



# ZONING REPORT

Commercial Property - Okeechobee, FL



2900 Albert Road  
Okeechobee, Florida 34972  
Project No. 2522925– 54847

Conformance Status:Legal Conforming

**Final** Zoning Report: March 18, 2025

*This report is for the sole use of Greenspoon Marder LLP, together with its successors and assigns.*

National Due Diligence Services, a Division of American Surveying and Mapping, Inc.  
221 Circle Drive, Maitland, FL 32751  
Telephone: 407-426-7979; Fax: 407-426-9741  
[www.NationalDueDiligenceServices.com](http://www.NationalDueDiligenceServices.com)

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## 1. SUBJECT PROPERTY

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|     |                                |                                                                                                                                  |
|-----|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| 1.1 | <b>Property Address:</b>       | 2900 Albert Road                                                                                                                 |
| 1.2 | <b>City, County, State:</b>    | Okeechobee, Osceola County, FL                                                                                                   |
| 1.3 | <b>Assessor Parcel Number:</b> | 033234000000150000<br>103234000000150000<br>113234000000140000<br>033234000000100000<br>023234000000300000<br>113234000000130000 |
| 1.4 | <b>Year Built:</b>             | 1950                                                                                                                             |

## 2. EXISTING LAND USE

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Agriculture Pasture

## 3. ZONING DISTRICT AND PERMITTED USE

---

|     |                                      |                                                                   |
|-----|--------------------------------------|-------------------------------------------------------------------|
| 3.1 | <b>Zoning Jurisdiction:</b>          | Osceola County                                                    |
| 3.2 | <b>Zoning District:</b>              | (AC)- Agricultural/(PID)-Planned Industrial Developments District |
| 3.3 | <b>Date of Existing Ordinance:</b>   | Adopted 2019; amended 2024                                        |
| 3.4 | <b>Is the Current Use Permitted?</b> | Yes; per section 3.5.1, the current use is permitted by right .   |

|                                 |
|---------------------------------|
| Is the existing use conforming? |
|---------------------------------|

|     |
|-----|
| YES |
|-----|

## 4. ADJACENT ZONING

---

**North:** (AC)- Agricultural District

**South:** (AC)- Agricultural District

**East:** (AC)- Agricultural District

**West:** (AC)- Agricultural District

## 5. PARCEL AREA

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18,901,658 square feet = 433.92 acres

## 6. ZONING REQUIREMENTS

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*Per Table 3.2 (AC)- Agricultural District*

|                                                                       |                                         |                        |                        |
|-----------------------------------------------------------------------|-----------------------------------------|------------------------|------------------------|
| 6.1                                                                   | <b>Building Setback Requirements</b>    | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Minimum Front from Street:              | 25'                    | >25'                   |
|                                                                       | Minimum Corner Side:                    | 25'                    | N/A                    |
|                                                                       | Minimum Interior Side:                  | 20'                    | >20'                   |
|                                                                       | Minimum Rear:                           | 25'                    | >25'                   |
| <b>Does the existing building conform to setback requirements?</b>    |                                         |                        | <b>YES</b>             |
| 6.2                                                                   | <b>Height Restrictions</b>              | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Maximum (measured in feet):             | None stated            | N/A                    |
|                                                                       | Maximum (number of stories):            | 3 Stories              | 1 Story                |
| <b>Does the existing building conform to height restrictions?</b>     |                                         |                        | <b>YES</b>             |
| 6.3                                                                   | <b>Area Requirements</b>                | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Minimum Lot Area:                       | 5 acres                | 433.92 acres           |
|                                                                       | Minimum Lot Width (at building line):   | None stated            | N/A                    |
|                                                                       | Minimum Lot Frontage (at right-of-way): | None stated            | 6,092.7'               |
| <b>Does the existing development conform to area requirements?</b>    |                                         |                        | <b>YES</b>             |
| 6.4                                                                   | <b>Density Restrictions</b>             | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Maximum Floor Area Ratio:               | None stated            | N/A                    |
|                                                                       | Maximum Dwelling Units per Acre:        | 1 du per 5 acres       | N/A                    |
|                                                                       | Maximum Lot Coverage (for building):    | None stated            | 0.02%                  |
| <b>Does the existing development conform to density restrictions?</b> |                                         |                        | <b>YES</b>             |

*Per PD12-000013 Parcel 033234000000100000,  
023234000000300000 AND 113234000000130000*

|                                                                       |                                         |                        |                        |
|-----------------------------------------------------------------------|-----------------------------------------|------------------------|------------------------|
| 6.5                                                                   | <b>Building Setback Requirements</b>    | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Minimum Front from Street:              | 35'                    | N/A                    |
|                                                                       | Minimum Corner Side:                    | 25'                    | N/A                    |
|                                                                       | Minimum Interior Side:                  | 25'                    | N/A                    |
|                                                                       | Minimum Rear:                           | 10'                    | N/A                    |
| <b>Does the existing building conform to setback requirements?</b>    |                                         |                        | <b>YES</b>             |
| 6.6                                                                   | <b>Height Restrictions</b>              | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Maximum (measured in feet):             | 60'                    | 17.0'                  |
|                                                                       | Maximum (number of stories):            | None stated            | 1 Story                |
| <b>Does the existing building conform to height restrictions?</b>     |                                         |                        | <b>YES</b>             |
| 6.7                                                                   | <b>Area Requirements</b>                | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Minimum Lot Area:                       | 20,000 sq ft           | 433.92 acres           |
|                                                                       | Minimum Lot Width (at building line):   | None stated            | N/A                    |
|                                                                       | Minimum Lot Frontage (at right-of-way): | 150'                   | 6,092.7'               |
| <b>Does the existing development conform to area requirements?</b>    |                                         |                        | <b>YES</b>             |
| 6.8                                                                   | <b>Density Restrictions</b>             | <b><u>Required</u></b> | <b><u>Existing</u></b> |
|                                                                       | Maximum Floor Area Ratio:               | None stated            | N/A                    |
|                                                                       | Maximum Dwelling Units per Acre:        | N/A                    | N/A                    |
|                                                                       | Maximum Lot Coverage (for building):    | 50%                    | N/A                    |
| <b>Does the existing development conform to density restrictions?</b> |                                         |                        | <b>YES</b>             |

## 7. PARKING STANDARDS

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*Per Sec. Table 4.7.8*

- 7.1 **Parking Use Category:** Agriculture
- 7.2 **Parking Space Formula:** None stated
- 7.3 **Parking Space Calculation:** N/A

**Required**

0

**Existing**

0

Existing Parking Space Composition: 0 regular; 0 handicap

|                                                                       |
|-----------------------------------------------------------------------|
| <b>Does the existing development conform to the required parking?</b> |
|-----------------------------------------------------------------------|

|            |
|------------|
| <b>YES</b> |
|------------|

## 8. RIGHT TO REBUILD AFTER CASUALTY

---

Sec. 1.4.2( C ) states: When a nonconforming structure is damaged or deteriorated by more than fifty (50) percent of the assessed value of the structure, as determined by the County Property Appraiser, such structure shall not be rebuilt except in compliance with all the requirements of this Code. For the purposes of this section value shall be determined prior to the damage occurring. If not more than fifty (50) percent of the structure is damaged, the owner shall have one (1) year from the date of damage to obtain the appropriate permits to repair the structure without having to rebuild or repair in accordance with the requirements of this Code.

## 9. CONDEMNATION PROCEEDINGS

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None cited.

## 10. CODE VIOLATIONS

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No open zoning, building, or fire code violations; see attached confirmation under Exhibit E.

## 11. CERTIFICATE OF OCCUPANCY

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Not available. The absence of a copy of the Certificate of Occupancy on file with the municipality does constitute a violation and will give rise to enforcement action.

## 12. SITE PLAN

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Not available.

## 13. SPECIAL PERMITS

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None.

## 14. ADDITIONAL COMMENTS

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None.

## 15. INFORMATION SOURCES

---

**Municipal Official:**

Tim Anger  
Senior Zoning Specialist  
Department of Zoning  
Osceola County  
407-742-0276

**NDDS Staff:**

Kendra Nelson  
Senior Zoning Analyst  
National Due Diligence Services  
221 Circle Drive, Maitland, FL 32751  
407-426-7979

**Survey Prepared By:**

American Surveying & Mapping, Inc.  
Job Number: 2522925– 54847  
Field Work Completed: 2/23/2025  
407-426-7979

The findings in this Zoning Report were obtained by National Due Diligence Services staff from a variety of sources, including but not limited to municipal/county codes, professional land surveys, title commitments, county assessor records, building and planning department records and municipal/county staff interviews. The independent conclusions represent our professional judgement based on the information and data available to us during the preparation of this report. The contents of the Zoning Report is subject to our [Zoning Scope of Work](#) (click on hyperlink to access copy).

- National Due Diligence Services

*This report was prepared by Kendra Nelson . Questions may be directed to Devin Moscovitz by email at [devin@nddservices.com](mailto:devin@nddservices.com). Please reference NDDS site number 2522925– 54847.*

## 16. EXHIBITS – TABLE OF CONTENTS

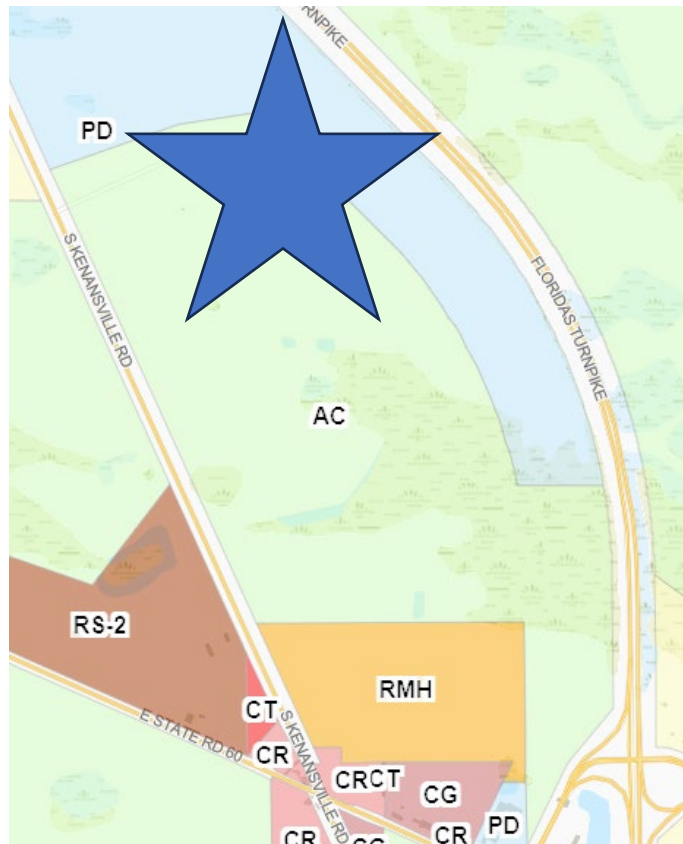
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- A. Lot Configuration
- B. Zoning Map
- C. Zoning Map Legend
- D. Zoning Verification Letter
- E. Code Violations
- F. Certificate of Occupancy
- G. Site Plan
- H. Permits, Variances & Resolutions
- I. Zoning Ordinance

## Exhibit A – Lot Configuration



## Exhibit B – Zoning Map



## Exhibit C – Zoning Map Legend



## Exhibit D – Zoning Verification Letter

SEE BELOW



1 Courthouse Square, Suite 1400  
Kissimmee, FL 34741  
osceola.org

DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT

Sent to Email: [omccullum@nddservices.com](mailto:omccullum@nddservices.com)

O: 407-742-0200  
F: 407-742-0206

February 7, 2025

Raymond C. Stangle P.E.  
Administrator

Ottie McCullum  
National Due Diligence Services  
221 Circle Drive  
Maitland, FL 32751

Mahmoud Najda P.E.  
Deputy Administrator

Brian K. Brown  
Deputy Administrator

**Re: Property described as – 2900 Albert Rd, Okeechobee, FL 34972  
Parcel #033234000000150000**

Kelly Haddock  
Assistant Administrator

Dear Applicant:

Ismael Castro  
Building Official

The above referenced property is located in an AC District (Agricultural Development and Conservation) (AC) zoning district and within a Mixed Use future land use classification on the Future Land Use Map 2040 (FLUM) governed by the Osceola County Comprehensive Plan. The property lies outside the Urban Growth Boundary (UGB).

Sandy Bean  
Business Solutions &  
Operations Support  
Director

Stephen Wood  
Customer Care Director

We appreciate the opportunity to be of service. If you need further assistance, please feel free to contact me.

Mahmoud Najda P.E.  
Acting Development  
Review Director

Respectfully,

*Tim Anger*

Cori M. Carpenter,  
LEED® GA  
Planning, Zoning &  
Design Director

Tim Anger  
Senior Zoning Specialist  
[Tim.Anger@osceola.org](mailto:Tim.Anger@osceola.org)  
407-742-0276

Zoning Verification Letter Parcel # **33234000000150000**



1 Courthouse Square, Suite 1400  
Kissimmee, FL 34741  
osceola.org

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COMMUNITY  
DEVELOPMENT

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Brian K. Brown  
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**Re: Property described as – 0 Kenansville Rd, Okeechobee, FL 34972  
Parcel #103234000000150000**

Kelly Haddock  
Assistant Administrator

Dear Applicant:

Ismael Castro  
Building Official

Sandy Bean  
Business Solutions &  
Operations Support  
Director

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Zoning Verification Letter Parcel # **103234000000150000**



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Maitland, FL 32751

Mahmoud Najda P.E.  
Deputy Administrator

Brian K. Brown  
Deputy Administrator

**Re: Property described as – 0 Kenansville Rd, Okeechobee, FL 34972  
Parcel #113234000000140000**

Kelly Haddock  
Assistant Administrator

Dear Applicant:

Ismael Castro  
Building Official

Sandy Bean  
Business Solutions &  
Operations Support  
Director

The above referenced property is located in an AC District (Agricultural Development and Conservation) (AC) zoning district and within a Mixed Use future land use classification on the Future Land Use Map 2040 (FLUM) governed by the Osceola County Comprehensive Plan. The property lies outside the Urban Growth Boundary (UGB).

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Zoning Verification Letter Parcel # **113234000000140000**



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Cori M. Carpenter,  
LEED® GA  
Planning, Zoning &  
Design Director

Ottie McCullum  
National Due Diligence Services  
221 Circle Drive  
Maitland, FL 32751

**Re: Property described as – 5151 S Kenansville Rd, Okeechobee, FL  
34972  
Parcel #033234000000100000**

Dear Applicant:

The above referenced property is located in a Planned Development (PD) zoning district and within a Mixed Use future land use classification on the Future Land Use Map 2040 (FLUM) governed by the Osceola County Comprehensive Plan. The property lies outside the Urban Growth Boundary (UGB).

We appreciate the opportunity to be of service. If you need further assistance, please feel free to contact me.

Respectfully,

*Tim Anger*

Tim Anger  
Senior Zoning Specialist  
Tim.Anger@osceola.org  
407-742-0276

Zoning Verification Letter Parcel # **033234000000100000**



1 Courthouse Square, Suite 1400  
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osceola.org

DEPARTMENT OF  
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Planning, Zoning &  
Design Director

Ottie McCullum  
National Due Diligence Services  
221 Circle Drive  
Maitland, FL 32751

**Re: Property described as – 0 Kenansville Rd, Okeechobee, FL 34972  
Parcel #023234000000300000**

Dear Applicant:

The above referenced property is located in a Planned Development (PD) zoning district and within a Mixed Use future land use classification on the Future Land Use Map 2040 (FLUM) governed by the Osceola County Comprehensive Plan. The property lies outside the Urban Growth Boundary (UGB).

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Respectfully,

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Zoning Verification Letter Parcel # **023234000000300000**



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Planning, Zoning &  
Design Director

Ottie McCullum  
National Due Diligence Services  
221 Circle Drive  
Maitland, FL 32751

**Re: Property described as – 0 Kenansville Rd, Okeechobee, FL 34972  
Parcel #113234000000130000**

Dear Applicant:

The above referenced property is located in a Planned Development (PD) zoning district and within a Mixed Use future land use classification on the Future Land Use Map 2040 (FLUM) governed by the Osceola County Comprehensive Plan. The property lies outside the Urban Growth Boundary (UGB).

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Respectfully,

*Tim Anger*

Tim Anger  
Senior Zoning Specialist  
[Tim.Anger@osceola.org](mailto:Tim.Anger@osceola.org)  
407-742-0276

Zoning Verification Letter Parcel # **113234000000130000**

## Exhibit E – Code Violations

SEE BELOW

## Ottie McCullum

---

**From:** Kim Whitfield (Osceola County Board of County Commissioners)  
<OsceolaCounty@request.justfoia.com>  
**Sent:** Thursday, January 23, 2025 2:15 PM  
**To:** Ottie McCullum  
**Subject:** BOCC-2025-90

You don't often get email from osceolacounty@request.justfoia.com. [Learn why this is important](#)

In response to **BOCC-2025-90**, the appropriate departments are working on your request.

**According to the Office of the Fire Marshal, they do not have Fire Inspection Records for one-and-two family dwellings and Pastureland.**

We encourage you to visit [Osceola Permits](#) and create an account to view and/or request permits, open violations, Certificate(s) of Occupancy and other record details related to the address in question.

Documents for this request, if available, can also be found at [OC Documents Public Access](#). You can type the permit number/address/Sheet File Name into the search box, and all of the documents will come up in the center of the page for you to click and review.

We no longer take code search and/or building permit search requests via email. For Code and Permit searches in writing, including lien payoff amounts, please log in to [Osceola Permits](#). Once logged in, go to Enforcement and select Enter new request, then select requests.

BAC request (permit) \$25 fee  
Lien verification (code) \$100 fee

For hazardous spills, environmental concerns, solid waste violations, etc. please contact the Florida [DEP](#).

Please contact the Florida Department of Health FDH PRR regarding septic tanks  
[Sheryl.ulery@flhealth.com](mailto:Sheryl.ulery@flhealth.com).

The Orange County Environmental Protection Agency conducts all of our permitting and inspections for underground storage tanks. Public records for Storage Tank systems are maintained in Occulus, which is maintained by FDEP, or a request can be submitted to the Orange County Storage Tank Program. Their contact number is 407-836-1400. [Petroleum Storage and Management \(orangecountyfl.net\)](#)

**Per County Resolution No. 21-066R:** There will be a \$10.00 minimum initial fee for the first 15 minutes. Any research above and beyond the first 15 minutes will be \$20.00 per hour. This fee includes, but is not limited to, copies of certificates of occupancy, copies of the site plan, copies of permits, etc. Depending on the time and amount of research involved, the charge for research may be higher than \$100.00. We cannot guarantee the availability of all files requested.



February 03, 2025

PARCEL# 023234000000300000

To Whom It May Concern;

In response to your request, as of 2/3/2025 11:26:52AM, research of the Code Enforcement records finds the following liens and/or violations on the above mentioned property:

***Currently there are no pending or active Code Enforcement liens attached to this parcel at this time.***

If we can be of further assistance, please do not hesitate to contact the Code Enforcement Office at [lien@osceola.org](mailto:lien@osceola.org) or 407-742-0400.

***DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT***

Sincerely,  
Ilse Jensen

Code Enforcement Staff  
Osceola County Community Development

This information is not intended for guaranteeing or insuring title to any property and should not be relied upon in lieu of a search of the Official Records of Osceola County, Florida maintained by the Osceola County Clerk of Courts.

***Code Enforcement  
Office***



February 03, 2025

PARCEL# 033234000000100000

To Whom It May Concern;

In response to your request, as of 2/3/2025 11:22:47AM, research of the Code Enforcement records finds the following liens and/or violations on the above mentioned property:

***Currently there are no pending or active Code Enforcement liens attached to this parcel at this time.***

If we can be of further assistance, please do not hesitate to contact the Code Enforcement Office at [lien@osceola.org](mailto:lien@osceola.org) or 407-742-0400.

***DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT***

Sincerely,  
Ilse Jensen

Code Enforcement Staff  
Osceola County Community Development

This information is not intended for guaranteeing or insuring title to any property and should not be relied upon in lieu of a search of the Official Records of Osceola County, Florida maintained by the Osceola County Clerk of Courts.

***Code Enforcement  
Office***



January 28, 2025

PARCEL# 033234000000150000

RE:2900 ALBERT RD, OKEECHOBEE, FL 34972

To Whom It May Concern;

In response to your request, as of 1/28/2025 7:00:22AM, research of the Code Enforcement records finds the following liens and/or violations on the above mentioned property:

***Currently there are no pending or active Code Enforcement liens attached to this parcel at this time.***

If we can be of further assistance, please do not hesitate to contact the Code Enforcement Office at [lien@osceola.org](mailto:lien@osceola.org) or 407-742-0400.

***DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT***

Sincerely,

Code Enforcement Staff  
Osceola County Community Development

This information is not intended for guaranteeing or insuring title to any property and should not be relied upon in lieu of a search of the Official Records of Osceola County, Florida maintained by the Osceola County Clerk of Courts.

***Code Enforcement  
Office***



January 28, 2025

PARCEL# 103234000000150000

To Whom It May Concern;

In response to your request, as of 1/28/2025 7:00:25AM, research of the Code Enforcement records finds the following liens and/or violations on the above mentioned property:

***Currently there are no pending or active Code Enforcement liens attached to this parcel at this time.***

If we can be of further assistance, please do not hesitate to contact the Code Enforcement Office at [lien@osceola.org](mailto:lien@osceola.org) or 407-742-0400.

***DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT***

Sincerely,

Code Enforcement Staff  
Osceola County Community Development

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***Code Enforcement  
Office***



February 03, 2025

PARCEL# 113234000000130000

To Whom It May Concern;

In response to your request, as of 2/3/2025 11:28:54AM, research of the Code Enforcement records finds the following liens and/or violations on the above mentioned property:

***Currently there are no pending or active Code Enforcement liens attached to this parcel at this time.***

If we can be of further assistance, please do not hesitate to contact the Code Enforcement Office at [lien@osceola.org](mailto:lien@osceola.org) or 407-742-0400.

***DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT***

Sincerely,  
Ilse Jensen

Code Enforcement Staff  
Osceola County Community Development

This information is not intended for guaranteeing or insuring title to any property and should not be relied upon in lieu of a search of the Official Records of Osceola County, Florida maintained by the Osceola County Clerk of Courts.

***Code Enforcement  
Office***



January 28, 2025

PARCEL# 113234000000140000

To Whom It May Concern;

In response to your request, as of 1/28/2025 7:00:28AM, research of the Code Enforcement records finds the following liens and/or violations on the above mentioned property:

***Currently there are no pending or active Code Enforcement liens attached to this parcel at this time.***

If we can be of further assistance, please do not hesitate to contact the Code Enforcement Office at [lien@osceola.org](mailto:lien@osceola.org) or 407-742-0400.

***DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT***

Sincerely,

Code Enforcement Staff  
Osceola County Community Development

This information is not intended for guaranteeing or insuring title to any property and should not be relied upon in lieu of a search of the Official Records of Osceola County, Florida maintained by the Osceola County Clerk of Courts.

***Code Enforcement  
Office***

## Exhibit F – Certificate of Occupancy

NONE

## Exhibit G – Site Plan

NOT AVAILABLE

## Exhibit H – Permits, Variances & Resolutions

SEE BELOW

## Planned Development

### PD12-00013

*Yeehaw Transportation & Distribution Center PD*

**Planning Commission  
July 12, 2012**



Presented by:  
Tina Demostene, AICP  
Principal Planner

### PD12-00013

**Yeehaw Transportation & Distribution Center PD**

Applicant: K. Dan Shalloway, P.E.

Owner: Yeehaw Ranch, LLC.

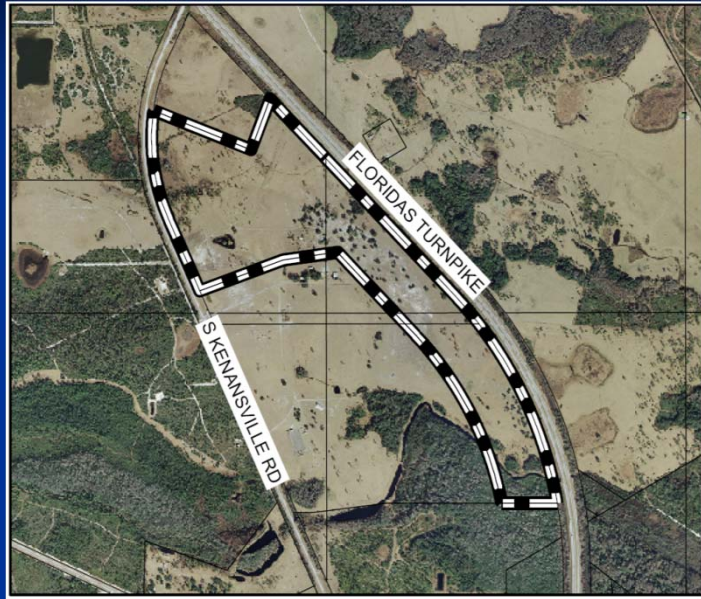
Acreage: Approximately 205 acres

Location: Southwest of the Florida Turnpike, east of U.S. Highway 441, and north of State Road 60

Request: Approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years.



### Existing Conditions / Aerial Map

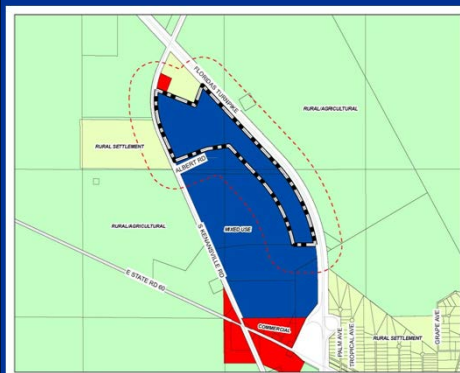


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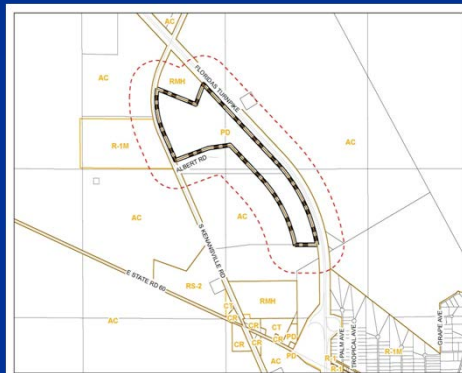
## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### Future Land Use Map



### Zoning Map



4

## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### SUMMARY

**Request:** Approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years.

**Requested Action:** Approve PD12-00013 to change the zoning to PD subject to Special Conditions

**Staff Recommendation:** Approval subject to Special Conditions (DRC 06/20/12)

**STAFF IS AVAILABLE FOR QUESTIONS**

5

## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### **Special Conditions are recommended:**

1. This approval shall supersede PD09-00002; however, this approval shall reaffirm the Yeehaw Transportation & Distribution Center PD Narrative and Concept Plan dated "REVISED MAR 03 2010" that was previously approved under PD09-00002.
2. Communication towers shall require Conditional Use approval.
3. Adult Entertainment shall be compliant with ORD 93-9, as may be amended from time to time.
4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.



6

## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### Special Conditions are recommended:

5. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.
6. The applicant has elected to defer capacity reservation. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.



7

## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### Special Conditions are recommended:

7. Six-foot wide sidewalks shall be constructed along all internal roadway frontages within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.
8. Per Yeehaw Transportation Distribution Center Policies in the Future Land Use Element, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy. Each EIP submittal shall include a running tally of prior EIP approvals, CO's, and their cumulative totals.
9. Plants for the production and distribution of concrete and masonry products are prohibited.



8

**STAFF IS AVAILABLE FOR QUESTIONS**



## Planned Development

### PD12-00013

*Yeehaw Transportation & Distribution Center PD*

**Board of County Commissioners  
July 16, 2012**



Presented by:  
Tina Demostene, AICP  
Principal Planner

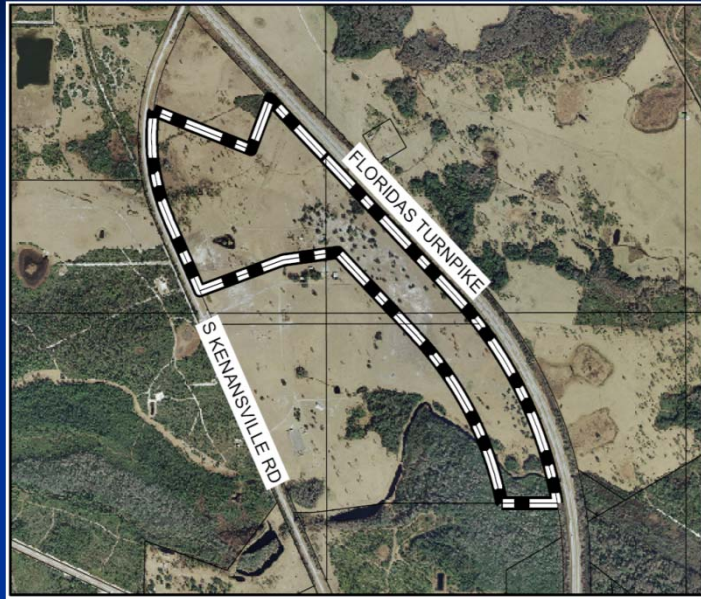
### PD12-00013

**Yeehaw Transportation & Distribution Center PD**

- Applicant: K. Dan Shalloway, P.E.
- Owner: Yeehaw Ranch, LLC.
- Acreage: Approximately 205 acres
- Location: Southwest of the Florida Turnpike, east of U.S. Highway 441, and north of State Road 60
- Request: Approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years.



### Existing Conditions / Aerial Map

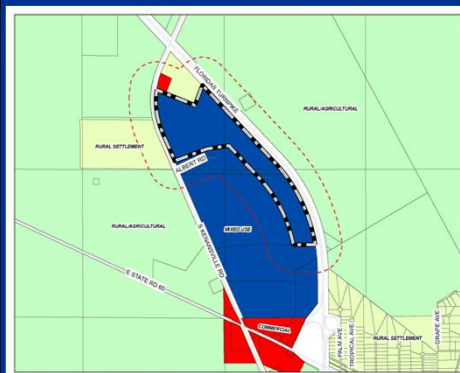


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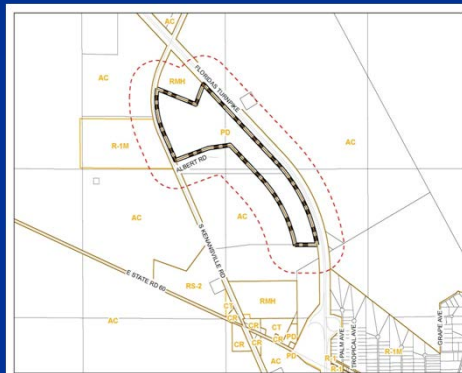
## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### Future Land Use Map



### Zoning Map



4

## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### SUMMARY

**Request:** Approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years.

**Requested Action:** Approve PD12-00013 to change the zoning to Planned Development subject to Special Conditions

**Staff Recommendation:** Approval subject to Special Conditions (DRC 06/20/12)

**Planning Commission Recommendation:** Approval subject to Special Conditions (PC 07/12/12)

**STAFF IS AVAILABLE FOR QUESTIONS**

5

## PD12-00013

*Yeehaw Transportation & Distribution Center PD*

### **Special Conditions are recommended:**

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2. Communication towers shall require Conditional Use approval.
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4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.



6

## PD12-00013

### *Yeehaw Transportation & Distribution Center PD*

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5. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.
6. The applicant has elected to defer capacity reservation. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.



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## PD12-00013

### *Yeehaw Transportation & Distribution Center PD*

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9. Plants for the production and distribution of concrete and masonry products are prohibited.



8

**STAFF IS AVAILABLE FOR QUESTIONS**





# Osceola County Planning Commission

1 Courthouse Square, Suite 1100  
Kissimmee, FL 34741  
407-742-0200

07/12/12

## Item Number

**PD12-00013**

*Yeehaw Transportation  
& Distribution Center  
Planned Development*

## Type of Application

Planned Industrial  
Development

## Applicant & Owner

K. Dan Shalloway, P.E.  
for Yeehaw Ranch, LLC

## Location

Southwest of the Florida  
Turnpike, east of U.S.  
Highway 441, and north  
of State Road 60

## Commission District

5 - Fred Hawkins

## Project Planner

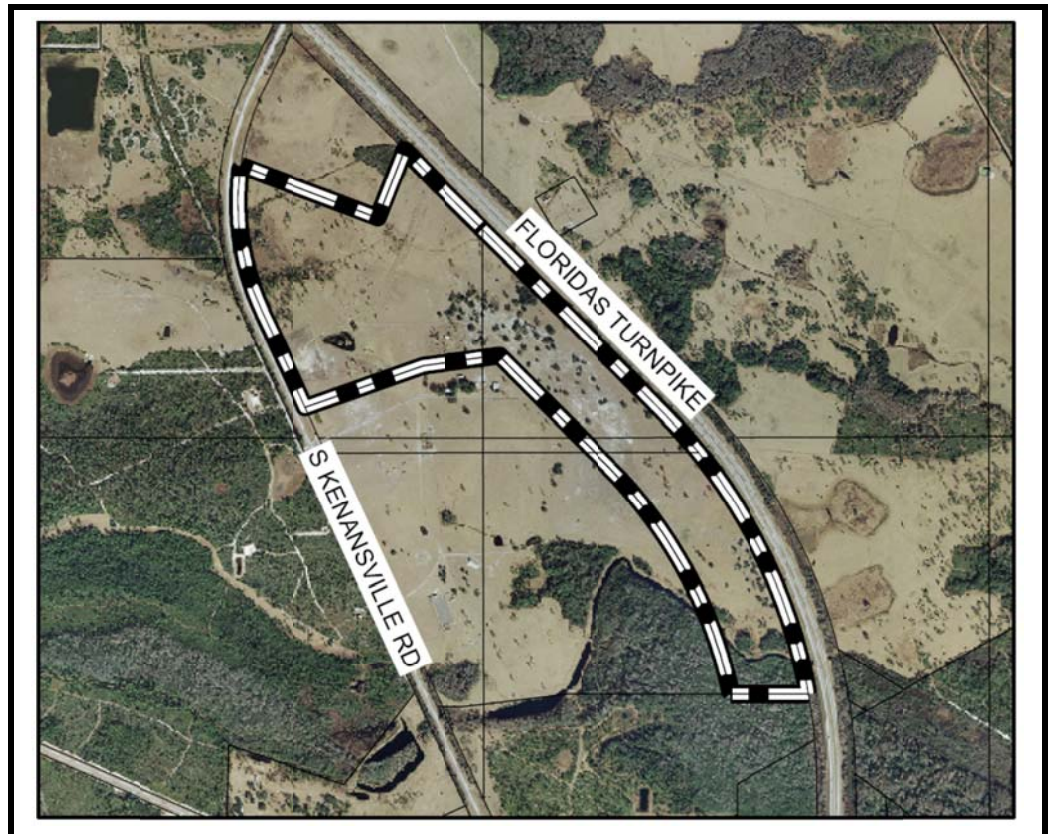
Tina Demostene, AICP

## Requested Action

Approve PD12-00013,  
subject to Special  
Conditions

## Recommendation

Approve, subject to  
Special Conditions  
(DRC 06/20/12)



## ITEM SUMMARY:

The applicant requests approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The property is approximately 205 acres and is generally located in southeast Osceola County, southwest of the Florida Turnpike, east of U.S. Highway 441 (Kenansville Road), and north of State Road 60.

## PUBLIC NOTICE:

Notice of public hearing is published in the Orlando Sentinel prior to the public hearing. Property owners within 300 feet of the subject property are notified by mail prior to the public hearing. As of the date of this report, no oral or written comments have been received. Oral and written comments may be presented at the public hearings.

## Findings

In its review of the proposed application, staff has determined:

1. The request is consistent with the GOPs of the Osceola County 2025 Comprehensive Plan.
2. The request is compliant with all applicable requirements of the Osceola County Land Development Code.
3. The request is compatible with surrounding uses.

## STRATEGIC PLAN 2012:

The proposed Planned Development is consistent with the County's Strategic plan in that transportation, distribution and logistics (TDL) uses have been identified as a strength for Osceola County Economic Development and a major component of all five targeted industry clusters in the May 2012 Industry Cluster Study. These uses are consistent with the Strategic Plan 2012 in that they will Grow and Diversify the County's Economy.

## PROJECT DESCRIPTION:

The intent of this application is to approve the Yeehaw Transportation & Distribution Center Planned Development and to extend the expiration date of the Planned Development by three (3) additional years for a total of five (5) years.

The applicant has submitted the PD Narrative and Concept Plan that was previously approved for this site under PD09-00002. There are no proposed changes to the previously approved Planned Development Narrative for PD09-00002, which was approved by the Board of County Commissioners on July 12, 2010 and which will expire July 12, 2012. The 2009 PD Narrative is being included as part of this request and being re-affirmed as the approved PD. Pursuant to Chapter 14.24 I, the expiration date of the Planned Development will be established as two years after the Board of County Commissioners approval, unless subsequent development application is approved and acted upon. Based on the use being identified as a targeted industry and the current market, the applicant has requested that the expiration date established in the LDC be extended by an additional three (3) years, for a total of five (5) years after Board approval. If the additional three (3) year extension of the expiration date is approved by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for PD12-00013 will be July 16, 2017.

The development program within the Planned Development remains unchanged with from the previously approved PD and is illustrated below.

| Use                        | Maximum Development Program |
|----------------------------|-----------------------------|
| Commercial                 | 30,000 sq. ft.              |
| Warehousing & Distribution | 1,200,000 sq. ft.           |
| Light Industrial           | 150,000 sq. ft.             |
| Utilities                  | 3 Acres                     |
| Conservation               | 25 acres                    |

The following attachments are included as supporting documentation for the proposed request:

**Attachment A:** Planned Development documents, including the PD Application and PD Narrative and Concept Plan.

**Attachment B:** Support documentation from the School District of Osceola County (SDOC) and site photo documentation.

## BACKGROUND:

The Yeehaw Transportation Distribution Center policies in the Comprehensive Plan were established in the 2007 Comprehensive Plan as **Goal 4: Yeehaw Distribution Center** to take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County. The policies facilitate a mixture of warehouse/distribution, light industrial, commercial, residential, conservation and utility uses within the Yeehaw Transportation District. The policies further establish standards for provision of public facilities and infrastructure as well as requirements for preservation of environmentally sensitive areas. On February 1, 2010 Osceola County approved CPA09-0004 via ORD10-03, which included modifications to FLUE Policy 4.2.1 and 4.2.13 of the Yeehaw Transportation & Distribution Center Goal 4 in the Future Land Use Element of the Comprehensive Plan, which increased allowable warehouse/distribution allocations from 1,200,000 to 2,000,000 and modified criteria review of external trips on adjacent roadways.

The 205-acre Yeehaw Transportation & Distribution Center Planned Development (PD09-00002) was approved by the Board of County Commissioners on July 12, 2010. The PD allows for a mixture of commercial uses, warehouse and distribution uses, as well as a number of industrial uses, including utilities. The PD includes development criteria for each type of use. The Yeehaw Transportation & Distribution Center Planned Development includes a large portion of the 400+ acre Yeehaw Transportation Distribution Center as defined in the Comprehensive Plan, but does not cover the entire land area, nor does it encumber all of the available development program established in the Comprehensive Plan. As the applicant has not obtained approvals for Conceptual Development Plan (CDP) or Engineering Improvement Plan (EIP) within two years of the date of approval of the preliminary concept plan or the approval will become void on July 12, 2012.

In 1998, the County approved a temporary Conditional Use (CU98-00051), which allowed for the construction and operation of a temporary asphalt plant for a period of operation of two (2) years. The PD Narrative does not incorporate this use as a permitted use. A condition of approval was added to PD09-00002 to prohibit the use. This condition is being brought forward with PD12-00013.

The applicant has been working closely with the Economic Development Department to market their property, but is not prepared to submit Subdivision or Engineering Improvements Plans that would vest the uses in their Planned Development; therefore, they have requested approval of PD12-00013 to secure the uses in the Planned Development and to allow additional time to market the property for new commercial and industrial development. The application notes that the property owner has been working closely with the Osceola County Economic Development Department to find job creating user for the center, however, due to the general economic climate, have been unable to locate a user. The application further notes that the pace of industrial development is beginning to pick up and that the extension of this PD would allow the County to maintain an inventory of large, ready-to-go industrial zone properties that can attract job creators. PD12-00013 is intended to reestablish the Planned Development Zoning and replace the expired PD as well as extend the PD for a total of five (5) years.

The subject property has a Future Land Use Designation of Mixed Use and a Planned Development Zoning Designation. The Goal 4 of the Comprehensive Plan outlines the desired development program for the Yeehaw Transportation & Distribution Center—the existing PD is consistent with the allowable development program. The Planned Development Narrative includes development standards including lot coverage, lot size, setbacks, building heights, buffering, landscape, as well as parking standards. This PD proposed no changes to the previously approved development standards that were approved as part of PD09-00002. The following table summarizes adjacent future land use designations, zoning districts and existing uses:

| Direction of Adjacency | Future Land Use Designation                          | Zoning      | Existing Use       |
|------------------------|------------------------------------------------------|-------------|--------------------|
| North                  | Rural/Agricultural, Rural Settlement, and Commercial | AC and RMH  | Vacant Pastureland |
| East                   | Rural Agriculture                                    | AC          | Vacant Pastureland |
| South                  | Mixed Use                                            | AC          | Vacant Pastureland |
| West                   | Rural/Agricultural, Mixed Use, Rural Settlement      | AC and R-1M | Vacant Pastureland |

The uses proposed in the Yeehaw Transportation District Planned Development, which are unchanged since the 2009 approval, remain consistent and compatible with the surrounding zoning districts, Future Land Use designations and existing uses.

Wetlands: According to the existing approved PD, there exist approximately 25 acres of wetlands within the PD. The three significant wetlands areas have been designated as conservation on the PD Concept Plan, which will be preserved by dedication to the Yeehaw Transportation & Distribution Center Property Owners Association. Any future expansions or development that may impact these wetlands will be required to demonstrate compliance with applicable local, state, or federal permitting and mitigation requirements.

Soils & Minerals: According to the Map 6A: Soils and Minerals of the Future Land Use Map Series, the proper has a variety of soil types, including Placid Fine Sand, Samsula Muck, Basinger Fine Sand (Depressional), Smyrna Fine Sand, Immokalee Fine Sand, Myakka Fine Sand, Cassia Fine Sand, Paola Sand (0-5% Slopes), Satellite Sand, and Pompano Fine Sand. Site development plans will address appropriate engineering based on the type of soils where development will occur.

Floodplain: According to Map 4A: Floodplains of the Future Land Use Map Series, a small portion of land in the northeast corner and the southeast corner of the property are within the 100 year floodplain—these areas coincide with the wetland areas that are proposed for preservation on the PD Concept Plan. Any impacts to the floodplain will be compensated for through the proposed stormwater management system with the Engineering Improvement Plans.

## JUSTIFICATION/ TECHNICAL ANALYSIS:

### 1. Consistency with the Osceola County Comprehensive Plan

In preparing the recommendation staff reviewed the proposed Planned Development for consistency with the Goals Objectives and Policies of the Osceola County 2025 Comprehensive Plan.

#### **Future Land Use Element Policy 1.1.4: *Future Land Use Map (FLUM); relationship to zoning map***

In determining consistency with the Future Land Use Map, considerations such as land use compatibility, location, availability and capacity of services and facilities, market demand, and environmental features were addressed. The land uses, densities, and intensities in the Planned Development are consistent with the densities and intensities established in the Yeehaw Distribution Center GOPs.

#### **Future Land Use Element Goal 4: *Yeehaw Distribution Center***

The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of the County.

***Excerpts from the Yeehaw Transportation distribution Center Objectives and Policies (GOPs) are provided below which outline the project consistency with the Osceola County Comprehensive Plan.***

#### **Policy 4.1.1: *Yeehaw Transportation Distribution Center (YTDC).***

Development of the Yeehaw Transportation Distribution Center shall be in accordance with the following:

- All development must be submitted as a Planned Development;
- The total overlay area must consist of lands that are adjacent to each other and total no less than 400 acres;
- All development must meet or exceed the adopted level of service standards for Osceola County, and
- All permanent development will use central water and sewer services.

#### **Objective 4.2: *Development Standards***

Development within the Yeehaw Transportation Distribution Center Overlay will consist of a mix of land uses that provides an opportunity to achieve an integrated balance between transportation related uses, commercial uses and residential uses.

#### **Policy 4.2.1: *YTDC mix and distribution of land uses.***

The following mix and distribution of land uses shall be allowed:

- |    |                        |                   |
|----|------------------------|-------------------|
| a. | Warehouse/Distribution | 2,000,000 sq. ft. |
| b. | Light Industrial       | 200,000 sq. ft.   |
| c. | Commercial             | 50,000 sq. ft.    |
| d. | Residential            | 630 du            |
| e. | Conservation           | 74 acres*         |
| f. | Utilities              | 10 acres          |

*\* Final Conservation acreage subject to field verification and wetland determination.*

#### **Policy 4.2.3: *YTDC public facilities.***

Public facilities and utilities required to serve the needs of the businesses, employees and residents may be allowed within the Overlay. They shall be sized and built consistent with the demands generated by the approved mix and amount of land use activity.

**Policy 4.2.4: YTDC housing.**

The Yeehaw Transportation Distribution Center shall include on site housing units that are affordable to 50% of the employees of the Yeehaw Transportation Distribution Center, unless a reasonable demonstration is made that comparably priced housing is located within a 20 minute, 10 mile travel distance from the Yeehaw Transportation Distribution Center. Monitoring on the provision of this housing shall be performed before development in excess of 750,000 square feet of warehouse/distribution space receives certificates of occupancy, and again before a cumulative total of 1.2 million square feet of warehouse/distribution space receives certificates of occupancy. For the purposes of this policy, the issuance of residential building permits shall constitute provided housing. The ECFRPC Affordable Housing Methodology shall be used as a “reasonable demonstration” for showing that off-site housing is available as well as the means for monitoring the provision of on-site affordable housing.

**Policy 4.2.5: YTDC stormwater.**

All regionally significant wetlands within the jurisdiction of the SJRWMD shall be retained and may be incorporated into the stormwater management system in such a manner as to maintain current or restore historic hydro periods and wildlife values.

**Policy 4.2.6: YTDC preservation areas.**

The wetlands systems, upland buffers, other conservation tracts and mitigation areas shall be regarded as preservation areas for the purpose of protecting their natural attributes and shall have their developmental uses restricted by conservation easement as provided in Florida Statutes. Easements shall be conveyed to the St. John River Water Management District, the Florida Department of Environmental Protection, Osceola County or any other organization dedicated to conservation. Passive recreation facilities such as, but not limited to boardwalks, trails, educational displays and other similar uses are permitted land uses within these preservation areas.

**Policy 4.2.7: YTDC Conservation land uses.**

The boundaries of the Conservation land use area may be adjusted to be consistent with wetland jurisdictional lines determined by the SJRWMD and other jurisdictional lines as may be determined by other agencies of jurisdiction. In such cases, land initially presumed but later determined not to be classified as wetland will take on the land use category assigned to the upland portion of the adjacent development site.

**Policy 4.2.8: YTDC containment: hazardous materials management.**

Containment measures such as impervious paving, collection basins and spill response equipment will be used during construction and operation for warehousing/distribution uses to assure that all potentially hazardous materials are properly stored and controlled so that ground and surface waters are protected from contamination.

Management Plans shall be submitted to Osceola County for all hazardous materials users, producer and sellers. Hazardous materials management/containment plans, for projects intended to serve hazardous material users, producers, and sellers shall be prepared in accordance with all government and industry standards and submitted for review with the Planned Development and approved prior to the issuance of any related building permits.

**Policy 4.2.9:** *YTDC water and wastewater services.*

Water and wastewater services shall be located and provided on-site by the developer as part of the Planned Development approval process. Such services shall meet all applicable level of service standards established by Osceola County and shall be limited to lands associated with the Yeehaw Transportation.

**Policy 4.2.10:** *YTDC: design and construction of water and sanitary sewer system.*

The developer shall design and construct the potable water system and sanitary sewer system in accordance with the ordinances and rules of the Toho Water Authority in place at the time of construction. Once constructed and all applicable fees paid, the water treatment and distribution system and the sewage treatment collection facilities shall be owned and operated by Toho Water Authority. These systems shall require the issuance of all permits including any required CUP from the St. John's Water Management District. Furthermore, these systems shall be subject to the requirement of the Natural Resource Utilization Land Use as defined by Policies 1.3.37 through 1.3.39, inclusive

**Policy 4.2.12:** *YTDC: internal trip capture.*

Development within the Yeehaw Transportation Distribution Center shall be internally interconnected to promote the internal capture of trips. Pedestrian ways and bicycle lanes shall be provided within the Overlay area where such facilities can provide appropriate and safe alternatives to automotive travel, given the heavy truck traffic that is expected within the site.

**Policy 4.2.13:** *YTDC: external traffic.*

Development of the Yeehaw Transportation Distribution Center shall not overburden the public highway system and shall comply with applicable Osceola County transportation concurrency and other transportation management programs. No new net trips shall be allowed onto the public highway system unless consistent with adopted LOS for the adjacent road network.

**Policy 4.2.14:** *YTDC: roadway LOS deficiencies.*

Should Osceola County identify any deficiency in level of service standards on the public roadway system caused by any phase of the development within the Yeehaw Transportation Distribution Center, the developer shall be responsible to resolve the lack of available capacity by implementing any of the following mechanisms or combination thereof:

- a. Fund and/or construct 100 percent of the necessary improvement.
- b. Withdraw any phase of development and wait for sufficient capacity to become available through the continued implementation of a Capital Improvement Plan.
- c. Reduce the density or intensity of a phase of development to accommodate available capacity at the adopted level of service standard.
- d. Receive approval to a request to expedite an improvement listed in the Capital improvement Element.
- e. Meet with the County Planning and Engineering staff and establish an equitable Concurrency Roadway Deficiency agreement to address the funding or capacity improvements of the deficient roadway segment(s) necessary to provide sufficient capacity for the proposed development.

The project will be required to meet the requirements of all of the objectives and policies established under Future Land Use Element Goal 4: Yeehaw Distribution Center.

## 2. Compliant with the Land Development Code

In preparing the recommendation staff reviewed the proposed Planned Development for compliance with the Osceola County Land Development Code (LDC). The PD was found to be compliant with the Land Development Code when it was reviewed and approved in July 2010. The PD proposes to reaffirm the original PD Narrative and Master Plan with no changes.

### **Land Development Code, Chapter 14, Section 14.24 A**

The previously approved Planned Development, which was approved in 2010, remains compliant with the Purpose and Intent of a Planned Development as outlined in Section 14.24 A of the Osceola County Land Development Code (LDC) in that it allows implementation of flexible design guidelines that depart from conventional straight zoning standards in order to provide a fully integrated, quality development.

### **Land Development Code, Chapter 14, Section 14.24 B (3)**

The planned industrial development district is intended for the development of industrial and business parks; however, supporting non-industrial uses including eating establishments or supporting commercial uses may also be permitted when complimentary to, compatible with, and integrated into a planned park. These special uses shall be reviewed by the Planning Official to determine whether they are complimentary and compatible with the PID prior to approval of the concept plan.

### **Land Development Code, Chapter 2, Section 2.5 C (1)**

The previously approved Planned Development Narrative and Concept Plan, which were approved in 2010, remain complaint with Section 2.5 C (1) of the Osceola County Land Development Code (LDC), which defines criteria for reviewing and evaluation the PD for compatibility. The PD is unchanged and remains complaint and compatible. The criteria are outlined below.

- a. **Whether there exists an error or ambiguity which must be corrected.** No ambiguity or error exists, which needs correction; however extension of the Planned Development will further the intent of facilitating distribution center in Southeast Osceola County.
- b. **Whether there exist changed or changing conditions which make approval of a proposed application appropriate.** PD09-00002 did not move forward with physical development due to current market conditions. This PD requests an additional three (3) year extension, for a total of five (5) years, to continue to market the property for new development. Staff supports the request for extended expiration date based on the current slow absorption of industrial uses and the May 2012 Industry Cluster Study which identified a need for Transportation, Distribution and Logistics (TDL) uses to support the County's strategic goal to grow and diversity the County's economy.
- c. **The impact of a proposed change on the intent of the Ordinance.** The proposed PD does not change land uses, densities, intensities, or development standards of the previously approved Planned Development and does not negatively impact the intent of the Ordinance.
- d. **The relevant testimony of any applicant.** See attached Application and PD Narrative in **Attachment A**.
- e. **The recommendation of staff.** The project was reviewed by the Development Review Committee on 06/20/12.

- f. **The relevant testimony of the public.** The public will be provided the opportunity to provide comments at the public hearings.
- g. **Whether a proposed land use change is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan.** The proposed PD is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan as established in Section 1 of this Staff Report.
- h. **Whether a proposed land use change meets or exceeds all performance and location standards set forth for the proposed use.** The proposed PD does not propose any change to the previously approved performance and locational requirements established in the original PD. The PD continues to meet or exceed the performance and location standards set forth for a PD in Chapter 14 of the Osceola County LDC. Development standards are outlined in the PD narrative, which is included in **Attachment A**.
- i. **Whether urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve a proposed land use change, when proposing a change to a land use category.** Urban services such as water, solid waste and site drainage are addressed in the PD. Water and solid waste will be provided via coordination with Toho Water Authority. The proposed PD will not change, nor effect existing proposed urban services.
- j. **Whether a proposed land use change is consistent with the densities, intensities, and general uses set forth in the Comprehensive Plan.** The proposed PD will not result in any increased densities or intensities and is consistent with the densities, intensities and general uses set forth in the Osceola County Comprehensive Plan 2025 Future Land Use Element.
- k. **Whether a proposed land use change will protect, conserve or preserve environmentally critical areas and natural resources.** The PD addresses three existing wetlands for onsite preservation. The narrative states that no threatened or endangered species have been identified on site. The proposed PD will not affect any critical areas or natural resources. Any issues regarding vegetation, wetlands and wildlife will be further addressed through the permitting and construction process and will be required to meet the standards established for the Yeehaw Distribution Center in the Future Land Uses Element of the Comprehensive Plan.
- l. **Whether a proposed land use change will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.** The proposed change to date of the expiration of the PD has no impact on the permitted uses and will not cause damage, hazard, nuisance or other detriment to persons or property.
- m. **Whether the location of a proposed land use change places an undue burden upon existing transportation by streets with the capacity to carry traffic generated by the development.** The proposed changes do not increase the maximum intensity or density of the PD; therefore there is no increase in the traffic that was previously generated by PD09-00002. The applicant shall be responsible for all mitigation as determined by the approved traffic impact analysis as outlined in the conditions approval and the Land Development Code.
- n. **Whether a requested use will be in compliance with all applicable general provisions and supplemental regulations pertaining to the use, as**

**set forth elsewhere in this Ordinance.** The existing PD (PD09-00002) and the proposed PD (PD12-00013) are in compliance all applicable general provisions and supplemental regulations pertaining to the use, as set forth elsewhere in this Ordinance. Future land development applications will be reviewed to ensure compliance with applicable regulations not specifically outlined in this staff report.

- o. Whether a proposed change is to rectify errors on the official zoning map.** With regards to this PD, no error exists on the official zoning map.

**Impacts to Adopted Levels of Service**

Future development applications for the site will be required to undergo technical review and meet all Land Development Code and related level of service standards for the provision of public facilities and services. Following approval of the PD application, an Engineering Improvement Plan (EIP) shall be required to address upgrades to the property, including access, parking, drainage and utilities.

**School Capacity:** This Planned Development proposes no changes to residential units or the development program; therefore, there are no additional impacts on public schools. See **Attachment B** for the School District's Adequate Capacity Analysis.

**Potable Water & Sanitary Sewer:** According to the PD Narrative, the Toho Water Authority (TWA) will be the water and wastewater provider for the project. The irrigation needs of the project will utilize reuse water as the primary water source. Per letter received in 2009, TWA will be the water, irrigation and sewer services provider for this project

**Transportation:** The applicant proposes their primary access to the PD to remain onto US 441/S. Kenansville Road. Conditions of approval have been established to ensure compliance with transportation LOS. PD09-00002 did not reserve capacity for any of the development program.

**Analysis of the previous conditions of approval for PD09-00002.**

Prior Special Conditions of approval from PD09-00002 were analyzed as part of the technical analysis to determine if they were still applicable to be carried forward with the new Planned Development, PD12-00013. Conditions that were satisfied or are no longer needed are proposed to be deleted. Conditions that are still applicable are proposed brought forward and/or revised to be consistent with this request. The final proposed Special Conditions are included in the staff recommendation.

1. The following Specifications for Detailed Concept Plan will be deferred to the EIP stage of development:
  - a. Existing ground surfaces and proposed elevations, base flood elevation and subsurface conditions; (LDC §14.24.H.b)
  - b. Proposed pavement type; (LDC §14.24.H.d)
  - c. Proposed water distribution and sanitary sewer layout; (LDC §14.24.H.e, FLUE Policy 4.2.10)
  - d. General site lighting plan; (LDC §14.24.H.f)

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward with the PD and should be deleted.*

2. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the

intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.

*This condition shall be brought forward with PD12-00013.*

3. The applicant has elected to defer capacity reservation for an 800,000 square foot distribution center, 100,000 SF Transportation Related Industry uses, 10,000 SF Truck Stop and 5,000 SF Fast Food uses. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

*This condition shall be brought forward with PD12-00013 with revisions to be consistent with development program and the Concurrency Application.*

4. Six-foot wide sidewalks shall be constructed along all internal roadway frontage within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.

*This condition shall be brought forward with PD12-00013.*

5. TWA will be the water, irrigation and sewer services provider for this project, per the letter received from TWA.

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward the PD and should be deleted.*

6. Any necessary permits will need to be obtained from the SJRWMD.

*This condition is covered within the Land Development Code and Florida Statutes; therefore is not necessary to be brought forward the PD and should be deleted.*

7. Per FLUE Policy 4.2.4, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy.

*This Condition is covered by the Future Land Use Element of the Comprehensive Plan but is a good reminder to the applicant of his monitoring requirements; therefore, shall be brought forward with this PD in modified form to provide current policy reference.*

8. Prohibition of plants for the production and distribution of concrete and masonry products.

*This condition shall be brought forward with the PD.*

**Development Review Committee Informational Comments (06/20/12):**

- a. The narrative calls out cell towers as a permitted use, please be advised, that while the use is permitted, the location and siting standards will need to be addressed through a separate conditional use application as outlined in the Land Development Code (LDC). Zoning recommends that a condition of approval be added to clarify cell tower requirements.

- b. Please note that the Adult Entertainment may only be allowed under Ordinance 93-9, as may be amended from time to time. These uses will only be allowed in areas identified for industrial use and subject to requirements in ORD 93-9. Zoning recommends that a condition of approval be added to clarify accurate adult entertainment requirements.
- c. Pending approval by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for the Planned Development will be July 16, 2017.
- d. PD09-00002 did not reserve capacity for any of the development program.
- e. Per letter received in 2009, TWA will be the water, irrigation and sewer services provider for this project

### **RECOMMENDATION AND REQUESTED ACTION:**

Approval of PD12-00013 to establish a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The Special Conditions recommended by the Development Review Committee at their meeting on June 20, 2012 are provided below.

- 1. This approval shall supersede PD09-00002; however, this approval shall reaffirm the Yeehaw Transportation & Distribution Center PD Narrative and Concept Plan dated "REVISED MAR 03 2010" that was previously approved under PD09-00002.
- 2. Communication towers shall require Conditional Use approval.
- 3. Adult Entertainment shall be compliant with ORD 93-9, as may be amended from time to time.
- 4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.
- 5. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.
- 6. The applicant has elected to defer capacity reservation. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

7. Six-foot wide sidewalks shall be constructed along all internal roadway frontages within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.
8. Per Yeehaw Transportation Distribution Center Policies in the Future Land Use Element, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy. Each EIP submittal shall include a running tally of prior EIP approvals, CO's, and their cumulative totals.
9. Plants for the production and distribution of concrete and masonry products are prohibited.

## **ATTACHMENTS:**

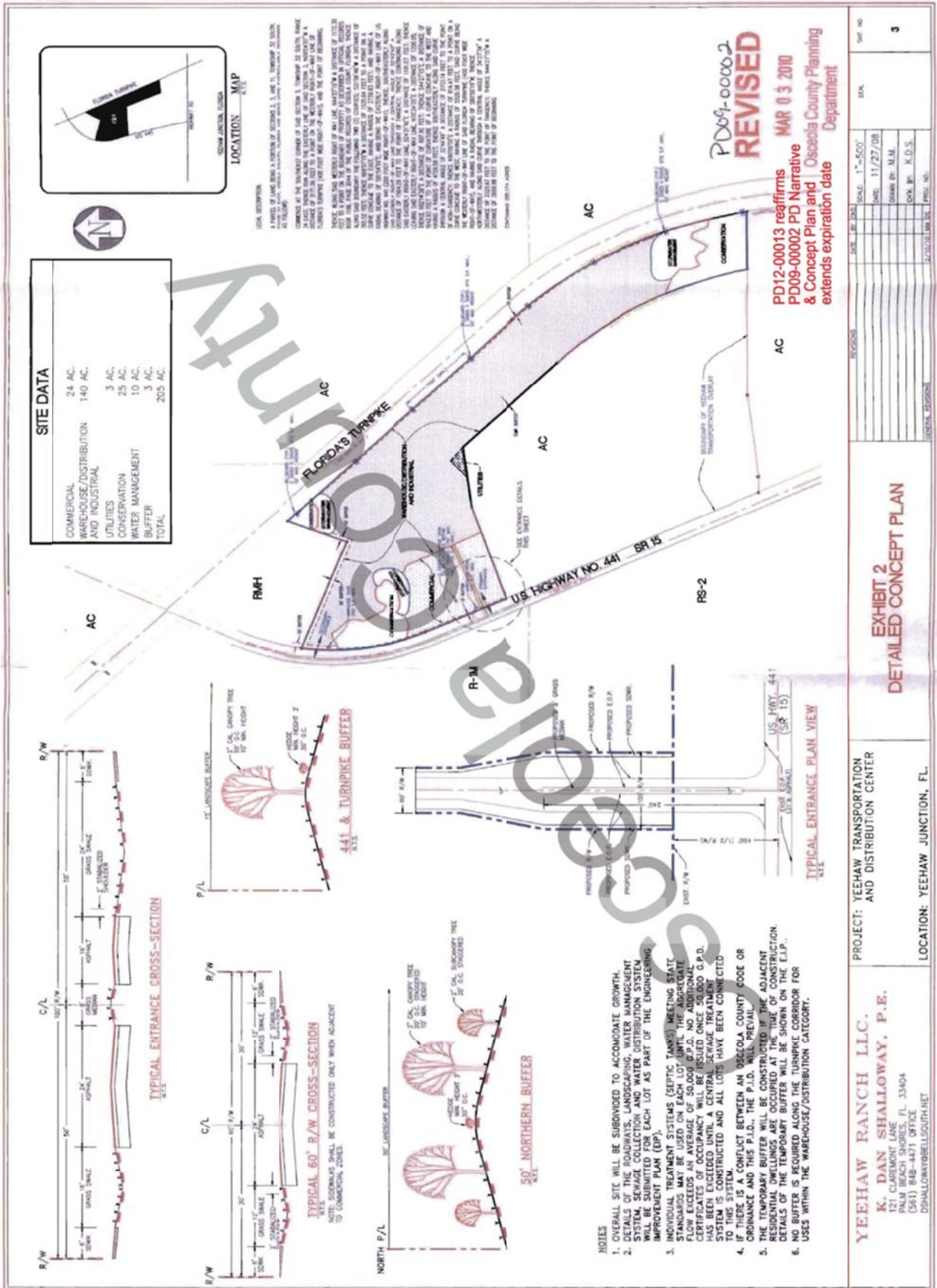
### **Attachment A - Planned Development Documents**

- Application date-stamped "RECEIVED MAY 23, 2012"
- PD Narrative date-stamped, "REVISED MAR 03 2010"
- PD Concept Plan date-stamped, "REVISED MAR 03 2010"

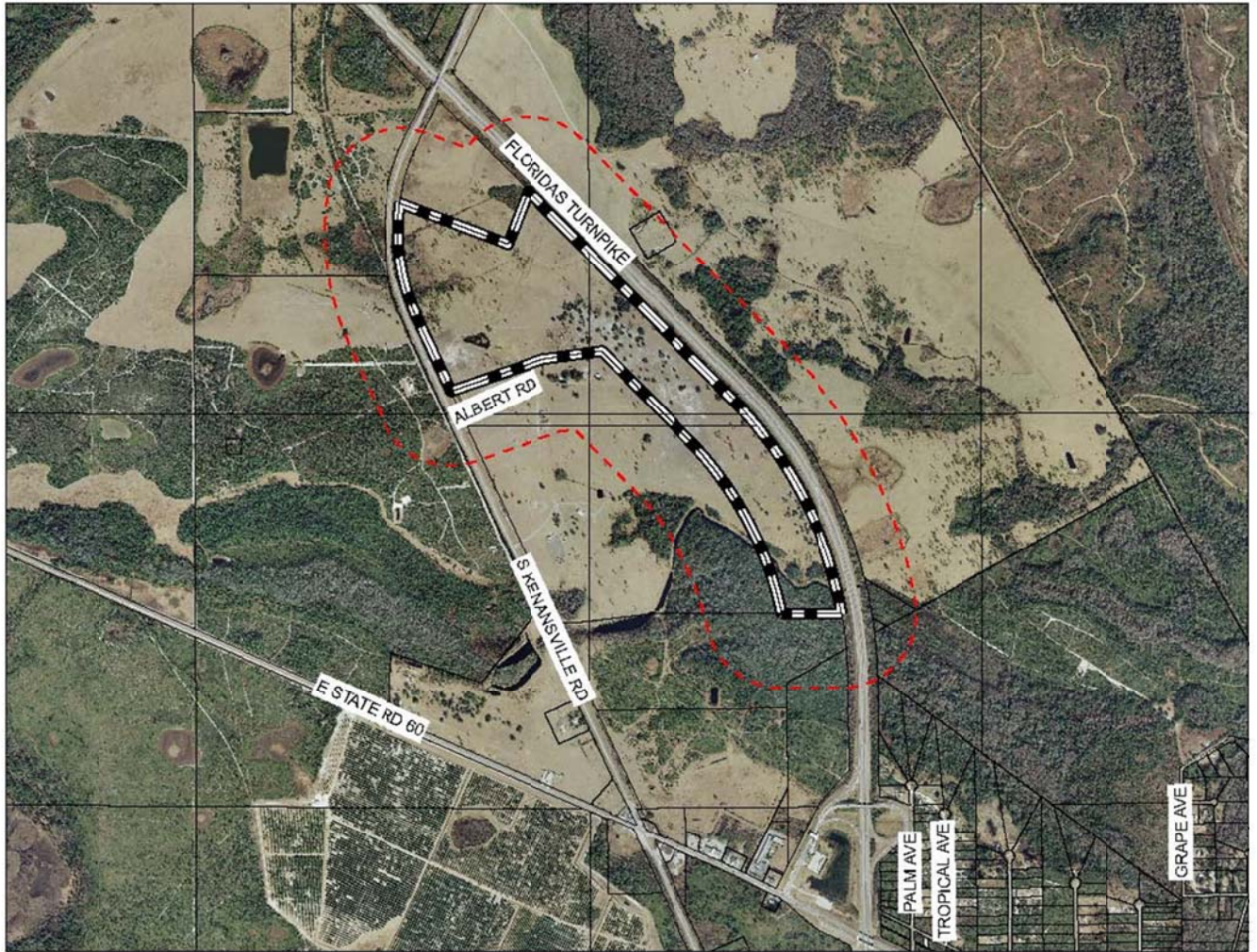
### **Attachment B - Supporting Documentation**

- School District of Osceola County School Capacity Report
- Site Photo Documentation

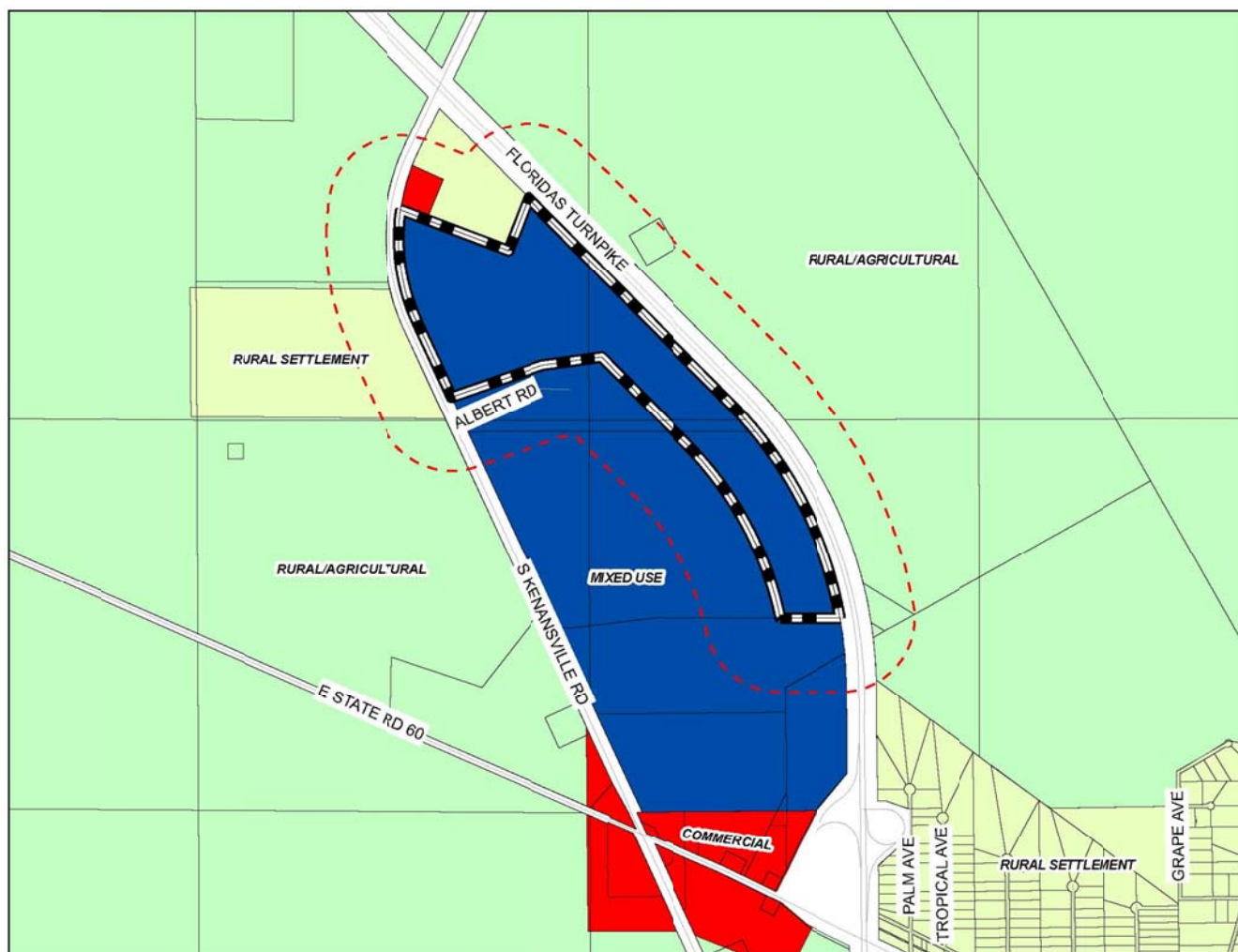
# PD DETAILED CONCEPT PLAN



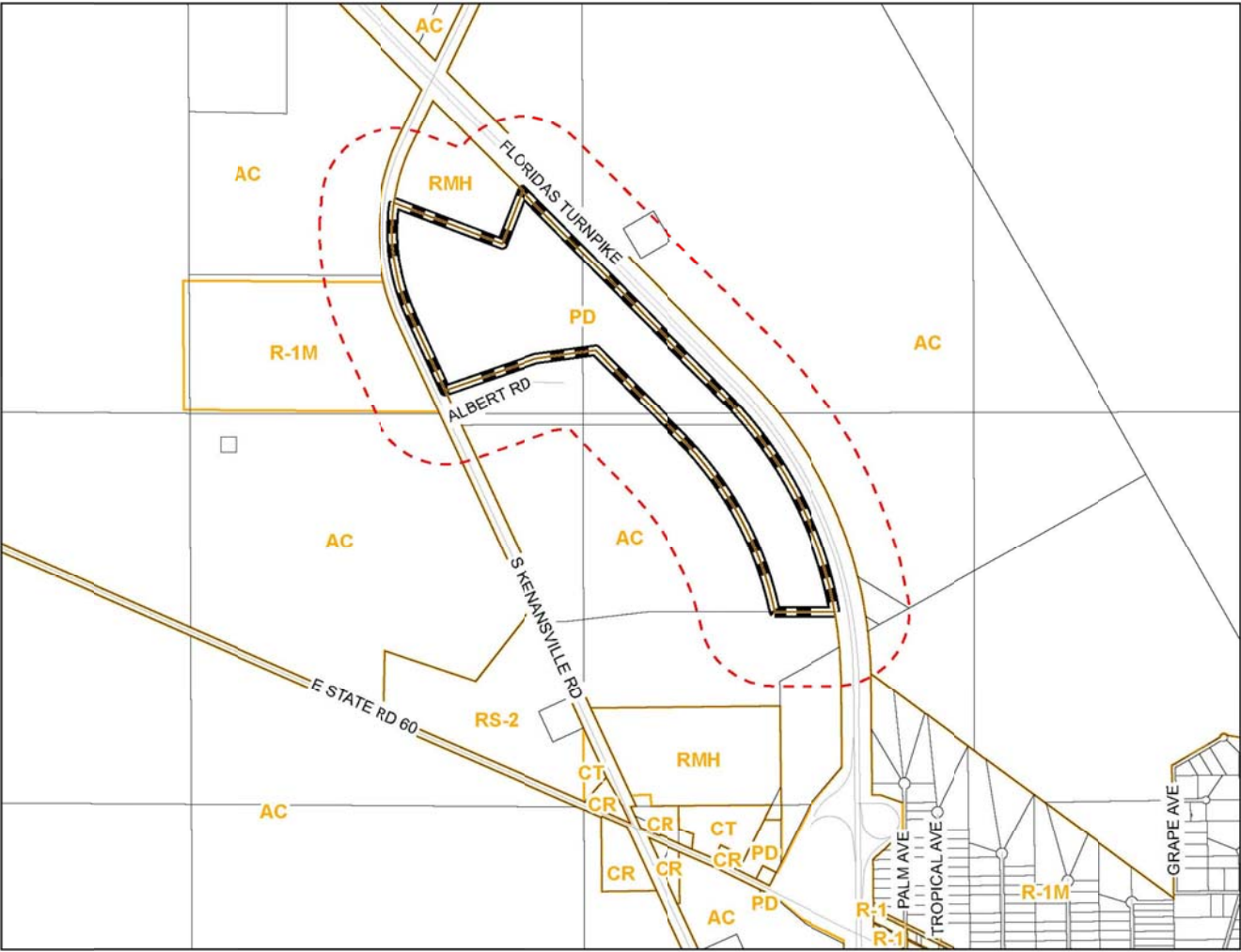
# AERIAL



## FUTURE LAND USE



EXISTING ZONING MAP



# **ATTACHMENT A**

## **Planned Development Documents**

## Yeehaw Ranch , LLC

PD12-00013  
**RECEIVED**

**MAY 23 2012**

Osceola County Planning  
Department

Tina Demostene  
Osceola County  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741

Re: Yeehaw Transportation and Distribution Center, PD0009-00002

Dear Ms Demostene

Attached is an application to amend PD0009-00002. The only change is to amend the expiration date from 7/12/2012 to 7/12 2014. Everything else remains the same.

Please note that we have been working closely with the Osceola County Economic Development Department to find a job creating user for the Yeehaw Transportation and Distribution Center. Economic Development has made numerous submissions on our behalf and we have even made some short list, however because of the general economic climate we have been unable to locate a user. We have seen the pace of Industrial Development beginning to pick up, and plan on diligently working to locate a user that will bring much needed jobs to Osceola County.

It is important for the County to have an inventory of large, ready to go Industrial zoned properties so that they can continue to attract job creators. We believe it is to the benefit of Osceola County to support this extension.

Sincerely



K Dan Shalloway  
Managing Shareholder

PD12-00013

# PLANNED DEVELOPMENT APPLICATION PACKAGE

Osceola County Board of County Commissioners  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741  
Phone (407) 742-0200 Fax (407) 742-0205

Application No.  
Date Received  
TRC Meeting  
OCPC Meeting  
BCC Meeting

RECEIVED

MAY 23 2012  
Osceola County Planning  
Department

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Planning Department along with the required fee and additional information necessary to be considered by the Technical Review Committee. The County can provide you with a copy of this form via email upon request.

## I APPLICANT INFORMATION

|          | Applicant                                         | Owner | Agent |
|----------|---------------------------------------------------|-------|-------|
| Contact: | Dan Shalloway                                     |       |       |
| Address: | 121 Claremont Dr<br>Palm Beach Shores<br>FL 33404 |       |       |
| Phone:   | 561-346-2206                                      |       |       |
| Fax:     |                                                   |       |       |
| Email:   | <del>dshalloway@</del> dan.shalloway@svn.com      |       |       |

## II PROPERTY

LEGAL DESCRIPTION: Provide a complete legal description. Include the complete parcel number of the property as well as Plat Book and Page (if applicable) or attach a copy of the deed(s) of record for all lands within the project boundary. (Deeds of record are available from the County Clerks Office.) You may submit a digital CAD file of the boundary survey in AutoCAD or Microstation compatible format. If applicable, include the street address.

|                    |          |
|--------------------|----------|
| Parcel number:     | Attached |
| Legal Description: |          |

III Is this application a PD amendment? Yes ☒ No

If yes, please list the previous PD number(s)

2 PD009-00002

March 2012

IV

**APPLICANT'S REQUEST (DETAILED DESCRIPTION INCLUDING ANY VARIANCES AND HOW THEY APPLY TO YOUR PROJECT)**

Change expiration date from  
7/12/2012  
to 7/12/2014

No other changes  
Application remains the same  
as previously submitted

Will this development construct sidewalks? Interior \_\_\_\_\_ Exterior \_\_\_\_\_

4. Design: What design criteria will be used for this development? (ie: traditional neighborhood, townhome)
5. Water/Sewer: Where are the closest water, sewer and re-use lines?

To assist you in determining information on the water/sewer facilities, you may want to contact your local provider listed below.

Kissimmee area: 407-518-2160

Poinciana area: 407-933-5302 ext. 20

BVL area: 407-598-4160

St. Cloud area: 407-957-7222

\*\* An accessible map is provided in the map room of the Growth Management Division to aid you in responding to this question.

**\*\*\*\*\*It is advised that the applicant inquire about the possibility of impact fee assessments on this project.**

**VII CERTIFICATION (Please check one)**

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is true and accurate, and that I am:

- ( ) **Landowner:** A landowner or his /her agent where authorized in writing, provided however that Where the fee owner has entered into a contract for the sale of the property, whether it be an agreement for deed, sales contract, or otherwise, then the purchaser may initiate the application when specifically authorized in the contract to do so or by another legal document authorizing same.  
Where there is more than one owner, then all such owners must jointly initiate the application or petition.
- ( ) **Trustee:** Where the property is subject to a land trust agreement, the trustee may initiate the application when the trustee has submitted evidence that he/she is authorized by the trust document to do so, either individually or with other trustees.
- (✓) **Corporation/Partnership:** Where the fee owner is a corporation or partnership then the president or general partner may initiate the application and must provide proof that the corporation or partnership exists including Certificate from Secretary of State stating that the corporation is in good standing.
- ( ) **Association:** Where the fee owner is an association, the association or its governing body may appoint an agent, in writing, to initiate the application on behalf of the association. Proof that the association exists must accompany the application.

DATE: 5/22/12

SIGNATURE *[Signature]*  
*Managing Shareholder*  
Owner/Agent/Corporation/Association *Yeehoco Ranch LLC*

\*\*\*Please list signature of all owners of the property

*K. Dan Shalloway*

Please print name(s) listed above

| FLORIDA DEPARTMENT OF STATE<br>DIVISION OF CORPORATIONS                     |                                                         | www.sunbiz.org                        |                                   |
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| <b>No Events</b>                                                            |                                                         | <b>No Name History</b>                |                                   |
|                                                                             |                                                         | <input type="button" value="Submit"/> |                                   |
| <b>Detail by Entity Name</b>                                                |                                                         |                                       |                                   |
| <b>Florida Limited Liability Company</b>                                    |                                                         |                                       |                                   |
| YEEHAW RANCH, LLC                                                           |                                                         |                                       |                                   |
| <b>Filing Information</b>                                                   |                                                         |                                       |                                   |
| Document Number                                                             | L04000002647                                            |                                       |                                   |
| FE/EIN Number                                                               | 270079047                                               |                                       |                                   |
| Date Filed                                                                  | 01/09/2004                                              |                                       |                                   |
| State                                                                       | FL                                                      |                                       |                                   |
| Status                                                                      | ACTIVE                                                  |                                       |                                   |
| <b>Principal Address</b>                                                    |                                                         |                                       |                                   |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                                                         |                                       |                                   |
| <b>Mailing Address</b>                                                      |                                                         |                                       |                                   |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                                                         |                                       |                                   |
| <b>Registered Agent Name &amp; Address</b>                                  |                                                         |                                       |                                   |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404 US |                                                         |                                       |                                   |
| <b>Manager/Member Detail</b>                                                |                                                         |                                       |                                   |
| <b>Name &amp; Address</b>                                                   |                                                         |                                       |                                   |
| Title MGRM                                                                  |                                                         |                                       |                                   |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404    |                                                         |                                       |                                   |
| <b>Annual Reports</b>                                                       |                                                         |                                       |                                   |
| Report Year                                                                 | Filed Date                                              |                                       |                                   |
| 2010                                                                        | 04/23/2010                                              |                                       |                                   |
| 2011                                                                        | 01/06/2011                                              |                                       |                                   |
| 2012                                                                        | 04/16/2012                                              |                                       |                                   |
| <b>Document Images</b>                                                      |                                                         |                                       |                                   |
| <a href="#">04/16/2012 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">01/06/2011 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">04/23/2010 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">02/10/2009 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">01/14/2008 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">04/18/2007 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">01/12/2006 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">01/11/2005 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                       |                                   |
| <a href="#">01/09/2004 -- Florida Limited Liabilities</a>                   | <input type="button" value="View image in PDF format"/> |                                       |                                   |

PD12-00013  
**RECEIVED**  
MAY 23 2012  
Osceola County Planning  
Department

**Yeehaw Transportation Distribution  
Center Planned Development**

**PD Narrative  
& PD Concept Plan**

***PD12-00013 reaffirms PD09-00002  
PD Narrative and PD Concept Plan date-stamped  
“REVISED MAR 03 2010” and extends the project  
expiration date***

**PD12-00013 reaffirms PD09-00002 PD Narrative and  
Concept Plan and extends project expiration date**

PD09-00002  
**REVISED**

**Yeehaw Transportation & Distribution Center  
PID**

Revised 2/22/2010

**MAR 03 2010**

**Osceola County Planning  
Department**

**Overview:**

The Yeehaw Transportation and Distribution Center Planned Industrial Development ( Yeehaw T & D PID ) is a 205 acre mixed use project lying within the Yeehaw Transportation Distribution Center overlay (Future Land Use Element, Goal 4) of Osceola County's Comprehensive Land Use Plan. The Yeehaw Transportation and Distribution Center is the first Green Industrial Park in the State of Florida to be registered with the US Green Building Council (USGBC). Future Land Use Element, Goal 4 of Osceola County's Comprehensive Plan says "The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County".

The Yeehaw T & D PID encourages the development of general types of industry and commercial enterprises which benefit from access to major roadways and thoroughfares. It does this by creating a compact employment center with intensive commercial and industrial uses which encourages interaction between these uses and reduces total vehicle highway miles.

The Commercial use is placed adjacent to US 441 at the main entrance to the project. It is anticipated that this will be a major Interstate Commercial stopping point since there are no other significant Interstate Commercial service centers within a 30 mile radius. It is expected that this Commercial service center will include a full service overnight Truck Stop. The businesses within this Interstate service center will enjoy a symbiotic relationship with the transportation related Industry located within the Industrial component. For example Trucks delivering to an Industrial user will have on site access to overnight parking, fueling, restaurants, entertainment and service. Having these available to Industry locating in the Park means that they will not have to provide these services on site.

The revised Goal 4 in the Comprehensive plan calls for a compatibility determination in the zoning approval process. In order to meet this goal, a compatibility test is included as Exhibit E.

The site is sandwiched between US 441 and Florida's Turnpike with a Natural Buffer to the South and a small Commercial/Semisuburban site to the North. The Northern Border will be heavily buffered. Typical Commercial Zone Buffers will be placed along US 441. A buffer will be placed along the Turnpike to screen Industrial users, however Warehouse Distribution Facilities will have no buffer in order to Maximize exposure. No permanent buffers are proposed adjacent to other properties within the Yeehaw Transportation Overlay to encourage interaction within the Overlay District. The utility component has been strategically located so that it can be expanded to serve the entire overlay. No hazardous material users, producers or sellers are anticipated. If such a user wants to locate at the Distribution Center, they shall submit a hazardous management/containment plan with the EIP.

Signage is critical as the project is expected to rely upon capture of existing traffic, and not be a destination or traffic generator. Based upon Chapter 15 of the Osceola Land Development Code (LDC), the project would be eligible for 7 billboards along the Turnpike and 2 Billboards along 441. In order to be competitive with other Truck Service Centers adjacent to the Turnpike we are requesting one 150 ft Pole Sign and eliminating 2 Billboards. This will actually reduce sign face space significantly. Other than the 150 foot pole sign, all future signage will comply with Chapter 15 of the LDC.

Pedestrian paths will be constructed throughout the Commercial portion of the project however Pedestrian and Bicycle traffic will not be allowed within the Industrial portion of the project, given the heavy truck traffic that is expected. No sidewalk will be constructed on 441 as there are no nearby residential areas to connect to. The property owners Association will work closely with the LYNX Transportation system to offer employees a carpool matching service, the LYNX vanpool program and other programs that reduce trips. An internal shuttle to transport workers and Truck drivers to the Commercial center will be placed in service as soon as demand justifies it.

#### **Information for Preliminary Concept Plan**

1. A vicinity map is attached indicating the relationship between the planned development and the surrounding area is shown on Exhibit 2
2. A statement showing how the proposal meets the objective outlined in subsection A is given in the overview.
3. The following information is provided:

#### **Preliminary Concept Plan**

- a. All plans are drawn at an appropriate scale, date and legal descriptions contain a north arrow
- b. A survey is attached as Exhibit 1
- c. There are no adjacent developments and subdivisions.
- d. The existing zoning of contiguous property is shown on Exhibit 2
- e. The Utility site, preserve areas, open space and water management tracts are shown on Exhibit 2 along with their acreage.
- f. Vehicular, pedestrian and bicycle access and circulation are shown on exhibit 2
- g. Site data is shown on exhibit 2.
- h. The location of the conceptual development parcels is shown on Exhibit 2. A list of uses for each parcel is shown on Attachment A.
- i. A conceptual drainage plan is shown on Exhibit 2.
- j. The proposed method of providing for all necessary road improvements, sewage systems, water supply , stormwater management systems and fire protection is shown on Attachment B, in the Infrastructure Report.
- k. A traffic impact analysis addressing site access, and the impacts to the area roadway segments and intersections shall be submitted and approved prior to EIP submittal.
- l. The USGS quadrangle map is attached as Exhibit 4. Wetlands are shown as Exhibit 5.
- m. There are no large stands of trees other than within the wetlands.
- n. The property is owned by Yeehaw Ranch LLC. K. Dan Shalloway is the managing shareholder
- o. The project will be built as a single phase, based upon the market. At this point it impossible to know whether the first user will be Commercial, Industrial or Warehouse/Distribution.

#### **Detailed Concept Plan**

- a. Legal description is shown on Exhibit 1, the survey.
- b. Existing ground surfaces & proposed elevations, base flood elevation and subsurface conditions will be addressed in the Engineering Improvement Plan (EIP).

- c. There will be two entrances to the PID which are both shown on Exhibit 2, the Detailed Concept Plan. The Southern entrance will be the main entrance to the project, and the majority of traffic will be routed thru this entrance. The Entrance Road dimensions are shown on the master plan along with a typical Roadway section. Setback, height and Floor to Area (FAR) criteria are shown on Attachment A.
- d. Proposed pavement type will be addressed in the Engineering Improvement Plan (EIP).
- e. Proposed water distribution, sanitary sewer, fire protection and stormwater are addressed in Attachment B, the Infrastructure report. The actual layouts of these facilities will be addressed in the Engineering Improvement Plan (EIP).
- f. General site lighting plan will be addressed in the Engineering Improvement Plan (EIP).
- g. Wetland jurisdictional lines are shown on Exhibit 2, the Detailed Concept Plan. Stormwater retention facilities, Lakes and wetlands will be adjusted to meet permit requirements. The final configuration will be addressed in the Engineering Improvement Plan (EIP).
- h. Buffers and Landscaping are addressed in Attachment B, the Infrastructure Report and shown on Exhibit 2, the Detailed Concept Plan. Detailed Landscaping and Architectural details will be addressed in the Engineering Improvement Plan (EIP) for each development phase.
- i. The main entrance road is shown along with two Commercial and one Industrial (with overlay) lot on Exhibit 2, The Detailed Concept Plan. These lots will be subdivided. Lot lines, reservations, easements, alleys & areas to be publicly dedicated will be shown for each phase on the Engineering Improvement Plan (EIP).

**Attachments:**

- A. List of Uses & Development Criteria
- B. Infrastructure Report
- C. Marketing consultant letter
- D. Planned Development application form
- E. Concurrency Management Application
- F. Compatibility Test

**Exhibits:**

1. Survey
2. Detailed Concept Plan & Location Map
3. Aerial
4. USGS Quad sheet
5. Wetlands

Osceola County



**Research Memorandum  
Yeehaw Transportation & Distribution Center  
Osceola County, Florida  
2/1/2010**

**Questions:**

- 1) If the possibility of a High Rise Sign is eliminated, does it “encourage the development of a Transportation-related distribution center”?
- 2) If a visual buffer is required along the Florida’s Turnpike, does it “encourage the development of a Transportation-related distribution center”?

**Discussion:**

Regarding the High Rise Sign, the Truck Stop has always been a critical element of the Yeehaw T & D Center. The symbiotic relationship between the Truck Stop and Distribution Center has always been a distinguishing characteristic which separates it from other Industrial Parks in the market. While Trailers are being loaded or unloaded, the Tractor can get fuel and service and the driver can rest.

From a competitive standpoint, most major Truck Stops have a High Rise sign with the current price of Diesel. Requiring a Truck stop not to have this will put it at a competitive disadvantage and **discourage** the development of a Transportation-related Distribution Center.

One of the primary uses envisioned at the Yeehaw T & D Center is Distribution of Goods. This is usually done out of large box distribution centers. Modern centers continue to increase in height due to advances in material handling systems. Clear spans of 30 to 34 feet are now common, leading to building heights of up to 50’. Buildings with lower overall height are considered functionally obsolete, and would be difficult to finance or lease. The way the marketing program is designed, the Big Box Distribution Centers will be aligned along the Turnpike to maximize exposure. Other uses such as Recycling Facilities or the Truck Stop will be in the interior or will have a buffer.

The Distribution Centers (DC's) were proposed along the Turnpike without a visual buffer for several reasons. These DC's will primarily be used by national retailers or producers of consumer goods who value name recognition. Having their name visible to the large number of travelers on the Turnpike will be a major selling point. If the County wants to attract a Major Distributor to the Yeehaw Distribution Center then they will need to offer the Distributor every possible advantage. It is going to be very difficult to attract the first major user. National Companies are risk adverse, and dislike being the first to locate in a new facility. The Transportation Center needs to offer every possible advantage in order to get it's first user.

In Orange County, there are numerous big box DC's along the Turnpike that are not Buffered. Currently, Orange County has many more DC's than Osceola County, and they will continue to hold a competitive advantage over Osceola County if the County forces restrictions which place it at a disadvantage. In summary, the requirement of a Landscape Buffer along the Turnpike that would block the view of a Distribution Center, would **discourage** the development of a Transportation-related Distribution Center. For Industrial Users, the requirement of a Buffer will not be detrimental to the marketing effort.

**Recommendations:**

- 1) Any Truck Stop or truck Service Center locating at the Yeehaw T & D Center should be allowed a high rise pole sign easily visible from the Florida's Turnpike.
- 2) Buffers should not be required along the Florida Turnpike for Distribution Centers

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## **Attachment A**

### **Yeehaw Transportation & Distribution Center**

#### **List of Uses and Development Criteria**

##### **Approved Uses: Commercial**

1. Truck Stops, Fueling Stations, and Truck Service Centers.
2. Truck, car, and equipment repair and service.
3. Areas for the display, sale, and repair of new or used automobiles, trucks, travel trailers, motor bikes, boats, manufactured homes, mobile homes and farm or construction equipment.
4. Wholesale and Retail Nurseries.
5. Service Stations and Convenience Stores and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
6. Shops and stores for the sale of general retail goods and services.
7. Restaurants, delicatessens, fast food and other food preparation facilities.
8. Locations for commercial recreation such as a golf driving range, miniature golf, baseball and archery practice range, bowling alley, indoor shooting range, skating rink, and race tracks.
9. Adult Entertainment establishments in accordance with Osceola County Ordinance 93-3, as amended.
10. Transient Housing Facility (hotel or motel complex) including customary uses accessory and incidental to the hotel or motel complex.
11. Schools, Child Care Centers and Kindergartens whose primary purpose is to serve the business and residences located in the Yeehaw Transportation District Overlay.
12. Professional office buildings related to the industry and businesses within the PID.

---

#### **Approved Uses: Warehouse/Distribution**

13. Shell or spec buildings designed to attract warehousing and distribution.
14. General Warehousing and Storage.
15. Warehouse or distribution Facilities which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
16. Truck Terminals
17. Petroleum tank farms.
18. Distribution Electric Substations.
19. Solid Waste Transfer Stations
20. Wholesale and Retail Nurseries

#### **Approved Uses: Industrial**

21. Shell or spec buildings designed to attract compatible industry.
22. Industry which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
23. Truck, car and equipment repair service
24. Areas for the display, sale, and repair of new or used trucks, farm or construction equipment.
25. Plants which fabricate and distribute wood products, such as modular units, cabinets, molding and lumber.
26. Plants for the fabrication and distribution of metal products such as bar joists and decorative panels, including machine shops and related tool and die work.

27. Plants for the fabrication and distribution of plastic, glass or ceramic products, such as pipe, hose, molding strips blocks or pottery.
28. Plants for the processing and distribution of food products such as citrus, fruits, vegetables.
29. Roof Truss Plants.
30. Plants for the fabrication and distribution of concrete and masonry products such as blocks, precast or pre-stressed structural members and building components, septic tanks, culvert or pipe.
31. Plants for the production and distribution of asphaltic materials, provided that such plants meet all Federal and state agencies' noise and emission control requirements.
32. Plants for the production and distribution of Concrete.
33. Plants for recycling or processing of used or waste materials
34. Plants for the processing of Biomass
35. Industries that require a waiver or variance from Osceola County's Noise or Air Pollution Codes and Ordinances that are required to obtain the necessary waiver or variance through the process provided in the Osceola County Land Development Code. Noise and Air Pollution data shall be measured from the boundary of the Yeehaw Transportation and Distribution Center PID external boundary and not from any internal lot lines.

#### **Approved Uses: Utilities**

36. Utility plants to serve the project (i.e. plants for water or sewage treatment).
37. Solid Waste Collection & Recycling Facilities
38. Electric and Power Generation and cogeneration facilities
39. Alternative fuel dispensing station

#### **Approved Uses: All Categories**

40. Billboards and Signs that meet State and Federal Codes and/or the criteria within the PD
41. Communication towers.
42. Administrative office buildings ancillary to the industry and businesses within the PID.

#### **Development Criteria; Commercial**

1. Max Lot Building Coverage = 40%
2. Min Lot size = 10,000 sf
3. Min lot frontage = 100'
4. Front building setback = 35'
5. Side building setback = 10'
6. Rear building setback = 25'
7. Max. Building Height = 40'

#### **Development Criteria: Warehouse/Distribution**

1. Max Lot Building Coverage = 60%
2. Min Lot size = 40,000 sf
3. Min Lot frontage = 200'
4. Front building Setback = 35'
5. Rear Building Setback = 10'
6. Side Building Setback = 25'
7. Max Building Height = 60' (Storage towers and communication towers excluded)

#### **Development Criteria: Industrial**

1. Max Lot Building Coverage = 50%
2. Min Lot size = 20,000sf
3. Min lot frontage = 150'
4. Front Building setback = 35'
5. Rear Building setback = 10'
6. Side Building setback = 25'
7. Max. Building Height = 60" (Storage towers, Stacks and Communication towers excluded)

#### **Development Criteria: Billboards**

Each Billboard will be placed on a separately platted lot. This lot will not be required to front on a road and may be accessed by easement. No setbacks are required from the Billboard lot on adjacent property.

1. Max Lot Coverage = 80%
2. Min Lot size = 500sf
3. Min Lot length = 40'
4. Min lot width = 10'
5. Setbacks = 2', No overhang setbacks required
6. Max Height = 50' above adjacent Florida's Turnpike or US 441.

For Criteria not specified in the PID, Billboards will be consistent with Chapter 15 of the Land Deve

#### **Development Criteria: Parking**

Because of the wide variety of non-standard uses, specific parking requirements for each use are not possible. Instead, as each phase is submitted, an analysis of the parking needs of each use will be analyzed as part of the EIP.

**Infrastructure & Natural Resources Report  
Yeehaw Transportation & Distribution Center**

**PID**

**12/17/08  
Revised 8/26/09  
Revised 2/22/10**

**Prepared By:**

**K. Dan Shalloway  
Professional Engineer  
LEED Accredited Professional  
Member US Green Building Council  
121 Claremont Lane  
Palm Beach Shores, FL 33404  
Office: 561 848 4471  
Mobile: 561 346 2306  
Email: [dshalloway@bellsouth.net](mailto:dshalloway@bellsouth.net)**

## **Yeehaw Transportation & Distribution Center, PMUD Infrastructure & Natural Resources Report.**

### **Electric Service:**

Electric Service will be from the Peace River Electric Cooperative (Co-op). Officials from the Co-op have met on site and examined future demands from the project. They will be able to meet the demands. The Co-op has expressed interest in locating a substation on the site if future demand warrants it. Electric Substations have been included in the list of permitted uses.

As a Green Industrial Park, all users will utilize energy saving measures recommended by the US Green Building Council. In addition to energy conservation measures inherent in the building design, Green Buildings can take advantage of on site renewable power generation opportunities and Green Power.

### **Sewage:**

An on site Sewage Waste Management strategy has been conceptually developed in conjunction with Toho Utilities. Sewage collection will be done by a combination of Gravity and low Pressure or Vacuum systems. Typically Industrial uses are characterized by low volumes separated by large distances, making Gravity collection systems impractical. In those areas either Low Pressure or Vacuum systems will be used. These systems will be owned and maintained by a combination of the Property Owners Association and the private user. Gravity collection Mains within the Public Rights of Way will be constructed by the developer and turned over to Toho Utilities for operation and maintenance.

Sewage Waste will be treated on site utilizing a Membrane Bioreactor (MBR) or other technology approved by Toho Utilities. The plant and disposal system will be built by the developer and maintained by the Property Owners Association until there is an Average Daily Flow of 25,000 gpd. At that point Toho Utilities will make a determination when they will take over operation of the plant. Toho Utilities will take over operation and maintenance of the plant prior to average daily flows reaching 50,000 gpd. The Utility site is located immediately adjacent to the centroid of the remaining property within the Yeehaw Transportation Overlay so that it can easily be expanded to serve the rest of the element.

Based on conversations with MBR manufacturers and Toho Utilities it is not recommended that the first phase of the Central Treatment Facility be built until there is at least an average waste flow of at least 25,000 gpd. Prior to this minimum flow, waste shall be treated utilizing on-site individual treatment systems (septic tanks). These Septic systems will utilize dosing tanks which can be converted to low pressure lift stations when the septic systems are abandoned and the users are connected to a central system. Once an aggregate of 25,000 gallons average daily flow has been reached, no further Certificates of Occupancy shall be issued until a Central Sewer Treatment Facility has been Constructed and all Septic systems have been abandoned and the users connected to the Central Facility.

Treated effluent will be made available to all occupants in the Park for non-potable uses. Since all projects within the Yeehaw Transportation and Distribution Center will be seeking certification from the US Green Building Council (USGBC) they will want to take advantage of the high quality treated effluent for uses such as Irrigation, Truck Washing and Toilet flushing. Any remaining effluent will be disposed of utilizing underground drains and/or Percolation Ponds where the water will be returned to the Surficial Aquifer. In this way 100% of the wastewater effluent will be recycled.

#### **Water:**

Potable Water will be supplied by Surficial Wells and treated on Site. Toho Utilities will take over the maintenance and operation utilizing the same criteria as the Sewage Treatment System. Since the Yeehaw Transportation & Distribution Center is a LEED (Leadership in Energy and Environmental Design) Registered Project with the USGBC, there will be extensive use of Xeriscaping. What irrigation water is needed will be primarily supplied by Reuse water. It is anticipated that the Yeehaw Transportation and Distribution Center will have both a potable and non-potable water distribution system. It has not been determined whether Fire Protection will be accomplished with Potable or Non-Potable water. This will be determined through continuing discussions with Toho Utilities.

#### **Stormwater Management:**

The property lies within the St Johns River Water Management District. There is a high Sandy Ridge in the center of the Property splitting flow to the North and the South. The Southern basin falls more than 15' vertically to a slough flows easterly under the turnpike. The Northern basin flows to the two wetlands which are interconnected by a ditch. The Wetland at the Northeastern corner of the property flows easterly under the Turnpike. Water from the developed property will flow to a lake (water management tract) which will be constructed next to the wetland. These lakes will interconnect with the wetlands to encourage interchange of species with the Wetlands a greater biodiversity. Each site will provide pretreatment prior to discharging to the lakes.

The Stormwater management system will meet the design criteria in compliance with the St Johns Water Management District and Osceola County Land Development Code LDC, Chapter 6. A copy of the SJWMD permit application will be provided with the EIP submittal and a copy of the permit will be supplied prior to approval of the EIP.

#### **Buffers & Landscaping:**

Policy 4.2.12 of the Osceola County Comprehensive Plan says "Development within the Yeehaw Transportation Distribution Center shall be internally interconnected". Because the majority of uses are complementary, and it is desired to create a mix of inter-related uses, Buffers and perimeter landscaping between parcels within the PID is not required and discouraged. The exception would be schools, professional offices and motels, which will want to create buffers for safety & privacy reasons. No buffer will be provided adjacent to the remaining lands within the Yeehaw District so that interaction with future PD's in the Yeehaw Distribution District will be encouraged.

External Buffers will be addressed as follows:

- 1) Northern Property Boundary: Since the area to the North is primarily zoned Semi Suburban, this will be the most heavily buffered and landscaped border. A 50' Heavily landscaped Buffer will be placed along the Northern Boundary of the PID. This buffer will be planted with tree's and vegetation that will create a complete visual buffer for the adjacent Semi-suburban land
- 2) Florida's Turnpike Boundary: In order to encourage inter-action with this primary Intrastate Corridor, no buffers or landscaping are recommended. Uses which would not be visually compatible with the Transportation corridor are not permitted adjacent to the turnpike and are restricted to the Industrial Overlay. This is consistent with current development along the Turnpike corridor. Transportation oriented businesses such as Truck Stops and Distribution Centers are given maximum visibility while non-transportation uses such as Residential are buffered.
- 3) US 441 Boundary: A 10 foot buffer will be created along 441. It will be lightly landscaped to create an attractive appearance and gateway to the project, however it will be designed to allow visibility of the Intrastate commercial establishments in the Commercial zone.

#### **Wetlands and Natural Resources:**

The site is currently being used as improved pasture for a cow/calf breeding operation. Previous uses included an Asphalt Plant and Florida Power and Light Storage Yard. There is an approximately 4 acre area fronting 441 that has been in continuous usage as a staging and storage yard for Vehicles transporting agricultural products. At the South end of the property there is a Wetland area which is part of a relatively large and pristine slough. This Wetland is relatively untouched because a small ditch along its North Border prevents access by cattle. This wetland will be preserved and no development activity will occur within 50'. There is a Wetland Area adjacent to 441 which has been isolated for many years by the construction of 441. This Wetland is highly impacted both by 441 and the continuous access by cattle. Despite these impacts it can be restored and made viable. The only development activity allowed within 50' will be the Stormwater Management Tracts, which will be integrated contiguous to the wetlands to encourage species interaction. At the Northeast corner of the site is another Wetland similar to the one along 441. Only a small portion of this Wetland lies within this project, however it will be treated the same as the Wetland along 441.

The three significant Wetlands on the site have all been designated as Conservation on the Master Plan and will be dedicated to the Yeehaw Transportation & Distribution Center Property Owners Association

#### **Threatened & Endangered Species:**

No Endangered or Threatened species have been observed on the site. Wetland dependent species like the Wood-stork and Everglades kite are unlikely to use the site because of the proximity between two major highways. Regular and continuous management of the land as improved pasture has limited native plant species from being established on the site. There is a possibility that Gopher Tortoises inhabit the adjacent Turnpike Right of Way, and may therefore forage on the adjacent site. Prior to EIP submittal, a detailed survey of Gopher Tortoise and other endangered and threatened species will be conducted.

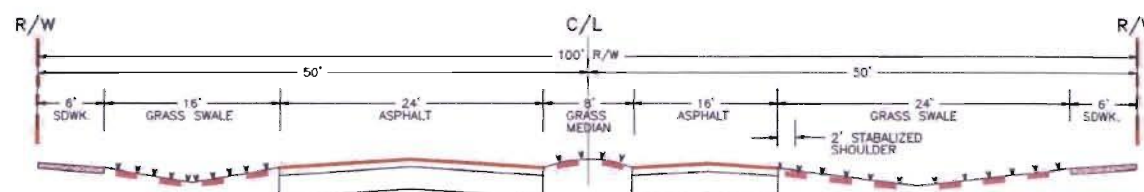
PD12-00013 reaffirms PD09-00002 PD  
Narrative and Concept Plan and extends  
project expiration date

PD09-00002  
**REVISED**

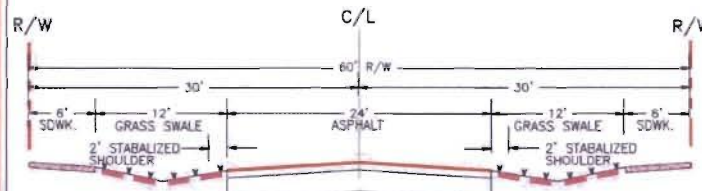
MAR 03 2010

Osceola County Planning  
Department

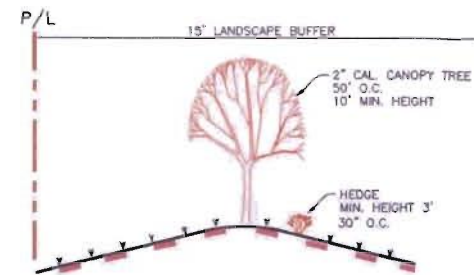
|                        | Allowable sq ft<br>Goal 4 | sq ft PID               | Total Ac<br>Goal 4 | Ac PID |
|------------------------|---------------------------|-------------------------|--------------------|--------|
| Warehouse/Distribution | 2,000,000                 | 200,000 to<br>1,200,000 |                    |        |
| Industrial             | 200,000                   | 50,000 to<br>150,000    |                    |        |
| Commercial             | 50,000                    | 10,000 to 30,000        |                    |        |
| Residential            | N/A                       | None                    | N/A                | None   |
| Conservation           |                           |                         | 74                 | 25     |
| Utilities              |                           |                         | 10                 | 3      |



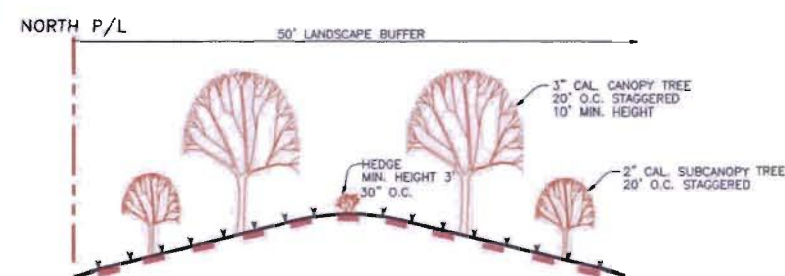
TYPICAL ENTRANCE CROSS-SECTION  
N.T.S.



TYPICAL 60' R/W CROSS-SECTION  
N.T.S.  
NOTE: SIDEWALKS SHALL BE CONSTRUCTED ONLY WHEN ADJACENT TO COMMERCIAL ZONES.



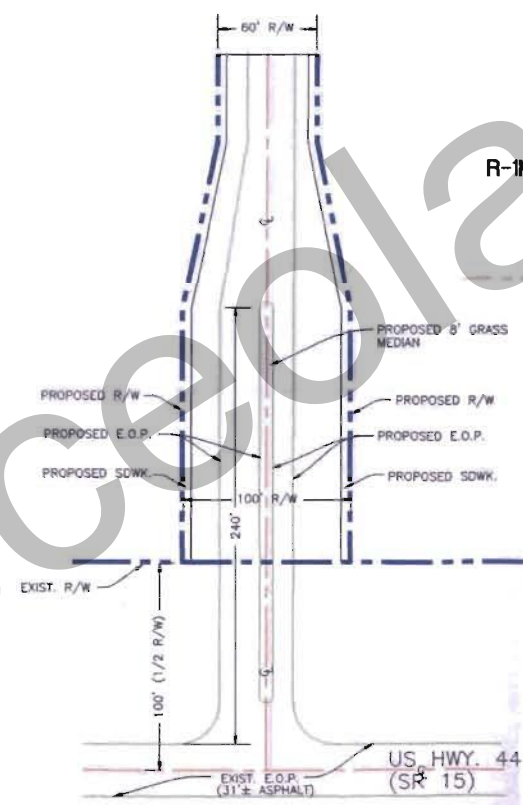
441 & TURNPIKE BUFFER  
N.T.S.



50' NORTHERN BUFFER  
N.T.S.

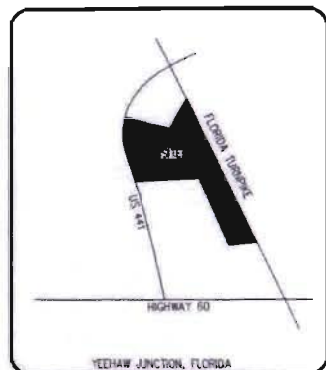
NOTES

- OVERALL SITE WILL BE SUBDIVIDED TO ACCOMMODATE GROWTH.
- DETAILS OF THE ROADWAYS, LANDSCAPING, WATER MANAGEMENT SYSTEM, SEWAGE COLLECTION AND WATER DISTRIBUTION SYSTEM WILL BE SUBMITTED FOR EACH LOT AS PART OF THE ENGINEERING IMPROVEMENT PLAN (EIP).
- INDIVIDUAL TREATMENT SYSTEMS (SEPTIC TANKS) MEETING STATE STANDARDS MAY BE USED ON EACH LOT UNTIL THE AGGREGATE FLOW EXCEEDS AN AVERAGE OF 50,000 G.P.D. NO ADDITIONAL CERTIFICATES OF OCCUPANCY WILL BE ISSUED ONCE 50,000 G.P.D. HAS BEEN EXCEEDED UNTIL A CENTRAL SEWAGE TREATMENT SYSTEM IS CONSTRUCTED AND ALL LOTS HAVE BEEN CONNECTED TO THIS SYSTEM.
- IF THERE IS A CONFLICT BETWEEN AN OSCEOLA COUNTY CODE OR ORDINANCE AND THIS P.I.D., THE P.I.D. WILL PREVAIL.
- THE TEMPORARY BUFFER WILL BE CONSTRUCTED IF THE ADJACENT RESIDENTIAL DWELLINGS ARE OCCUPIED AT THE TIME OF CONSTRUCTION. DETAILS OF THE TEMPORARY BUFFER WILL BE SHOWN ON THE E.I.P..
- NO BUFFER IS REQUIRED ALONG THE TURNPIKE CORRIDOR FOR USES WITHIN THE WAREHOUSE/DISTRIBUTION CATEGORY.



TYPICAL ENTRANCE PLAN VIEW  
N.T.S.

| SITE DATA                             |         |
|---------------------------------------|---------|
| COMMERCIAL                            | 24 AC.  |
| WAREHOUSE/DISTRIBUTION AND INDUSTRIAL | 140 AC. |
| UTILITIES                             | 3 AC.   |
| CONSERVATION                          | 25 AC.  |
| WATER MANAGEMENT                      | 10 AC.  |
| BUFFER                                | 3 AC.   |
| TOTAL                                 | 205 AC. |



LOCATION MAP  
N.T.S.

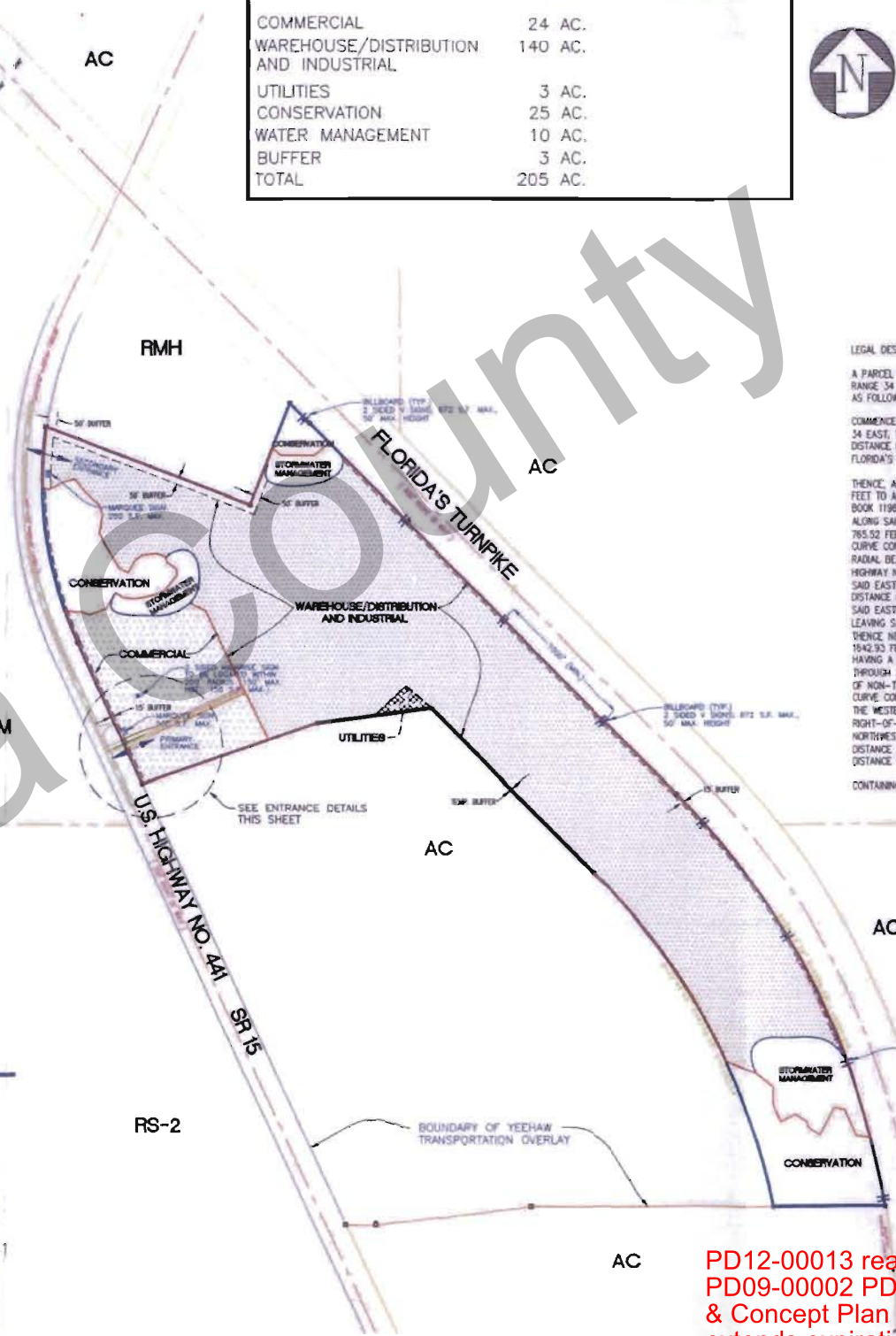
LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTIONS 2, 3, AND 11, TOWNSHIP 32 SOUTH, RANGE 34 EAST, OSCEOLA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 3, TOWNSHIP 32 SOUTH, RANGE 34 EAST; THENCE RUN ALONG THE EASTERLY LINE OF SAID SECTION 3, 1000'40" W A DISTANCE OF 2171.06 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY), AND THE POINT OF BEGINNING;

THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N44°27'15"W A DISTANCE OF 1172.30 FEET TO A POINT ON THE BOUNDARY OF PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1196, PAGE 2044 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE, ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: S21°06'46"W A DISTANCE OF 765.52 FEET; THENCE N68°57'10"W A DISTANCE OF 1535.64 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2739.93 FEET; AND HAVING A RADIAL BEARING OF S81°54'59"E, AND BEING THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 441 (200 FOOT WIDE RIGHT-OF-WAY); THENCE, SOUTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 32°42'42" A DISTANCE OF 1564.29 FEET TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S24°31'42"E A DISTANCE OF 1101.07 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N70°34'05"E A DISTANCE OF 1296.05; THENCE N82°14'30"E A DISTANCE OF 807.90 FEET; THENCE S44°27'15"E A DISTANCE OF 1942.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 4729.58 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°44'49" A DISTANCE OF 2703.14 FEET TO THE POINT OF NON-TANGENCY; THENCE N90°00'00"E A DISTANCE OF 814.47 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 5528.58 FEET; SAID CURVE BEING THE WESTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY); AND HAVING A RADIAL BEARING OF S80°00'19"W; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°27'34" A DISTANCE OF 3325.67 FEET TO THE POINT OF TANGENCY; THENCE N44°27'15"W A DISTANCE OF 2699.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 205.174 ACRES



PD09-00002  
REVISED

PD12-00013 reaffirms  
PD09-00002 PD Narrative  
& Concept Plan and  
extends expiration date

MAR 03 2010  
Osceola County Planning  
Department

**YEEHAW RANCH LLC.**  
**K. DAN SHALLOWAY, P.E.**  
121 CLAREMONT LANE  
PALM BEACH SHORES, FL 33404  
(561) 848-4471 OFFICE  
DSHALLOWAY@BELLSOUTH.NET

PROJECT: YEEHAW TRANSPORTATION  
AND DISTRIBUTION CENTER  
  
LOCATION: YEEHAW JUNCTION, FL.

**EXHIBIT 2  
DETAILED CONCEPT PLAN**

| REVISIONS         | DATE    | BY | CHKD. | SCALE: 1"=500' | SEAL | SHT. NO. |
|-------------------|---------|----|-------|----------------|------|----------|
|                   |         |    |       | DATE: 11/27/08 |      |          |
|                   |         |    |       | DRAWN BY: M.M. |      |          |
|                   |         |    |       | CHK BY: K.D.S. |      |          |
| GENERAL REVISIONS | 2/10/10 | MM | DS    | PROJ. NO:      |      | 3        |

## **ATTACHMENT B**

### **Supporting Documentation**



# **SCHOOL CAPACITY REPORT**

## **The School District of Osceola County**

### **Planning Services Department**

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SDOC CASE # 12-05.29

TRS#: PD12-00013

Current FLU: Mixed Use as outlined in Goal 4,  
Yeehaw Distribution Center Overlay  
Requested FLU:

PROJECT NAME: Yeehaw Transportation & Distribution Center - PID

PROJECT LOCATION: 2900 Albert Road, Yeehaw Junction

Current Zoning: AC  
Requested Zoning:

COMMENTS DUE DATE: June 4, 2012

PID#: 03-32-34-0000-0010-0000, 02-32-34-0000-0030-0000,  
11-32-34-0000-9918-0000, -0013-0000

---

No Impact on Public Schools

# Site Photo Documentation



*Kenansville Road & Albert Street looking NE*



*Sign at Entrance (Albert Street & Kenansville Road)*



*Kenansville Road & Albert looking East*



*Kenansville Road & Albert looking South*



*Albert Street looking NW toward Kenansville Road*



# Osceola County Board of County Commissioners

1 Courthouse Square, Suite 1100  
Kissimmee, FL 34741  
407-742-0200

07/16/12

## Item Number

**PD12-00013**

*Yeehaw Transportation  
& Distribution Center  
Planned Development*

## Type of Application

Planned Industrial  
Development

## Applicant & Owner

K. Dan Shalloway, P.E.  
for Yeehaw Ranch, LLC

## Location

Southwest of the Florida  
Turnpike, east of U.S.  
Highway 441, and north  
of State Road 60

## Commission District

5 - Fred Hawkins

## Project Planner

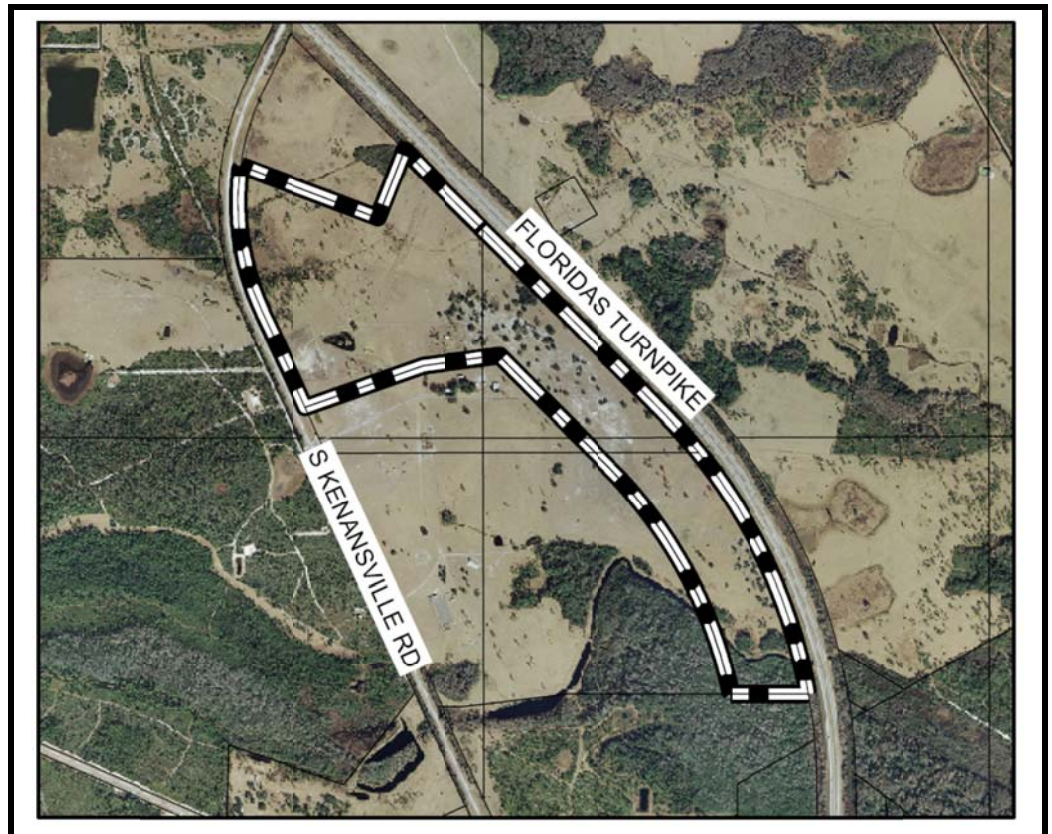
Tina Demostene, AICP

## Requested Action

Approve PD12-00013,  
subject to Special  
Conditions

## Recommendation

On 07/12/12 the Planning  
Commission will consider  
this request.



## ITEM SUMMARY:

The applicant requests approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The property is approximately 205 acres and is generally located in southeast Osceola County, southwest of the Florida Turnpike, east of U.S. Highway 441 (Kenansville Road), and north of State Road 60.

## PUBLIC NOTICE:

Notice of public hearing is published in the Orlando Sentinel prior to the public hearing. Property owners within 300 feet of the subject property are notified by mail prior to the public hearing. As of the date of this report, no oral or written comments have been received. Oral and written comments may be presented at the public hearings.

## Findings

In its review of the proposed application, staff has determined:

1. The request is consistent with the GOPs of the Osceola County 2025 Comprehensive Plan.
2. The request is compliant with all applicable requirements of the Osceola County Land Development Code.
3. The request is compatible with surrounding uses.

## STRATEGIC PLAN 2012:

The proposed Planned Development is consistent with the County's Strategic plan in that transportation, distribution and logistics (TDL) uses have been identified as a strength for Osceola County Economic Development and a major component of all five targeted industry clusters in the May 2012 Industry Cluster Study. These uses are consistent with the Strategic Plan 2012 in that they will Grow and Diversify the County's Economy.

## PROJECT DESCRIPTION:

The intent of this application is to approve the Yeehaw Transportation & Distribution Center Planned Development and to extend the expiration date of the Planned Development by three (3) additional years for a total of five (5) years.

The applicant has submitted the PD Narrative and Concept Plan that was previously approved for this site under PD09-00002. There are no proposed changes to the previously approved Planned Development Narrative for PD09-00002, which was approved by the Board of County Commissioners on July 12, 2010 and which will expire July 12, 2012. The 2009 PD Narrative is being included as part of this request and being re-affirmed as the approved PD. Pursuant to Chapter 14.24 I, the expiration date of the Planned Development will be established as two years after the Board of County Commissioners approval, unless subsequent development application is approved and acted upon. Based on the use being identified as a targeted industry and the current market, the applicant has requested that the expiration date established in the LDC be extended by an additional three (3) years, for a total of five (5) years after Board approval. If the additional three (3) year extension of the expiration date is approved by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for PD12-00013 will be July 16, 2017.

The development program within the Planned Development remains unchanged with from the previously approved PD and is illustrated below.

| Use                        | Maximum Development Program |
|----------------------------|-----------------------------|
| Commercial                 | 30,000 sq. ft.              |
| Warehousing & Distribution | 1,200,000 sq. ft.           |
| Light Industrial           | 150,000 sq. ft.             |
| Utilities                  | 3 Acres                     |
| Conservation               | 25 acres                    |

The following attachments are included as supporting documentation for the proposed request:

**Attachment A:** Planned Development documents, including the PD Application and PD Narrative and Concept Plan.

**Attachment B:** Support documentation from the School District of Osceola County (SDOC) and site photo documentation.

## BACKGROUND:

The Yeehaw Transportation Distribution Center policies in the Comprehensive Plan were established in the 2007 Comprehensive Plan as **Goal 4: Yeehaw Distribution Center** to take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County. The policies facilitate a mixture of warehouse/distribution, light industrial, commercial, residential, conservation and utility uses within the Yeehaw Transportation District. The policies further establish standards for provision of public facilities and infrastructure as well as requirements for preservation of environmentally sensitive areas. On February 1, 2010 Osceola County approved CPA09-0004 via ORD10-03, which included modifications to FLUE Policy 4.2.1 and 4.2.13 of the Yeehaw Transportation & Distribution Center Goal 4 in the Future Land Use Element of the Comprehensive Plan, which increased allowable warehouse/distribution allocations from 1,200,000 to 2,000,000 and modified criteria review of external trips on adjacent roadways.

The 205-acre Yeehaw Transportation & Distribution Center Planned Development (PD09-00002) was approved by the Board of County Commissioners on July 12, 2010. The PD allows for a mixture of commercial uses, warehouse and distribution uses, as well as a number of industrial uses, including utilities. The PD includes development criteria for each type of use. The Yeehaw Transportation & Distribution Center Planned Development includes a large portion of the 400+ acre Yeehaw Transportation Distribution Center as defined in the Comprehensive Plan, but does not cover the entire land area, nor does it encumber all of the available development program established in the Comprehensive Plan. As the applicant has not obtained approvals for Conceptual Development Plan (CDP) or Engineering Improvement Plan (EIP) within two years of the date of approval of the preliminary concept plan or the approval will become void on July 12, 2012.

In 1998, the County approved a temporary Conditional Use (CU98-00051), which allowed for the construction and operation of a temporary asphalt plant for a period of operation of two (2) years. The PD Narrative does not incorporate this use as a permitted use. A condition of approval was added to PD09-00002 to prohibit the use. This condition is being brought forward with PD12-00013.

The applicant has been working closely with the Economic Development Department to market their property, but is not prepared to submit Subdivision or Engineering Improvements Plans that would vest the uses in their Planned Development; therefore, they have requested approval of PD12-00013 to secure the uses in the Planned Development and to allow additional time to market the property for new commercial and industrial development. The application notes that the property owner has been working closely with the Osceola County Economic Development Department to find job creating user for the center, however, due to the general economic climate, have been unable to locate a user. The application further notes that the pace of industrial development is beginning to pick up and that the extension of this PD would allow the County to maintain an inventory of large, ready-to-go industrial zone properties that can attract job creators. PD12-00013 is intended to reestablish the Planned Development Zoning and replace the expired PD as well as extend the PD for a total of five (5) years.

The subject property has a Future Land Use Designation of Mixed Use and a Planned Development Zoning Designation. The Goal 4 of the Comprehensive Plan outlines the desired development program for the Yeehaw Transportation & Distribution Center—the existing PD is consistent with the allowable development program. The Planned Development Narrative includes development standards including lot coverage, lot size, setbacks, building heights, buffering, landscape, as well as parking standards. This PD proposed no changes to the previously approved development standards that were approved as part of PD09-00002. The following table summarizes adjacent future land use designations, zoning districts and existing uses:

| Direction of Adjacency | Future Land Use Designation                          | Zoning      | Existing Use       |
|------------------------|------------------------------------------------------|-------------|--------------------|
| North                  | Rural/Agricultural, Rural Settlement, and Commercial | AC and RMH  | Vacant Pastureland |
| East                   | Rural Agriculture                                    | AC          | Vacant Pastureland |
| South                  | Mixed Use                                            | AC          | Vacant Pastureland |
| West                   | Rural/Agricultural, Mixed Use, Rural Settlement      | AC and R-1M | Vacant Pastureland |

The uses proposed in the Yeehaw Transportation District Planned Development, which are unchanged since the 2009 approval, remain consistent and compatible with the surrounding zoning districts, Future Land Use designations and existing uses.

Wetlands: According to the existing approved PD, there exist approximately 25 acres of wetlands within the PD. The three significant wetlands areas have been designated as conservation on the PD Concept Plan, which will be preserved by dedication to the Yeehaw Transportation & Distribution Center Property Owners Association. Any future expansions or development that may impact these wetlands will be required to demonstrate compliance with applicable local, state, or federal permitting and mitigation requirements.

Soils & Minerals: According to the Map 6A: Soils and Minerals of the Future Land Use Map Series, the proper has a variety of soil types, including Placid Fine Sand, Samsula Muck, Basinger Fine Sand (Depressional), Smyrna Fine Sand, Immokalee Fine Sand, Myakka Fine Sand, Cassia Fine Sand, Paola Sand (0-5% Slopes), Satellite Sand, and Pompano Fine Sand. Site development plans will address appropriate engineering based on the type of soils where development will occur.

Floodplain: According to Map 4A: Floodplains of the Future Land Use Map Series, a small portion of land in the northeast corner and the southeast corner of the property are within the 100 year floodplain—these areas coincide with the wetland areas that are proposed for preservation on the PD Concept Plan. Any impacts to the floodplain will be compensated for through the proposed stormwater management system with the Engineering Improvement Plans.

## JUSTIFICATION/ TECHNICAL ANALYSIS:

### 1. Consistency with the Osceola County Comprehensive Plan

In preparing the recommendation staff reviewed the proposed Planned Development for consistency with the Goals Objectives and Policies of the Osceola County 2025 Comprehensive Plan.

#### **Future Land Use Element Policy 1.1.4: *Future Land Use Map (FLUM); relationship to zoning map***

In determining consistency with the Future Land Use Map, considerations such as land use compatibility, location, availability and capacity of services and facilities, market demand, and environmental features were addressed. The land uses, densities, and intensities in the Planned Development are consistent with the densities and intensities established in the Yeehaw Distribution Center GOPs.

#### **Future Land Use Element Goal 4: *Yeehaw Distribution Center***

The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of the County.

***Excerpts from the Yeehaw Transportation distribution Center Objectives and Policies (GOPs) are provided below which outline the project consistency with the Osceola County Comprehensive Plan.***

#### **Policy 4.1.1: *Yeehaw Transportation Distribution Center (YTDC).***

Development of the Yeehaw Transportation Distribution Center shall be in accordance with the following:

- All development must be submitted as a Planned Development;
- The total overlay area must consist of lands that are adjacent to each other and total no less than 400 acres;
- All development must meet or exceed the adopted level of service standards for Osceola County, and
- All permanent development will use central water and sewer services.

#### **Objective 4.2: *Development Standards***

Development within the Yeehaw Transportation Distribution Center Overlay will consist of a mix of land uses that provides an opportunity to achieve an integrated balance between transportation related uses, commercial uses and residential uses.

#### **Policy 4.2.1: *YTDC mix and distribution of land uses.***

The following mix and distribution of land uses shall be allowed:

- |    |                        |                   |
|----|------------------------|-------------------|
| a. | Warehouse/Distribution | 2,000,000 sq. ft. |
| b. | Light Industrial       | 200,000 sq. ft.   |
| c. | Commercial             | 50,000 sq. ft.    |
| d. | Residential            | 630 du            |
| e. | Conservation           | 74 acres*         |
| f. | Utilities              | 10 acres          |

*\* Final Conservation acreage subject to field verification and wetland determination.*

#### **Policy 4.2.3: *YTDC public facilities.***

Public facilities and utilities required to serve the needs of the businesses, employees and residents may be allowed within the Overlay. They shall be sized and built consistent with the demands generated by the approved mix and amount of land use activity.

**Policy 4.2.4: YTDC housing.**

The Yeehaw Transportation Distribution Center shall include on site housing units that are affordable to 50% of the employees of the Yeehaw Transportation Distribution Center, unless a reasonable demonstration is made that comparably priced housing is located within a 20 minute, 10 mile travel distance from the Yeehaw Transportation Distribution Center. Monitoring on the provision of this housing shall be performed before development in excess of 750,000 square feet of warehouse/distribution space receives certificates of occupancy, and again before a cumulative total of 1.2 million square feet of warehouse/distribution space receives certificates of occupancy. For the purposes of this policy, the issuance of residential building permits shall constitute provided housing. The ECFRPC Affordable Housing Methodology shall be used as a “reasonable demonstration” for showing that off-site housing is available as well as the means for monitoring the provision of on-site affordable housing.

**Policy 4.2.5: YTDC stormwater.**

All regionally significant wetlands within the jurisdiction of the SJRWMD shall be retained and may be incorporated into the stormwater management system in such a manner as to maintain current or restore historic hydro periods and wildlife values.

**Policy 4.2.6: YTDC preservation areas.**

The wetlands systems, upland buffers, other conservation tracts and mitigation areas shall be regarded as preservation areas for the purpose of protecting their natural attributes and shall have their developmental uses restricted by conservation easement as provided in Florida Statutes. Easements shall be conveyed to the St. John River Water Management District, the Florida Department of Environmental Protection, Osceola County or any other organization dedicated to conservation. Passive recreation facilities such as, but not limited to boardwalks, trails, educational displays and other similar uses are permitted land uses within these preservation areas.

**Policy 4.2.7: YTDC Conservation land uses.**

The boundaries of the Conservation land use area may be adjusted to be consistent with wetland jurisdictional lines determined by the SJRWMD and other jurisdictional lines as may be determined by other agencies of jurisdiction. In such cases, land initially presumed but later determined not to be classified as wetland will take on the land use category assigned to the upland portion of the adjacent development site.

**Policy 4.2.8: YTDC containment: hazardous materials management.**

Containment measures such as impervious paving, collection basins and spill response equipment will be used during construction and operation for warehousing/distribution uses to assure that all potentially hazardous materials are properly stored and controlled so that ground and surface waters are protected from contamination.

Management Plans shall be submitted to Osceola County for all hazardous materials users, producer and sellers. Hazardous materials management/containment plans, for projects intended to serve hazardous material users, producers, and sellers shall be prepared in accordance with all government and industry standards and submitted for review with the Planned Development and approved prior to the issuance of any related building permits.

**Policy 4.2.9: YTDC water and wastewater services.**

Water and wastewater services shall be located and provided on-site by the developer as part of the Planned Development approval process. Such services shall meet all applicable level of service standards established by Osceola County and shall be limited to lands associated with the Yeehaw Transportation.

**Policy 4.2.10: YTDC: design and construction of water and sanitary sewer system.**

The developer shall design and construct the potable water system and sanitary sewer system in accordance with the ordinances and rules of the Toho Water Authority in place at the time of construction. Once constructed and all applicable fees paid, the water treatment and distribution system and the sewage treatment collection facilities shall be owned and operated by Toho Water Authority. These systems shall require the issuance of all permits including any required CUP from the St. John's Water Management District. Furthermore, these systems shall be subject to the requirement of the Natural Resource Utilization Land Use as defined by Policies 1.3.37 through 1.3.39, inclusive

**Policy 4.2.12: YTDC: internal trip capture.**

Development within the Yeehaw Transportation Distribution Center shall be internally interconnected to promote the internal capture of trips. Pedestrian ways and bicycle lanes shall be provided within the Overlay area where such facilities can provide appropriate and safe alternatives to automotive travel, given the heavy truck traffic that is expected within the site.

**Policy 4.2.13: YTDC: external traffic.**

Development of the Yeehaw Transportation Distribution Center shall not overburden the public highway system and shall comply with applicable Osceola County transportation concurrency and other transportation management programs. No new net trips shall be allowed onto the public highway system unless consistent with adopted LOS for the adjacent road network.

**Policy 4.2.14: YTDC: roadway LOS deficiencies.**

Should Osceola County identify any deficiency in level of service standards on the public roadway system caused by any phase of the development within the Yeehaw Transportation Distribution Center, the developer shall be responsible to resolve the lack of available capacity by implementing any of the following mechanisms or combination thereof:

- a. Fund and/or construct 100 percent of the necessary improvement.
- b. Withdraw any phase of development and wait for sufficient capacity to become available through the continued implementation of a Capital Improvement Plan.
- c. Reduce the density or intensity of a phase of development to accommodate available capacity at the adopted level of service standard.
- d. Receive approval to a request to expedite an improvement listed in the Capital improvement Element.
- e. Meet with the County Planning and Engineering staff and establish an equitable Concurrency Roadway Deficiency agreement to address the funding or capacity improvements of the deficient roadway segment(s) necessary to provide sufficient capacity for the proposed development.

The project will be required to meet the requirements of all of the objectives and policies established under Future Land Use Element Goal 4: Yeehaw Distribution Center.

## 2. Compliant with the Land Development Code

In preparing the recommendation staff reviewed the proposed Planned Development for compliance with the Osceola County Land Development Code (LDC). The PD was found to be compliant with the Land Development Code when it was reviewed and approved in July 2010. The PD proposes to reaffirm the original PD Narrative and Master Plan with no changes.

### **Land Development Code, Chapter 14, Section 14.24 A**

The previously approved Planned Development, which was approved in 2010, remains compliant with the Purpose and Intent of a Planned Development as outlined in Section 14.24 A of the Osceola County Land Development Code (LDC) in that it allows implementation of flexible design guidelines that depart from conventional straight zoning standards in order to provide a fully integrated, quality development.

### **Land Development Code, Chapter 14, Section 14.24 B (3)**

The planned industrial development district is intended for the development of industrial and business parks; however, supporting non-industrial uses including eating establishments or supporting commercial uses may also be permitted when complimentary to, compatible with, and integrated into a planned park. These special uses shall be reviewed by the Planning Official to determine whether they are complimentary and compatible with the PID prior to approval of the concept plan.

### **Land Development Code, Chapter 2, Section 2.5 C (1)**

The previously approved Planned Development Narrative and Concept Plan, which were approved in 2010, remain complaint with Section 2.5 C (1) of the Osceola County Land Development Code (LDC), which defines criteria for reviewing and evaluation the PD for compatibility. The PD is unchanged and remains complaint and compatible. The criteria are outlined below.

- a. **Whether there exists an error or ambiguity which must be corrected.** No ambiguity or error exists, which needs correction; however extension of the Planned Development will further the intent of facilitating distribution center in Southeast Osceola County.
- b. **Whether there exist changed or changing conditions which make approval of a proposed application appropriate.** PD09-00002 did not move forward with physical development due to current market conditions. This PD requests an additional three (3) year extension, for a total of five (5) years, to continue to market the property for new development. Staff supports the request for extended expiration date based on the current slow absorption of industrial uses and the May 2012 Industry Cluster Study which identified a need for Transportation, Distribution and Logistics (TDL) uses to support the County's strategic goal to grow and diversity the County's economy.
- c. **The impact of a proposed change on the intent of the Ordinance.** The proposed PD does not change land uses, densities, intensities, or development standards of the previously approved Planned Development and does not negatively impact the intent of the Ordinance.
- d. **The relevant testimony of any applicant.** See attached Application and PD Narrative in **Attachment A**.
- e. **The recommendation of staff.** The project was reviewed by the Development Review Committee on 06/20/12.

- f. **The relevant testimony of the public.** The public will be provided the opportunity to provide comments at the public hearings.
- g. **Whether a proposed land use change is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan.** The proposed PD is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan as established in Section 1 of this Staff Report.
- h. **Whether a proposed land use change meets or exceeds all performance and location standards set forth for the proposed use.** The proposed PD does not propose any change to the previously approved performance and locational requirements established in the original PD. The PD continues to meet or exceed the performance and location standards set forth for a PD in Chapter 14 of the Osceola County LDC. Development standards are outlined in the PD narrative, which is included in **Attachment A**.
- i. **Whether urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve a proposed land use change, when proposing a change to a land use category.** Urban services such as water, solid waste and site drainage are addressed in the PD. Water and solid waste will be provided via coordination with Toho Water Authority. The proposed PD will not change, nor effect existing proposed urban services.
- j. **Whether a proposed land use change is consistent with the densities, intensities, and general uses set forth in the Comprehensive Plan.** The proposed PD will not result in any increased densities or intensities and is consistent with the densities, intensities and general uses set forth in the Osceola County Comprehensive Plan 2025 Future Land Use Element.
- k. **Whether a proposed land use change will protect, conserve or preserve environmentally critical areas and natural resources.** The PD addresses three existing wetlands for onsite preservation. The narrative states that no threatened or endangered species have been identified on site. The proposed PD will not affect any critical areas or natural resources. Any issues regarding vegetation, wetlands and wildlife will be further addressed through the permitting and construction process and will be required to meet the standards established for the Yeehaw Distribution Center in the Future Land Uses Element of the Comprehensive Plan.
- l. **Whether a proposed land use change will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.** The proposed change to date of the expiration of the PD has no impact on the permitted uses and will not cause damage, hazard, nuisance or other detriment to persons or property.
- m. **Whether the location of a proposed land use change places an undue burden upon existing transportation by streets with the capacity to carry traffic generated by the development.** The proposed changes do not increase the maximum intensity or density of the PD; therefore there is no increase in the traffic that was previously generated by PD09-00002. The applicant shall be responsible for all mitigation as determined by the approved traffic impact analysis as outlined in the conditions approval and the Land Development Code.
- n. **Whether a requested use will be in compliance with all applicable general provisions and supplemental regulations pertaining to the use, as**

**set forth elsewhere in this Ordinance.** The existing PD (PD09-00002) and the proposed PD (PD12-00013) are in compliance all applicable general provisions and supplemental regulations pertaining to the use, as set forth elsewhere in this Ordinance. Future land development applications will be reviewed to ensure compliance with applicable regulations not specifically outlined in this staff report.

- o. Whether a proposed change is to rectify errors on the official zoning map.** With regards to this PD, no error exists on the official zoning map.

**Impacts to Adopted Levels of Service**

Future development applications for the site will be required to undergo technical review and meet all Land Development Code and related level of service standards for the provision of public facilities and services. Following approval of the PD application, an Engineering Improvement Plan (EIP) shall be required to address upgrades to the property, including access, parking, drainage and utilities.

**School Capacity:** This Planned Development proposes no changes to residential units or the development program; therefore, there are no additional impacts on public schools. See **Attachment B** for the School District's Adequate Capacity Analysis.

**Potable Water & Sanitary Sewer:** According to the PD Narrative, the Toho Water Authority (TWA) will be the water and wastewater provider for the project. The irrigation needs of the project will utilize reuse water as the primary water source. Per letter received in 2009, TWA will be the water, irrigation and sewer services provider for this project

**Transportation:** The applicant proposes their primary access to the PD to remain onto US 441/S. Kenansville Road. Conditions of approval have been established to ensure compliance with transportation LOS. PD09-00002 did not reserve capacity for any of the development program.

**Analysis of the previous conditions of approval for PD09-00002.**

Prior Special Conditions of approval from PD09-00002 were analyzed as part of the technical analysis to determine if they were still applicable to be carried forward with the new Planned Development, PD12-00013. Conditions that were satisfied or are no longer needed are proposed to be deleted. Conditions that are still applicable are proposed brought forward and/or revised to be consistent with this request. The final proposed Special Conditions are included in the staff recommendation.

1. The following Specifications for Detailed Concept Plan will be deferred to the EIP stage of development:
  - a. Existing ground surfaces and proposed elevations, base flood elevation and subsurface conditions; (LDC §14.24.H.b)
  - b. Proposed pavement type; (LDC §14.24.H.d)
  - c. Proposed water distribution and sanitary sewer layout; (LDC §14.24.H.e, FLUE Policy 4.2.10)
  - d. General site lighting plan; (LDC §14.24.H.f)

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward with the PD and should be deleted.*

2. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the

intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.

*This condition shall be brought forward with PD12-00013.*

3. The applicant has elected to defer capacity reservation for an 800,000 square foot distribution center, 100,000 SF Transportation Related Industry uses, 10,000 SF Truck Stop and 5,000 SF Fast Food uses. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

*This condition shall be brought forward with PD12-00013 with revisions to be consistent with development program and the Concurrency Application.*

4. Six-foot wide sidewalks shall be constructed along all internal roadway frontage within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.

*This condition shall be brought forward with PD12-00013.*

5. TWA will be the water, irrigation and sewer services provider for this project, per the letter received from TWA.

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward the PD and should be deleted.*

6. Any necessary permits will need to be obtained from the SJRWMD.

*This condition is covered within the Land Development Code and Florida Statutes; therefore is not necessary to be brought forward the PD and should be deleted.*

7. Per FLUE Policy 4.2.4, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy.

*This Condition is covered by the Future Land Use Element of the Comprehensive Plan but is a good reminder to the applicant of his monitoring requirements; therefore, shall be brought forward with this PD in modified form to provide current policy reference.*

8. Prohibition of plants for the production and distribution of concrete and masonry products.

*This condition shall be brought forward with the PD.*

**Development Review Committee Informational Comments (06/20/12):**

- a. The narrative calls out cell towers as a permitted use, please be advised, that while the use is permitted, the location and siting standards will need to be addressed through a separate conditional use application as outlined in the Land Development Code (LDC). Zoning recommends that a condition of approval be added to clarify cell tower requirements.

- b. Please note that the Adult Entertainment may only be allowed under Ordinance 93-9, as may be amended from time to time. These uses will only be allowed in areas identified for industrial use and subject to requirements in ORD 93-9. Zoning recommends that a condition of approval be added to clarify accurate adult entertainment requirements.
- c. Pending approval by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for the Planned Development will be July 16, 2017.
- d. PD09-00002 did not reserve capacity for any of the development program.
- e. Per letter received in 2009, TWA will be the water, irrigation and sewer services provider for this project

### **RECOMMENDATION AND REQUESTED ACTION:**

Approval of PD12-00013 to establish a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The Special Conditions recommended by the Development Review Committee at their meeting on June 20, 2012 are provided below.

1. This approval shall supersede PD09-00002; however, this approval shall reaffirm the Yeehaw Transportation & Distribution Center PD Narrative and Concept Plan dated "REVISED MAR 03 2010" that was previously approved under PD09-00002.
2. Communication towers shall require Conditional Use approval.
3. Adult Entertainment shall be compliant with ORD 93-9, as may be amended from time to time.
4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.
5. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.
6. The applicant has elected to defer capacity reservation. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

7. Six-foot wide sidewalks shall be constructed along all internal roadway frontages within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.
8. Per Yeehaw Transportation Distribution Center Policies in the Future Land Use Element, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy. Each EIP submittal shall include a running tally of prior EIP approvals, CO's, and their cumulative totals.
9. Plants for the production and distribution of concrete and masonry products are prohibited.

### **PLANNING COMMISSION RECOMMENDATION:**

On July 12, 2012, the Planning Commission will hear and make recommendation related to the request establish a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The Planning Commission action will be presented via addendum at the July 16, 2012 Board of County Commissioner Meeting.

### **ATTACHMENTS:**

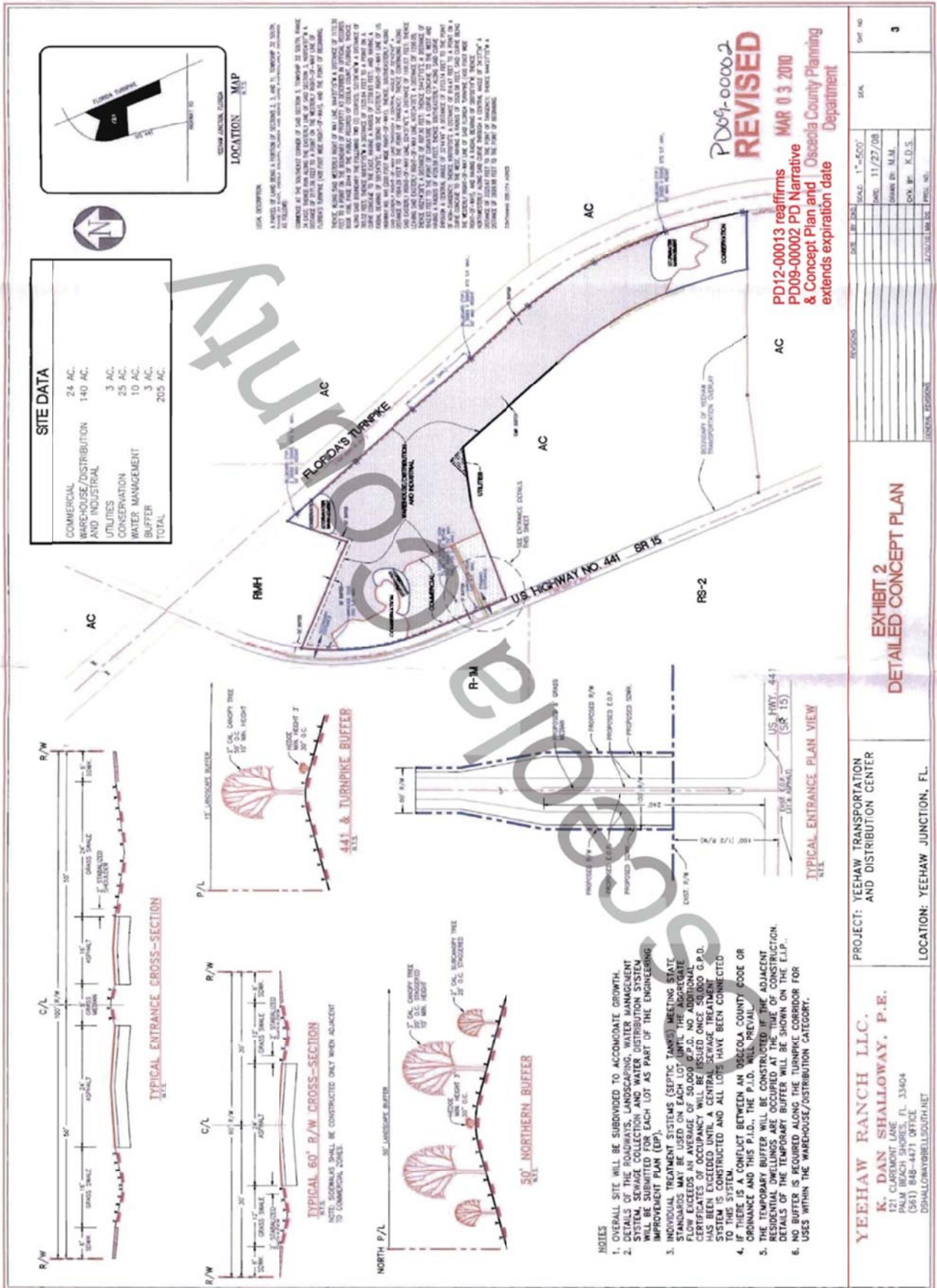
#### **Attachment A - Planned Development Documents**

- Application date-stamped "RECEIVED MAY 23, 2012"
- PD Narrative date-stamped, "REVISED MAR 03 2010"
- PD Concept Plan date-stamped, "REVISED MAR 03 2010"

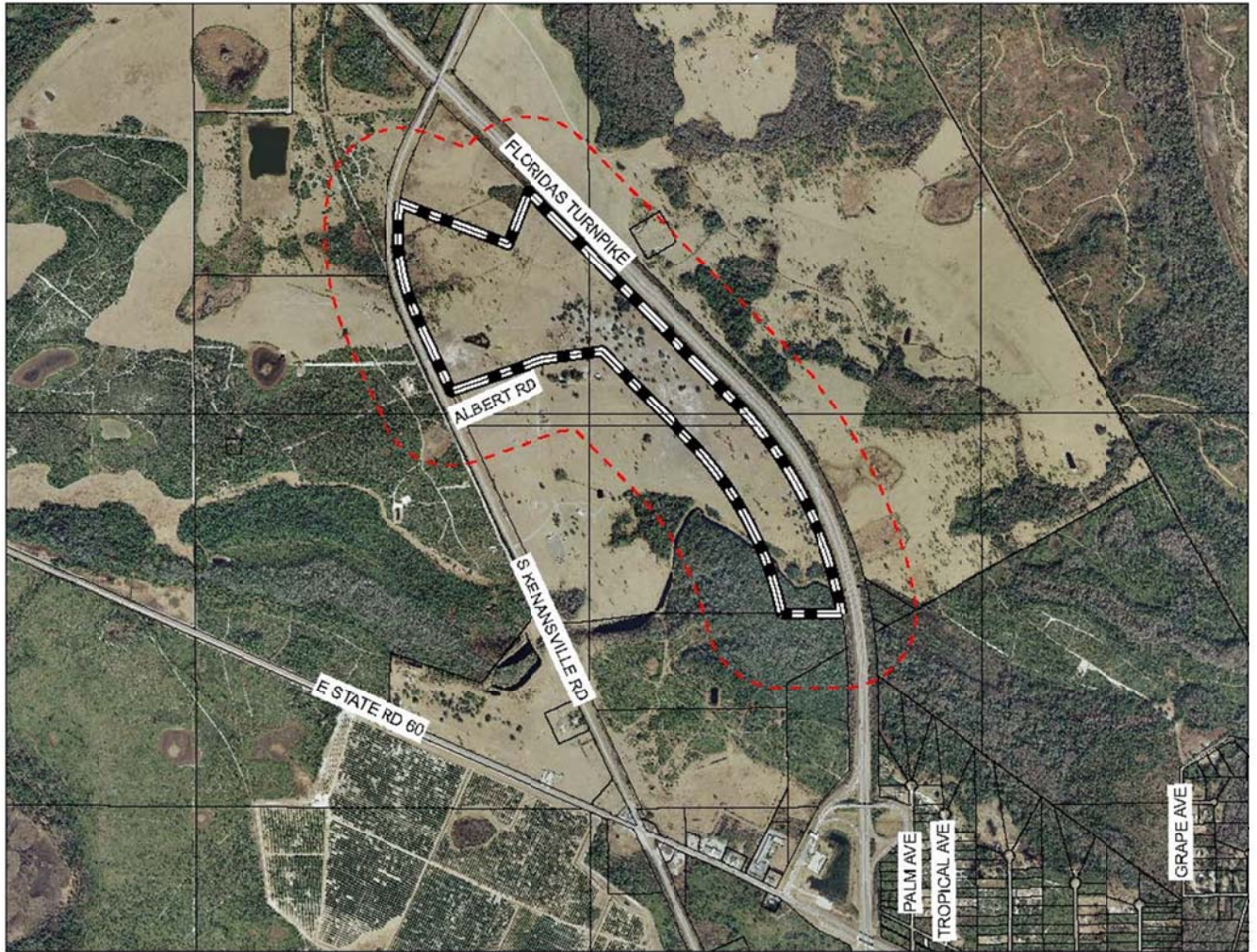
#### **Attachment B - Supporting Documentation**

- School District of Osceola County School Capacity Report
- Site Photo Documentation

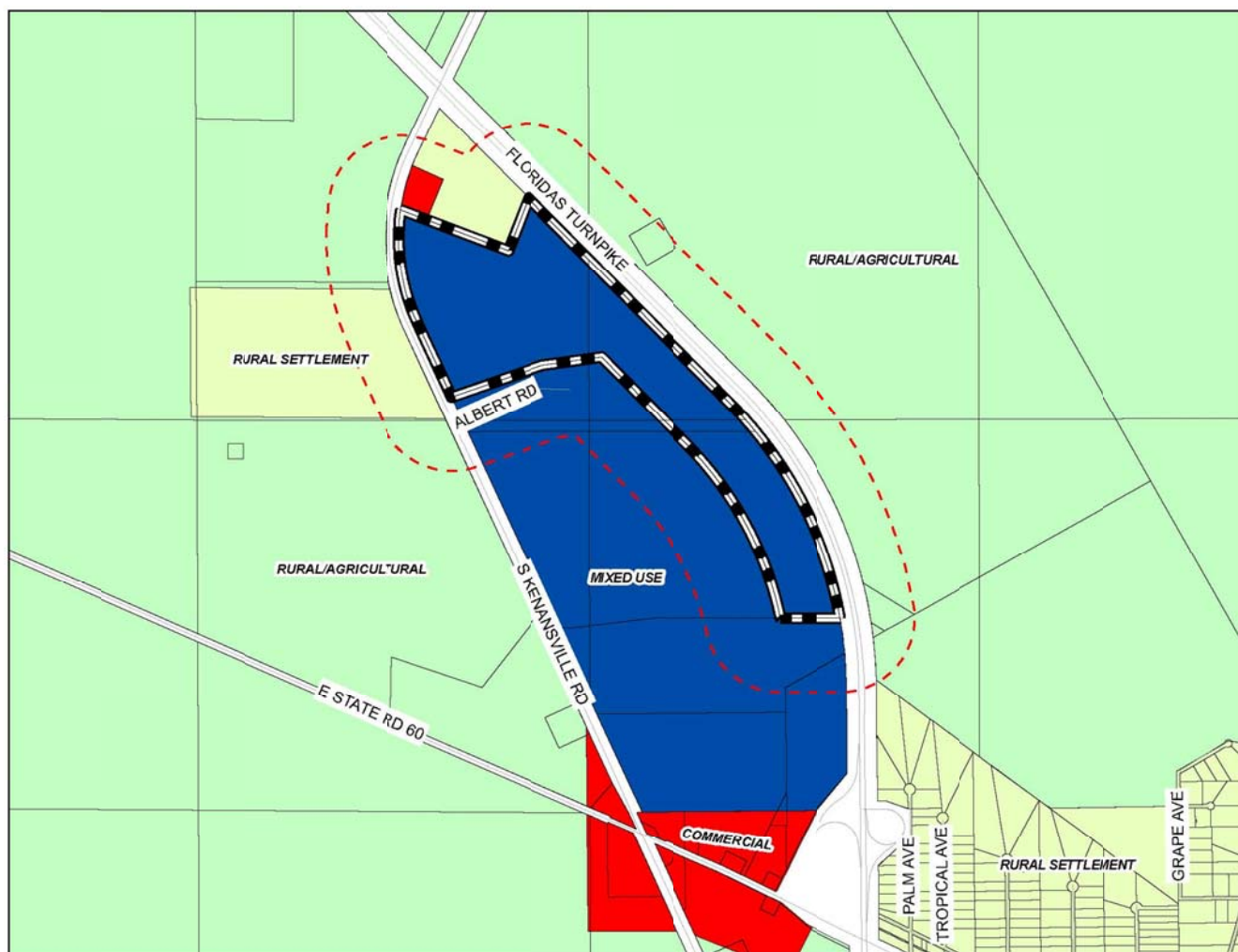
# PD DETAILED CONCEPT PLAN



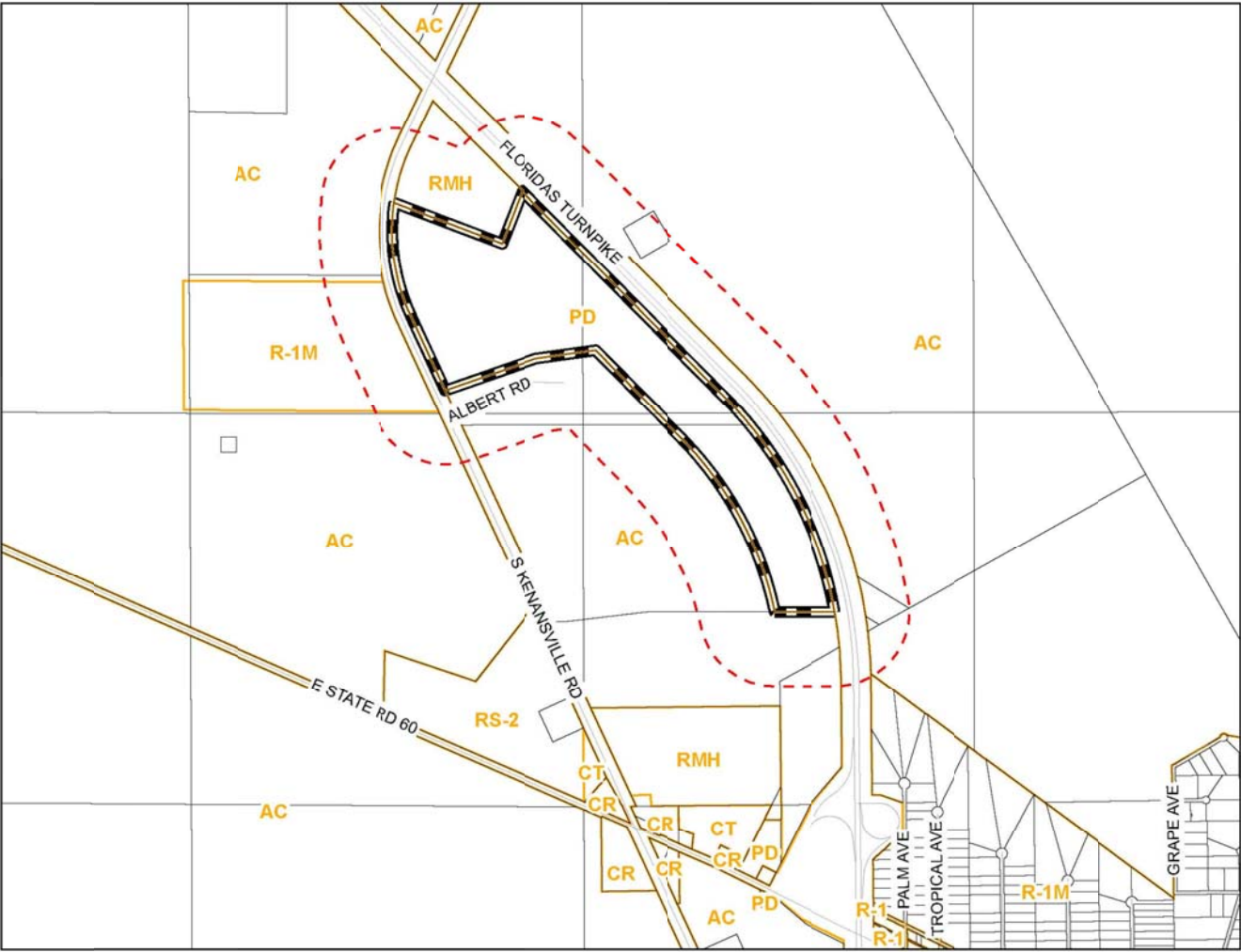
# AERIAL



## FUTURE LAND USE



EXISTING ZONING MAP



# **ATTACHMENT A**

## **Planned Development Documents**

## Yeehaw Ranch , LLC

PD12-00013  
**RECEIVED**

**MAY 23 2012**

Osceola County Planning  
Department

Tina Demostene  
Osceola County  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741

Re: Yeehaw Transportation and Distribution Center, PD0009-00002

Dear Ms Demostene

Attached is an application to amend PD0009-00002. The only change is to amend the expiration date from 7/12/2012 to 7/12 2014. Everything else remains the same.

Please note that we have been working closely with the Osceola County Economic Development Department to find a job creating user for the Yeehaw Transportation and Distribution Center. Economic Development has made numerous submissions on our behalf and we have even made some short list, however because of the general economic climate we have been unable to locate a user. We have seen the pace of Industrial Development beginning to pick up, and plan on diligently working to locate a user that will bring much needed jobs to Osceola County.

It is important for the County to have an inventory of large, ready to go Industrial zoned properties so that they can continue to attract job creators. We believe it is to the benefit of Osceola County to support this extension.

Sincerely



K Dan Shalloway  
Managing Shareholder

PD12-00013

# PLANNED DEVELOPMENT APPLICATION PACKAGE

Osceola County Board of County Commissioners  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741  
Phone (407) 742-0200 Fax (407) 742-0205

Application No.  
Date Received  
TRC Meeting  
OCPC Meeting  
BCC Meeting

RECEIVED

MAY 23 2012  
Osceola County Planning  
Department

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Planning Department along with the required fee and additional information necessary to be considered by the Technical Review Committee. The County can provide you with a copy of this form via email upon request.

## I APPLICANT INFORMATION

|          | Applicant                                                     | Owner | Agent |
|----------|---------------------------------------------------------------|-------|-------|
| Contact: | Dan Shalloway                                                 |       |       |
| Address: | 121 Claremont Dr<br>Palm Beach Shores<br>FL 33404             |       |       |
| Phone:   | 561-346-2206                                                  |       |       |
| Fax:     |                                                               |       |       |
| Email:   | <del>dshalloway@dan.shalloway.com</del> dan.shalloway@svn.com |       |       |

## II PROPERTY

LEGAL DESCRIPTION: Provide a complete legal description. Include the complete parcel number of the property as well as Plat Book and Page (if applicable) or attach a copy of the deed(s) of record for all lands within the project boundary. (Deeds of record are available from the County Clerks Office.) You may submit a digital CAD file of the boundary survey in AutoCAD or Microstation compatible format. If applicable, include the street address.

|                    |          |
|--------------------|----------|
| Parcel number:     | Attached |
| Legal Description: |          |

III Is this application a PD amendment? Yes ☒ No

If yes, please list the previous PD number(s)

2 PD009-00002

March 2012

IV

**APPLICANT'S REQUEST (DETAILED DESCRIPTION INCLUDING ANY VARIANCES AND HOW THEY APPLY TO YOUR PROJECT)**

Change expiration date from  
7/12/2012  
to 7/12/2014

No other changes  
Application remains the same  
as previously submitted

Will this development construct sidewalks? Interior \_\_\_\_\_ Exterior \_\_\_\_\_

4. Design: What design criteria will be used for this development? (ie: traditional neighborhood, townhome)
5. Water/Sewer: Where are the closest water, sewer and re-use lines?

To assist you in determining information on the water/sewer facilities, you may want to contact your local provider listed below.

Kissimmee area: 407-518-2160

Poinciana area: 407-933-5302 ext. 20

BVL area: 407-598-4160

St. Cloud area: 407-957-7222

\*\* An accessible map is provided in the map room of the Growth Management Division to aid you in responding to this question.

**\*\*\*\*\*It is advised that the applicant inquire about the possibility of impact fee assessments on this project.**

**VII CERTIFICATION (Please check one)**

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is true and accurate, and that I am:

- ( ) **Landowner:** A landowner or his /her agent where authorized in writing, provided however that Where the fee owner has entered into a contract for the sale of the property, whether it be an agreement for deed, sales contract, or otherwise, then the purchaser may initiate the application when specifically authorized in the contract to do so or by another legal document authorizing same.  
Where there is more than one owner, then all such owners must jointly initiate the application or petition.
- ( ) **Trustee:** Where the property is subject to a land trust agreement, the trustee may initiate the application when the trustee has submitted evidence that he/she is authorized by the trust document to do so, either individually or with other trustees.
- (✓) **Corporation/Partnership:** Where the fee owner is a corporation or partnership then the president or general partner may initiate the application and must provide proof that the corporation or partnership exists including Certificate from Secretary of State stating that the corporation is in good standing.
- ( ) **Association:** Where the fee owner is an association, the association or its governing body may appoint an agent, in writing, to initiate the application on behalf of the association. Proof that the association exists must accompany the application.

DATE: 5/22/12

SIGNATURE *[Signature]*  
*Managing Shareholder*  
Owner/Agent/Corporation/Association *Yeehoco Ranch LLC*

\*\*\*Please list signature of all owners of the property

*K. Dan Shalloway*

Please print name(s) listed above

| FLORIDA DEPARTMENT OF STATE<br>DIVISION OF CORPORATIONS                     |                              | www.sunbiz.org                                          |                                   |                                                 |                      |
|-----------------------------------------------------------------------------|------------------------------|---------------------------------------------------------|-----------------------------------|-------------------------------------------------|----------------------|
| <a href="#">Home</a>                                                        | <a href="#">Contact Us</a>   | <a href="#">E-Filing Services</a>                       | <a href="#">Document Searches</a> | <a href="#">Forms</a>                           | <a href="#">Help</a> |
| <a href="#">Previous on List</a>                                            | <a href="#">Next on List</a> | <a href="#">Return To List</a>                          |                                   | <input type="text" value="Entity Name Search"/> |                      |
| <a href="#">No Events</a>                                                   |                              | <a href="#">No Name History</a>                         |                                   | <input type="button" value="Submit"/>           |                      |
| <b>Detail by Entity Name</b>                                                |                              |                                                         |                                   |                                                 |                      |
| <b>Florida Limited Liability Company</b>                                    |                              |                                                         |                                   |                                                 |                      |
| YEEHAW RANCH, LLC                                                           |                              |                                                         |                                   |                                                 |                      |
| <b>Filing Information</b>                                                   |                              |                                                         |                                   |                                                 |                      |
| Document Number L04000002647                                                |                              |                                                         |                                   |                                                 |                      |
| FE/EIN Number 270079047                                                     |                              |                                                         |                                   |                                                 |                      |
| Date Filed 01/09/2004                                                       |                              |                                                         |                                   |                                                 |                      |
| State FL                                                                    |                              |                                                         |                                   |                                                 |                      |
| Status ACTIVE                                                               |                              |                                                         |                                   |                                                 |                      |
| <b>Principal Address</b>                                                    |                              |                                                         |                                   |                                                 |                      |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                              |                                                         |                                   |                                                 |                      |
| <b>Mailing Address</b>                                                      |                              |                                                         |                                   |                                                 |                      |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                              |                                                         |                                   |                                                 |                      |
| <b>Registered Agent Name &amp; Address</b>                                  |                              |                                                         |                                   |                                                 |                      |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404 US |                              |                                                         |                                   |                                                 |                      |
| <b>Manager/Member Detail</b>                                                |                              |                                                         |                                   |                                                 |                      |
| <b>Name &amp; Address</b>                                                   |                              |                                                         |                                   |                                                 |                      |
| Title MGRM                                                                  |                              |                                                         |                                   |                                                 |                      |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404    |                              |                                                         |                                   |                                                 |                      |
| <b>Annual Reports</b>                                                       |                              |                                                         |                                   |                                                 |                      |
| <b>Report Year Filed Date</b>                                               |                              |                                                         |                                   |                                                 |                      |
| 2010 04/23/2010                                                             |                              |                                                         |                                   |                                                 |                      |
| 2011 01/06/2011                                                             |                              |                                                         |                                   |                                                 |                      |
| 2012 04/16/2012                                                             |                              |                                                         |                                   |                                                 |                      |
| <b>Document Images</b>                                                      |                              |                                                         |                                   |                                                 |                      |
| <a href="#">04/16/2012 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/06/2011 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">04/23/2010 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">02/10/2009 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/14/2008 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">04/18/2007 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/12/2006 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/11/2005 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/09/2004 -- Florida Limited Liabilities</a>                   |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |

PD12-00013  
**RECEIVED**  
MAY 23 2012  
Osceola County Planning  
Department

**Yeehaw Transportation Distribution  
Center Planned Development**

**PD Narrative  
& PD Concept Plan**

***PD12-00013 reaffirms PD09-00002  
PD Narrative and PD Concept Plan date-stamped  
“REVISED MAR 03 2010” and extends the project  
expiration date***

**PD12-00013 reaffirms PD09-00002 PD Narrative and  
Concept Plan and extends project expiration date**

PD09-00002  
**REVISED**

**Yeehaw Transportation & Distribution Center  
PID**

Revised 2/22/2010

MAR 03 2010

Osceola County Planning  
Department

**Overview:**

The Yeehaw Transportation and Distribution Center Planned Industrial Development ( Yeehaw T & D PID ) is a 205 acre mixed use project lying within the Yeehaw Transportation Distribution Center overlay (Future Land Use Element, Goal 4) of Osceola County's Comprehensive Land Use Plan. The Yeehaw Transportation and Distribution Center is the first Green Industrial Park in the State of Florida to be registered with the US Green Building Council (USGBC). Future Land Use Element, Goal 4 of Osceola County's Comprehensive Plan says "The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County".

The Yeehaw T & D PID encourages the development of general types of industry and commercial enterprises which benefit from access to major roadways and thoroughfares. It does this by creating a compact employment center with intensive commercial and industrial uses which encourages interaction between these uses and reduces total vehicle highway miles.

The Commercial use is placed adjacent to US 441 at the main entrance to the project. It is anticipated that this will be a major Interstate Commercial stopping point since there are no other significant Interstate Commercial service centers within a 30 mile radius. It is expected that this Commercial service center will include a full service overnight Truck Stop. The businesses within this Interstate service center will enjoy a symbiotic relationship with the transportation related Industry located within the Industrial component. For example Trucks delivering to an Industrial user will have on site access to overnight parking, fueling, restaurants, entertainment and service. Having these available to Industry locating in the Park means that they will not have to provide these services on site.

The revised Goal 4 in the Comprehensive plan calls for a compatibility determination in the zoning approval process. In order to meet this goal, a compatibility test is included as Exhibit E.

The site is sandwiched between US 441 and Florida's Turnpike with a Natural Buffer to the South and a small Commercial/Semisuburban site to the North. The Northern Border will be heavily buffered. Typical Commercial Zone Buffers will be placed along US 441. A buffer will be placed along the Turnpike to screen Industrial users, however Warehouse Distribution Facilities will have no buffer in order to Maximize exposure. No permanent buffers are proposed adjacent to other properties within the Yeehaw Transportation Overlay to encourage interaction within the Overlay District. The utility component has been strategically located so that it can be expanded to serve the entire overlay. No hazardous material users, producers or sellers are anticipated. If such a user wants to locate at the Distribution Center, they shall submit a hazardous management/containment plan with the EIP.

Signage is critical as the project is expected to rely upon capture of existing traffic, and not be a destination or traffic generator. Based upon Chapter 15 of the Osceola Land Development Code (LDC), the project would be eligible for 7 billboards along the Turnpike and 2 Billboards along 441. In order to be competitive with other Truck Service Centers adjacent to the Turnpike we are requesting one 150 ft Pole Sign and eliminating 2 Billboards. This will actually reduce sign face space significantly. Other than the 150 foot pole sign, all future signage will comply with Chapter 15 of the LDC.

Pedestrian paths will be constructed throughout the Commercial portion of the project however Pedestrian and Bicycle traffic will not be allowed within the Industrial portion of the project, given the heavy truck traffic that is expected. No sidewalk will be constructed on 441 as there are no nearby residential areas to connect to. The property owners Association will work closely with the LYNX Transportation system to offer employees a carpool matching service, the LYNX vanpool program and other programs that reduce trips. An internal shuttle to transport workers and Truck drivers to the Commercial center will be placed in service as soon as demand justifies it.

#### **Information for Preliminary Concept Plan**

1. A vicinity map is attached indicating the relationship between the planned development and the surrounding area is shown on Exhibit 2
2. A statement showing how the proposal meets the objective outlined in subsection A is given in the overview.
3. The following information is provided:

##### **Preliminary Concept Plan**

- a. All plans are drawn at an appropriate scale, date and legal descriptions contain a north arrow
- b. A survey is attached as Exhibit 1
- c. There are no adjacent developments and subdivisions.
- d. The existing zoning of contiguous property is shown on Exhibit 2
- e. The Utility site, preserve areas, open space and water management tracts are shown on Exhibit 2 along with their acreage.
- f. Vehicular, pedestrian and bicycle access and circulation are shown on exhibit 2
- g. Site data is shown on exhibit 2.
- h. The location of the conceptual development parcels is shown on Exhibit 2. A list of uses for each parcel is shown on Attachment A.
- i. A conceptual drainage plan is shown on Exhibit 2.
- j. The proposed method of providing for all necessary road improvements, sewage systems, water supply , stormwater management systems and fire protection is shown on Attachment B, in the Infrastructure Report.
- k. A traffic impact analysis addressing site access, and the impacts to the area roadway segments and intersections shall be submitted and approved prior to EIP submittal.
- l. The USGS quadrangle map is attached as Exhibit 4. Wetlands are shown as Exhibit 5.
- m. There are no large stands of trees other than within the wetlands.
- n. The property is owned by Yeehaw Ranch LLC. K. Dan Shalloway is the managing shareholder
- o. The project will be built as a single phase, based upon the market. At this point it impossible to know whether the first user will be Commercial, Industrial or Warehouse/Distribution.

##### **Detailed Concept Plan**

- a. Legal description is shown on Exhibit 1, the survey.
- b. Existing ground surfaces & proposed elevations, base flood elevation and subsurface conditions will be addressed in the Engineering Improvement Plan (EIP).

- c. There will be two entrances to the PID which are both shown on Exhibit 2, the Detailed Concept Plan. The Southern entrance will be the main entrance to the project, and the majority of traffic will be routed thru this entrance. The Entrance Road dimensions are shown on the master plan along with a typical Roadway section. Setback, height and Floor to Area (FAR) criteria are shown on Attachment A.
- d. Proposed pavement type will be addressed in the Engineering Improvement Plan (EIP).
- e. Proposed water distribution, sanitary sewer, fire protection and stormwater are addressed in Attachment B, the Infrastructure report. The actual layouts of these facilities will be addressed in the Engineering Improvement Plan (EIP).
- f. General site lighting plan will be addressed in the Engineering Improvement Plan (EIP).
- g. Wetland jurisdictional lines are shown on Exhibit 2, the Detailed Concept Plan. Stormwater retention facilities, Lakes and wetlands will be adjusted to meet permit requirements. The final configuration will be addressed in the Engineering Improvement Plan (EIP).
- h. Buffers and Landscaping are addressed in Attachment B, the Infrastructure Report and shown on Exhibit 2, the Detailed Concept Plan. Detailed Landscaping and Architectural details will be addressed in the Engineering Improvement Plan (EIP) for each development phase.
- i. The main entrance road is shown along with two Commercial and one Industrial (with overlay) lot on Exhibit 2, The Detailed Concept Plan. These lots will be subdivided. Lot lines, reservations, easements, alleys & areas to be publicly dedicated will be shown for each phase on the Engineering Improvement Plan (EIP).

**Attachments:**

- A. List of Uses & Development Criteria
- B. Infrastructure Report
- C. Marketing consultant letter
- D. Planned Development application form
- E. Concurrency Management Application
- F. Compatibility Test

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**Exhibits:**

1. Survey
2. Detailed Concept Plan & Location Map
3. Aerial
4. USGS Quad sheet
5. Wetlands

Osceola County



**Research Memorandum  
Yeehaw Transportation & Distribution Center  
Osceola County, Florida  
2/1/2010**

**Questions:**

- 1) If the possibility of a High Rise Sign is eliminated, does it “encourage the development of a Transportation-related distribution center”?
- 2) If a visual buffer is required along the Florida’s Turnpike, does it “encourage the development of a Transportation-related distribution center”?

**Discussion:**

Regarding the High Rise Sign, the Truck Stop has always been a critical element of the Yeehaw T & D Center. The symbiotic relationship between the Truck Stop and Distribution Center has always been a distinguishing characteristic which separates it from other Industrial Parks in the market. While Trailers are being loaded or unloaded, the Tractor can get fuel and service and the driver can rest.

From a competitive standpoint, most major Truck Stops have a High Rise sign with the current price of Diesel. Requiring a Truck stop not to have this will put it at a competitive disadvantage and **discourage** the development of a Transportation-related Distribution Center.

One of the primary uses envisioned at the Yeehaw T & D Center is Distribution of Goods. This is usually done out of large box distribution centers. Modern centers continue to increase in height due to advances in material handling systems. Clear spans of 30 to 34 feet are now common, leading to building heights of up to 50’. Buildings with lower overall height are considered functionally obsolete, and would be difficult to finance or lease. The way the marketing program is designed, the Big Box Distribution Centers will be aligned along the Turnpike to maximize exposure. Other uses such as Recycling Facilities or the Truck Stop will be in the interior or will have a buffer.

The Distribution Centers (DC's) were proposed along the Turnpike without a visual buffer for several reasons. These DC's will primarily be used by national retailers or producers of consumer goods who value name recognition. Having their name visible to the large number of travelers on the Turnpike will be a major selling point. If the County wants to attract a Major Distributor to the Yeehaw Distribution Center then they will need to offer the Distributor every possible advantage. It is going to be very difficult to attract the first major user. National Companies are risk adverse, and dislike being the first to locate in a new facility. The Transportation Center needs to offer every possible advantage in order to get it's first user.

In Orange County, there are numerous big box DC's along the Turnpike that are not Buffered. Currently, Orange County has many more DC's than Osceola County, and they will continue to hold a competitive advantage over Osceola County if the County forces restrictions which place it at a disadvantage. In summary, the requirement of a Landscape Buffer along the Turnpike that would block the view of a Distribution Center, would **discourage** the development of a Transportation-related Distribution Center. For Industrial Users, the requirement of a Buffer will not be detrimental to the marketing effort.

**Recommendations:**

- 1) Any Truck Stop or truck Service Center locating at the Yeehaw T & D Center should be allowed a high rise pole sign easily visible from the Florida's Turnpike.
- 2) Buffers should not be required along the Florida Turnpike for Distribution Centers

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## **Attachment A**

### **Yeehaw Transportation & Distribution Center**

#### **List of Uses and Development Criteria**

##### **Approved Uses: Commercial**

1. Truck Stops, Fueling Stations, and Truck Service Centers.
2. Truck, car, and equipment repair and service.
3. Areas for the display, sale, and repair of new or used automobiles, trucks, travel trailers, motor bikes, boats, manufactured homes, mobile homes and farm or construction equipment.
4. Wholesale and Retail Nurseries.
5. Service Stations and Convenience Stores and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
6. Shops and stores for the sale of general retail goods and services.
7. Restaurants, delicatessens, fast food and other food preparation facilities.
8. Locations for commercial recreation such as a golf driving range, miniature golf, baseball and archery practice range, bowling alley, indoor shooting range, skating rink, and race tracks.
9. Adult Entertainment establishments in accordance with Osceola County Ordinance 93-3, as amended.
10. Transient Housing Facility (hotel or motel complex) including customary uses accessory and incidental to the hotel or motel complex.
11. Schools, Child Care Centers and Kindergartens whose primary purpose is to serve the business and residences located in the Yeehaw Transportation District Overlay.
12. Professional office buildings related to the industry and businesses within the PID.

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### **Approved Uses: Warehouse/Distribution**

13. Shell or spec buildings designed to attract warehousing and distribution.
14. General Warehousing and Storage.
15. Warehouse or distribution Facilities which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
16. Truck Terminals
17. Petroleum tank farms.
18. Distribution Electric Substations.
19. Solid Waste Transfer Stations
20. Wholesale and Retail Nurseries

### **Approved Uses: Industrial**

21. Shell or spec buildings designed to attract compatible industry.
22. Industry which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
23. Truck, car and equipment repair service
24. Areas for the display, sale, and repair of new or used trucks, farm or construction equipment.
25. Plants which fabricate and distribute wood products, such as modular units, cabinets, molding and lumber.
26. Plants for the fabrication and distribution of metal products such as bar joists and decorative panels, including machine shops and related tool and die work.

27. Plants for the fabrication and distribution of plastic, glass or ceramic products, such as pipe, hose, molding strips blocks or pottery.
28. Plants for the processing and distribution of food products such as citrus, fruits, vegetables.
29. Roof Truss Plants.
30. Plants for the fabrication and distribution of concrete and masonry products such as blocks, precast or pre-stressed structural members and building components, septic tanks, culvert or pipe.
31. Plants for the production and distribution of asphaltic materials, provided that such plants meet all Federal and state agencies' noise and emission control requirements.
32. Plants for the production and distribution of Concrete.
33. Plants for recycling or processing of used or waste materials
34. Plants for the processing of Biomass
35. Industries that require a waiver or variance from Osceola County's Noise or Air Pollution Codes and Ordinances that are required to obtain the necessary waiver or variance through the process provided in the Osceola County Land Development Code. Noise and Air Pollution data shall be measured from the boundary of the Yeehaw Transportation and Distribution Center PID external boundary and not from any internal lot lines.

#### **Approved Uses: Utilities**

36. Utility plants to serve the project (i.e. plants for water or sewage treatment).
37. Solid Waste Collection & Recycling Facilities
38. Electric and Power Generation and cogeneration facilities
39. Alternative fuel dispensing station

#### **Approved Uses: All Categories**

40. Billboards and Signs that meet State and Federal Codes and/or the criteria within the PD
41. Communication towers.
42. Administrative office buildings ancillary to the industry and businesses within the PID.

#### **Development Criteria; Commercial**

1. Max Lot Building Coverage = 40%
2. Min Lot size = 10,000 sf
3. Min lot frontage = 100'
4. Front building setback = 35'
5. Side building setback = 10'
6. Rear building setback = 25'
7. Max. Building Height = 40'

#### **Development Criteria: Warehouse/Distribution**

1. Max Lot Building Coverage = 60%
2. Min Lot size = 40,000 sf
3. Min Lot frontage = 200'
4. Front building Setback = 35'
5. Rear Building Setback = 10'
6. Side Building Setback = 25'
7. Max Building Height = 60' (Storage towers and communication towers excluded)

#### **Development Criteria: Industrial**

1. Max Lot Building Coverage = 50%
2. Min Lot size = 20,000sf
3. Min lot frontage = 150'
4. Front Building setback = 35'
5. Rear Building setback = 10'
6. Side Building setback = 25'
7. Max. Building Height = 60" (Storage towers, Stacks and Communication towers excluded)

#### **Development Criteria: Billboards**

Each Billboard will be placed on a separately platted lot. This lot will not be required to front on a road and may be accessed by easement. No setbacks are required from the Billboard lot on adjacent property.

1. Max Lot Coverage = 80%
2. Min Lot size = 500sf
3. Min Lot length = 40'
4. Min lot width = 10'
5. Setbacks = 2', No overhang setbacks required
6. Max Height = 50' above adjacent Florida's Turnpike or US 441.

For Criteria not specified in the PID, Billboards will be consistent with Chapter 15 of the Land Deve

#### **Development Criteria: Parking**

Because of the wide variety of non-standard uses, specific parking requirements for each use are not possible. Instead, as each phase is submitted, an analysis of the parking needs of each use will be analyzed as part of the EIP.

**Infrastructure & Natural Resources Report  
Yeehaw Transportation & Distribution Center**

**PID**

**12/17/08  
Revised 8/26/09  
Revised 2/22/10**

**Prepared By:**

**K. Dan Shalloway  
Professional Engineer  
LEED Accredited Professional  
Member US Green Building Council  
121 Claremont Lane  
Palm Beach Shores, FL 33404  
Office: 561 848 4471  
Mobile: 561 346 2306  
Email: [dshalloway@bellsouth.net](mailto:dshalloway@bellsouth.net)**

## **Yeehaw Transportation & Distribution Center, PMUD Infrastructure & Natural Resources Report.**

### **Electric Service:**

Electric Service will be from the Peace River Electric Cooperative (Co-op). Officials from the Co-op have met on site and examined future demands from the project. They will be able to meet the demands. The Co-op has expressed interest in locating a substation on the site if future demand warrants it. Electric Substations have been included in the list of permitted uses.

As a Green Industrial Park, all users will utilize energy saving measures recommended by the US Green Building Council. In addition to energy conservation measures inherent in the building design, Green Buildings can take advantage of on site renewable power generation opportunities and Green Power.

### **Sewage:**

An on site Sewage Waste Management strategy has been conceptually developed in conjunction with Toho Utilities. Sewage collection will be done by a combination of Gravity and low Pressure or Vacuum systems. Typically Industrial uses are characterized by low volumes separated by large distances, making Gravity collection systems impractical. In those areas either Low Pressure or Vacuum systems will be used. These systems will be owned and maintained by a combination of the Property Owners Association and the private user. Gravity collection Mains within the Public Rights of Way will be constructed by the developer and turned over to Toho Utilities for operation and maintenance.

Sewage Waste will be treated on site utilizing a Membrane Bioreactor (MBR) or other technology approved by Toho Utilities. The plant and disposal system will be built by the developer and maintained by the Property Owners Association until there is an Average Daily Flow of 25,000 gpd. At that point Toho Utilities will make a determination when they will take over operation of the plant. Toho Utilities will take over operation and maintenance of the plant prior to average daily flows reaching 50,000 gpd. The Utility site is located immediately adjacent to the centroid of the remaining property within the Yeehaw Transportation Overlay so that it can easily be expanded to serve the rest of the element.

Based on conversations with MBR manufacturers and Toho Utilities it is not recommended that the first phase of the Central Treatment Facility be built until there is at least an average waste flow of at least 25,000 gpd. Prior to this minimum flow, waste shall be treated utilizing on-site individual treatment systems (septic tanks). These Septic systems will utilize dosing tanks which can be converted to low pressure lift stations when the septic systems are abandoned and the users are connected to a central system. Once an aggregate of 25,000 gallons average daily flow has been reached, no further Certificates of Occupancy shall be issued until a Central Sewer Treatment Facility has been Constructed and all Septic systems have been abandoned and the users connected to the Central Facility.

Treated effluent will be made available to all occupants in the Park for non-potable uses. Since all projects within the Yeehaw Transportation and Distribution Center will be seeking certification from the US Green Building Council (USGBC) they will want to take advantage of the high quality treated effluent for uses such as Irrigation, Truck Washing and Toilet flushing. Any remaining effluent will be disposed of utilizing underground drains and/or Percolation Ponds where the water will be returned to the Surficial Aquifer. In this way 100% of the wastewater effluent will be recycled.

#### **Water:**

Potable Water will be supplied by Surficial Wells and treated on Site. Toho Utilities will take over the maintenance and operation utilizing the same criteria as the Sewage Treatment System. Since the Yeehaw Transportation & Distribution Center is a LEED (Leadership in Energy and Environmental Design) Registered Project with the USGBC, there will be extensive use of Xeriscaping. What irrigation water is needed will be primarily supplied by Reuse water. It is anticipated that the Yeehaw Transportation and Distribution Center will have both a potable and non-potable water distribution system. It has not been determined whether Fire Protection will be accomplished with Potable or Non-Potable water. This will be determined through continuing discussions with Toho Utilities.

#### **Stormwater Management:**

The property lies within the St Johns River Water Management District. There is a high Sandy Ridge in the center of the Property splitting flow to the North and the South. The Southern basin falls more than 15' vertically to a slough flows easterly under the turnpike. The Northern basin flows to the two wetlands which are interconnected by a ditch. The Wetland at the Northeastern corner of the property flows easterly under the Turnpike. Water from the developed property will flow to a lake (water management tract) which will be constructed next to the wetland. These lakes will interconnect with the wetlands to encourage interchange of species with the Wetlands a greater biodiversity. Each site will provide pretreatment prior to discharging to the lakes.

The Stormwater management system will meet the design criteria in compliance with the St Johns Water Management District and Osceola County Land Development Code LDC, Chapter 6. A copy of the SJWMD permit application will be provided with the EIP submittal and a copy of the permit will be supplied prior to approval of the EIP.

#### **Buffers & Landscaping:**

Policy 4.2.12 of the Osceola County Comprehensive Plan says "Development within the Yeehaw Transportation Distribution Center shall be internally interconnected". Because the majority of uses are complementary, and it is desired to create a mix of inter-related uses, Buffers and perimeter landscaping between parcels within the PID is not required and discouraged. The exception would be schools, professional offices and motels, which will want to create buffers for safety & privacy reasons. No buffer will be provided adjacent to the remaining lands within the Yeehaw District so that interaction with future PD's in the Yeehaw Distribution District will be encouraged.

External Buffers will be addressed as follows:

- 1) Northern Property Boundary: Since the area to the North is primarily zoned Semi Suburban, this will be the most heavily buffered and landscaped border. A 50' Heavily landscaped Buffer will be placed along the Northern Boundary of the PID. This buffer will be planted with tree's and vegetation that will create a complete visual buffer for the adjacent Semi-suburban land
- 2) Florida's Turnpike Boundary: In order to encourage inter-action with this primary Intrastate Corridor, no buffers or landscaping are recommended. Uses which would not be visually compatible with the Transportation corridor are not permitted adjacent to the turnpike and are restricted to the Industrial Overlay. This is consistent with current development along the Turnpike corridor. Transportation oriented businesses such as Truck Stops and Distribution Centers are given maximum visibility while non-transportation uses such as Residential are buffered.
- 3) US 441 Boundary: A 10 foot buffer will be created along 441. It will be lightly landscaped to create an attractive appearance and gateway to the project, however it will be designed to allow visibility of the Intrastate commercial establishments in the Commercial zone.

#### **Wetlands and Natural Resources:**

The site is currently being used as improved pasture for a cow/calf breeding operation. Previous uses included an Asphalt Plant and Florida Power and Light Storage Yard. There is an approximately 4 acre area fronting 441 that has been in continuous usage as a staging and storage yard for Vehicles transporting agricultural products. At the South end of the property there is a Wetland area which is part of a relatively large and pristine slough. This Wetland is relatively untouched because a small ditch along its North Border prevents access by cattle. This wetland will be preserved and no development activity will occur within 50'. There is a Wetland Area adjacent to 441 which has been isolated for many years by the construction of 441. This Wetland is highly impacted both by 441 and the continuous access by cattle. Despite these impacts it can be restored and made viable. The only development activity allowed within 50' will be the Stormwater Management Tracts, which will be integrated contiguous to the wetlands to encourage species interaction. At the Northeast corner of the site is another Wetland similar to the one along 441. Only a small portion of this Wetland lies within this project, however it will be treated the same as the Wetland along 441.

The three significant Wetlands on the site have all been designated as Conservation on the Master Plan and will be dedicated to the Yeehaw Transportation & Distribution Center Property Owners Association

#### **Threatened & Endangered Species:**

No Endangered or Threatened species have been observed on the site. Wetland dependent species like the Wood-stork and Everglades kite are unlikely to use the site because of the proximity between two major highways. Regular and continuous management of the land as improved pasture has limited native plant species from being established on the site. There is a possibility that Gopher Tortoises inhabit the adjacent Turnpike Right of Way, and may therefore forage on the adjacent site. Prior to EIP submittal, a detailed survey of Gopher Tortoise and other endangered and threatened species will be conducted.

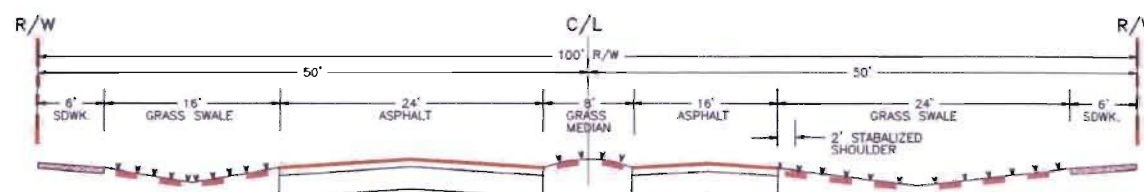
PD12-00013 reaffirms PD09-00002 PD  
Narrative and Concept Plan and extends  
project expiration date

PD09-00002  
**REVISED**

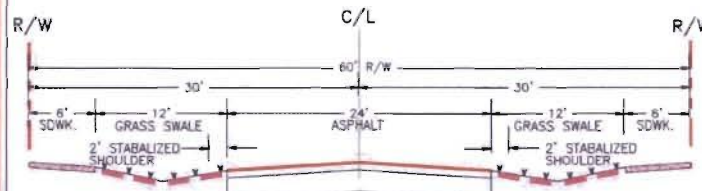
MAR 03 2010

Osceola County Planning  
Department

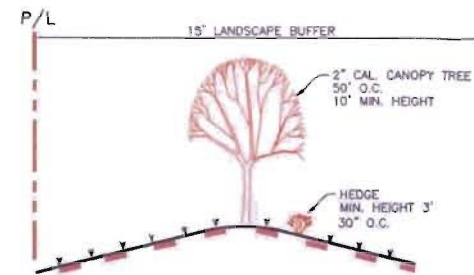
|                        | Allowable sq ft<br>Goal 4 | sq ft PID               | Total Ac<br>Goal 4 | Ac PID |
|------------------------|---------------------------|-------------------------|--------------------|--------|
| Warehouse/Distribution | 2,000,000                 | 200,000 to<br>1,200,000 |                    |        |
| Industrial             | 200,000                   | 50,000 to<br>150,000    |                    |        |
| Commercial             | 50,000                    | 10,000 to 30,000        |                    |        |
| Residential            | N/A                       | None                    | N/A                | None   |
| Conservation           |                           |                         | 74                 | 25     |
| Utilities              |                           |                         | 10                 | 3      |



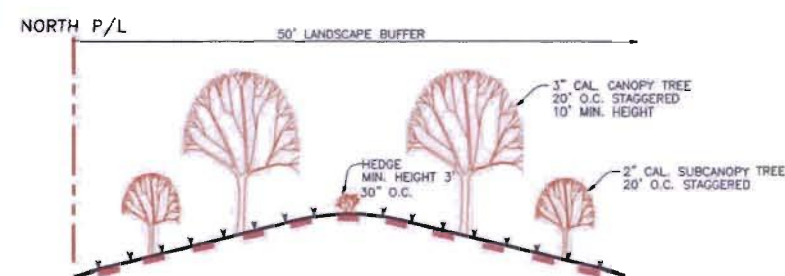
TYPICAL ENTRANCE CROSS-SECTION  
N.T.S.



TYPICAL 60' R/W CROSS-SECTION  
N.T.S.  
NOTE: SIDEWALKS SHALL BE CONSTRUCTED ONLY WHEN ADJACENT TO COMMERCIAL ZONES.



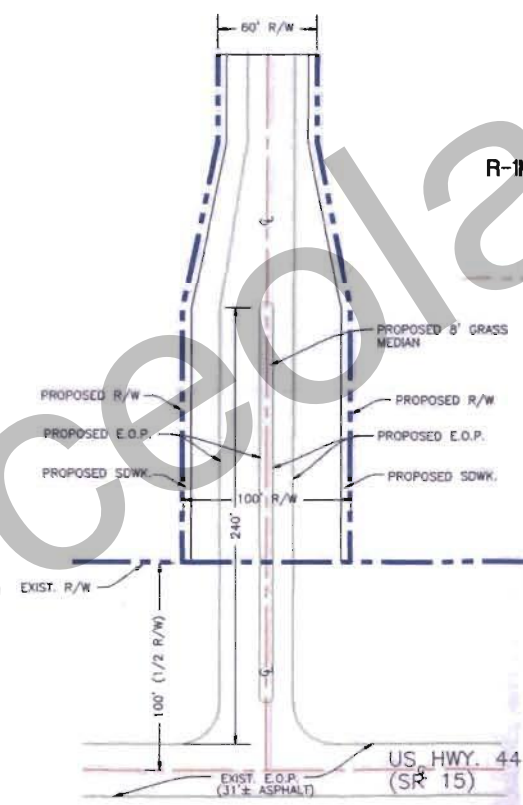
441 & TURNPIKE BUFFER  
N.T.S.



50' NORTHERN BUFFER  
N.T.S.

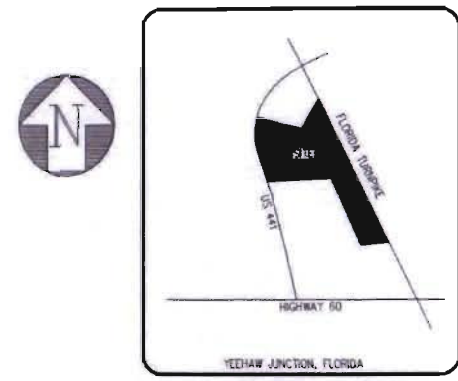
NOTES

1. OVERALL SITE WILL BE SUBDIVIDED TO ACCOMMODATE GROWTH.
2. DETAILS OF THE ROADWAYS, LANDSCAPING, WATER MANAGEMENT SYSTEM, SEWAGE COLLECTION AND WATER DISTRIBUTION SYSTEM WILL BE SUBMITTED FOR EACH LOT AS PART OF THE ENGINEERING IMPROVEMENT PLAN (EIP).
3. INDIVIDUAL TREATMENT SYSTEMS (SEPTIC TANKS) MEETING STATE STANDARDS MAY BE USED ON EACH LOT UNTIL THE AGGREGATE FLOW EXCEEDS AN AVERAGE OF 50,000 G.P.D. NO ADDITIONAL CERTIFICATES OF OCCUPANCY WILL BE ISSUED ONCE 50,000 G.P.D. HAS BEEN EXCEEDED UNTIL A CENTRAL SEWAGE TREATMENT SYSTEM IS CONSTRUCTED AND ALL LOTS HAVE BEEN CONNECTED TO THIS SYSTEM.
4. IF THERE IS A CONFLICT BETWEEN AN OSCEOLA COUNTY CODE OR ORDINANCE AND THIS P.I.D., THE P.I.D. WILL PREVAIL.
5. THE TEMPORARY BUFFER WILL BE CONSTRUCTED IF THE ADJACENT RESIDENTIAL DWELLINGS ARE OCCUPIED AT THE TIME OF CONSTRUCTION. DETAILS OF THE TEMPORARY BUFFER WILL BE SHOWN ON THE E.I.P..
6. NO BUFFER IS REQUIRED ALONG THE TURNPIKE CORRIDOR FOR USES WITHIN THE WAREHOUSE/DISTRIBUTION CATEGORY.



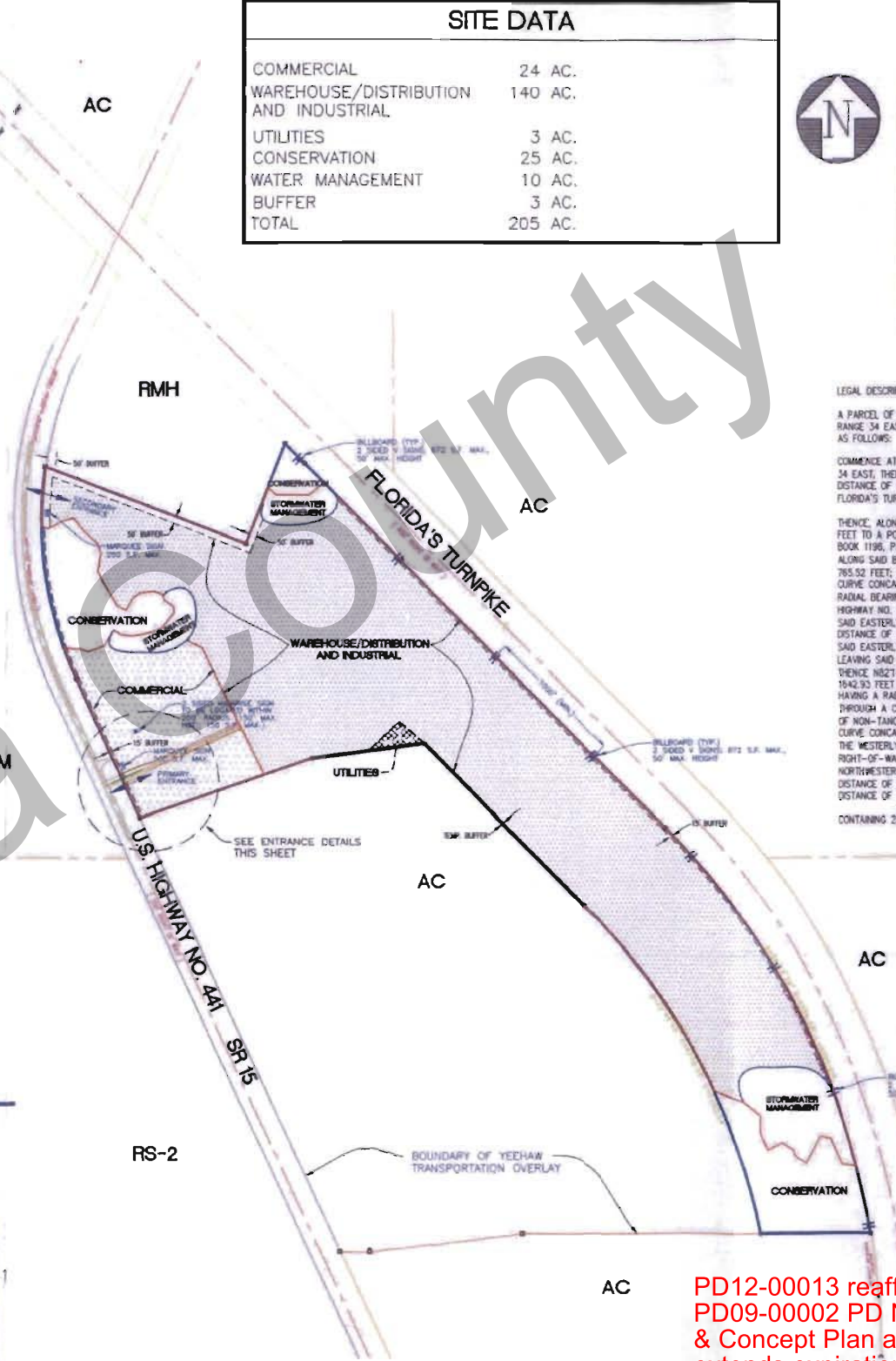
TYPICAL ENTRANCE PLAN VIEW  
N.T.S.

| SITE DATA                             |         |
|---------------------------------------|---------|
| COMMERCIAL                            | 24 AC.  |
| WAREHOUSE/DISTRIBUTION AND INDUSTRIAL | 140 AC. |
| UTILITIES                             | 3 AC.   |
| CONSERVATION                          | 25 AC.  |
| WATER MANAGEMENT                      | 10 AC.  |
| BUFFER                                | 3 AC.   |
| TOTAL                                 | 205 AC. |



LOCATION MAP  
N.T.S.

LEGAL DESCRIPTION:  
A PARCEL OF LAND BEING A PORTION OF SECTIONS 2, 3, AND 11, TOWNSHIP 32 SOUTH, RANGE 34 EAST, OSCEOLA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 3, TOWNSHIP 32 SOUTH, RANGE 34 EAST; THENCE RUN ALONG THE EASTERLY LINE OF SAID SECTION 3, 4000'± W A DISTANCE OF 2171.06 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY), AND THE POINT OF BEGINNING;  
THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N44°27'15"W A DISTANCE OF 1172.30 FEET TO A POINT ON THE BOUNDARY OF PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1196, PAGE 2044 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE, ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: S21°06'46"W A DISTANCE OF 765.52 FEET; THENCE N68°57'10"W A DISTANCE OF 1535.64 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2739.93 FEET; AND HAVING A RADIAL BEARING OF S81°54'59"E, AND BEING THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 441 (200 FOOT WIDE RIGHT-OF-WAY); THENCE, SOUTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 32°42'42" A DISTANCE OF 1564.29 FEET TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S24°31'42"E A DISTANCE OF 1101.07 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N70°34'05"E A DISTANCE OF 1296.05; THENCE N82°14'30"E A DISTANCE OF 807.90 FEET; THENCE S44°27'15"E A DISTANCE OF 1942.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 4729.58 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°44'49" A DISTANCE OF 2703.14 FEET TO THE POINT OF NON-TANGENCY; THENCE N90°00'00"E A DISTANCE OF 814.47 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 5528.58 FEET; SAID CURVE BEING THE WESTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY); AND HAVING A RADIAL BEARING OF S80°00'19"W; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°27'34" A DISTANCE OF 3325.67 FEET TO THE POINT OF TANGENCY; THENCE N44°27'15"W A DISTANCE OF 2699.98 FEET TO THE POINT OF BEGINNING.  
CONTAINING 205.174 ACRES



PD09-00002  
**REVISED**  
MAR 03 2010  
Osceola County Planning Department

PD12-00013 reaffirms  
PD09-00002 PD Narrative  
& Concept Plan and  
extends expiration date

**YEEHAW RANCH LLC.**  
**K. DAN SHALLOWAY, P.E.**  
121 CLAREMONT LANE  
PALM BEACH SHORES, FL 33404  
(561) 848-4471 OFFICE  
DSHALLOWAY@BELLSOUTH.NET

PROJECT: YEEHAW TRANSPORTATION  
AND DISTRIBUTION CENTER  
  
LOCATION: YEEHAW JUNCTION, FL.

**EXHIBIT 2  
DETAILED CONCEPT PLAN**

| REVISIONS         | DATE    | BY | CHKD. | SCALE: 1"=500' | SEAL | SHT. NO. |
|-------------------|---------|----|-------|----------------|------|----------|
|                   |         |    |       | DATE: 11/27/08 |      |          |
|                   |         |    |       | DRAWN BY: M.M. |      |          |
|                   |         |    |       | CHK BY: K.D.S. |      |          |
| GENERAL REVISIONS | 2/10/10 | MM | DS    | PROJ. NO:      |      | 3        |

## **ATTACHMENT B**

### **Supporting Documentation**



# **SCHOOL CAPACITY REPORT**

## **The School District of Osceola County**

### **Planning Services Department**

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SDOC CASE # 12-05.29

TRS#: PD12-00013

Current FLU: Mixed Use as outlined in Goal 4,  
Yeehaw Distribution Center Overlay  
Requested FLU:

PROJECT NAME: Yeehaw Transportation & Distribution Center - PID

PROJECT LOCATION: 2900 Albert Road, Yeehaw Junction

Current Zoning: AC  
Requested Zoning:

COMMENTS DUE DATE: June 4, 2012

PID#: 03-32-34-0000-0010-0000, 02-32-34-0000-0030-0000,  
11-32-34-0000-9918-0000, -0013-0000

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No Impact on Public Schools

# Site Photo Documentation



*Kenansville Road & Albert Street looking NE*



*Sign at Entrance (Albert Street & Kenansville Road)*



*Kenansville Road & Albert looking East*



*Kenansville Road & Albert looking South*



*Albert Street looking NW toward Kenansville Road*



# Osceola County Development Review Committee

1 Courthouse Square, Suite 1100  
Kissimmee, FL 34741  
407-742-0200

06/20/12

## Item Number

**PD12-00013**

*Yeehaw Transportation  
& Distribution Center  
Planned Development*

## Type of Application

Planned Industrial  
Development

## Applicant & Owner

K. Dan Shalloway, P.E.  
for Yeehaw Ranch, LLC

## Location

Southwest of the Florida  
Turnpike, east of U.S.  
Highway 441, and north  
of State Road 60

## Commission District

5-Fred Hawkins

## Project Planner

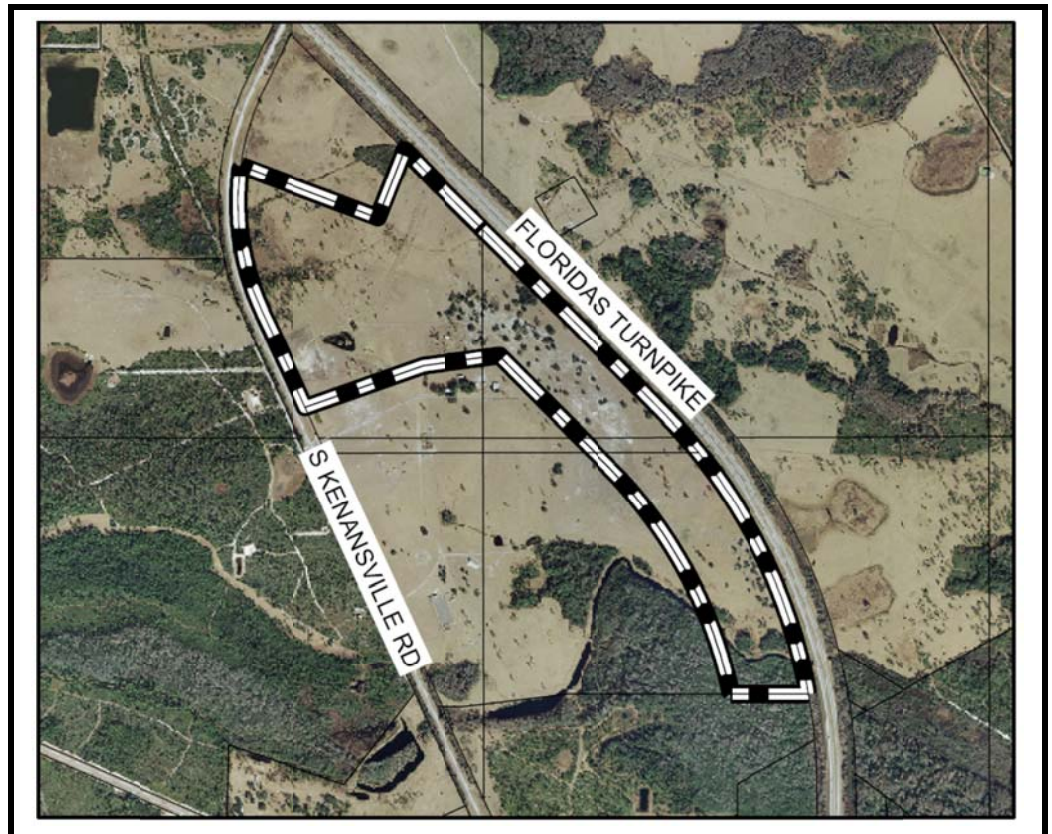
Tina Demostene, AICP

## Requested Action

Approve to move  
forward to the 7/12/12  
PC and 7/16/12 BCC

## Recommendation

Approval subject to  
submittal of supplemental  
concurrency application  
and Special Conditions



## ITEM SUMMARY:

The applicant requests approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The property is approximately 205 acres and is generally located in southeast Osceola County, southwest of the Florida Turnpike, east of U.S. Highway 441 (Kenansville Road), and north of State Road 60.

## PUBLIC NOTICE:

Notice of public hearing is published in the Orlando Sentinel prior to the public hearing. Property owners within 300 feet of the subject property are notified by mail prior to the public hearing. As of the date of this report, no oral or written comments have been received. Oral and written comments may be presented at the public hearings.



## Findings

In its review of the proposed application, staff has determined:

1. The request is consistent with the GOPs of the Osceola County 2025 Comprehensive Plan.
2. The request is compliant with all applicable requirements of the Osceola County Land Development Code.

## STRATEGIC PLAN 2012:

The proposed Planned Development is consistent with the County's Strategic plan in that transportation, distribution and logistics (TDL) uses have been identified as a strength for Osceola County Economic Development and a major component of all five targeted industry clusters in the May 2012 Industry Cluster Study. These uses are consistent with the Strategic Plan 2012 in that they will Grow and Diversify the County's Economy.

## PROJECT DESCRIPTION:

The intent of this application is to approve the Yeehaw Transportation & Distribution Center Planned Development and to extend the expiration date of the Planned Development by three (3) additional years for a total of five (5) years.

The applicant has submitted the PD Narrative and Concept Plan that was previously approved for this site under PD09-00002. There are no proposed changes to the previously approved Planned Development Narrative for PD09-00002, which was approved by the Board of County Commissioners on July 12, 2010 and which will expire July 12, 2012. The 2009 PD Narrative is being included as part of this request and being re-affirmed as the approved PD. Pursuant to Chapter 14.24 I, the expiration date of the Planned Development will be established as two years after the Board of County Commissioners approval, unless subsequent development application is approved and acted upon. Based on the use being identified as a targeted industry and the current market, the applicant has requested that the expiration date established in the LDC be extended by an additional three (3) years, for a total of five (5) years after Board approval. If the additional three (3) year extension of the expiration date is approved by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for PD12-00013 will be July 16, 2017.

The development program within the Planned Development remains unchanged with from the previously approved PD and is illustrated below.

| Use                        | Maximum Development Program |
|----------------------------|-----------------------------|
| Commercial                 | 30,000 sq. ft.              |
| Warehousing & Distribution | 1,200,000 sq. ft.           |
| Light Industrial           | 150,000 sq. ft.             |
| Utilities                  | 3 Acres                     |
| Conservation               | 25 acres                    |

The following attachments are included as supporting documentation for the proposed request:

**Attachment A:** Planned Development documents, including the PD Application and PD Narrative and Concept Plan.

**Attachment B:** Support documentation from the School District of Osceola County (SDOC) and site photo documentation.

## BACKGROUND:

The Yeehaw Transportation Distribution Center policies in the Comprehensive Plan were established in the 2007 Comprehensive Plan as **Goal 4: Yeehaw Distribution Center** to take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County. The policies facilitate a mixture of warehouse/distribution, light industrial, commercial, residential, conservation and utility uses within the Yeehaw Transportation District. The policies further establish standards for provision of public facilities and infrastructure as well as requirements for preservation of environmentally sensitive areas. On February 1, 2010 Osceola County approved CPA09-0004 via ORD10-03, which included modifications to FLUE Policy 4.2.1 and 4.2.13 of the Yeehaw Transportation & Distribution Center Goal 4 in the Future Land Use Element of the Comprehensive Plan, which increased allowable warehouse/distribution allocations from 1,200,000 to 2,000,000 and modified criteria review of external trips on adjacent roadways.

The 205-acre Yeehaw Transportation & Distribution Center Planned Development (PD09-00002) was approved by the Board of County Commissioners on July 12, 2010. The PD allows for a mixture of commercial uses, warehouse and distribution uses, as well as a number of industrial uses, including utilities. The PD includes development criteria for each type of use. The Yeehaw Transportation & Distribution Center Planned Development includes a large portion of the 400+ acre Yeehaw Transportation Distribution Center as defined in the Comprehensive Plan, but does not cover the entire land area, nor does it encumber all of the available development program established in the Comprehensive Plan. As the applicant has not obtained approvals for Conceptual Development Plan (CDP) or Engineering Improvement Plan (EIP) within two years of the date of approval of the preliminary concept plan or the approval will become void on July 12, 2012.

In 1998, the County approved a temporary Conditional Use (CU98-00051), which allowed for the construction and operation of a temporary asphalt plant for a period of operation of two (2) years. The PD Narrative does not incorporate this use as a permitted use. A condition of approval was added to PD09-00002 to prohibit the use. This condition is being brought forward with PD12-00013.

The applicant has been working closely with the Economic Development Department to market their property, but is not prepared to submit Subdivision or Engineering Improvements Plans that would vest the uses in their Planned Development; therefore, they have requested approval of PD12-00013 to secure the uses in the Planned Development and to allow additional time to market the property for new commercial and industrial development. The application notes that the property owner has been working closely with the Osceola County Economic Development Department to find job creating user for the center, however, due to the general economic climate, have been unable to locate a user. The application further notes that the pace of industrial development is beginning to pick up and that the extension of this PD would allow the County to maintain an inventory of large, ready-to-go industrial zone properties that can attract job creators. PD12-00013 is intended to reestablish the Planned Development Zoning and replace the expired PD as well as extend the PD for a total of five (5) years.

The subject property has a Future Land Use Designation of Mixed Use and a Planned Development Zoning Designation. The Goal 4 of the Comprehensive Plan outlines the desired development program for the Yeehaw Transportation & Distribution Center—the existing PD is consistent with the allowable development program. The Planned Development Narrative includes development standards including lot coverage, lot size, setbacks, building heights, buffering, landscape, as well as parking standards. This PD proposed no changes to the previously approved development standards that were approved as part of PD09-00002. The following table summarizes adjacent future land use designations, zoning districts and existing uses:

| Direction of Adjacency | Future Land Use Designation                          | Zoning      | Existing Use       |
|------------------------|------------------------------------------------------|-------------|--------------------|
| North                  | Rural/Agricultural, Rural Settlement, and Commercial | AC and RMH  | Vacant Pastureland |
| East                   | Rural Agriculture                                    | AC          | Vacant Pastureland |
| South                  | Mixed Use                                            | AC          | Vacant Pastureland |
| West                   | Rural/Agricultural, Mixed Use, Rural Settlement      | AC and R-1M | Vacant Pastureland |

The uses proposed in the Yeehaw Transportation District Planned Development, which are unchanged since the 2009 approval, remain consistent and compatible with the surrounding zoning districts, Future Land Use designations and existing uses.

Wetlands: According to the existing approved PD, there exist approximately 25 acres of wetlands within the PD. The three significant wetlands areas have been designated as conservation on the PD Concept Plan, which will be preserved by dedication to the Yeehaw Transportation & Distribution Center Property Owners Association. Any future expansions or development that may impact these wetlands will be required to demonstrate compliance with applicable local, state, or federal permitting and mitigation requirements.

Soils & Minerals: According to the Map 6A: Soils and Minerals of the Future Land Use Map Series, the proper has a variety of soil types, including Placid Fine Sand, Samsula Muck, Basinger Fine Sand (Depressional), Smyrna Fine Sand, Immokalee Fine Sand, Myakka Fine Sand, Cassia Fine Sand, Paola Sand (0-5% Slopes), Satellite Sand, and Pompano Fine Sand. Site development plans will address appropriate engineering based on the type of soils where development will occur.

Floodplain: According to Map 4A: Floodplains of the Future Land Use Map Series, a small portion of land in the northeast corner and the southeast corner of the property are within the 100 year floodplain—these areas coincide with the wetland areas that are proposed for preservation on the PD Concept Plan. Any impacts to the floodplain will be compensated for through the proposed stormwater management system with the Engineering Improvement Plans.

## JUSTIFICATION/ TECHNICAL ANALYSIS:

### 1. Consistency with the Osceola County Comprehensive Plan

In preparing the recommendation staff reviewed the proposed Planned Development for consistency with the Goals Objectives and Policies of the Osceola County 2025 Comprehensive Plan.

#### **Future Land Use Element Policy 1.1.4:** *Future Land Use Map (FLUM); relationship to zoning map*

In determining consistency with the Future Land Use Map, considerations such as land use compatibility, location, availability and capacity of services and facilities, market demand, and environmental features were addressed. The land uses, densities, and intensities in the Planned Development are consistent with the densities and intensities established in the Yeehaw Distribution Center Goals, Objectives and Policies.

#### **Future Land Use Element Goal 4:** *Yeehaw Distribution Center*

The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County.

***Excerpts from the Yeehaw Transportation distribution Center Objectives and Policies are provided below which outline the project consistency with the Osceola County Comprehensive Plan.***

#### **Policy 4.1.1:** *Yeehaw Transportation Distribution Center (YTDC).*

Development of the Yeehaw Transportation Distribution Center shall be in accordance with the following:

- All development must be submitted as a Planned Development;
- The total overlay area must consist of lands that are adjacent to each other and total no less than 400 acres;
- All development must meet or exceed the adopted level of service standards for Osceola County, and
- All permanent development will use central water and sewer services.

#### **Objective 4.2:** *Development Standards*

Development within the Yeehaw Transportation Distribution Center Overlay will consist of a mix of land uses that provides an opportunity to achieve an integrated balance between transportation related uses, commercial uses and residential uses may be achieved.

#### **Policy 4.2.1:** *YTDC mix and distribution of land uses.*

The following mix and distribution of land uses shall be allowed:

- |    |                        |                   |
|----|------------------------|-------------------|
| a. | Warehouse/Distribution | 2,000,000 sq. ft. |
| b. | Light Industrial       | 200,000 sq. ft.   |
| c. | Commercial             | 50,000 sq. ft.    |
| d. | Residential            | 630 du            |
| e. | Conservation           | 74 acres*         |
| f. | Utilities              | 10 acres          |

*\* Final Conservation acreage subject to field verification and wetland determination.*

#### **Policy 4.2.3:** *YTDC public facilities.*

Public facilities and utilities required to serve the needs of the businesses, employees and residents may be allowed within the Overlay. They shall be sized and built consistent with the demands generated by the approved mix and amount of land use activity.

**Policy 4.2.4: YTDC housing.**

The Yeehaw Transportation Distribution Center shall include on site housing units that are affordable to 50% of the employees of the Yeehaw Transportation Distribution Center, unless a reasonable demonstration is made that comparably priced housing is located within a 20 minute, 10 mile travel distance from the Yeehaw Transportation Distribution Center. Monitoring on the provision of this housing shall be performed before development in excess of 750,000 square feet of warehouse/distribution space receives certificates of occupancy, and again before a cumulative total of 1.2 million square feet of warehouse/distribution space receives certificates of occupancy. For the purposes of this policy, the issuance of residential building permits shall constitute provided housing. The ECFRPC Affordable Housing Methodology shall be used as a “reasonable demonstration” for showing that off-site housing is available as well as the means for monitoring the provision of on-site affordable housing.

**Policy 4.2.5: YTDC stormwater.**

All regionally significant wetlands within the jurisdiction of the SJRWMD shall be retained and may be incorporated into the stormwater management system in such a manner as to maintain current or restore historic hydro periods and wildlife values.

**Policy 4.2.6: YTDC preservation areas.**

The wetlands systems, upland buffers, other conservation tracts and mitigation areas shall be regarded as preservation areas for the purpose of protecting their natural attributes and shall have their developmental uses restricted by conservation easement as provided in Florida Statutes. Easements shall be conveyed to the St. John River Water Management District, the Florida Department of Environmental Protection, Osceola County or any other organization dedicated to conservation. Passive recreation facilities such as, but not limited to boardwalks, trails, educational displays and other similar uses are permitted land uses within these preservation areas.

**Policy 4.2.7: YTDC Conservation land uses.**

The boundaries of the Conservation land use area may be adjusted to be consistent with wetland jurisdictional lines determined by the SJRWMD and other jurisdictional lines as may be determined by other agencies of jurisdiction. In such cases, land initially presumed but later determined not to be classified as wetland will take on the land use category assigned to the upland portion of the adjacent development site.

**Policy 4.2.8: YTDC containment: hazardous materials management.**

Containment measures such as impervious paving, collection basins and spill response equipment will be used during construction and operation for warehousing/distribution uses to assure that all potentially hazardous materials are properly stored and controlled so that ground and surface waters are protected from contamination.

Management Plans shall be submitted to Osceola County for all hazardous materials users, producer and sellers. Hazardous materials

management/containment plans, for projects intended to serve hazardous material users, producers, and sellers shall be prepared in accordance with all government and industry standards and submitted for review with the Planned Development and approved prior to the issuance of any related building permits.

**Policy 4.2.9:** *YTDC water and wastewater services.*

Water and wastewater services shall be located and provided on-site by the developer as part of the Planned Development approval process. Such services shall meet all applicable level of service standards established by Osceola County and shall be limited to lands associated with the Yeehaw Transportation.

**Policy 4.2.10:** *YTDC: design and construction of water and sanitary sewer system.*

The developer shall design and construct the potable water system and sanitary sewer system in accordance with the ordinances and rules of the Toho Water Authority in place at the time of construction. Once constructed and all applicable fees paid, the water treatment and distribution system and the sewage treatment collection facilities shall be owned and operated by Toho Water Authority. These systems shall require the issuance of all permits including any required CUP from the St. John's Water Management District. Furthermore, these systems shall be subject to the requirement of the Natural Resource Utilization Land Use as defined by Policies 1.3.37 through 1.3.39, inclusive

**Policy 4.2.12:** *YTDC: internal trip capture.*

Development within the Yeehaw Transportation Distribution Center shall be internally interconnected to promote the internal capture of trips. Pedestrian ways and bicycle lanes shall be provided within the Overlay area where such facilities can provide appropriate and safe alternatives to automotive travel, given the heavy truck traffic that is expected within the site.

**Policy 4.2.13:** *YTDC: external traffic.*

Development of the Yeehaw Transportation Distribution Center shall not overburden the public highway system and shall comply with applicable Osceola County transportation concurrency and other transportation management programs. No new net trips shall be allowed onto the public highway system unless consistent with adopted LOS for the adjacent road network.

**Policy 4.2.14:** *YTDC: roadway LOS deficiencies.*

Should Osceola County identify any deficiency in level of service standards on the public roadway system caused by any phase of the development within the Yeehaw Transportation Distribution Center, the developer shall be responsible to resolve the lack of available capacity by implementing any of the following mechanisms or combination thereof:

- a. Fund and/or construct 100 percent of the necessary improvement.
- b. Withdraw any phase of development and wait for sufficient capacity to become available through the continued implementation of a Capital Improvement Plan.
- c. Reduce the density or intensity of a phase of development to accommodate available capacity at the adopted level of service standard.
- d. Receive approval to a request to expedite an improvement listed in the Capital improvement Element.
- e. Meet with the County Planning and Engineering staff and establish an equitable Concurrency Roadway Deficiency agreement to address the

funding or capacity improvements of the deficient roadway segment(s) necessary to provide sufficient capacity for the proposed development.

The project will be required to meet the requirements of all of the objectives and policies established under Future Land Use Element Goal 4: Yeehaw Distribution Center.

## **2. Compliant with the Land Development Code**

In preparing the recommendation staff reviewed the proposed Planned Development for compliance with the Osceola County Land Development Code (LDC). The PD was found to be compliant with the Land Development Code when it was reviewed and approved in July 2010. The PD proposes to reaffirm the original PD Narrative and Master Plan with no changes.

### **Land Development Code, Chapter 14, Section 14.24 A**

The previously approved Planned Development, which was approved in 2010, remains compliant with the Purpose and Intent of a Planned Development as outlined in Section 14.24 A of the Osceola County Land Development Code (LDC) in that it allows implementation of flexible design guidelines that depart from conventional straight zoning standards in order to provide a fully integrated, quality development.

### **Land Development Code, Chapter 14, Section 14.24 B (3)**

The planned industrial development district is intended for the development of industrial and business parks; however, supporting non-industrial uses including eating establishments or supporting commercial uses may also be permitted when complimentary to, compatible with, and integrated into a planned park. These special uses shall be reviewed by the Planning Official to determine whether they are complimentary and compatible with the PID prior to approval of the concept plan.

### **Land Development Code, Chapter 2, Section 2.5 C (1)**

The previously approved Planned Development Narrative and Concept Plan, which were approved in 2010, remain complaint with Section 2.5 C (1) of the Osceola County Land Development Code (LDC), which defines criteria for reviewing and evaluation the PD for compatibility. The PD is unchanged and remains complaint and compatible. The criteria are outlined below.

- a. Whether there exists an error or ambiguity which must be corrected.** No ambiguity or error exists, which needs correction; however extension of the Planned Development will further the intent of facilitating distribution center in Southeast Osceola County.
- b. Whether there exist changed or changing conditions which make approval of a proposed application appropriate.** The previously approved PD did not move forward with physical development due to current market conditions. This PD requests an additional three (3) year extension, for a total of five (5) years, to continue to market the property for new development. Staff supports the request for extended expiration date based on the current slow absorption of industrial uses and the May 2012 Industry Cluster Study which identified a need for Transportation, Distribution and Logistics (TDL) uses to support the County's strategic goal to grow and diversity the County's economy.

- c. **The impact of a proposed change on the intent of the Ordinance.** The proposed PD does not change land uses, densities, intensities, or development standards of the previously approved Planned Development and does not negatively impact the intent of the Ordinance.
- d. **The relevant testimony of any applicant.** See attached Application and PD Narrative in **Attachment A**.
- e. **The recommendation of staff.** The project was reviewed by the Development Review Committee on 06/20/12.
- f. **The relevant testimony of the public.** The public will be provided the opportunity to provide comments at the public hearings.
- g. **Whether a proposed land use change is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan.** The proposed PD is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan as established in Section 1.
- h. **Whether a proposed land use change meets or exceeds all performance and location standards set forth for the proposed use.** The proposed PD does not propose any change to the previously approved performance and locational requirements established in the original PD. The PD continues to meet or exceed the performance and location standards set forth for a PD in Chapter 14 of the Osceola County LDC. Development standards are outlined in the PD narrative, which is included in **Attachment A**.
- i. **Whether urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve a proposed land use change, when proposing a change to a land use category.** Urban services such as water, solid waste and site drainage are addressed in the PD. Water and solid waste will be provided via coordination with Toho Water Authority. The proposed PD will not change, nor effect existing proposed urban services.
- j. **Whether a proposed land use change is consistent with the densities, intensities, and general uses set forth in the Comprehensive Plan.** The proposed PD will not result in any increased densities or intensities and is consistent with the densities, intensities and general uses set forth in the Osceola County Comprehensive Plan 2025 Future Land Use Element.
- k. **Whether a proposed land use change will protect, conserve or preserve environmentally critical areas and natural resources.** The PD addresses three existing wetlands for onsite preservation. The narrative states that no threatened or endangered species have been identified on site. The proposed PD will not affect any critical areas or natural resources. Any issues regarding vegetation, wetlands and wildlife will be further addressed through the permitting and construction process and will be required to meet the standards established for the Yeehaw Distribution Center in the Future Land Uses Element of the Comprehensive Plan.
- l. **Whether a proposed land use change will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.** The proposed change to date of the expiration of the PD has no impact on the permitted uses and will not cause damage, hazard, nuisance or other detriment to persons or property.

- m. Whether the location of a proposed land use change places an undue burden upon existing transportation by streets with the capacity to carry traffic generated by the development.** The proposed changes do not increase the maximum intensity or density of the PD; therefore there is no increase in the traffic that was previously generated by PD09-00002. The applicant shall be responsible for all mitigation as determined by the approved traffic impact analysis as outlined in the conditions approval and the Land Development Code.
- n. Whether a requested use will be in compliance with all applicable general provisions and supplemental regulations pertaining to the use, as set forth elsewhere in this Ordinance.** The existing PD (PD09-00002) and the proposed PD (PD12-00013) are in compliance all applicable general provisions and supplemental regulations pertaining to the use, as set forth elsewhere in this Ordinance. Future land development applications will be reviewed to ensure compliance with applicable regulations not specifically outlined in this staff report.
- o. Whether a proposed change is to rectify errors on the official zoning map.** With regards to this PD, no error exists on the official zoning map.

#### **Impacts to Adopted Levels of Service**

Future development applications for the site will be required to undergo technical review and meet all Land Development Code and related level of service standards for the provision of public facilities and services. Following approval of the PD application, an Engineering Improvement Plan (EIP) shall be required to address upgrades to the property, including access, parking, drainage and utilities.

**School Capacity:** This Planned Development proposes no changes to residential units or the development program; therefore, there are no additional impacts on public schools. See **Attachment B** for the School District's Adequate Capacity Analysis.

**Potable Water & Sanitary Sewer:** According to the PD Narrative, the Toho Water Authority (TWA) will be the water and wastewater provider for the project. The irrigation needs of the project will utilize reuse water as the primary water source.

**Transportation:** The applicant proposes their primary access to the PD to remain onto US 441/S. Kenansville Road. Conditions of approval have been established to ensure compliance with transportation LOS.

#### **Analysis of the previous conditions of approval for PD09-00002.**

Prior Special Conditions of approval from PD09-00002 were analyzed as part of the technical analysis to determine if they were still applicable to be carried forward with the new Planned Development, PD12-00013. Conditions that were satisfied or are no longer needed are proposed to be deleted. Conditions that are ongoing are proposed brought forward and/or revised to be consistent with this request. The final proposed Special Conditions are included in the staff recommendation.

1. The following Specifications for Detailed Concept Plan will be deferred to the EIP stage of development:
  - a. Existing ground surfaces and proposed elevations, base flood elevation

- and subsurface conditions; (LDC §14.24.H.b)
- b. Proposed pavement type; (LDC §14.24.H.d)
- c. Proposed water distribution and sanitary sewer layout; (LDC §14.24.H.e, FLUE Policy 4.2.10)
- d. General site lighting plan; (LDC §14.24.H.f)

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward with the PD and should be deleted.*

2. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.

*This condition shall be brought forward with PD12-00013.*

3. The applicant has elected to defer capacity reservation for an 800,000 square foot distribution center, 100,000 SF Transportation Related Industry uses, 10,000 SF Truck Stop and 5,000 SF Fast Food uses. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

*This condition shall be brought forward with PD12-00013 with revisions to be consistent with development program and the Concurrency Application.*

4. Six-foot wide sidewalks shall be constructed along all internal roadway frontage within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.

*This condition shall be brought forward with PD12-00013.*

5. TWA will be the water, irrigation and sewer services provider for this project, per the letter received from TWA.

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward the PD and should be deleted.*

6. Any necessary permits will need to be obtained from the SJRWMD.

*This condition is covered within the Land Development Code and Florida Statutes; therefore is not necessary to be brought forward the PD and should be deleted.*

7. Per FLUE Policy 4.2.4, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy.

*This Condition is covered by the Future Land Use Element of the Comprehensive Plan but is a good reminder to the applicant of his*

*monitoring requirements; therefore, shall be brought forward with this PD in modified form to provide current policy reference.*

8. Prohibition of plants for the production and distribution of concrete and masonry products.

*This condition shall be brought forward with the PD.*

**Development Review Committee Staff Review Comments:**

**Planning:** Approval, to schedule the application for the July 12, 2012 Planning Commission and the July 16, 2012 Board of County Commissioners, subject to the revised Special Conditions brought forward from PD09-00002. In addition to the Special Conditions that are recommended to be brought forward from the previously approved PD, the following new special conditions are recommended.

**Information:**

- a. The narrative calls out cell towers as a permitted use, please be advised, that while the use is permitted, the location and siting standards will need to be addressed through a separate conditional use application as outlined in the Land Development Code (LDC). Zoning recommends that a condition of approval be added to clarify cell tower requirements.
- b. Please note that the Adult Entertainment may only be allowed under Ordinance 93-9, as may be amended from time to time. These uses will only be allowed in areas identified for industrial use and subject to requirements in ORD 93-9. Zoning recommends that a condition of approval be added to clarify accurate adult entertainment requirements.
- c. Pending approval by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for the Planned Development will be July 16, 2017.

**Conditions of Approval:**

1. This approval shall supersede PD09-00002; however, this approval shall reaffirm the Yeehaw Transportation & Distribution Center PD Narrative and Concept Plan dated "REVISED MAR 03 2010" that was previously approved under PD09-00002.
2. Communication towers shall require Conditional Use approval.
3. Adult Entertainment shall be compliant with ORD 93-9, as may be amended from time to time.
4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.
5. All applicable prior conditions of approval shall be brought forward with this PD.

**Zoning:** Approval, subject to Conditions of Approval being added to clarify permitted uses consistent with LDC and Code of Ordinances (see Planning Comments and Conditions).

**Concurrency:** Approval, subject to supplemental submittals being submitted and received by June 22, 2012.

Information:

- a. PD09-00002 did not reserve capacity for any of the development program.
- b. Per letter received in 2009, TWA will be the water, irrigation and sewer services provider for this project

Revisions Requested:

- c. Applicant shall submit a Concurrency Application for this PD, and is required to either defer or reserve capacity. Please note, the proposed development section of the Concurrency Application must show what development is being proposed.

**Environmental:** Approval.

**Transportation/Traffic Engineering:** Approval. Note - See Transportation Planning comment.

**Transportation Planning:** Approve. All transportation-related Special Conditions associated with prior PD09-00002 approval shall remain enforceable.

**School District:** Approval. No Impact on Public Schools

**Parks:** Approval.

**Engineering:** Approval.

**Public Safety:** No Comments.

## **RECOMMENDATION AND REQUESTED ACTION:**

Approval of PD12-00013, subject submittal of requested supplemental concurrency application and subject to the special conditions contained in this staff report. The project will be scheduled to move forward to the July 12, 2012 Planning Commission Meeting and the July 16, 2012 Board of County Commissioners Meeting. The revised Special Conditions are provided below.

1. This approval shall supersede PD09-00002; however, this approval shall reaffirm the Yeehaw Transportation & Distribution Center PD Narrative and Concept Plan dated "REVISED MAR 03 2010" that was previously approved under PD09-00002.
2. Communication towers shall require Conditional Use approval.
3. Adult Entertainment shall be compliant with ORD 93-9, as may be amended from time to time.
4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.
5. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.

6. The applicant has elected to defer capacity reservation. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.
7. Six-foot wide sidewalks shall be constructed along all internal roadway frontage within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.
8. Per Yeehaw Transportation Distribution Center Policies in the Future Land Use Element, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy. Each EIP submittal shall include a running tally of prior EIP approvals, CO's, and their cumulative totals.
9. Plants for the production and distribution of concrete and masonry products are prohibited.

## **ATTACHMENTS:**

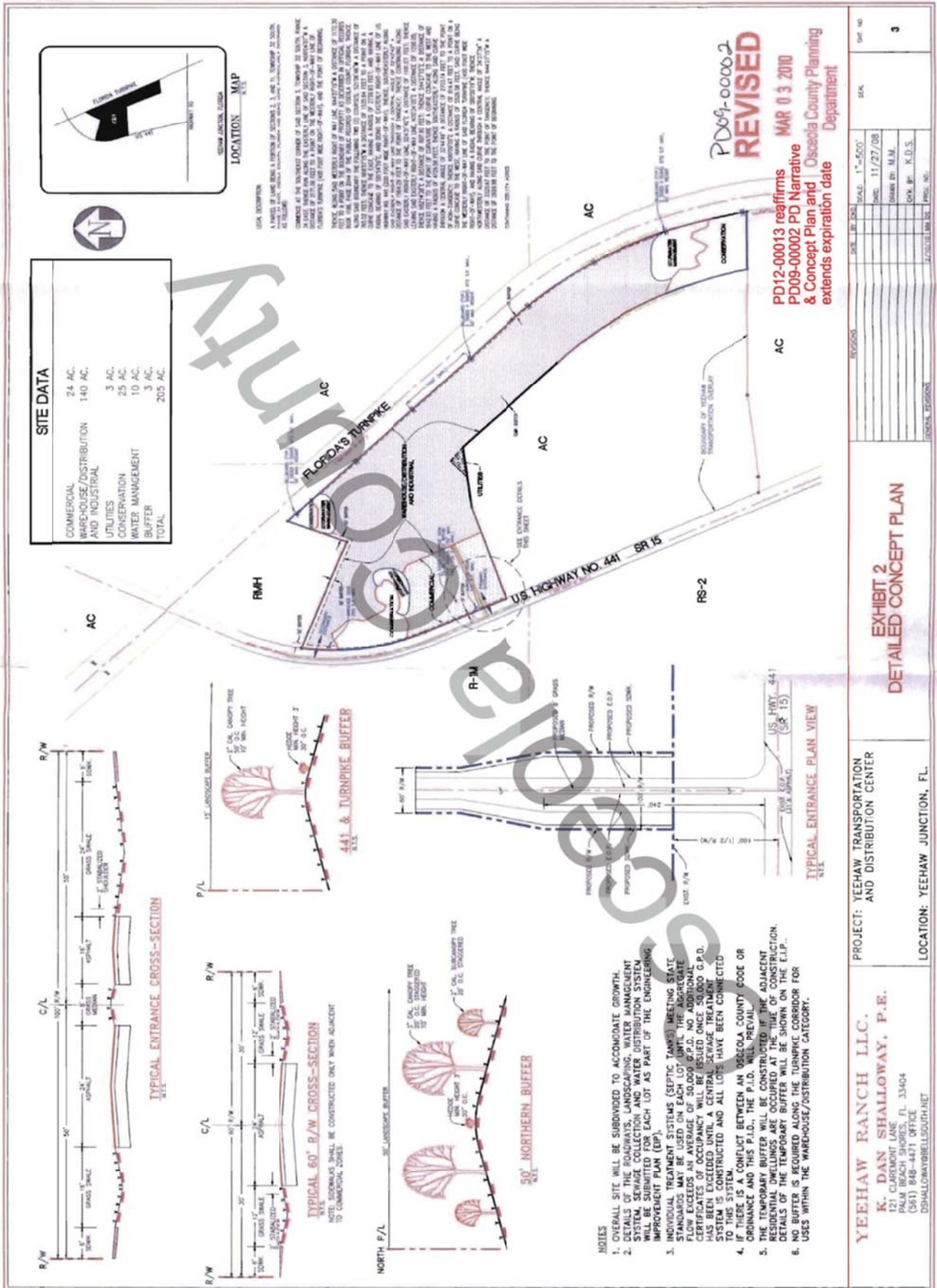
### **Attachment A - Planned Development Documents**

- Application date-stamped "RECEIVED MAY 23, 2012"
- PD Narrative date-stamped, "REVISED MAR 03 2010"
- PD Concept Plan date-stamped, "REVISED MAR 03 2010"

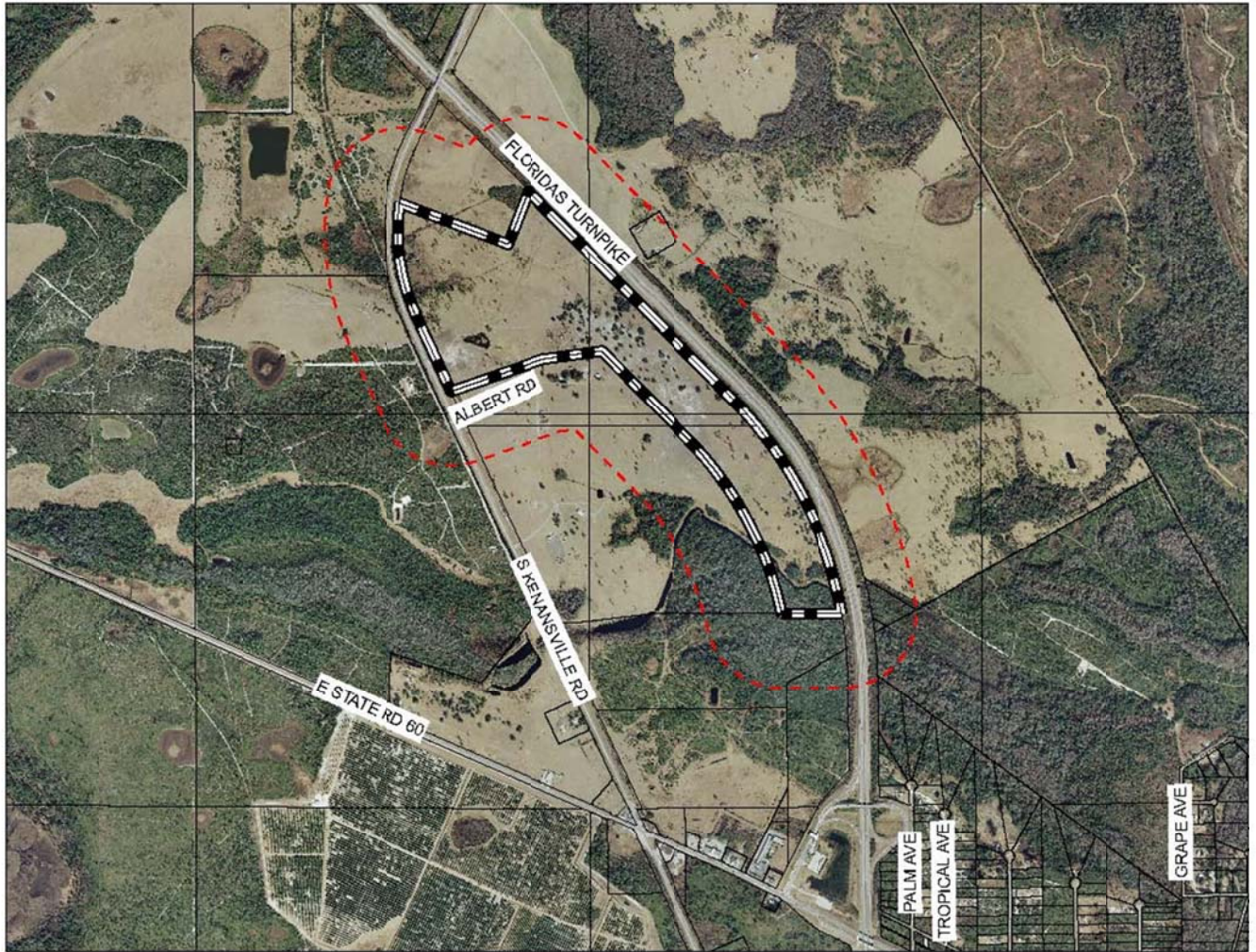
### **Attachment B - Supporting Documentation**

- School District of Osceola County School Capacity Report
- Site Photo Documentation

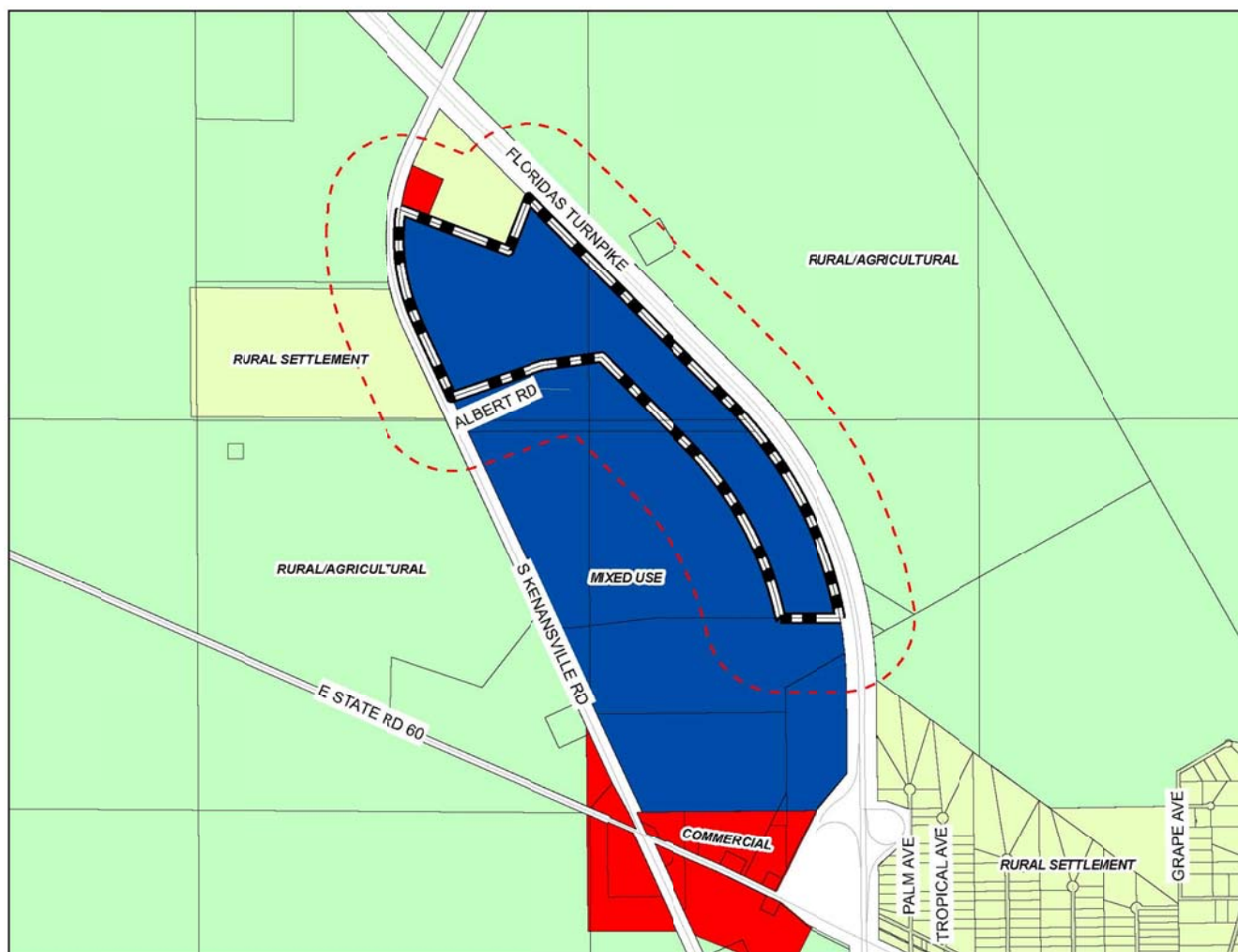
# PD DETAILED CONCEPT PLAN



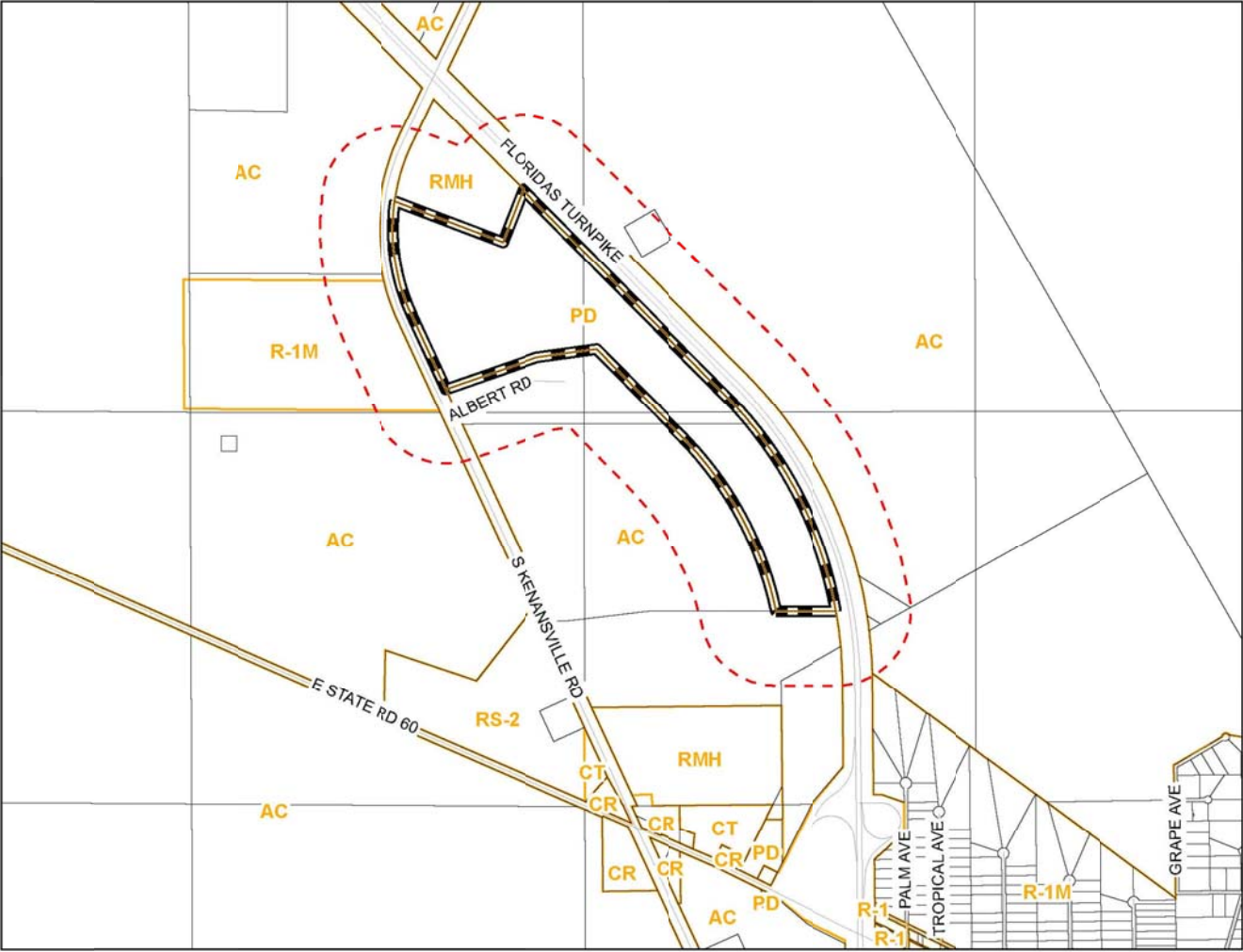
# AERIAL



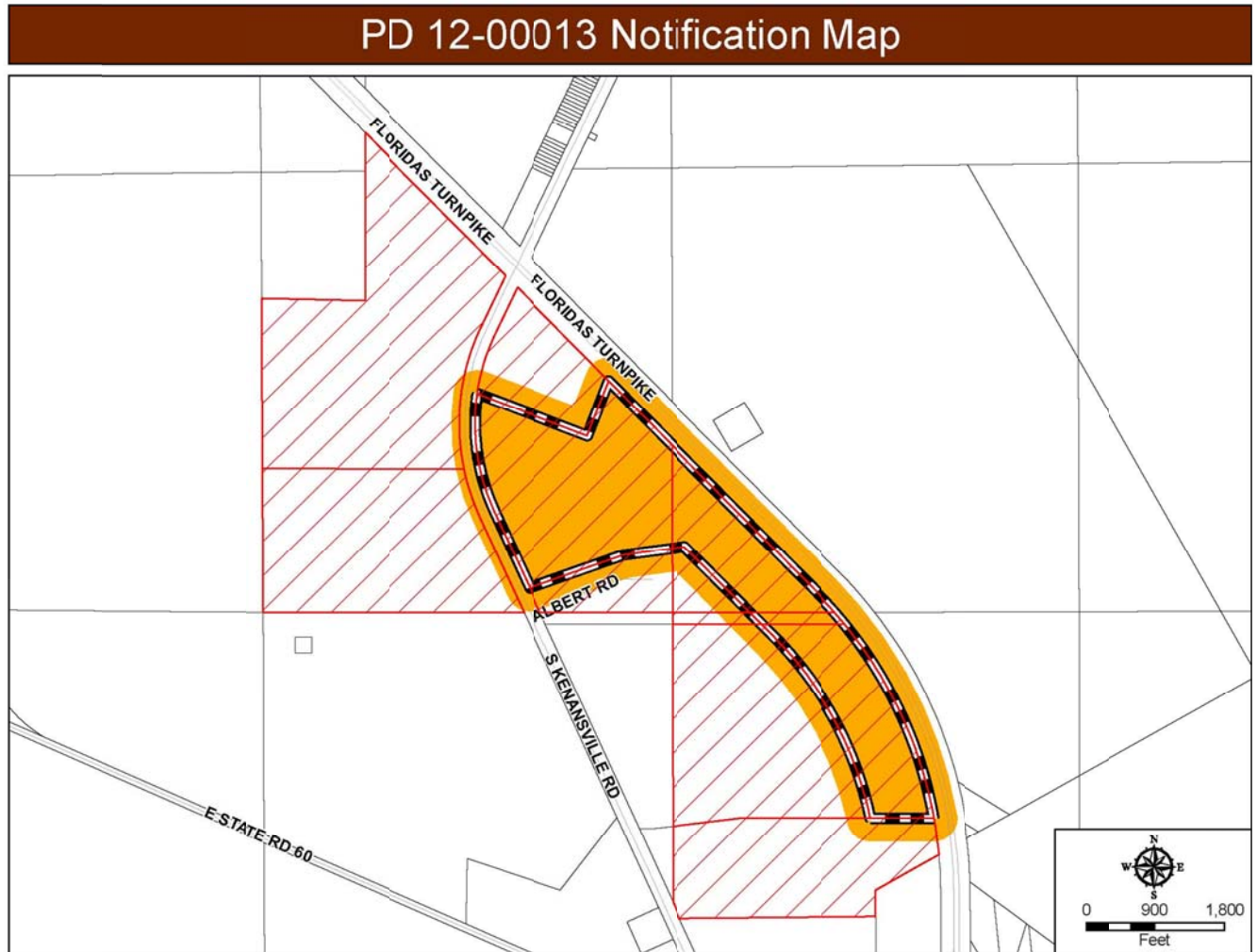
## FUTURE LAND USE



EXISTING ZONING MAP



## Public Notification Map



# **ATTACHMENT A**

## **Planned Development Documents**

## Yeehaw Ranch , LLC

PD12-00013  
**RECEIVED**

**MAY 23 2012**

Osceola County Planning  
Department

Tina Demostene  
Osceola County  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741

Re: Yeehaw Transportation and Distribution Center, PD0009-00002

Dear Ms Demostene

Attached is an application to amend PD0009-00002. The only change is to amend the expiration date from 7/12/2012 to 7/12 2014. Everything else remains the same.

Please note that we have been working closely with the Osceola County Economic Development Department to find a job creating user for the Yeehaw Transportation and Distribution Center. Economic Development has made numerous submissions on our behalf and we have even made some short list, however because of the general economic climate we have been unable to locate a user. We have seen the pace of Industrial Development beginning to pick up, and plan on diligently working to locate a user that will bring much needed jobs to Osceola County.

It is important for the County to have an inventory of large, ready to go Industrial zoned properties so that they can continue to attract job creators. We believe it is to the benefit of Osceola County to support this extension.

Sincerely



K Dan Shalloway  
Managing Shareholder

PD12-00013

# PLANNED DEVELOPMENT APPLICATION PACKAGE

Osceola County Board of County Commissioners  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741  
Phone (407) 742-0200 Fax (407) 742-0205

Application No.  
Date Received  
TRC Meeting  
OCPC Meeting  
BCC Meeting

RECEIVED

MAY 23 2012  
Osceola County Planning  
Department

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Planning Department along with the required fee and additional information necessary to be considered by the Technical Review Committee. The County can provide you with a copy of this form via email upon request.

## I APPLICANT INFORMATION

|          | Applicant                                                     | Owner | Agent |
|----------|---------------------------------------------------------------|-------|-------|
| Contact: | Dan Shalloway                                                 |       |       |
| Address: | 121 Claremont Dr<br>Palm Beach Shores<br>FL 33404             |       |       |
| Phone:   | 561-346-2206                                                  |       |       |
| Fax:     |                                                               |       |       |
| Email:   | <del>dshalloway@dan.shalloway.com</del> dan.shalloway@svn.com |       |       |

## II PROPERTY

LEGAL DESCRIPTION: Provide a complete legal description. Include the complete parcel number of the property as well as Plat Book and Page (if applicable) or attach a copy of the deed(s) of record for all lands within the project boundary. (Deeds of record are available from the County Clerks Office.) You may submit a digital CAD file of the boundary survey in AutoCAD or Microstation compatible format. If applicable, include the street address.

|                    |          |
|--------------------|----------|
| Parcel number:     | Attached |
| Legal Description: |          |

III Is this application a PD amendment? Yes ☒ No

If yes, please list the previous PD number(s)

2 PD009-00002

March 2012

IV

**APPLICANT'S REQUEST (DETAILED DESCRIPTION INCLUDING ANY VARIANCES AND HOW THEY APPLY TO YOUR PROJECT)**

Change expiration date from  
7/12/2012  
to 7/12/2014

No other changes  
Application remains the same  
as previously submitted

Will this development construct sidewalks? Interior \_\_\_\_\_ Exterior \_\_\_\_\_

4. Design: What design criteria will be used for this development? (ie: traditional neighborhood, townhome)
5. Water/Sewer: Where are the closest water, sewer and re-use lines?

To assist you in determining information on the water/sewer facilities, you may want to contact your local provider listed below.

Kissimmee area: 407-518-2160

Poinciana area: 407-933-5302 ext. 20

BVL area: 407-598-4160

St. Cloud area: 407-957-7222

\*\* An accessible map is provided in the map room of the Growth Management Division to aid you in responding to this question.

**\*\*\*\*\*It is advised that the applicant inquire about the possibility of impact fee assessments on this project.**

**VII CERTIFICATION (Please check one)**

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is true and accurate, and that I am:

- ( ) **Landowner:** A landowner or his /her agent where authorized in writing, provided however that Where the fee owner has entered into a contract for the sale of the property, whether it be an agreement for deed, sales contract, or otherwise, then the purchaser may initiate the application when specifically authorized in the contract to do so or by another legal document authorizing same.  
Where there is more than one owner, then all such owners must jointly initiate the application or petition.
- ( ) **Trustee:** Where the property is subject to a land trust agreement, the trustee may initiate the application when the trustee has submitted evidence that he/she is authorized by the trust document to do so, either individually or with other trustees.
- (✓) **Corporation/Partnership:** Where the fee owner is a corporation or partnership then the president or general partner may initiate the application and must provide proof that the corporation or partnership exists including Certificate from Secretary of State stating that the corporation is in good standing.
- ( ) **Association:** Where the fee owner is an association, the association or its governing body may appoint an agent, in writing, to initiate the application on behalf of the association. Proof that the association exists must accompany the application.

DATE: 5/22/12

SIGNATURE *[Signature]*  
*Managing Shareholder*  
Owner/Agent/Corporation/Association *Yeehoco Ranch LLC*

\*\*\*Please list signature of all owners of the property

*K. Dan Shalloway*

Please print name(s) listed above

| FLORIDA DEPARTMENT OF STATE<br>DIVISION OF CORPORATIONS                     |                                                         | www.sunbiz.org                    |                                   |
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| <a href="#">Entity Name Search</a>                                          |                                                         | <input type="text"/>              |                                   |
| <input type="button" value="Submit"/>                                       |                                                         |                                   |                                   |
| <b>Detail by Entity Name</b>                                                |                                                         |                                   |                                   |
| <b>Florida Limited Liability Company</b>                                    |                                                         |                                   |                                   |
| YEEHAW RANCH, LLC                                                           |                                                         |                                   |                                   |
| <b>Filing Information</b>                                                   |                                                         |                                   |                                   |
| Document Number                                                             | L04000002647                                            |                                   |                                   |
| FE/EIN Number                                                               | 270079047                                               |                                   |                                   |
| Date Filed                                                                  | 01/09/2004                                              |                                   |                                   |
| State                                                                       | FL                                                      |                                   |                                   |
| Status                                                                      | ACTIVE                                                  |                                   |                                   |
| <b>Principal Address</b>                                                    |                                                         |                                   |                                   |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                                                         |                                   |                                   |
| <b>Mailing Address</b>                                                      |                                                         |                                   |                                   |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                                                         |                                   |                                   |
| <b>Registered Agent Name &amp; Address</b>                                  |                                                         |                                   |                                   |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404 US |                                                         |                                   |                                   |
| <b>Manager/Member Detail</b>                                                |                                                         |                                   |                                   |
| <b>Name &amp; Address</b>                                                   |                                                         |                                   |                                   |
| Title MGRM                                                                  |                                                         |                                   |                                   |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404    |                                                         |                                   |                                   |
| <b>Annual Reports</b>                                                       |                                                         |                                   |                                   |
| Report Year                                                                 | Filed Date                                              |                                   |                                   |
| 2010                                                                        | 04/23/2010                                              |                                   |                                   |
| 2011                                                                        | 01/06/2011                                              |                                   |                                   |
| 2012                                                                        | 04/16/2012                                              |                                   |                                   |
| <b>Document Images</b>                                                      |                                                         |                                   |                                   |
| <a href="#">04/16/2012 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">01/06/2011 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">04/23/2010 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">02/10/2009 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">01/14/2008 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">04/18/2007 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">01/12/2006 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">01/11/2005 -- ANNUAL REPORT</a>                                 | <input type="button" value="View image in PDF format"/> |                                   |                                   |
| <a href="#">01/09/2004 -- Florida Limited Liabilities</a>                   | <input type="button" value="View image in PDF format"/> |                                   |                                   |

PD12-00013  
**RECEIVED**  
MAY 23 2012  
Osceola County Planning  
Department

**Yeehaw Transportation Distribution  
Center Planned Development**

**PD Narrative  
& PD Concept Plan**

***PD12-00013 reaffirms PD09-00002  
PD Narrative and PD Concept Plan date-stamped  
“REVISED MAR 03 2010” and extends the project  
expiration date***

**PD12-00013 reaffirms PD09-00002 PD Narrative and  
Concept Plan and extends project expiration date**

PD09-00002  
**REVISED**

**Yeehaw Transportation & Distribution Center  
PID**

Revised 2/22/2010

MAR 03 2010

Osceola County Planning  
Department

**Overview:**

The Yeehaw Transportation and Distribution Center Planned Industrial Development ( Yeehaw T & D PID ) is a 205 acre mixed use project lying within the Yeehaw Transportation Distribution Center overlay (Future Land Use Element, Goal 4) of Osceola County's Comprehensive Land Use Plan. The Yeehaw Transportation and Distribution Center is the first Green Industrial Park in the State of Florida to be registered with the US Green Building Council (USGBC). Future Land Use Element, Goal 4 of Osceola County's Comprehensive Plan says "The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County".

The Yeehaw T & D PID encourages the development of general types of industry and commercial enterprises which benefit from access to major roadways and thoroughfares. It does this by creating a compact employment center with intensive commercial and industrial uses which encourages interaction between these uses and reduces total vehicle highway miles.

The Commercial use is placed adjacent to US 441 at the main entrance to the project. It is anticipated that this will be a major Interstate Commercial stopping point since there are no other significant Interstate Commercial service centers within a 30 mile radius. It is expected that this Commercial service center will include a full service overnight Truck Stop. The businesses within this Interstate service center will enjoy a symbiotic relationship with the transportation related Industry located within the Industrial component. For example Trucks delivering to an Industrial user will have on site access to overnight parking, fueling, restaurants, entertainment and service. Having these available to Industry locating in the Park means that they will not have to provide these services on site.

The revised Goal 4 in the Comprehensive plan calls for a compatibility determination in the zoning approval process. In order to meet this goal, a compatibility test is included as Exhibit E.

The site is sandwiched between US 441 and Florida's Turnpike with a Natural Buffer to the South and a small Commercial/Semisuburban site to the North. The Northern Border will be heavily buffered. Typical Commercial Zone Buffers will be placed along US 441. A buffer will be placed along the Turnpike to screen Industrial users, however Warehouse Distribution Facilities will have no buffer in order to Maximize exposure. No permanent buffers are proposed adjacent to other properties within the Yeehaw Transportation Overlay to encourage interaction within the Overlay District. The utility component has been strategically located so that it can be expanded to serve the entire overlay. No hazardous material users, producers or sellers are anticipated. If such a user wants to locate at the Distribution Center, they shall submit a hazardous management/containment plan with the EIP.

Signage is critical as the project is expected to rely upon capture of existing traffic, and not be a destination or traffic generator. Based upon Chapter 15 of the Osceola Land Development Code (LDC), the project would be eligible for 7 billboards along the Turnpike and 2 Billboards along 441. In order to be competitive with other Truck Service Centers adjacent to the Turnpike we are requesting one 150 ft Pole Sign and eliminating 2 Billboards. This will actually reduce sign face space significantly. Other than the 150 foot pole sign, all future signage will comply with Chapter 15 of the LDC.

Pedestrian paths will be constructed throughout the Commercial portion of the project however Pedestrian and Bicycle traffic will not be allowed within the Industrial portion of the project, given the heavy truck traffic that is expected. No sidewalk will be constructed on 441 as there are no nearby residential areas to connect to. The property owners Association will work closely with the LYNX Transportation system to offer employees a carpool matching service, the LYNX vanpool program and other programs that reduce trips. An internal shuttle to transport workers and Truck drivers to the Commercial center will be placed in service as soon as demand justifies it.

#### **Information for Preliminary Concept Plan**

1. A vicinity map is attached indicating the relationship between the planned development and the surrounding area is shown on Exhibit 2
2. A statement showing how the proposal meets the objective outlined in subsection A is given in the overview.
3. The following information is provided:

#### **Preliminary Concept Plan**

- a. All plans are drawn at an appropriate scale, date and legal descriptions contain a north arrow
- b. A survey is attached as Exhibit 1
- c. There are no adjacent developments and subdivisions.
- d. The existing zoning of contiguous property is shown on Exhibit 2
- e. The Utility site, preserve areas, open space and water management tracts are shown on Exhibit 2 along with their acreage.
- f. Vehicular, pedestrian and bicycle access and circulation are shown on exhibit 2
- g. Site data is shown on exhibit 2.
- h. The location of the conceptual development parcels is shown on Exhibit 2. A list of uses for each parcel is shown on Attachment A.
- i. A conceptual drainage plan is shown on Exhibit 2.
- j. The proposed method of providing for all necessary road improvements, sewage systems, water supply , stormwater management systems and fire protection is shown on Attachment B, in the Infrastructure Report.
- k. A traffic impact analysis addressing site access, and the impacts to the area roadway segments and intersections shall be submitted and approved prior to EIP submittal.
- l. The USGS quadrangle map is attached as Exhibit 4. Wetlands are shown as Exhibit 5.
- m. There are no large stands of trees other than within the wetlands.
- n. The property is owned by Yeehaw Ranch LLC. K. Dan Shalloway is the managing shareholder
- o. The project will be built as a single phase, based upon the market. At this point it impossible to know whether the first user will be Commercial, Industrial or Warehouse/Distribution.

#### **Detailed Concept Plan**

- a. Legal description is shown on Exhibit 1, the survey.
- b. Existing ground surfaces & proposed elevations, base flood elevation and subsurface conditions will be addressed in the Engineering Improvement Plan (EIP).

- c. There will be two entrances to the PID which are both shown on Exhibit 2, the Detailed Concept Plan. The Southern entrance will be the main entrance to the project, and the majority of traffic will be routed thru this entrance. The Entrance Road dimensions are shown on the master plan along with a typical Roadway section. Setback, height and Floor to Area (FAR) criteria are shown on Attachment A.
- d. Proposed pavement type will be addressed in the Engineering Improvement Plan (EIP).
- e. Proposed water distribution, sanitary sewer, fire protection and stormwater are addressed in Attachment B, the Infrastructure report. The actual layouts of these facilities will be addressed in the Engineering Improvement Plan (EIP).
- f. General site lighting plan will be addressed in the Engineering Improvement Plan (EIP).
- g. Wetland jurisdictional lines are shown on Exhibit 2, the Detailed Concept Plan. Stormwater retention facilities, Lakes and wetlands will be adjusted to meet permit requirements. The final configuration will be addressed in the Engineering Improvement Plan (EIP).
- h. Buffers and Landscaping are addressed in Attachment B, the Infrastructure Report and shown on Exhibit 2, the Detailed Concept Plan. Detailed Landscaping and Architectural details will be addressed in the Engineering Improvement Plan (EIP) for each development phase.
- i. The main entrance road is shown along with two Commercial and one Industrial (with overlay) lot on Exhibit 2, The Detailed Concept Plan. These lots will be subdivided. Lot lines, reservations, easements, alleys & areas to be publicly dedicated will be shown for each phase on the Engineering Improvement Plan (EIP).

**Attachments:**

- A. List of Uses & Development Criteria
- B. Infrastructure Report
- C. Marketing consultant letter
- D. Planned Development application form
- E. Concurrency Management Application
- F. Compatibility Test

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**Exhibits:**

1. Survey
2. Detailed Concept Plan & Location Map
3. Aerial
4. USGS Quad sheet
5. Wetlands

Osceola County



**Research Memorandum  
Yeehaw Transportation & Distribution Center  
Osceola County, Florida  
2/1/2010**

**Questions:**

- 1) If the possibility of a High Rise Sign is eliminated, does it “encourage the development of a Transportation-related distribution center”?
- 2) If a visual buffer is required along the Florida’s Turnpike, does it “encourage the development of a Transportation-related distribution center”?

**Discussion:**

Regarding the High Rise Sign, the Truck Stop has always been a critical element of the Yeehaw T & D Center. The symbiotic relationship between the Truck Stop and Distribution Center has always been a distinguishing characteristic which separates it from other Industrial Parks in the market. While Trailers are being loaded or unloaded, the Tractor can get fuel and service and the driver can rest.

From a competitive standpoint, most major Truck Stops have a High Rise sign with the current price of Diesel. Requiring a Truck stop not to have this will put it at a competitive disadvantage and **discourage** the development of a Transportation-related Distribution Center.

One of the primary uses envisioned at the Yeehaw T & D Center is Distribution of Goods. This is usually done out of large box distribution centers. Modern centers continue to increase in height due to advances in material handling systems. Clear spans of 30 to 34 feet are now common, leading to building heights of up to 50’. Buildings with lower overall height are considered functionally obsolete, and would be difficult to finance or lease. The way the marketing program is designed, the Big Box Distribution Centers will be aligned along the Turnpike to maximize exposure. Other uses such as Recycling Facilities or the Truck Stop will be in the interior or will have a buffer.

The Distribution Centers (DC's) were proposed along the Turnpike without a visual buffer for several reasons. These DC's will primarily be used by national retailers or producers of consumer goods who value name recognition. Having their name visible to the large number of travelers on the Turnpike will be a major selling point. If the County wants to attract a Major Distributor to the Yeehaw Distribution Center then they will need to offer the Distributor every possible advantage. It is going to be very difficult to attract the first major user. National Companies are risk adverse, and dislike being the first to locate in a new facility. The Transportation Center needs to offer every possible advantage in order to get it's first user.

In Orange County, there are numerous big box DC's along the Turnpike that are not Buffered. Currently, Orange County has many more DC's the Osceola County, and they will continue to hold a competitive advantage over Osceola County if the County forces restrictions which place it at a disadvantage. In summary, the requirement of a Landscape Buffer along the Turnpike that would block the view of a Distribution Center, would **discourage** the development of a Transportation-related Distribution Center. For Industrial Users, the requirement of a Buffer will not be detrimental to the marketing effort.

**Recommendations:**

- 1) Any Truck Stop or truck Service Center locating at the Yeehaw T & D Center should be allowed a high rise pole sign easily visable from the Florida's Turnpike.
- 2) Buffers should not be required along the Florida Turnpike for Distribution Centers

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## **Attachment A**

### **Yeehaw Transportation & Distribution Center**

#### **List of Uses and Development Criteria**

##### **Approved Uses: Commercial**

1. Truck Stops, Fueling Stations, and Truck Service Centers.
2. Truck, car, and equipment repair and service.
3. Areas for the display, sale, and repair of new or used automobiles, trucks, travel trailers, motor bikes, boats, manufactured homes, mobile homes and farm or construction equipment.
4. Wholesale and Retail Nurseries.
5. Service Stations and Convenience Stores and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
6. Shops and stores for the sale of general retail goods and services.
7. Restaurants, delicatessens, fast food and other food preparation facilities.
8. Locations for commercial recreation such as a golf driving range, miniature golf, baseball and archery practice range, bowling alley, indoor shooting range, skating rink, and race tracks.
9. Adult Entertainment establishments in accordance with Osceola County Ordinance 93-3, as amended.
10. Transient Housing Facility (hotel or motel complex) including customary uses accessory and incidental to the hotel or motel complex.
11. Schools, Child Care Centers and Kindergartens whose primary purpose is to serve the business and residences located in the Yeehaw Transportation District Overlay.
12. Professional office buildings related to the industry and businesses within the PID.

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#### **Approved Uses: Warehouse/Distribution**

13. Shell or spec buildings designed to attract warehousing and distribution.
14. General Warehousing and Storage.
15. Warehouse or distribution Facilities which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
16. Truck Terminals
17. Petroleum tank farms.
18. Distribution Electric Substations.
19. Solid Waste Transfer Stations
20. Wholesale and Retail Nurseries

#### **Approved Uses: Industrial**

21. Shell or spec buildings designed to attract compatible industry.
22. Industry which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
23. Truck, car and equipment repair service
24. Areas for the display, sale, and repair of new or used trucks, farm or construction equipment.
25. Plants which fabricate and distribute wood products, such as modular units, cabinets, molding and lumber.
26. Plants for the fabrication and distribution of metal products such as bar joists and decorative panels, including machine shops and related tool and die work.

27. Plants for the fabrication and distribution of plastic, glass or ceramic products, such as pipe, hose, molding strips blocks or pottery.
28. Plants for the processing and distribution of food products such as citrus, fruits, vegetables.
29. Roof Truss Plants.
30. Plants for the fabrication and distribution of concrete and masonry products such as blocks, precast or pre-stressed structural members and building components, septic tanks, culvert or pipe.
31. Plants for the production and distribution of asphaltic materials, provided that such plants meet all Federal and state agencies' noise and emission control requirements.
32. Plants for the production and distribution of Concrete.
33. Plants for recycling or processing of used or waste materials
34. Plants for the processing of Biomass
35. Industries that require a waiver or variance from Osceola County's Noise or Air Pollution Codes and Ordinances that are required to obtain the necessary waiver or variance through the process provided in the Osceola County Land Development Code. Noise and Air Pollution data shall be measured from the boundary of the Yeehaw Transportation and Distribution Center PID external boundary and not from any internal lot lines.

#### **Approved Uses: Utilities**

36. Utility plants to serve the project (i.e. plants for water or sewage treatment).
37. Solid Waste Collection & Recycling Facilities
38. Electric and Power Generation and cogeneration facilities
39. Alternative fuel dispensing station

#### **Approved Uses: All Categories**

40. Billboards and Signs that meet State and Federal Codes and/or the criteria within the PD
41. Communication towers.
42. Administrative office buildings ancillary to the industry and businesses within the PID.

#### **Development Criteria; Commercial**

1. Max Lot Building Coverage = 40%
2. Min Lot size = 10,000 sf
3. Min lot frontage = 100'
4. Front building setback = 35'
5. Side building setback = 10'
6. Rear building setback = 25'
7. Max. Building Height = 40'

#### **Development Criteria: Warehouse/Distribution**

1. Max Lot Building Coverage = 60%
2. Min Lot size = 40,000 sf
3. Min Lot frontage = 200'
4. Front building Setback = 35'
5. Rear Building Setback = 10'
6. Side Building Setback = 25'
7. Max Building Height = 60' (Storage towers and communication towers excluded)

#### **Development Criteria: Industrial**

1. Max Lot Building Coverage = 50%
2. Min Lot size = 20,000sf
3. Min lot frontage = 150'
4. Front Building setback = 35'
5. Rear Building setback = 10'
6. Side Building setback = 25'
7. Max. Building Height = 60" (Storage towers, Stacks and Communication towers excluded)

#### **Development Criteria: Billboards**

Each Billboard will be placed on a separately platted lot. This lot will not be required to front on a road and may be accessed by easement. No setbacks are required from the Billboard lot on adjacent property.

1. Max Lot Coverage = 80%
2. Min Lot size = 500sf
3. Min Lot length = 40'
4. Min lot width = 10'
5. Setbacks = 2', No overhang setbacks required
6. Max Height = 50' above adjacent Florida's Turnpike or US 441.

For Criteria not specified in the PID, Billboards will be consistent with Chapter 15 of the Land Deve

#### **Development Criteria: Parking**

Because of the wide variety of non-standard uses, specific parking requirements for each use are not possible. Instead, as each phase is submitted, an analysis of the parking needs of each use will be analyzed as part of the EIP.

**Infrastructure & Natural Resources Report  
Yeehaw Transportation & Distribution Center**

**PID**

**12/17/08  
Revised 8/26/09  
Revised 2/22/10**

**Prepared By:**

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LEED Accredited Professional  
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## **Yeehaw Transportation & Distribution Center, PMUD Infrastructure & Natural Resources Report.**

### **Electric Service:**

Electric Service will be from the Peace River Electric Cooperative (Co-op). Officials from the Co-op have met on site and examined future demands from the project. They will be able to meet the demands. The Co-op has expressed interest in locating a substation on the site if future demand warrants it. Electric Substations have been included in the list of permitted uses.

As a Green Industrial Park, all users will utilize energy saving measures recommended by the US Green Building Council. In addition to energy conservation measures inherent in the building design, Green Buildings can take advantage of on site renewable power generation opportunities and Green Power.

### **Sewage:**

An on site Sewage Waste Management strategy has been conceptually developed in conjunction with Toho Utilities. Sewage collection will be done by a combination of Gravity and low Pressure or Vacuum systems. Typically Industrial uses are characterized by low volumes separated by large distances, making Gravity collection systems impractical. In those areas either Low Pressure or Vacuum systems will be used. These systems will be owned and maintained by a combination of the Property Owners Association and the private user. Gravity collection Mains within the Public Rights of Way will be constructed by the developer and turned over to Toho Utilities for operation and maintenance.

Sewage Waste will be treated on site utilizing a Membrane Bioreactor (MBR) or other technology approved by Toho Utilities. The plant and disposal system will be built by the developer and maintained by the Property Owners Association until there is an Average Daily Flow of 25,000 gpd. At that point Toho Utilities will make a determination when they will take over operation of the plant. Toho Utilities will take over operation and maintenance of the plant prior to average daily flows reaching 50,000 gpd. The Utility site is located immediately adjacent to the centroid of the remaining property within the Yeehaw Transportation Overlay so that it can easily be expanded to serve the rest of the element.

Based on conversations with MBR manufacturers and Toho Utilities it is not recommended that the first phase of the Central Treatment Facility be built until there is at least an average waste flow of at least 25,000 gpd. Prior to this minimum flow, waste shall be treated utilizing on-site individual treatment systems (septic tanks). These Septic systems will utilize dosing tanks which can be converted to low pressure lift stations when the septic systems are abandoned and the users are connected to a central system. Once an aggregate of 25,000 gallons average daily flow has been reached, no further Certificates of Occupancy shall be issued until a Central Sewer Treatment Facility has been Constructed and all Septic systems have been abandoned and the users connected to the Central Facility.

Treated effluent will be made available to all occupants in the Park for non-potable uses. Since all projects within the Yeehaw Transportation and Distribution Center will be seeking certification from the US Green Building Council (USGBC) they will want to take advantage of the high quality treated effluent for uses such as Irrigation, Truck Washing and Toilet flushing. Any remaining effluent will be disposed of utilizing underground drains and/or Percolation Ponds where the water will be returned to the Surficial Aquifer. In this way 100% of the wastewater effluent will be recycled.

#### **Water:**

Potable Water will be supplied by Surficial Wells and treated on Site. Toho Utilities will take over the maintenance and operation utilizing the same criteria as the Sewage Treatment System. Since the Yeehaw Transportation & Distribution Center is a LEED (Leadership in Energy and Environmental Design) Registered Project with the USGBC, there will be extensive use of Xeriscaping. What irrigation water is needed will be primarily supplied by Reuse water. It is anticipated that the Yeehaw Transportation and Distribution Center will have both a potable and non-potable water distribution system. It has not been determined whether Fire Protection will be accomplished with Potable or Non-Potable water. This will be determined through continuing discussions with Toho Utilities.

#### **Stormwater Management:**

The property lies within the St Johns River Water Management District. There is a high Sandy Ridge in the center of the Property splitting flow to the North and the South. The Southern basin falls more than 15' vertically to a slough flows easterly under the turnpike. The Northern basin flows to the two wetlands which are interconnected by a ditch. The Wetland at the Northeastern corner of the property flows easterly under the Turnpike. Water from the developed property will flow to a lake (water management tract) which will be constructed next to the wetland. These lakes will interconnect with the wetlands to encourage interchange of species with the Wetlands a greater biodiversity. Each site will provide pretreatment prior to discharging to the lakes.

The Stormwater management system will meet the design criteria in compliance with the St Johns Water Management District and Osceola County Land Development Code LDC, Chapter 6. A copy of the SJWMD permit application will be provided with the EIP submittal and a copy of the permit will be supplied prior to approval of the EIP.

#### **Buffers & Landscaping:**

Policy 4.2.12 of the Osceola County Comprehensive Plan says "Development within the Yeehaw Transportation Distribution Center shall be internally interconnected". Because the majority of uses are complementary, and it is desired to create a mix of inter-related uses, Buffers and perimeter landscaping between parcels within the PID is not required and discouraged. The exception would be schools, professional offices and motels, which will want to create buffers for safety & privacy reasons. No buffer will be provided adjacent to the remaining lands within the Yeehaw District so that interaction with future PD's in the Yeehaw Distribution District will be encouraged.

External Buffers will be addressed as follows:

- 1) Northern Property Boundary: Since the area to the North is primarily zoned Semi Suburban, this will be the most heavily buffered and landscaped border. A 50' Heavily landscaped Buffer will be placed along the Northern Boundary of the PID. This buffer will be planted with tree's and vegetation that will create a complete visual buffer for the adjacent Semi-suburban land
- 2) Florida's Turnpike Boundary: In order to encourage inter-action with this primary Intrastate Corridor, no buffers or landscaping are recommended. Uses which would not be visually compatible with the Transportation corridor are not permitted adjacent to the turnpike and are restricted to the Industrial Overlay. This is consistent with current development along the Turnpike corridor. Transportation oriented businesses such as Truck Stops and Distribution Centers are given maximum visibility while non-transportation uses such as Residential are buffered.
- 3) US 441 Boundary: A 10 foot buffer will be created along 441. It will be lightly landscaped to create an attractive appearance and gateway to the project, however it will be designed to allow visibility of the Intrastate commercial establishments in the Commercial zone.

#### **Wetlands and Natural Resources:**

The site is currently being used as improved pasture for a cow/calf breeding operation. Previous uses included an Asphalt Plant and Florida Power and Light Storage Yard. There is an approximately 4 acre area fronting 441 that has been in continuous usage as a staging and storage yard for Vehicles transporting agricultural products. At the South end of the property there is a Wetland area which is part of a relatively large and pristine slough. This Wetland is relatively untouched because a small ditch along its North Border prevents access by cattle. This wetland will be preserved and no development activity will occur within 50'. There is a Wetland Area adjacent to 441 which has been isolated for many years by the construction of 441. This Wetland is highly impacted both by 441 and the continuous access by cattle. Despite these impacts it can be restored and made viable. The only development activity allowed within 50' will be the Stormwater Management Tracts, which will be integrated contiguous to the wetlands to encourage species interaction. At the Northeast corner of the site is another Wetland similar to the one along 441. Only a small portion of this Wetland lies within this project, however it will be treated the same as the Wetland along 441.

The three significant Wetlands on the site have all been designated as Conservation on the Master Plan and will be dedicated to the Yeehaw Transportation & Distribution Center Property Owners Association

#### **Threatened & Endangered Species:**

No Endangered or Threatened species have been observed on the site. Wetland dependent species like the Wood-stork and Everglades kite are unlikely to use the site because of the proximity between two major highways. Regular and continuous management of the land as improved pasture has limited native plant species from being established on the site. There is a possibility that Gopher Tortoises inhabit the adjacent Turnpike Right of Way, and may therefore forage on the adjacent site. Prior to EIP submittal, a detailed survey of Gopher Tortoise and other endangered and threatened species will be conducted.

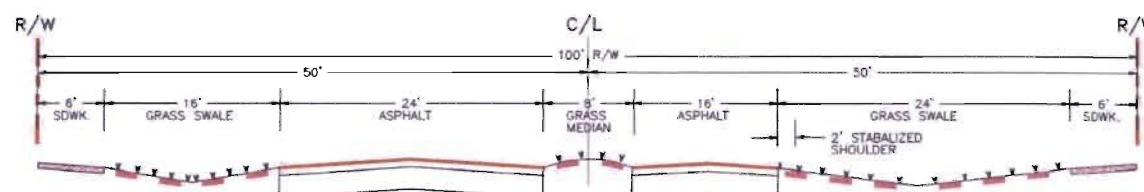
PD12-00013 reaffirms PD09-00002 PD  
Narrative and Concept Plan and extends  
project expiration date

PD09-00002  
**REVISED**

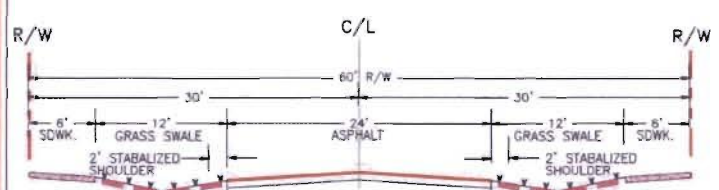
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Osceola County Planning  
Department

|                        | Allowable sq ft<br>Goal 4 | sq ft PID               | Total Ac<br>Goal 4 | Ac PID |
|------------------------|---------------------------|-------------------------|--------------------|--------|
| Warehouse/Distribution | 2,000,000                 | 200,000 to<br>1,200,000 |                    |        |
| Industrial             | 200,000                   | 50,000 to<br>150,000    |                    |        |
| Commercial             | 50,000                    | 10,000 to 30,000        |                    |        |
| Residential            | N/A                       | None                    | N/A                | None   |
| Conservation           |                           |                         | 74                 | 25     |
| Utilities              |                           |                         | 10                 | 3      |

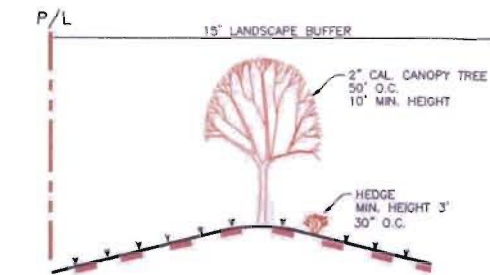


TYPICAL ENTRANCE CROSS-SECTION  
N.T.S.

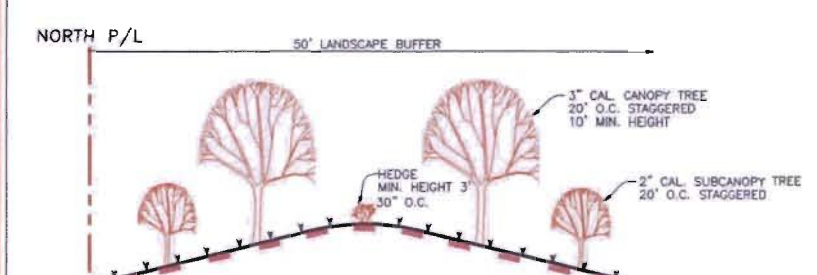


TYPICAL 60' R/W CROSS-SECTION  
N.T.S.

NOTE: SIDEWALKS SHALL BE CONSTRUCTED ONLY WHEN ADJACENT TO COMMERCIAL ZONES.



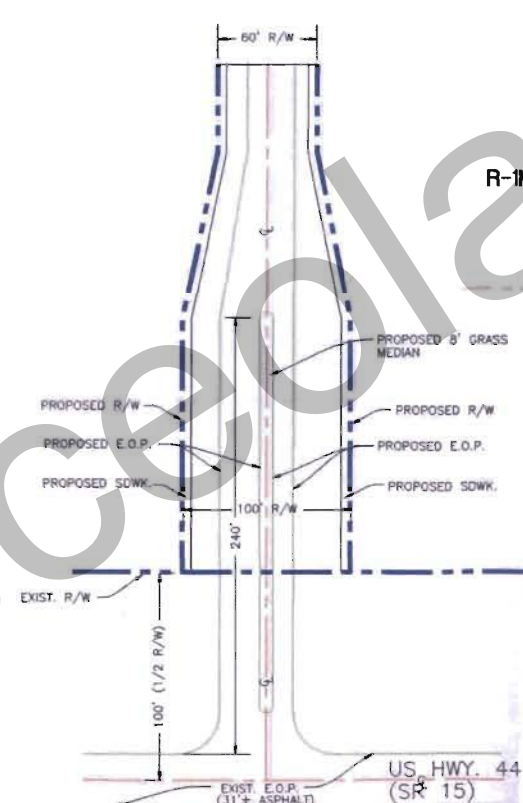
441 & TURNPIKE BUFFER  
N.T.S.



50' NORTHERN BUFFER  
N.T.S.

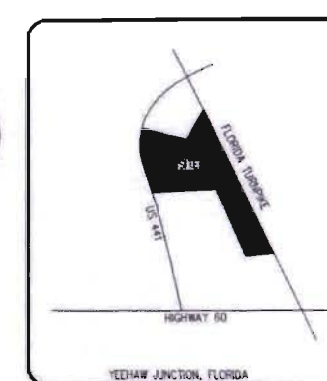
NOTES

- OVERALL SITE WILL BE SUBDIVIDED TO ACCOMMODATE GROWTH.
- DETAILS OF THE ROADWAYS, LANDSCAPING, WATER MANAGEMENT SYSTEM, SEWAGE COLLECTION AND WATER DISTRIBUTION SYSTEM WILL BE SUBMITTED FOR EACH LOT AS PART OF THE ENGINEERING IMPROVEMENT PLAN (EIP).
- INDIVIDUAL TREATMENT SYSTEMS (SEPTIC TANKS) MEETING STATE STANDARDS MAY BE USED ON EACH LOT UNTIL THE AGGREGATE FLOW EXCEEDS AN AVERAGE OF 50,000 G.P.D. NO ADDITIONAL CERTIFICATES OF OCCUPANCY WILL BE ISSUED ONCE 50,000 G.P.D. HAS BEEN EXCEEDED UNTIL A CENTRAL SEWAGE TREATMENT SYSTEM IS CONSTRUCTED AND ALL LOTS HAVE BEEN CONNECTED TO THIS SYSTEM.
- IF THERE IS A CONFLICT BETWEEN AN OSCEOLA COUNTY CODE OR ORDINANCE AND THIS P.I.D., THE P.I.D. WILL PREVAIL.
- THE TEMPORARY BUFFER WILL BE CONSTRUCTED IF THE ADJACENT RESIDENTIAL DWELLINGS ARE OCCUPIED AT THE TIME OF CONSTRUCTION. DETAILS OF THE TEMPORARY BUFFER WILL BE SHOWN ON THE E.I.P..
- NO BUFFER IS REQUIRED ALONG THE TURNPIKE CORRIDOR FOR USES WITHIN THE WAREHOUSE/DISTRIBUTION CATEGORY.



TYPICAL ENTRANCE PLAN VIEW  
N.T.S.

| SITE DATA                             |         |
|---------------------------------------|---------|
| COMMERCIAL                            | 24 AC.  |
| WAREHOUSE/DISTRIBUTION AND INDUSTRIAL | 140 AC. |
| UTILITIES                             | 3 AC.   |
| CONSERVATION                          | 25 AC.  |
| WATER MANAGEMENT                      | 10 AC.  |
| BUFFER                                | 3 AC.   |
| TOTAL                                 | 205 AC. |



LOCATION MAP  
N.T.S.

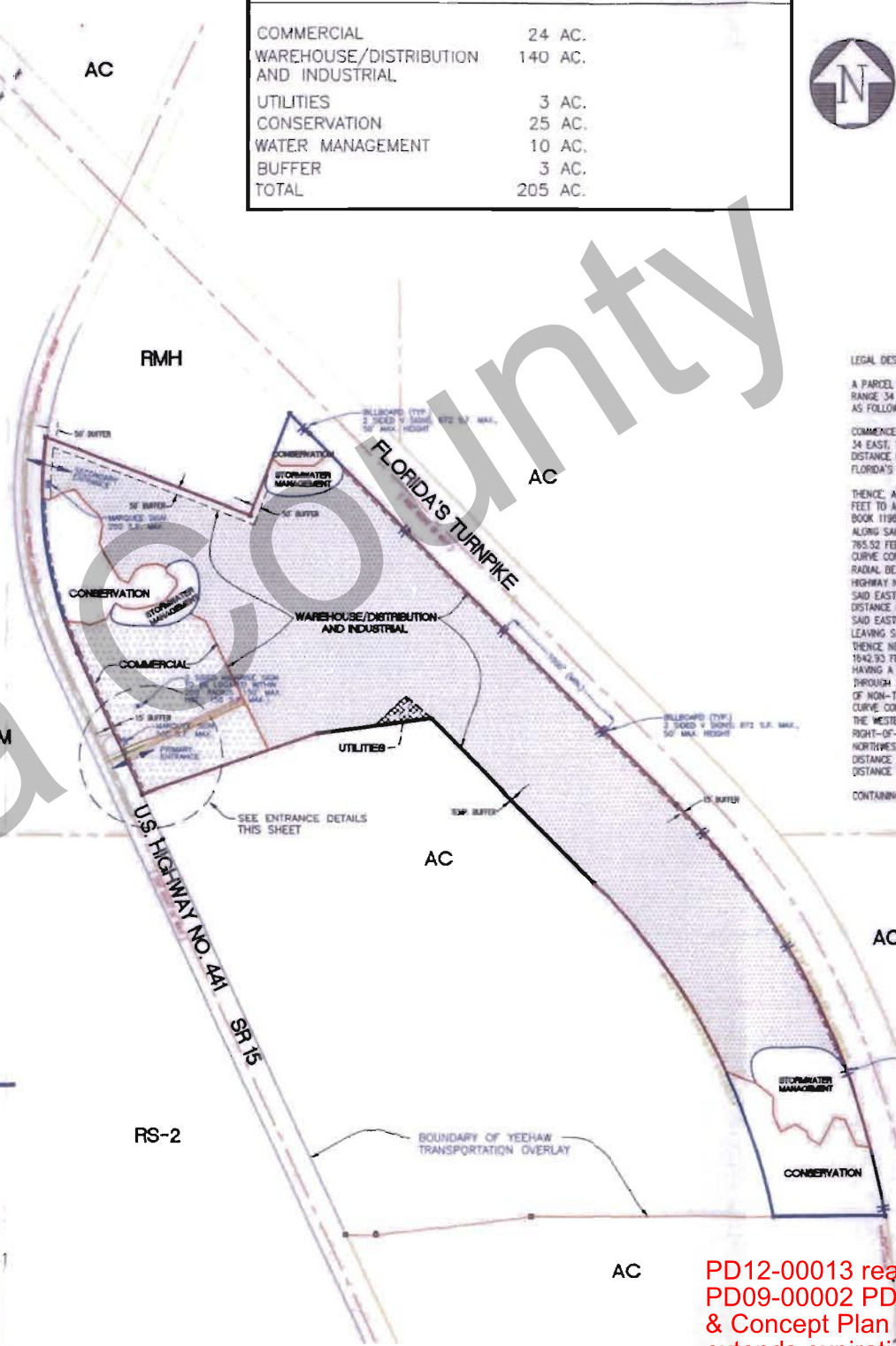
LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF SECTIONS 2, 3, AND 11, TOWNSHIP 32 SOUTH, RANGE 34 EAST, OSCEOLA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 3, TOWNSHIP 32 SOUTH, RANGE 34 EAST; THENCE RUN ALONG THE EASTERLY LINE OF SAID SECTION 3, 400'04'07" W A DISTANCE OF 2171.06 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY), AND THE POINT OF BEGINNING;

THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N44°27'15" W A DISTANCE OF 1172.30 FEET TO A POINT ON THE BOUNDARY OF PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1196, PAGE 2044 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE, ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: S21°06'46" W A DISTANCE OF 765.52 FEET; THENCE N68°57'10" W A DISTANCE OF 1535.64 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2739.93 FEET; AND HAVING A RADIAL BEARING OF S81°54'59" E, AND BEING THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 441 (200 FOOT WIDE RIGHT-OF-WAY); THENCE, SOUTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 32°42'42" A DISTANCE OF 1564.29 FEET TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S24°31'42" E A DISTANCE OF 1101.07 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N70°34'05" E A DISTANCE OF 1296.05; THENCE N82°14'30" E A DISTANCE OF 807.90 FEET; THENCE S44°27'15" E A DISTANCE OF 1942.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 4729.58 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°44'49" A DISTANCE OF 2703.14 FEET TO THE POINT OF NON-TANGENCY; THENCE N90°00'00" E A DISTANCE OF 814.47 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 5528.58 FEET; SAID CURVE BEING THE WESTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY); AND HAVING A RADIAL BEARING OF S80°00'19" W; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°27'34" A DISTANCE OF 3325.67 FEET TO THE POINT OF TANGENCY; THENCE N44°27'15" W A DISTANCE OF 2699.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 205.174 ACRES



PD09-00002  
REVISED

PD12-00013 reaffirms  
PD09-00002 PD Narrative  
& Concept Plan and  
extends expiration date

MAR 03 2010  
Osceola County Planning  
Department

**YEEHAW RANCH LLC.**  
**K. DAN SHALLOWAY, P.E.**  
121 CLAREMONT LANE  
PALM BEACH SHORES, FL 33404  
(561) 848-4471 OFFICE  
DSHALLOWAY@BELLSOUTH.NET

PROJECT: YEEHAW TRANSPORTATION  
AND DISTRIBUTION CENTER  
  
LOCATION: YEEHAW JUNCTION, FL.

EXHIBIT 2  
DETAILED CONCEPT PLAN

| REVISIONS         | DATE    | BY | CHKD. | SCALE: 1"=500' | SEAL | SHT. NO. |
|-------------------|---------|----|-------|----------------|------|----------|
|                   |         |    |       | DATE: 11/27/08 |      |          |
|                   |         |    |       | DRAWN BY: M.M. |      |          |
|                   |         |    |       | CHK BY: K.D.S. |      |          |
| GENERAL REVISIONS | 2/10/10 | MM | DS    | PROJ. NO:      |      | 3        |

## **ATTACHMENT B**

### **Supporting Documentation**



# **SCHOOL CAPACITY REPORT**

## **The School District of Osceola County**

### **Planning Services Department**

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SDOC CASE # 12-05.29

TRS#: PD12-00013

Current FLU: Mixed Use as outlined in Goal 4,  
Yeehaw Distribution Center Overlay  
Requested FLU:

PROJECT NAME: Yeehaw Transportation & Distribution Center - PID

PROJECT LOCATION: 2900 Albert Road, Yeehaw Junction

Current Zoning: AC  
Requested Zoning:

COMMENTS DUE DATE: June 4, 2012

PID#: 03-32-34-0000-0010-0000, 02-32-34-0000-0030-0000,  
11-32-34-0000-9918-0000, -0013-0000

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No Impact on Public Schools

# Site Photo Documentation



*Kenansville Road & Albert Street looking NE*



*Sign at Entrance (Albert Street & Kenansville Road)*



*Kenansville Road & Albert looking East*



*Kenansville Road & Albert looking South*



*Albert Street looking NW toward Kenansville Road*



# Osceola County Board of County Commissioners

1 Courthouse Square, Suite 1100  
Kissimmee, FL 34741  
407-742-0200

07/16/12

## Item Number

**PD12-00013**

*Yeehaw Transportation  
& Distribution Center  
Planned Development*

## Type of Application

Planned Industrial  
Development

## Applicant & Owner

K. Dan Shalloway, P.E.  
for Yeehaw Ranch, LLC

## Location

Southwest of the Florida  
Turnpike, east of U.S.  
Highway 441, and north  
of State Road 60

## Commission District

5 - Fred Hawkins

## Project Planner

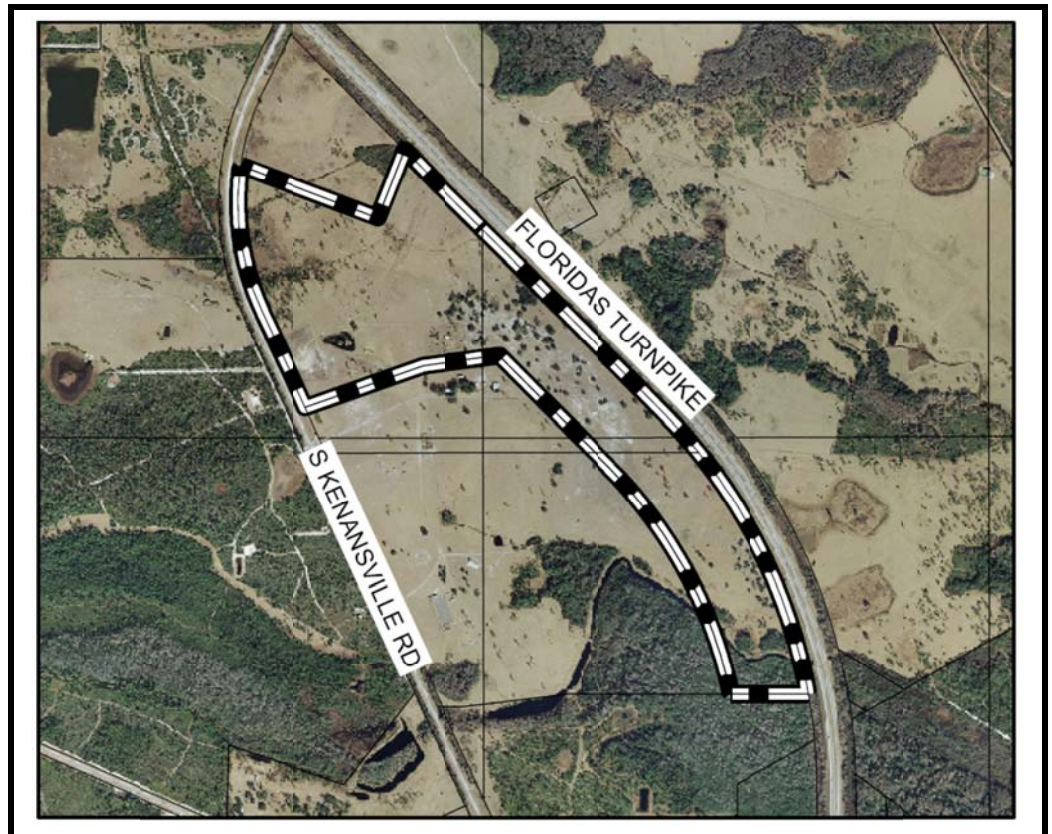
Tina Demostene, AICP

## Requested Action

Approve PD12-00013,  
subject to Special  
Conditions

## Recommendation

On 07/12/12 the Planning  
Commission will consider  
this request.



## ITEM SUMMARY:

The applicant requests approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The property is approximately 205 acres and is generally located in southeast Osceola County, southwest of the Florida Turnpike, east of U.S. Highway 441 (Kenansville Road), and north of State Road 60.

## PUBLIC NOTICE:

Notice of public hearing is published in the Orlando Sentinel prior to the public hearing. Property owners within 300 feet of the subject property are notified by mail prior to the public hearing. As of the date of this report, no oral or written comments have been received. Oral and written comments may be presented at the public hearings.

## Findings

In its review of the proposed application, staff has determined:

1. The request is consistent with the GOPs of the Osceola County 2025 Comprehensive Plan.
2. The request is compliant with all applicable requirements of the Osceola County Land Development Code.
3. The request is compatible with surrounding uses.

## STRATEGIC PLAN 2012:

The proposed Planned Development is consistent with the County's Strategic plan in that transportation, distribution and logistics (TDL) uses have been identified as a strength for Osceola County Economic Development and a major component of all five targeted industry clusters in the May 2012 Industry Cluster Study. These uses are consistent with the Strategic Plan 2012 in that they will Grow and Diversify the County's Economy.

## PROJECT DESCRIPTION:

The intent of this application is to approve the Yeehaw Transportation & Distribution Center Planned Development and to extend the expiration date of the Planned Development by three (3) additional years for a total of five (5) years.

The applicant has submitted the PD Narrative and Concept Plan that was previously approved for this site under PD09-00002. There are no proposed changes to the previously approved Planned Development Narrative for PD09-00002, which was approved by the Board of County Commissioners on July 12, 2010 and which will expire July 12, 2012. The 2009 PD Narrative is being included as part of this request and being re-affirmed as the approved PD. Pursuant to Chapter 14.24 I, the expiration date of the Planned Development will be established as two years after the Board of County Commissioners approval, unless subsequent development application is approved and acted upon. Based on the use being identified as a targeted industry and the current market, the applicant has requested that the expiration date established in the LDC be extended by an additional three (3) years, for a total of five (5) years after Board approval. If the additional three (3) year extension of the expiration date is approved by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for PD12-00013 will be July 16, 2017.

The development program within the Planned Development remains unchanged with from the previously approved PD and is illustrated below.

| Use                        | Maximum Development Program |
|----------------------------|-----------------------------|
| Commercial                 | 30,000 sq. ft.              |
| Warehousing & Distribution | 1,200,000 sq. ft.           |
| Light Industrial           | 150,000 sq. ft.             |
| Utilities                  | 3 Acres                     |
| Conservation               | 25 acres                    |

The following attachments are included as supporting documentation for the proposed request:

**Attachment A:** Planned Development documents, including the PD Application and PD Narrative and Concept Plan.

**Attachment B:** Support documentation from the School District of Osceola County (SDOC) and site photo documentation.

## BACKGROUND:

The Yeehaw Transportation Distribution Center policies in the Comprehensive Plan were established in the 2007 Comprehensive Plan as **Goal 4: Yeehaw Distribution Center** to take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County. The policies facilitate a mixture of warehouse/distribution, light industrial, commercial, residential, conservation and utility uses within the Yeehaw Transportation District. The policies further establish standards for provision of public facilities and infrastructure as well as requirements for preservation of environmentally sensitive areas. On February 1, 2010 Osceola County approved CPA09-0004 via ORD10-03, which included modifications to FLUE Policy 4.2.1 and 4.2.13 of the Yeehaw Transportation & Distribution Center Goal 4 in the Future Land Use Element of the Comprehensive Plan, which increased allowable warehouse/distribution allocations from 1,200,000 to 2,000,000 and modified criteria review of external trips on adjacent roadways.

The 205-acre Yeehaw Transportation & Distribution Center Planned Development (PD09-00002) was approved by the Board of County Commissioners on July 12, 2010. The PD allows for a mixture of commercial uses, warehouse and distribution uses, as well as a number of industrial uses, including utilities. The PD includes development criteria for each type of use. The Yeehaw Transportation & Distribution Center Planned Development includes a large portion of the 400+ acre Yeehaw Transportation Distribution Center as defined in the Comprehensive Plan, but does not cover the entire land area, nor does it encumber all of the available development program established in the Comprehensive Plan. As the applicant has not obtained approvals for Conceptual Development Plan (CDP) or Engineering Improvement Plan (EIP) within two years of the date of approval of the preliminary concept plan or the approval will become void on July 12, 2012.

In 1998, the County approved a temporary Conditional Use (CU98-00051), which allowed for the construction and operation of a temporary asphalt plant for a period of operation of two (2) years. The PD Narrative does not incorporate this use as a permitted use. A condition of approval was added to PD09-00002 to prohibit the use. This condition is being brought forward with PD12-00013.

The applicant has been working closely with the Economic Development Department to market their property, but is not prepared to submit Subdivision or Engineering Improvements Plans that would vest the uses in their Planned Development; therefore, they have requested approval of PD12-00013 to secure the uses in the Planned Development and to allow additional time to market the property for new commercial and industrial development. The application notes that the property owner has been working closely with the Osceola County Economic Development Department to find job creating user for the center, however, due to the general economic climate, have been unable to locate a user. The application further notes that the pace of industrial development is beginning to pick up and that the extension of this PD would allow the County to maintain an inventory of large, ready-to-go industrial zone properties that can attract job creators. PD12-00013 is intended to reestablish the Planned Development Zoning and replace the expired PD as well as extend the PD for a total of five (5) years.

The subject property has a Future Land Use Designation of Mixed Use and a Planned Development Zoning Designation. The Goal 4 of the Comprehensive Plan outlines the desired development program for the Yeehaw Transportation & Distribution Center—the existing PD is consistent with the allowable development program. The Planned Development Narrative includes development standards including lot coverage, lot size, setbacks, building heights, buffering, landscape, as well as parking standards. This PD proposed no changes to the previously approved development standards that were approved as part of PD09-00002. The following table summarizes adjacent future land use designations, zoning districts and existing uses:

| Direction of Adjacency | Future Land Use Designation                          | Zoning      | Existing Use       |
|------------------------|------------------------------------------------------|-------------|--------------------|
| North                  | Rural/Agricultural, Rural Settlement, and Commercial | AC and RMH  | Vacant Pastureland |
| East                   | Rural Agriculture                                    | AC          | Vacant Pastureland |
| South                  | Mixed Use                                            | AC          | Vacant Pastureland |
| West                   | Rural/Agricultural, Mixed Use, Rural Settlement      | AC and R-1M | Vacant Pastureland |

The uses proposed in the Yeehaw Transportation District Planned Development, which are unchanged since the 2009 approval, remain consistent and compatible with the surrounding zoning districts, Future Land Use designations and existing uses.

Wetlands: According to the existing approved PD, there exist approximately 25 acres of wetlands within the PD. The three significant wetlands areas have been designated as conservation on the PD Concept Plan, which will be preserved by dedication to the Yeehaw Transportation & Distribution Center Property Owners Association. Any future expansions or development that may impact these wetlands will be required to demonstrate compliance with applicable local, state, or federal permitting and mitigation requirements.

Soils & Minerals: According to the Map 6A: Soils and Minerals of the Future Land Use Map Series, the proper has a variety of soil types, including Placid Fine Sand, Samsula Muck, Basinger Fine Sand (Depressional), Smyrna Fine Sand, Immokalee Fine Sand, Myakka Fine Sand, Cassia Fine Sand, Paola Sand (0-5% Slopes), Satellite Sand, and Pompano Fine Sand. Site development plans will address appropriate engineering based on the type of soils where development will occur.

Floodplain: According to Map 4A: Floodplains of the Future Land Use Map Series, a small portion of land in the northeast corner and the southeast corner of the property are within the 100 year floodplain—these areas coincide with the wetland areas that are proposed for preservation on the PD Concept Plan. Any impacts to the floodplain will be compensated for through the proposed stormwater management system with the Engineering Improvement Plans.

## JUSTIFICATION/ TECHNICAL ANALYSIS:

### 1. Consistency with the Osceola County Comprehensive Plan

In preparing the recommendation staff reviewed the proposed Planned Development for consistency with the Goals Objectives and Policies of the Osceola County 2025 Comprehensive Plan.

#### **Future Land Use Element Policy 1.1.4:** *Future Land Use Map (FLUM); relationship to zoning map*

In determining consistency with the Future Land Use Map, considerations such as land use compatibility, location, availability and capacity of services and facilities, market demand, and environmental features were addressed. The land uses, densities, and intensities in the Planned Development are consistent with the densities and intensities established in the Yeehaw Distribution Center GOPs.

#### **Future Land Use Element Goal 4:** *Yeehaw Distribution Center*

The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of the County.

***Excerpts from the Yeehaw Transportation distribution Center Objectives and Policies (GOPs) are provided below which outline the project consistency with the Osceola County Comprehensive Plan.***

#### **Policy 4.1.1:** *Yeehaw Transportation Distribution Center (YTDC).*

Development of the Yeehaw Transportation Distribution Center shall be in accordance with the following:

- All development must be submitted as a Planned Development;
- The total overlay area must consist of lands that are adjacent to each other and total no less than 400 acres;
- All development must meet or exceed the adopted level of service standards for Osceola County, and
- All permanent development will use central water and sewer services.

#### **Objective 4.2:** *Development Standards*

Development within the Yeehaw Transportation Distribution Center Overlay will consist of a mix of land uses that provides an opportunity to achieve an integrated balance between transportation related uses, commercial uses and residential uses.

#### **Policy 4.2.1:** *YTDC mix and distribution of land uses.*

The following mix and distribution of land uses shall be allowed:

- |    |                        |                   |
|----|------------------------|-------------------|
| a. | Warehouse/Distribution | 2,000,000 sq. ft. |
| b. | Light Industrial       | 200,000 sq. ft.   |
| c. | Commercial             | 50,000 sq. ft.    |
| d. | Residential            | 630 du            |
| e. | Conservation           | 74 acres*         |
| f. | Utilities              | 10 acres          |

*\* Final Conservation acreage subject to field verification and wetland determination.*

#### **Policy 4.2.3:** *YTDC public facilities.*

Public facilities and utilities required to serve the needs of the businesses, employees and residents may be allowed within the Overlay. They shall be sized and built consistent with the demands generated by the approved mix and amount of land use activity.

**Policy 4.2.4: YTDC housing.**

The Yeehaw Transportation Distribution Center shall include on site housing units that are affordable to 50% of the employees of the Yeehaw Transportation Distribution Center, unless a reasonable demonstration is made that comparably priced housing is located within a 20 minute, 10 mile travel distance from the Yeehaw Transportation Distribution Center. Monitoring on the provision of this housing shall be performed before development in excess of 750,000 square feet of warehouse/distribution space receives certificates of occupancy, and again before a cumulative total of 1.2 million square feet of warehouse/distribution space receives certificates of occupancy. For the purposes of this policy, the issuance of residential building permits shall constitute provided housing. The ECFRPC Affordable Housing Methodology shall be used as a “reasonable demonstration” for showing that off-site housing is available as well as the means for monitoring the provision of on-site affordable housing.

**Policy 4.2.5: YTDC stormwater.**

All regionally significant wetlands within the jurisdiction of the SJRWMD shall be retained and may be incorporated into the stormwater management system in such a manner as to maintain current or restore historic hydro periods and wildlife values.

**Policy 4.2.6: YTDC preservation areas.**

The wetlands systems, upland buffers, other conservation tracts and mitigation areas shall be regarded as preservation areas for the purpose of protecting their natural attributes and shall have their developmental uses restricted by conservation easement as provided in Florida Statutes. Easements shall be conveyed to the St. John River Water Management District, the Florida Department of Environmental Protection, Osceola County or any other organization dedicated to conservation. Passive recreation facilities such as, but not limited to boardwalks, trails, educational displays and other similar uses are permitted land uses within these preservation areas.

**Policy 4.2.7: YTDC Conservation land uses.**

The boundaries of the Conservation land use area may be adjusted to be consistent with wetland jurisdictional lines determined by the SJRWMD and other jurisdictional lines as may be determined by other agencies of jurisdiction. In such cases, land initially presumed but later determined not to be classified as wetland will take on the land use category assigned to the upland portion of the adjacent development site.

**Policy 4.2.8: YTDC containment: hazardous materials management.**

Containment measures such as impervious paving, collection basins and spill response equipment will be used during construction and operation for warehousing/distribution uses to assure that all potentially hazardous materials are properly stored and controlled so that ground and surface waters are protected from contamination.

Management Plans shall be submitted to Osceola County for all hazardous materials users, producer and sellers. Hazardous materials management/containment plans, for projects intended to serve hazardous material users, producers, and sellers shall be prepared in accordance with all government and industry standards and submitted for review with the Planned Development and approved prior to the issuance of any related building permits.

**Policy 4.2.9: YTDC water and wastewater services.**

Water and wastewater services shall be located and provided on-site by the developer as part of the Planned Development approval process. Such services shall meet all applicable level of service standards established by Osceola County and shall be limited to lands associated with the Yeehaw Transportation.

**Policy 4.2.10: YTDC: design and construction of water and sanitary sewer system.**

The developer shall design and construct the potable water system and sanitary sewer system in accordance with the ordinances and rules of the Toho Water Authority in place at the time of construction. Once constructed and all applicable fees paid, the water treatment and distribution system and the sewage treatment collection facilities shall be owned and operated by Toho Water Authority. These systems shall require the issuance of all permits including any required CUP from the St. John's Water Management District. Furthermore, these systems shall be subject to the requirement of the Natural Resource Utilization Land Use as defined by Policies 1.3.37 through 1.3.39, inclusive

**Policy 4.2.12: YTDC: internal trip capture.**

Development within the Yeehaw Transportation Distribution Center shall be internally interconnected to promote the internal capture of trips. Pedestrian ways and bicycle lanes shall be provided within the Overlay area where such facilities can provide appropriate and safe alternatives to automotive travel, given the heavy truck traffic that is expected within the site.

**Policy 4.2.13: YTDC: external traffic.**

Development of the Yeehaw Transportation Distribution Center shall not overburden the public highway system and shall comply with applicable Osceola County transportation concurrency and other transportation management programs. No new net trips shall be allowed onto the public highway system unless consistent with adopted LOS for the adjacent road network.

**Policy 4.2.14: YTDC: roadway LOS deficiencies.**

Should Osceola County identify any deficiency in level of service standards on the public roadway system caused by any phase of the development within the Yeehaw Transportation Distribution Center, the developer shall be responsible to resolve the lack of available capacity by implementing any of the following mechanisms or combination thereof:

- a. Fund and/or construct 100 percent of the necessary improvement.
- b. Withdraw any phase of development and wait for sufficient capacity to become available through the continued implementation of a Capital Improvement Plan.
- c. Reduce the density or intensity of a phase of development to accommodate available capacity at the adopted level of service standard.
- d. Receive approval to a request to expedite an improvement listed in the Capital improvement Element.
- e. Meet with the County Planning and Engineering staff and establish an equitable Concurrency Roadway Deficiency agreement to address the funding or capacity improvements of the deficient roadway segment(s) necessary to provide sufficient capacity for the proposed development.

The project will be required to meet the requirements of all of the objectives and policies established under Future Land Use Element Goal 4: Yeehaw Distribution Center.

## 2. Compliant with the Land Development Code

In preparing the recommendation staff reviewed the proposed Planned Development for compliance with the Osceola County Land Development Code (LDC). The PD was found to be compliant with the Land Development Code when it was reviewed and approved in July 2010. The PD proposes to reaffirm the original PD Narrative and Master Plan with no changes.

### **Land Development Code, Chapter 14, Section 14.24 A**

The previously approved Planned Development, which was approved in 2010, remains compliant with the Purpose and Intent of a Planned Development as outlined in Section 14.24 A of the Osceola County Land Development Code (LDC) in that it allows implementation of flexible design guidelines that depart from conventional straight zoning standards in order to provide a fully integrated, quality development.

### **Land Development Code, Chapter 14, Section 14.24 B (3)**

The planned industrial development district is intended for the development of industrial and business parks; however, supporting non-industrial uses including eating establishments or supporting commercial uses may also be permitted when complimentary to, compatible with, and integrated into a planned park. These special uses shall be reviewed by the Planning Official to determine whether they are complimentary and compatible with the PID prior to approval of the concept plan.

### **Land Development Code, Chapter 2, Section 2.5 C (1)**

The previously approved Planned Development Narrative and Concept Plan, which were approved in 2010, remain complaint with Section 2.5 C (1) of the Osceola County Land Development Code (LDC), which defines criteria for reviewing and evaluation the PD for compatibility. The PD is unchanged and remains complaint and compatible. The criteria are outlined below.

- a. **Whether there exists an error or ambiguity which must be corrected.** No ambiguity or error exists, which needs correction; however extension of the Planned Development will further the intent of facilitating distribution center in Southeast Osceola County.
- b. **Whether there exist changed or changing conditions which make approval of a proposed application appropriate.** PD09-00002 did not move forward with physical development due to current market conditions. This PD requests an additional three (3) year extension, for a total of five (5) years, to continue to market the property for new development. Staff supports the request for extended expiration date based on the current slow absorption of industrial uses and the May 2012 Industry Cluster Study which identified a need for Transportation, Distribution and Logistics (TDL) uses to support the County's strategic goal to grow and diversity the County's economy.
- c. **The impact of a proposed change on the intent of the Ordinance.** The proposed PD does not change land uses, densities, intensities, or development standards of the previously approved Planned Development and does not negatively impact the intent of the Ordinance.
- d. **The relevant testimony of any applicant.** See attached Application and PD Narrative in **Attachment A**.
- e. **The recommendation of staff.** The project was reviewed by the Development Review Committee on 06/20/12.

- f. **The relevant testimony of the public.** The public will be provided the opportunity to provide comments at the public hearings.
- g. **Whether a proposed land use change is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan.** The proposed PD is consistent with the goals, objectives, policies, and intent of the Comprehensive Plan as established in Section 1 of this Staff Report.
- h. **Whether a proposed land use change meets or exceeds all performance and location standards set forth for the proposed use.** The proposed PD does not propose any change to the previously approved performance and locational requirements established in the original PD. The PD continues to meet or exceed the performance and location standards set forth for a PD in Chapter 14 of the Osceola County LDC. Development standards are outlined in the PD narrative, which is included in **Attachment A**.
- i. **Whether urban services, as defined in the Comprehensive Plan, are, or will be, available and adequate to serve a proposed land use change, when proposing a change to a land use category.** Urban services such as water, solid waste and site drainage are addressed in the PD. Water and solid waste will be provided via coordination with Toho Water Authority. The proposed PD will not change, nor effect existing proposed urban services.
- j. **Whether a proposed land use change is consistent with the densities, intensities, and general uses set forth in the Comprehensive Plan.** The proposed PD will not result in any increased densities or intensities and is consistent with the densities, intensities and general uses set forth in the Osceola County Comprehensive Plan 2025 Future Land Use Element.
- k. **Whether a proposed land use change will protect, conserve or preserve environmentally critical areas and natural resources.** The PD addresses three existing wetlands for onsite preservation. The narrative states that no threatened or endangered species have been identified on site. The proposed PD will not affect any critical areas or natural resources. Any issues regarding vegetation, wetlands and wildlife will be further addressed through the permitting and construction process and will be required to meet the standards established for the Yeehaw Distribution Center in the Future Land Uses Element of the Comprehensive Plan.
- l. **Whether a proposed land use change will be compatible with existing or planned uses and not cause damage, hazard, nuisance, or other detriment to persons or property.** The proposed change to date of the expiration of the PD has no impact on the permitted uses and will not cause damage, hazard, nuisance or other detriment to persons or property.
- m. **Whether the location of a proposed land use change places an undue burden upon existing transportation by streets with the capacity to carry traffic generated by the development.** The proposed changes do not increase the maximum intensity or density of the PD; therefore there is no increase in the traffic that was previously generated by PD09-00002. The applicant shall be responsible for all mitigation as determined by the approved traffic impact analysis as outlined in the conditions approval and the Land Development Code.
- n. **Whether a requested use will be in compliance with all applicable general provisions and supplemental regulations pertaining to the use, as**

**set forth elsewhere in this Ordinance.** The existing PD (PD09-00002) and the proposed PD (PD12-00013) are in compliance all applicable general provisions and supplemental regulations pertaining to the use, as set forth elsewhere in this Ordinance. Future land development applications will be reviewed to ensure compliance with applicable regulations not specifically outlined in this staff report.

- o. Whether a proposed change is to rectify errors on the official zoning map.** With regards to this PD, no error exists on the official zoning map.

**Impacts to Adopted Levels of Service**

Future development applications for the site will be required to undergo technical review and meet all Land Development Code and related level of service standards for the provision of public facilities and services. Following approval of the PD application, an Engineering Improvement Plan (EIP) shall be required to address upgrades to the property, including access, parking, drainage and utilities.

**School Capacity:** This Planned Development proposes no changes to residential units or the development program; therefore, there are no additional impacts on public schools. See **Attachment B** for the School District's Adequate Capacity Analysis.

**Potable Water & Sanitary Sewer:** According to the PD Narrative, the Toho Water Authority (TWA) will be the water and wastewater provider for the project. The irrigation needs of the project will utilize reuse water as the primary water source. Per letter received in 2009, TWA will be the water, irrigation and sewer services provider for this project

**Transportation:** The applicant proposes their primary access to the PD to remain onto US 441/S. Kenansville Road. Conditions of approval have been established to ensure compliance with transportation LOS. PD09-00002 did not reserve capacity for any of the development program.

**Analysis of the previous conditions of approval for PD09-00002.**

Prior Special Conditions of approval from PD09-00002 were analyzed as part of the technical analysis to determine if they were still applicable to be carried forward with the new Planned Development, PD12-00013. Conditions that were satisfied or are no longer needed are proposed to be deleted. Conditions that are still applicable are proposed brought forward and/or revised to be consistent with this request. The final proposed Special Conditions are included in the staff recommendation.

1. The following Specifications for Detailed Concept Plan will be deferred to the EIP stage of development:
  - a. Existing ground surfaces and proposed elevations, base flood elevation and subsurface conditions; (LDC §14.24.H.b)
  - b. Proposed pavement type; (LDC §14.24.H.d)
  - c. Proposed water distribution and sanitary sewer layout; (LDC §14.24.H.e, FLUE Policy 4.2.10)
  - d. General site lighting plan; (LDC §14.24.H.f)

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward with the PD and should be deleted.*

2. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the

intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.

*This condition shall be brought forward with PD12-00013.*

3. The applicant has elected to defer capacity reservation for an 800,000 square foot distribution center, 100,000 SF Transportation Related Industry uses, 10,000 SF Truck Stop and 5,000 SF Fast Food uses. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

*This condition shall be brought forward with PD12-00013 with revisions to be consistent with development program and the Concurrency Application.*

4. Six-foot wide sidewalks shall be constructed along all internal roadway frontage within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.

*This condition shall be brought forward with PD12-00013.*

5. TWA will be the water, irrigation and sewer services provider for this project, per the letter received from TWA.

*This condition is covered within the Land Development Code; therefore is not necessary to be brought forward the PD and should be deleted.*

6. Any necessary permits will need to be obtained from the SJRWMD.

*This condition is covered within the Land Development Code and Florida Statutes; therefore is not necessary to be brought forward the PD and should be deleted.*

7. Per FLUE Policy 4.2.4, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy.

*This Condition is covered by the Future Land Use Element of the Comprehensive Plan but is a good reminder to the applicant of his monitoring requirements; therefore, shall be brought forward with this PD in modified form to provide current policy reference.*

8. Prohibition of plants for the production and distribution of concrete and masonry products.

*This condition shall be brought forward with the PD.*

**Development Review Committee Informational Comments (06/20/12):**

- a. The narrative calls out cell towers as a permitted use, please be advised, that while the use is permitted, the location and siting standards will need to be addressed through a separate conditional use application as outlined in the Land Development Code (LDC). Zoning recommends that a condition of approval be added to clarify cell tower requirements.

- b. Please note that the Adult Entertainment may only be allowed under Ordinance 93-9, as may be amended from time to time. These uses will only be allowed in areas identified for industrial use and subject to requirements in ORD 93-9. Zoning recommends that a condition of approval be added to clarify accurate adult entertainment requirements.
- c. Pending approval by the Board of County Commissioners at their meeting on July 16, 2012, the new expiration date for the Planned Development will be July 16, 2017.
- d. PD09-00002 did not reserve capacity for any of the development program.
- e. Per letter received in 2009, TWA will be the water, irrigation and sewer services provider for this project

### **RECOMMENDATION AND REQUESTED ACTION:**

Approval of PD12-00013 to establish a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The Special Conditions recommended by the Development Review Committee at their meeting on June 20, 2012 are provided below.

- 1. This approval shall supersede PD09-00002; however, this approval shall reaffirm the Yeehaw Transportation & Distribution Center PD Narrative and Concept Plan dated "REVISED MAR 03 2010" that was previously approved under PD09-00002.
- 2. Communication towers shall require Conditional Use approval.
- 3. Adult Entertainment shall be compliant with ORD 93-9, as may be amended from time to time.
- 4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.
- 5. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.
- 6. The applicant has elected to defer capacity reservation. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

7. Six-foot wide sidewalks shall be constructed along all internal roadway frontages within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.
8. Per Yeehaw Transportation Distribution Center Policies in the Future Land Use Element, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy. Each EIP submittal shall include a running tally of prior EIP approvals, CO's, and their cumulative totals.
9. Plants for the production and distribution of concrete and masonry products are prohibited.

### **PLANNING COMMISSION RECOMMENDATION:**

On July 12, 2012, the Planning Commission will hear and make recommendation related to the request establish a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The Planning Commission action will be presented via addendum at the July 16, 2012 Board of County Commissioner Meeting.

### **ATTACHMENTS:**

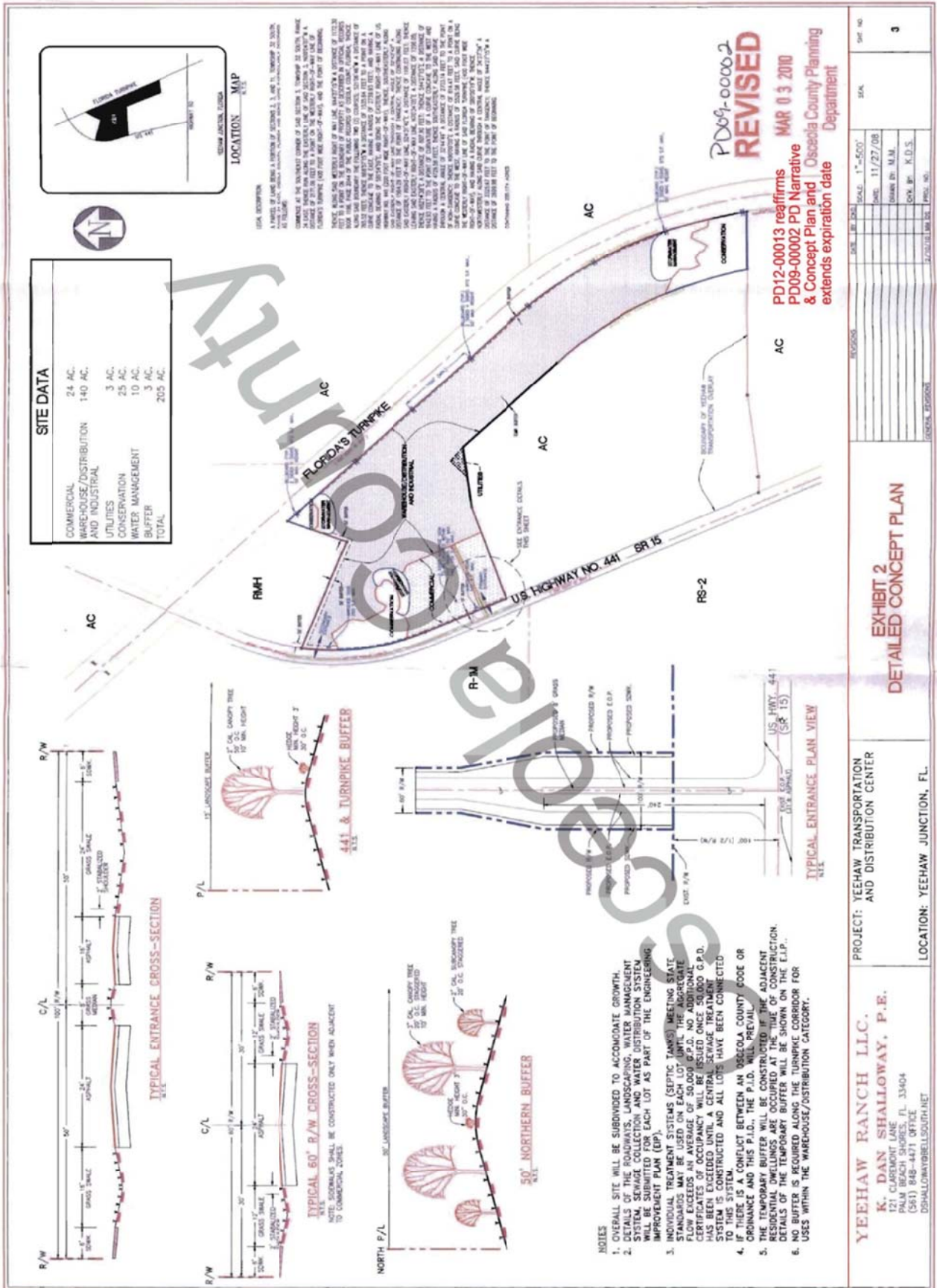
#### **Attachment A - Planned Development Documents**

- Application date-stamped "RECEIVED MAY 23, 2012"
- PD Narrative date-stamped, "REVISED MAR 03 2010"
- PD Concept Plan date-stamped, "REVISED MAR 03 2010"

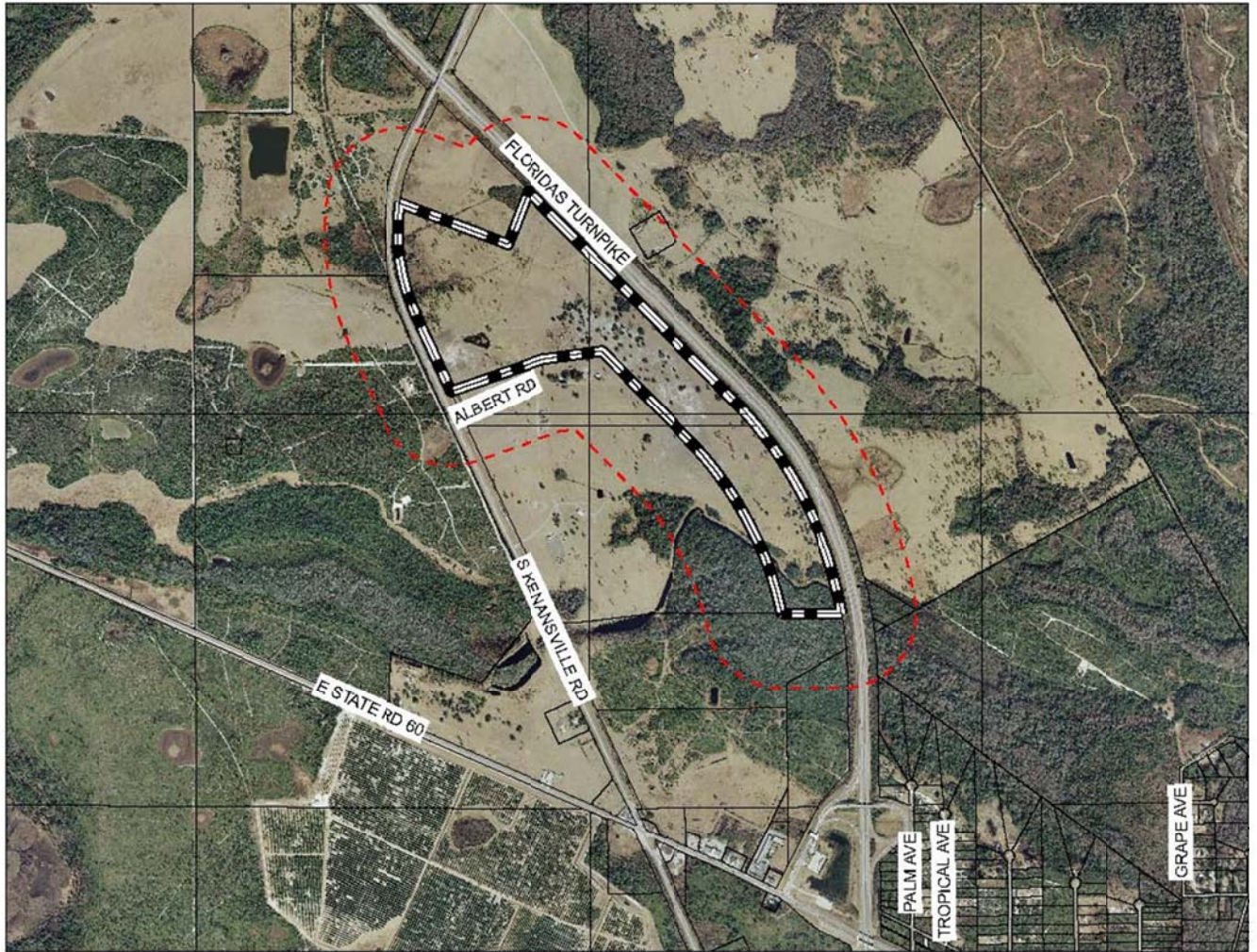
#### **Attachment B - Supporting Documentation**

- School District of Osceola County School Capacity Report
- Site Photo Documentation

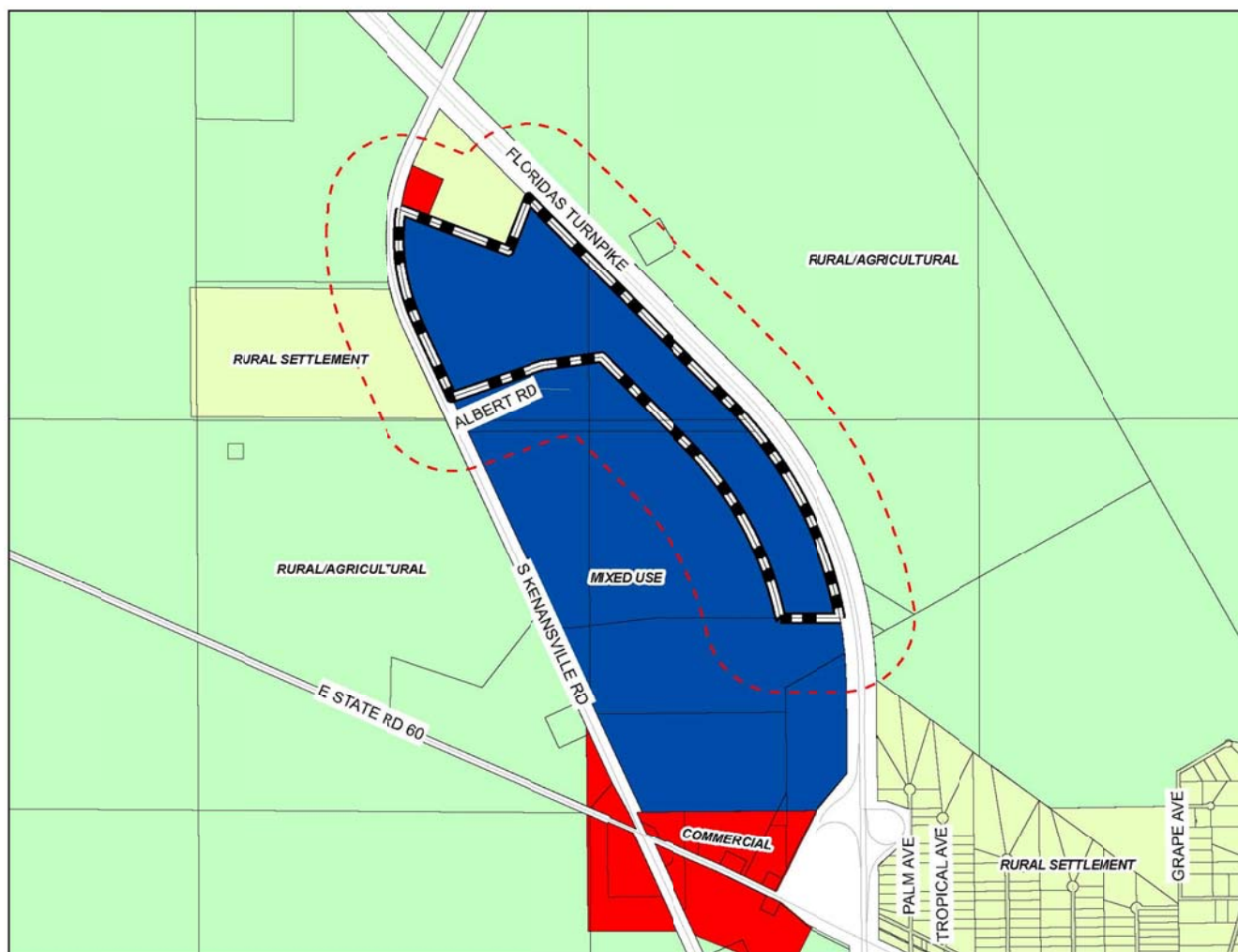
# PD DETAILED CONCEPT PLAN



# AERIAL



## FUTURE LAND USE





# Osceola County Board of County Commissioners

1 Courthouse Square, Suite 1100  
Kissimmee, FL 34741  
407-742-0200

07/16/12

## Item Number

**PD12-00013**

*Yeehaw Transportation  
& Distribution Center  
Planned Development*

## Type of Application

Planned Industrial  
Development

## Applicant & Owner

K. Dan Shalloway, P.E.  
for Yeehaw Ranch, LLC

## Location

Southwest of the Florida  
Turnpike, east of U.S.  
Highway 441, and north  
of State Road 60

## Commission District

5 - Fred Hawkins

## Project Planner

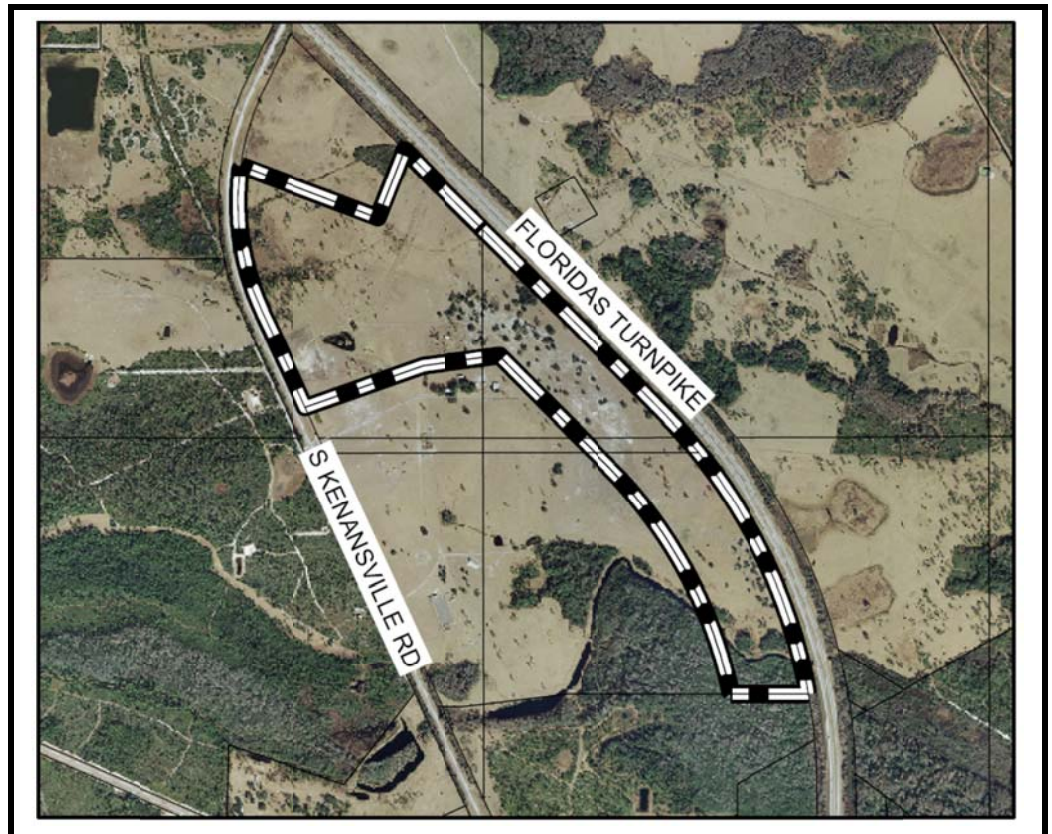
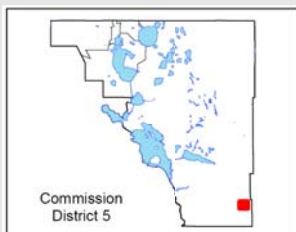
Tina Demostene, AICP

## Requested Action

Approve PD12-00013,  
subject to Special  
Conditions

## Recommendation

Planning Commission on  
07/12/12 recommended  
approval, subject to  
Special Conditions  
(Couch/Solomon, 8-0).



## ITEM SUMMARY:

The applicant requests approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The property is approximately 205 acres and is generally located in southeast Osceola County, southwest of the Florida Turnpike, east of U.S. Highway 441 (Kenansville Road), and north of State Road 60.

## PUBLIC NOTICE:

Notice of public hearing is published in the Orlando Sentinel prior to the public hearing. Property owners within 300 feet of the subject property are notified by mail prior to the public hearing. As of the date of this report, no oral or written comments have been received. Oral and written comments may be presented at the public hearings.

# **ATTACHMENT A**

## **Planned Development Documents**

## Yeehaw Ranch , LLC

PD12-00013  
**RECEIVED**

**MAY 23 2012**

Osceola County Planning  
Department

Tina Demostene  
Osceola County  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741

Re: Yeehaw Transportation and Distribution Center, PD0009-00002

Dear Ms Demostene

Attached is an application to amend PD0009-00002. The only change is to amend the expiration date from 7/12/2012 to 7/12 2014. Everything else remains the same.

Please note that we have been working closely with the Osceola County Economic Development Department to find a job creating user for the Yeehaw Transportation and Distribution Center. Economic Development has made numerous submissions on our behalf and we have even made some short list, however because of the general economic climate we have been unable to locate a user. We have seen the pace of Industrial Development beginning to pick up, and plan on diligently working to locate a user that will bring much needed jobs to Osceola County.

It is important for the County to have an inventory of large, ready to go Industrial zoned properties so that they can continue to attract job creators. We believe it is to the benefit of Osceola County to support this extension.

Sincerely



K Dan Shalloway  
Managing Shareholder

PD12-00013

# PLANNED DEVELOPMENT APPLICATION PACKAGE

Osceola County Board of County Commissioners  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741  
Phone (407) 742-0200 Fax (407) 742-0205

Application No.  
Date Received  
TRC Meeting  
OCPC Meeting  
BCC Meeting

RECEIVED

MAY 23 2012  
Osceola County Planning  
Department

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Planning Department along with the required fee and additional information necessary to be considered by the Technical Review Committee. The County can provide you with a copy of this form via email upon request.

## I APPLICANT INFORMATION

|          | Applicant                                                     | Owner | Agent |
|----------|---------------------------------------------------------------|-------|-------|
| Contact: | Dan Shalloway                                                 |       |       |
| Address: | 121 Claremont Dr<br>Palm Beach Shores<br>FL 33404             |       |       |
| Phone:   | 561-346-2206                                                  |       |       |
| Fax:     |                                                               |       |       |
| Email:   | <del>dshalloway@dan.shalloway.com</del> dan.shalloway@svn.com |       |       |

## II PROPERTY

LEGAL DESCRIPTION: Provide a complete legal description. Include the complete parcel number of the property as well as Plat Book and Page (if applicable) or attach a copy of the deed(s) of record for all lands within the project boundary. (Deeds of record are available from the County Clerks Office.) You may submit a digital CAD file of the boundary survey in AutoCAD or Microstation compatible format. If applicable, include the street address.

|                    |          |
|--------------------|----------|
| Parcel number:     | Attached |
| Legal Description: |          |

III Is this application a PD amendment? Yes ☒ No

If yes, please list the previous PD number(s)

2 PD009-00002

March 2012

IV

**APPLICANT'S REQUEST (DETAILED DESCRIPTION INCLUDING ANY VARIANCES AND HOW THEY APPLY TO YOUR PROJECT)**

Change expiration date from  
7/12/2012  
to 7/12/2014

No other changes  
Application remains the same  
as previously submitted

Will this development construct sidewalks? Interior \_\_\_\_\_ Exterior \_\_\_\_\_

4. Design: What design criteria will be used for this development? (ie: traditional neighborhood, townhome)
5. Water/Sewer: Where are the closest water, sewer and re-use lines?

To assist you in determining information on the water/sewer facilities, you may want to contact your local provider listed below.

Kissimmee area: 407-518-2160

Poinciana area: 407-933-5302 ext. 20

BVL area: 407-598-4160

St. Cloud area: 407-957-7222

\*\* An accessible map is provided in the map room of the Growth Management Division to aid you in responding to this question.

**\*\*\*\*\*It is advised that the applicant inquire about the possibility of impact fee assessments on this project.**

**VII CERTIFICATION (Please check one)**

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is true and accurate, and that I am:

- ( ) **Landowner:** A landowner or his /her agent where authorized in writing, provided however that Where the fee owner has entered into a contract for the sale of the property, whether it be an agreement for deed, sales contract, or otherwise, then the purchaser may initiate the application when specifically authorized in the contract to do so or by another legal document authorizing same.  
Where there is more than one owner, then all such owners must jointly initiate the application or petition.
- ( ) **Trustee:** Where the property is subject to a land trust agreement, the trustee may initiate the application when the trustee has submitted evidence that he/she is authorized by the trust document to do so, either individually or with other trustees.
- (✓) **Corporation/Partnership:** Where the fee owner is a corporation or partnership then the president or general partner may initiate the application and must provide proof that the corporation or partnership exists including Certificate from Secretary of State stating that the corporation is in good standing.
- ( ) **Association:** Where the fee owner is an association, the association or its governing body may appoint an agent, in writing, to initiate the application on behalf of the association. Proof that the association exists must accompany the application.

DATE: 5/22/12

SIGNATURE *[Signature]*  
*Managing Shareholder*  
Owner/Agent/Corporation/Association *Yeehoco Ranch LLC*

\*\*\*Please list signature of all owners of the property

*K. Dan Shalloway*

Please print name(s) listed above

| FLORIDA DEPARTMENT OF STATE<br>DIVISION OF CORPORATIONS                     |                              | www.sunbiz.org                                          |                                   |                                                 |                      |
|-----------------------------------------------------------------------------|------------------------------|---------------------------------------------------------|-----------------------------------|-------------------------------------------------|----------------------|
| <a href="#">Home</a>                                                        | <a href="#">Contact Us</a>   | <a href="#">E-Filing Services</a>                       | <a href="#">Document Searches</a> | <a href="#">Forms</a>                           | <a href="#">Help</a> |
| <a href="#">Previous on List</a>                                            | <a href="#">Next on List</a> | <a href="#">Return To List</a>                          |                                   | <input type="text" value="Entity Name Search"/> |                      |
| <a href="#">No Events</a>                                                   |                              | <a href="#">No Name History</a>                         |                                   | <input type="button" value="Submit"/>           |                      |
| <b>Detail by Entity Name</b>                                                |                              |                                                         |                                   |                                                 |                      |
| <b>Florida Limited Liability Company</b>                                    |                              |                                                         |                                   |                                                 |                      |
| YEEHAW RANCH, LLC                                                           |                              |                                                         |                                   |                                                 |                      |
| <b>Filing Information</b>                                                   |                              |                                                         |                                   |                                                 |                      |
| Document Number L04000002647                                                |                              |                                                         |                                   |                                                 |                      |
| FE/EIN Number 270079047                                                     |                              |                                                         |                                   |                                                 |                      |
| Date Filed 01/09/2004                                                       |                              |                                                         |                                   |                                                 |                      |
| State FL                                                                    |                              |                                                         |                                   |                                                 |                      |
| Status ACTIVE                                                               |                              |                                                         |                                   |                                                 |                      |
| <b>Principal Address</b>                                                    |                              |                                                         |                                   |                                                 |                      |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                              |                                                         |                                   |                                                 |                      |
| <b>Mailing Address</b>                                                      |                              |                                                         |                                   |                                                 |                      |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                              |                                                         |                                   |                                                 |                      |
| <b>Registered Agent Name &amp; Address</b>                                  |                              |                                                         |                                   |                                                 |                      |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404 US |                              |                                                         |                                   |                                                 |                      |
| <b>Manager/Member Detail</b>                                                |                              |                                                         |                                   |                                                 |                      |
| <b>Name &amp; Address</b>                                                   |                              |                                                         |                                   |                                                 |                      |
| Title MGRM                                                                  |                              |                                                         |                                   |                                                 |                      |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404    |                              |                                                         |                                   |                                                 |                      |
| <b>Annual Reports</b>                                                       |                              |                                                         |                                   |                                                 |                      |
| <b>Report Year Filed Date</b>                                               |                              |                                                         |                                   |                                                 |                      |
| 2010 04/23/2010                                                             |                              |                                                         |                                   |                                                 |                      |
| 2011 01/06/2011                                                             |                              |                                                         |                                   |                                                 |                      |
| 2012 04/16/2012                                                             |                              |                                                         |                                   |                                                 |                      |
| <b>Document Images</b>                                                      |                              |                                                         |                                   |                                                 |                      |
| <a href="#">04/16/2012 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/06/2011 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">04/23/2010 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">02/10/2009 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/14/2008 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">04/18/2007 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/12/2006 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/11/2005 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/09/2004 -- Florida Limited Liabilities</a>                   |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |

PD12-00013  
**RECEIVED**  
MAY 23 2012  
Osceola County Planning  
Department

**Yeehaw Transportation Distribution  
Center Planned Development**

**PD Narrative  
& PD Concept Plan**

***PD12-00013 reaffirms PD09-00002  
PD Narrative and PD Concept Plan date-stamped  
“REVISED MAR 03 2010” and extends the project  
expiration date***

**PD12-00013 reaffirms PD09-00002 PD Narrative and  
Concept Plan and extends project expiration date**

PD09-00002  
**REVISED**

**Yeehaw Transportation & Distribution Center  
PID**

Revised 2/22/2010

MAR 03 2010

Osceola County Planning  
Department

**Overview:**

The Yeehaw Transportation and Distribution Center Planned Industrial Development ( Yeehaw T & D PID ) is a 205 acre mixed use project lying within the Yeehaw Transportation Distribution Center overlay (Future Land Use Element, Goal 4) of Osceola County's Comprehensive Land Use Plan. The Yeehaw Transportation and Distribution Center is the first Green Industrial Park in the State of Florida to be registered with the US Green Building Council (USGBC). Future Land Use Element, Goal 4 of Osceola County's Comprehensive Plan says "The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County".

The Yeehaw T & D PID encourages the development of general types of industry and commercial enterprises which benefit from access to major roadways and thoroughfares. It does this by creating a compact employment center with intensive commercial and industrial uses which encourages interaction between these uses and reduces total vehicle highway miles.

The Commercial use is placed adjacent to US 441 at the main entrance to the project. It is anticipated that this will be a major Interstate Commercial stopping point since there are no other significant Interstate Commercial service centers within a 30 mile radius. It is expected that this Commercial service center will include a full service overnight Truck Stop. The businesses within this Interstate service center will enjoy a symbiotic relationship with the transportation related Industry located within the Industrial component. For example Trucks delivering to an Industrial user will have on site access to overnight parking, fueling, restaurants, entertainment and service. Having these available to Industry locating in the Park means that they will not have to provide these services on site.

The revised Goal 4 in the Comprehensive plan calls for a compatibility determination in the zoning approval process. In order to meet this goal, a compatibility test is included as Exhibit E.

The site is sandwiched between US 441 and Florida's Turnpike with a Natural Buffer to the South and a small Commercial/Semisuburban site to the North. The Northern Border will be heavily buffered. Typical Commercial Zone Buffers will be placed along US 441. A buffer will be placed along the Turnpike to screen Industrial users, however Warehouse Distribution Facilities will have no buffer in order to Maximize exposure. No permanent buffers are proposed adjacent to other properties within the Yeehaw Transportation Overlay to encourage interaction within the Overlay District. The utility component has been strategically located so that it can be expanded to serve the entire overlay. No hazardous material users, producers or sellers are anticipated. If such a user wants to locate at the Distribution Center, they shall submit a hazardous management/containment plan with the EIP.

Signage is critical as the project is expected to rely upon capture of existing traffic, and not be a destination or traffic generator. Based upon Chapter 15 of the Osceola Land Development Code (LDC), the project would be eligible for 7 billboards along the Turnpike and 2 Billboards along 441. In order to be competitive with other Truck Service Centers adjacent to the Turnpike we are requesting one 150 ft Pole Sign and eliminating 2 Billboards. This will actually reduce sign face space significantly. Other than the 150 foot pole sign, all future signage will comply with Chapter 15 of the LDC.

Pedestrian paths will be constructed throughout the Commercial portion of the project however Pedestrian and Bicycle traffic will not be allowed within the Industrial portion of the project, given the heavy truck traffic that is expected. No sidewalk will be constructed on 441 as there are no nearby residential areas to connect to. The property owners Association will work closely with the LYNX Transportation system to offer employees a carpool matching service, the LYNX vanpool program and other programs that reduce trips. An internal shuttle to transport workers and Truck drivers to the Commercial center will be placed in service as soon as demand justifies it.

#### **Information for Preliminary Concept Plan**

1. A vicinity map is attached indicating the relationship between the planned development and the surrounding area is shown on Exhibit 2
2. A statement showing how the proposal meets the objective outlined in subsection A is given in the overview.
3. The following information is provided:

##### **Preliminary Concept Plan**

- a. All plans are drawn at an appropriate scale, date and legal descriptions contain a north arrow
- b. A survey is attached as Exhibit 1
- c. There are no adjacent developments and subdivisions.
- d. The existing zoning of contiguous property is shown on Exhibit 2
- e. The Utility site, preserve areas, open space and water management tracts are shown on Exhibit 2 along with their acreage.
- f. Vehicular, pedestrian and bicycle access and circulation are shown on exhibit 2
- g. Site data is shown on exhibit 2.
- h. The location of the conceptual development parcels is shown on Exhibit 2. A list of uses for each parcel is shown on Attachment A.
- i. A conceptual drainage plan is shown on Exhibit 2.
- j. The proposed method of providing for all necessary road improvements, sewage systems, water supply , stormwater management systems and fire protection is shown on Attachment B, in the Infrastructure Report.
- k. A traffic impact analysis addressing site access, and the impacts to the area roadway segments and intersections shall be submitted and approved prior to EIP submittal.
- l. The USGS quadrangle map is attached as Exhibit 4. Wetlands are shown as Exhibit 5.
- m. There are no large stands of trees other than within the wetlands.
- n. The property is owned by Yeehaw Ranch LLC. K. Dan Shalloway is the managing shareholder
- o. The project will be built as a single phase, based upon the market. At this point it impossible to know whether the first user will be Commercial, Industrial or Warehouse/Distribution.

##### **Detailed Concept Plan**

- a. Legal description is shown on Exhibit 1, the survey.
- b. Existing ground surfaces & proposed elevations, base flood elevation and subsurface conditions will be addressed in the Engineering Improvement Plan (EIP).

- c. There will be two entrances to the PID which are both shown on Exhibit 2, the Detailed Concept Plan. The Southern entrance will be the main entrance to the project, and the majority of traffic will be routed thru this entrance. The Entrance Road dimensions are shown on the master plan along with a typical Roadway section. Setback, height and Floor to Area (FAR) criteria are shown on Attachment A.
- d. Proposed pavement type will be addressed in the Engineering Improvement Plan (EIP).
- e. Proposed water distribution, sanitary sewer, fire protection and stormwater are addressed in Attachment B, the Infrastructure report. The actual layouts of these facilities will be addressed in the Engineering Improvement Plan (EIP).
- f. General site lighting plan will be addressed in the Engineering Improvement Plan (EIP).
- g. Wetland jurisdictional lines are shown on Exhibit 2, the Detailed Concept Plan. Stormwater retention facilities, Lakes and wetlands will be adjusted to meet permit requirements. The final configuration will be addressed in the Engineering Improvement Plan (EIP).
- h. Buffers and Landscaping are addressed in Attachment B, the Infrastructure Report and shown on Exhibit 2, the Detailed Concept Plan. Detailed Landscaping and Architectural details will be addressed in the Engineering Improvement Plan (EIP) for each development phase.
- i. The main entrance road is shown along with two Commercial and one Industrial (with overlay) lot on Exhibit 2, The Detailed Concept Plan. These lots will be subdivided. Lot lines, reservations, easements, alleys & areas to be publicly dedicated will be shown for each phase on the Engineering Improvement Plan (EIP).

**Attachments:**

- A. List of Uses & Development Criteria
- B. Infrastructure Report
- C. Marketing consultant letter
- D. Planned Development application form
- E. Concurrency Management Application
- F. Compatibility Test

---

**Exhibits:**

1. Survey
2. Detailed Concept Plan & Location Map
3. Aerial
4. USGS Quad sheet
5. Wetlands

Osceola County



**Research Memorandum  
Yeehaw Transportation & Distribution Center  
Osceola County, Florida  
2/1/2010**

**Questions:**

- 1) If the possibility of a High Rise Sign is eliminated, does it “encourage the development of a Transportation-related distribution center”?
- 2) If a visual buffer is required along the Florida’s Turnpike, does it “encourage the development of a Transportation-related distribution center”?

**Discussion:**

Regarding the High Rise Sign, the Truck Stop has always been a critical element of the Yeehaw T & D Center. The symbiotic relationship between the Truck Stop and Distribution Center has always been a distinguishing characteristic which separates it from other Industrial Parks in the market. While Trailers are being loaded or unloaded, the Tractor can get fuel and service and the driver can rest.

From a competitive standpoint, most major Truck Stops have a High Rise sign with the current price of Diesel. Requiring a Truck stop not to have this will put it at a competitive disadvantage and **discourage** the development of a Transportation-related Distribution Center.

One of the primary uses envisioned at the Yeehaw T & D Center is Distribution of Goods. This is usually done out of large box distribution centers. Modern centers continue to increase in height due to advances in material handling systems. Clear spans of 30 to 34 feet are now common, leading to building heights of up to 50’. Buildings with lower overall height are considered functionally obsolete, and would be difficult to finance or lease. The way the marketing program is designed, the Big Box Distribution Centers will be aligned along the Turnpike to maximize exposure. Other uses such as Recycling Facilities or the Truck Stop will be in the interior or will have a buffer.

The Distribution Centers (DC's) were proposed along the Turnpike without a visual buffer for several reasons. These DC's will primarily be used by national retailers or producers of consumer goods who value name recognition. Having their name visible to the large number of travelers on the Turnpike will be a major selling point. If the County wants to attract a Major Distributor to the Yeehaw Distribution Center then they will need to offer the Distributor every possible advantage. It is going to be very difficult to attract the first major user. National Companies are risk adverse, and dislike being the first to locate in a new facility. The Transportation Center needs to offer every possible advantage in order to get it's first user.

In Orange County, there are numerous big box DC's along the Turnpike that are not Buffered. Currently, Orange County has many more DC's the Osceola County, and they will continue to hold a competitive advantage over Osceola County if the County forces restrictions which place it at a disadvantage. In summary, the requirement of a Landscape Buffer along the Turnpike that would block the view of a Distribution Center, would **discourage** the development of a Transportation-related Distribution Center. For Industrial Users, the requirement of a Buffer will not be detrimental to the marketing effort.

**Recommendations:**

- 1) Any Truck Stop or truck Service Center locating at the Yeehaw T & D Center should be allowed a high rise pole sign easily visable from the Florida's Turnpike.
- 2) Buffers should not be required along the Florida Turnpike for Distribution Centers

---

## **Attachment A**

### **Yeehaw Transportation & Distribution Center**

#### **List of Uses and Development Criteria**

##### **Approved Uses: Commercial**

1. Truck Stops, Fueling Stations, and Truck Service Centers.
2. Truck, car, and equipment repair and service.
3. Areas for the display, sale, and repair of new or used automobiles, trucks, travel trailers, motor bikes, boats, manufactured homes, mobile homes and farm or construction equipment.
4. Wholesale and Retail Nurseries.
5. Service Stations and Convenience Stores and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
6. Shops and stores for the sale of general retail goods and services.
7. Restaurants, delicatessens, fast food and other food preparation facilities.
8. Locations for commercial recreation such as a golf driving range, miniature golf, baseball and archery practice range, bowling alley, indoor shooting range, skating rink, and race tracks.
9. Adult Entertainment establishments in accordance with Osceola County Ordinance 93-3, as amended.
10. Transient Housing Facility (hotel or motel complex) including customary uses accessory and incidental to the hotel or motel complex.
11. Schools, Child Care Centers and Kindergartens whose primary purpose is to serve the business and residences located in the Yeehaw Transportation District Overlay.
12. Professional office buildings related to the industry and businesses within the PID.

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### **Approved Uses: Warehouse/Distribution**

13. Shell or spec buildings designed to attract warehousing and distribution.
14. General Warehousing and Storage.
15. Warehouse or distribution Facilities which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
16. Truck Terminals
17. Petroleum tank farms.
18. Distribution Electric Substations.
19. Solid Waste Transfer Stations
20. Wholesale and Retail Nurseries

### **Approved Uses: Industrial**

21. Shell or spec buildings designed to attract compatible industry.
22. Industry which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
23. Truck, car and equipment repair service
24. Areas for the display, sale, and repair of new or used trucks, farm or construction equipment.
25. Plants which fabricate and distribute wood products, such as modular units, cabinets, molding and lumber.
26. Plants for the fabrication and distribution of metal products such as bar joists and decorative panels, including machine shops and related tool and die work.

27. Plants for the fabrication and distribution of plastic, glass or ceramic products, such as pipe, hose, molding strips blocks or pottery.
28. Plants for the processing and distribution of food products such as citrus, fruits, vegetables.
29. Roof Truss Plants.
30. Plants for the fabrication and distribution of concrete and masonry products such as blocks, precast or pre-stressed structural members and building components, septic tanks, culvert or pipe.
31. Plants for the production and distribution of asphaltic materials, provided that such plants meet all Federal and state agencies' noise and emission control requirements.
32. Plants for the production and distribution of Concrete.
33. Plants for recycling or processing of used or waste materials
34. Plants for the processing of Biomass
35. Industries that require a waiver or variance from Osceola County's Noise or Air Pollution Codes and Ordinances that are required to obtain the necessary waiver or variance through the process provided in the Osceola County Land Development Code. Noise and Air Pollution data shall be measured from the boundary of the Yeehaw Transportation and Distribution Center PID external boundary and not from any internal lot lines.

#### **Approved Uses: Utilities**

36. Utility plants to serve the project (i.e. plants for water or sewage treatment).
37. Solid Waste Collection & Recycling Facilities
38. Electric and Power Generation and cogeneration facilities
39. Alternative fuel dispensing station

#### **Approved Uses: All Categories**

40. Billboards and Signs that meet State and Federal Codes and/or the criteria within the PD
41. Communication towers.
42. Administrative office buildings ancillary to the industry and businesses within the PID.

#### **Development Criteria; Commercial**

1. Max Lot Building Coverage = 40%
2. Min Lot size = 10,000 sf
3. Min lot frontage = 100'
4. Front building setback = 35'
5. Side building setback = 10'
6. Rear building setback = 25'
7. Max. Building Height = 40'

#### **Development Criteria: Warehouse/Distribution**

1. Max Lot Building Coverage = 60%
2. Min Lot size = 40,000 sf
3. Min Lot frontage = 200'
4. Front building Setback = 35'
5. Rear Building Setback = 10'
6. Side Building Setback = 25'
7. Max Building Height = 60' (Storage towers and communication towers excluded)

#### **Development Criteria: Industrial**

1. Max Lot Building Coverage = 50%
2. Min Lot size = 20,000sf
3. Min lot frontage = 150'
4. Front Building setback = 35'
5. Rear Building setback = 10'
6. Side Building setback = 25'
7. Max. Building Height = 60" (Storage towers, Stacks and Communication towers excluded)

#### **Development Criteria: Billboards**

Each Billboard will be placed on a separately platted lot. This lot will not be required to front on a road and may be accessed by easement. No setbacks are required from the Billboard lot on adjacent property.

1. Max Lot Coverage = 80%
2. Min Lot size = 500sf
3. Min Lot length = 40'
4. Min lot width = 10'
5. Setbacks = 2', No overhang setbacks required
6. Max Height = 50' above adjacent Florida's Turnpike or US 441.

For Criteria not specified in the PID, Billboards will be consistent with Chapter 15 of the Land Devel

#### **Development Criteria: Parking**

Because of the wide variety of non-standard uses, specific parking requirements for each use are not possible. Instead, as each phase is submitted, an analysis of the parking needs of each use will be analyzed as part of the EIP.

**Infrastructure & Natural Resources Report  
Yeehaw Transportation & Distribution Center**

**PID**

**12/17/08  
Revised 8/26/09  
Revised 2/22/10**

**Prepared By:**

**K. Dan Shalloway  
Professional Engineer  
LEED Accredited Professional  
Member US Green Building Council  
121 Claremont Lane  
Palm Beach Shores, FL 33404  
Office: 561 848 4471  
Mobile: 561 346 2306  
Email: [dshalloway@bellsouth.net](mailto:dshalloway@bellsouth.net)**

## **Yeehaw Transportation & Distribution Center, PMUD Infrastructure & Natural Resources Report.**

### **Electric Service:**

Electric Service will be from the Peace River Electric Cooperative (Co-op). Officials from the Co-op have met on site and examined future demands from the project. They will be able to meet the demands. The Co-op has expressed interest in locating a substation on the site if future demand warrants it. Electric Substations have been included in the list of permitted uses.

As a Green Industrial Park, all users will utilize energy saving measures recommended by the US Green Building Council. In addition to energy conservation measures inherent in the building design, Green Buildings can take advantage of on site renewable power generation opportunities and Green Power.

### **Sewage:**

An on site Sewage Waste Management strategy has been conceptually developed in conjunction with Toho Utilities. Sewage collection will be done by a combination of Gravity and low Pressure or Vacuum systems. Typically Industrial uses are characterized by low volumes separated by large distances, making Gravity collection systems impractical. In those areas either Low Pressure or Vacuum systems will be used. These systems will be owned and maintained by a combination of the Property Owners Association and the private user. Gravity collection Mains within the Public Rights of Way will be constructed by the developer and turned over to Toho Utilities for operation and maintenance.

Sewage Waste will be treated on site utilizing a Membrane Bioreactor (MBR) or other technology approved by Toho Utilities. The plant and disposal system will be built by the developer and maintained by the Property Owners Association until there is an Average Daily Flow of 25,000 gpd. At that point Toho Utilities will make a determination when they will take over operation of the plant. Toho Utilities will take over operation and maintenance of the plant prior to average daily flows reaching 50,000 gpd. The Utility site is located immediately adjacent to the centroid of the remaining property within the Yeehaw Transportation Overlay so that it can easily be expanded to serve the rest of the element.

Based on conversations with MBR manufacturers and Toho Utilities it is not recommended that the first phase of the Central Treatment Facility be built until there is at least an average waste flow of at least 25,000 gpd. Prior to this minimum flow, waste shall be treated utilizing on-site individual treatment systems (septic tanks). These Septic systems will utilize dosing tanks which can be converted to low pressure lift stations when the septic systems are abandoned and the users are connected to a central system. Once an aggregate of 25,000 gallons average daily flow has been reached, no further Certificates of Occupancy shall be issued until a Central Sewer Treatment Facility has been Constructed and all Septic systems have been abandoned and the users connected to the Central Facility.

Treated effluent will be made available to all occupants in the Park for non-potable uses. Since all projects within the Yeehaw Transportation and Distribution Center will be seeking certification from the US Green Building Council (USGBC) they will want to take advantage of the high quality treated effluent for uses such as Irrigation, Truck Washing and Toilet flushing. Any remaining effluent will be disposed of utilizing underground drains and/or Percolation Ponds where the water will be returned to the Surficial Aquifer. In this way 100% of the wastewater effluent will be recycled.

#### **Water:**

Potable Water will be supplied by Surficial Wells and treated on Site. Toho Utilities will take over the maintenance and operation utilizing the same criteria as the Sewage Treatment System. Since the Yeehaw Transportation & Distribution Center is a LEED (Leadership in Energy and Environmental Design) Registered Project with the USGBC, there will be extensive use of Xeriscaping. What irrigation water is needed will be primarily supplied by Reuse water. It is anticipated that the Yeehaw Transportation and Distribution Center will have both a potable and non-potable water distribution system. It has not been determined whether Fire Protection will be accomplished with Potable or Non-Potable water. This will be determined through continuing discussions with Toho Utilities.

#### **Stormwater Management:**

The property lies within the St Johns River Water Management District. There is a high Sandy Ridge in the center of the Property splitting flow to the North and the South. The Southern basin falls more than 15' vertically to a slough flows easterly under the turnpike. The Northern basin flows to the two wetlands which are interconnected by a ditch. The Wetland at the Northeastern corner of the property flows easterly under the Turnpike. Water from the developed property will flow to a lake (water management tract) which will be constructed next to the wetland. These lakes will interconnect with the wetlands to encourage interchange of species with the Wetlands a greater biodiversity. Each site will provide pretreatment prior to discharging to the lakes.

The Stormwater management system will meet the design criteria in compliance with the St Johns Water Management District and Osceola County Land Development Code LDC, Chapter 6. A copy of the SJWMD permit application will be provided with the EIP submittal and a copy of the permit will be supplied prior to approval of the EIP.

#### **Buffers & Landscaping:**

Policy 4.2.12 of the Osceola County Comprehensive Plan says "Development within the Yeehaw Transportation Distribution Center shall be internally interconnected". Because the majority of uses are complementary, and it is desired to create a mix of inter-related uses, Buffers and perimeter landscaping between parcels within the PID is not required and discouraged. The exception would be schools, professional offices and motels, which will want to create buffers for safety & privacy reasons. No buffer will be provided adjacent to the remaining lands within the Yeehaw District so that interaction with future PD's in the Yeehaw Distribution District will be encouraged.

External Buffers will be addressed as follows:

- 1) Northern Property Boundary: Since the area to the North is primarily zoned Semi Suburban, this will be the most heavily buffered and landscaped border. A 50' Heavily landscaped Buffer will be placed along the Northern Boundary of the PID. This buffer will be planted with tree's and vegetation that will create a complete visual buffer for the adjacent Semi-suburban land
- 2) Florida's Turnpike Boundary: In order to encourage inter-action with this primary Intrastate Corridor, no buffers or landscaping are recommended. Uses which would not be visually compatible with the Transportation corridor are not permitted adjacent to the turnpike and are restricted to the Industrial Overlay. This is consistent with current development along the Turnpike corridor. Transportation oriented businesses such as Truck Stops and Distribution Centers are given maximum visibility while non-transportation uses such as Residential are buffered.
- 3) US 441 Boundary: A 10 foot buffer will be created along 441. It will be lightly landscaped to create an attractive appearance and gateway to the project, however it will be designed to allow visibility of the Intrastate commercial establishments in the Commercial zone.

#### **Wetlands and Natural Resources:**

The site is currently being used as improved pasture for a cow/calf breeding operation. Previous uses included an Asphalt Plant and Florida Power and Light Storage Yard. There is an approximately 4 acre area fronting 441 that has been in continuous usage as a staging and storage yard for Vehicles transporting agricultural products. At the South end of the property there is a Wetland area which is part of a relatively large and pristine slough. This Wetland is relatively untouched because a small ditch along its North Border prevents access by cattle. This wetland will be preserved and no development activity will occur within 50'. There is a Wetland Area adjacent to 441 which has been isolated for many years by the construction of 441. This Wetland is highly impacted both by 441 and the continuous access by cattle. Despite these impacts it can be restored and made viable. The only development activity allowed within 50' will be the Stormwater Management Tracts, which will be integrated contiguous to the wetlands to encourage species interaction. At the Northeast corner of the site is another Wetland similar to the one along 441. Only a small portion of this Wetland lies within this project, however it will be treated the same as the Wetland along 441.

The three significant Wetlands on the site have all been designated as Conservation on the Master Plan and will be dedicated to the Yeehaw Transportation & Distribution Center Property Owners Association

#### **Threatened & Endangered Species:**

No Endangered or Threatened species have been observed on the site. Wetland dependent species like the Wood-stork and Everglades kite are unlikely to use the site because of the proximity between two major highways. Regular and continuous management of the land as improved pasture has limited native plant species from being established on the site. There is a possibility that Gopher Tortoises inhabit the adjacent Turnpike Right of Way, and may therefore forage on the adjacent site. Prior to EIP submittal, a detailed survey of Gopher Tortoise and other endangered and threatened species will be conducted.

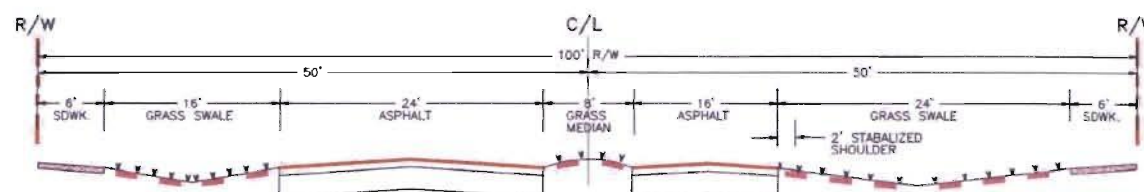
PD12-00013 reaffirms PD09-00002 PD  
Narrative and Concept Plan and extends  
project expiration date

PD09-00002  
**REVISED**

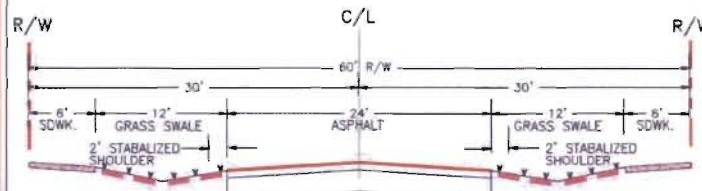
MAR 03 2010

Osceola County Planning  
Department

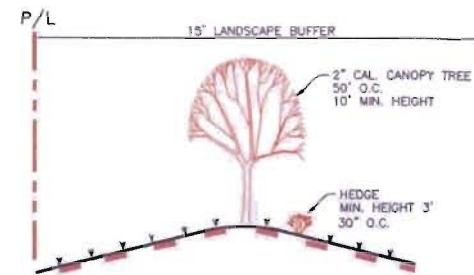
|                        | Allowable sq ft<br>Goal 4 | sq ft PID               | Total Ac<br>Goal 4 | Ac PID |
|------------------------|---------------------------|-------------------------|--------------------|--------|
| Warehouse/Distribution | 2,000,000                 | 200,000 to<br>1,200,000 |                    |        |
| Industrial             | 200,000                   | 50,000 to<br>150,000    |                    |        |
| Commercial             | 50,000                    | 10,000 to 30,000        |                    |        |
| Residential            | N/A                       | None                    | N/A                | None   |
| Conservation           |                           |                         | 74                 | 25     |
| Utilities              |                           |                         | 10                 | 3      |



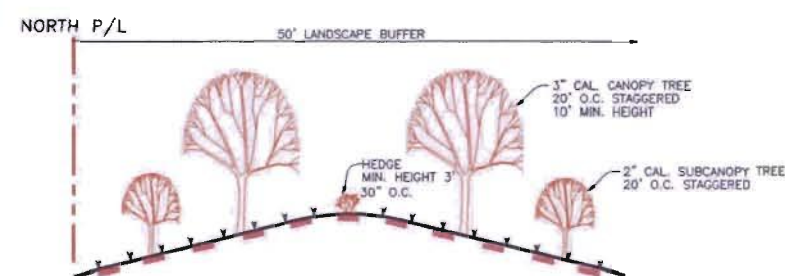
TYPICAL ENTRANCE CROSS-SECTION  
N.T.S.



TYPICAL 60' R/W CROSS-SECTION  
N.T.S.  
NOTE: SIDEWALKS SHALL BE CONSTRUCTED ONLY WHEN ADJACENT TO COMMERCIAL ZONES.



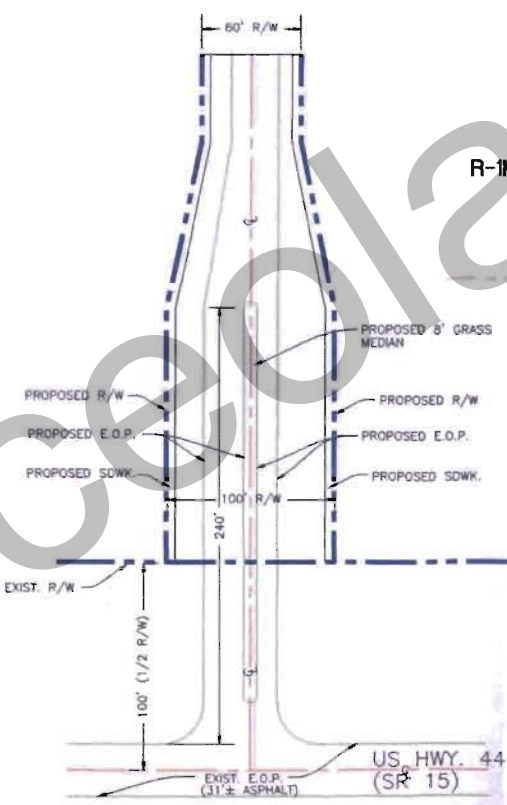
441 & TURNPIKE BUFFER  
N.T.S.



50' NORTHERN BUFFER  
N.T.S.

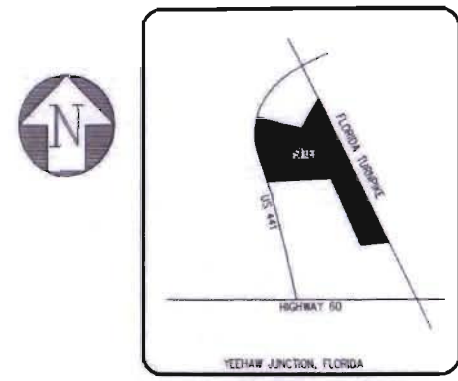
NOTES

1. OVERALL SITE WILL BE SUBDIVIDED TO ACCOMMODATE GROWTH.
2. DETAILS OF THE ROADWAYS, LANDSCAPING, WATER MANAGEMENT SYSTEM, SEWAGE COLLECTION AND WATER DISTRIBUTION SYSTEM WILL BE SUBMITTED FOR EACH LOT AS PART OF THE ENGINEERING IMPROVEMENT PLAN (EIP).
3. INDIVIDUAL TREATMENT SYSTEMS (SEPTIC TANKS) MEETING STATE STANDARDS MAY BE USED ON EACH LOT UNTIL THE AGGREGATE FLOW EXCEEDS AN AVERAGE OF 50,000 G.P.D. NO ADDITIONAL CERTIFICATES OF OCCUPANCY WILL BE ISSUED ONCE 50,000 G.P.D. HAS BEEN EXCEEDED UNTIL A CENTRAL SEWAGE TREATMENT SYSTEM IS CONSTRUCTED AND ALL LOTS HAVE BEEN CONNECTED TO THIS SYSTEM.
4. IF THERE IS A CONFLICT BETWEEN AN OSCEOLA COUNTY CODE OR ORDINANCE AND THIS P.I.D., THE P.I.D. WILL PREVAIL.
5. THE TEMPORARY BUFFER WILL BE CONSTRUCTED IF THE ADJACENT RESIDENTIAL DWELLINGS ARE OCCUPIED AT THE TIME OF CONSTRUCTION. DETAILS OF THE TEMPORARY BUFFER WILL BE SHOWN ON THE E.I.P..
6. NO BUFFER IS REQUIRED ALONG THE TURNPIKE CORRIDOR FOR USES WITHIN THE WAREHOUSE/DISTRIBUTION CATEGORY.



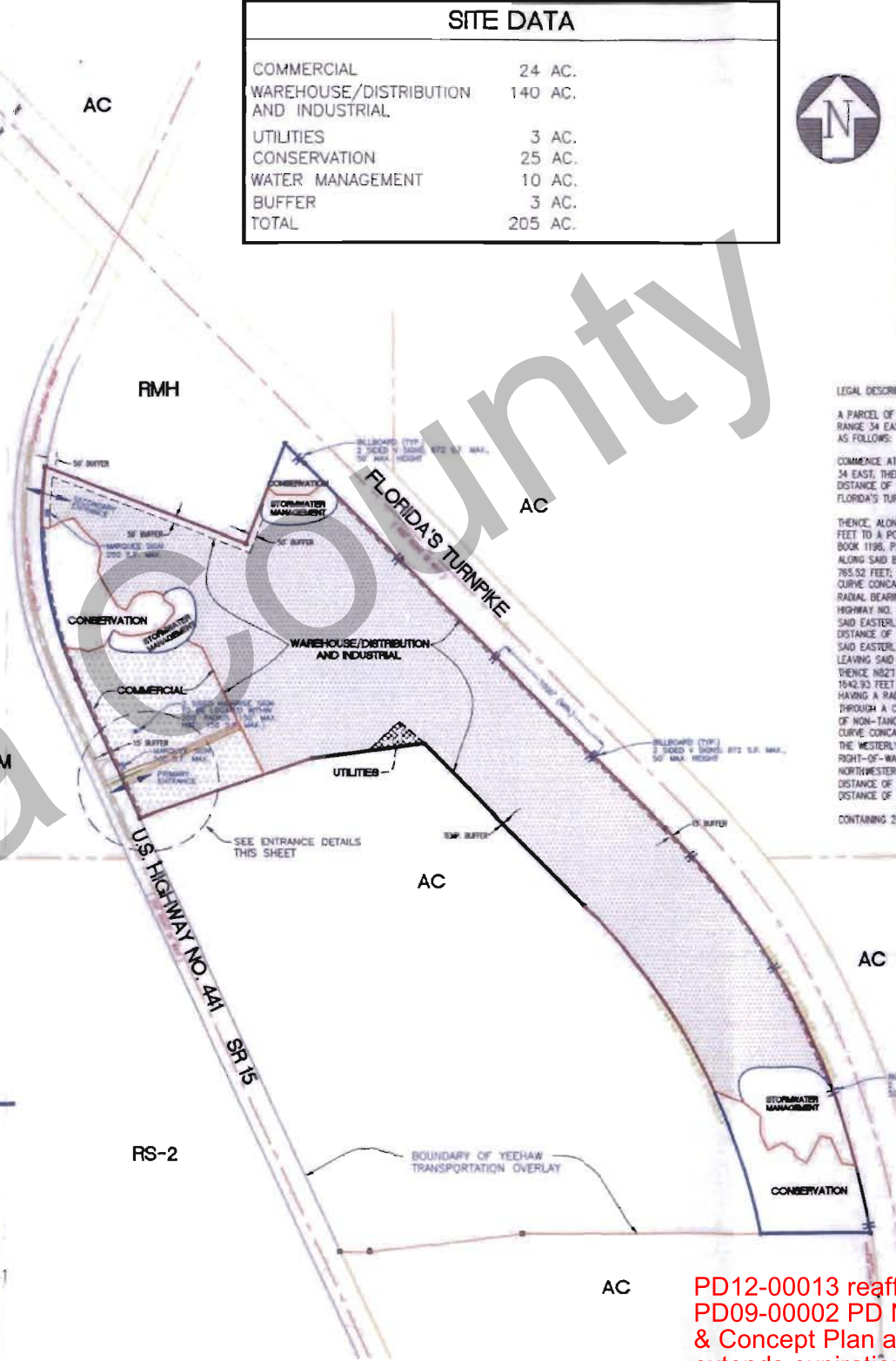
TYPICAL ENTRANCE PLAN VIEW  
N.T.S.

| SITE DATA                             |         |
|---------------------------------------|---------|
| COMMERCIAL                            | 24 AC.  |
| WAREHOUSE/DISTRIBUTION AND INDUSTRIAL | 140 AC. |
| UTILITIES                             | 3 AC.   |
| CONSERVATION                          | 25 AC.  |
| WATER MANAGEMENT                      | 10 AC.  |
| BUFFER                                | 3 AC.   |
| TOTAL                                 | 205 AC. |



LOCATION MAP  
N.T.S.

LEGAL DESCRIPTION:  
A PARCEL OF LAND BEING A PORTION OF SECTIONS 2, 3, AND 11, TOWNSHIP 32 SOUTH, RANGE 34 EAST, OSCEOLA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 3, TOWNSHIP 32 SOUTH, RANGE 34 EAST; THENCE RUN ALONG THE EASTERLY LINE OF SAID SECTION 3, 4000'± W A DISTANCE OF 2171.06 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY), AND THE POINT OF BEGINNING;  
THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N44°27'15"W A DISTANCE OF 1172.30 FEET TO A POINT ON THE BOUNDARY OF PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1196, PAGE 2044 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE, ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: S21°06'46"W A DISTANCE OF 765.52 FEET; THENCE N68°57'10"W A DISTANCE OF 1535.64 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2739.93 FEET; AND HAVING A RADIAL BEARING OF S81°54'59"E, AND BEING THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 441 (200 FOOT WIDE RIGHT-OF-WAY); THENCE, SOUTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 32°42'42" A DISTANCE OF 1564.29 FEET TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S24°51'42"E A DISTANCE OF 1101.07 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N70°34'05"E A DISTANCE OF 1296.05; THENCE N82°14'30"E A DISTANCE OF 807.90 FEET; THENCE S44°27'15"E A DISTANCE OF 1942.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 4729.58 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°44'49" A DISTANCE OF 2703.14 FEET TO THE POINT OF NON-TANGENCY; THENCE N90°00'00"E A DISTANCE OF 814.47 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 5528.58 FEET; SAID CURVE BEING THE WESTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY); AND HAVING A RADIAL BEARING OF S80°00'19"W; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°27'34" A DISTANCE OF 3325.67 FEET TO THE POINT OF TANGENCY; THENCE N44°27'15"W A DISTANCE OF 2699.98 FEET TO THE POINT OF BEGINNING.  
CONTAINING 205.174 ACRES



PD09-00002  
REVISED

PD12-00013 reaffirms  
PD09-00002 PD Narrative  
& Concept Plan and  
extends expiration date  
MAR 03 2010  
Osceola County Planning  
Department

**YEEHAW RANCH LLC.**  
**K. DAN SHALLOWAY, P.E.**  
121 CLAREMONT LANE  
PALM BEACH SHORES, FL 33404  
(561) 848-4471 OFFICE  
DSHALLOWAY@BELLSOUTH.NET

PROJECT: YEEHAW TRANSPORTATION  
AND DISTRIBUTION CENTER  
  
LOCATION: YEEHAW JUNCTION, FL.

**EXHIBIT 2  
DETAILED CONCEPT PLAN**

| REVISIONS         | DATE    | BY | CHKD. | SCALE: 1"=500' | SEAL | SHT. NO. |
|-------------------|---------|----|-------|----------------|------|----------|
|                   |         |    |       | DATE: 11/27/08 |      |          |
|                   |         |    |       | DRAWN BY: M.M. |      |          |
|                   |         |    |       | CHK BY: K.D.S. |      |          |
| GENERAL REVISIONS | 2/10/10 | MM | DS    | PROJ. NO:      |      | 3        |

## **ATTACHMENT B**

### **Supporting Documentation**



# **SCHOOL CAPACITY REPORT**

## **The School District of Osceola County**

### **Planning Services Department**

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SDOC CASE # 12-05.29

TRS#: PD12-00013

Current FLU: Mixed Use as outlined in Goal 4,  
Yeehaw Distribution Center Overlay  
Requested FLU:

PROJECT NAME: Yeehaw Transportation & Distribution Center - PID

PROJECT LOCATION: 2900 Albert Road, Yeehaw Junction

Current Zoning: AC  
Requested Zoning:

COMMENTS DUE DATE: June 4, 2012

PID#: 03-32-34-0000-0010-0000, 02-32-34-0000-0030-0000,  
11-32-34-0000-9918-0000, -0013-0000

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No Impact on Public Schools

# Site Photo Documentation



*Kenansville Road & Albert Street looking NE*



*Sign at Entrance (Albert Street & Kenansville Road)*



*Kenansville Road & Albert looking East*



*Kenansville Road & Albert looking South*



*Albert Street looking NW toward Kenansville Road*

RECEIVED

JUN 22 2012

Osceola County Planning  
Department

PUBLIC HEARING SIGN POSTING AFFIDAVIT

State of Florida  
County of Osceola

BEFORE ME, the undersigned Notary, MIROSLAW BANDURA 21ST.  
[name of Notary before whom affidavit is sworn], on this 21ST. [day of month] day of  
JUNE [month], 20 12, personally appeared  
KEMP DANIEL SHALLOWAY [name of applicant], known to me to be  
a credible person and of lawful age, who being by me first duly sworn, on his [his or her] oath,  
deposes and agrees to post a 'Notice of Public Hearing' sign for application PDR-0003 on the  
property subject to the scheduled public hearing.

Applicant agrees to post the sign(s) in a conspicuous place, at the principal access to the property, in full view of the public, and not more than five (5) feet from the nearest street right of way or easement a minimum of ten(10) days in advance of the Planning Commission or Board of Adjustment hearing and remain in place until the requested action has been heard and decided by the Board of County Commissioners, Planning Commission, Board of Adjustment or withdrawn. Multiple sign postings shall not be more than three hundred (300) feet apart. If the subject parcel(s) abut more than one(1) street, notices shall be posted along each street. When the subject parcel(s) does not front a public road, the sign shall be posted at the point on a public road by which the property is, or can be, reached.

The sign shall be maintained in good readable condition by the applicant. If the said sign is destroyed, lost, or becomes unreadable, the applicant or applicant's representative shall obtain a replacement sign from the Growth Management Division. Any sign posted in accordance with these requirements shall be removed from the property and disposed of by the applicant or applicant's representative not later than 24 hours following the final decision by the Board of County Commissioners, Planning Commission, or Board of Adjustment.

[Signature]  
(signature of applicant or applicant's representative)  
K. Dan Shalloway, Managing Shareholder  
(typed or printed name of applicant or applicant's representative) Yeehaw Ranch LLC

121 Claremont Ln  
(address of applicant or applicant's representative, line 1)

Palm Beach Shores, FL 33404  
(address of applicant or applicant's representative, line 2)

State of Florida  
County of PALM BEACH

Sworn to (or affirmed) and subscribed before me this 21 day of JUNE, 2012 (year), by  
Kemp Daniel Shalloway (name of person making statement).

[Signature]  
(Signature of Notary Public - State of Florida)

MIROSLAW BANDURA  
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known \_\_\_\_\_ OR Produced Identification DR. LICENSE

Type of Identification Produced DRIVER LICENSE



MIROSLAW BANDURA  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# EE188400  
Expires 6/29/2016



May 31, 2012

Dan Shalloway, P.E.  
Yeehaw Ranch LLC  
121 Claremont Lane  
Palm Beach Shores, FL 33404

Sent via email: [dan.shalloway@svn.com](mailto:dan.shalloway@svn.com)

**DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT**

**RE: Sufficiency Review  
PD12-00013 - Planned Development Amendment  
Yeehaw Transportation & Distribution PD (fka PD09-00002)**

**Dave Tomek**  
Director

Dear Mr. Shalloway:

**Robert Deatherage**  
Building

**Mary Beth Salisbury**  
Community Resources

**Joe Johnston**  
Customer Resources

**Mahmoud Najda P.E.**  
Development Review

**Kerry Godwin**  
Planning & Zoning

We are in receipt of your application for the Yeehaw Transportation & Distribution Planned Development Amendment (PD12-00013). We received the check for the PD Application fee on May 30, 2012. Your application has been found to be sufficient and will move forward to the June 20, 2012 Development Review Committee (DRC) Meeting. Per our discussions and since there are no changes to the previously approved PD Narrative and Concept Plan, it is our goal to reaffirm the PD09-00002 PD Narrative and PD Concept Plan, which are dated "REVISED MAR 03, 2010", as part of this request extend this requested Planned Development. You will be provided a copy of the staff report with all comments on the Friday prior to the DRC meeting.

If you have any questions please feel free to contact me at 407.742.0299 or by email at [Tina.Demostene@Osceola.org](mailto:Tina.Demostene@Osceola.org).

Sincerely,

Tina Demostene, AICP  
Principal Planner

**Osceola  
County**

cc: PD12-00013 Record File

1 Courthouse Square  
Suite 1100  
Kissimmee, FL 34741  
PH: (407) 742-0200  
Fax: (407) 742-0206  
[www.osceola.org](http://www.osceola.org)

## Yeehaw Ranch , LLC

PD12-00013  
**RECEIVED**

**MAY 23 2012**

Osceola County Planning  
Department

Tina Demostene  
Osceola County  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741

Re: Yeehaw Transportation and Distribution Center, PD0009-00002

Dear Ms Demostene

Attached is an application to amend PD0009-00002. The only change is to amend the expiration date from 7/12/2012 to 7/12 2014. Everything else remains the same.

Please note that we have been working closely with the Osceola County Economic Development Department to find a job creating user for the Yeehaw Transportation and Distribution Center. Economic Development has made numerous submissions on our behalf and we have even made some short list, however because of the general economic climate we have been unable to locate a user. We have seen the pace of Industrial Development beginning to pick up, and plan on diligently working to locate a user that will bring much needed jobs to Osceola County.

It is important for the County to have an inventory of large, ready to go Industrial zoned properties so that they can continue to attract job creators. We believe it is to the benefit of Osceola County to support this extension.

Sincerely



K Dan Shalloway  
Managing Shareholder



**DEPARTMENT OF  
COMMUNITY  
DEVELOPMENT**

**Dave Tomek**  
Director

**Robert Deatherage**  
Building

**Mary Beth Salisbury**  
Community Resources

**Joe Johnston**  
Customer Resources

**Mahmoud Najda P.E.**  
Development Review

**Kerry Godwin**  
Planning & Zoning

July 18, 2012

Dan Shalloway, P.E.  
Yeehaw Ranch, LLC.  
121 Claremont Lane  
Palm Beach Shores, FL 33404

Sent via email: [dan.shalloway@svn.com](mailto:dan.shalloway@svn.com)

**RE: PD12-00013 Yeehaw Transportation & Distribution PD**

*Approval of a Planned Development zoning district to allow a mixed use industrial park in the Yeehaw Transportation Distribution Center and to extend the date of the Planned Development expiration by three (3) additional years for a total of five (5) years. The property is approximately 205 acres and is generally located in southeast Osceola County, southwest of the Florida Turnpike, east of U.S. Highway 441 (Kenansville Road), and north of State Road 60.*

Dear Mr. Shalloway:

Your request for approval of the Planned Development **PD12-00013** was granted by the Osceola County Board of County Commissioners at their meeting on **July 16, 2012**, subject to the Special Conditions listed below. The approved Narrative and PD Concept Plan (date-stamped "REVISED MAR 03 2010") is attached for your reference.

**Special Conditions:**

1. This approval shall supersede PD09-00002; however, this approval shall reaffirm the Yeehaw Transportation & Distribution Center PD Narrative and Concept Plan dated "REVISED MAR 03 2010" that was previously approved under PD09-00002.
2. Communication towers shall require Conditional Use approval.
3. Adult Entertainment shall be compliant with ORD 93-9, as may be amended from time to time.
4. All targeted industry uses identified in the Industry Clusters Analysis dated May 2012, which are not specifically identified in the PD Narrative, shall also be permitted uses in their associated commercial or industrial use category.
5. A traffic impact analysis addressing site access, and the impacts to area roadway segments and intersections, including but not limited to the intersection of US 441 at SR 60, shall be submitted and approved prior to EIP submittal. The applicant will be responsible for the design, permitting, and construction of all necessary improvements as identified in the approved traffic impact analysis.
6. The applicant has elected to defer capacity reservation. Therefore, the applicant will provide a Final Concurrency Application, including a letter of service intent and adequate capacity at the appropriate level of service, or lack thereof, to serve the proposed development, from the utility provider for water and sewer at the time of the Engineering Improvement Plan Submittal. Prior to receiving Engineering Improvement Plan (Final Development Order) approval for this project, a positive concurrency evaluation is required.

**Osceola  
County**

1 Courthouse Square  
Suite 1100  
Kissimmee, FL 34741  
PH: (407) 742-0200  
Fax: (407) 742-0206  
[www.osceola.org](http://www.osceola.org)



7. Six-foot wide sidewalks shall be constructed along all internal roadway frontages within the Commercial and Residential land uses in order to provide internal connectivity within the planned development.
8. Per Yeehaw Transportation Distribution Center Policies in the Future Land Use Element, monitoring of employee housing shall be performed before development in excess of 750,000 square feet of warehousing and distribution receives certificates of occupancy and again before a cumulative total of 1.2 million square feet of warehousing and distribution space receive certificates of occupancy. Each EIP submittal shall include a running tally of prior EIP approvals, CO's, and their cumulative totals.
9. Plants for the production and distribution of concrete and masonry products are prohibited.

The official Board action is reflected in the minutes subsequently reviewed and adopted by the Board. Any conflicts between the restatement of the Board's action contained herein and the approved minutes of the Board shall be reconciled by utilizing the Board approved minutes.

All written commitments made in the application and subsequent submissions of information made during this application process, which are on file with the Planning and Zoning Office, shall be considered to be binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC, other developmental regulations, or other development orders in effect at the time of development.

You must obtain any required permits from the Building Department prior to the construction. Unless the conditions listed above have been compiled with, permits will not be issued. Pursuant to your request with this Planned Development, PD12-00013 will be effective for five (5) years during which time an Engineering Improvement Plan or Preliminary Subdivision Plan must be approved or the PD approval will become void, and the zoning map will be changed back to reflect the zoning district in effect prior to the original PD approvals.

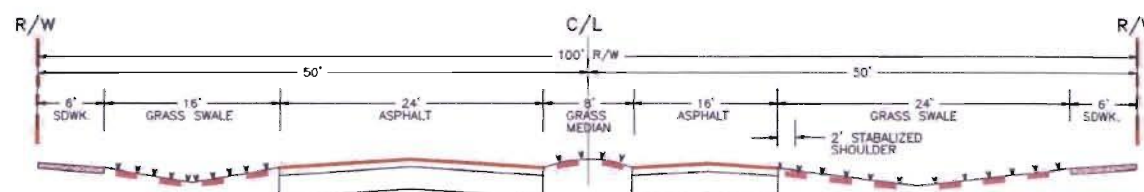
If you have any questions please feel free to contact me at 407.742.0299 or by email at [Tina.Demostene@Osceola.org](mailto:Tina.Demostene@Osceola.org).

Sincerely,

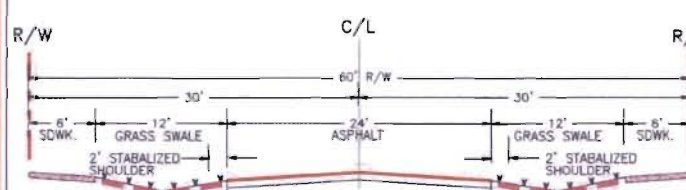
A handwritten signature in blue ink that reads "Tina Demostene".

Tina Demostene, AICP  
Principal Planner

cc: PD12-00013 Record File

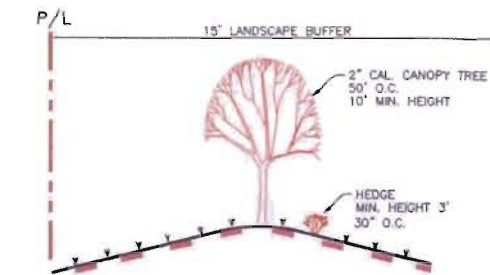


TYPICAL ENTRANCE CROSS-SECTION  
N.T.S.

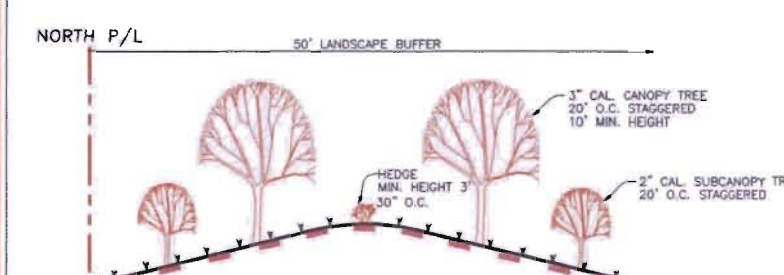


TYPICAL 60' R/W CROSS-SECTION  
N.T.S.

NOTE: SIDEWALKS SHALL BE CONSTRUCTED ONLY WHEN ADJACENT TO COMMERCIAL ZONES.



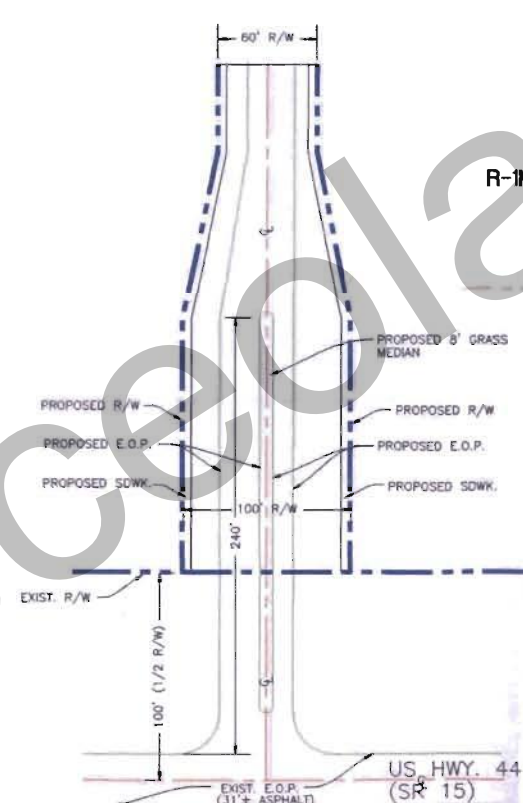
441 & TURNPIKE BUFFER  
N.T.S.



50' NORTHERN BUFFER  
N.T.S.

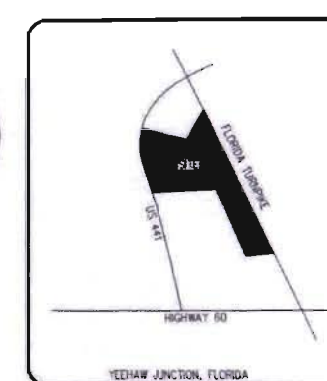
NOTES

1. OVERALL SITE WILL BE SUBDIVIDED TO ACCOMMODATE GROWTH.
2. DETAILS OF THE ROADWAYS, LANDSCAPING, WATER MANAGEMENT SYSTEM, SEWAGE COLLECTION AND WATER DISTRIBUTION SYSTEM WILL BE SUBMITTED FOR EACH LOT AS PART OF THE ENGINEERING IMPROVEMENT PLAN (EIP).
3. INDIVIDUAL TREATMENT SYSTEMS (SEPTIC TANKS) MEETING STATE STANDARDS MAY BE USED ON EACH LOT UNTIL THE AGGREGATE FLOW EXCEEDS AN AVERAGE OF 50,000 G.P.D. NO ADDITIONAL CERTIFICATES OF OCCUPANCY WILL BE ISSUED ONCE 50,000 G.P.D. HAS BEEN EXCEEDED UNTIL A CENTRAL SEWAGE TREATMENT SYSTEM IS CONSTRUCTED AND ALL LOTS HAVE BEEN CONNECTED TO THIS SYSTEM.
4. IF THERE IS A CONFLICT BETWEEN AN OSCEOLA COUNTY CODE OR ORDINANCE AND THIS P.I.D., THE P.I.D. WILL PREVAIL.
5. THE TEMPORARY BUFFER WILL BE CONSTRUCTED IF THE ADJACENT RESIDENTIAL DWELLINGS ARE OCCUPIED AT THE TIME OF CONSTRUCTION. DETAILS OF THE TEMPORARY BUFFER WILL BE SHOWN ON THE E.I.P..
6. NO BUFFER IS REQUIRED ALONG THE TURNPIKE CORRIDOR FOR USES WITHIN THE WAREHOUSE/DISTRIBUTION CATEGORY.



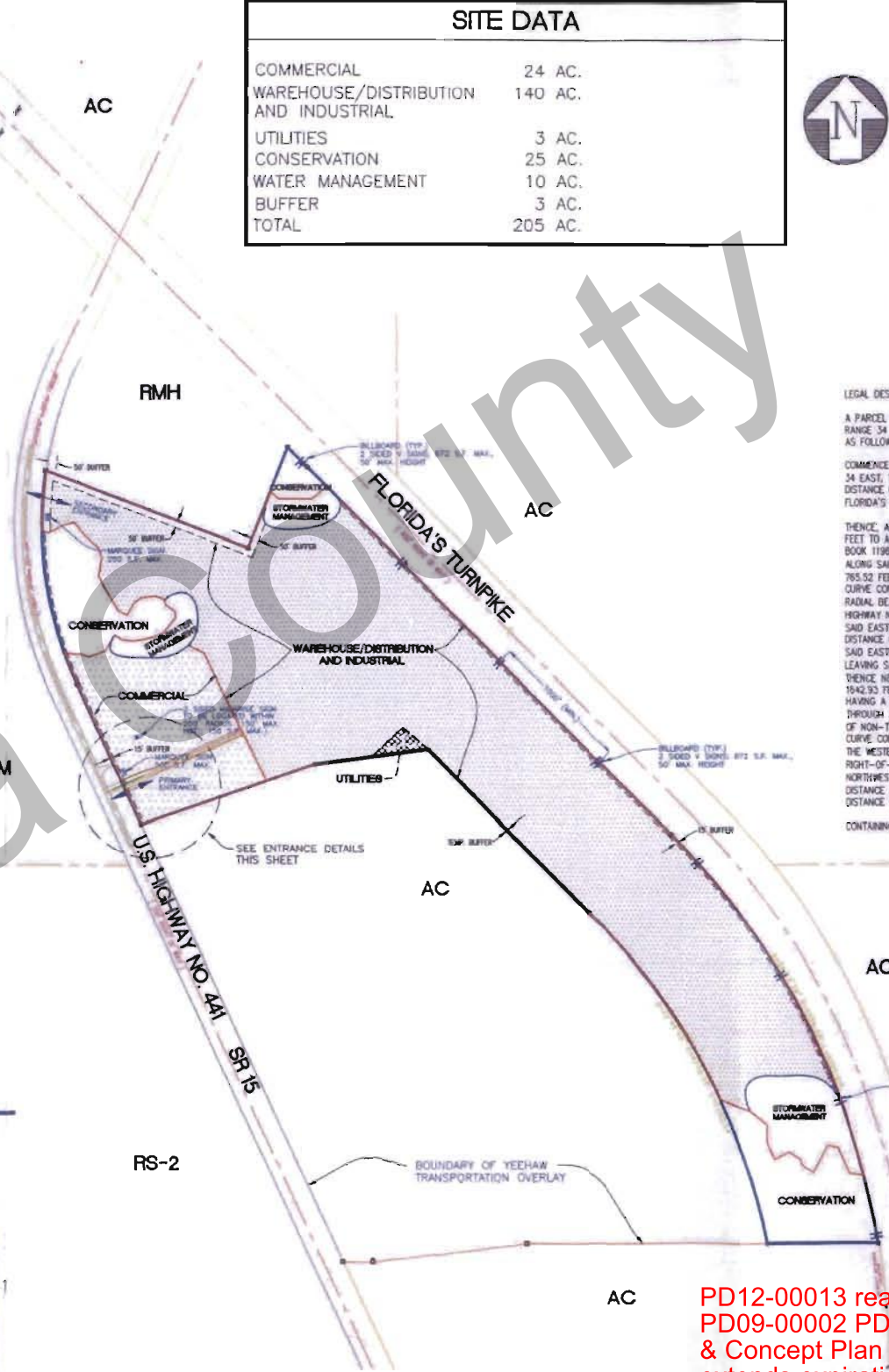
TYPICAL ENTRANCE PLAN VIEW  
N.T.S.

| SITE DATA                             |         |
|---------------------------------------|---------|
| COMMERCIAL                            | 24 AC.  |
| WAREHOUSE/DISTRIBUTION AND INDUSTRIAL | 140 AC. |
| UTILITIES                             | 3 AC.   |
| CONSERVATION                          | 25 AC.  |
| WATER MANAGEMENT                      | 10 AC.  |
| BUFFER                                | 3 AC.   |
| TOTAL                                 | 205 AC. |



LOCATION MAP  
N.T.S.

LEGAL DESCRIPTION:  
A PARCEL OF LAND BEING A PORTION OF SECTIONS 2, 3, AND 11, TOWNSHIP 32 SOUTH, RANGE 34 EAST, OSCEOLA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 3, TOWNSHIP 32 SOUTH, RANGE 34 EAST; THENCE RUN ALONG THE EASTERLY LINE OF SAID SECTION 3, 4000'± W A DISTANCE OF 2171.06 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FLORIDA'S TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY), AND THE POINT OF BEGINNING;  
THENCE, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N44°27'15"W A DISTANCE OF 1172.30 FEET TO A POINT ON THE BOUNDARY OF PROPERTY AS DESCRIBED IN OFFICIAL RECORDS BOOK 1196, PAGE 2044 OF THE PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA; THENCE, ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: S21°06'46"W A DISTANCE OF 765.52 FEET; THENCE N68°57'10"W A DISTANCE OF 1535.64 FEET TO A POINT ON A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 2739.93 FEET; AND HAVING A RADIAL BEARING OF S81°54'59"E, AND BEING THE EASTERLY RIGHT-OF-WAY LINE OF US HIGHWAY NO. 441 (200 FOOT WIDE RIGHT-OF-WAY); THENCE, SOUTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 32°42'42" A DISTANCE OF 1564.29 FEET TO THE POINT OF TANGENCY; THENCE CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, S24°51'42"E A DISTANCE OF 1101.07 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, N70°34'05"E A DISTANCE OF 1296.05; THENCE N82°14'30"E A DISTANCE OF 807.90 FEET; THENCE S44°27'15"E A DISTANCE OF 1942.93 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 4729.58 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°44'49" A DISTANCE OF 2703.14 FEET TO THE POINT OF NON-TANGENCY; THENCE N90°00'00"E A DISTANCE OF 814.47 FEET TO A POINT ON A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 5528.58 FEET; SAID CURVE BEING THE WESTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA TURNPIKE (400 FOOT WIDE RIGHT-OF-WAY); AND HAVING A RADIAL BEARING OF S80°00'19"W; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 34°27'34" A DISTANCE OF 3325.67 FEET TO THE POINT OF TANGENCY; THENCE N44°27'15"W A DISTANCE OF 2699.98 FEET TO THE POINT OF BEGINNING.  
CONTAINING 205.174 ACRES



PD09-00002  
REVISED

PD12-00013 reaffirms  
PD09-00002 PD Narrative  
& Concept Plan and  
extends expiration date  
MAR 03 2010  
Osceola County Planning  
Department

**YEEHAW RANCH LLC.**  
**K. DAN SHALLOWAY, P.E.**  
121 CLAREMONT LANE  
PALM BEACH SHORES, FL 33404  
(561) 848-4471 OFFICE  
DSHALLOWAY@BELLSOUTH.NET

PROJECT: YEEHAW TRANSPORTATION  
AND DISTRIBUTION CENTER  
LOCATION: YEEHAW JUNCTION, FL.

**EXHIBIT 2  
DETAILED CONCEPT PLAN**

| REVISIONS         | DATE    | BY | CHKD. | SCALE: 1"=500' | SEAL | SHT. NO. |
|-------------------|---------|----|-------|----------------|------|----------|
|                   |         |    |       | DATE: 11/27/08 |      |          |
|                   |         |    |       | DRAWN BY: M.M. |      |          |
|                   |         |    |       | CHK BY: K.D.S. |      |          |
| GENERAL REVISIONS | 2/10/10 | MM | DS    | PROJ. NO:      |      | 3        |

**PD12-00013 reaffirms PD09-00002 PD Narrative and  
Concept Plan and extends project expiration date**

PD09-00002  
**REVISED**

**Yeehaw Transportation & Distribution Center  
PID**

Revised 2/22/2010

**MAR 03 2010**

**Osceola County Planning  
Department**

**Overview:**

The Yeehaw Transportation and Distribution Center Planned Industrial Development ( Yeehaw T & D PID ) is a 205 acre mixed use project lying within the Yeehaw Transportation Distribution Center overlay (Future Land Use Element, Goal 4) of Osceola County's Comprehensive Land Use Plan. The Yeehaw Transportation and Distribution Center is the first Green Industrial Park in the State of Florida to be registered with the US Green Building Council (USGBC). Future Land Use Element, Goal 4 of Osceola County's Comprehensive Plan says "The County shall take advantage of the strategic location offered by Yeehaw Junction by encouraging the development of a Transportation-related distribution center that can efficiently serve the needs of the state's metropolitan areas while providing employment opportunities within the southeastern part of Osceola County".

The Yeehaw T & D PID encourages the development of general types of industry and commercial enterprises which benefit from access to major roadways and thoroughfares. It does this by creating a compact employment center with intensive commercial and industrial uses which encourages interaction between these uses and reduces total vehicle highway miles.

The Commercial use is placed adjacent to US 441 at the main entrance to the project. It is anticipated that this will be a major Interstate Commercial stopping point since there are no other significant Interstate Commercial service centers within a 30 mile radius. It is expected that this Commercial service center will include a full service overnight Truck Stop. The businesses within this Interstate service center will enjoy a symbiotic relationship with the transportation related Industry located within the Industrial component. For example Trucks delivering to an Industrial user will have on site access to overnight parking, fueling, restaurants, entertainment and service. Having these available to Industry locating in the Park means that they will not have to provide these services on site.

The revised Goal 4 in the Comprehensive plan calls for a compatibility determination in the zoning approval process. In order to meet this goal, a compatibility test is included as Exhibit E.

The site is sandwiched between US 441 and Florida's Turnpike with a Natural Buffer to the South and a small Commercial/Semisuburban site to the North. The Northern Border will be heavily buffered. Typical Commercial Zone Buffers will be placed along US 441. A buffer will be placed along the Turnpike to screen Industrial users, however Warehouse Distribution Facilities will have no buffer in order to Maximize exposure. No permanent buffers are proposed adjacent to other properties within the Yeehaw Transportation Overlay to encourage interaction within the Overlay District. The utility component has been strategically located so that it can be expanded to serve the entire overlay. No hazardous material users, producers or sellers are anticipated. If such a user wants to locate at the Distribution Center, they shall submit a hazardous management/containment plan with the EIP.

Signage is critical as the project is expected to rely upon capture of existing traffic, and not be a destination or traffic generator. Based upon Chapter 15 of the Osceola Land Development Code (LDC), the project would be eligible for 7 billboards along the Turnpike and 2 Billboards along 441. In order to be competitive with other Truck Service Centers adjacent to the Turnpike we are requesting one 150 ft Pole Sign and eliminating 2 Billboards. This will actually reduce sign face space significantly. Other than the 150 foot pole sign, all future signage will comply with Chapter 15 of the LDC.

Pedestrian paths will be constructed throughout the Commercial portion of the project however Pedestrian and Bicycle traffic will not be allowed within the Industrial portion of the project, given the heavy truck traffic that is expected. No sidewalk will be constructed on 441 as there are no nearby residential areas to connect to. The property owners Association will work closely with the LYNX Transportation system to offer employees a carpool matching service, the LYNX vanpool program and other programs that reduce trips. An internal shuttle to transport workers and Truck drivers to the Commercial center will be placed in service as soon as demand justifies it.

#### **Information for Preliminary Concept Plan**

1. A vicinity map is attached indicating the relationship between the planned development and the surrounding area is shown on Exhibit 2
2. A statement showing how the proposal meets the objective outlined in subsection A is given in the overview.
3. The following information is provided:

##### **Preliminary Concept Plan**

- a. All plans are drawn at an appropriate scale, date and legal descriptions contain a north arrow
- b. A survey is attached as Exhibit 1
- c. There are no adjacent developments and subdivisions.
- d. The existing zoning of contiguous property is shown on Exhibit 2
- e. The Utility site, preserve areas, open space and water management tracts are shown on Exhibit 2 along with their acreage.
- f. Vehicular, pedestrian and bicycle access and circulation are shown on exhibit 2
- g. Site data is shown on exhibit 2.
- h. The location of the conceptual development parcels is shown on Exhibit 2. A list of uses for each parcel is shown on Attachment A.
- i. A conceptual drainage plan is shown on Exhibit 2.
- j. The proposed method of providing for all necessary road improvements, sewage systems, water supply , stormwater management systems and fire protection is shown on Attachment B, in the Infrastructure Report.
- k. A traffic impact analysis addressing site access, and the impacts to the area roadway segments and intersections shall be submitted and approved prior to EIP submittal.
- l. The USGS quadrangle map is attached as Exhibit 4. Wetlands are shown as Exhibit 5.
- m. There are no large stands of trees other than within the wetlands.
- n. The property is owned by Yeehaw Ranch LLC. K. Dan Shalloway is the managing shareholder
- o. The project will be built as a single phase, based upon the market. At this point it impossible to know whether the first user will be Commercial, Industrial or Warehouse/Distribution.

##### **Detailed Concept Plan**

- a. Legal description is shown on Exhibit 1, the survey.
- b. Existing ground surfaces & proposed elevations, base flood elevation and subsurface conditions will be addressed in the Engineering Improvement Plan (EIP).

- c. There will be two entrances to the PID which are both shown on Exhibit 2, the Detailed Concept Plan. The Southern entrance will be the main entrance to the project, and the majority of traffic will be routed thru this entrance. The Entrance Road dimensions are shown on the master plan along with a typical Roadway section. Setback, height and Floor to Area (FAR) criteria are shown on Attachment A.
- d. Proposed pavement type will be addressed in the Engineering Improvement Plan (EIP).
- e. Proposed water distribution, sanitary sewer, fire protection and stormwater are addressed in Attachment B, the Infrastructure report. The actual layouts of these facilities will be addressed in the Engineering Improvement Plan (EIP).
- f. General site lighting plan will be addressed in the Engineering Improvement Plan (EIP).
- g. Wetland jurisdictional lines are shown on Exhibit 2, the Detailed Concept Plan. Stormwater retention facilities, Lakes and wetlands will be adjusted to meet permit requirements. The final configuration will be addressed in the Engineering Improvement Plan (EIP).
- h. Buffers and Landscaping are addressed in Attachment B, the Infrastructure Report and shown on Exhibit 2, the Detailed Concept Plan. Detailed Landscaping and Architectural details will be addressed in the Engineering Improvement Plan (EIP) for each development phase.
- i. The main entrance road is shown along with two Commercial and one Industrial (with overlay) lot on Exhibit 2, The Detailed Concept Plan. These lots will be subdivided. Lot lines, reservations, easements, alleys & areas to be publicly dedicated will be shown for each phase on the Engineering Improvement Plan (EIP).

**Attachments:**

- A. List of Uses & Development Criteria
- B. Infrastructure Report
- C. Marketing consultant letter
- D. Planned Development application form
- E. Concurrency Management Application
- F. Compatibility Test

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**Exhibits:**

1. Survey
2. Detailed Concept Plan & Location Map
3. Aerial
4. USGS Quad sheet
5. Wetlands

Osceola County



**Research Memorandum  
Yeehaw Transportation & Distribution Center  
Osceola County, Florida  
2/1/2010**

**Questions:**

- 1) If the possibility of a High Rise Sign is eliminated, does it “encourage the development of a Transportation-related distribution center”?
- 2) If a visual buffer is required along the Florida’s Turnpike, does it “encourage the development of a Transportation-related distribution center”?

**Discussion:**

Regarding the High Rise Sign, the Truck Stop has always been a critical element of the Yeehaw T & D Center. The symbiotic relationship between the Truck Stop and Distribution Center has always been a distinguishing characteristic which separates it from other Industrial Parks in the market. While Trailers are being loaded or unloaded, the Tractor can get fuel and service and the driver can rest.

From a competitive standpoint, most major Truck Stops have a High Rise sign with the current price of Diesel. Requiring a Truck stop not to have this will put it at a competitive disadvantage and **discourage** the development of a Transportation-related Distribution Center.

One of the primary uses envisioned at the Yeehaw T & D Center is Distribution of Goods. This is usually done out of large box distribution centers. Modern centers continue to increase in height due to advances in material handling systems. Clear spans of 30 to 34 feet are now common, leading to building heights of up to 50’. Buildings with lower overall height are considered functionally obsolete, and would be difficult to finance or lease. The way the marketing program is designed, the Big Box Distribution Centers will be aligned along the Turnpike to maximize exposure. Other uses such as Recycling Facilities or the Truck Stop will be in the interior or will have a buffer.

The Distribution Centers (DC's) were proposed along the Turnpike without a visual buffer for several reasons. These DC's will primarily be used by national retailers or producers of consumer goods who value name recognition. Having their name visible to the large number of travelers on the Turnpike will be a major selling point. If the County wants to attract a Major Distributor to the Yeehaw Distribution Center then they will need to offer the Distributor every possible advantage. It is going to be very difficult to attract the first major user. National Companies are risk adverse, and dislike being the first to locate in a new facility. The Transportation Center needs to offer every possible advantage in order to get it's first user.

In Orange County, there are numerous big box DC's along the Turnpike that are not Buffered. Currently, Orange County has many more DC's than Osceola County, and they will continue to hold a competitive advantage over Osceola County if the County forces restrictions which place it at a disadvantage. In summary, the requirement of a Landscape Buffer along the Turnpike that would block the view of a Distribution Center, would **discourage** the development of a Transportation-related Distribution Center. For Industrial Users, the requirement of a Buffer will not be detrimental to the marketing effort.

**Recommendations:**

- 1) Any Truck Stop or truck Service Center locating at the Yeehaw T & D Center should be allowed a high rise pole sign easily visible from the Florida's Turnpike.
- 2) Buffers should not be required along the Florida Turnpike for Distribution Centers

---

## **Attachment A**

### **Yeehaw Transportation & Distribution Center**

#### **List of Uses and Development Criteria**

##### **Approved Uses: Commercial**

1. Truck Stops, Fueling Stations, and Truck Service Centers.
2. Truck, car, and equipment repair and service.
3. Areas for the display, sale, and repair of new or used automobiles, trucks, travel trailers, motor bikes, boats, manufactured homes, mobile homes and farm or construction equipment.
4. Wholesale and Retail Nurseries.
5. Service Stations and Convenience Stores and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
6. Shops and stores for the sale of general retail goods and services.
7. Restaurants, delicatessens, fast food and other food preparation facilities.
8. Locations for commercial recreation such as a golf driving range, miniature golf, baseball and archery practice range, bowling alley, indoor shooting range, skating rink, and race tracks.
9. Adult Entertainment establishments in accordance with Osceola County Ordinance 93-3, as amended.
10. Transient Housing Facility (hotel or motel complex) including customary uses accessory and incidental to the hotel or motel complex.
11. Schools, Child Care Centers and Kindergartens whose primary purpose is to serve the business and residences located in the Yeehaw Transportation District Overlay.
12. Professional office buildings related to the industry and businesses within the PID.

---

### **Approved Uses: Warehouse/Distribution**

13. Shell or spec buildings designed to attract warehousing and distribution.
14. General Warehousing and Storage.
15. Warehouse or distribution Facilities which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
16. Truck Terminals
17. Petroleum tank farms.
18. Distribution Electric Substations.
19. Solid Waste Transfer Stations
20. Wholesale and Retail Nurseries

### **Approved Uses: Industrial**

21. Shell or spec buildings designed to attract compatible industry.
22. Industry which will utilize Yeehaw Junction's unique location for distributing their product or collecting materials.
23. Truck, car and equipment repair service
24. Areas for the display, sale, and repair of new or used trucks, farm or construction equipment.
25. Plants which fabricate and distribute wood products, such as modular units, cabinets, molding and lumber.
26. Plants for the fabrication and distribution of metal products such as bar joists and decorative panels, including machine shops and related tool and die work.

27. Plants for the fabrication and distribution of plastic, glass or ceramic products, such as pipe, hose, molding strips blocks or pottery.
28. Plants for the processing and distribution of food products such as citrus, fruits, vegetables.
29. Roof Truss Plants.
30. Plants for the fabrication and distribution of concrete and masonry products such as blocks, precast or pre-stressed structural members and building components, septic tanks, culvert or pipe.
31. Plants for the production and distribution of asphaltic materials, provided that such plants meet all Federal and state agencies' noise and emission control requirements.
32. Plants for the production and distribution of Concrete.
33. Plants for recycling or processing of used or waste materials
34. Plants for the processing of Biomass
35. Industries that require a waiver or variance from Osceola County's Noise or Air Pollution Codes and Ordinances that are required to obtain the necessary waiver or variance through the process provided in the Osceola County Land Development Code. Noise and Air Pollution data shall be measured from the boundary of the Yeehaw Transportation and Distribution Center PID external boundary and not from any internal lot lines.

**Approved Uses: Utilities**

36. Utility plants to serve the project (i.e. plants for water or sewage treatment).
37. Solid Waste Collection & Recycling Facilities
38. Electric and Power Generation and cogeneration facilities
39. Alternative fuel dispensing station

**Approved Uses: All Categories**

40. Billboards and Signs that meet State and Federal Codes and/or the criteria within the PD
41. Communication towers.
42. Administrative office buildings ancillary to the industry and businesses within the PID.

#### **Development Criteria; Commercial**

1. Max Lot Building Coverage = 40%
2. Min Lot size = 10,000 sf
3. Min lot frontage = 100'
4. Front building setback = 35'
5. Side building setback = 10'
6. Rear building setback = 25'
7. Max. Building Height = 40'

#### **Development Criteria: Warehouse/Distribution**

1. Max Lot Building Coverage = 60%
2. Min Lot size = 40,000 sf
3. Min Lot frontage = 200'
4. Front building Setback = 35'
5. Rear Building Setback = 10'
6. Side Building Setback = 25'
7. Max Building Height = 60' (Storage towers and communication towers excluded)

#### **Development Criteria: Industrial**

1. Max Lot Building Coverage = 50%
2. Min Lot size = 20,000sf
3. Min lot frontage = 150'
4. Front Building setback = 35'
5. Rear Building setback = 10'
6. Side Building setback = 25'
7. Max. Building Height = 60" (Storage towers, Stacks and Communication towers excluded)

#### **Development Criteria: Billboards**

Each Billboard will be placed on a separately platted lot. This lot will not be required to front on a road and may be accessed by easement. No setbacks are required from the Billboard lot on adjacent property.

1. Max Lot Coverage = 80%
2. Min Lot size = 500sf
3. Min Lot length = 40'
4. Min lot width = 10'
5. Setbacks = 2', No overhang setbacks required
6. Max Height = 50' above adjacent Florida's Turnpike or US 441.

For Criteria not specified in the PID, Billboards will be consistent with Chapter 15 of the Land Deve

#### **Development Criteria: Parking**

Because of the wide variety of non-standard uses, specific parking requirements for each use are not possible. Instead, as each phase is submitted, an analysis of the parking needs of each use will be analyzed as part of the EIP.

**Infrastructure & Natural Resources Report  
Yeehaw Transportation & Distribution Center**

**PID**

**12/17/08  
Revised 8/26/09  
Revised 2/22/10**

**Prepared By:**

**K. Dan Shalloway  
Professional Engineer  
LEED Accredited Professional  
Member US Green Building Council  
121 Claremont Lane  
Palm Beach Shores, FL 33404  
Office: 561 848 4471  
Mobile: 561 346 2306  
Email: [dshalloway@bellsouth.net](mailto:dshalloway@bellsouth.net)**

## **Yeehaw Transportation & Distribution Center, PMUD Infrastructure & Natural Resources Report.**

### **Electric Service:**

Electric Service will be from the Peace River Electric Cooperative (Co-op). Officials from the Co-op have met on site and examined future demands from the project. They will be able to meet the demands. The Co-op has expressed interest in locating a substation on the site if future demand warrants it. Electric Substations have been included in the list of permitted uses.

As a Green Industrial Park, all users will utilize energy saving measures recommended by the US Green Building Council. In addition to energy conservation measures inherent in the building design, Green Buildings can take advantage of on site renewable power generation opportunities and Green Power.

### **Sewage:**

An on site Sewage Waste Management strategy has been conceptually developed in conjunction with Toho Utilities. Sewage collection will be done by a combination of Gravity and low Pressure or Vacuum systems. Typically Industrial uses are characterized by low volumes separated by large distances, making Gravity collection systems impractical. In those areas either Low Pressure or Vacuum systems will be used. These systems will be owned and maintained by a combination of the Property Owners Association and the private user. Gravity collection Mains within the Public Rights of Way will be constructed by the developer and turned over to Toho Utilities for operation and maintenance.

Sewage Waste will be treated on site utilizing a Membrane Bioreactor (MBR) or other technology approved by Toho Utilities. The plant and disposal system will be built by the developer and maintained by the Property Owners Association until there is an Average Daily Flow of 25,000 gpd. At that point Toho Utilities will make a determination when they will take over operation of the plant. Toho Utilities will take over operation and maintenance of the plant prior to average daily flows reaching 50,000 gpd. The Utility site is located immediately adjacent to the centroid of the remaining property within the Yeehaw Transportation Overlay so that it can easily be expanded to serve the rest of the element.

Based on conversations with MBR manufacturers and Toho Utilities it is not recommended that the first phase of the Central Treatment Facility be built until there is at least an average waste flow of at least 25,000 gpd. Prior to this minimum flow, waste shall be treated utilizing on-site individual treatment systems (septic tanks). These Septic systems will utilize dosing tanks which can be converted to low pressure lift stations when the septic systems are abandoned and the users are connected to a central system. Once an aggregate of 25,000 gallons average daily flow has been reached, no further Certificates of Occupancy shall be issued until a Central Sewer Treatment Facility has been Constructed and all Septic systems have been abandoned and the users connected to the Central Facility.

Treated effluent will be made available to all occupants in the Park for non-potable uses. Since all projects within the Yeehaw Transportation and Distribution Center will be seeking certification from the US Green Building Council (USGBC) they will want to take advantage of the high quality treated effluent for uses such as Irrigation, Truck Washing and Toilet flushing. Any remaining effluent will be disposed of utilizing underground drains and/or Percolation Ponds where the water will be returned to the Surficial Aquifer. In this way 100% of the wastewater effluent will be recycled.

#### **Water:**

Potable Water will be supplied by Surficial Wells and treated on Site. Toho Utilities will take over the maintenance and operation utilizing the same criteria as the Sewage Treatment System. Since the Yeehaw Transportation & Distribution Center is a LEED (Leadership in Energy and Environmental Design) Registered Project with the USGBC, there will be extensive use of Xeriscaping. What irrigation water is needed will be primarily supplied by Reuse water. It is anticipated that the Yeehaw Transportation and Distribution Center will have both a potable and non-potable water distribution system. It has not been determined whether Fire Protection will be accomplished with Potable or Non-Potable water. This will be determined through continuing discussions with Toho Utilities.

#### **Stormwater Management:**

The property lies within the St Johns River Water Management District. There is a high Sandy Ridge in the center of the Property splitting flow to the North and the South. The Southern basin falls more than 15' vertically to a slough flows easterly under the turnpike. The Northern basin flows to the two wetlands which are interconnected by a ditch. The Wetland at the Northeastern corner of the property flows easterly under the Turnpike. Water from the developed property will flow to a lake (water management tract) which will be constructed next to the wetland. These lakes will interconnect with the wetlands to encourage interchange of species with the Wetlands a greater biodiversity. Each site will provide pretreatment prior to discharging to the lakes.

The Stormwater management system will meet the design criteria in compliance with the St Johns Water Management District and Osceola County Land Development Code LDC, Chapter 6. A copy of the SJWMD permit application will be provided with the EIP submittal and a copy of the permit will be supplied prior to approval of the EIP.

#### **Buffers & Landscaping:**

Policy 4.2.12 of the Osceola County Comprehensive Plan says "Development within the Yeehaw Transportation Distribution Center shall be internally interconnected". Because the majority of uses are complementary, and it is desired to create a mix of inter-related uses, Buffers and perimeter landscaping between parcels within the PID is not required and discouraged. The exception would be schools, professional offices and motels, which will want to create buffers for safety & privacy reasons. No buffer will be provided adjacent to the remaining lands within the Yeehaw District so that interaction with future PD's in the Yeehaw Distribution District will be encouraged.

External Buffers will be addressed as follows:

- 1) Northern Property Boundary: Since the area to the North is primarily zoned Semi Suburban, this will be the most heavily buffered and landscaped border. A 50' Heavily landscaped Buffer will be placed along the Northern Boundary of the PID. This buffer will be planted with tree's and vegetation that will create a complete visual buffer for the adjacent Semi-suburban land
- 2) Florida's Turnpike Boundary: In order to encourage inter-action with this primary Intrastate Corridor, no buffers or landscaping are recommended. Uses which would not be visually compatible with the Transportation corridor are not permitted adjacent to the turnpike and are restricted to the Industrial Overlay. This is consistent with current development along the Turnpike corridor. Transportation oriented businesses such as Truck Stops and Distribution Centers are given maximum visibility while non-transportation uses such as Residential are buffered.
- 3) US 441 Boundary: A 10 foot buffer will be created along 441. It will be lightly landscaped to create an attractive appearance and gateway to the project, however it will be designed to allow visibility of the Intrastate commercial establishments in the Commercial zone.

#### **Wetlands and Natural Resources:**

The site is currently being used as improved pasture for a cow/calf breeding operation. Previous uses included an Asphalt Plant and Florida Power and Light Storage Yard. There is an approximately 4 acre area fronting 441 that has been in continuous usage as a staging and storage yard for Vehicles transporting agricultural products. At the South end of the property there is a Wetland area which is part of a relatively large and pristine slough. This Wetland is relatively untouched because a small ditch along its North Border prevents access by cattle. This wetland will be preserved and no development activity will occur within 50'. There is a Wetland Area adjacent to 441 which has been isolated for many years by the construction of 441. This Wetland is highly impacted both by 441 and the continuous access by cattle. Despite these impacts it can be restored and made viable. The only development activity allowed within 50' will be the Stormwater Management Tracts, which will be integrated contiguous to the wetlands to encourage species interaction. At the Northeast corner of the site is another Wetland similar to the one along 441. Only a small portion of this Wetland lies within this project, however it will be treated the same as the Wetland along 441.

The three significant Wetlands on the site have all been designated as Conservation on the Master Plan and will be dedicated to the Yeehaw Transportation & Distribution Center Property Owners Association

#### **Threatened & Endangered Species:**

No Endangered or Threatened species have been observed on the site. Wetland dependent species like the Wood-stork and Everglades kite are unlikely to use the site because of the proximity between two major highways. Regular and continuous management of the land as improved pasture has limited native plant species from being established on the site. There is a possibility that Gopher Tortoises inhabit the adjacent Turnpike Right of Way, and may therefore forage on the adjacent site. Prior to EIP submittal, a detailed survey of Gopher Tortoise and other endangered and threatened species will be conducted.

PD12-00013 reaffirms PD09-00002 PD  
Narrative and Concept Plan and extends  
project expiration date

PD09-00002  
**REVISED**

MAR 03 2010

Osceola County Planning  
Department

|                        | Allowable sq ft<br>Goal 4 | sq ft PID               | Total Ac<br>Goal 4 | Ac PID |
|------------------------|---------------------------|-------------------------|--------------------|--------|
| Warehouse/Distribution | 2,000,000                 | 200,000 to<br>1,200,000 |                    |        |
| Industrial             | 200,000                   | 50,000 to<br>150,000    |                    |        |
| Commercial             | 50,000                    | 10,000 to 30,000        |                    |        |
| Residential            | N/A                       | None                    | N/A                | None   |
| Conservation           |                           |                         | 74                 | 25     |
| Utilities              |                           |                         | 10                 | 3      |

PD12-00013

# PLANNED DEVELOPMENT APPLICATION PACKAGE

Osceola County Board of County Commissioners  
Community Development Department  
1 Courthouse Square, Suite 1400  
Kissimmee, Florida 34741  
Phone (407) 742-0200 Fax (407) 742-0205

Application No.  
Date Received  
TRC Meeting  
OCPC Meeting  
BCC Meeting

RECEIVED

MAY 23 2012  
Osceola County Planning  
Department

GENERAL INSTRUCTIONS: This application must be completed and submitted to the Planning Department along with the required fee and additional information necessary to be considered by the Technical Review Committee. The County can provide you with a copy of this form via email upon request.

## I APPLICANT INFORMATION

|          | Applicant                                                     | Owner | Agent |
|----------|---------------------------------------------------------------|-------|-------|
| Contact: | Dan Shalloway                                                 |       |       |
| Address: | 121 Claremont Dr<br>Palm Beach Shores<br>FL 33404             |       |       |
| Phone:   | 561-346-2206                                                  |       |       |
| Fax:     |                                                               |       |       |
| Email:   | <del>dshalloway@dan.shalloway.com</del> dan.shalloway@svn.com |       |       |

## II PROPERTY

LEGAL DESCRIPTION: Provide a complete legal description. Include the complete parcel number of the property as well as Plat Book and Page (if applicable) or attach a copy of the deed(s) of record for all lands within the project boundary. (Deeds of record are available from the County Clerks Office.) You may submit a digital CAD file of the boundary survey in AutoCAD or Microstation compatible format. If applicable, include the street address.

|                    |          |
|--------------------|----------|
| Parcel number:     | Attached |
| Legal Description: |          |

III Is this application a PD amendment? Yes ☒ No

If yes, please list the previous PD number(s)

2 PD009-00002

March 2012

IV

**APPLICANT'S REQUEST (DETAILED DESCRIPTION INCLUDING ANY VARIANCES AND HOW THEY APPLY TO YOUR PROJECT)**

Change expiration date from  
7/12/2012  
to 7/12/2014

No other changes  
Application remains the same  
as previously submitted

Will this development construct sidewalks? Interior \_\_\_\_\_ Exterior \_\_\_\_\_

4. Design: What design criteria will be used for this development? (ie: traditional neighborhood, townhome)
5. Water/Sewer: Where are the closest water, sewer and re-use lines?

To assist you in determining information on the water/sewer facilities, you may want to contact your local provider listed below.

Kissimmee area: 407-518-2160

Poinciana area: 407-933-5302 ext. 20

BVL area: 407-598-4160

St. Cloud area: 407-957-7222

\*\* An accessible map is provided in the map room of the Growth Management Division to aid you in responding to this question.

**\*\*\*\*\*It is advised that the applicant inquire about the possibility of impact fee assessments on this project.**

**VII CERTIFICATION (Please check one)**

I CERTIFY THAT, to the best of my knowledge and belief, all information supplied with this application is true and accurate, and that I am:

- ( ) **Landowner:** A landowner or his /her agent where authorized in writing, provided however that Where the fee owner has entered into a contract for the sale of the property, whether it be an agreement for deed, sales contract, or otherwise, then the purchaser may initiate the application when specifically authorized in the contract to do so or by another legal document authorizing same.  
Where there is more than one owner, then all such owners must jointly initiate the application or petition.
- ( ) **Trustee:** Where the property is subject to a land trust agreement, the trustee may initiate the application when the trustee has submitted evidence that he/she is authorized by the trust document to do so, either individually or with other trustees.
- (✓) **Corporation/Partnership:** Where the fee owner is a corporation or partnership then the president or general partner may initiate the application and must provide proof that the corporation or partnership exists including Certificate from Secretary of State stating that the corporation is in good standing.
- ( ) **Association:** Where the fee owner is an association, the association or its governing body may appoint an agent, in writing, to initiate the application on behalf of the association. Proof that the association exists must accompany the application.

DATE: 5/22/12

SIGNATURE *[Signature]*  
*Managing Shareholder*  
Owner/Agent/Corporation/Association *Yeehoco Ranch LLC*

\*\*\*Please list signature of all owners of the property

*K. Dan Shalloway*

Please print name(s) listed above

| FLORIDA DEPARTMENT OF STATE<br>DIVISION OF CORPORATIONS                     |                              | www.sunbiz.org                                          |                                   |                                                 |                      |
|-----------------------------------------------------------------------------|------------------------------|---------------------------------------------------------|-----------------------------------|-------------------------------------------------|----------------------|
| <a href="#">Home</a>                                                        | <a href="#">Contact Us</a>   | <a href="#">E-Filing Services</a>                       | <a href="#">Document Searches</a> | <a href="#">Forms</a>                           | <a href="#">Help</a> |
| <a href="#">Previous on List</a>                                            | <a href="#">Next on List</a> | <a href="#">Return To List</a>                          |                                   | <input type="text" value="Entity Name Search"/> |                      |
| <a href="#">No Events</a>                                                   |                              | <a href="#">No Name History</a>                         |                                   | <input type="button" value="Submit"/>           |                      |
| <b>Detail by Entity Name</b>                                                |                              |                                                         |                                   |                                                 |                      |
| <b>Florida Limited Liability Company</b>                                    |                              |                                                         |                                   |                                                 |                      |
| YEEHAW RANCH, LLC                                                           |                              |                                                         |                                   |                                                 |                      |
| <b>Filing Information</b>                                                   |                              |                                                         |                                   |                                                 |                      |
| Document Number L04000002647                                                |                              |                                                         |                                   |                                                 |                      |
| FE/EIN Number 270079047                                                     |                              |                                                         |                                   |                                                 |                      |
| Date Filed 01/09/2004                                                       |                              |                                                         |                                   |                                                 |                      |
| State FL                                                                    |                              |                                                         |                                   |                                                 |                      |
| Status ACTIVE                                                               |                              |                                                         |                                   |                                                 |                      |
| <b>Principal Address</b>                                                    |                              |                                                         |                                   |                                                 |                      |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                              |                                                         |                                   |                                                 |                      |
| <b>Mailing Address</b>                                                      |                              |                                                         |                                   |                                                 |                      |
| 121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404                            |                              |                                                         |                                   |                                                 |                      |
| <b>Registered Agent Name &amp; Address</b>                                  |                              |                                                         |                                   |                                                 |                      |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404 US |                              |                                                         |                                   |                                                 |                      |
| <b>Manager/Member Detail</b>                                                |                              |                                                         |                                   |                                                 |                      |
| <b>Name &amp; Address</b>                                                   |                              |                                                         |                                   |                                                 |                      |
| Title MGRM                                                                  |                              |                                                         |                                   |                                                 |                      |
| SHALLOWAY, K. DANIEL<br>121 CLAREMONT LANE<br>PALM BEACH SHORES FL 33404    |                              |                                                         |                                   |                                                 |                      |
| <b>Annual Reports</b>                                                       |                              |                                                         |                                   |                                                 |                      |
| <b>Report Year Filed Date</b>                                               |                              |                                                         |                                   |                                                 |                      |
| 2010 04/23/2010                                                             |                              |                                                         |                                   |                                                 |                      |
| 2011 01/06/2011                                                             |                              |                                                         |                                   |                                                 |                      |
| 2012 04/16/2012                                                             |                              |                                                         |                                   |                                                 |                      |
| <b>Document Images</b>                                                      |                              |                                                         |                                   |                                                 |                      |
| <a href="#">04/16/2012 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/06/2011 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">04/23/2010 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">02/10/2009 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/14/2008 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">04/18/2007 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/12/2006 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/11/2005 -- ANNUAL REPORT</a>                                 |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |
| <a href="#">01/09/2004 -- Florida Limited Liabilities</a>                   |                              | <input type="button" value="View image in PDF format"/> |                                   |                                                 |                      |

PD12-00013  
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MAY 23 2012  
Osceola County Planning  
Department

## Exhibit I – Zoning Ordinance

SEE BELOW

## 1.4.2 - NONCONFORMING STRUCTURES

- A. A building or structure or part thereof shall not be erected, constructed, reconstructed, located, moved or structurally altered in any manner so as to create a nonconforming structure.
- B. A nonconforming structure may be maintained, and repairs and alterations may be made. The nonconforming structure may be enlarged or altered for a permitted use, provided that the enlargement or alteration does not create a new nonconformity or increase in degree the existing nonconformity, and the enlargement or alteration is not in violation of any zoning requirements.
- C. When a nonconforming structure is damaged or deteriorated by more than fifty (50) percent of the assessed value of the structure, as determined by the County Property Appraiser, such structure shall not be rebuilt except in compliance with all the requirements of this Code. For the purposes of this section value shall be determined prior to the damage occurring. If not more than fifty (50) percent of the structure is damaged, the owner shall have one (1) year from the date of damage to obtain the appropriate permits to repair the structure without having to rebuild or repair in accordance with the requirements of this Code.
- D. To avoid undue hardship, nothing herein shall be deemed to require a change in the plans, construction or designated use of any structure on which actual construction was lawfully begun prior to the adoption or amendment of this Code and upon which actual construction has been diligently carried on thereby maintaining a valid development order. Demolition or removal pursuant to a permit but preliminary to construction shall be deemed to be actual construction, provided that work shall be diligently carried on until the completion of the structure involved. Upon completion, however, such structures are considered nonconforming structures.

## ARTICLE 3.5 - AGRICULTURAL USE SITING STANDARDS

### 3.5.1 - AGRICULTURAL USES

Items listed in the Agricultural Use Category of the Use Tables are permitted but may be subject to the following siting standards within the zoning districts.

- A. **AGRICULTURAL STANDS/AGRICULTURAL PRODUCTS.** On-site agricultural product sale is permitted as indicated in the Use Tables, subject to the following standards.
  - 1. The minimum setback of any structure housing the sale of products shall be one hundred (100) feet from the property line.
  - 2. The use shall provide for all required off-street parking and loading on private property. Paved parking is not required; however, a surface that will not contribute to erosion or sedimentation, either on-site or off-site, is required. If paved parking is provided, review by the County Engineer shall be required.

3. The use shall have direct vehicular access to a public street.
4. At least one (1) fully charged fire extinguisher shall be located on the premises at all times in a visible, accessible location.
5. Written permission from the owner of the property, when the stand is not located on land owned by the operator, shall be required on-site at all times the site is in use.
6. No more than one (1) readily removable, temporary structure, smaller than four hundred (400) square feet for storage, display or sales shall be utilized. The structure shall not be for visitor access.
7. The Agricultural Stand permit issued by Osceola County for the stand shall be displayed in a conspicuous place at all times while stand is operational.

**B. AGRITOURISM OR ECO-TOURISM ACTIVITIES.** Agritourism or eco-tourism development (hereinafter collectively referred to as "agritourism") shall be developed to "fit into its specific physical and cultural contexts through careful attention to form, landscaping, color, and the use of vernacular architecture where appropriate." An important part of the authentic cultural history of the Osceola Kissimmee area is the Florida Cowman. The early Florida ranch and farm vernacular style of architecture was designed to take advantage of passive solar and wind attributes found in the natural Florida environment. Agritourism activities are permitted as indicated in the Use Tables subject to the following standards:

1. Any agritourism development that is intended to be used for overnight lodging shall not be occupied for a period of more than ninety (90) consecutive days, excluding on-site management or staff housing or existing on-site housing.
2. Property used for agritourism development shall be located with access to a paved boulevard, avenue or framework street or adjacent to a natural resource, consistent with the protection of the resource. The development's interior roads do not need to be paved but should be similar in nature to any existing roads on the property or to a typical Florida ranch road so as to minimize the impact on the character of the area.
3. Agritourism activities are an emerging industry and may exist on a working farm or ranch or other natural area deemed appropriate. An agritourism development shall be located on a property with minimum of one hundred (100) acres or that is adjacent to preserved lands or active agricultural lands that total the minimum. The maximum density of multi-unit lodge rooms, cabins, tents or tent spaces shall not exceed one (1) unit per five (5) acres. Development shall be encouraged to minimize impacts to existing vegetation.
4. All principal structures, accessory structures, temporary structures and tent spaces shall be set back a minimum of fifty (50) feet from any perimeter property boundary line.
- 5.

The agritourism development master plan and architectural design shall fit into its specific physical and cultural contexts through careful attention to form, landscaping, color, and use of vernacular architecture consistent with its setting.

6. Guest and employee parking area(s) shall be located and designed consistent with the environment in which they are located so as not to detract from the setting in which they are placed. Pervious parking areas are encouraged where appropriate.
  7. The agritourism development may be on the power grid; however, the development shall strive to achieve energy self-sustainability through passive design and renewable energy sources and newly developed technologies.
  8. Within an agritourism development, the following ancillary uses are permitted:
    - a. Recreation amenities restricted to use by guests, including recreation rooms, equestrian facilities, nature and walking trails, playgrounds, docks or similar facilities;
    - b. Entrance welcome center or gate houses or similar facilities designed to provide information, check in and/or security to the development;
    - c. Maintenance facilities and housing for the management and staff;
    - d. Administrative office space necessary for operation of the agritourism development; and small conference/educational meeting areas;
    - e. Commercial or retail use located internal to the development and restricted to use by guests, including central lodge, restaurants, convenience food and beverage items or other retail usage, and other ancillary support facilities.
  9. The permitted ancillary commercial and retail uses shall, in addition to the requirements of this Section, be located and accessed internally to the agritourism development.
- C. **AVIARIES.** On-site aviaries are permitted as indicated in the Use Tables subject to the following:
1. The structure shall be a minimum required by industry standards for the breed housed.
  2. The structure shall be a minimum of fifty feet (50') from the property line and located behind the property's principal structure and be transparent in nature.
- D. **COMMERCIAL KENNELS/STABLES OR SIMILAR.** Commercial kennels or similar are permitted as indicated in the Use Tables subject to the following:
1. The minimum lot area shall be two (2) acres and the site must have direct access to a County maintained road.
  2. The method of disposal of all feces and other solid waste generated by the facility shall be reviewed and approved by the Health Department.
  3. All runs and kennel areas shall be fenced with chain link, solid wood fencing or a masonry wall.
  - 4.

The fence or wall shall be of quality material and be neat in appearance. The run or fenced kennel areas shall be set back a minimum of fifteen (15) feet from rear and side property boundaries. The fenced kennel area is not permitted within the front yard.

5. Use of outdoor areas by the animals shall occur no earlier than 7:00 a.m. and no later than 9:00 p.m.
6. Any facility or training of animals shall not include the use of loud noises or produce smoke or odor or generate same.
7. Humane Society of the United States (HSUS) Guidelines shall be used, at a minimum for the flooring, walls between kennels, drainage, heating and cooling, cage sizes and runs.
8. All outdoor runs shall be a minimum of one hundred fifty (150) feet from any residential zoning district.

E. **COMMUNITY GARDENS.** Community gardens are permitted as indicated in the Use Tables subject to the following:

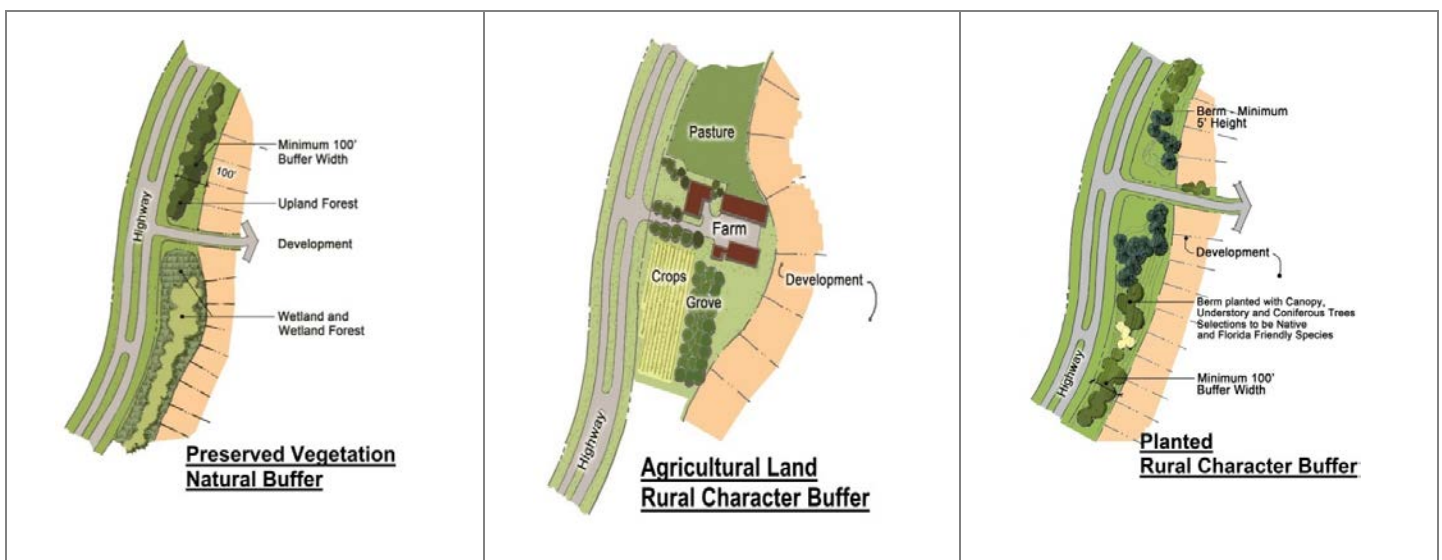
1. There shall not be an existing dwelling upon the property.
2. No gardening or farming activities using machinery and equipment shall take place between 9:00 p.m. and 7:00 a.m. at any community garden.
3. Placement.
  - a. Community gardens on residentially zoned property shall have a minimum front yard setback equivalent to that of any adjacent dwelling, or twenty-five (25) feet where there are no adjacent dwellings, and minimum side and rear yard setbacks of five (5) feet. The required front yard setback shall be provided along both street frontages for community gardens located on corner lots.
  - b. All required yard setbacks shall be landscaped with grass, ground cover, shrubs, or other natural landscape materials, and shall otherwise comply with the required standards and regulations of this Code, for landscaping, greenbelts, buffers and screening.
  - c. Community gardens may also include but are not limited to any of the following accessory uses and/or structures: raised or accessible planting beds; compost bins; picnic tables; fences; garden art; rain barrel systems; rest room facilities or portable toilets; and children's play areas.
  - d. All community gardens shall have suitable waste and recyclable containers that are regularly serviced and screened.
  - e. Sale of crops shall be in accordance with provision included herein under "Agricultural Stands."
  - f. Overhead and/or exterior lighting shall be prohibited at any community garden.

F.

**CONSERVATION SUBDIVISIONS.** Conservation Subdivisions are permitted as either Single Family Attached or Single Family Detached as indicated in the Use Tables. If there are conflicts between these standards and standards contained elsewhere in the Land Development Code, the standards in this Article shall prevail. Development aspects not covered by these standards shall be governed by the standards contained elsewhere in the Land Development Code.

1. The purpose of a Conservation Subdivision is to preserve the agricultural opportunities and natural features on site, promote recreational opportunities, and to incorporate the site's historic and cultural features. Conservation subdivisions shall be designed with variations and originality in lot layout to achieve the best relationship between development and open space areas, and to preserve the characteristics of the natural landscape by:
  - a. Conserving areas outside the UGB for continued agricultural and/or silviculture use by preserving large blocks of land with sufficient size to allow efficient operations;
  - b. Encouraging the maintenance and enhancement of habitat for various forms of wildlife and creating new woodlands through succession and reforestation where appropriate;
  - c. Minimizing site disturbance and erosion through retention of existing vegetation and avoiding development in sensitive areas;
  - d. Conserving open land, including those areas containing unique and sensitive features such as natural areas and wildlife habitats, streams and creeks, wetlands and floodways;
  - e. Protecting scenic views and elements of the rural character outside of the UGB by avoiding new development fronting directly onto existing public designated federal, state, or county highways, unless an alternative rural character/natural buffer a minimum of one hundred feet (100') in width is provided. Such buffer shall provide a seamless continuation of surrounding agricultural character as illustrated in Figure 3.5.1a.

**Figure 3.5.1a. Rural Character/Natural Buffer Examples**



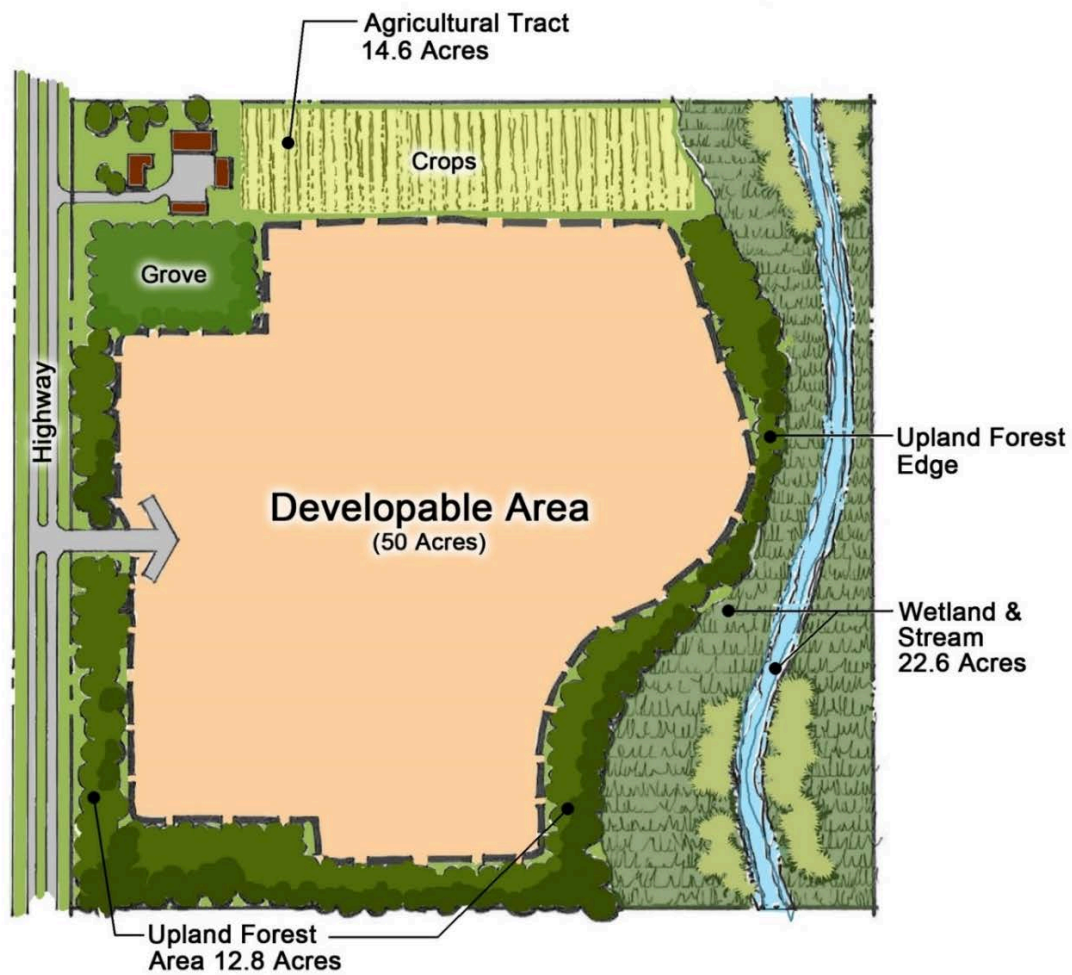
- f. Preserving and maintaining historic and archeological sites and structures that serve as significant visible reminders of the County's social and architectural history;
  - g. Providing for active and passive recreational needs of County residents, including implementation of the Comprehensive Plan;
  - h. Providing greater efficiency in the siting of services and infrastructure by reducing road length and the amount of paving for development;
  - i. Creating more compact rural neighborhoods accessible to shared open space amenities and with a strong community identity; and
  - j. Providing for enhanced public safety through the use of the National Fire Protection Association (NFPA) Firewise recommendations where feasible in the design of home sites and development clusters for protection from potential forest fires, wild fires, and controlled burning activities.
2. **Project Size.** The minimum project size shall be one hundred (100) acres, which shall be divided into Preservation/Agricultural Tract(s) and Developable Area Tract(s) as illustrated on Figure 3.5.1b. The project Developable Area Tract(s) consists of Residential Tracts and/or Common Area/Recreation Tracts.
3. **Preservation/Agricultural Tracts.** A minimum of fifty (50) percent of the land area within the project shall be set aside as one or more "Preservation/Agricultural Tracts."
- a. A Preservation/Agricultural Tract shall be dedicated for conservation, agricultural, or recreational open space, which shall be permanently preserved via easement and managed by the agricultural owner, homeowners association, property owners association, land trust, conservation organization, public agency, or other ownership and maintenance entity as defined/referenced on the plat. With the exception of non-subdivided ancillary agricultural support residential, the easement dedication shall remove all residential development rights from the open space, be in favor of the management entity, and managed by the same.
  - b. Preservation/Agricultural Tracts shall be located in a manner that optimizes the land maintained as open space to retain agricultural functions, promote recreational opportunities, minimize fragmentation of area resources, and/or preserve existing ecological connections.
  - c. Significant native habitat shall be designated as part of a Preservation/Agricultural Tract wherever feasible. Native habitat includes, but is not limited to: upland forests, flatwoods, oak scrub, sand pine scrub, and/or sites listed on the Florida Natural Areas Inventory (FNAI) that are part of the ecologically connected matrix of natural areas significant for wildlife habitat and water quality protection.

- d. Preservation/Agricultural Tracts may be made up of agricultural/ranching uses and associated ancillary support residential, public/civic spaces with recreational open space permitted by zoning, upland buffers to wetlands, wetlands, water bodies or watercourses, or trail links, as well as larger areas containing significant native habitat as mentioned above.
  - e. Preservation/Agricultural Tracts shall be a minimum of three (3) acres or be sized appropriately for the intended use.
  - f. Management Plan: If the Preservation/Agricultural Tract is not preserved for agricultural/ranching uses and maintained by the agricultural/ranch owner, the developer shall, in cooperation with other local, state and federal agencies and entities, create a Management Plan to be approved by the County Manager for the tract. The Plan shall include provisions to provide management activities necessary to preserve, enhance, restore, conserve, maintain, or monitor the land, as appropriate. The Plan shall ensure all uses are consistent with preservation, enhancement, restoration, conservation, and maintenance of the land, and shall estimate the annual capital and operating costs of implementing the Plan. Management activities included in the Plan may include, but are not limited to: exotic/nuisance plant species removal, native vegetative communities' restoration, natural hydrology restoration, natural fire regime restoration, feral hog or livestock removal from natural areas, and similar activities. All Preservation/Agricultural Tracts shall remain in a condition consistent with the approved Management Plan, (if applicable).
4. **Common Area/Recreation Tracts.** Within the project Developable Area Tract(s), Common Area/Recreation Tracts may include uses such as open space, active and passive recreation, stormwater management, buffers, and other uses or activities intended for use by residents of the Conservation Subdivision. Common Area/Recreation Tracts shall meet the residential recreation requirements as outlined elsewhere in the LDC.
5. **Residential Tracts.** Residential density shall be one (1) dwelling unit per five (5) acres, based on total acreage. Minimum lot size, building height, and building setbacks shall follow the standards for LDR contained elsewhere in the LDC, and may vary depending on the type of potable water well and sewer treatment/disposal systems proposed. These standards shall meet the minimum required by the applicable state or County agencies reviewing the well and sewer treatment/disposal system. Other development standards shall be as follows:
- a. Accessory uses listed as ancillary in the residential siting standards shall be placed a minimum of five (5) feet behind the front entry of the principal structure and a minimum of five (5) feet from rear and side property lines. Accessory structures such as garages, garage apartments, carports, pole barns, stables, or like uses are exempt from this

requirement, as are structures within the residential tract which are related to an agricultural exempt use in the Preservation/Agricultural Tract; however, such uses shall not be located within any easement that prohibits obstructions.

- b. Perimeter Buffer: To protect existing rural and agricultural uses, when a Residential Tract is adjacent to lots greater than or equal to five (5) acres, a developer may choose one (1) of the following buffer options:
  - i. Separate the proposed Residential Tract from existing uses by a Preservation/Agricultural Tract meeting above requirements.
  - ii. Provide a "Medium" buffer as outlined elsewhere in the LDC with fencing constructed of one the following materials: wooden post and horizontal wire; pre-cast concrete post and rail; three rail wooden fence; steel I-beam vertical posts with wooden rails; or Corten steel slatted fence.

**Figure 3.5.1b Conservation Subdivision Tract Example**



**Tabular Data:**

|                                                |            |
|------------------------------------------------|------------|
| Developable Area:                              |            |
| Residential Tract                              | Varies     |
| Common Area / Recreational Tract               | Varies     |
| Streets, Greenways/Trails and Residential Lots | Varies     |
| Total                                          | 50 Acres   |
| Preservation / Agricultural Tract (s)          |            |
| Agriculture                                    | 14.6 Ac.   |
| Upland Forest                                  | 12.8 Ac.   |
| Wetland / Stream                               | 22.6 Ac.   |
| Total                                          | 50.0 Acres |
| Total Site Area                                | 100 Acres  |

Figure 3.5.1c Small Lot Example



**Tabular Data:**

|                                        |                |
|----------------------------------------|----------------|
| Total Site Area                        | 100 Acres      |
| Preservation / Agricultural Tract (s)  | 54.5 Acres     |
| Developable Area:                      | 45.5 Acres     |
| Total Number of Lots                   | 20 Lots        |
| Gross Density (Lots ÷ Total Site Area) | 1 Un./ 5Ac.    |
| Lot Size (Small Lot)                   | 0.75 - 1.0 Ac. |

Figure 3.5.1d Large Lot Example



**Tabular Data:**

|                                        |               |
|----------------------------------------|---------------|
| Total Site Area                        | 100 Acres     |
| Preservation / Agricultural Tract (s)  | 50 Acres      |
| Developable Area:                      | 50 Acres      |
| Total Number of Lots                   | 10-20 Lots    |
| Gross Density (Lots ÷ Total Site Area) | 1 Un./ 5Ac.   |
| Lot Size (Large Lots)                  | Up to 5.0 Ac. |

6. **Open Space and/or Recreation.** Open space and recreation requirements may be provided in either the Preservation/Agricultural Tracts (in which case it must be available to residents of the development) or Common Area/Recreation Tracts, and shall be calculated as outlined elsewhere in the LDC. Preserved wetlands and water management areas, if designed appropriately with pedestrian access available, may contribute to the open space acreage, but because of their limited open space value, can in no case comprise more than fifty (50) percent of the required open space acreage as calculated on the Developable Area.
7. **Stormwater Management.** To the extent that permitting agencies allow, stormwater management shall be governed by the standards contained elsewhere in the LDC. Stormwater management facilities that incorporate Low Impact Development (LID) practices and provide beneficial and functional wildlife habitat as outlined elsewhere in the LDC may be counted at one hundred (100) percent toward open space requirements.
8. **Potable Water.** Water shall be obtained through either a public well accommodating the development or private wells accommodating each home, which shall be permitted and maintained through the applicable State or County agency.

9. **On-site Sewer Treatment and Disposal.** The extension of central sanitary sewer systems outside the UGB shall be prohibited as outlined in the Comprehensive Plan Sanitary Sewer Element. Residential sewage treatment shall be provided through either a package treatment plant (public system) accommodating the development or through private systems accommodating each home, which shall be permitted and maintained through the applicable State or County agency.
  - a. Should a package treatment plant be utilized, the effluent shall be disposed of by appropriate tertiary means other than settling ponds, as outlined elsewhere in the LDC for waste related services (bio-solid disposal).
  - b. The use of reclaimed water and/or other non-potable sources of water shall be required as available through above tertiary treatment methods.
10. **Primary Access.** Access to the Conservation Subdivision shall be provided from a state or County maintained roadway.
11. **Roadway Design Standards.** All roadways within the conservation subdivision shall be governed by the standards contained elsewhere in the LDC and outlined in the Osceola County Road Construction Specifications, except:
  - a. Lots smaller than one-half ( $\frac{1}{2}$ ) acre and one hundred (100) foot width at the property line shall use an Osceola County Public Local Urban Roadway Section (with curb and gutter).
  - b. Lots with a minimum of one-half ( $\frac{1}{2}$ ) acre and one-hundred (100) foot width at the property line may use an Osceola County Public Rural Roadway Section.
  - c. Private roadways shall be reviewed through Osceola County's subdivision process outlined elsewhere in the LDC. Alternative roadway cross-sections and materials may be approved through Osceola County's subdivision process.
  - d. Developments meeting the requirements for a single access shall provide a turnaround at a minimum of every eight hundred (800) feet, based on the largest fire apparatus in the Osceola County Fire Department fleet.
12. **Internal Circulation.** An interconnected pedestrian, bicycle, equestrian, and/or All-Terrain Vehicle (ATV)/Off-Road Vehicle (ORV)/Off-Highway Vehicle (OHV) circulation system shall be provided within the Developable Area Tract(s).
  - a. If opportunity exists, provide linkages to existing and proposed offsite systems. The pedestrian, bicycle, and/or equestrian systems shall have safe and convenient access to the Preservation/Agricultural Tract from all residential lots. If the Preservation/Agricultural Tract is being utilized strictly for agricultural purposes a linkage may be provided; however, it is not required.
  - b. Pedestrian walkways are required to provide pedestrian access to student waiting areas.
  - c.

ATV, ORV, and OHV connections through the Preservation/Agricultural Tract may be accomplished through the creation of a trail system platted as part of the Common Area/Recreation Tracts.

**13. Public Safety.**

- a. Properties located within five (5) miles of an Osceola County Fire Station shall provide a UL listed fire alarm/early warning smoke detection system monitored by a UL approved monitoring company.
- b. Properties located more than five (5) miles from an Osceola County Fire Station shall provide a UL listed fire alarm/early warning smoke detection system monitored by a UL approved monitoring company. Property must also provide an approved NFPA 1142 "Standard on Water Supplies for Suburban and Rural Fire Fighting" water supply.

**14. Student Waiting Areas and School Bus Access.**

- a. Though the School District will decide where school bus stops are placed, consideration should be taken in the planning phase to provide safe options. School bus stops are most often placed at the entrance of developments, though they may be placed at a central location such as a clubhouse, park, or trailhead. Locations such as these shall be planned as possible student waiting areas should the School District decide to utilize them, and shall meet the following criteria:
  - i. The visibility of waiting students by vehicular traffic shall not be obscured; and
  - ii. Parent vehicular waiting area shall be provided if the student waiting area is at the entrance, and is encouraged to be provided if student waiting area is centrally located.
- b. If the community is gated, above standards still apply, as well as the following standards:
  - i. The gate opening shall be at least fourteen (14) feet wide to accommodate school buses and meet other County requirements regarding entrance gates as referenced elsewhere in the LDC;
  - ii. Gates shall remain open long enough to allow school buses to safely enter and exit;
  - iii. If a key pad is used to enter, one (1) shall be placed between six (6) feet and seven (7) feet from the ground to allow the driver to use it without exiting the bus.

Note: Regular buses will seldom enter communities that are gated, but the district may be required under Federal regulations to enter the community for exceptional students.

**F. GREENHOUSE OR NURSERY (COMMERCIAL).** Commercial greenhouses or nurseries are permitted as indicated in the Use Tables subject to the following:

1. Retail operations shall not occupy more than fifty (50) percent of the square footage of the primary wholesale use of the property.
2. The retail operations shall have direct vehicular access to a boulevard or avenue.
- 3.

The retail portion of the property shall adhere to the parking requirements contained herein.

**G. HUNTING OR FISHING CAMPS.** Hunting camps are permitted as indicated in the Use Tables subject to the following:

1. Hunt camp permits shall only be approved as a temporary use during hunting seasons as defined by the Florida Fish and Wildlife Conservation Commission.
2. Fishing camps must be located within five hundred (500) feet of a lake, creek or canal identified on a current tax map.
3. Hunting or fishing camps must contain a minimum of five (5) acres with two hundred (200) feet of lot width or be adjacent to a hunting preserve.
4. An application for a Hunt Camp permit must include the following supporting documents:
  - a. Description of property providing legal description and confirming acreage.
  - b. Photograph of dwelling unit to be used on site (mobile home, motor home, recreational vehicle or cabin).
5. If an RV is located on the property, documentation from authorized RV dealer or repair facility confirming that a self-contained sewage system is operable, or a copy of a septic tank permit from the Osceola County Environmental Health Department.
6. Site plan showing access and distance from County or state maintained road.
7. Applicant to sign affidavit recognizing that emergency services may not be available to the site and stating that the site will not be used for permanent housing.
8. No property approved as a hunting or fishing camp will be eligible for homestead exemption unless otherwise identified as such.

**H. PACKING HOUSES.** Packing Houses are permitted as indicated in the Use Tables subject to the following:

1. All storage, except for motor vehicles, shall be within completely enclosed buildings or may be located outdoors if it is effectively screened by a "High" buffer with a solid wall or fence at least eight (8) feet high. Minimum site development area shall be ten thousand (10,000) square feet.
2. **Processing plants for non-meat products.** Processing plants for non-meat products include the packing of citrus, vegetables and fruits for retail consumption. These plants are permitted as indicated in the Use Tables subject to the following standards:
  - a. Access to the plant shall be on a paved avenue, arterial, or framework street.
  - b. Loading areas shall be screened using a "High" buffer from adjacent properties.
3. **Processing plants for meat products.** Within three hundred (300) feet of a residential zoning or residential future land use district, all business, servicing, processing and product display concerning packing a meat product shall take place within a completely enclosed building.

Processing plants for meat products are intended for the packing of meat product for retail consumption. These plants are permitted as indicated in the Use Tables subject to the following standards:

- a. Access to the plant shall be on a paved avenue, arterial, or framework street.
- b. Loading areas shall be screened using a "High" buffer from adjacent properties.
- c. All packing, butchering and related operations shall be conducted within enclosed buildings.
- d. The operation shall meet all Federal and State of Florida requirements and qualify for all Federal, state and local health permits.

I. **SAWMILLS.** Sawmills are permitted as indicated in the Use Tables subject to the following:

1. Mill shall have access to a County maintained paved collector, boulevard, or framework street.
2. Sawmills shall not operate between the hours of 6:00 p.m. to 8:00 a.m. in the ARE district.
3. The burning of wood is prohibited.
4. Operations shall be on five (5) acres or more.
5. The operation shall be a minimum of one hundred fifty feet (150') from a residential property line.
6. A dust control containment system shall be installed prior to active operations.

J. **SLAUGHTER HOUSES.** Slaughter Houses are permitted as indicated in the Use Tables subject to the following:

1. All slaughtering, butchering and related operations shall be conducted within enclosed buildings.
2. All offal shall be stored in water tight and odor tight containers.
3. The operation shall meet all Federal and State of Florida requirements and qualify for all Federal, state and local health permits.
4. All animal holding areas shall be located a minimum of one thousand, three hundred twenty (1,320) feet from any residential development or zoning district developed to or permitting a density of five (5) units per acre or greater; a minimum of five hundred (500) feet from any dwelling unit existing on adjacent property developed at less than two (2) units per acre at the time of the development or expansion of the use; and a minimum of three hundred (300) feet from any property line.

K. **TRANSFER OF DEVELOPMENT RIGHTS.** Transfer of Development Rights (TDR) are permitted for lands as outlined in herein.

1. Calculations for the TDR sending sites shall be calculated as follows:
  - a.

Base TDR Credit. A base TDR credit shall have a ratio of one (1) Base TDR Credit per two point five (2.5) acres of land determined as credit land. This Base TDR Credit applies to all properties as determined eligible in the Sending Areas. The allowable TDR credits that a TDR Sending Site may transfer to a TDR Receiving Site shall be determined eligible by multiplying the applicable TDR Credits to the acres of developable land after retained development rights, if any, have been deducted. Fractions of Base TDR Credits that result from calculations in this Section shall not be included in the final determination of Total TDR Credits available for transfer.

- b. Agricultural Preservation. In order to preserve agricultural land and enhance the ability to produce agricultural product, for every twenty (20) years that a TDR sending site has been maintained in continuous bona fide agricultural use, those lands may re-list their credits with County as if it were a new application.
- c. Multipliers. The following multipliers from the categories one (i) through (iii) below may be applied to the base TDR for each applicable unit. For categories with multiple options, multiple options may be applied per parcel. All calculations shall be added to the Base TDR Credits as calculated from the property's eligible TDR Sending Credits.

- i. Agriculture Multipliers. Continuous bona fide agricultural use shall be determined by the definition used by Florida Statutes in determining agricultural exemption. Base TDR Credits may be increased on TDR Sending Sites below for continuous bona fide agricultural uses as follows:

After ten (10) years that a TDR Sending Site has been maintained in continuous bona fide agricultural use, an additional one-half (0.5) TDR credits per Base TDR Credit can be applied.

- ii. Military Influence. A Sending Site within a Military Operations Area/Military Blast Zone (MOA/MBZ) area shall be eligible for increased TDR credits. A multiplier of one-half (0.5) TDR credits may be applied in addition to the Base TDR Credits.
- iii. Historic and/or Cultural Multiplier. For TDR Sending Sites within the Historic/Cultural Sending Area in unincorporated Osceola County designated on the National Register of Historic Places or by the Comprehensive Plan, local ordinance, or resolution as a significant cultural or historic property to meet the requirements of the Comprehensive Plan, an additional one-half (0.5) TDR credits per Base TDR Credits may be applied.

2. Calculations for the TDR receiving sites shall be calculated as follows:

- a. The number of residential units on a Receiving Site within the Urban Infill area of the Urban Growth Boundary (UGB) may be increased or decreased above or below that allowed by its future land use designation through the purchase and utilization of TDR credits.

- i. Increasing Density. New development or redevelopment beyond the maximum density of dwelling units per acre designated may increase to a maximum of one hundred fifty (150) percent of the established maximum dwelling units per acre. This increase in density shall only occur through the use of TDR credits acquired from Sending Areas at a rate of one (1) TDR credit per every dwelling unit above the allowable units based on the maximum density.
  - ii. Decreasing Density. Development below the minimum net density of dwelling units per acre designated may only decrease to seventy-five (75) percent of the established minimum dwelling units per acre. This decrease in density shall only occur through the use of TDR credits acquired from the Sending Areas at a rate of two (2) TDR credits per every one (1) dwelling unit/acre decrease.
- b. The number of residential units on a Receiving Site within the Urban Expansion area of the Urban Growth Boundary (UGB) may be increased or decreased above or below that allowed by its future land use designation through the purchase and utilization of TDR credits.
  - i. Increasing Density. New development or redevelopment beyond the maximum density of dwelling units per acre designated may increase to one hundred seventy-five (175) percent of the established maximum dwelling units per acre. This increase in density shall only occur through the use of TDR credits acquired from Sending Areas at a rate of one (1) TDR credit per every dwelling unit above the allowable units based on the maximum density.
  - ii. Decreasing Density. Development below the minimum net density of dwelling units per acre designated may only decrease to eighty (80) percent of the established minimum dwelling units per acre. This decrease in density shall only occur through the use of TDR credits acquired from the Sending Areas at a rate of three (3) TDR credits per every one (1) dwelling unit decrease.

**L. WASTE RELATED SERVICES (INCLUDING BIOSOLIDS TREATMENT FACILITIES).** Biosolids Treatment Facilities, and also including but not limited to composting facilities, and other waste related uses shall be permitted as indicated in the Use Tables subject to the following:

1. Biosolids Treatment Facilities and other waste-related uses shall meet all relevant Federal and state regulations. The minimum standards shall be pursuant to the Florida Administrative Code (FAC), as amended, and as authorized and monitored by the Health Department and the Florida Department of Environmental Protection.
2. The owner, owner's authorized agent and/or operator of the Biosolids Treatment Facility shall be responsible for using site management practices pursuant to the FAC.
- 3.

Buffer/setback requirements shall be as provided in the FAC, as amended, with the following additional requirements: any portion of the proposed facility shall be located not less than one thousand five hundred (1,500) feet from any occupied building (except for occupied buildings in the proposed facility) or well, five hundred (500) feet from any property line associated with an existing residential home on adjacent property, water body or wetland, and/or two hundred fifty (250) feet from any non-residential property line.

4. The Biosolids Treatment Facility or other waste-related use areas shall have direct paved access in fee simple or by private ingress/egress easement to an avenue or boulevard or other adequate access surface and/or design if approved by the County Manager.
5. For any activity in the AC zoning district, the following additional minimum standards shall apply:
  - a. Any activity shall be ancillary to the primary agricultural use.
  - b. The owner, applicant and/or owner's authorized agent shall provide operational plan confirming hours of operation, sources of any imported residuals, haul routes, number of trucks entering and exiting the property, and practices for demonstrating compliance with minimum standards, with particular attention to odors, noise, water quality and airborne pathogens.
  - c. All activities related to the Biosolids Treatment Facility, including any imported raw materials, processing of partially treated and fully treated materials, and storage, must be conducted inside an enclosed building (building or structure must have a roof and four (4) walls, which fully enclose the interior of the building from the floor to the ceiling, except for doors or mechanical ventilation systems in compliance with this Code) with an impervious floor and system for preventing leachate from leaking into the soils (e.g., approved liner beneath concrete, etc.) and groundwater beneath or surrounding the building. A Biosolids Treatment Facility incorporating a static aerobic pile and/or windrow method of treatment where there is no turning or disturbance within thirty (30) days after initial placement of the compost/biosolid piles or windrows and continuing throughout the active compost phase will be exempt from the requirements of conducting the treatment process inside an enclosed building, but shall be required to provide an impervious surface (e.g., i. synthetic liner such as non-woven PVC, polyethylene, or polypropylene under rigid pavement wearing surface, or ii. natural clay or bentonite clay liner under flexible pavement) for the treatment area and system for preventing leachate from leaking into the soils and groundwater beneath or surrounding the treatment area. The wearing surface must have a minimum structural number of a local street for flexible pavement or minimum thickness for a local street for rigid pavement provided for in the Land Development Code. The liner and impervious wearing surface shall be designed by a Florida Registered Professional Engineer to support pavement loads and protect approved liner from damage.

- d. Any proposed building, surface, or structure to be used for the Biosolids Treatment Facility or other waste related services that is located within the 100-year floodplain shall be constructed at least one (1) foot above the base flood elevation.
  - e. The owner, applicant and/or owner's authorized agent shall obtain Site Development Permit, Building Permit, as well as permits from all other entities as required by state, federal and local law, in compliance with approved Conditional Use petition, including any conditions of approval.
  - f. The owner, applicant and/or owner's authorized agent shall provide annual monitoring report to the County Manager in order to document compliance with Conditional Use approval, which shall include testing results (public drinking water standards plus lead and nitrates) from Health Department of any existing wells within a one-half (½) mile radius of Biosolids Treatment Facility.
- 6. Any application for Federal or State approval, and applications for modification to an approved permit, shall be submitted to the County Manager within three (3) business days of submittal to the applicable agency.
  - 7. If at any time an approved Biosolids Treatment Facility or other waste related use is deemed to be non-compliant with its Conditional Use approval, including any FAC requirements, the County Manager may suspend the approval until such time as the activity is brought into compliance or revoke the approval, as deemed appropriate. County personnel may access the property to ensure compliance, with reasonable notification to the property owner, applicant and/or owner's authorized agent. This does not prevent the County from enforcing its regulations in any other means deemed consistent with this Code and applicable regulations.

**M. WATER BODIES FOR THE PROPAGATION OF MARINE FOODS.** Water bodies for the propagation of fish for personal consumption is permitted as indicated in the Use Tables and subject to requirements of the Florida Fish and Wildlife Conservation Commission and the Florida Administrative Code.

(Ord. No. 2022-125, § 3, 2-20-2023; Ord. No. 2024-40, § 1, 7-15-2024)

#### 4.7.9 - OFF-STREET LOADING

Adequate off-street loading areas shall be provided that will allow for off-street loading, unloading and maneuvering of commercial vehicles that will be servicing commercial buildings. There shall be no loading or unloading of commercial vehicles on public rights-of-way. Ingress and egress for emergency vehicles shall not be impeded. Off-street maneuvering shall be provided so that there is no backing onto or from a public street.

- A. Service/loading areas shall be accessed by a rear alley, rear lane, shared driveway or local street other than a primary street within Centers.

- B. Off-street surface parking areas and service/loading areas shall be screened from the public right-of-way by liner buildings or a landscaping/street screen.

| Standards                                                  | AC                   | RS        | ARE              |
|------------------------------------------------------------|----------------------|-----------|------------------|
| Maximum residential density                                | 1 du per 5 acres     | 2 du/1 ac | 1 du per 5 acres |
| Area, minimum (acres)                                      | 5 acres <sup>1</sup> | 0.25 ac   | 1 acre           |
| Lot width at front building line                           | N/A                  | N/A       | N/A              |
| Building height for residential structures                 | 3 stories            | 3 stories | 3 stories        |
| Front setback                                              | 25                   | 10        | 10               |
| Rear setback                                               | 25                   | 25        | 25               |
| Interior side setback                                      | 20                   | 10        | 10               |
| Street side setback                                        | 25                   | 15        | 15               |
| Accessory buildings, from principal structure <sup>2</sup> | 5                    | 5         | 5                |

**Table 4.7.8 REQUIRED OFF-STREET PARKING**

| Number Reference | Specific Uses                                              | Parking Spaces per Unit | Unit                             | Additional Comment                                                       |
|------------------|------------------------------------------------------------|-------------------------|----------------------------------|--------------------------------------------------------------------------|
| 1                | Single-Family Residential (attached or detached)           | 2                       | DU                               | For dwelling units with up to two (2) bedrooms                           |
|                  | Single-Family Residential (attached or detached)           | 4                       | DU                               | For dwelling units with three (3) or more bedrooms                       |
|                  | Single-Family (Detached) Residential in CT zoning district | 4                       | Add 0.5 for every Bedroom over 4 | Refer to siting standards in <a href="#">Chapter 3</a> , Article 3.8.1.N |
|                  | Single-Family (Attached) Residential in CT zoning district | 2                       | Add 0.5 for every Bedroom over 4 | Refer to siting standards in <a href="#">Chapter 3</a> , Article 3.8.1.N |
| 2a               | Multi-Family Dwelling                                      | 1.5                     | DU                               | For studio or one-bedroom dwelling unit                                  |
| 2b               | Multi-Family Dwelling                                      | 2                       | DU                               | For dwelling units with two or more bedrooms                             |
| 3                | Educational Facilities (Private) Pre-School                | 1                       | 5 Students                       | Calculation shall be based on design capacity of the facility            |

**Table 4.7.8 REQUIRED OFF-STREET PARKING**

| <b>Number Reference</b> | <b>Specific Uses</b>                                                                                         | <b>Parking Spaces per Unit</b> | <b>Unit</b>          | <b>Additional Comment</b>                              |
|-------------------------|--------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------|--------------------------------------------------------|
| 4                       | Educational Facilities (Private) Elementary/ Middle/ K-8/ High School/ Vocational Schools/ Community College | 1                              | Faculty/Staff Member |                                                        |
|                         | Educational Facilities (Private) High School                                                                 | 1                              | 10 Students          | In addition to the requirement per Faculty/Staff above |
|                         | Vocational Schools/Community College                                                                         | 1                              | 2 Students           | In addition to the requirement per Faculty/Staff above |
| 5                       | Hospital/Health Institute                                                                                    | 1.5                            | Bed                  |                                                        |
| 6                       | Nursing Home                                                                                                 | 1                              | 2 Beds               |                                                        |
| 7                       | Assisted Living Facility                                                                                     | 1                              | 4 Beds               |                                                        |
| 8                       | Houses of Worship                                                                                            | 1                              | 3 Seats              |                                                        |
| 9                       | Cocktail Lounge or Bar                                                                                       | 1                              | 40 GSF               |                                                        |
| 10                      | Convenience Retail with Gas Pumps                                                                            | 1                              | 200 GSF              |                                                        |
| 11                      | Hotel/Motel                                                                                                  | 1                              | 1 Room               |                                                        |

**Table 4.7.8 REQUIRED OFF-STREET PARKING**

| <b>Number Reference</b> | <b>Specific Uses</b>                                                              | <b>Parking Spaces per Unit</b> | <b>Unit</b> | <b>Additional Comment</b> |
|-------------------------|-----------------------------------------------------------------------------------|--------------------------------|-------------|---------------------------|
| 12                      | Offices and Professional Services                                                 | 1                              | 300 GSF     |                           |
| 13                      | Restaurant                                                                        | 1                              | 100 GSF     |                           |
| 14                      | Retail Sales and Services                                                         | 1                              | 300 GSF     |                           |
| 15                      | Multi-Tenant Shopping Center—<br>25,000 Gross Square Feet (GSF) or less           | 1                              | 250 GSF     |                           |
| 16                      | Multi-Tenant Shopping Center—<br>Greater than 25,000 GSF but Less Than 75,000 GSF | 1                              | 350 GSF     |                           |
| 17                      | Multi-Tenant Shopping Center—<br>75,000 GSF or Greater                            | 1                              | 400 GSF     |                           |

**Table 4.7.8 REQUIRED OFF-STREET PARKING**

| Number Reference | Specific Uses                                                                 | Parking Spaces per Unit | Unit                                  | Additional Comment                                                    |
|------------------|-------------------------------------------------------------------------------|-------------------------|---------------------------------------|-----------------------------------------------------------------------|
| 18               | Vehicle Sales/Lease and Service                                               | 1                       | 200 GSF Office Space                  | In addition to requirements for Office Space and Display Area         |
| 18<br>19         | Vehicle Sales/Lease and Service (continued)                                   | 1                       | 2,500 GSF of Display Area             |                                                                       |
|                  | Vehicle sales/Lease and Service (continued)                                   | 3                       | Mechanical/ Diagnostic Repair Station |                                                                       |
|                  | Industrial Tenant-Occupied Building                                           | 1                       | 500 GSF Office Space                  | In addition to requirements for Mechanical/ Diagnostic Repair Station |
| 19<br>20         | Industrial Tenant-Occupied Building                                           | 1                       | Mechanical/ Diagnostic Repair Station | In addition to requirements for Office Space                          |
|                  | Heavy Industrial                                                              | 1                       | 1,000 GSF                             |                                                                       |
| 21               | Wholesaling, Warehousing, Storage and Distribution — Less than 20,000 GSF     | 1                       | 2,000 GSF                             |                                                                       |
|                  | Wholesaling: Warehousing, Storage and Distribution — 20,000 GSF to 40,000 GSF | 1                       | 2,500 GSF                             |                                                                       |

**Table 4.7.8 REQUIRED OFF-STREET PARKING**

| <b>Number Reference</b> | <b>Specific Uses</b>                                                         | <b>Parking Spaces per Unit</b> | <b>Unit</b>                     | <b>Additional Comment</b>                                         |
|-------------------------|------------------------------------------------------------------------------|--------------------------------|---------------------------------|-------------------------------------------------------------------|
| 22                      | Wholesaling, Warehousing, Storage and Distribution — Greater than 40,000 GSF | 1                              | 3,000 GSF                       |                                                                   |
|                         | Self-Storage/ Mini Warehouse<br>With no truck or equipment rental            | 1                              | 100 Storage units               | In addition to requirements for Offices/Retail Sales and Services |
|                         | Self-Storage/ Mini Warehouse<br>With truck or equipment rental               | 1                              | 3,000 GSF of storage facilities | In addition to requirements for Offices/Retail Sales and Services |
| 23                      | Public Assembly                                                              | 1                              | 4 Seats                         |                                                                   |
| 24                      | Non-residential uses within an Urban Infill Center                           | 1                              | 500                             | Not to exceed 110% of the required                                |

TABLE 3.2 PRECEDING ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX

| Type District             | Zoning Abbr. | Zoning District                                 | Minimum Standards |                      |           |                     |      |       |
|---------------------------|--------------|-------------------------------------------------|-------------------|----------------------|-----------|---------------------|------|-------|
|                           |              |                                                 | Lot Size          | Lot Width            | Bldg Hgh. | Setbacks (in feet)* |      |       |
|                           |              |                                                 |                   |                      |           | Front               | Rear | Sides |
| Residential Single Family | AC           | Agricultural Development and Conservation       | 5 acres           | 200 ft. <sup>7</sup> | 2 stories | 25                  | 25   | 25    |
|                           | R-2          | Rural Development (two acres)                   | 2 acres           | 150 ft.              | 2 stories | 25                  | 25   | 20    |
|                           | R2-M         | Rural Development (two acres—manufactured home) | 2 acres           | 150 ft.              | 2 stories | 25                  | 25   | 20    |
|                           | R-1          | Rural Development (one acre)                    | 1 acre            | 125 ft.              | 2 stories | 25                  | 25   | 20    |
|                           | R1-M         | Rural Development (one-acre manufactured home)  | 1 acre            | 125 ft.              | 2 stories | 25                  | 25   | 20    |
|                           | E-5          | Estate Development                              | 5 acres           | 200 ft.              | 2 stories | 25                  | 25   | 20    |
|                           | E-2          | Estate Development                              | 2 acres           | 150 ft.              | 2 stories | 25                  | 25   | 20    |
|                           | E-2A         | Estate Development                              | 2 acres           | 150 ft.              | 2 stories | 25                  | 25   | 20    |

**TABLE 3.2 PRECEDING ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX**

| Type District | Zoning Abbr. | Zoning District                          | Minimum Standards |           |           |                     |      |       |
|---------------|--------------|------------------------------------------|-------------------|-----------|-----------|---------------------|------|-------|
|               |              |                                          | Lot Size          | Lot Width | Bldg Hgh. | Setbacks (in feet)* |      |       |
|               |              |                                          |                   |           |           | Front               | Rear | Sides |
|               | E-1          | Estate Development                       | 1 acre            | 125 ft.   | 2 stories | 25                  | 25   | 20    |
|               | E-1A         | Estate Development                       | 1 acre            | 125 ft.   | 2 stories | 25                  | 25   | 20    |
|               | RS-1         | Residential Single Family                | 15,000 sq. ft.    | 100 ft    | 2 stories | 25                  | 25   | 15    |
|               | RS-1A        | Residential Single Family                | 15,000 sq. ft.    | 100 ft.   | 2 stories | 25                  | 25   | 15    |
|               | RS-1C        | Residential Single Family                | 21,780 sq. ft.    | 100 ft.   | 2 stories | 25                  | 25   | 15    |
|               | RS-2         | Residential Single Family                | 10,000 sq. ft.    | 85 ft.    | 2 stories | 25                  | 25   | 12    |
|               | RS-3         | Residential Single Family                | 7,500 sq. ft.     | 65 ft.    | 2 stories | 25                  | 25   | 7½    |
|               | RMH          | Residential Manufactured Housing (house) | 7,000 sq. ft.     | 65 ft.    | 2 stories | 25                  | 25   | 10    |

**TABLE 3.2 PRECEDING ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX**

| Type District | Zoning Abbr. | Zoning District                              | Minimum Standards |           |           |                     |      |       |
|---------------|--------------|----------------------------------------------|-------------------|-----------|-----------|---------------------|------|-------|
|               |              |                                              | Lot Size          | Lot Width | Bldg Hgh. | Setbacks (in feet)* |      |       |
|               |              |                                              |                   |           |           | Front               | Rear | Sides |
|               | RMH          | Residential Manufactured Housing (duplex)    | 9,500 sq. ft.     | 95 ft.    | 2 stories | 25                  | 25   | 10    |
|               | RMH          | Residential Manufactured Housing (triplex)   | 12,500 sq. ft.    | 125 ft.   | 2 stories | 25                  | 25   | 10    |
|               | RMH          | Residential Manufactured Housing (townhouse) | 15,500 sq. ft.    | 155 ft.   | 2 stories | 25                  | 25   | 10    |
|               | RMH-1        | Residential Manufactured Housing (house)     | 21,780 sq. ft.    | 100 ft.   | 2 stories | 25                  | 25   | 10    |
|               | RMH-1A       | Residential Manufactured Housing (house)     | 10,000 sq. ft.    | 80 ft.    | 2 stories | 25                  | 25   | 10    |
|               |              | Residential Manufactured Housing (duplex)    | 12,500 sq. ft.    | 80 ft.    | 2 stories | 25                  | 25   | 10    |

**TABLE 3.2 PRECEDING ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX**

| Type District | Zoning Abbr. | Zoning District                            | Minimum Standards |           |           |                     |      |       |
|---------------|--------------|--------------------------------------------|-------------------|-----------|-----------|---------------------|------|-------|
|               |              |                                            | Lot Size          | Lot Width | Bldg Hgh. | Setbacks (in feet)* |      |       |
|               |              |                                            |                   |           |           | Front               | Rear | Sides |
| Multi-Family  | RM-1         | Residential Multi-Family One (house)       | 7,000 sq. ft.     | 70 ft.    | 2 stories | 25                  | 25   | 10    |
|               | RM-1         | Residential Multi-Family One (duplex)      | 9,500 sq. ft.     | 95 ft.    | 2 stories | 25                  | 25   | 10    |
|               | RM-1         | Residential Multi-Family One (triplex)     | 12,500 sq. ft.    | 125 ft.   | 2 stories | 25                  | 25   | 10    |
|               | RM-1         | Residential Multi-Family One (all other)   | 20,000 sq. ft.    | 150 ft.   | 2 stories | 25                  | 25   | 10    |
|               | RM-2         | Residential Multi-Family Two (house)       | 7,000 sq. ft.     | 70 ft.    | 3 stories | 25                  | 25   | 10    |
|               | RM-2         | Residential Multi-Family Two (duplex)      | 9,500 sq. ft.     | 95 ft.    | 3 stories | 25                  | 25   | 10    |
|               | RM-2         | Residential Multi-Family Two (triplex)     | 12,500 sq. ft.    | 125 ft.   | 3 stories | 25                  | 25   | 10    |
|               | RM-2         | Residential Multi-Family Two (townhouse)   | 15,500 sq. ft.    | 155 ft.   | 3 stories | 25                  | 25   | 10    |
|               | RM-2         | Residential Multi-Family Two (garden apt.) | 20,000 sq. ft.    | 200 ft.   | 3 stories | 25                  | 25   | 10    |
|               |              |                                            |                   |           |           |                     |      |       |

**TABLE 3.2 PRECEDING ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX**

| Type District | Zoning Abbr. | Zoning District                                         | Minimum Standards |           |           |                     |      |       |
|---------------|--------------|---------------------------------------------------------|-------------------|-----------|-----------|---------------------|------|-------|
|               |              |                                                         | Lot Size          | Lot Width | Bldg Hgh. | Setbacks (in feet)* |      |       |
|               |              |                                                         |                   |           |           | Front               | Rear | Sides |
|               | RM-2         | Residential Multi-Family Two (all others)               | 20,000 sq. ft.    | 200 ft.   | no limit  | 25                  | 25   | 10    |
|               | RM-3         | Residential Multi-Family Three (duplex)                 | 9,500 sq. ft.     | 95 ft.    | no limit  | 25                  | 25   | 10    |
|               | RM-3         | Residential Multi-Family Three (triplex)                | 12,500 sq. ft.    | 125 ft.   | no limit  | 25                  | 25   | 10    |
|               | RM-3         | Residential Multi-Family Three (townhouse)              | 15,500 sq. ft.    | 155 ft.   | no limit  | 25                  | 25   | 10    |
|               | RM-3         | Residential Multi-Family Three (garden apt)             | 20,000 sq. ft.    | 200 ft.   | no limit  | 25                  | 25   | 10    |
|               | RM-3         | Residential Multi-Family Three (apartments/hotel-motel) | 40,000 sq. ft.    | 200 ft.   | no limit  | 25                  | 25   | 10    |