



**MEETING AGENDA
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, JUNE 15, 2022 AT 6:00 PM**

1. MEETING CALLED TO ORDER

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. MINUTES

3.A Approval of the May 4, 2022 Planning Advisory Board Meeting Minutes

4. OLD BUSINESS

Public Hearing - Ordinance to Annex 15.50 acres of land: Give Kids The World, AX-22-0002 - Proposed Ordinance # 22-14

4.A AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

4.B Public Hearing - Fountainhead PUD Amendment: PUD-22-0003

5. NEW BUSINESS

5.A Appoint/Reappoint Planning Advisory Board Chair and Vice Chair

6. PUBLIC HEARINGS

7. DISCUSSION

8. HEAR CHAIRMAN AND BOARD MEMBERS

9. ADJOURNMENT

In accordance with Florida Statutes 286.105: Any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida State 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 101 Church Street, Kissimmee, Florida, (407) 518-2309.

ITEM 3.A**Approval of the May 4, 2022 Planning Advisory Board Meeting Minutes****Request**

Approval of the May 4, 2022 Planning Advisory Board Meeting Minutes

Explanation**Recommendation****REQUESTED PLANNING ADVISORY BOARD ACTION:**

Approve

Attachment(s):

1. 05.04.2022 PAB Minutes - Revised 06.10.2022



**MEETING MINUTES
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, MAY 4, 2022 AT 6:00 PM**

Board Members Present: Chairman Robert Bussiere, Vice Chairman Jeffrey Wolff, **(Absent)**, Member Diana Marrero-Pinto, **(Absent)**, Member Robert Spalding, Member Jackie Espinosa, Fatima Santiago, Jason Lindsey, School Board **(Absent)**.

Staff Members Present: Brenda Ryan, Planning Manager, Ashley Cornelison, Senior Planner, Cristian Arias, Senior Planner, Kalanit Oded, Deputy City Attorney, Yolanda Hazley, Planning Technician

- 1. MEETING CALLED TO ORDER**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. MINUTES**
- 3.A PLANNING ADVISORY BOARD MINUTES APPROVAL**

ACTION: Member Spalding made a motion to approve the minutes of the April 6, 2022, Planning Advisory Board meeting. Seconded by Member Espinosa.

Chairman Bussiere	AYE	Member Espinosa	AYE
Member Spalding	AYE	Member Santiago	AYE

MOTION CARRIED 4-0

- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
- 5.A PUBLIC HEARING: ZMA-22-0002 – FORM-BASED CODE: Ordinance amending the zoning designation of several properties- PROPOSED ORDINANCE NO. 22-013**

Planner Cornelison stated that this is a request to amend the zoning of several properties within the Form-Based Code area.

Planner Cornelison stated that Map1: The zoning would change from OS (Open Space) to T5-M (Mixed Use Center) for approximately 13.62 acres.

Map 2: The zoning would change from T4-O (Neighborhood Open) to T-5 M (Mixed Use Center).

Map 3: The zoning would change from MUPUD (Mixed-Use Planned Unit Development) to T5-M (Mixed Use Center) for approximately 4.8325 acres.

Map 4: The zoning would change from MUPUD (Mixed-Use Planned Unit Development) to T5-U (Mixed-Use Urban Corridor) for approximately 18.993 acres.

Planner Cornelison also stated that Staff has been reaching out to owners of properties with the Form-Based Code are currently zoned PUD to see if they would be interested in rezoning their properties to a transect zone.

Staff recommends approval.

Mary Wagner, 302 E. Drury Ave. Kissimmee, FL expressed concerns about the wildlife in the back of her home.

Alex Alemi, 424 Lakeshore Blvd., Kissimmee, FL stated that he supports the new zoning based district.

Don Maddox, 423 E. Drury Ave. Kissimmee, FL asked why the City was changing the zoning to T5-M.

Member Espinosa asked what the plans are moving forward with changing the zoning for future use.

Planner Cornelison that there are no current plans in place, as this request was due to mapping errors.

ACTION: Member Spalding made a motion for approval. Seconded by Member Santiago.

Chairman Bussiere
Member Spalding

AYE **Member Espinosa**
AYE **Member Santiago**

AYE
AYE

MOTION CARRIED 4-0

5.B Public Hearing - Ordinance amending the future land use designation to establish MU-V (Mixed Used Vine); LUPA-22-0004 - Proposed Ordinance 22-12

Planner Cornelison stated that this is a request to amend the Future Land Use Map and extend the MU-V (Mixed Use Vine) land use designation on the western side of the City, per the map included with this report.

Staff recommends approval.

Cristobal Ramis, 2911 Windmill Dr. Kissimmee, FL asked what is a Mixed-Use.

Planner Cornelison stated that Mixed-Use means that it will allow for different types of uses to go in a zoning district.

Angel Vale, 4365 Paradise Cove Ct., Kissimmee, FL asked how this request effects his property.

Planner Cornelison stated that by Florida Statue the requirement is to send notices to all property owners within 300 feet of an impacted area.

ACTION: Member Santiago made a motion for approval. Seconded by Member Spalding.

Vice Chairman Wolff	AYE	Member Espinosa	AYE
Member Spalding	AYE	Member Santiago	AYE

MOTION CARRIED 4-0

5.C Public Hearing: Authorization of a True Work of Art at 321 E. Dakin Ave., Orange Blossom Masonic Lodge Mural; CU-22-0002

ACTION: Member Spalding made a motion for approval. Seconded by Member Espinosa
Planner Arias stated that this is a request for approval of an Authorization of a True Work of Art

to allow a mural to be painted on a portion of the building wall facing Sun Ave. The subject property is located at 321 E. Dakin Ave.

Staff recommends approval for the following reasons:

1. Compliance with Section 14-11-16 of the Land Development Code as the mural is a true work of art and is not intended to be used as a sign as defined by Section 14-
2. The proposed mural is compatible with the character of the surrounding area in terms of size, style, colors, materials, general appearance and location.

Staff recommends approval subject to the following 3 conditions:

1. The mural and subject building walls shall be painted in accordance with the attachments.
2. No signage or direct association of the establishment shall be permitted within the mural.
3. Existing or proposed signage shall not be incorporated into the mural.

Marilyn Cortes Lovato, representing the applicant stated that this mural is of an Orange Blossom that will be created by a local artist

Manuel Lozado, representing the applicant agrees with having the mural placed onto the building.

ACTION: Spalding made a motion for approval subject to 3 conditions. Seconded by Member Espinosa.

1. The mural and subject building walls shall be painted in accordance with the attachments.
2. No signage or direct association of the establishment shall be permitted within the mural.

3. Existing or proposed signage shall not be incorporated into the mural.

Chairman Bussiere
Member Spalding

AYE **Member Espinosa**
AYE **Member Santiago**

AYE
AYE

MOTION CARRIED 4-0

5.D Public Hearing: Authorization of a True Work of Art at 2706 N. John Young Parkway, Toho Water Authority Mural; CU-22-0003

Planning Manager Ryan stated that this is an Authorization of a True Work of Art to allow a mural to be installed on the façade of a water tank wall. The subject property is located at 2706 N. John Young Pkwy.

Staff recommends approval for the following reasons:

1. Compliance with Section 14-11-16 of the Land Development Code as the mural is a true work of art and is not intended to be used as a sign as defined by Section 14-2. The proposed mural is compatible with the character of the surrounding area in terms of size, style, colors, materials, general appearance and location.

Staff recommends approval subject to the following 3 conditions:

1. The mural and subject tank wall shall be conducted in accordance with the attachments.
2. No signage shall be permitted within the mural.
3. Existing or proposed signage shall not be incorporated into the mural.

Member Spalding asked would the mural be large enough to see it from the road.

Planning Manager Ryan stated that the mural would be visible from the roadway.

Mary Cox, Communications Leader representing the applicant stated that Toho Water Authority is excited for the opportunity to team up with the Osceola School District for this request.

ACTION: Member Spalding made a motion for approval subject to 3 conditions. Seconded by Member Santiago.

1. The mural and subject tank wall shall be conducted in accordance with the attachments.
2. No signage shall be permitted within the mural.
3. Existing or proposed signage shall not be incorporated into the mural.

Chairman Bussiere
Member Spalding

AYE **Member Espinosa**
AYE **Member Santiago**

AYE
AYE

MOTION CARRIED 4-0

5.E Public Hearing - Ordinance amending the future land use designation to establish MF-MDR (Multi Family Medium Density Residential); LUPA-22-0002 -

Proposed Ordinance 22-10

Planning Manager Ryan stated that this is a request for a LUPA (Land Use Planned Amendment) to change the Future Land Use map designation from County (LDR) Low Density Residential to City (MF-MDR) Multi-Family Medium Density Residential on 1.19 acres of land. The subject property is located east of Old Vineland Rd, north of W. Irlo Bronson Memorial Highway and west of Yates Rd.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3, Multi Family Medium Density Residential (MF-MDR) Future Land Use Designation, which is intended to accommodate multiple family structures with a density of 10-20 units per acre. Lesser densities may be allowed in order to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed-uses.
2. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan Text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.

Staff recommends approval subject to the following 1 condition:

1. Subject to approval of the associated Annexation (AX-22-0002) and City Commission approval to transmit this amendment to the Department of Economic Opportunity (DEO) for interagency review.

ACTION: Member Santiago made a motion for approval subject to 1 condition. Seconded by Member Spalding.

1. **Subject to approval of the associated Annexation (AX-22-0002) and City Commission approval to transmit this amendment to the Department of Economic Opportunity (DEO) for interagency review.**

**Chairman Bussiere
Member Spalding**

**AYE Member Espinosa
AYE Member Santiago**

**AYE
AYE**

MOTION CARRIED 4-0

5.F **Public Hearing - Ordinance amending the zoning designation to establish T4-O (Neighborhood Open); ZMA-22-0001 - Proposed Ordinance 22-11**

Planning Manager Ryan stated that this is a request for a Zoning Map Amendment to change the zoning designation from County (RM-3) Medium Density Residential to City (T4-0) Neighborhood Open on 1.19 acres of land. The subject property is located east of Old Vineland Road, north of W. Irlo Bronson Memorial Highway, and west of Yates Rd.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Neighborhood Open (T4-0) zoning district as outlined in Section 14-5-4(D) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-5-6, Table 5-1, as

- triplexes, townhomes, and multi family are consistent and compatible with the surrounding area with conditional use approval.
3. Compliance with the dimensional regulations for standard zoning districts as outlined in Section 14-e-6 of the Land Development Code.
 4. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3, Multi-Family Medium Density Residential (MF-MDR), that is intended to accommodate townhomes, multi family structures, and lesser densities than 10 dwelling units per acre to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed uses.
 5. Compliance with Land Development Code Section 14-3-27, Zoning map and Land Development Code (LDC) amendments, in regards to the submittal and review procedures and criteria to support an amendment.

Staff recommends approval subject to the following 1 condition:

1. Subject to the approval of the associated Annexation (AX-22-0002) and Land Use Amendment (LUPA-22-0002).

ACTION: Member Spalding made a motion for approval. Seconded by Member Espinosa

1. **Subject to the approval of the associated Annexation (AX-22-0002) and Land Use Amendment (LUPA-22-0002).**

Chairman Bussiere
Member Spalding

AYE Member Espinosa
AYE Member Santiago

AYE
AYE

MOTION CARRIED 4-0

5.G **Public Hearing - Advent Health PUD Amendment: PUD-22-0002**

Planning Manager Ryan stated that this is a request for PUD (Planned Unit Development) Amendment updating the sign standards for the Advent Health PUD.

Planning Manager Ryan stated that this is in order to allow for an additional building identification sign on the tower addition and clarify the location of wall and identification signs.

Staff recommends approval for the following reasons:

1. Compliance with the MUPUD zoning district standards as outlined in Section 14-4-8 of the Land Development Code.
2. Compliance with the Sign Chapter standards as outlined in Section 14-11-7(I) of the Land Development Code as PUD developments can create their own master sign design standards.
3. Compliance with Sign Chapter standards as outlined in Section 14-11-7(I) of the Land Development Code as the proposed standards are keeping with the overall architecture and character of the building development; the proposed signage for the project is designed to meet the directional needs of the project for communication, identification, wayfinding, regulatory and informational purposes in keeping with the overall architectural theme of the development; the sign standards are legible, conspicuous and easily readable; the visibility and impact

of the type of sign, number of signs, design, size, method of, construction, illumination and location of the proposed signs does not adversely impact adjoining properties; and the proposed signage is consistent and not in conflict with the intent and requirements of this chapter.

Staff recommends approval subject to the following 1 condition:

1. This amendment does not affect any other design or use standards. Those standards not identified in the sign package shall be governed by the Land Development Code.

ACTION: Member Spalding made a motion for approval subject to 1 condition. Seconded by Member Santiago.

1. This amendment does not affect any other design or use standards. Those standards not identified in the sign package shall be governed by the Land Development Code.

Chairman Bussiere	AYE	Member Espinosa	AYE
Member Spalding	AYE	Member Santiago	AYE

MOTION CARRIED 4-0

5.H Public Hearing - Fountainhead PUD Amendment: PUD-22-0003

ACTION: Member Espinosa made a motion for approval to allow applicant to continue this request to the May 18, 2022 P.A.B. Meeting. Seconded by Member Spalding

Chairman Bussiere	AYE	Member Espinosa	AYE
Member Spalding	AYE	Member Santiago	AYE

MOTION CARRIED 4-0

6. DISCUSSION

7. HEAR CHAIRMAN AND BOARD MEMBERS

- 7.A Planning Advisory Board Workshop
There will be a Workshop on 06/1/2022

8. ADJOURNMENT

Meeting adjourned at 6:57 p.m.

Robert Bussiere, Chairman
Planning Advisory Board

Brenda Ryan, Planning Manager
Development Services Dept.

In accordance with Florida Statute 286.0105, any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is made.

In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the office of the City Clerk at (407) 518-2309 prior to the meeting.

ITEM 4.A

Public Hearing - Fountainhead PUD Amendment: PUD-22-0003

Request

Approval of a Planned Unit Development (PUD) Amendment to amend development standards and uses in the Fountainhead PUD on approximately 128.1 acres of land.

Explanation

This PUD Amendment will consolidate and amend development standards and uses of the Fountainhead PUD (DRC#00-0082), establish phasing, and a conversion matrix to transfer and convert uses and entitlements. Fountainhead was previously a Development of Regional Impact (DRI) that was rescinded at the May 5, 2015 City Commission meeting (DRC#14-064). The rescission included 1,144 multi family units, 230,000 sq. ft. retail, and 120,000 sq. ft. office uses which are consistent with the current entitlements and uses included with this PUD Amendment.

To date, 568 multi family units and 8,400 sq. ft. of office space have been constructed within the southern area of the property and will now be considered Ph. 1. The remaining 576 multi family units, 111,600 sq. ft. office, and 230,000 sq. ft. retail will be considered Ph. 2 within the undeveloped areas. Development standards have been consolidated to standard setbacks and uses will defer to Highway Commercial (HC) zoning with restrictions/prohibitions on specific uses. In addition, a conversion matrix to transfer and convert uses as well as a maximum height of 45ft./4 stories, will also be established with this PUD amendment.

FINDINGS AND REASONS:

1. Compliance with Land Development Code Section 14-3-28(G), Zoning Map Amendment to Planned Unit Development, in regards to the submittal and review procedures and criteria to support PUD conceptual plan amendments.
2. Compliance with the site design regulations such as density, lot area, setbacks, building separation, height, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-4-8(D)(4).
3. Compliance with Policy 1.2.1.3, Multi Family Medium Density Residential (MF-MDR) Future Land Use Designation, intended to ensure sufficient land area for developments of medium density and an adequate supply of existing and/or projected public facilities for the area. Supportive community facilities and accessory land uses may be located within areas designated MDR.
4. Compliance with Policy 1.2.1.4, Multi Family High Density Residential (MF-HDR) Future Land Use Designation, to provide multiple family residential development at higher densities that shall be adequately supported by public services and facilities, and maintain compatibility with the surrounding area. Lesser densities may be allowed in order to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

The Development Review Committee (DRC) recommended approval at the April 5, 2022 meeting, subject to conditions.

City of Kissimmee

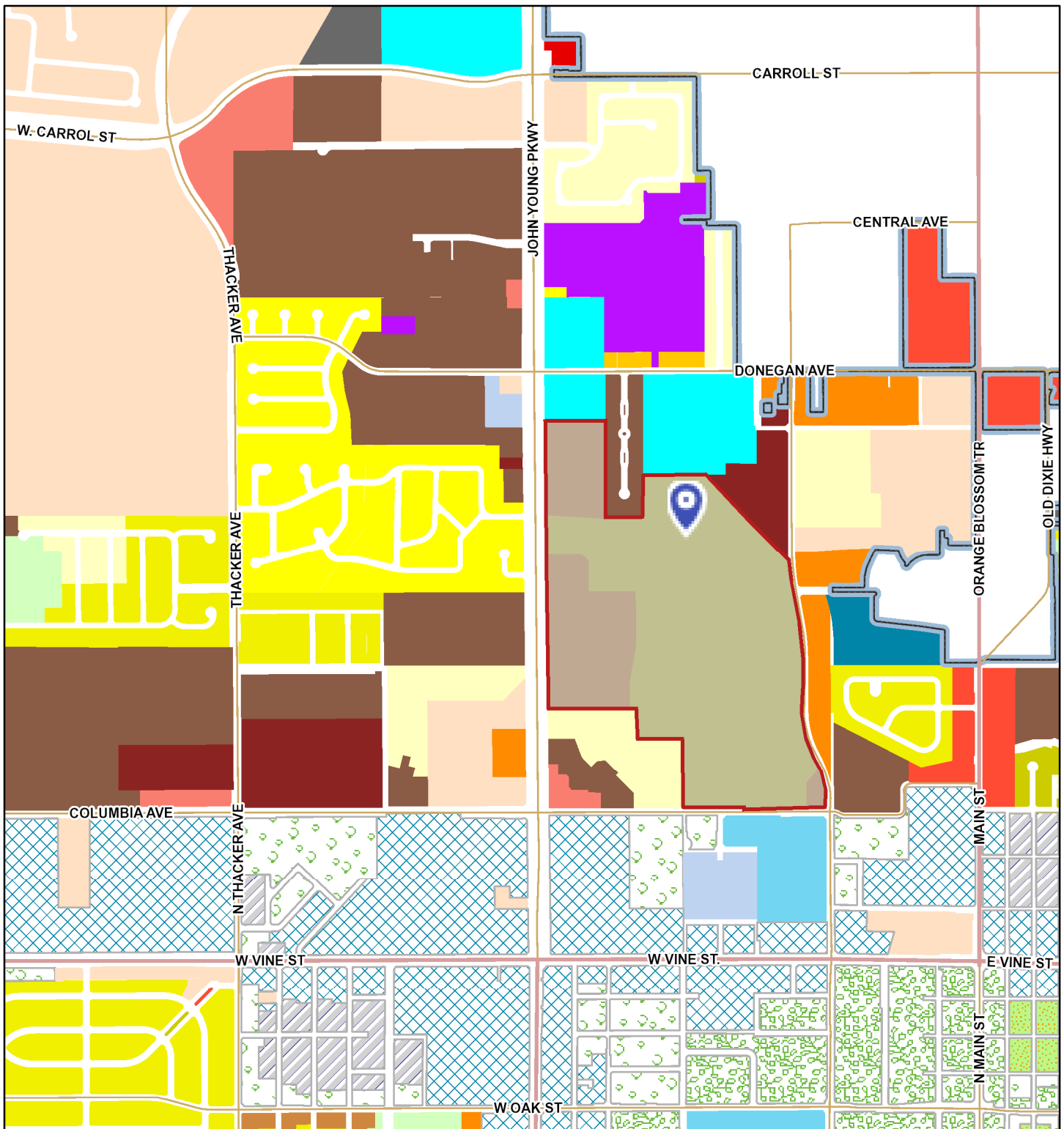
CONDITION:

1. All other conditions, regulations, standards, etc., not mentioned by this amendment shall be governed by the Land Development Code.

Attachment(s):

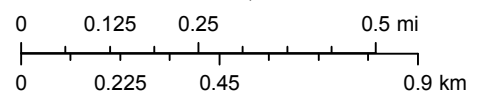
1. PUD-22-0003 Vicinity Map
2. PUD-22-0003 Aerial Map
3. PUD-22-0003 Site Data Tables
4. PUD-22-0003 PUD Narrative
5. PUD-22-0003 PUD Phasing Plan
6. PUD-22-0003 DRC Planning Comments
7. PUD-22-0003 DRC School District Comments
8. PUD-22-0003 DRC Engineering Comments
9. PUD 22-0003 DRC Toho Comments
10. PUD-22-0003 DRC Application

Fountainhead
PUD Amendment PUD-22-0003



May 1, 2022

1:17,153

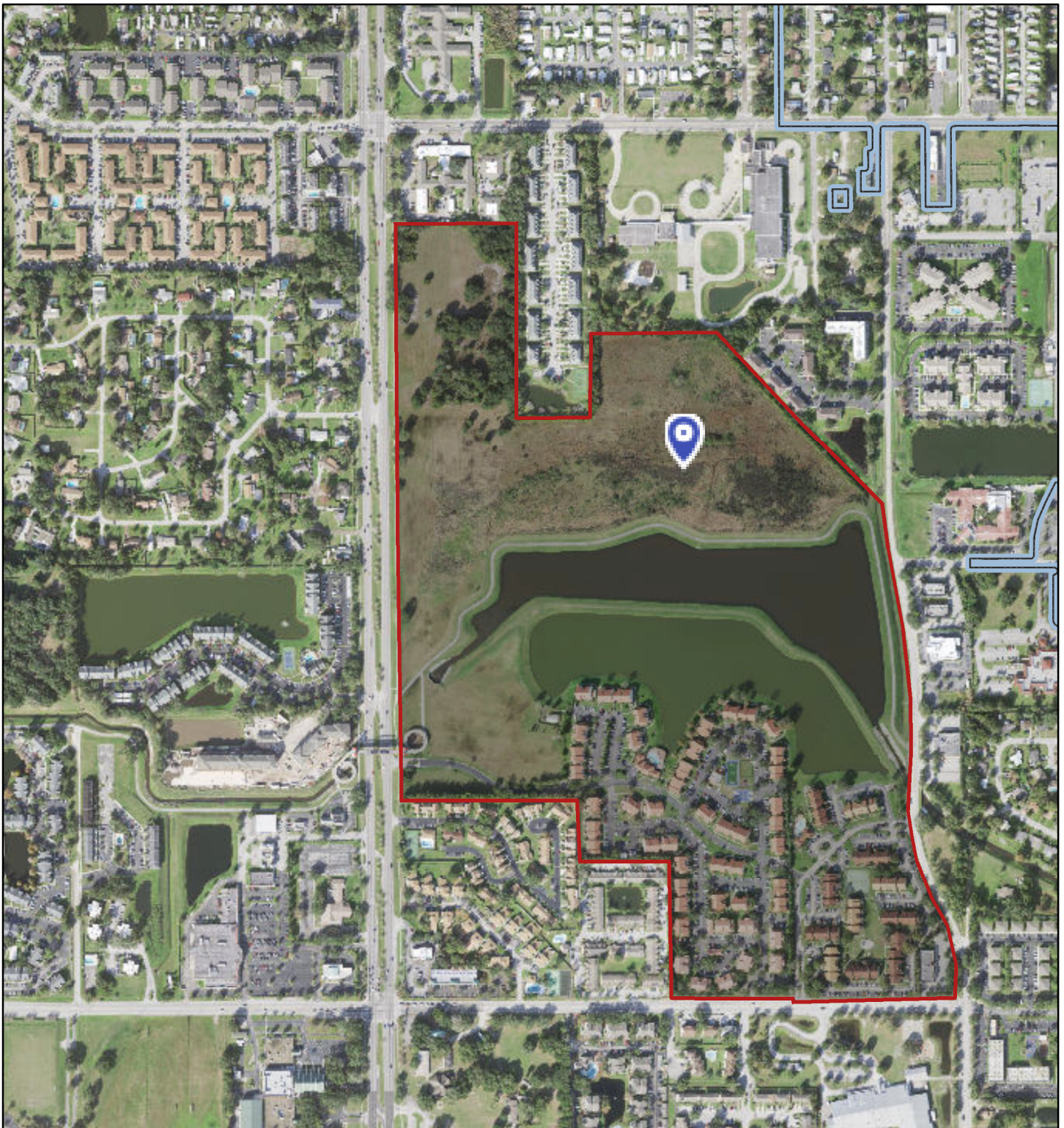


- Toll Roads
- US Roads
- Major Roads
- COUNTY

City Limits

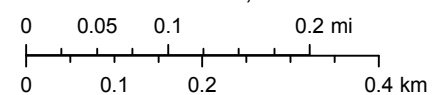
- CITY

Fountainhead
PUD Amendment PUD-22-0003



May 1, 2022

1:8,577



- Parcels
- Road Centerlines
- City Limits**
- CITY
- COUNTY
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 2.4m Resolution Metadata

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Fountainhead Planned Unit Development (PUD) Amendment
Parcel ID# 16-25-29-00U0-0045-0000, 16-25-29-00U0-0125-0000,
16-25-29-1581-0001-0010, 16-25-29-00U0-0031-0000,
16-25-29-1581-0001-0020, 16-25-29-00U0-0021-0000
16-25-29-1039-0001-COMM, 16-25-29-00U0-0014-0000
East of John Young Pkwy., West of Central Ave.,
South of Donegan Ave., North of Columbia Ave.
Site Data Tables

Site Data	
Size	128.1 acres
Future Land Use Designation	Commercial General (CG), Multi Family High Density Residential (MF-HDR), Multi Family Medium Density Residential (MF-MDR), Conservation (CONS)
Proposed Future Land Use Designation	N/A
Zoning District Designation	Residential Planned Unit Development (RPUD) Mixed Use Planned Unit Development (MUPUD)
Proposed Zoning District Designation	N/A
Existing Overlay District	N/A
Existing Use(s)	Multi-Family, Recreation, Stormwater, Vacant
Proposed Use(s)	Multi-Family, Recreation, Stormwater, Commercial, Office
Adjacent Land Use	
North	MF-MDR, Institutional (INST)
South	MF-HDR, Mixed Use Vine (MU-V)
East	MF-HDR, MF-MDR, CONS, Office-Residential (OR)
West	MF-HDR, MF-MDR, CG, Single Family Low Density Residential (SF-LDR)
Adjacent Zoning	
North	Community Facility (CF), Multiple Family Medium Density (RC-1), Multiple Family High Density Residential (RC-2)
South	RC-1, Mixed-Use Urban Corridor (T5-U), Neighborhood Open (T4-O), Special District (SD)
East	Office Commercial (B-5), RC-1
West	MUPUD, RPUD, RC-1, RC-2, Single Family Residential (RA-1)

Past/Current Project Tracking	91-027 DRI 91-062 PUD Rezoning 91-088 Land Use Amendment 91-093 Annexation 99-200 DRI NOPC (Amendment) 00-012 PUD Site Plan 00-082 PUD Amendment 00-124 PUD Site Plan 01-017 Final Plat 01-030 PUD Amendment 05-024 DRI NOPC 06-044 DRI NOPC 06-048 PUD Amendment 06-133 PUD Amendment (Full Circle World) 06-153 PUD Site Plan (Full Circle World) 06-154 Preliminary Plat (Full Circle World) 07-083 DRI NOPC 07-089 City Commission Variance 12-244 DRI NOPC 14-064 DRI Rescission PUD-22-0003 PUD Amendment (Pending)
-------------------------------	---

Comprehensive Plan Summary	
Policy 1.2.1.3, Medium Density Residential (MDR): The medium density designation is intended to ensure sufficient land area for developments of medium density, and an adequate supply of existing and/or projected public facilities for the area. Supportive community facilities and accessory land uses may be located within areas designated MDR. The Multi-Family Medium Density Residential (MF-MDR) designation is intended to accommodate multi family structures with a density of 10-20 units per acre. Lesser densities may be allowed in order to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed-uses.	
Potential Zoning Districts	Multiple Family Medium Density Residential Districts - RC-1 and RC-2 Medium Density Residential Districts - RB-1 and RB-2 Residential Planned Unit Development District (RPUD). Short-Term Rental Planned Unit Development District (SRPUD). Mixed-Use Planned Unit Development District (MUPUD).
Policy 1.2.1.4, Multi-Family High Density Residential (MF-HDR): High density residential uses in the City shall range from 21-25 units per acre. The high density future land use designation is intended to provide multiple family residential development at higher densities that shall be adequately supported by public services and facilities, and maintain compatibility with the surrounding area. Lesser densities may be allowed in order to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses. Specific areas designated for high	

density development shall be adjacent to existing or anticipated major thoroughfares and/or transit routes and facilities, and shall be supported by the requisite utilities. In addition, these areas generally shall be highly accessible to commercial services, and may be located adjacent to mixed-use areas. Specific density of future development proposals within these areas shall provide smooth transitions in residential density, preserve stability of established neighborhood areas, and shall include sufficient open space, parking, and landscaping to reinforce goals and objectives for quality living areas.

Potential Zoning Districts	Multiple Family Medium Density Residential Districts - RC-1 and RC-2
	Medium Density Residential Districts - RB-1 and RB-2
	Residential Planned Unit Development District - RPUD
	Short-Term Rental Planned Unit Development District - SRPUD
	Mixed-Use Planned Unit Development District - MUPUD

Policy 1.2.3.2, Commercial General (CG): The Commercial General (CG) areas are designated on the Future Land Use Map for purposes of accommodating office uses and general retail sales and services. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 2.5 FAR. The Commercial General land use designation is intended to include the hub of retail sales and services within the downtown business district as well as highly accessible areas adjacent to major thoroughfares and transit facilities, that possess necessary location, site, and market requirements. This future land use designation shall be implemented through the City's Land Development Code. This area is not intended to accommodate manufacturing, processing, or assembly of goods, sales and service of heavy commercial vehicle and equipment, or related services or maintenance activities; warehousing; uses requiring extensive outside storage; or other activities which may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration or major fire hazards.

Potential Zoning Districts	Neighborhood Commercial District - B-2
	General Commercial District - B-3
	Highway Commercial District - HC
	Office Commercial District - B-5

Policy 1.2.8.2, Conservation (CONS): Lands designated for Conservation (CONS) are those lands that, because of their environmental quality or sensitivity, are intended for protection and are not intended for development activities, and therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas. The CONS designation shall be applied to portions of major natural resource areas and environmentally sensitive corridors which the City deems appropriate and feasible to protect in order to help implement natural resource conservation goals, objectives, and policies stipulated in the Comprehensive Plan. The designation shall be primarily assigned to publicly owned and restricted privately owned properties.

Potential Zoning Districts	All Zoning Districts
----------------------------	----------------------

<i>Zoning District Standards District Summary</i>
Land Development Code Section 14-4-8(B), Residential Planned Unit Development (RPUD) Intent: The purpose of this district is to permit land under unified control to be planned and developed for permanent residential occupancy with a greater amount of site design flexibility by removing some of the restrictions of conventional zoning.
Land Development Code Section 14-4-8(D), Mixed Use Planned Unit Development (MUPUD) Intent: The purpose of this district is to permit land under unified control to be planned and developed for a compatible mix of residential and commercial purposes or commercial-light industrial uses with a greater amount of site design flexibility by removing some of the restrictions of conventional zoning.

<i>Zoning Comparisons</i>		
	<i>Existing Standards</i>	<i>Proposed Standards</i>
Uses*	HC Zoning Standards (Parcels 4,5,6, & 7) B-5 Commercial Standards (Parcels 8,9,10, 11) B-2 Commercial Standards (Parcel 12)	HC Zoning Standards
Max. Height	35 ft.	45 ft./4 stories Multi Family 35 ft. Office HC Zoning Standards Retail/Commercial
Setbacks		
Front	40 ft. Front to Front	25 ft. From PUD Boundary
	40 ft. Front to Rear	10 ft. (MF) 35 ft. (Retail) 25 ft. (Office)
	25 ft. From Public ROW (MF) 35 ft. from Public ROW (Retail & Office)	
	25 ft. From PUD Boundary	
	10 ft. From Parking Drive (excludes garages)	
	5 ft. From Parking Space (excludes garage)	
Side	20 ft. Side to Side	10 ft. (MF & Office) 15 ft. (Retail)
	30 ft. Side to Rear (MF) 20 ft. Side to Rear (Retail & Office)	
Rear	30 ft. Rear to Rear (MF) 20 ft. Rear to Rear	5ft.

	(Retail & Office)	
Max. Density	18 du/ac (MF) 12,000 sq. ft./ac (Retail & Office)	20 du/ac MDR FLU 25 du/ac HDR & CG FLU 12,000 sq. ft./ac (Retail & Office)

**The Fountainhead PUD has restrictions on specific HC Zoning uses in the PUD Narrative.*

Public Facilities Analysis	
Transportation	
Adjacent street	John Young Pkwy., Central Ave., Columbia Ave.
Street Quality of Service (QOS)	Adjacent Streets are under State & City jurisdictions.
Sanitary Sewer	
Is volume less than 98% capacity?	N/A – Compliance
Potable Water	
Is volume less than 98% capacity?	N/A – Compliance
Is water pressure at least 40lbs per square inch?	N/A – Compliance
Solid Waste	
Is volume less than 5.1lbs per person per calendar day?	N/A – Compliance
Recreation	
Is active recreation area at least 2 acres per 1,000 population?	N/A – Compliance
Is urban open space area at least 2 acres per 1,000 population?	N/A – Compliance
Is total recreation area at least 4 acres per 1,000 population?	N/A – Compliance
Drainage	
Is off-site discharge; runoff velocities; roadway drainage; pavement; retention; and flood storage LOS standards met?	N/A- Compliance

1.0 Developer Information:

1.1 Developer / Applicant:

- Kissimmee Investors, Inc.
- Attn: Mr. Anup Vasisht
- 1860 Jessica Court
- Winter Park, Florida 32789
- Business Telephone: (321) 229-2888

1.2 Agent:

- S&ME, Inc.
- Attn: Mr. Eric Raasch
- 1615 Edgewater Drive, Suite 200
- Orlando, Florida 32804
- Business Telephone: (407) 683-6939
- Business Facsimile: (407) 975-1278

2.0 Evidence of Ownership or Control of Property:

2.1 Ownership documentation is on file with the City of Kissimmee.

3.0 Executive Summary:

3.1 The Fountainhead PUD is a 128.1 acre, more or less, mixed use development with an existing 568 multi-family units known as the Lake Tivoli Apartments and the Fountainhead Apartments located near the northeast intersection of John Young Parkway and Columbia Avenue in Kissimmee, Florida.

3.2 Development, to date, was originally pursuant to a DRI approved in 1992.

3.3 In April of 2000, the City of Kissimmee approved a Notification of Proposed Change to the previously approved DRI which added a 4.6 acre, more or less, piece of property to the DRI boundary, updated Map H, and reconfigured the internal geometry. The legal description and development order were amended appropriately.

- 3.4 On May 5, 2015, the City of Kissimmee approved the rescission of the Fountainhead DRI, subject to the conditions listed in the associated Fountainhead Development Agreement recorded at Osceola County Book 4821 / Pages 1911-1937.
- 3.5 To date, 568 multi-family dwelling units and 8,400 square feet of office have been constructed under Phase 1. Future Phase 2 will include 576 residential units, 230,000 square feet of retail, and 111,600 square feet of office.

4.0 Purpose and Intent of Proposed PUD Amendment:

- 4.1 To update the PUD for compliance with the 2015 Fountainhead Development Agreement recorded at Osceola County Book 4821 / Pages 1911-1937. This request will result in two separate phases; the existing Phase 1 and the future Phase 2, as referenced in the agreement.

5.0 Summary of Proposed PUD Amendment:

- 5.1 Former Parcels 1, 12, the Lake Tivoli Residential parcel, and the Fountainhead Apartments Residential parcel have been combined into existing Phase 1, which is currently built out with 568 multi-family residential units and 8,400 square feet of office uses.
- 5.2 Former Parcels 2-11 have been combined into future Phase 2, which will include entitlements for 576 multi-family residential units; 230,000 square feet of retail; and 111,600 square feet of office uses, with flexibility to convert entitlements based on a Land Use Conversion Matrix.

6.0 Proposed Uses for Each Phase:

- 6.1 Phase 2 is proposed for multi-family residential, retail, office and/or service uses. Non-residential uses shall be consistent with the permitted and conditional uses listed in the Highway Commercial (HC) zoning district, with the following restrictions:
 - 6.1.1 Outdoor storage may be permitted as an ancillary use subject to the standards in LDC 14-6-12.
 - 6.1.2 Bus depots and taxi stations shall be prohibited.
 - 6.1.3 Motor vehicle sales and leasing shall be prohibited.
 - 6.1.4 Motor vehicle repair shall be subject to a conditional use and restricted to an accessory use.
 - 6.1.5 Temporary labor services shall be prohibited.
 - 6.1.6 Indoor secondhand merchandise establishments shall be prohibited.
 - 6.1.7 Heliports shall be prohibited.
 - 6.1.8 Recycling collection centers shall be prohibited.
 - 6.1.9 Gun ranges (outdoors) shall be prohibited.
 - 6.1.10 Outdoor advertising signs shall be restricted by City wide ordinance.
 - 6.1.11 All other uses listed as a conditional use in the HC district, shall be subject to conditional use approval.
 - 6.1.12 Communication towers and other communication facilities shall be subject to a conditional use approval and towers shall be further restricted by requiring camouflaged towers as defined below:

- 6.1.12.1 Towers must be designed to unobstructively blend into the existing surroundings and be designed so as not to have the appearance of a communication tower. Camouflaged towers on buildings must be disguised to appear as an accessory structure that is normally associated with the principal use, such as, but not limited to, a church steeple on a church. Other camouflaged towers must be disguised to blend in with other facilities on the property or existing landscape or hardscape features, such as, but not limited to a flagpole, or a tower in the form and shape of a tree in order to appear to be a part of a forested area, or a tower to appear to be or to actually be a component of a bell or clock tower.
- 6.2 The existing office located at the northwest corner of W Columbia Avenue and N Central Avenue shall remain as a permitted use.
- 6.3 The existing Lake Tivoli and Fountainhead Apartment developments shall remain as a permitted use. Ancillary structures, incidental to and consistent with those reasonably associated with multiple family developments shall be permitted to include any structures that may be proposed in the future.

7.0 Site Development Standards:

	Category	Use		
		Residential (MF)	Retail	Office
7.1	Maximum Building Height	45' / four stories*	Per HC zoning standards	35'
7.2	Minimum Living Area	600 sf	N/A	N/A
7.3	Minimum Parking Required	1 bedroom = 1.5 spaces	1 space per 200 gsf	1 space per 300 gsf
		2 or more bedrooms = 2 spaces	1 space per 200 gsf	1 space per 300 gsf
7.4	Minimum Building Setbacks			
	from PUD boundary	25'	25'	25'
	front	10'	35'	25'
	side	10'	15'	10'
	rear	10'	15'	10'
7.5	Minimum Ancillary Structure Setbacks			
	front	10'	10'	10'
	side	5'	5'	5'
	rear	5'	5'	5'
7.6	Minimum lot area	N/A	30,000 sf	40,000 sf
7.7	Minimum lot width	N/A	150'	150'
7.8	Maximum lot coverage	75%	80%	80%
7.9	Maximum densities	20 du/acre in MDR; 25 du/acre in HDR and CG FLUM areas	12,000 sf/acre	12,000 sf/acre

*Multi-family maximum building height shall be four stories / 45' and consistent with Sec. 14-4-6.c, buildings shall be setback one foot from any abutting single-family residential sites for every one foot of building height.

8.0 Computations:

	Property	Acreage	Use	Development Intensity
8.1	Phase 1 Lake Tivoli Apartments	23	MFR	384 du
8.2	Phase 1 Fountainhead Apartments	13	MFR	184 du
8.3	Phase 1 Office	1.02	Office	8,400 square feet
8.4	Phase 2 Mixed Use	53.6	MU	576 du; 230,000 sf retail; 111,600 sf office
8.5	Stormwater Management	34.7	OS	N/A
8.6	City Bike Path	1.4	OS	N/A
8.7	Entry Road	1.3	N/A	N/A

9.0 Phasing:

- 9.1 To date, 568 multi-family dwelling units and 8,400 square feet of office have been constructed under Phase 1. Future Phase 2 will include 576 residential units, 230,000 square feet of retail, and 111,600 square feet of office. Phase 2 may be sub-phased, provided that adequate infrastructure exists to support each sub-phase.

10.0 Concurrency:

- 10.1 The project was formerly an approved DRI with a development order in full force and effect; therefore, the project is considered a vested plan of development pursuant to F.S. 380.06.

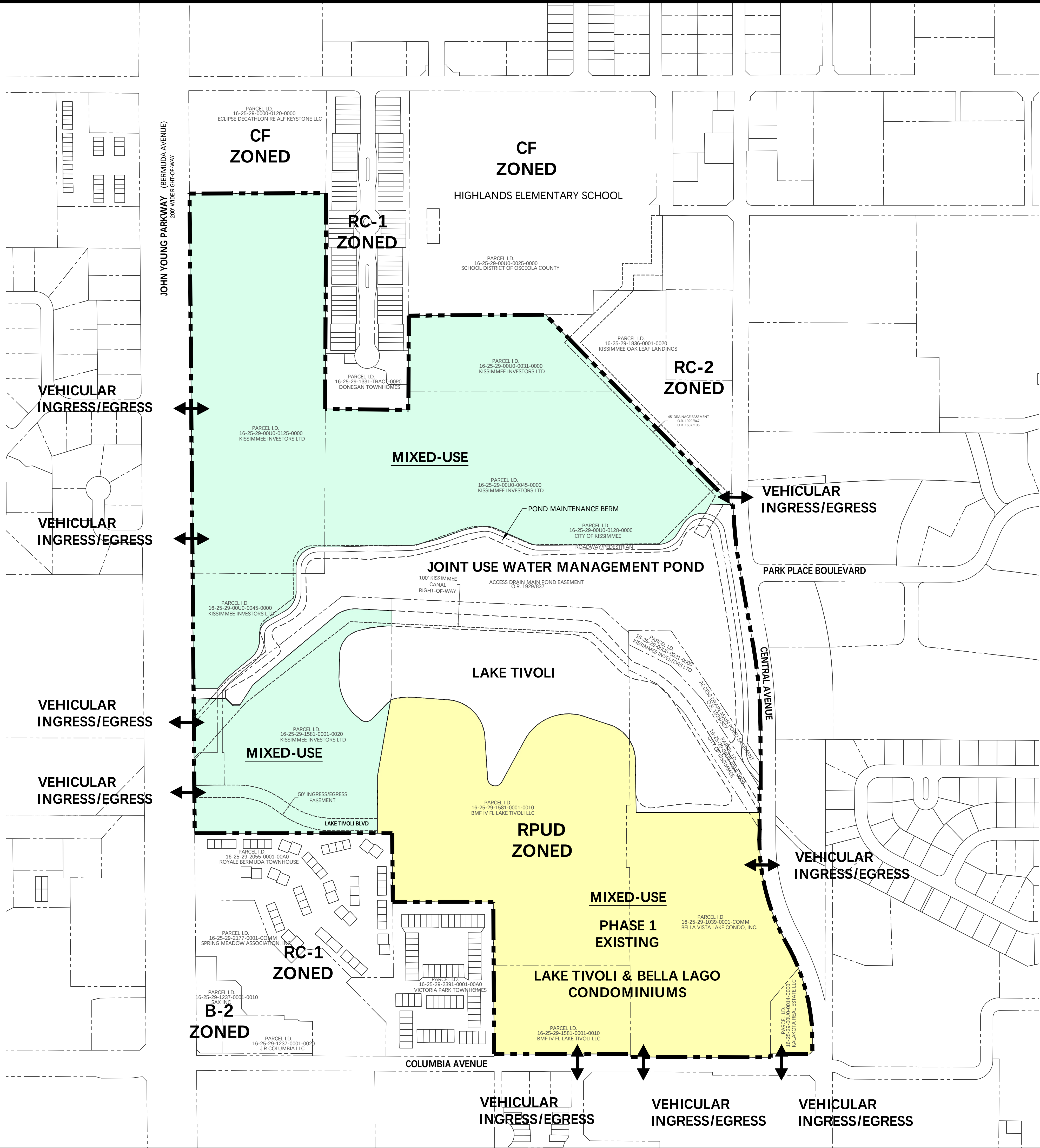
11.0 Land Use Conversion Matrix:

- 11.1 Owner / Developer may convert entitlements through the use of the following equivalency matrix:

Land Use	Multi-Family Residential (DU)	Office (KSF)	Retail (KSF)
Multi-Family Residential (DU)		0.6218	0.1267
Office (KSF)	1.6083		0.2038
Retail (KSF)	9.7552	6.0655	

Source: S&ME, Inc., 2022; based on 11th Edition ITE Daily Rates

DRAWING PATH: T:\Times\Projects\2021\22710044_Kissimmee\4_Town\CAD\PDF\Amendment\22710044_C1_01_A1.dwg



LEGEND - FUTURE LAND USE

MIXED USED - PHASE I

MIXED USED - PHASE II

PROPERTY LINE

0 100 200 400 600

GRAPHIC SCALE

N

1615 EDGEWATER DRIVE, STE 200
ORLANDO, FLORIDA 32804
T 407.975.1273
F 407.975.1278
www.smeinc.com

Eric Raasch
Florida Firm Registration No. 6712

KISSIMMEE INVESTORS, INC.
1860 JESSICA COURT
WINTER PARK, FLORIDA
ANUP VASISHT
407.925.2920

NO.	DATE	DESCRIPTION	BY		CFS	APV
			ER	CHK		
02-23-22						

PLAN LAYOUT

FOUNTAINHEAD PUD AMENDMENT
KISSIMMEE, FLORIDA

PROJECT NUMBER
22710044

DRAWING NUMBER
C1.0



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGVO & BLUEBEAM

ADDRESS: Fountainhead PUD Amendment
PLAN NUMBER: PUD-22-0003

DATE: 3/30/2022

**Review Status:
APPROVED WITH CONDITIONS.**

PLANNING - Brenda Ryan - 407.518.2104 - Brenda.Ryan@kissimmee.gov

General

1. Since the current zoning for Ph. 2 is split between Mixed Use Planned Unit Development (MUPUD) and Residential Planned Unit Development (RPUD), will verify with the City Attorney's Office whether this is a rezoning that requires a new Ordinance and advertisement/notice requirements or a PUD Amendment. The public hearing process (i.e., Planning Advisory Board and City Commission hearings) are the same for both. It is preferred to have the entire Fountainhead project (Ph. 1 & 2) to consist of the same PUD designation.
2. The previous PUD Amendments (DRC#06-048 and DRC#06-0133[Full Circle World]) and associated PUD Site Plan & Preliminary Plat (DRC#06-0153 & DRC#06-0154, respectively) are expired.

Entitlements

3. Will confirm with the City Attorney's Office if the Land Use Conversion Matrix within the Fountainhead DRI Rescission Development Agreement can be amended with the PUD Rezoning/Amendment with the most current ITE Edition instead of amending the Developer's Agreement. Section IIIA.2 of the Developer's Agreement acknowledges that the developer may revise the matrix in the future as new trip generation numbers becomes available.
 - a) In addition to updating the Land Use Conversion Matrix, the project build out date of December 29, 2020 in Section IIIA.3. in the Developer's Agreement is outdated.
 - b) There is also a biennial report requirement for the life of the Developer's Agreement in Section VIIIA that may have been a carryover from the DRI reporting requirements and is no longer needed.
4. Please note that the use of conversion table to establish residential uses within the areas that have a Commercial General (CG) Future Land Use designation may be limited as subordinate, or ancillary uses, to commercial uses within a Mixed Use PUD. Additional research is needed to determine what maximum residential densities may be established within areas of the PUD that consists of the CG Future Land Use designation.

Development Standards

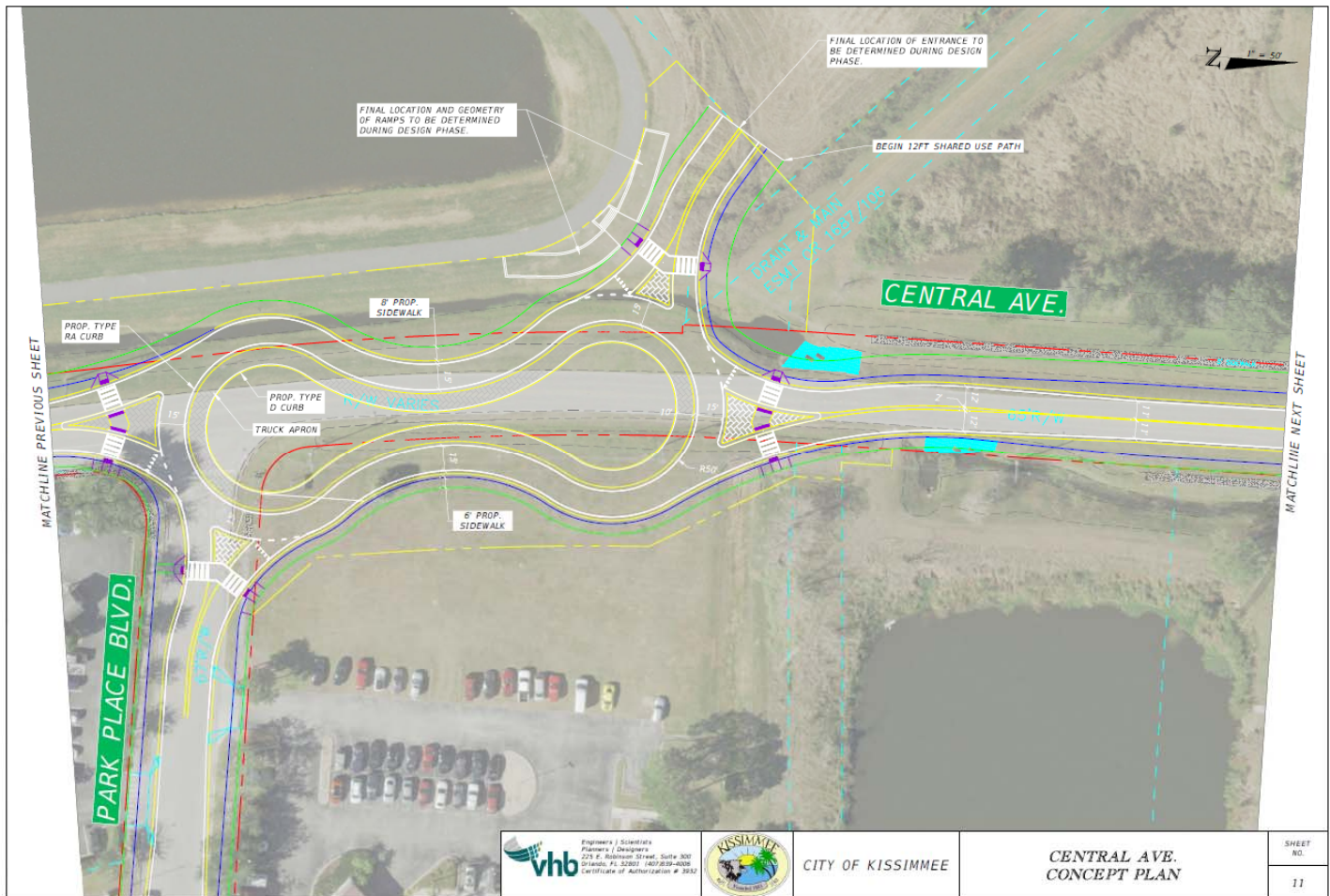
5. Revise Outdoor Storage under Section 6.1.1. as a use. Outdoor storage may be permitted as an ancillary use subject to the standards in LDC Section 14-6-12.
6. Note that the HC Zoning District does not have a maximum height restriction except in cases where there is adjacent single family residential. Special setback requirements apply in these

instances (LDC Section 14-4-6.C) where the height of the building is also the minimum setback requirement from single family residential. Consider revising maximum height standards in Section 7.1 consistent with HC Zoning standards for the HC uses included with this PUD Amendment.

7. Revise Sections 7.4 and 7.5 setback standards so that there are minimum standards from the PUD boundary and general front, side, and rear setbacks.
8. Revise Section 7.9 consistent with the maximum density of the underlying MF-MDR Future Land Use designation of 20 dwelling units per acre and with the MF-HDR Land Use designation of 25 dwelling units per acre.

Parking & Roadways

9. During the subsequent PUD Site Plan submittal and review, additional ROW along Central Ave. will be needed to accommodate a new “peanut” roundabout along Central Avenue to facilitate more efficient traffic flow and act as a gateway feature to the Central Ave. corridor. This roadway design is part of the City’s Central Avenue Corridor Planning Study.



10. During the subsequent PUD Site Plan submittal and review, a 10ft. wide multi use path along the property frontage off John Young Parkway will be required.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

**ADDRESS: N John Young Parkway
PLAN (DRC) NUMBER: PUD-22-0003**

**DATE: 3/22/2022
SDOC#: 2021/22-0138**

**Review Status:
APPROVED.**

OSCEOLA COUNTY SCHOOL DISTRICT - Jason Lindsey - 407.518.2964 - Jason.Lindsey@osceolaschools.net

Comments/Conditions (if applicable):

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.

Osceola High utilizes fourteen (14) relocatables to accommodate its existing enrollment. Capacity may be met through existing space reconfigurations, classroom wing additions, the addition of relocatables, redistricting and/or charter schools.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forthcoming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.

THE SCHOOL DISTRICT OF OSCEOLA COUNTY, FLORIDA

PLANNING SERVICES DEPARTMENT

SCHOOL CAPACITY REPORT - THREE YEAR OUTLOOK

Date:	3/7/22	Current FLU:	Vacant
SDOC #:	2021/22-0138	Requested FLU:	MF-MDR
Jurisdiction:	Kissimmee	Current Zoning:	RPUD
DRC #:	PUD-22-0003	Requested Zoning:	N/A
Project Name:	Fountainhead PUD	PID:	16-25-29-00U0-0125-0000
Project Location:	N. John Young Parkway		
Comments Due Date:	3/30/22		
AC:	18.75		

If proposed project increases utilization of schools above adopted level of service, applicant will obtain a Letter of Agreement outlining an accommodation plan for the students generated by this project, consistent with the provisions of Sections 6.1. - 6.7. of the Interlocal Agreement for the Planning and Coordination of Public Schools throughout Osceola County (as required by Section 163.31777, F.S.[2012]). "The County/Cities and the applicant must collaborate with the School Board to identify available means that might be used to achieve sufficient capacity to accommodate the development, which may include, but not be limited to developer contributions, project phasing, or developer provided facility improvements." If you should have any questions please feel free to contact the Osceola School District Planning Services Department at 407-518-2964.

Total Proposed Residential Units by Type

SF	0	TH	0	MF	576
Single Family		Townhome		Multi-Family	
Condo	0	MH	0	STR	0
Condominium		Mobile Home		Short Term Rental	
HOP	0	VV	0	AWH	0
Housing for Older Persons		Vacation Villas		Affordable-Workforce Housing	

Estimated Number of New Students Generated by Proposed Development

Elem. (K-5)	111	Middle (6-8)	44	High (9-12)	72
--------------------	-----	---------------------	----	--------------------	----

Student Generation Calculations

Example Calculation: 100 (SF Units) x 0.178 (Elem. Rate) = 18 (Students)

Residential Categories					
Total Units	SF	TH	MF	Condo	MH
576	0	0	576	0	0

Student Generations Rates			
	Elem. (K-5)	Middle (6-8)	High (9-12)
SF	0.178	0.087	0.154
TH	0.122	0.052	0.095
MF	0.192	0.076	0.124
CONDO	0.069	0.029	0.047
MH	0.133	0.056	0.075

Total Students	
Elem (K-5)	111
Middle (6-8)	44
High (9-12)	72

Level of Service (LOS)

School Boundaries Impacted	2020-2021			2023-2024		
	COFTE	Permanent Student Capacity	Current Level of Service	3 YR. Projected COFTE	Projected COFTE w/ Impact	Projected LOS w/ Impact
HLES	714	1,009	71%	744	855	85%
DJMS	948	1,318	72%	921	1,169	89%
OCHS	2,458	2,817	87%	2,711	3,366	119%

Comments

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.

Osceola High utilizes fourteen (14) relocatables to accommodate its existing enrollment. Capacity may be met through existing space reconfigurations, classroom wing additions, the addition of relocatables, redistricting and/or charter schools.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

DATE: 3/30/2022
PROJECT: Fountainhead PUD
DRC NUMBER: PUD-22-0003
REVIEW NUMBER: 1

Review Status:
APPROVED WITH CONDITIONS

ENGINEERING DEPARTMENT - Ryan Kilman - 407.518.2279 - Ryan.Kilman@kissimmee.gov

CONDITIONS OF APPROVAL (No Responses Necessary):

- All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.

###



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: n/a **DATE:** 3/18/2022
PLAN (DRC) NUMBER: SP-22-0003

Review Status:
APPROVED.

TOHO WATER AUTHORITY - Khari Edwards - 407.944.5000 - kedwards@tohowater.com

Comments/Conditions (if applicable):

No Comment

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



DISCLAIMER FOR ALL CITY OF KISSIMMEE DEVELOPMENT REVIEW APPLICATIONS

Important note: The Development Review process associated with this request (as outlined in the attached application) is intended to ensure that the request meets the requirements established in the City of Kissimmee Land Development Code and site development criteria for the City of Kissimmee, and other local, regional and state agencies. It is not intended to constitute approval of building construction or permits as required by external agencies.

Other processes, permits, authorizations, and/or fees may be required prior to construction of requested improvements. These may include, but are not limited to:

- ❖ Mobility/Impact Fees (Transportation, Water & Sewer, Recreation, School)
- ❖ Building permits and review fees
- ❖ Right-of-Way Utilization permits
- ❖ South Florida Water Management District (SFWMD) permits
- ❖ Utility permits and/or fees
- ❖ Federal Aviation Administration (FAA) authorizations
- ❖ Business Tax Receipts (BTRs)
- ❖ State Permits and/or Licenses
- ❖ Development Service Agreements (Toho Water Authority)
- ❖ Florida Department of Environmental Protection (FDEP) Permits
- ❖ NPDES Permits (Stormwater permitting)

The Agent of record and/or property owner for the attached request is responsible for coordinating with applicable agencies to ensure all requirements for the requested improvements have been met prior to construction.

Please read all information above and complete the lower portion of this disclaimer. This document must be signed by both agent and property owner and shall be included with the attached application. Failure to submit this form with the completed application will result in Staff finding the application to be insufficient for review and will delay your request.

Project Name: Fountainhead PUD DRC# _____

I Certify that I have read the above and understand/acknowledge the information contained therein.

Agent Signature: [Signature] Date: 4/23/22

Agent Name (Print): Eric Raasch, S&ME, Inc.

Property Owner Signature: [Signature] Date: HEB 23 2022

Property Owner Name (Print): Anup Visisht, Kissimmee Investors Ltd.

Legal Descriptions for Non-City Owned Property within Fountainhead PUD

Phase 1 Parcels

1. COM AT NE COR OF SE 1/4, S 1280.05 FT, W 75 FT TO POB; CONT W 143 FT, N 224.83 FT, N 40 DEG E 172.59 FT TO PT ON W R/W OF CENTRAL AVE & POC, CONC SELY, CENT ANG 24 DEG, ALONG CURVE 293.18 FT, S 44.98 FT, S 44 DEG W 35.37 FT TO POB LESS COM AT NE COR OF SE 1/4, S 01 DEG W 1278.05 FT, W 75 FT TO POB; CONT W 142.96 FT, N 01 DEG E 14 FT, S 89 DEG E 156.97 FT, S 46 DEG W 19.81 FT TO POB
2. BELLA VISTA A CONDO CB 9 PG 93-113 OR 3156/106 COMMON AREA
3. LAKE TIVOLI APARTMENTS PB 6 PG 122 LOT 1 AND UNPLATTED LAND BEG SW COR OF NE 1/4 OF SE 1/4, N 398.9 FT, E 546 FT, S 398.9 FT, W 546 FT TO POB LESS S 30 FT & LESS COM AT SW COR OF NE 1/4 OF SE 1/4, N 30 FT TO POB; CONT N 10 FT, E 356.01 FT, N 2 FT, E 190 FT, S 12 FT, W 546 FT TO POB

Phase 2 Parcels

1. LAKE TIVOLI APARTMENTS PB 6 PG 122 LOT 2 LESS COM AT SW COR LOT 2, N 300.37 FT, N 42 DEG E 29.38 FT, E 69.80 FT TO POB; N 215.57 FT TO N/L LOT 2, N 42 DEG E 29.62 FT, S 237.45 FT, W 20 FT TO POB & LESS COM AT SW COR OF LOT 2, N 192.08 FT TO POB; N 108.29 FT, N 42 DEG E 29.38 FT, E 100.22 FT, S 130 FT, W 120 FT TO POB
2. COM AT E 1/4 COR OF 16-25-29, W 259.86 FT TO W R/W OF CENTRAL AVE, NLY ALONG WLY R/W OF CENTRAL AVE 960 FT MOL, W 5 FT TO SLY MOST COR OF LOT 2 OAK LEAF LANDINGS PB 10 PG 15, N 44 DEG W 635 FT MOL, W 540 FT MOL, S 75 FT, W 643.28 FT TO SW COR OF DONEGAN TOWNHOMES PB 17 PGS 112 & 113, S 659 FT MOL, W 530 FT MOL TO E R/W OF BERMUDA AVE, S 600 FT MOL TO NWLY COR OF LOT 2 OF LAKE TIVOLI APARTMENTS PB 6 PG 122, N 42 DEG E 212.33 FT, N 53 DEG E 573.83 FT, S 87 DEG E 1041.38 FT, S 47 DEG E 147.16 FT, N 10 FT MOL, S 89 DEG E 170.61 FT, S 33 DEG E 638.32 FT TO W R/W OF CENTRAL AVE, N 01 DEG E 113.25 FT TO POB LESS COM AT SW COR OF LOT 2 LAKE TIVOLI APARTMENTS N 300.37 FT, N 42 DEG E 29.38 FT, E 69.80 FT, N 215.57 FT TO POB; N 33.12 FT, N 42 DEG E 55.32 FT TO POC, CONC SE, RAD 111 FT, CENT ANG 8 DEG (CH BEARING N 46 DEG E 15.74 FT) NELY ALONG CURVE 15.75 FT, N 51 DEG E 113.83 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 49 DEG (CH BEARING N 26 DEG E 76.12 FT) NELY ALONG CURVE 78.54 FT, N 1 DEG E 24.14 FT TO POC, CONC SE, RAD 69.23 FT, CENT ANG 60 DEG (CH BEARING N 31 DEG E 66.10 FT) NELY ALONG CURVE 69.23 FT, N 61 DEG E 75.37 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 61 DEG (CH BEARING N 31 DEG E 92.68 FT) NELY ALONG CURVE 97.24 FT, N 92.37 FT TO POC, CONC SE, RAD 85 FT, CENT ANG 90 DEG (CH BEARING N 45 DEG E 120.35 FT) NELY ALONG CURVE 133.72 FT, E 83.93 FT TO POC, CONC N, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 18.81 FT) ELY ALONG CURVE 18.82 FT, N 88 DEG E 74.71 FT TO POC, CONC S, RAD 516 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 22.16 FT) ELY ALONG CURVE 22.16 FT, E 86.69 FT TO POC, CONC N, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 19.43 FT) ELY ALONG CURE 19.43 FT, N 88 DEG E 74.17 FT TO POC, CONC N, RAD 91 FT, CENT ANG 12 DEG (CH BEARING N 82 DEG E 19.44 FT) ELY ALONG CURVE 19.48 FT, N 76 DEG E 83.15 FT TO POC, CONC N, RAD 234 FT, CENT ANG 5 DEG

(CH BEARING N 73 DEG E 21.59 FT) ELY ALONG CURVE 21.60 FT, N 71 DEG E 85.26 FT TO POC, CONC S, RAD 216 FT, CENT ANG 9 DEG (CH BEARING N 75 DEG E 34.63 FT) ELY ALONG CURVE 34.67 FT, N 80 DEG E 39.17 FT TO POC, CONC S, RAD 111 FT, CENT ANG 34 DEG (CH BEARING S 83 DEG E 146.50 FT) ELY ALONG CURVE 66.22 FT, S 66 DEG E 146.50 FT TO POC, CONC N, RAD 94 FT, CENT ANG 24 DEG (CH BEARING S 78 DEG E 39.11 FT) ELY ALONG CURVE 39.40 FT, E 477.01 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 58 DEG (CH BEARING N 61 DEG E 88.43 FT) NELY ALONG CURVE 92.34 FT, N 32 DEG E 44.76 FT TO POC, CONC S, RAD 91 FT, CENT ANG 139 DEG (CH BEARING S 79 DEG E 170.28 FT) ELY ALONG CURVE 220.20 FT, S 10 DEG E 216.88 FT, S 8 DEG E 277.99 FT TO POC, CONC W, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 6 DEG E 20.78 FT) SLY ALONG CURVE 20.79 FT, S 5 DEG E 72.62 FT TO POC, CONC W, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 4 DEG E 18.49 FT) SLY ALONG CURVE 18.50 FT, S 3 DEG E 79.07 FT TO POC, CONC W, RAD 504 FT, CENT ANG 3 DEG (CH BEARING S 2 DEG E 23.53 FT) SLY ALONG CURVE 23.53 FT, S 57.92 FT TO POC, CONC W, RAD 504 FT, CENT ANG 6 DEG (CH BEARING S 3 DEG W 56.18 FT) SLY ALONG CURVE 56.21 FT, S 6 DEG E 55.32 FT TO POC, CONC E, RAD 91 FT, CENT ANG 47 DEG (CH BEARING S 18 DEG E 72.66 FT) SLY ALONG CURVE 74.74 FT, S 41 DEG E 46.83 FT, S 1 DEG E 30.03 FT, N 41 DEG E 70.74 FT, N 32 DEG W 32.19 FT TO NON-TANG CURVE, CONC E, RAD 111 FT, CENT ANG 30 DEG (CH BEARING N 9 DEG W 56.71 FT) NLY ALONG CURVE 57.34 FT, N 6 DEG E 55.32 FT TO POC, CONC W, RAD 484 FT, CENT ANG 6 DEG (CH BEARING N 3 DEG E 53.95 FT) NLY ALONG CURVE 53.98 FT, N 57.92 FT TO POC, CONC W, RAD 484 FT, CENT ANG 3 DEG (CH BEARING N 2 DEG W 22.59 FT) NLY ALONG CURVE 22.60 FT, N 3 DEG W 79.07 FT TO POC, CONC W, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 4 DEG W 17.76 FT) NLY ALONG CURVE 17.76 FT, N 5 DEG W 72.62 FT TO POC, CONC W, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 6 DEG W 19.96 FT) NLY ALONG CURVE 19.96 FT, N 8 DEG W 70.91 FT, N 8 DEG W 206.58 FT, N 10 DEG W 216.67 FT TO POC, CONC S, RAD 71 FT, CENT ANG 139 DEG (CH BEARING N 79 DEG W 132.85 FT) WLY ALONG CURVE 171.80 FT, S 32 DEG W 44.76 FT TO POC, CONC NW, RAD 111 FT, CENT ANG 58 DEG (CH BEARING S 61 DEG W 107.87 FT) SWLY ALONG CURVE 112.64 FT, W 477.01 FT TO POC, CONC N, RAD 114 FT, CENT ANG 24 DEG (CH BEARING N 78 DEG W 47.44 FT) WLY ALONG CURVE 47.78 FT, N 66 DEG W 146.50 FT TO POC, CONC S, RAD 91 FT, CENT ANG 34 DEG (CH BEARING N 83 DEG W 53.49 FT) WLY ALONG CURVE 54.29 FT, S 80 DEG W 39.17 FT TO POC, CONC S, RAD 196 FT, CENT ANG 9 DEG (CH BEARING S 75 DEG W 31.42 FT) WLY ALONG CURVE 31.46 FT, S 71 DEG W 85.26 FT TO POC, CONC N, RAD 254 FT, CENT ANG 5 DEG (CH BEARING S 73 DEG W 23.43 FT) WLY ALONG CURVE 23.44 FT, S 76 DEG W 83.15 FT TO POC, CONC N, RAD 111 FT, CENT ANG 12 DEG (CH BEARING S 82 DEG W 23.71 FT) WLY ALONG CURVE 23.76 FT, S 88 DEG W 74.17 FT TO POC, CONC N, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 20.23 FT) WLY ALONG CURVE 20.23 FT, S 86.89 FT TO POC, CONC S, RAD 496 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 21.30 FT) WLY ALONG CURVE 21.30 FT, S 88 DEG W 74.71 FT TO POC, CONC N, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 19.59 FT) WLY ALONG CURVE 19.59 FT, W 83.93 FT TO POC, CONC SE, RAD 65 FT, CENT ANG 90 DEG (CH BEARING S 45 DEG W 92.03 FT) SWLY ALONG CURVE 102.26 FT, S 92.37 FT TO POC, CONC NW, RAD 111 FT, CENT ANG 61 DEG (CH BEARING S 31 DEG W 113.05 FT) SWLY ALONG CURVE 118.61 FT, S 61 DEG W 75.37 FT TO POC, CONC SE, RAD 46 FT, CENT ANG 60 DEG (CH BEARING S 31 DEG W 46.07 FT) SWLY ALONG CURVE 48.25 FT, S 1 DEG W 24.14 FT TO POC, CONC NW, RAD 111 FT, CENT ANG 49 DEG (CH BEARING S 26 DEG W 92.85 FT) SWLY ALONG CURVE 95.80 FT, S 51 DEG W 113.83 FT TO POC, CONC SE, RAD 91 FT, CENT ANG 8 DEG (CH BEARING S 46

DEG W 12.90 FT) SWLY ALONG CURVE 12.92 FT, S 42 DEG W 47.56 FT, S 3.51 FT TO N/L LOT 2 OF LAKE TIVOLI APARTMENTS, S 42 DEG W 29.62 FT TO POB AND BEG SE COR OF NE 1/4, W 1340 FT, N 1420 FT TO POB; W 310 FT, S 75 FT, E 310 FT, N 75 FT TO POB

3. BEG 440.25 FT S & 132 FT E OF NW COR OF NE 1/4, S ALONG E R/W BERMUDA AVE 1524.84 FT, E 530.07 FT, N 1524.84 FT, W 535.25 FT TO POB ORD # 1734 LESS COM AT SW COR OF LOT 2 LAKE TIVOLI APARTMENTS, N 300.37 FT, N 42 DEG E 29.38 FT, E 69.80 FT, N 215.57 FT TO POB; N 33.12 FT, N 42 DEG E 55.32 FT TO POC, CONC SE, RAD 111 FT, CENT ANG 8 DEG (CH BEARING N 46 DEG E 15.74 FT) NELY ALONG CURVE 15.75 FT, N 51 DEG E 113.83 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 49 DEG (CH BEARING N 26 DEG E 76.12 FT) NELY ALONG CURVE 78.54 FT, N 1 DEG E 24.14 FT TO POC, CONC SE, RAD 69.23 FT, CENT ANG 60 DEG (CH BEARING N 31 DEG E 66.10 FT) NELY ALONG CURVE 69.23 FT, N 61 DEG E 75.37 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 61 DEG (CH BEARING N 31 DEG E 92.68 FT,) NELY ALONG CURVE 97.24 FT, N 92.37 FT TO POC, CONC SE, RAD 85 FT, CENT ANG 90 DEG (CH BEARING) N 45 DEG E 120.35 FT) NELY ALONG CURVE 133.72 FT, E 83.93 FT TO POC, CONC N, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 18.81 FT) ELY ALONG CURVE 18.82 FT, N 88 DEG E 74.71 FT TO POC, CONC S, RAD 516 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 22.16 FT) ELY ALONG CURVE 22.16 FT, E 86.69 FT TO POC, CONC N, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 19.43 FT) ELY ALONG CURVE 19.43 FT, N 88 DEG E 74.17 FT TO POC, CONC N, RAD 91 FT, CENT ANG 12 DEG (CH BEARING N 82 DEG E 19.44 FT) ELY ALONG CURVE 19.48 FT, N 76 DEG E 83.15 FT TO POC, CONC N, RAD 234 FT, CENT ANG 5 DEG (CH BEARING N 73 DEG E 21.59 FT) ELY ALONG CURVE 21.60 FT, N 71 DEG E 85.26 FT, TO POC, CONC S, RAD 216 FT, CENT ANG 9 DEG (CH BEARING N 75 DEG E 34.63 FT) ELY ALONG CURVE 34.67 FT, N 80 DEG E 39.17 FT TO POC, CONC S, RAD 111 FT, CENT ANG 34 DEG (CH BEARING S 83 DEG E 146.50 FT) ELY ALONG CURVE 66.22 FT, S 66 DEG E 146.50 FT TO POC, CONC N, RAD 94 FT, CENT ANG 24 DEG (CH BEARING S 78 DEG E 39.11 FT) ELY ALONG CURVE 39.40 FT, E 477.01 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 58 DEG (CH BEARING N 61 DEG E 88.43 FT) NELY ALONG CURVE 92.34 FT, N 32 DEG E 44.76 FT TO POC, CONC S, RAD 91 FT, CENT ANG 139 DEG (CH BEARING S 79 DEG E 170.28 FT) ELY ALONG CURVE 220.20 FT, S 10 DEG E 216.88 FT, S 8 DEG E 277.99 FT TO POC, CONC W, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 6 DEG E 20.78 FT) SLY ALONG CURVE 20.79 FT, S 5 DEG E 72.62 FT TO POC, CONC W, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 4 DEG E 18.49 FT) SLY ALONG CURVE 18.50 FT, S 3 DEG E 79.07 FT TO POC, CONC W, RAD 504 FT, CENT ANG 3 DEG (CH BEARING S 2 DEG E 23.53 FT) SLY ALONG CURVE 23.53 FT, S 57.92 FT TO POC, CONC W, RAD 504 FT, CENT ANG 6 DEG (CH BEARING S 3 DEG W 56.18 FT) SLY ALONG CURVE 56.21 FT, S 6 DEG E 55.32 FT TO POC, CONC E, RAD 91 FT, CENT ANG 47 DEG (CH BEARING S 18 DEG E 72.66 FT) SLY ALONG CURVE 74.74 FT, S 41 DEG E 46.83 FT, S 1 DEG E 30.03 FT, N 41 DEG E 70.74 FT, N 32 DEG W 32.19 FT TO NON TANG CURVE, CONC E, RAD 111 FT, CENT ANG 30 DEG (CH BEARING N 9 DEG W 56.71 FT) NLY ALONG CURVE 57.34 FT, N 6 DEG E 55.32 FT TO POC, CONC W, RAD 484 FT, CENT ANG 6 DEG (CH BEARING N 3 DEG E 53.95 FT) NLY ALONG CURVE 53.98 FT, N 57.92 FT TO POC, CONC W RAD 484 FT, CENT ANG 3 DEG (CH BEARING N 2 DEG W 22.59 FT) NLY ALONG CURVE 22.60 FT, N 3 DEG W 79.07 FT TO POC, CONC W, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 4 DEG W 17.76 FT) NLY ALONG CURVE 17.76 FT, N 5 DEG W 72.62 FT TO POC, CONC W, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 6 DEG W 19.96 FT) NLY ALONG CURVE 19.96 FT, N 8 DEG W 70.91 FT, N 8 DEG W 206.58 FT, N 10 DEG W 216.67 FT TO POC, CONC S, RAD 71 FT, CENT ANG 139

DEG (CH BEARING N 79 DEG W 132.85 FT) WLY ALONG CURVE 171.80 FT, S 32 DEG W 44.76 FT TO POC, CONC NW, RAD 111 FT, CENT ANG 58 DEG (CH BEARING S 61 DEG W 107.87 FT) SWLY ALONG CURVE 112.64 FT, W 477.01 FT TO POC, CONC N, RAD 114 FT, CENT ANG 24 DEG (CH BEARING N 78 DEG W 47.44 FT) WLY ALONG CURVE 47.78 FT, N 66 DEG W 146.50 FT TO POC, CONC S, RAD 91 FT, CENT ANG 34 DEG (CH BEARING N 83 DEG W 53.49 FT) WLY ALONG CURVE 54.29 FT, S 80 DEG W 39.17 FT TO POC, CONC S, RAD 196 FT, CENT ANG 9 DEG (CH BEARING S 75 DEG W 31.42 FT) WLY ALONG CURVE 31.46 FT, S 71 DEG W 85.26 FT TO POC, CONC N, RAD 254 FT, CENT ANG 5 DEG (CH BEARING S 73 DEG W 23.43 FT) WLY ALONG CURVE 23.44 FT, S 76 DEG W 83.15 FT TO POC, CONC N, RAD 111 FT, CENT ANG 12 DEG (CH BEARING S 82 DEG W 23.71 FT) WLY ALONG CURVE 23.76 FT, S 88 DEG W 74.17 FT TO POC, CONC N, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 20.23 FT) WLY ALONG CURVE 20.23 FT, W 86.69 FT TO POC, CONC S, RAD 496 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 21.30 FT) WLY ALONG CURVE 21.30 FT, S 88 DEG W 74.71 FT TO POC, CONC N, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 19.59 FT) WLY ALONG CURVE 19.59 FT, W 83.93 FT TO POC, CONC SE, RAD 65 FT, CENT ANG 90 DEG (CH BEARING S 45 DEG W 92.03 FT) SWLY ALONG CURVE 102.26 FT, S 92.37 FT TO POC, CONC NW, RAD 111 FT, CENT ANG 61 DEG (CH BEARING S 31 DEG W 113.05 FT) SWLY ALONG CURVE RAD 46 FT, CENT ANG 60 DEG (CH BEARING S 31 DEG W 46.07 FT) SWLY ALONG CURVE RAD 111 FT, CENT ANG 49 DEG (CH BEARING S 26 DEG W 92.85 FT) SWLY ALONG CURVE 95.80 FT, S 51 DEG W 113.83 FT TO POC, CONC SE, RAD 91 FT, CENT ANG 8 DEG (CH BEARING S 46 DEG W 12.90 FT) SWLY ALONG CURVE 12.92 FT, S 42 DEG W 47.56 FT, S 3.51 FT TO N/L LOT 2 OF LAKE TIVOLI APARTMENTS, S 42 DEG W 29.62 FT TO POB

4. COM AT NE COR, W 639.7 FT, S 1200 FT, W 180.49 FT TO POB, CONT W 841.16 FT, N 303 FT, E 539.05 FT, S 44 DEG E 428.56 FT TO POB.
5. COM AT E 1/4 COR OF SEC 16, N 89 DEG W 259.86 FT, S 113.25 FT TO POB; N 33 DEG W 638.32 FT, N 88 DEG W 170.61 FT, S 56.20 FT, S 62 DEG E 190.03 FT, S 42 DEG E 186.27 FT, S 31 DEG E 427.52 FT, N 107.18 FT TO POB LESS COM AT SW COR OF LOT 2 LAKE TIVOLI APARTMENTS, N 300.37 FT, N 42 DEG E 29.38 FT, E 69.80 FT, N 215.57 FT TO POB; N 33.12 FT, N 42 DEG E 55.32 FT TO POC, CONC SE, RAD 111 FT, CENT ANG 8 DEG (CH BEARING N 46 DEG E 15.74 FT) NELY ALONG CURVE 15.75 FT, N 51 DEG E 113.83 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 49 DEG (CH BEARING N 26 DEG E 76.12 FT) NELY ALONG CURVE 78.54 FT, N 1 DEG E 24.14 FT TO POC, CONC SE, RAD 69.23 FT, CENT ANG 60 DEG (CH BEARING N 31 DEG E 66.10 FT) NELY ALONG CURVE 69.23 FT, N 61 DEG E 75.37 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 61 DEG (CH BEARING N 31 DEG E 92.68 FT) NELY ALONG CURVE 97.24 FT, N 92.37 FT TO POC, CONC SE, RAD 85 FT, CENT ANG 90 DEG (CH BEARING N 45 DEG E 120.35 FT) NELY ALONG CURVE 133.72 FT, E 83.93 FT TO POC, CONC N, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 18.81 FT) ELY ALONG CURVE 18.82 FT, N 88 DEG E 74.71 FT TO POC, CONC S, RAD 516 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 22.16 FT) ELY ALONG CURVE 22.16 FT, E 86.69 FT TO POC, CONC N, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 89 DEG E 19.43 FT) ELY ALONG CURVE 19.43 FT, N 88 DEG E 74.17 FT TO POC, CONC N, RAD 91 FT, CENT ANG 12 DEG (CH BEARING N 82 DEG E 19.44 FT) ELY ALONG CURVE 19.48 FT, N 76 DEG E 83.15 FT TO POC, CONC N, RAD 234 FT, CENT ANG 5 DEG (CH BEARING N 73 DEG E 21.59 FT) ELY ALONG CURVE 21.60 FT, N 71 DEG E 85.26 FT TO POC, CONC S, RAD 216 FT, CENT ANG 9 DEG (CH BEARING N 75 DEG E 34.63 FT) ELY ALONG CURVE 34.67 FT, N 80 DEG E

39.17 FT TO POC, CONC S, RAD 111 FT, CENT ANG 34 DEG (CH BEARING S 83 DEG E 146.50 FT) ELY ALONG CURVE 66.22 FT, S 66 DEG E 146.50 FT TO POC, CONC N, RAD 94 FT, CENT ANG 24 DEG (CH BEARING S 78 DEG E 39.11 FT) ELY ALONG CURVE 39.40 FT, E 477.01 FT TO POC, CONC NW, RAD 91 FT, CENT ANG 58 DEG (CH BEARING N 61 DEG E 88.43 FT) NELY ALONG CURVE 92.34 FT, N 32 DEG E 44.76 FT TO POC, CONC S, RAD 91 FT, CENT ANG 139 DEG (CH BEARING S 79 DEG E 170.28 FT) ELY ALONG CURVE 220.20 FT, S 10 DEG E 216.88 FT, S 8 DEG E 277.99 FT TO POC, CONC W, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 6 DEG E 20.78 FT) SLY ALONG CURVE 20.79 FT, S 5 DEG E 72.62 FT TO POC, CONC W, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 4 DEG E 18.49 FT) SLY ALONG CURVE 18.50 FT, S 3 DEG E 79.07 FT TO POC, CONC W, RAD 504 FT, CENT ANG 3 DEG (CH BEARING S 2 DEG E 23.53 FT, SLY ALONG CURVE 23.53 FT, S 57.92 FT TO POC, CONC W, RAD 504 FT, CENT ANG 6 DEG (CH BEARING S 3 DEG W 56.18 FT) SLY ALONG CURVE 56.21 FT, S 6 DEG E 55.32 FT TO POC, CONC E, RAD 91 FT, CENT ANG 47 DEG (CH BEARING S 18 DEG E 72.66 FT) SLY ALONG CURVE 74.74 FT, S 41 DEG E 46.83 FT, S 1 DEG E 30.03 FT, N 41 DEG E 70.74 FT, N 32 DEG W 32.19 FT TO NON TANG CURVE, CONC E, RAD 111 FT, CENT ANG 30 DEG (CH BEARING N 9 DEG W 56.71 FT) NLY ALONG CURVE 57.34 FT, N 6 DEG E 55.32 FT TO POC, CONC W, RAD 484 FT, CENT ANG 6 DEG (CH BEARING N 3 DEG E 53.95 FT) NLY ALONG CURVE 53.98 FT, N 57.92 FT TO POC, CONC W, RAD 484 FT, CENT ANG 3 DEG (CH BEARING N 2 DEG W 22.59 FT) NLY ALONG CURVE 22.60 FT, N 3 DEG W 79.07 FT TO POC, CONC W, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 4 DEG W 17.76 FT) NLY ALONG CURVE 17.76 FT, N 5 DEG W 72.62 FT TO POC, CONC W, RAD 484 FT, CENT ANG 2 DEG (CH BEARING N 6 DEG W 19.96 FT) NLY ALONG CURVE 19.96 FT, N 8 DEG W 70.91 FT, N 8 DEG W 206.58 FT, N 10 DEG W 216.67 FT TO POC, CONC S, RAD 71 FT, CENT ANG 139 DEG (CH BEARING N 79 DEG W 132.85 FT) WLY ALONG CURVE 171.80 FT, S 32 DEG W 44.76 FT TO POC, CONC NW, RAD 111 FT, CENT ANG 58 DEG (CH BEARING S 61 DEG W 107.87 FT) SWLY ALONG CURVE 112.64 FT, W 477.01 FT TO POC, CONC N, RAD 114 FT, CENT ANG 24 DEG (CH BEARING N 78 DEG W 47.44 FT) WLY ALONG CURVE 47.78 FT, N 66 DEG W 146.50 FT TO POC, CONC S, RAD 91 FT, CENT ANG 34 DEG (CH BEARING N 83 DEG W 53.49 FT) WLY ALONG CURVE 54.29 FT, S 80 DEG W 39.17 FT TO POC, CONC S, RAD 196 FT, CENT ANG 9 DEG (CH BEARING S 75 DEG W 31.42 FT) WLY ALONG CURVE 31.46 FT, S 71 DEG W 85.26 FT TO POC, CONC N, RAD 254 FT, CENT ANG 5 DEG (CH BEARING S 73 DEG W 23.43 FT) WLY ALONG CURVE 23.44 FT, S 76 DEG W 83.15 FT TO POC, CONC N, RAD 111 FT, CENT ANG 12 DEG (CH BEARING S 82 DEG W 23.71 FT) WLY ALONG CURVE 23.76 FT, S 88 DEG W 74.17 FT TO POC, CONC N, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 20.23 FT) WLY ALONG CURVE 20.23 FT, W 86.69 FT TO POC, CONC S, RAD 496 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 21.30 FT) WLY ALONG CURVE 21.30 FT, S 88 DEG W 74.71 FT TO POC, CONC N, RAD 504 FT, CENT ANG 2 DEG (CH BEARING S 89 DEG W 19.59 FT) WLY ALONG CURVE 19.59 FT, W 83.93 FT TO POC, CONC SE, RAD 65 FT, CENT ANG 90 DEG (CH BEARING S 45 DEG W 92.03 FT) SWLY ALONG CURVE 102.26 FT, S 92 .37 FT, TO POC, CONC NW, RAD 111 FT, CENT ANG 61 DEG (CH BEARING S 31 DEG W 113.05 FT) SWLY ALONG CURVE RAD 46 FT, CENT ANG 60 DEG (CH BEARING S 31 DEG W 46.07 FT) SWLY ALONG CURVE 118.61 FT, S 61 DEG W 75.37 FT TO POC, CONC SE, RAD 46 FT, CENT ANG 60 DEG (CH BEARING S 31 DEG W 46.07 FT) SWLY ALONG CURVE 48.25 FT, S 1 DEG W 24.14 FT TO POC, CONC NW, RAD 111 FT, CENT ANG 49 DEG (CH BEARING S 26 DEG W 92.85 FT) SWLY ALONG CURVE 95.80 FT, S 51 DEG W 113.83 FT TO POC, CONC SE, RAD 91 FT, CENT ANG 8 DEG (CH BEARING S 46 DEG W 12.90 FT) SWLY ALONG CURVE 12.92

FT, S 42 DEG W 47.56 FT, S 3.51 FT TO N/L LOT 2 OF LAKE TIVOLI APARTMENTS, S 42
DEG W 29.62 FT TO POB

ITEM 4.B

Public Hearing - Ordinance to Annex 15.50 acres of land: Give Kids The World, AX-22-0002 - Proposed Ordinance # 22-14

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE

Request

Approval to annex approximately 15.50 acres of property located east of Bass Road, South of West Vine Street and west of Hoagland Boulevard.

Explanation

This annexation includes a 15.50 acre parcel of land located on the east of Bass Road, south of West Vine Street and west of Hoagland Boulevard. The property is contiguous, or adjacent, to parcels currently within the city limits along the south and east boundaries meeting the state voluntary annexation and City's Land Development Code criteria to support a staff recommendation of approval.

The applicant will be utilizing the City's land use conversion table in Future Land Use Policy 1.1.10.5 of the Comprehensive Plan (included with attachments) to establish a Single Family Low Density Residential (SF-LDR) designation at the time of annexation. The County's current Future Land Use designation is Low Density Residential (LDR), which is equivalent to the City's SF-LDR designation.

Improvements and conditions to mitigate impacts will be addressed with subsequent development review applications and reviews and are subject to applicable local, state, and federal permitting requirements and standards.

FINDINGS AND REASONS:

1. Compliance with Chapter 171 of the Florida Statutes as it meets all the criteria for voluntary annexation as the property is contiguous, or adjacent, to the City Limits along the easterly and southern boundaries of the parcel. Public services, including water, sewer, drainage, and emergency services are already provided to these adjacent City parcels. The subject property is reasonably compact and will not result in the creation of an enclave if annexed.
2. Compliance with Comprehensive Plan Future Land Use Policy 1.1.10.5, Osceola County and City of Kissimmee Land Use Conversions, in that the the existing Osceola County Low Density Residential (LDR) Future Land Use Map designation is equivalent to the City's Single Family Low Density Residential (SF-LDR) Future Land Use designation and will be given this designation with the approval of this annexation.
3. Compliance with Section 14-3-25 annexation regulations outlined in the Land Development Code that refers to Chapter 171, Florida Statutes, and the general annexation procedures in the City's Comprehensive Plan utilizing either the City's land use conversion table in Future Land Use Policy 1.1.10.5, an Annexation Agreement, or a Future Land Use Map amendment. The land use conversion will be utilized to establish the Future Land Use designation on this property.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

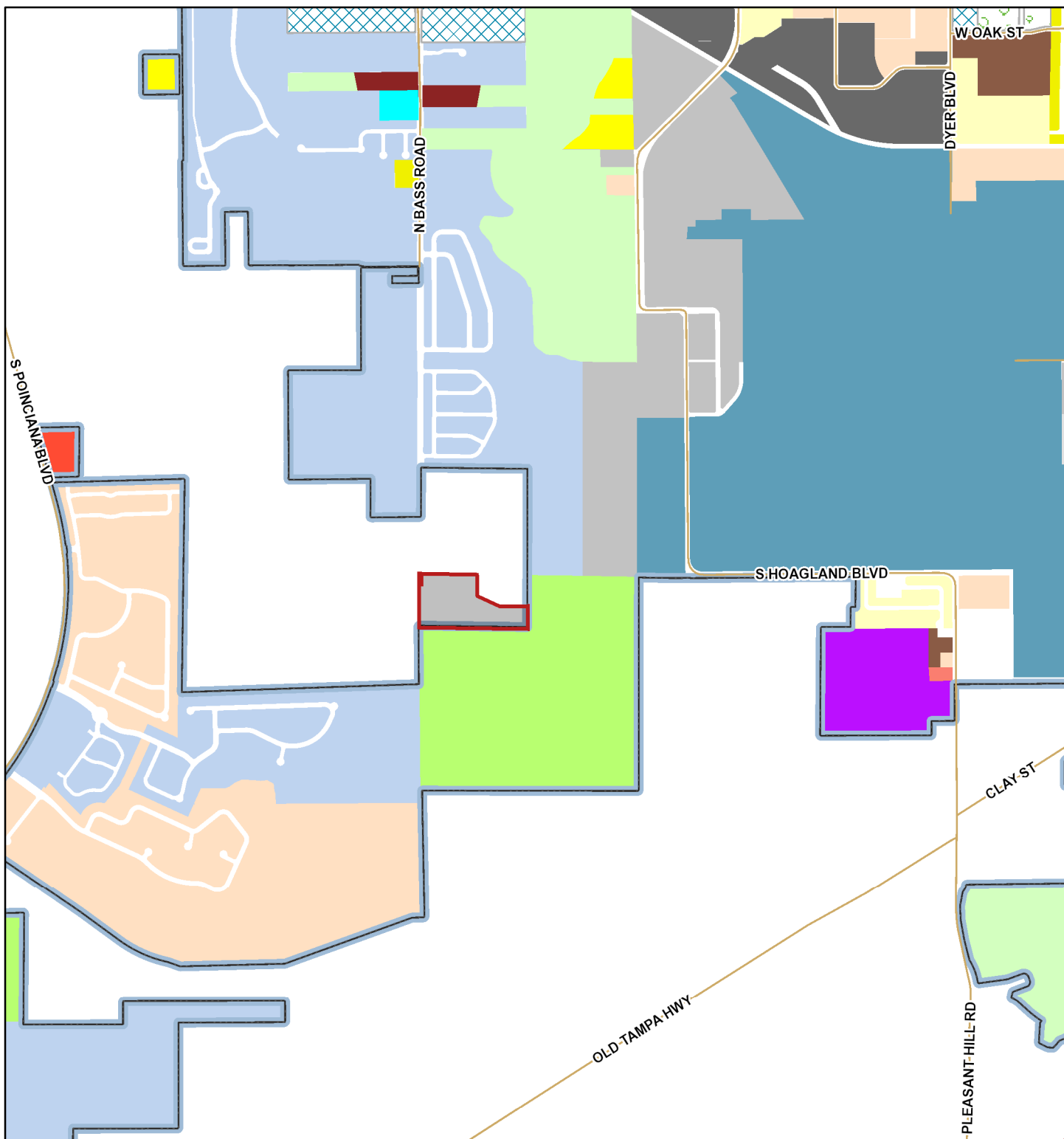
Approve

The Development Review Committee (DRC) recommended approval on April 19, 2022.

City of Kissimmee

Attachment(s):

1. AX-22-0002 Vicinity Map
2. AX-22-0002 Aerial Map
3. AX-22-0002 Site Data Tables
4. AX-22-0002 Comp Plan FLU Policy 1.1.10.5
5. AX-22-0002 Proposed Ordinance 22-14
6. AX-22-0002 PAB Ad
7. AX-22-0002 DRC Planning Comments
8. AX-22-0002 DRC Engineering Comments



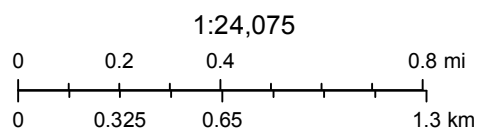
May 11, 2022

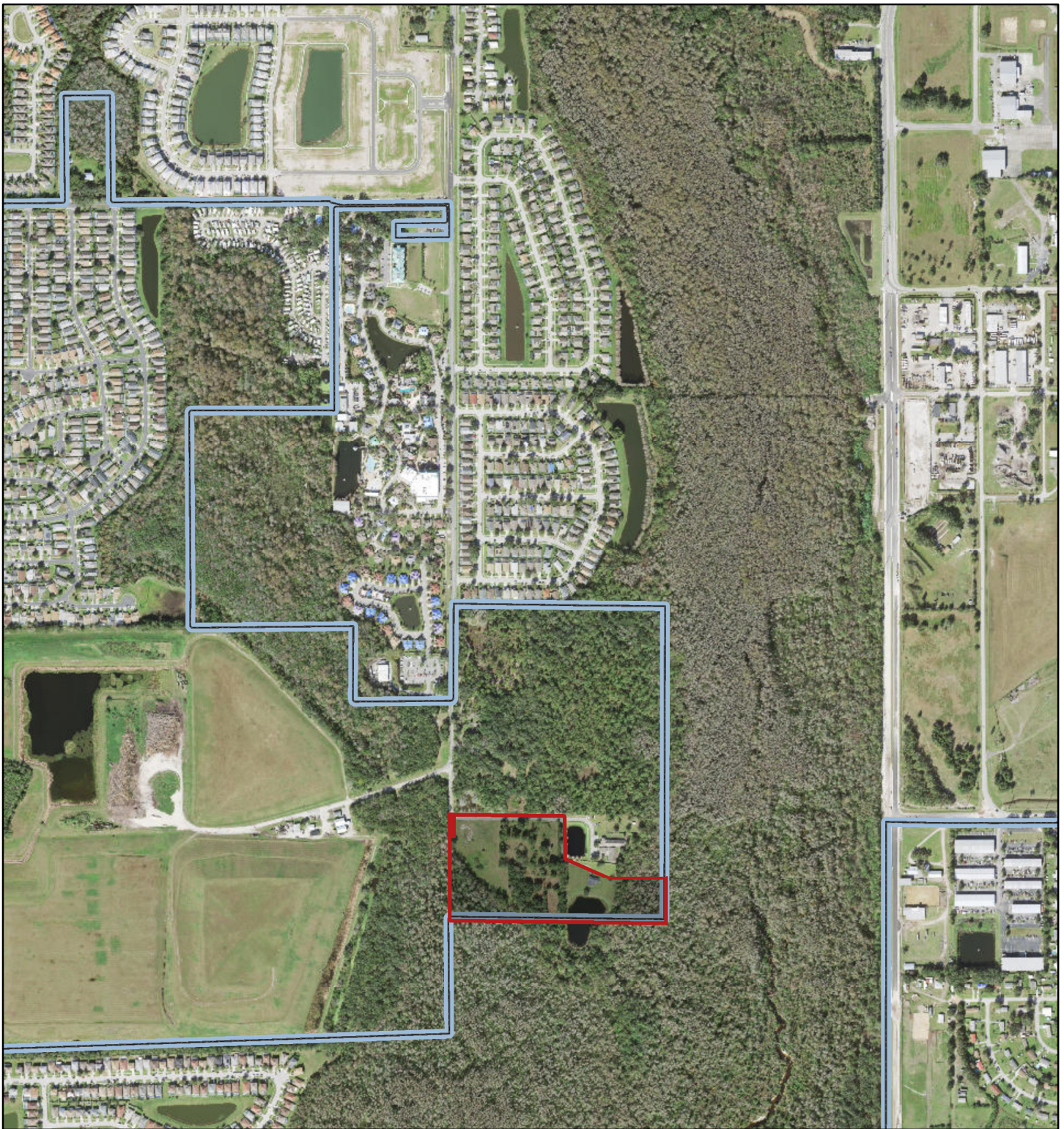
- Toll Roads
- US Roads
- Major Roads

City Limits

- CITY

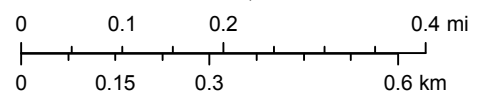
COUNTY





May 11, 2022

1:12,037



-  Parcels
-  Road Centerlines
- City Limits**
-  CITY
-  COUNTY
-  World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 2.4m Resolution Metadata

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Give Kids the World, AX-22-0002
Parcel ID# 30-25-29-0000-0110-0000; 30-25-29-0000-0082-0000 & 30-25-29-0000-0081-0000
East of Poinciana Boulevard, north of Old Tampa Highway, south of W. Vine Street, &
west of Hoagland Boulevard.
Site Data Tables

Site Data	
Size	15.50 acres
Future Land Use Designation	Low Density Residential (LDR) - County
Proposed Future Land Use Designation	Single Family Low Density (SF-LDR)
Zoning District Designation	AC - County
Proposed Zoning District Designation	AC (Agricultural Conservation) – City
Existing Overlay District	N/A
Existing Use(s)	Vacant
Proposed Use(s)	Low Impact Overflow Parking
Adjacent Land Use	
North	Low Density Residential and Institutional - County
South	Single Family - Low Density Residential (SF-LDR) – City
East	Low Density Residential (LDR) - County
West	Single Family - Low Density Residential (SF-LDR) – City
Adjacent Zoning	
North	Institutional (IN) - County
South	Agricultural Conservation (AC) – City
East	Institutional (IN) - County
West	Agricultural Conservation (AC) – City
Zoning History	N/A – Vacant Land
Past/Current Project Tracking	N/A

Comprehensive Plan Summary
Policy 1.2.1.2, Single Family Low Density Residential (SF-LDR): single family low density residential uses shall accommodate single family detached dwelling units with a maximum density of up to six dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, and other factors which may be identified in the land development regulations. Supportive community facilities and accessory land uses may be located within areas designated for single family low density residential uses. The low density designation is intended to protect the quality and character of existing and stable single family detached low density residential neighborhoods

Potential Zoning Districts	Agriculture and Conservation – AC
	Residential Estate District – RE
	Single Family Residential Districts – RA-1, RA-2, RA-3 and RA-4
	Short-Term Rental Planned Unit Development - SRPUD
	Mixed-Use Planned Unit Development District - MUPUD

<i>Zoning District Standards District Summary</i>
Land Development Code Section 14-4-4 (A.3), Agriculture and Conservation District (AC) – When an annexed area is given a future land use designation other than Single Family Low Density Residential (SF-LDR), the AC district should be considered a holding zone which will permit appropriate rural development until such time as new urban development is appropriate. When new urban development is appropriate for such areas, the property subject to the proposed development may be rezoned to be consistent with its future land use designation and the new development shall be consistent with the new zoning.

<i>Comprehensive Plan Future Land Use & Zoning Comparisons</i>		
	<i>Existing Future Land Use & Zoning</i>	<i>Requested Future Land Use & Zoning</i>
Uses	Policy 1-1.2.8: Low Density Residential (LDR) (3 - 8 du/ac) – County	Policy 1.2.1.2, Single Family Low Density Residential (SF-LDR) (up to 6 du/ac)

<i>Public Facilities Analysis</i>	
Transportation	
Adjacent street	Bass Road
Street Quality of Service (QOS)	Adjacent Streets are under Osceola County jurisdiction.
Sanitary Sewer	
Is volume less than 98% capacity?	N/A – Compliance
Potable Water	
Is volume less than 98% capacity?	N/A – Compliance
Is water pressure at least 40lbs per square inch?	N/A – Compliance
Solid Waste	

Is volume less than 5.1lbs per person per calendar day?	N/A – Compliance
Recreation	
Is active recreation area at least 2 acres per 1,000 population?	N/A – Compliance
Is urban open space area at least 2 acres per 1,000 population?	N/A – Compliance
Is total recreation area at least 4 acres per 1,000 population?	N/A – Compliance
Drainage	
Is off-site discharge; runoff velocities; roadway drainage; pavement; retention; and flood storage LOS standards met?	N/A- Compliance

POLICY 1.1.10.5: OSCEOLA COUNTY AND CITY OF KISSIMMEE LAND USE CONVERSIONS.

Upon annexation, land annexed into the City will be given an appropriate and compatible land use designation in one of the following ways:

1. If at the time of annexation, the City determines that the existing Osceola county Future Land Use Map designation is the most appropriate designation for the property, and will achieve the City's planning objectives for the area, the property will be given a City Future Land Use Map designation as indicated in the conversion table below.

COUNTY TO CITY CONVERSION TABLE

County Future Land Use Designation	City Future Land Use Designation
Rural/Agricultural	Single Family Low Density (SF-LDR)
Rural Enclave	Single Family Low Density (SF-LDR)
Low Density Residential	Single Family Low Density (SF-LDR)
Medium Density	Single Family Low Density (SF-LDR), Multiple Family Medium Density (MF-MDR), or Mixed-Use
High Density Residential	Multiple Family Medium Density (MF-MDR), or Mixed-Use (MU)
Office	Commercial General (CG), or Office-Residential (OR), or Mixed-Use (MU)
Neighborhood Commercial	Commercial General (CG), or Office-Residential (OR), or Mixed-Use (MU)
Community Commercial	Commercial General (CG), or Mixed-Use (MU)
Urban Commercial	Commercial General (CG), or Mixed-Use (MU)
Employment	Commercial General (CG)
Tourist Commercial	Commercial General (CG), or Mixed-Use (MU)
Industrial	Industrial Business (IN)
Conservation	Recreation (REC), or Conservation (CONS)
Institutional	Institutional (INST) or Recreation (REC)
Natural Resource	Utilities (UT)

Additionally, all areas within the 100 year flood plain shall also be included under the Conservation Overlay District regardless of the Osceola County Future Land Use Map designation prior to annexation.

2. If at the time of annexation, the City determines that the existing Osceola County Future Land Use Map designation is not the most appropriate designation for the property, the property will be given a City land use designation in accordance with the land use plan amendment process as defined by Chapter 163 of the Florida Statutes and City codes and policies.

PROPOSED ORDINANCE NO. 22-14
ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND, TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA, IN LAWFUL SESSION ASSEMBLED, AS FOLLOWS:

SECTION 1. After public hearing and proper legal advertisement, the City Commission of the City of Kissimmee determined that the hereinafter described property is susceptible of municipal benefits and that the best interest of the City of Kissimmee will be served by the annexation of the hereinafter described land.

Acreage: 15.5 acres

The subject property is located at S Bass Rd; 1045 S. Bass Rd.; & 1033 S. Bass Rd. Parcel ID: 30-25-29-0000-0110-0000; 30-25-29-0000-0082-0000 & 30-25-29-0000- 0081-0000

Legal Description:

NW 1/4 OF NW 1/4 OF SW 1/4 LESS BEG AT NE COR OF NW 1/4 OF NW 1/4 OF SW 1/4, S 663.4 FT, W 320 FT, N 333.12 FT, W 60 FT, N 330 FT, E 380 FT TO POB

Together with Parcel 2:

COM AT W 1/4 COR OF SEC, S 89 DEG E 680.11 FT TO POB; CONT S 89 DEG E 40.02 FT, S 266.76 FT, S 72 DEG E 198.30 FT, S 29 DEG W 11.71 FT, S 62 DEG E 114.80 FT, N 89 DEG E 354.97 FT, S 285.13 FT, N 89 DEG W 674.90 FT, N 663.40 FT TO POB

Together with Parcel 3:

BEG AT NE COR OF NW 1/4 OF NW 1/4 OF SW 1/4, S 663.4 FT, W 320 FT, N 333.12 FT, W 60 FT, N 330 FT, E 380 FT TO POB

SECTION 2. That upon the effective date of this Ordinance, the land described in Section 1 of this Ordinance shall be part of the City of Kissimmee, Florida, and the boundaries of said shall now include the herein above described land from the effective date of this Ordinance.

SECTION 3. That the land described in Section 1 of this Ordinance shall from the effective date of this Ordinance be susceptible to all of the municipal benefits and responsibilities. That the land shall be subject to taxation by the City of Kissimmee beginning the first date of the first calendar year after the effective date of this Ordinance.

However, until that date, no real or personal property within the area described in this Ordinance and so annexed, shall be liable for or taxed to pay any bonded indebtedness of the City of Kissimmee existing at the time of the passage of this Ordinance. Except the exemption provided in this Ordinance, said land shall be subject to all of the obligations and duties as any other lands within the corporate boundaries of the City of Kissimmee, Florida.

SECTION 4. This Ordinance shall take effect 10 days after its passage.

Commissioner _____ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner _____ and upon roll call on the motion the vote was as follows:

AYES:

NAYS:

Said motion having been duly carried, thereupon, Mayor Gonzalez, declared said Ordinance duly passed and adopted the ____ day of ____, 2022.

Mayor - Commissioner

ATTEST:

City Clerk

**NOTICE OF PUBLIC HEARING
PLANNING ADVISORY BOARD**

This is to inform you that the Planning Advisory Board of the City of Kissimmee will make a recommendation to the City Commission concerning a request for Annexation of the project known as Give Kids the World.

PROPOSED ORDINANCE#**22-14** AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN HEREIN DESCRIBED LAND TO THE CITY OF KISSIMMEE, FLORIDA, FURTHER PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH LAND AFTER ITS ANNEXATION.

The city is requesting annexation as follows:

The subject property is located at S Bass Rd; 1045 S. Bass Rd.; & 1033 S. Bass Rd.
Parcel ID: 30-25-29-0000-0110-0000; 30-25-29-0000-0082-0000 & 30-25-29-0000-0081-0000

Legal Description:

NW 1/4 OF NW 1/4 OF SW 1/4 LESS BEG AT NE COR OF NW 1/4 OF NW 1/4 OF SW 1/4, S 663.4 FT, W 320 FT, N 333.12 FT, W 60 FT, N 330 FT, E 380 FT TO POB

Together with Parcel 2:

COM AT W 1/4 COR OF SEC, S 89 DEG E 680.11 FT TO POB; CONT S 89 DEG E 40.02 FT, S 266.76 FT, S 72 DEG E 198.30 FT, S 29 DEG W 11.71 FT, S 62 DEG E 114.80 FT, N 89 DEG E 354.97 FT, S 285.13 FT, N 89 DEG W 674.90 FT, N 663.40 FT TO POB

Together with Parcel 3:

BEG AT NE COR OF NW 1/4 OF NW 1/4 OF SW 1/4, S 663.4 FT, W 320 FT, N 333.12 FT, W 60 FT, N 330 FT, E 380 FT TO POB

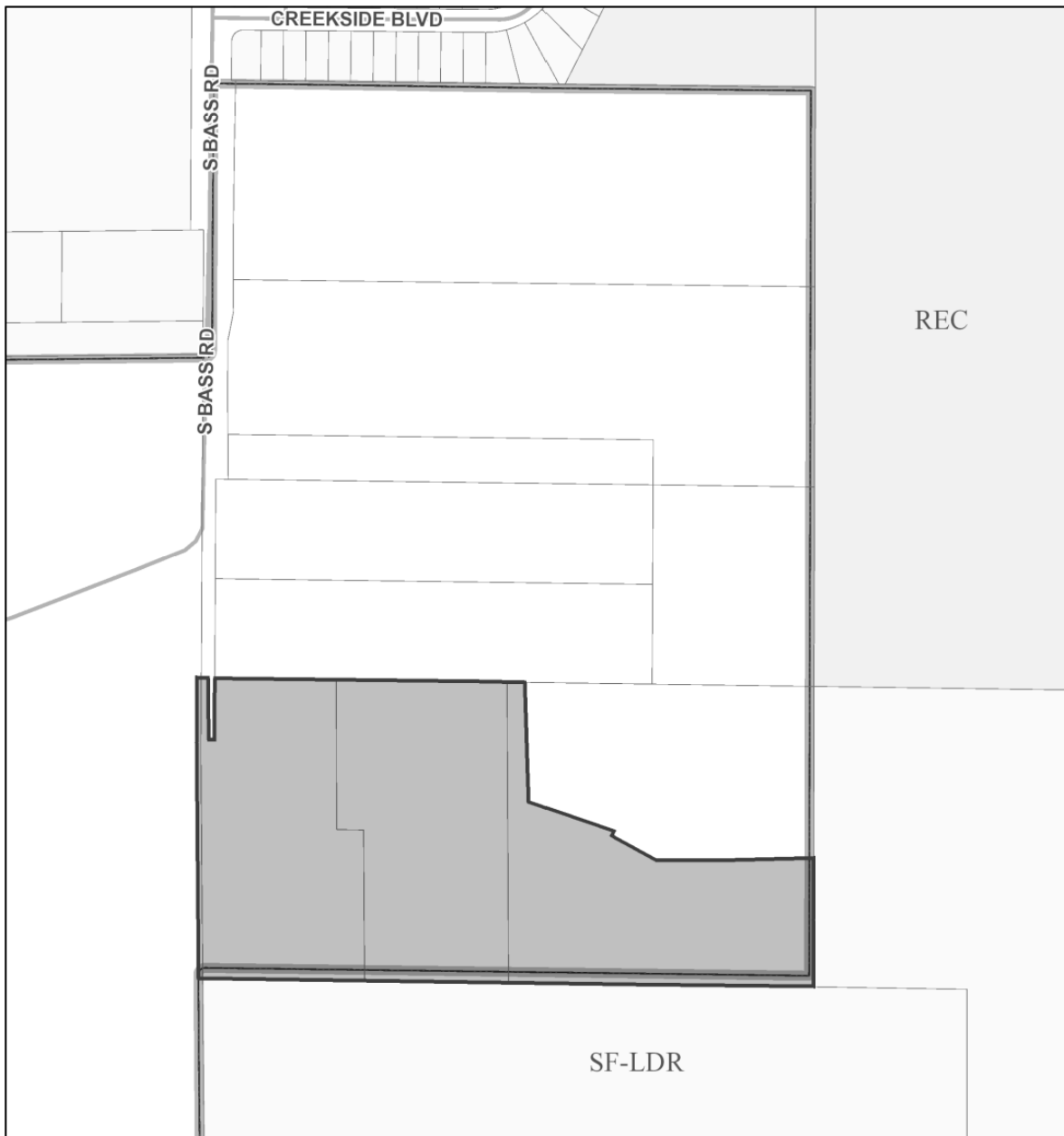
The Planning Advisory Board will meet to consider their recommendation on said request on **Wednesday, May 18, 2022 at 6:00 P.M.** in the Commission Chambers of City Hall, 101 Church Street, Kissimmee, Florida,

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person.

Any questions regarding this public hearing may be directed to the Development Services Department at (407) 518-2140 or at planning@kissimmee.gov.

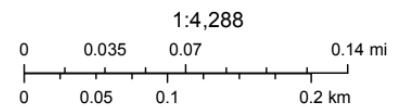
In accordance with Florida Statutes 286.0105: any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407) 518-2308 prior to the meeting. (FS286.26)



April 20, 2022

- Address Points  COUNTY
-  Parcels
-  Road Centerlines
- City Limits**
-  CITY





THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

**ADDRESS: Off Bass Road
PLAN (DRC) NUMBER: AX-22-0002**

DATE: 4/13/2022

**Review Status:
APPROVED WITH CONDITIONS.**

PLANNING DIVISION - Select a reviewer (if applicable).

1. Subject to City Commission approval.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forthcoming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

**ADDRESS: Bass Rd Parking
PLAN (DRC) NUMBER: AX-22-0002**

DATE: 4/11/2022

**Review Status:
APPROVED WITH CONDITIONS.**

ENGINEERING DEPARTMENT - Ryan Kilman - 407.518.2279 - Ryan.Kilman@kissimmee.gov

Comments/Conditions (if applicable):

Conditions of Approval

1. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.

ITEM 5.A

Appoint/Reappoint Planning Advisory Board Chair and Vice Chair

Request

Appoint/Reappoint Planning Advisory Board (PAB) Chair and Vice Chair

Explanation

The Planning Advisory Board (PAB) Chair and Vice Chair must be appointed by voting PAB members. The term of the Chair and Vice-Chair shall be one (1) year with eligibility for reelection. PAB members are required to serve on the board for one (1) year before they are eligible to be elected Chair.

The PAB members listed below are eligible to be elected as Chair:

Robert Bussiere (Current Chair)	Jeff Wolff (Current Vice Chair)
Jackie Espinosa	Robert Spalding
Fatima Santiago	Diana Marrero-Pinto

The PAB members listed below are eligible to be elected as Vice Chair:

Robert Bussiere (Current Chair)	Jeff Wolff (Current Vice Chair)
Jackie Espinosa	Robert Spalding
Fatima Santiago	Diana Marrero-Pinto
Melissa Thacker	

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Appoint/Reappoint

Select and appoint/reappoint the Planning Advisory Board (PAB) Chair and Vice Chair for a period of one (1) year with terms expiring on June 15, 2023.

Attachment(s):

1. ORD 2578 2005 Planning Advisory Board
2. Code of Ordinances - Ch. 2, Article III, Div. 3, Section 2-211 PAB Organization

PROPOSED ORDINANCE #05-35
ORDINANCE NO. 2578

AN ORDINANCE AMENDING THE CODE OF THE CITY OF KISSIMMEE, FLORIDA CHAPTER 14-2-CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REVISING SECTION §14-2-174 THE DEVELOPMENT REVIEW PROCESS – AMENDING THE REGUALTIONS REGARDING THE MEMBERSHIP OF THE DEVELOPMENT REVIEW COMMITTEE AND SECTION §14-2-220 PLANNING ADVISORY BOARD – ADDING AN EIGHTH NON-VOTING MEMBER TO THE PLANNING ADVISORY BOARD TO BE APPOINTED BY THE OSCEOLA COUNTY SCHOOL BOARD; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KISSIMMEE, FLORIDA THAT CHAPTER 14-2 IS AMENDED TO READ AS FOLLOWS:

SECTION 1.

§ 14-2-174 THE DEVELOPMENT REVIEW PROCESS.

(A) In General. Table A-1 is a matrix listing most of the development permits required by this chapter together with the bodies that review and approve them. Some references are provided to other subchapters for details. Division (C) summarizes the procedures for obtaining developments associated with site plans and subdivisions. §§ 14-2-220 - 14-2-222 contains the organizational aspects of the Planning Advisory Board and Board of Adjustment.

(B) City Staff Role.

(1) Director of Planning Development Services Department (Director):
Shall be responsible for receiving application materials and coordinating the review process for the following development permit requests:

- (a) Amendments to Map I-1 of the Kissimmee Comprehensive Plan (Future Land Use Map: Policy Designations).
- (b) Amendments to the zoning map.
- (c) Planned Unit Development (PUD) preliminary plans.

12/7/05
DS
CA
CM

- (d) Preliminary subdivision plats (~~major subdivision~~).
- (e) Site Plans.
- (f) Conditional uses.
- (g) Subdivision and Site Development Plans.

(2) Building Official: Shall be responsible for receiving application materials and coordinating the review process for all other development permits requests, ~~including subdivision and site development plans~~, except where otherwise indicated.

(3) City Engineer: Shall have staff review functions both as specified in this chapter and as specified by the Director, based upon the nature of the application.

(4) Development Review Committee: The Director ~~and the Building Official~~ shall refer all development permits as required by this chapter or deemed appropriate to this Committee for recommendations or action (depending on the type of request and circumstances involved). The following city departments and outside agencies shall be represented on the Committee:

- (a) Planning.
- (b) Building.
- (c) Engineering and Public Works.
- (d) ~~Water Resources.~~ Toho Water Authority.
- (e) Parks and Recreation.
- (f) Fire.
- (g) Police.
- (h) Airport.
- (i) The School District of Osceola County, Florida.
- (j) Kissimmee Utility Authority.
- (k) Osceola County 911.

This list may be supplemented by representatives of other public agencies deemed appropriate by the City Manager or his designee.

SECTION 2.

§ 14-2-220 PLANNING ADVISORY BOARD.

(A) Composition and Terms.

- (1) Membership: The Planning Advisory Board is hereby established and shall consist of seven ~~eight~~ members,
 - a. Seven voting members who shall be city residents and appointed by the City Commission-, and
 - b. One non-voting member, appointed by the School Board, representing the School District of Osceola County, Florida. The member of the Board appointed by the School District may only comment on comprehensive plan amendments and zoning changes that would increase residential density on the subject property. This non-voting member is not required to be a resident of the City of Kissimmee. The Kissimmee City Commission may recommend an individual to the School Board for consideration to this appointment.
- (2) Terms: Terms of the seven voting members of the Board shall begin on June 1 and run through May 31 for three years. The School Board-appointed member shall serve at the pleasure of the School District of Osceola County, Florida.
- (3) Vacancies: Any vacancy in the voting membership shall be filled for the unexpired term by the Commission who shall have the authority to remove any member for cause, upon written charges, after a public hearing. Any vacancy in the School Board appointed position shall be filled by the School Board, which shall have the authority to remove an appointee at their discretion.
- (4) Attendance: Any voting member of the Board missing three consecutive regular meetings without justification acceptable to the Board shall be considered resigned; in no case, shall a member miss more than six regular

meetings per calendar year. The non-voting member's attendance shall be reported to the Osceola County School District on a periodic basis.

(5) Compensation: Members of the Board shall receive no salaries or fees for service on the Board, but may receive actual and necessary expenses incurred in the performance of their duties of office. The School District of Osceola County, Florida shall be responsible for and shall pay to the City all expenses incurred by the School District's appointee.

(B) Organization.

(1) Quorum: Four voting members of the Board shall constitute a quorum for the transaction of business. At least a majority of the quorum is required to take action on an agenda item.

(2) The Board shall elect its Chair and Vice-Chair from among its voting members. The term of the Chair and Vice-Chair shall be one year with eligibility for reelection.

(3) Rules: The Board shall make its own rules of procedure and determine its time of meeting. All meetings of the Board shall be open to the public and all records of the Board shall be a public record.

SECTION 3. All ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall take effect six months after adoption by the City Commission.

Commissioner Brooks moved to passage and adoption of the above and foregoing Ordinance. Motion was seconded by Commissioner Van Meter and upon roll call on the motion the vote was as follows:

AYES

Commissioner Van Meter
Commissioner Brooks
Commissioner Gemskie
Mayor Goodwin-Nichols

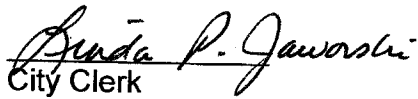
NAYS

Commissioner McKinnon was absent.

Said motion having been duly carried, thereupon, Mayor-Commissioner Linda Goodwin-Nichols declared said Ordinance duly passed and adopted the 6th day of December 2005.


Mayor-Commissioner

ATTEST:


City Clerk

Sec. 2-211. - Organization.

- (a) Four voting members of the planning advisory board shall constitute a quorum for the transaction of business. At least a majority of the quorum is required to take action on an agenda item.
- (b) The planning advisory board shall elect its chair and vice-chair from among its voting members. Planning advisory board members, however, are required to serve on the board for one year before they are eligible to be elected chair. The term of the chair and vice-chair shall be one year with eligibility for reelection.
- (c) The planning advisory board shall make its own rules of procedure and determine its time of meeting. All meetings of the planning advisory board shall be open to the public and all records of the planning advisory board shall be a public record.

(Code 1995, § 14-2-220(B); Ord. No. 2038, 12-20-1994; Ord. No. 2468, 5-6-2003; Ord. No. 2578, 12-6-2005; Ord. No. 2662, 9-18-2007)