



**MEETING AGENDA
SESSION OF THE PLANNING ADVISORY
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, MARCH 16, 2022 AT 6:00 PM**

- 1. MEETING CALLED TO ORDER**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. MINUTES**
 - 3.A APPROVAL OF THE FEBRUARY 16, 2022 PLANNING ADVISORY BOARD MEETING MINUTES.
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - 5.A PUBLIC HEARING: CU-22-0001 - OPPORTUNITY CENTER MURAL: AUTHORIZATION OF A TRUE WORK OF ART
PUBLIC HEARING: CU-21-0001 - MLK COMMERCIAL: CONDITIONAL USE WITH
 - 5.B SITE PLAN (RETAIL SALES, RESTAURANT, BUSINESS SERVICES, OFFICE, & INDOOR PRIVATE RECREATION)
- 6. PUBLIC HEARINGS**
- 7. DISCUSSION**
- 8. HEAR CHAIRMAN AND BOARD MEMBERS**
- 9. ADJOURNMENT**

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

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

ITEM 3.A

APPROVAL OF THE FEBRUARY 16, 2022 PLANNING ADVISORY BOARD MEETING MINUTES.

Request

Approval of the February 16, 2022 Planning Advisory Board meeting minutes.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve

Attachment(s):

1. pab.02.16.22.minutes



**MEETING MINUTES
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, FEBRUARY 16, 2022 AT 6:00 PM**

Board Members Present: Chairman Robert Bussiere, Vice Chairman Jeffrey Wolff, **(Absent)**, Member Diana Marrero-Pinto, Member Robert Spalding, Member Jackie Espinosa, Fatima Santiago, Jason Lindsey, School Board-(Arrived at 6:20)

Staff Members Present: Craig Holland, Director, Douglas Etheredge, Assistant Director, Brenda Ryan, Planning Manager, Patricia Prevost, Planner I, Kalanit Oded, Deputy City Attorney, Yolanda Hazley, Planning Technician

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

Due to technical difficulties, the minutes could not be transcribed in its entirety.

ACTION: Member Spalding made a motion to approve the minutes of the December 15, 2021, Planning Advisory Board meeting. Seconded by Member Espinosa.

CHAIRMAN BUSSIERE	AYE	Member Marrero-Pinto	AYE
MEMBER SPALDING	AYE	Member Santiago	AYE
MEMBER ESPINOSA	AYE		

MOTION CARRIED 5-0

4. **OLD BUSINESS**
5. **NEW BUSINESS**
- 5.A **PUBLIC HEARING: CU-21-0005 - CHIPOTLE RESTAURANT AND RETAIL: CONDITIONAL USE WITH SITE PLAN (DRIVE THROUGH FACILITY)**

Planning Manager Ryan stated that this is a request for approval of a Conditional Use w/Site Plan for a drive-thru facility on approximately 2.06 acres of land with Mixed-Use Urban Corridor (T5-U) zoning designation.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Mixed-Use Urban Corridor (T5-U) transect zoning standards as outlined in Section 14-5-4(E) of the Land Development Code.
2. Compliance with Section 14-5-6, Table 5-1, as drive-through facilities are an

- allowed use listed as a potential conditional use allowance.
3. Compliance with 14-5-8.B, Form Based Code (FBC) standards, and Section 14-6-40 drive through development and design standards.
 4. Compliance with Section 14-3-29(G)(1)-(13) general review criteria for conditional use approval as the subject property, layout, compatibility, and public facility impacts of the project are in compliance with the Land Development Code.
 5. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.9.3, Mixed Use - Vine Street Overlay District (MU-V), intended to transform existing strip-style, highway commercial development into a connected series of mixed-use, urban scale neighborhoods and villages with diverse housing options, retail, light industrial/flex office space, and professional offices.

Staff recommends approval subject to the following 3 conditions:

1. Any additional proposed uses in Phase 2 or modifications to the approved uses of this Conditional Use approval shall be subject to the Mixed-Use Urban Corridor (T5-U) Transect Zoning uses, Form Based Code (FBC), and additional Land Development Code (LDC) standards and review(s).
2. A 5-foot wide landscape buffer shall be provided along the length of the entire drive-through facility along N. Bass Road to screen visibility to pass-by traffic.
3. A 20 foot Streetscape Zone shall be provided, consistent with the Form Based Code (FBC), along Vine Street. A 14 foot Streetscape Zone shall be provided along N. Bass Road. All sidewalks within Streetscape Zones shall be constructed and the design of the furnishing area within Streetcape Zones shall be coordinated with City Staff.

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

1. **Any additional proposed uses in Phase 2 or modifications to the approved uses of this Conditional Use approval shall be subject to the Mixed-Use Urban Corridor (T5-U) Transect Zoning uses, Form Based Code (FBC), and additional Land Development Code (LDC) standards and review(s).**
2. **A 5-foot wide landscape buffer shall be provided along the length of the entire drive-through facility along N. Bass Road to screen visibility to pass-by traffic.**
3. **A 20 foot Streetscape Zone shall be provided, consistent with the Form Based Code (FBC), along Vine Street. A 14 foot Streetscape Zone shall be provided along N. Bass Road. All sidewalks within Streetscape Zones shall be constructed and the design of the furnishing area within Streetcape Zones shall be coordinated with City Staff.**

CHAIRMAN BUSSIERE	AYE	Member Marrero-Pinto	AYE
MEMBER SPALDING	AYE	Member Santiago	AYE
MEMBER ESPINOSA	AYE		

MOTION CARRIED 5-0

5.B PUBLIC HEARING: AX-21-0001 HILLIARD PARK: ANNEXATION - PROPOSED ORDINANCE NO. 22-002

Planning Ryan stated that this is a request for approval of an Annexation to annex 13.52 acres. The subject property is located east of Simpson Rd, north of Hilliard Isle Road, south of Pebble Pointe Wy. & west of Cahokia Ct.

Staff recommends approval for the following reasons:

1. Compliance with Chapter 171 of the Florida Statutes as it meets all the criteria for voluntary annexation as the subject property is contiguous to the City Limits along the western and northern boundaries of the parcel. Municipal services, including water, sewer, drainage, police and fire protection are already provided to surrounding properties. The subject property is reasonably compact and will not result in the creation of enclaves if annexed.
2. Compliance with Section 14-2-12 annexation regulations outlined in the Land Development Code.

ACTION: Member Spalding made a motion for approval. Seconded by Member Marrero-Pinto

CHAIRMAN BUSSIERE	AYE	Member Marrero-Pinto	AYE
MEMBER SPALDING	AYE	Member Santiago	AYE
MEMBER ESPINOSA	AYE		

MOTION CARRIED 5-0

5.C PUBLIC HEARING: LUPA-21-0001 HILLIARD PARK: LAND USE AMENDMENT - SMALL SCALE - (COUNTY LDR TO CITY MF-MDR) - PROPOSED ORDINANCE NO. 22-003

Planning Manager Ryan stated that this is a request for approval of a Land Use Amendment (Small Scale) to change the Future Land Use Map designation from County-(LDR) Low Density Residential to City-(MF-MDR) Multi-Family Medium Density Residential on 13.52 acres. The subject property is located east of Simpson Rd, north of Hilliard Isle Road, south of Pebble Pointe Wy & west of Cahokia Ct.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3, Multi-Family Medium Density Residential (MF-MDR), that is intended to accommodate townhomes and multi family structures with a density of 10-20 units per acre but lesser densities may be allowed in order to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed-uses.
2. Compliance with Transportation Element Policy, 2.2.2.3: Density Support, in that transportation infrastructure and services shall support residential, non-residential, and mixed use land uses.
3. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan Text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.

Staff recommends approval subject to the following 1 condition:

1. Subject to City Commission approval of Hillard Park Annexation (AX-21-0001) and transmittal to the Department of Economic Opportunity (DEO).

ACTION: Member Spalding made a motion for denial based on traffic. Seconded by Chairman Marrero-Pinto.

1. **Subject to City Commission approval of Hillard Park Annexation (AX-21-0001) and transmittal to the Department of Economic Opportunity (DEO).**

CHAIRMAN BUSSIERE	NAY	Member Marrero-Pinto	NAY
MEMBER SPALDING	NAY	Member Santiago	NAY
MEMBER ESPINOSA	NAY		

MOTION CARRIED 5-0

5.D PUBLIC HEARING: ZMA-21-0002 HILLIARD PARK: ZONING MAP AMENDMENT (COUNTY E-1 TO CITY RB-1) - PROPOSED ORDINANCE NO. 22-004

Planning Manager stated that this is a request for approval of a Zoning Map Amendment to change the Zoning designation from County-(E1) Estate Development to City-(RB-1) Medium Density Residential on 13.52 acres of land. Subject property is located east of Simpson Rd, north of Hilliard Isle Road, south of Pebble Pointe Wy. & west of Cahokia Ct.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the RB-1 zoning district as outlined in Section 14-4-4(D) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-4-5, Table 4-1, as single family detached and townhomes are consistent and compatible with the surrounding area.
3. Compliance with the dimensional regulations for standard zoning districts as outlined in Section 14-4-6 of the Land Development Code.
4. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3, Multi-Family Medium Density Residential (MF-MDR), that is intended to accommodate townhomes, multi family structures, and lesser densities than 10 dwelling units per acre to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed-uses.
5. Compliance with Land Development Code Section 14-3-27, Zoning map and Land Development Code (LDC) amendments, in regards to the submittal and review procedures and criteria to support an amendment.

Staff recommends approval subject to the following 1 condition:

1. Subject to City Commission approval of Hillard Park Annexation (AX-21-0001) and Land Use Amendment (LUPA-21-0001).

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

1. **Subject to City Commission approval of Hillard Park Annexation (AX-21-0001)**

and Land Use Amendment (LUPA-21-0001).

CHAIRMAN BUSSIERE	AYE	Member Marrero-Pinto	NAY
MEMBER SPALDING	AYE	Member Santiago	NAY
MEMBER ESPINOSA	NAY		

MOTION TO APPROVE THE REQUEST FAILED 2-3

5.E PUBLIC HEARING: ZMA-21-0001 MILL SLOUGH ROAD: ZONING MAP AMENDMENT (MUPUD TO CITY RC-1) - PROPOSED ORDINANCE NO. 22-001

Planning Manager Ryan stated that this is a request for approval of a Zoning Map Amendment to change the zoning designation from MUPUD (Mixed-Use Planned Unit Development) to (RC-1) Multiple-Family Medium Density Residential on 30.92 acres of land.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the RC-1 zoning district as outlined in Section 14-4-4(E) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-4-5, Table 4-1, as townhomes are consistent and compatible with the surrounding area.
3. Compliance with the dimensional regulations for standard zoning districts as outlined in Section 14-4-6 of the Land Development Code.
4. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3, Multi-Family Medium Density Residential (MF-MDR), that is intended to accommodate townhomes, multi family structures, and lesser densities than 10 dwelling units per acre to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed-uses.
5. Compliance with Land Development Code Section 14-3-27, Zoning map and Land Development Code (LDC) amendments, in regards to the submittal and review procedures and criteria to support an amendment.

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

CHAIRMAN BUSSIERE	AYE	Member Marrero-Pinto	AYE
MEMBER SPALDING	AYE	Member Santiago	AYE
MEMBER ESPINOSA	AYE		

MOTION CARRIED 5-0

5.F PUBLIC HEARING: DRC#21-00092 TAPESTRY PARCEL 2, PHASES 2 & 3: PUD AMENDMENT (MULTI FAMILY APARTMENTS)

Planning Manager Ryan stated that this is a request for a approval of a (PUD) Planned Unit Development to reallocate and increase multi-family uses and phasing in Tapestry Parcel 2, Phases 2 and 3, on approximately 50.84 acres of land.

Staff recommends approval for the following reasons:

1. Compliance with Land Development Code Section 14-3-28(G), Zoning Map Amendment to Planned Unit Development, in regards to the submittal and review procedures and criteria to support PUD conceptual plan amendments.
2. Compliance with the site design regulations such as density, lot area, setbacks, building separation, height, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-4-8(D)(4).
3. Compliance with Policy 1.2.10.3, Mixed Use, Tapestry (MU-T) Future Land Use Designation, intended to be developed for mixed use purposes, which may include residential uses (such as single-family detached, single family attached, condominium, short-term rental, multi-family or age restricted housing uses), commercial uses or parks and recreational uses.

Staff recommends approval subject to the following 3 conditions:

1. Development standards will comply with the Tapestry Design Guidelines of the First Amendment to the Annexation, Planning, and Development Agreement.
2. Design and architectural standards for multi family apartments must comply with the standards in the Land Development Code (LDC).
3. Final alignment and approval of access points and other site improvements shall be through the City's development review process.

ACTION: Chairman Bussiere made a motion for approval subject to 3 conditions .
Seconded by Member Marrero-Pinto.

1. **Development standards will comply with the Tapestry Design Guidelines of the First Amendment to the Annexation, Planning, and Development Agreement.**
2. **Design and architectural standards for multi family apartments must comply with the standards in the Land Development Code (LDC).**
3. **Final alignment and approval of access points and other site improvements shall be through the City's development review process.**

CHAIRMAN BUSSIERE	AYE	Member Marrero-Pinto	AYE
MEMBER SPALDING	AYE	Member Santiago	AYE
MEMBER ESPINOSA	AYE		

MOTION CARRIED 5-0

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

Meeting adjourned at 8:15 p.m

Robert Bussiere, Chairman
Planning Advisory Board

Brenda Ryan, Planning Manager
Development Services Dept.

In accordance with Florida Statute 286.0105, any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is made.
In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the office of the City Clerk at (407) 518-2309 prior to the meeting.

ITEM 5.A

PUBLIC HEARING: CU-22-0001 - OPPORTUNITY CENTER MURAL: AUTHORIZATION OF A TRUE WORK OF ART

Request

Approval for authorization of a true work of art to allow a mural to be installed on a portion of a building facade wall located at 310 N. Clyde Ave., within a Neighborhood Restricted (T4-R) transect zoning district.

Explanation

According to the attached sketch and location map, the mural will be installed on the east wall adjacent to the front parking lot area of the Opportunity Center located at 310 N. Clyde. The artwork will consist of clouds and butterflies and measures 96 feet wide by 12 feet high.

Osceola Arts ARTisNOW Public Murals Project joins talented local artists and community members through the collaborative process of mural-making to create high-quality public murals that transform and revitalize public spaces.

FINDINGS AND REASONS:

1. Compliance with Section 14-11-16 of the Land Development Code as the mural is a true work of art and is not intended to be used as a sign as defined by Section 14-2. The additional logos and others have no direct association with the business that occupies the building where the mural will be established and the proposed mural is compatible with the character of the surrounding area in terms of size, style, colors, materials, general appearance and location.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

The Development Review Committee (DRC) recommended approval, subject to conditions, on February 15, 2022.

CONDITIONS:

1. The murals and subject building walls shall be conducted in accordance with the attachments.
2. No signage or direct association of the establishments shall be permitted within the murals.
3. Existing or proposed signage shall not be incorporated into the murals.
4. Subject to review and approval of Right-Of-Way/Easement Utilization permits and conditions.

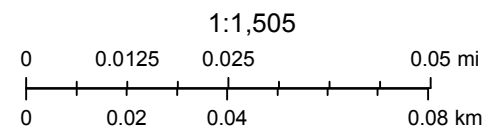
Attachment(s):

1. CU-22-0001 Vicinity Map
2. CU-22-0001 Aerial Map
3. CU-22-0001 Mural Concept
4. CU-22-0001 Planning DRC Comments
5. CU-22-0001 Public Works/Eng. DRC Comments



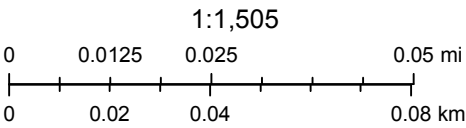
March 11, 2022

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





March 11, 2022



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



Opportunity Center: 310 N. Clyde, Kissimmee. FL 34741
 Nicole Holderbaum (artist) -mural concept to be painted on facade facing N. Clyde Street.



Montana Black paint colors

tomorrow	BLK 2110
Atom's Megablast	BLK 2120
pink cadillac	BLK 3120
pink panther	BLK 3130
punk pink	BLK 3145
beast	BLK 3148
freak	BLK 3150
illusion	BLK 3920
magic	BLK 3940
bubble bath	BLK 3985
baby blue	BLK 5020
light blue	BLK 5030
horizon	BLK 5070

Facade:
 SW Aviary Blue 6778

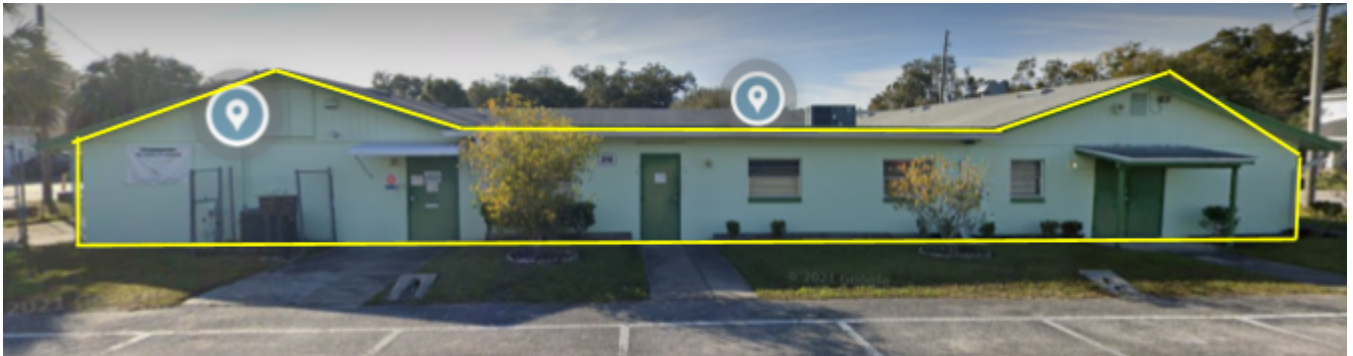
The Opportunity Center, 310 N. Clyde, Kissimmee, FL 34741, 96'ft W x 12'H (at peak)
Mural will be painted on facade facing Clyde Avenue.



Art Transforms-Building a Creative Community

Public spaces are essential ingredients in every community. Public spaces provide opportunities for people to meet and be exposed to a variety of neighbors.

ARTisNOW Osceola Arts Public Murals Project, joins talented local artists and community members through the collaborative process of mural-making to create high-quality public murals that transform and revitalize public spaces. This program will provide new ways of looking at the arts as a powerful force to inspire community dialogue, community development, and celebrate local culture. **This project is scheduled for March-April 2022. For more information please contact me at marilyn@osceolaarts.org, 407-846-6257.**





TRANSMITTAL FOR PLAN REVIEW

ADDRESS: 310 N Clyde
PLAN NUMBER: CU-22-0001

DATE: 2/9/2022

This plan has been
APPROVED WITH CONDITIONS.

Planning Division - Patricia Prevost - 407.518.2107 - Patricia.Prevost@kissimmee.gov

Please see below the comments/conditions:

1. The mural shall be established in accordance with approved plans.
2. No additional signage shall be incorporated into the mural.
3. Subject to Planning Advisory Board approval.

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

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

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation.

Provide a response to comments within one hundred eight (180) days, or a request for an extension submitted for consideration. Otherwise, the project will be considered abandoned and a new application will be required to proceed.



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

DATE: 2/9/2022
ADDRESS: 310 N CLYDE AVE
PLAN (DRC) NUMBER: CU-22-0001

Review Status:
APPROVED WITH CONDITIONS.

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

CONDITIONS OF APPROVAL

- Subject to review and approval of Right-Of-Way/Easement Utilization permits, If working on the City's Right-Of-Way. For questions please contact Engineering@kissimmee.gov.

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

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

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

ITEM 5.B

PUBLIC HEARING: CU-21-0001 - MLK COMMERCIAL: CONDITIONAL USE WITH SITE PLAN (RETAIL SALES, RESTAURANT, BUSINESS SERVICES, OFFICE, & INDOOR PRIVATE RECREATION)

Request

Request for Planning Advisory Board Conditional Use approval of retail sales, restaurant, business service, office, and indoor private recreation uses on approximately 0.674 acres of land with a Neighborhood Open (T4-O) zoning designation.

Explanation

The proposed project consists of three (3) multi tenant buildings totalling 6,050 sq. ft. Two (2) of the buildings (2,095 sq. ft. each) will front Martin Luther King, Jr. Blvd. and will be connected by a covered breezeway. The other building (1,860 sq. ft.) will front along Person St. Off-site improvements will include constructing the missing segment of Person St. that will provide a connection with Martin Luther King, Jr. Boulevard.

This Conditional Use (CU) includes a variety of uses that may not be established on the site at the same time due to the limited amount of off-street parking spaces provided. Adequate off-street parking must be provided prior to the approval of any tenant occupancy.

The property previously contained a single family home that was demolished in 2005.

FINDINGS AND REASONS:

1. Compliance with the intent of the Neighborhood Open (T4-O) transect zoning standards as outlined in Section 14-5-4(D) of the Land Development Code.
2. Compliance with Section 14-5-6, Table 5-1, as retail sales, restaurant, business services, office, and indoor private recreation are uses listed as potential conditional use allowances in the Neighborhood Open (T4-O) transect zoning district.
3. Compliance with Section 14-3-29(G)(1)-(13) general review criteria for conditional use approval as the subject property, layout, compatibility, and public facility impacts of the project are in compliance with the Land Development Code.
4. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.9.2, Mixed Use - Downtown (MU-D), intended to mirror the sub-areas outlined in the Strategic Investment Map in the Downtown Kissimmee Community Redevelopment Area (CRA) Plan. The property is located in the Medical Campus sub-area centered on the hospital and medical uses that includes residential uses and support uses with a maximum project density of 40 dwelling units per acre (du/ac) and up to 6.0 Floor Area Ratio (F.A.R.)

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

The Development Review Committee (DRC) recommended approval, subject to conditions, on February 15, 2022.

CONDITIONS:

City of Kissimmee

1. The establishment of uses on this site will be limited by the total amount of off-street parking spaces available to accommodate all uses. Parking calculations shall be required for each unit prior to Business Licence and/or Building Permit issuance to confirm parking requirements can be met.
2. A landscaped buffer shall be provided on the north side consisting of a 6ft fence, canopy, and understory trees.

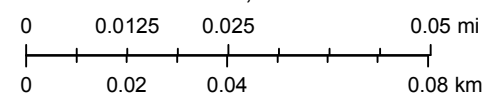
Attachment(s):

1. CU-21-0001 Vicinity Map
2. CU-21-0001 Aerial Map
3. CU-21-0001 Site Plan
4. CU-21-0001 PAB Ad
5. CU-21-0001 DRC Comments
6. CU-21-0001 Public Works/Eng. DRC Comments
7. CU-21-0001 DRC Application



March 11, 2022

1:1,505



Address Points



COUNTY

Parcels

Road Centerlines

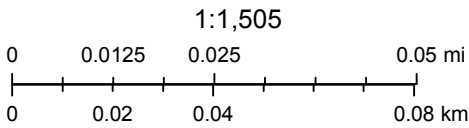
City Limits



CITY



March 11, 2022



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

NOTICE OF PUBLIC HEARING PLANNING ADVISORY BOARD

This is to inform you that the **Planning Advisory Board** of the City of Kissimmee will consider a request for a Conditional Use for retail sales, restaurant, business services, indoor private recreation and office establishments. The Planning Advisory Board will hold a meeting on **Wednesday, March 16, 2022** at 6:00 p.m. at the City Commission Chambers, 101 Church St., Kissimmee, FL 34741 with socially distanced/limited seating.

The subject property is located at **606 Person St.** Parcel ID: **21-25-29-1420-0001-0577**.

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person. Any questions may be directed to the Development Services Department at (407) 518-2140 or planning@kissimmee.gov.

Reference # **CU-21-0001**
MLK Commercial

PLANNING ADVISORY BOARD
KISSIMMEE, FLORIDA

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

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

HUDSON ENGINEERING ASSOCIATES, INC

An Engineering Professional Association

P.O. Box 677742

Orlando, Florida

Office (407) 342 8813 ♦ 32867-7742

Memo/Transmittal

To: Orange County Building Division

From: B. Todd Hudson, P.E.

Date: 01-16-2022

Re: CU-21-0001, MLK COMMERCIAL

Please see responses to comments below and revised plan submitted with **Δ1**: denoting changes.

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

1. Confirm the ground floor ceiling height (measured from finished floor to finished ceiling) is a minimum of 12ft. for the T4-O Transect Zone. Table 5-2, 14-5-6-. Note added to site data
2. Verify the minimum 30% secondary street frontage calculation along Person St. Include the dimensions of the building on the site plan to confirm building frontages. Dimensions added.
3. Architectural- See revised elevation and floor plan addressing comments.
4. Parking must be calculated based on all proposed Conditional Uses and not just retail. All proposed Conditional Uses must demonstrate that they can be supported by adequate parking. The Sharing Factor [14-5-9(B)(8)] can be used to share parking among the multiple uses. Providing for flexibility in the Conditional Uses and not locking in exact Gross Floor Areas is good planning when a small amount of GFA is proposed. Four potential parking scenario tables are provided demonstrating the need for 32 spaces. Owner is requesting the approval allowing the flexibility at 32 spaces with the three possible uses proposed (Retail, Office, Restaurant) and with each buildout permit sufficient parking will be demonstrated. The optional Sharing factor, although permitted and encouraged in [14-5-9(B)(8)] is not required and will not be used on this development unless needed as demonstrated in parking scenario 4.
5. Bicycle parking shall be provided at a minimum of 10% of the total required parking spaces, not to exceed 50 bicycle spaces. Include after revising required parking to determine the minimum number needed. 14-5-9(B)(9) & 14-7-27: See revised plan with bike rack location at northwest corner of building #1 and under roof overhang.
 - a) All spaces provided shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user- supplied lock. Note added to revised plan, detail to be provided on construction plan
 - b) Bicycle parking should be located in a secure area covered from weather (not applicable to bicycle lockers) and shall be located as close to a building entrance as the closest on- site automobile parking space. Proposed location meets requirement.
6. All uses within the Downtown CRA shall use decorative pavers and/or stamped/decorative concrete instead of asphalt or concrete for the extent of the entire parking lot, including drive aisles. 14-5-9(B)(10). Note added to revised plan
7. Provide a conceptual landscaping plan. See revised plan
 - a.) A 7ft. landscape buffer consisting of a 6ft. fence, 1 understory tree every 25 linear feet, and shrubs with a minimum height of 24 inches, spaced a minimum of 30 inches on center on the north boundary abutting the existing single family residential will be required as a condition of approval of this Conditional Use (CU) application. There is an existing 10' TWA easement for the sanitary line at the boundary on the north. Propose 6' fence, 2 canopy trees (bald cypress in pond) and three understory trees just south of 10' easement and shrub line north of fence.

- b.) Landscaping must be consistent with standards in Sections 14-5-11 and 14-8 regarding plant materials, specifications, spacing/separation, installation, and maintenance. See revised plan
 - i) Landscaping and other improvements in the furnishing zone of the Streetscape Zones shall be coordinated with City staff to meet roadway buffer requirements. See revised plan
 - ii) Interior landscaping requirements must be met and are included in Sections 14-8- 18 and 14-8-19. Include sight triangles on the landscaping plans to ensure there are no visual obstructions within vehicular intersections. 14-7-2 See revised plan
8. Include the street wall cross section and details with the construction plan submittal. 14-5-11.
9. A photometric or lighting plan must be prepared by a licensed design professional, who shall sign and seal the plans and certify that the plan complies with this section and must be submitted with the construction plans. LDC 14-10-9B.
10. Service areas, including waste disposal containers, mechanical equipment, loading docks/spaces, satellite dishes, air conditioning equipment and similar, shall be located in the rear or to the side of buildings and screened from view from adjacent public rights- of-way and pedestrian walkways (not including Rear Alleys). Where possible, they shall be incorporated into the primary building design. 14-5-7(I)
11. Signage must be reviewed and approved under a separate building permit. Any Mobility and Impact fees will be due at time of permit issuance. To find out more information please contact Juan F. Hernandez at 407-518-2233 for Mobility fees and Toho Water Authority at 407-944- 5000 for water/sewer impact fees.
12. Provide an irrigation plans consistent with City standards and requirements in Section 14-8-24.
13. Provide full landscaping plans consistent with City standards and requirements in Section 14- 5-11 and 14-8.
14. The landscape and irrigation plans shall be prepared by a registered landscape architect licensed in the State of Florida. LDC 14-3-32(A)
8-14: Acknowledged, to be provided with construction plans.

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

1. Please note: The existing and proposed property boundary lines are difficult to see. Please make sure existing property boundary lines are clear and contrast with other linework and areas of right-of-way dedication are also clear. See revised plan
2. Provide a conceptual landscaping plan in conformance with §14-8. Ref. LDC §14-3-31(C)(2)(e) See revised plan.
3. Please provide the following horizontal sight triangles on the landscaping plans, per LDC §14-7-2(B): a) Access drive intersection with street: 10-foot sides; b) Intersection of two streets: 25-foot sides See revised plan
4. Please clarify the areas of right-of-way dedication on the site plan. Please note: Right-of-way/easement dedication shall be completed prior to construction plan approval, or as approved by the City Engineer. See revised plan.
5. Please show the phasing boundary lines and approximate timing for each phase.
6. Please provide a digitally certified copy of the boundary and topographic survey with construction plan submittal. Acknowledged
7. Please show all underground utilities from MLK Phase 1 roadway improvements on the site plan. Utilities are shown on the concept utility, drainage and landscape view.
8. Provide proposed lowest finished floor elevation for all proposed structures on the site plan.
9. A maximum of one two-way or two one-way access points is permitted for this site. Ref. LDC §14-7-31 See See revised plan
10. The in-bound drive shall be upstream of the out-bound drive. Ref. §14-7-31(F)(1) See revised plan.
11. One-way access points shall have a maximum one-way width of 20 feet. §14-7-31(E)(3) See revised plan.
12. Unless a drainage connection is not available, an inlet shall be provided so that surface water is not carried across or around the new roadway intersection. Ref. LDC §14-10-3(F) Response: Acknowledged, drainage connection is not available.

13. Please provide FDOT Index 522 curb ramp types for the proposed curb ramps at the new roadway intersection and verify additional right-of-way dedication isn't needed on the east side to accommodate this and the proposed crosswalk. Final design will be provided with construction plans.
14. Provide the location and dimensions of all ground signage on the site plan. None proposed
15. Please call-out the relocation of the existing street lights, utility poles, and other utilities on the site plan, as needed. The developer will be responsible for this work. All are noted on Utility concept view, City will require utilities to move for any needed for Person street to MLK Connection as this is the Developer funded City improvement, developer pays for any for utilities by developer improvements only.
16. Please provide conceptual drainage patterns and method of disposition of surface drainage (including retention/detention areas) on the site plan. Ref. LDC §14-3-31(C)(2)(p)- See Drainage concept view.
17. Please revise soil statement to indicate soil conditions and muck depths (where applicable), based upon the Soil Survey of Osceola County. Ref. LDC §14-3-31(C)(s). See revised plan.
18. Please note: Pond outfall connection to Henrietta Street may not be the best option and will need to be evaluated and discussed with Public Works and Engineering further, prior to construction plan submittal. Acknowledged.
19. Consider the incorporation of low impact development (LID) best management practices and use of pervious pavement to reduce stormwater runoff volume. Please see LDC §14-5-12 for more information. Acknowledged.
20. Please contact Jody Kirkendall with Sanitation to determine if the underground solid waste location/orientation is acceptable. Email: jody.kirkendall@kissimmee.gov- See revised plan and email attached.
21. Please dimension the solid waste collection location on the site plan. See revised plan

Todd Hudson

From: Jody Kirkendall <JODY.KIRKENDALL@kissimmee.gov>
Sent: Monday, December 06, 2021 12:51 PM
To: 'bthengineer@gmail.com'
Subject: RE: City of Kissimmee (MLK Commercial)

Yes, thanks.

From: Todd Hudson <bthengineer@gmail.com>
Sent: Monday, December 6, 2021 11:48 AM
To: Jody Kirkendall <JODY.KIRKENDALL@kissimmee.gov>
Subject: RE: City of Kissimmee (MLK Commercial)

EXTERNAL EMAIL: This email originated from outside of the organization. DO NOT REPLY, CLICK LINKS, or OPEN ATTACHMENTS unless you recognize the sender and know the content is safe

Jody,
I can fit this in a 19.5' island with parking on both sides which is similar to City. You still have 40' clear in the drive aisle
Will this work below ?

Thanks
B. Todd Hudson, P.E. - President
Hudson Engineering Associates, Inc
P.O. Box 677742, Orlando, FL 32867
Tel: (407)342-8813
bthengineer@gmail.com

Date: 01/24/22

Shaun Koffinas - 911Addressing

Studio Session CU-21-0001, Session ID# 273-382-575

CU-21-0001, MLK Commercial

General Comments

1. Compliance – Submit an updated application for the project for 911 addressing to verify correct information. 911 Addressing will need to be contacted to secure proper building unit numbers prior to construction.



**THE SCHOOL DISTRICT OF OSCEOLA COUNTY, FLORIDA
PLANNING SERVICES DEPARTMENT
SCHOOL CAPACITY REPORT**

SDOC#: 2021/22-0078

DRC#: CU-21-0001

Current FLU: MU-D
Requested FLU: N/A

PROJECT NAME: MLK Commercial

PROJECT LOCATION: 606 Person St

Current Zoning: T4-O
Requested Zoning: N/A

COMMENTS DUE DATE: ASAP

PID#: 21-25-29-1420-0001-0577

This Conditional Use Application for commercial business has no impact on public schools.



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

**ADDRESS: 606 Person St.
PLAN (DRC) NUMBER: CU-21-0001**

DATE: 2/7/2022

**Review Status:
APPROVED WITH COMMENTS.**

FIRE DIVISION - Chris Alessandri - 407.518.2339 - Chris.Alessandri@kissimmee.gov

Comments/Conditions (if applicable):

Advisory Comments:

1. A two-way radio communication enhancement system is required. (FFPC, NFPA 1, the National Fire Prevention Association 1, edition 2015, Section 11 sub-section 11.10.3)
2. In all existing and new buildings, minimum radio signal strength for fire department communications shall be maintained at a level determined by the AHJ. (FFPC, NFPA 1, the National Fire Prevention Association 1, edition 2015, Section 11 sub-section 11.10.3)
3. All new or existing building shall be required to have a light-frame truss placard on each entryway if the building or structure is made of a light-frame material. **69A-60.0081 Notice Required for Structures with Light-frame Truss-type Construction.**

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

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

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



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

DATE: 2/9/2022

PROJECT: MLK Commercial

PLAN (DRC) NUMBER: CU-21-0001, Review 2

**Review Status:
APPROVED WITH COMMENTS**

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

LANDSCAPING:

1. Please revise the location of the 25-foot horizontal sight triangle on the landscaping plan, per [LDC §14-7-2\(B\)](#) and [§14-2, Figure 2-10](#). Unobstructed cross-visibility between 30-inches and eight feet shall be provided in the area of the horizontal sight triangles.

PHASING:

2. Please verify all site infrastructure will be constructed with Phase 1.

SIDEWALKS/BIKEWAYS/PEDESTRIAN PATHS:

3. Please contact the City Attorney's office as soon as possible, if additional right-of-way dedication will be needed on the east side of Person Street to accommodate the sidewalk improvements and curb ramp within parcel [21-25-29-1760-0001-0250](#).

ADVISORY COMMENTS (NO RESPONSES NECESSARY):

- Please note: Right-of-way/easement dedication shall be completed prior to construction plan approval, or as approved by the City. Recommend dedication of right-of-way with replat of the property.
- Please provide a digitally certified copy of the boundary and topographic survey with construction plan submittal.
- Please call-out the relocation of the existing street lights, utility poles, and other utilities on the construction plans, as needed. The developer will be responsible for this work.
- Please provide additional surface water drainage patterns for all pervious and impervious areas on the construction drawings. Each drainage basin should have drainage flow arrows indicating direction of runoff. Also, provide cross-sections along each property line to show how this development will tie into the existing grades. Please clearly indicate slope to/from adjacent properties. Where drainage may become trapped between properties, please provide positive drainage toward the street or other public drainage system.
- Please note: Pond outfall connection to Henrietta Street may not be the best option and will need to be evaluated and discussed with Public Works and Engineering further, prior to construction plan submittal.
- Consider the incorporation of low impact development (LID) best management practices and use of pervious pavement to reduce stormwater runoff volume. Please see LDC §14-5-12 for more information.
- Please note: Street tree separation from sidewalks, curb/gutters, driveways, intersections, manholes/catch basins, street lights, and regulatory signs shall be done in accordance with [§14-8-23](#), Table 8-1. The street tree types and locations shown on the DRC site plan subject to change.
- Please verify Red Maple tree placement within the proposed retention pond is feasible.
- Please note: A 13-foot radius by 36-foot high clear zone shall be provided around the underground solid waste vault (measured from the center of the vault).
- Please add the DRC reference number to the lower right corner of the cover sheet of the construction drawings.
- The stormwater management system detailed with the construction plan submittal shall include the following:
 - a) 1/2-inch of additional dry pre-treatment
 - b) Sufficient information to show compliance with LDC §14-10-3, 3(B)
- Please note: It is the responsibility of the design engineer to verify and show the location of any existing encumbrances on the site plan that might affect the location of improvements.

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

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

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

Does the plan:

Contain more than 1,500 sqft* YES

Increase parking by 6 or more spaces?* YES

Create new or alter existing traffic pattern?* YES

Create new or alter existing use of the property?* YES

If you answered no to any of the above, a minor site plan is required.

Project Name* MLK COMMERCIAL

Proposed Use/Request* 6400 GROSS SF IN TWO MULTI TENANT BUILDINGS

State why the proposed request would be appropriate for the property and surrounding areas.

PROPERTY IS ON A MINOR ARTERIAL (MLK BLVD) AND ONLY A FEW HUNDRED FEET EAST OF A MAJOR ARTERIAL (US17-92/JYP) AND WILL SERVE AS A GOOD TRANSITION OF USES WITHIN THE PLANNED CRAO AREA WITH A MINIMIZED FOOTPRINT NEAR EXISTING RESIDENTIAL USES AS THE AREA BEGINS TRANSITION TO THE NEW CRAO. PROJECT WILL PROVIDE SERVICE TO THE

Property size/acreage* 0.858

Property Legal Description* BEGINNING AT THE SOUTHEAST CORNER OF LOT 57 OF THE FLORIDA LAND AND IMPROVEMENT COMPANY'S ADDITION TO KISSIMMEE CITY, ACCORDING TO THE OFFICIAL PLAT RECORDED IN PLAT BOOK A, PAGE 24, PUBLIC RECORDS OF OSCEOLA COUNTY, FLORIDA,

Please refer to the hyperlink to access the checklist for the minimum items necessary to be outlined on the site plan. Print, complete and submit this document under the attachments section of this application.

[Site Plan Checklist](#)

For Communication Towers: Please refer to the hyperlink to access the checklist for the minimum items necessary to be outlined on the site plan. Print, complete and submit this document under the attachments section of this application.

[Communication Tower Checklist](#)

Please refer to the hyperlink to access the Development Review Disclaimer. Print, complete and submit this document under the attachments section of this application.

[Development Review Disclaimer](#)

Current zoning designation for the property*

- ☐ Hospital Facilities (HF)
- ☐ Utilities (UT)
- ☐ Open Space (OS)
- ☐ Natural (T1)
- ☐ Edge (T3)
- ☐ Neighborhood Restricted (T4-R)
- ☒ Neighborhood Open (T4-O)
- ☐ Mixed-Use Urban Corridor (T5-U)
- ☐ Mixed-Use Center (T5-M)
- ☐ Waterfront (T6)
- ☐ Special District (SD)
- ☐ Residential Planned Unit Development (RPUD)
- ☐ Short Term Rental Planned Unit Development (SRPUD)
- ☐ Mixed Use Planned Unit Development (MUPUD)

Note: Submittal deadlines are to be entered by the 1st and 3rd Wednesday of each month. Late or incomplete submittals will not be accepted. All requests must be submitted through this online portal and accompanied by applicable attachments, fee payment and any other supporting materials. If a submittal is insufficient, the request will not be scheduled or distributed for review. Process steps are contingent upon submittal month, holidays, completion of previous meeting dates and any necessary revisions and resubmittals by the applicant. Scheduled dates for meetings and public hearings are subject to notification requirements and may be altered. Applicant is encouraged to attend all City Meetings or the request may not be considered. Courtesy reviews conducted outside of any formal process is not allowed.

Process and Approximate Review Time: -Submittal -Development Review Committee (DRC) meeting with applicant: 3 to 5 weeks -Notification period for PAB meeting advertisement: 4 to 6 weeks -Planning Advisory Board (PAB) meeting -Submittal of Site Construction Plans** -Site Construction Plan review: 5 weeks -Submittal of Final Construction Plans -Final Construction Plan review: 1 week Total estimated time*: 13 to 17 weeks. *Time does not include any necessary revisions and resubmittals. **Process does not include building construction permit plans.