



**PLANNING ADVISORY BOARD AGENDA
SESSION OF THE PLANNING ADVISORY BOARD TO BE HELD AT THE
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, AUGUST 18, 2021
6:00 PM**

1. MEETING CALLED TO ORDER

"As a courtesy to others, please silence all electronic devices during the meeting."

"Any testimony or public comment submitted to CityClerkEmail@kissimmee.gov prior to the start of the meeting shall be read into the record during the presentation of the agenda item(s)."

"If any board members have conflicts-of-interest with any agenda item(s), please state for the record and abstain from voting on the item(s)."

"If any board members have had ex-parte communication with the applicant or general public about an item(s) on the agenda, please make mention and state for the record."

"If any board members have conducted site visits to a parcel of land with any agenda item(s), please make mention and state for the record."

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. MINUTES

3.A PLANNING ADVISORY BOARD MINUTES APPROVAL

Approval of the August 4, 2021 Planning Advisory Board meeting minutes.

4. OLD BUSINESS

5. NEW BUSINESS

5.A PUBLIC HEARING - DRC#20-00076 MILL CREEK MALL: ZONING MAP AMENDMENT - (HC TO MUPUD) - PROPOSED ORDINANCE NO. 21-11

Recommendation of approval of a zoning map amendment from HC (Highway Commercial) to MUPUD (Mixed Use Planned Unit Development) to establish use and design standards on 17.45 acres of land.

- 6. DISCUSSION**
- 7. HEAR CHAIRMAN AND BOARD MEMBERS**
- 8. ADJOURNMENT**

IN ACCORDANCE WITH FLORIDA STATUTES 286.105: ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.

IN ACCORDANCE WITH FLORIDA STATUTE 286.26, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE OFFICE OF THE CITY CLERK, 101 CHURCH STREET, KISSIMMEE, FL 34741, (407) 518-2309.

ITEM 3.A

PLANNING ADVISORY BOARD MINUTES APPROVAL

Request

Approval of the August 4, 2021 Planning Advisory Board meeting minutes.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve

Attachment(s):

1. pab.080421

ITEM 5.A

PUBLIC HEARING - DRC#20-00076 MILL CREEK MALL: ZONING MAP AMENDMENT - (HC TO MUPUD) - PROPOSED ORDINANCE NO. 21-11

Request

Recommendation of approval of a zoning map amendment from HC (Highway Commercial) to MUPUD (Mixed Use Planned Unit Development) to establish use and design standards on 17.45 acres of land.

Explanation

This rezoning to MUPUD is to establish additional uses and design standards for the Mill Creek Mall. The 111,848 sq. ft. mall consists of primarily retail and professional uses within two (2) separate buildings on two (2) separate parcels. The larger, primary building (Lot 4) consists of a total 101,848 sq. ft. (excludes 11,450 sq. ft. internal atrium/hallway area). The smaller 10,000 sq. ft. building addition on Lot 3 was constructed in 2000. The additional MUPUD uses include outdoor events for mobile food vendors, farmer's market, car shows and seasonal special events within a designated Outdoor Event Area in the existing parking lot. This rezoning also includes leasing service establishments (no display or storage of vehicles outdoors), gasoline service stations, drive through facilities, public and private schools, indoor shooting ranges, multi family, townhomes, and a variety of other new uses.

With the location of the property within the former Vine St. Overlay, this district has evolved to incorporate the City's Form Based Code (FBC) standards in the amended Land Development Code (LDC) adopted on August 4, 2020, effective on September 1, 2020. The Vine St. Overlay included form based principles and the FBC enhanced those previous principles to encourage and promote redevelopment on underdeveloped sites, infill development, the aggregation of lots, and promote transit-oriented design. The applicant submitted a MUPUD rezoning request prior to the adoption of the FBC in July 2020. Prior to the PMUD submittal, the property was intended to transition to the T5-U (Mixed Use Urban Corridor) transect zoning which most appropriately aligns with the City's vision along the Vine St. corridor. The T5-U transect zoning district standards has been established for most of the development standards within this PMUD rezoning submittal.

Staff coordinated with the applicant to ensure that development and design standards within the PMUD rezoning submittal addressed the existing site improvements and how the additional uses would be facilitated on the site and minimize adverse impacts. The 10,000 sq. ft. building addition on Lot 3 displaced parking spaces and previous approvals addressed concerns with insufficient parking to support uses and activities on the site. A non exclusive access easement with the two (2) adjacent parcels that are not included with this PMUD rezoning provides additional, shared parking (661 parking spaces). All additional uses must be reviewed through the development review process in order to ensure that there are adequate site improvements (e.g., parking, landscaping, access/circulation, stormwater, etc.) to facilitate these uses.

FINDINGS AND REASONS:

1. Compliance with the intent of the MUPUD zoning district as outlined in Sections 14-3-28 and 14-4-8(D) of the Land Development Code.

City of Kissimmee

2. Compliance with the allowable uses as outlined in Section 14-4-8(D)(3)(c) as the proposed commercial and residential uses are consistent with the Mixed Use Vine Street Overlay District intent of compact, mixed-use urban-style development patterns that promote walkable, pedestrian-friendly public spaces and retail and light industrial/flex office space and professional offices.
3. Compliance with Policy 1.2.9.3, Mixed Use - Vine Street Overlay District (MU-V) Future Land Use Designation, outlined in the Future Land Use Element of the Comprehensive Plan intended to transform existing strip-style, highway commercial development with compact, high density, mixed-use urban-style development patterns that can include retail and light industrial/flex office space and professional offices.
4. Compliance with the site design regulations such as density, lot area, setbacks, building separation, height, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-4-8(D)(4).

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

Development Review Committee (DRC) recommended approval on March 2, 2021.

CONDITIONS:

1. All outdoor and seasonal special events must be conducted within the designated Outdoor Event Area (Figure 3-8). No outdoor and seasonal special events is permitted outside of the Outdoor Event Area.
2. All outdoor and seasonal special events must obtain a valid Business Tax Receipt (BTR) and any applicable building permits prior to any sales occurring outdoors.
3. Outdoor events include mobile food vendors, farmer's market, and car shows.
4. Seasonal special events include all other outdoor sales and special events and is limited to a maximum of sixty (60) calendar days per year.
5. Vehicular sales in association with car shows is prohibited.
6. A Fire Inspection must be completed 24 hours in advance of all outdoor and seasonal sales events.
7. The Outdoor Event Area must be roped off from the existing parking area. Barricades and detour signs must be provided to ensure adequate maintenance of traffic. Particular attention shall be given to traffic flow and control, auto and pedestrian safety.
8. Outdoor storage of vehicles and materials is prohibited.
9. The Outdoor Event Area must be restored and utilized as standard parking spaces when outdoor activities are not occurring. Vehicles and materials associated with outdoor events and seasonal special events must be removed after events.
10. Trash cans or the equivalent shall be placed throughout the Outdoor Event Area. Immediately after each event, the applicant shall clean the site, adjacent site(s) and rights-of-way of any debris from the events.
11. Consumption or possession of alcohol during outdoor events shall be prohibited. Consumption or

possession of alcohol for seasonal special events must be within cordoned-off areas, sold only by vendors currently licensed to sell alcohol, and shall be patrolled by a city police officer or officers, who shall be paid as a special detail by the promoter of the special event. The number of police officers required at any special event shall be determined by the Kissimmee Police Department based on its evaluation of the security needs of the promoter and the safety of the public.

12. All proposed new uses must meet the City's Site Plan and other development review criteria and approvals to ensure adequate site improvements can accommodate new uses.

13. Any proposed public schools require Site Plan and minor Construction Plan review and approval.

14. If adequate parking or infrastructure improvements for additional uses and phases is not provided, these improvements must be completed prior to commencing uses or phases.

15. Failure to obtain proper permits, inspections, and conditions of approval may result in the forfeiture of future outdoor events. The City reserves the right to limit, alter, or deny outdoor events that adversely impact neighboring businesses or residents, impose a safety hazard, creates noise disturbance not appropriate for the location, place the City in a position of liability, or overextends the City's ability to provide services.

Attachment(s):

1. 20-00076 Vicinity Map
2. 20-00076 Aerial Map
3. 20-00076 Mill Creek Mall MUPUD Narrative
4. 20-00076 Mill Creek Mall Figures
5. 20-00076 Mill Creek Mall Parking Figure
6. 20-00076 Site Data Tables
7. 20-00076 Proposed Ord. 21-11
8. 20-00076 Osceola County Letter
9. 20-00076 Mill Creek Mall PAB Ad
10. 20-00076 DRC Comments
11. 20-00076 DRC Application