 school year and will provide relief to Neptune Elementary School.

Neptune Middle School - A new K-8 school is planned to open in the 2024/2025 school year and will provide relief to Neptune Middle School. St. Cloud High School is overcapacity and utilizes seven (7) relocatables to accommodate its existing enrollment.

Planning Commission: Approval with Conditions

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

11. PS21-00021: Applicant requests approval of a Preliminary Subdivision Plan (PS) for Edgewater ED-6 consisting of 1538 units and 41 tracts on approximately 620.8 acres. The project is within Mixed Use (MXD) and Low Density Residential (LDR) Zoning Districts and is located approximately 1.3 miles south of the Kissimmee Park Road overpass on Florida's Turnpike. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Noah Breakstone, Edgewater Property Holdings LLC, Illahaw Ranch LLC (Applicants/Owners)
John Adams, RJ Whidden and Assoc. Inc (Agent)

Commission Districts: 4 and 5

Staff Recommendation: Approval with Conditions

Osceola County School District Comment: The School Board has entered into discussions with the Applicant to finalize the School Capacity Funding and Mitigation Agreement for the high school site and to further refine the school site in ED-5. A Mitigation Agreement for a future K-8 School site is in discussion. The District has a history of working closely with Osceola County to alleviate school capacity issues created by expanded residential development. The District does not object to the expansive residential development proposed but does want to ensure proper mitigation of such impact on school capacity and the collection of Educational System Impact Fees. Neptune Elementary School - A new K-8 school is planned to open in the 2024/2025 school year and will provide relief to Neptune Elementary School. Neptune Middle School - A new K-8 school is planned to open in the 2024/2025 school year and will provide relief to Neptune Middle School. St. Cloud High School is overcapacity and utilizes seven (7) relocatables to accommodate its existing enrollment. Neptune Elementary School and St. Cloud High School are projected NOT to have capacity to serve the potential students generated through the 2023-2024 school year. Capacity may be met through existing space reconfigurations, classroom wing additions, the addition of relocatables, redistricting and/or charter schools.

Planning Commission: Approval with Conditions

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

12. PS21-00027: Applicant requests approval of a Preliminary Subdivision Plan (PS) for Bellatara consisting of 2013 units and 33 tracts on approximately 664 acres. The project is within a Mixed Use (MXD) Zoning District and is located approximately 1.5 miles south of the Kissimmee Park Road overpass on Florida's Turnpike. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).
Craig Perry, Whaley Farms LLC (Applicant/Owner) John Adams, RJ Whidden and Assoc. Inc (Agent)
Commission District: 4
Staff Recommendation: Approval with Conditions
Osceola County School District Comment: Per the East of Lake Toho Element approved by the Board of County Commissioners on August 16, 2010, 275 acres were denoted as Additional Land Uses. The District is requesting the dedication, not donation, of a 15-acre elementary school site with off-site retention, infrastructure to support the school site, and other improvements required by SDOC to ensure impacts on school capacity are addressed appropriately. The District has a history of working closely with the County and two municipalities to alleviate school capacity issues created by expanded residential development. The District does not object to the expansive residential development proposed but we do want to ensure proper mitigation of such impact on school capacity and the collection of Educational System Impact Fees.
Planning Commission: Approval with Conditions
*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.
13. Approval of request for Reduction of the Code Enforcement Lien recorded against property at 1611 Salmon Street from \$59,000.00 to \$2,469.68, payable within 30 days. The Notice of Violation was issued on August 10, 2020; the Affidavit of Non-Compliance was issued on March 03, 2021; and the Affidavit of Compliance was issued on September 22, 2021. The new property owner, Caleb Carpenter Real Estate, LLC, requests a reduction to the amount of \$2,469.68, which meets County policy. Said Lien is recorded in Official Records Book 6048, Pages 2649 through 2652. The property appraises at \$79,700.00. Commission District 5.
14. Approval and authorization of the Chair/Vice Chair to sign the Release of Unity of Title Agreement with Heritage Enterprises FL, LLC, for 548 Kilimanjaro Drive, recorded in Official Records Book 1956, Page 1233, for Lot 15 and Lot 16, Block 1398, Poinciana Neighborhood 1 South, Village 1, according to the Plat recorded in Plat Book 3, Pages 9 through 16, of the public Records of Osceola County to allow for each lot to be used separately and issued a permit to develop as a single family residence. Commission District 3.

15. DA21-00006: Approval and authorization of the Chair/Vice Chair to sign a Roadway Improvement Agreement with Mater Academy Foundation Incorporated, and the Deeds of Dedication by Mater Academy Foundation Incorporated, and KRK OC Kissimmee, LLC, for construction of a turn lane and related improvements along the north side of Reaves Road, to the west intersection of Reaves Road and Pleasant Hill Road to improve traffic conditions relating to the project and right-of-way to be dedicated to the County. The roadway improvements require additional right of way along the existing north right of way line of Reaves Road in order to facilitate development of the property in conjunction with SDP19-0134. Commission District 3.

16. Approval and authorization for the Chair/Vice Chair to sign the Real Property Purchase Agreement and Deed for the acquisition of real property interests of vacant parcels within Partin Triangle Park; and authorization for Staff to sign and deliver any and all instruments necessary for carrying out the closing of this transaction. The parcels, owned by Henry H. Partin, Jr. a Trustee for Henry O. Partin and Sons, Incorporated, David Partin, Henry H. Partin, Jr., Roy Partin, and Steve Bronson identified by Parcels #05-26-30-5210-0012-0160, #05-26-30-5210-0009-0180, and a portion of #05-26-30-5210-0009-0080 comprising of 1.21± acres. Staff negotiated a purchase price of \$246,840.00 plus estimated closing and due diligence costs of \$9,540.00 for a total acquisition cost of \$256,380.00. Commission District 4.

Public Safety

17. Approval and authorization for the County Manager to sign the Florida Department of Health, Bureau of Emergency Medical Services 2021/2022 Emergency Medical Services (EMS) County Grant Application in the amount of \$46,146.00; adoption of Resolution #21-273R, amending the Fiscal Year 2022 Budget and appropriating funds as detailed in Budget Supplement BA#22-002; adoption of Resolution #21-274R, certifying that grant funds will be used to improve and expand the pre-hospital EMS system and will not be used to supplant current levels of county expenditures; and authorization for the County Manager to sign any subsequent reports or documentation through closeout, as required by the grant. This grant is shared with both the City of Kissimmee and the City of St. Cloud.

Public Works Administration

18. Approval and authorization for the Chair/Vice Chair to sign a cooperative service agreement with Florida Kenworth, LLC, Madison, Wisconsin, for the purchase and delivery of six new Kenworth T880 Vehicle Chassis outfitted for use as dump trucks in accordance with the Florida Sheriffs Association (FSA) Contract #FSA20-VEH18.0, titled Heavy Trucks, not to exceed \$1,195,243.26; and authorization for the County Manager to sign change orders for a combined total not to exceed five percent of the Board approved amount; expenditures shall not to exceed \$1,255,005.42 through September 30, 2023, without further Board approval (PBA-22-12806-PC).

19. Adoption of Resolution 21-275R, authorizing the County Manager to sign the State of Florida Department of Economic Opportunity Federally Funded Community Development Block Grant Mitigation Program (CDBG-MIT) Subrecipient Agreement for the receipt of \$1,260,000.00 for the development of a Master Surface Water Management Plan subject to any revisions or modifications made by the State of Florida Department of Economic Opportunity that do not materially change the terms of the agreement and approved by the County Manager and County Attorney; and authorize the County Manager to sign any subsequent documents or correspondence required during and for the administration of this grant.

20. Adoption of Resolution #21-276R, amending the Fiscal Year 2022 Budget; and adoption of Resolution #21-277R, amending the Five Year Capital Improvement Plan as detailed in Budget Supplement BA #22-003 in order to reallocate funds to Capital Improvement Plan project #4141141 for the Lake Cypress Parking Improvement needed for the preparation of construction plans and permits for the covered pavilion, airboat ramp, turnaround and additional parking.

Transportation and Transit

21. Approval and authorization for Chair/Vice Chair to accept and sign the Deeds from Henry O. Partin and Sons, Incorporated, for Kissimmee St. Cloud Connector (KSC) Trail Parcels KSC 101 and KSC 106; and from David Partin, as Trustee for Parcels KSC 102, KSC 103, KSC 107 and KSC 108 for additional right of way in support of construction for the Kissimmee St. Cloud Connector Trail between Neptune Road and Lakeshore Boulevard. Purchase agreements for the acquisitions are within the threshold for County Manager approval; authorization for the Staff to prepare and deliver any and all documents and instruments necessary for carrying out the closing of these transactions. The County will avoid the eminent domain process and the property owners have not incurred any fees or costs for the County. Commission District 4.

22. Approval and authorization for Chair/Vice Chair to accept and sign the Deeds from Henry O. Partin and Sons, Incorporated, Partin Family Partnership and Partin Family Properties, LLC, for the acceptance of Neptune Road (NR) Parcels NR 174 and NR 188 for additional right of way; and a temporary construction easement from Henry O. Partin and Sons, Incorporated, for NR 756 in support of construction for the expansion of Neptune Road from Partin Settlement Road to US 192. Purchase agreements for the acquisitions are within the threshold for County Manager approval. Authorization for the Staff to deliver any and all documents and instruments necessary for carrying out the closing of these parcels. The County will avoid the eminent domain process and the property owners have not incurred any fees or costs for the County. Commission District 4.

23. Approval and authorization for the Chair/Vice Chair to sign the Interlocal Agreement (ILA) with Tohopekaliga Water Authority (TWA) for the relocation of five existing water meters, a water valve, and a fire hydrant for Deerwood Elementary School Phase II Sidewalk project. Through this ILA, the County agrees to perform the described utility work at no cost to TWA; estimated cost not to exceed \$4,756.00 during the construction phase. Commission District 3.

24. Approval and authorization for Chair/Vice Chair to sign the Purchase Agreement, Settlement Approval, and Easement for the proposed settlement with the property owner David Partin, et al, to make an acquisition of Neptune Road (NR) Parcel 855 for a stormwater pond easement in support of construction for the Neptune Road Project; and authorization for Staff to sign and deliver any and all documents and instruments necessary for carrying out the closing of this transaction. The settlement cost is \$605,000.00 for the 1.935 ± acre pond and owner's expert fees. The County will avoid the eminent domain process. Commission District 4.

Consent/Public Hearing

For items having gone to the Planning Commission (PC), these items will be approved as recommended by the PC action in a single public hearing, with one motion by the County Commission. Any citizen has the right to request an item be removed for discussion, comment, and/or consideration during a separate public hearing..

County Administration

25. Adoption of Resolution #21-269R, amending the Annual Action Plans as stated: Substantial Amendment Number #4 of the 2019/2020 Annual Action Plan and Substantial Amendment Number #2 of the 2020/2021 Annual Action Plan of the Community Development Block Grant (CDBG). Amendment will result in a total movement of CDBG funds between activities in the amount of \$200,000.00 which will increase the Deerwood Sidewalk Improvements Projects to \$305,296.00.

Community Development Administration

26. Ordinance #2021-75 for LDC21-0001: An Ordinance of the Board of County Commissioners of Osceola County, Florida; amending the Osceola County Land Development Code by amending Chapter 3, Performance and Siting Standards, Article 3.17, Outdoor Sign Standards to update text pertaining to entertainment sign requirements; providing for correction of scrivener's errors; providing for conflicts; providing for severability; and providing an effective date.

Osceola County Strategic Initiatives (Applicant)

Commission District: 1

Staff Recommendation: Adoption of Ordinance #2021-75 for LDC21-0001

Osceola County School District: This request has no impact on schools.

Planning Commission Recommendation: Adoption of Ordinance #2021-75 for LDC21-0001

27. Adoption of Ordinance #2021-68 for ZMA21-0020: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Commercial Tourist (CT) and High Density Residential (HDR) Zoning District, on certain real property generally located north and east of South Goodman Road, south of Happy Trails and west of Interstate 4, and comprised of approximately 105.54 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date. Brooks Stickler (Applicant) Dewan Properties, LLC (Owner)

Commission District: 1

Staff Recommendation: Adoption of Ordinance #2021-68 for ZMA21-0020

Osceola County School District Comments: A more accurate report can be generated with the submittal of a detailed site and development plan application which indicates the actual number of dwelling units proposed. The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees.

Planning Commission Recommendation: Adoption of Ordinance #2021-68 to approve ZMA21-0020

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

28. Adoption of Ordinance #2021-72 for ZMA21-0001: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Community Center Perimeter (CCP) and Community Center Core (CCC) Zoning District, on certain real property generally located north of Osceola Polk Line Road, east of Sullivan Road and south of Forehand Road and Bud Road, and comprised of approximately 36.47 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date. Robert Thorne (Applicant) Juliella Cooper Owens, John M. Hughes and Robin L. Hughes, Yolanda Campbell as Trustee under Catel Land Trust #7007 and Aaron F. Mick and Lyndsy Mick (Owners)

Commission District: 1

Staff Recommendation: Adoption of Ordinance #2021-72 for ZMA21-0001

Osceola County School District Comments: A more accurate report can be generated with the submittal of a detailed site and development plan application which indicates the actual number of dwelling units proposed. The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees.

Planning Commission Recommendation: Adoption of Ordinance #2021-72 to approve ZMA21-0001

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

29. Adoption of Ordinance #2021-42 for ZMA21-0013: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) to Low Density Residential (LDR) Zoning District, on certain real property generally located south of Deer Run Road, north of Glassman Road, east of McClelland Road and west of Canoe Creek Road, and comprised of approximately 24.161 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date. Stephen Feccia and Stephen McConn (Applicants) Charles D. Edwards, Jr and Priscilla Judge Edwards, as Trustees of the Edwards Family Trust. (Owners)

Commission District: 5

Staff Recommendation: Adoption of Ordinance 2021-42 for ZMA21-0013

Osceola County School District Comments: A more accurate report can be generated with the submittal of a detailed site and development plan application which indicates the actual number of dwelling units proposed. The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees.

Planning Commission Recommendation: Adoption of Ordinance #2021-42 for ZMA21-0013

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

30. PS21-00011: Applicant requests approval of a Preliminary Subdivision Plan (PS) for Stonecrest consisting of 97 lots and 20 tracts on approximately 24.16 acres. The project is within a Low Density Residential (ZMA21-0013) Zoning District and is located west of Canoe Creek Road, south of Deer Run, and east of McClelland Road. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).
Noah Edwards Family Trust (Applicant/Owner) Jeremy Morton, Heidt Design (Agent)
Commission District: 5
Staff Recommendation: Approval with Conditions
Osceola County School District Comment: The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees.
Harmony High School is projected NOT to have capacity to serve the potential students generated through the 2023-2024 school year. Capacity may be met through existing space reconfigurations, classroom wing additions, the addition of relocatables, redistricting and/or charter schools.
Planning Commission: Approval with Conditions
Approval of this PSP is contingent the adoption of Ordinance #2021-42 for ZMA21-0013
*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.
31. Adoption of Ordinance #2021-60 for ZMA21-0027: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Planned Development (PD) to Employment Center Core (ECC) Zoning District, on certain real property generally located east and south of South Poinciana Boulevard, north of South Rail Avenue and north of Old Tampa Highway, and comprised of approximately 35.96 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.
Niles Chalifoux (Applicant) Commercial Settlement Real Estate Trust, Niles Chalifoux TR (Owner)
Commission District: 1
Staff Recommendation: Adoption of Ordinance #2021-60 for ZMA21-0027
Osceola County School District Comments: The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees
Planning Commission Recommendation: Adoption of Ordinance #2021-60 to approve ZMA21-0027
Note: This item was continued from the October 18, 2021, meeting.
*Should this item be pulled for discussion by the Board it must be performed as a Quasi-Judicial item.

32. PS21-00023: Applicant requests approval of a Preliminary Subdivision (PS) for Sunray Station, consisting of 3 lots and 4 tracts on approximately 36 acres located at the north east corner of S Poinciana Boulevard and South Rail Street. Approval of this PS grants authority to the County Manager to sign the Final Plat provided the plat is found to be in substantial compliance with the Board of County Commissioners approved Preliminary Subdivision as authorized by Osceola County Ordinance #18-10 and Florida Statutes 177.071(2).

Niles Chalifoux, Commercial Settlement Real Estate Trust (Applicant), John F. Adams, RJ Whidden and Associates, Inc. (Agent).

Commission District: 1

Staff Recommendation: Approval with conditions

Osceola County School District Comments: The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees.

Planning Commission Recommendation: Approval with conditions

Approval of this PSP is contingent the adoption of Ordinance #2021-60 for ZMA21-0027.

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

33. Adoption of Ordinance #2021-56: An Ordinance of the Board of County Commissioners of Osceola County, Florida, adopting a Comprehensive Plan Amendment, CPA20-0005, to change the Future Land Use Map designation from Mixed Use (MXD) to Sunbridge (SUN), delete the Northeast District Conceptual Master Plan Element in its entirety, and modify the Goals, Objectives and Policies of the Future Land Use Element on certain real property generally located south of the Osceola/Orange County Line; east of Narcoossee Road; north of US 192 and Nova Road; west of the North Ranch Sector Plan and the Osceola/Brevard County Line, and comprised of approximately 19,140 acres, more or less; amending the Osceola County Comprehensive Plan; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

Tavistock East Services, LLC (Owner)

Commission District: 5

Staff Recommendation: Adoption of Ordinance #2021-56 for CPA20-0005

Note: This item was continued from the August 16, 2021 Board Meeting and continued from the September 20, 2021, Board Meeting.

Updated Staff Recommendation: Continue to the December 13, 2021, Board of County Commission Meeting.

34. Adoption of Ordinance #2021-67 for PD21-00015: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Mixed Use (MXD) to Planned Development (PD21-00015 – Sunbridge), on certain real property generally located South of the Osceola/Orange County Line; east of Narcoossee Road; north of US 192 and Nova Road; west of the North Ranch Sector Plan and the Osceola/Brevard County Line, and comprised of approximately 19,140 acres, more or less; providing for correction of scrivener’s errors; providing for severability; providing for conflict; and providing for an effective date.

Commission District: 5

Staff Recommendation: Adoption of Ordinance #2021-67 for PD21-00015 (Sunbridge)

Osceola County School District Comments: The Tavistock East Services, LLC, the School Board, and Osceola County, FL executed a School Mitigation and Funding Agreement on December 12, 2020, including the timing of the conveyance of the K-8 school site, off-site retention, infrastructure to support the school site, and other improvements required by SDOC. Based upon the approved Conceptual Plan for Weslyn Park (NED Phase I Lands) which denotes a residential build out of 4,632 single family units including 1,370 Del Webb Age Restricted Community, 1,828 single family units, and 1,434 multifamily units. Any increased residential density resulting in additional school capacity impacts is subject to further negotiation and mitigation with the School District, and the School District maintains its rights and entitlement consistent with applicable law and ordinances to collect school impact fees for all residential development within the Sunbridge development. The District has a history of working closely with Osceola County, FL to alleviate school capacity issues created by expanded residential development. The District does not object to the expansive residential development proposed but we do want to ensure proper mitigation of such impact on school capacity and the collection of impact fees.

Planning Commission Recommendation: Adoption of Ordinance 2021-67 for PD21-00015, subject to a special condition.

Note: This item was continued from the September 20, 2021, Board Meeting and from the October 18, 2021 Board Meeting.

Updated Staff Recommendation: Continue to the December 13, 2021, Board of County Commission Meeting.

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

35. Approval and authorization for the Chair/Vice Chair to sign the Developer's Agreement for Sunbridge Development Agreement with Central Florida Property Holdings 700, LLC, Suburban Land Reserve Incorporated, Central Florida Property Holdings 500, LLC, Central Florida Property Holdings 300, LLC, Tavistock East Services, LLC, Tavistock East I, LLC, Tavistock East II, LLC, Tavistock East III, LLC, and Sunbridge Stewardship District (Owners) and Tavistock East Services, LLC (Developer), on certain real property generally located South of the Osceola/Orange County Line; east of Narcoossee Road; north of US 192 and Nova Road; west of the North Ranch Sector Plan and the Osceola/Brevard County Line, including all associated roadways, and comprised of approximately 19,140 acres, more or less; for conveyance of the developer's property (property) in order to construct the transportation facilities on the property, to identify when certain transportation improvements should be constructed by Developer, conveyance to the County of Community Parks within the Property to serve the residents of Osceola County, and for the Developer to implement strategies from the Strategic Economic Development Plan, and economic goals related to the Sunbridge Land Use Policies within the Osceola County Comprehensive Plan.

Commission District: 5

Staff Recommendation: Approval

Note: This item was continued from the September 20, 2021, Board Meeting and the October 18, 2021 Board Meeting.

Updated Staff Recommendation: Continue to the December 13, 2021, Board of County Commission Meeting.

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

Public Hearings

Community Development Administration

36. Adoption of Ordinance #2021-50 for ZMA21-0012: An Ordinance of the Board of County Commissioners of Osceola County, Florida, changing the zoning designation from Agricultural Development and Conservation (AC) and Estate Development (E-1A) to Commercial Tourist (CT) Zoning District, on certain real property generally located south and east of Four Winds Boulevard, west of West Irlo Bronson Memorial Highway, and north of Oren Brown Road and comprised of approximately 36.07 acres, more or less; amending the official zoning map; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

Juan Francisco Nagaro, South American Holdings, LLC (Applicant) South American Holdings, LLC (Owner)

Commission District: 1

Staff Recommendation: Adoption of Ordinance #2021-50 for ZMA21-0012

Osceola County School District Comments: The School District of Osceola County reserves its right to ensure proper mitigation of any impact on school capacity and the collection of Educational System Impact Fees.

Planning Commission Recommendation: Denied Adoption of Ordinance #2021-50 for ZMA21-0012

Note: This item was continued from the September 20, 2021, Board meeting and October 18, 2021 Board Meeting.

*Should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item.

Reports/Items

Constitutional Officers and Governmental Agencies/Other

County Attorney

County Manager

Commissioners and Board Reports

Committee Appointments

Board of Adjustment

The members of the Board of Adjustment shall be knowledgeable in the field of Comprehensive Planning and shall be familiar with the Osceola County Comprehensive Plan, the Land Development Code, and other applicable regulations. This Board is composed of seven members one of which will be appointed from each Commission District and two members being appointed as at-large positions.

37. Appointment to replace Anthony Taylor, "District 3", who resigned, whose term expires December 31, 2024.

Code Enforcement Board

The Board shall consist of seven members who shall be residents of the County and who shall be appointed by the County Commission on the basis of experience or interest in the subject matter. The membership of the Board shall, whenever possible, consist of the following: Architect, Realtor, Businessman, General Contractor, Engineer, Subcontractor.

38. Appointment to replace Scott Stewart, "General Contractor", who resigned, whose term expires March 3, 2024.

Fire and Rescue Advisory Board

This Commission consists of seven members: one Fire Commissioner being appointed from each County Commission District and two Fire Commissioners serving in at-large positions.

39. Appointment to replace Daryl Cunningham, "District 5", who resigned, whose term expires December 31, 2022.

Housing Finance Authority

This Authority consists of five residents of the County who shall be knowledgeable in one of the following fields: Labor, Finance, or Commerce.

40. Appointment to reappoint/replace Jacob Dorn, whose term expires December 31, 2021.
41. Appointment to reappoint/replace Duane Owen, whose term expires December 31, 2021.

Library Advisory Board

This Board consists of seven members, one appointment from each of the five County Commission Districts; and two at-large members. The membership should consist of one member of the Friends of the Library group and one member of the Osceola County Bar Association.

42. Appointment to reappoint/replace Cynthia Beardsley, "At-Large", whose term expires December 31, 2021.

MetroPlan Orlando Community Advisory Committee

In accordance with Federal and State law requiring that transportation planning must be comprehensive, cooperative, and continuing in nature, and provide for private citizen input, an advisory committee was created. As of January 2016, this committee was restructured to increase the representation of Osceola County from two seats to three seats.

43. Appointment to reappoint/replace Jose Alvarez, whose term expires December 31, 2021.

Planning Commission

The members of the Planning Commission shall be knowledgeable in the field of Comprehensive Planning and shall be familiar with the Osceola County Comprehensive Plan, the Land Development Code, and other applicable regulations. This Commission is composed of 10 members, two being appointed from each County Commission District.

44. Appointment to replace Jeffrey Wolff, "District 4", who resigned, whose term expires December 31, 2022.

For Information

Clerk of the Courts

45. The Clerk of the Board has received for informational purposes, from the Florida Public Service Commission, Consummating Order #PSC-2021-0396-CO-GU, that Order #PSC-2021-0374-TRF-GU has become effective and final, regarding the joint petition to modify tariffs to accommodate receipt and transport of renewable natural gas, by Florida Public Utilities Company, Florida Public Utilities-Indiantown Division, Florida Public Utilities-Fort Meade, and Florida Division of Chesapeake Utilities Corporation.
46. The Clerk of the Board has received for informational purposes, the Fiscal year 2022 meeting schedule of Windsor at Westside Community Development District, Board of Supervisors. The meeting will be held at the Club at Windsor at Westside, 2100 Tripoli Court, Kissimmee, Florida, 34747, at 9:00 a.m. on the last Friday of the month, with the exception of November 12, 2021; February 25, 2022; May 27, 2022; and August 26, 2022.
47. The Clerk of the Board has received for informational purposes, the Fiscal year 2022 meeting schedule of Tohoqua Community Development District, Board of Supervisors. The meeting will be held at 1830 Fulfillment Drive, Kissimmee, Florida, 34744, at 9:00 a.m. on the first Wednesday of each month, on the following dates: October 06, 2021; November 03, 2021; December 01, 2021; January 05, 2022; February 02, 2022; March 02, 2022; April 06, 2022; May 04, 2022; June 01, 2022; July 06, 2022, August 03, 2022, and September 07, 2022.

48. The Clerk of the Board has received for informational purposes, the Fiscal year 2022 meeting schedule of Windward Community Development District, Board of Supervisors. The meeting will be held at 7813 Four Seasons Boulevard, Kissimmee, Florida, 34747, at 2:00 p.m. on the third Wednesday of the month, on the following dates: October 20, 2021, November 17, 2021, December 15, 2021, January 19, 2022, February 16, 2022, March 16, 2022, April 20, 2022, May 18, 2022, June 15, 2022, July 20, 2022, August 17, 2022, and September 21, 2022.
49. The Clerk of the Board has received for informational purposes, a notice from Florida Department of Economic Opportunity (DEO) that the Bridgewater Community Development District was registered with the Special District Accountability Program, and of the designation of Ms. Jan A. Carpenter, Latham, Luna, Eden, and Beaudine, LLP, 201 South Orange Avenue, Suite 1400, Orlando, Florida, 32801, as the registered agent and office.
50. The Clerk of the Board submits for the record, the minutes of the Crescent Lakes Common Facilities District, Board of Supervisor meetings, held on April 15, 2021, 6:00 p.m, Special Session; May 20, 2021, Regular Session, 6:00 p.m.; and May 20, 2021, 5:59 p.m., Budget Public Hearing.
51. The Clerk of the Board has received for informational purposes, the minutes of the Indian Creek Common Facilities District, Board of Supervisors meeting, held on May 04, 2021, third quarter regular session, 9:01 a.m. and May 04, 2021, budget public hearing, 8:59 a.m.
52. The Clerk of the Board has received for informational purposes, the minutes of the Indian Ridge Villas Common Facilities District, Board of Supervisors meeting held on July 15, 2021, fourth quarter regular session, 6:00 p.m.
53. The Clerk of the Board has received for informational purposes, the Fiscal year 2022 meeting schedule of Remington Community Development District, Board of Supervisors. The meeting will be held at the Remington Clubhouse, 2641 Remington Boulevard, Kissimmee, Florida, 34744, at 6:00 p.m. on the last Tuesday of each month, on the following dates: October 26, 2021; with the exception of November 16, 2021 and December 14, 2021; January 25, 2022; February 22, 2022; March 29, 2022; April 26, 2022; with the exception of May 24, 2022; June 28, 2022; July 26, 2022, August 30, 2022, and September 27, 2022.
54. The Clerk of the Board has received for informational purposes, the Fiscal year 2022 meeting schedule of Preston Cove Community Development District, Board of Supervisors. The meeting will be held at the Offices of Hanson, Walter and Associates, Incorporated, 8 Broadway, Suite 104, Kissimmee, Florida 34741 at 9:00 a.m. on the Fourth Thursday of the month, on the following dates: October 28, 2021; with the Exception of November 18, 2021 and December 16, 202; January 27, 2022; February 24, 2022; March 24, 2022; April 28, 2022; May 26, 2022; June 23, 2022; July 28, 2022; August 25, 2022; and September 22, 2022.

55. The Clerk of the Board has received for informational purposes, the Fiscal year 2022 meeting schedule of Rolling Oaks Community Development District, Board of Supervisors. The meeting will be held at the Margaritaville Resort Orlando, 8000 Fins Up Circle, Kissimmee, Florida, 34747, at 1:00 p.m. on the fourth Thursday of each month, on the following dates: October 28, 2021; with the exception of November 17, 2021 and December 15, 2021; January 27, 2022; February 24, 2022; March 24, 2022; April 28, 2022; May 26, 2022; June 23, 2022; July 28, 2022; August 25, 2022; and September 22, 2022.

County Administration

56. Long Range Agenda.
57. Procurement Services has submitted for the record the contracts, task orders, and/or amendments approved and signed by the County Manager, or designee; a list of scheduled Evaluation Committee meetings to review proposals submitted in response to solicitations; a list of Board approved contracts that may be renewed within the next six months; and a list of Emergency Procurements issued.

Adjournment

In accordance with Florida Statutes, Chapter 286.0105, any person wishing to appeal a decision made by the Board of County Commissioners with respect to any matter considered at such a meeting or hearing, will need a record of the proceedings. For such purposes he or she may need to ensure that a verbatim record of the proceedings is made, which may include the testimony and evidence upon which the appeal is based.

*Community Development Quasi-Judicial Items

All of the Quasi-Judicial Items will be approved as recommended by the Planning Commission. In accordance with Article 2.4 of the Land Development Code as may be amended, County Commissioners should disclose all ex parte communications, site visits, expert opinions, or documentation received at this time. The County will swear in anyone who wishes to speak on any Quasi-Judicial item. Witnesses may be called and shall be subject to direct and cross examination on matters relevant and material to the issue. Cross examination may be afforded to an affected party, County Staff, or to a County Commissioner. No redirect shall be allowed except upon request and approval by the Chair. There shall be no limitations on questions by the County Commissioners. No one may present evidence which is unduly cumulative or repetitious of previous testimony or evidence. Non-affected parties shall be allowed to speak and present evidence to the County Commission but may not directly examine nor cross examine witnesses. Affected parties shall be allowed to rebut testimony and evidence presented by non-affected parties. The County Commission shall only consider evidence presented at the hearing and base its decision on the competent substantial evidence of the record.

Americans with Disabilities Assistance

Individuals with disabilities requiring accommodations (i.e., sign language interpreter or materials in accessible format) in order to participate in meetings, please contact the County's ADA Coordinator, Hind Huda at (407) 742-1200 (TTY Users Dial: 711 for the Florida Relay System) or Hind.Huda@osceola.org, at

least five (5) business days prior to the meeting.



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