

**Planning Advisory Board
Commission Chambers
City Hall
Kissimmee, Florida
Wednesday, May 19, 2021
6:00 P.M.**

MEMBERS

Robert Bussiere, Chairman
Jeff Wolff, (Vice Chairman)
Debra Buxton, (Absent)
Tom Kapp, (Absent)
Robert Spalding
Jackie Espinosa
Fatima Santiago
Jaime Carnevale, (School District), (Absent)

STAFF

Brenda Ryan, Planning Manager
David Bridle, Planner II
Kalanit Oded, Deputy City Attorney
Yolanda Hazley, Planning Technician

Member Espinosa called the meeting to order at 6:00 p.m.

II Moment of silence and Pledge of Allegiance.

III Minutes

Member Spalding made a motion to approve the minutes of March 17, 2021 Planning Advisory Board Meeting. Seconded by Member Espinosa.

Chairman Bussiere	Aye	Member Espinosa	Aye
Vice Chairman Wolff	Aye	Member Santiago	Aye
Member Spalding	Aye		

Motion carried 5-0.

IIII OLD BUSINESS

IV NEW BUSINESS

A. Osceola Arts “ARTISNOW” Public Murals, Authorization True Work of Art, DRC#21-00026, request approval of a Authorization of A True Work of Art

Planning Manager Ryan stated that this is a request for Approval for authorization of a true work of art to allow a mural to be painted on a portion of a building façade wall within a MUPUD (Mixed Use Planned Unit Development) zoning district. The subject property is located at 92 Pleasant St.

Staff recommends approval for the following reasons:

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

Staff recommends approval subject to the following 4 conditions:

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

Member Spalding made a motion for approval subject to 4 conditions. Seconded by Vice Chairman Wolff.

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

Chairman Bussiere	Aye	Member Espinosa	Aye
Vice Chairman Wolff	Aye	Member Santiago	Aye
Member Spalding	Aye		

Motion carried 5-0.

B. Osceola Arts “ARTISNOW” Public Murals, Authorization True Work of Art, DRC#21-00027, request approval of a Authorization of A True Work of Art

Planning Manager Ryan stated that this is a request for Approval for authorization of a true work of art to allow a mural to be painted on a portion of a building façade wall within a T5-M (Transect Zoning District). The subject property is located at 131 Broadway.

Marilyn Cortes-Lovato, representing the applicant stated that the applicant submitted a rendering to change the concept of the drawing from a Flamingo to a Spoonbill bird.

Staff recommends approval for the following reasons:

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

Staff recommends approval subject to the following 4 conditions:

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

Vice Chairman Wolff made a motion for approval subject to 4 conditions with one added condition. Seconded by Member Spalding.

1. The mural and subject building wall shall be conducted in accordance with the attachments.
2. No signage or direct association of the establishments shall be permitted within the mural.
3. Existing or proposed signage shall not be incorporated into the mural.
4. Subject to review and approval of Right-Of-Way/Easement Utilization permits and conditions if working in the City's right-of-way.
5. Revised the mural as stated by applicant to replace the Flamingo rendering to a Spoonbill bird.

Chairman Bussiere
Vice Chairman Wolff
Member Spalding

Aye
Aye
Aye

Member Espinosa
Member Santiago

Aye
Aye

Motion carried 5-0.

C. Osceola Arts "ARTISNOW" Public Murals, Authorization True Work of Art, DRC#21-00027, request approval of a Authorization of A True Work of Art

Planning Manager Ryan stated that this is a request for Approval for authorization of a true work of art to allow a mural to be painted on a portion of a building façade wall within a T5-U (Transect Zoning District).The subject property is located at 1111 Dyer Blvd.

Staff recommends approval for the following reasons:

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

Staff recommends approval subject to the following 4 conditions:

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

Member Spalding asked what type of mural the applicant is requesting.

Marilyn Cortes-Lovato, representing the applicant stated that the applicant submitted a rendering that is a collage of animals.

Member Espinosa asked how long the murals will be in place.

Ms. Cortes-Lovato stated 2 years.

Chairman Bussiere made a motion for approval subject to 4 conditions. Seconded by Member Espinosa.

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

Chairman Bussiere	Aye	Member Espinosa	Aye
Vice Chairman Wolff	Aye	Member Santiago	Nay
Member Spalding	Aye		

Motion carried 4-1.

- D. **ANF Gyros Public Murals, Conditional Use/Site Plan, DRC#21-00009, request approval of a Conditional Use/Site Plan (Drive-Through)**

Planner Bridle stated that this is a request for a Conditional Use/Site Plan of a drive-through on approximately 1.18 acres. The subject property is located at 512 W. Vine Street.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Form Based Code standards as outlined in Section 14-5-54.
2. Compliance with Section 14-6-10 and 14-5-8.B as drive through facilities with an allowed use are listed as a potential conditional use allowance.
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 Transportation Circulation Element Policies 2.1.2.4, 2.2.1.1, 2.2.1.4, and 2.2.1.5 as traffic levels do not exceed the quality of service standards.

Staff recommends approval subject to the following 6 conditions:

1. Any additional proposed uses 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 and Form Based Code (FBC) standards of the Land Development Code (LDC).
2. A 2.5 foot high street wall shall be provided along Cherry Street to block the view of vehicles and the parking space area from the right-of-way.
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, consistent with the Form Based Code(FBC), along Cherry Street. The design of the Streetscape Zones shall be coordinated with City Staff.
4. The one-way drive aisle adjacent to the angled parking for compact vehicles may be reduced below the required minimum width of 20ft., subject to Fire Department approval.
5. The speaker of the drive-through must not be audible beyond the property line.
6. All signage must be reviewed and permitted through a separate building permit. Signage must be in compliance with the current Land Development Code (LDC).76. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any use(s) and its processes.

Bruce Myrick representing the applicant, 7749 Minnie Rouse Ln., Orlando, FL 32835 stated that he believes this will be a great addition to the City of Kissimmee and was available for any questions.

Member Spalding made a motion for approval subject to 6 conditions. Seconded by Vice Chairman Wolff.

1. **Any additional proposed uses 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 and Form Based Code (FBC) standards of the Land Development Code (LDC).
2. A 2.5 foot high street wall shall be provided along Cherry Street to block the view of vehicles and the parking space area from the right-of-way.
 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, consistent with the Form Based Code(FBC), along Cherry Street. The design of the Streetscape Zones shall be coordinated with City Staff.
 4. The one-way drive aisle adjacent to the angled parking for compact vehicles may be reduced below the required minimum width of 20ft., subject to Fire Department approval.
 5. The speaker of the drive-through must not be audible beyond the property line.
 6. All signage must be reviewed and permitted through a separate building permit. Signage must be in compliance with the current Land Development Code (LDC).76. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any use(s) and its processes.

Chairman Bussiere
Vice Chairman Wolff
Member Spalding

Aye
Aye
Aye

Member Espinosa
Member Santiago

Aye
Aye

Motion carried 5-0.

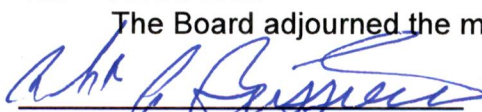
VI Discussion

VII HEARING CHAIRMAN AND BOARD MEMBERS

The Board and Staff had a discussion regarding the change of zoning in the Downtown District.

VIII ADJOURN

The Board adjourned the meeting at 7:10 p.m.


Chairman 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.