



O S C E O L A C O U N T Y
BOARD OF COUNTY COMMISSIONERS ^{12m} 4

PHONE: 407 / 847-1200

17 SOUTH VERNON AVENUE, ROOM 155

KISSIMMEE, FLORIDA 34741-5488

January 25, 1993

Mr. Ben Sharma
Kissimmee Utility Authority
1701 West Carroll Street
Kissimmee, FL 34741

REF: CU/SDP 92-86 -- Kissimmee Utility Authority (Combustion
Turbine Power Plant)

Dear Mr. Sharma:

Your referenced request for a Conditional Use/Site Development Plan approval was granted by the Osceola Board of County Commissioners at their meeting of January 11, 1993, subject to compliance with the following conditions:

A. STANDARD CONDITIONS:

1. Drainage and Stormwater Management Plans and Calculations to be approved by County Engineer prior to submitting plans for building permits. A benchmark will be required at a location to be noted on the approved drainage plans. The project engineer shall pick up a brass disk for the BM at the County Engineer's Office. All paving and drainage to be constructed per approved plans prior to receiving a Certificate of Occupancy.
3. South Florida Water Management District permit is required for surface water system evaluation.
20. Stop signs and stop bars required at project entrance and exit to Old Tampa Highway.
23. Applicant must maintain tree canopy based on tree-point requirement of County Tree Ordinance.
26. Applicant will need to obtain a tree removal permit prior to removing any trees (4 inches DBH) from the site.
28. Applicant shall provide 1/2" dry pre-treatment retention.
32. Applicant will need to submit a tree planting plan showing all trees to be removed, retained, and/or replanted, noting their size (in DBH), type and location on the site plan, to meet the tree point requirement.
33. Applicant will need to submit a copy of the tree removal permit to the County Engineering Department prior to final engineering/construction plans approval.

Charles Owen / Jim Swan / John Pate / Larry Whaley / Reidy Williams
COUNTY ATTORNEY NEAL D. BOWEN - CLERK MEL WILLS, JR.

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B. SPECIAL AND VOLUNTARY AGREEMENT CONDITIONS:

1. Approved copies of any required dredge and fill permits to be filed with the County Engineer.
2. Approved copies of any required DER permits for above ground storage tanks to be filed with the County Engineer.
3. Applicant shall pave the entrance road approach to Old Tampa Highway with 24' width pavement and required radii.
4. Approval of this Conditional Use shall void CU/SDP 91-90 as approved by the Board of County Commissioners on February 17, 1992.
5. Provide for compensating storage within the 100 year flood plain.
6. Access road 24' pavement and minimum 50' curb radius shall be a private easement.
7. Applicant to address KUA's intention to meander transmission lines within the 300 ft. corridor to avoid clear cutting.
8. Applicant shall submit SFWMD, DER and ACOE jurisdictional line determinations. Jurisdictional line approvals or acceptance will need to be indicated on all plans.
9. Any proposed alterations of State or federal jurisdictional areas will need to be approved by those agencies. The applicant shall submit letters of conceptual approval or approved permits and approvals from the applicable agencies to the Zoning Division prior to construction plan or building permit approval.
10. The Conditional Use/Site Development Plan requirement of submittal of a building permit will be satisfied if one of the following is submitted within the time frame allowed: dredge and fill permit from DER or a storm water management permit from SFWMD.
11. Within 30 days of commencement of operation of each phase of the combustion turbine power plant (the Facility), applicant shall monitor and model the noise impacts from the Facility at the boundaries of KUA site to ensure that the noise impact generated by the Facility complies with EPA, State and County regulations. The applicant shall forward the results of the monitoring and modelling to the County Zoning Division. If the noise impacts exceed the respective standards of the EPA, State or County regulations, the applicant shall immediately take corrective action to bring operation of the Facility into compliance with the respective regulations.
12. Draft conservation easement agreement language shall be amended to include the submittal of copies of the monitoring reports to the Zoning Division (Item 3.e.).

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13. No construction will be allowed until the conservation easement agreement is finalized and executed.
14. KUA agrees to increase the height of the utility lines ten feet (10') higher than the State requirements.
15. KUA agrees not to exceed the sound level of 55 (db) at the property line in the residential areas.
16. If Osceola County can negotiate the establishment of a site for a future park with the South Florida Water Management District, KUA will not object.
17. KUA agrees to comply with any future changes which relate to the magnetic field which would cause the regulatory agencies to change the regulations.
18. KUA agrees that replacement plants will include evergreen trees around the facility and along the easement for an additional buffer and would not clear cut the right-of-way.
19. KUA agrees to work with residents concerning the spacing of utility poles along the easement.

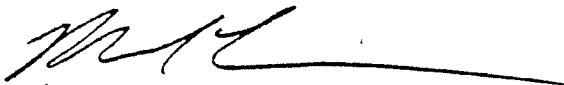
Note: Staff recommends that the applicant recognize the existence of an easement for adjacent property owner to existing crossing of Seaboard Coastline Railroad.

The Conditional Use/Site Development Plan requirement of submittal of a building permit will be satisfied if one of the following is submitted within the time frame allowed: dredge and fill permit from DER or a storm water management permit from SFWMD. The dredge and fill permit or the storm water management permit must be submitted within one year of the approval date by the Board of County Commissioners or the approval will become void.

If we can be of further assistance, please contact the Planning Department at 847-1380.

Respectfully,

PLANNING DEPARTMENT



Michael Kloehn
Planning Director

vj

c: Mr. David M. Lefebvre