

**Planning Advisory Board
Commission Chambers
City Hall
Kissimmee, Florida
Wednesday, August 18, 2021
6:00 P.M.**

MEMBERS

Robert Bussiere, Chairman
Jeff Wolff, (Vice Chairman)
Debra Buxton, (Absent)
Robert Spalding
Jackie Espinosa
Fatima Santiago, (Absent)
Diana Marrero-Pinto
Jason Lindsey, (School District), (Absent)

STAFF

Douglas Etheredge, Assistant Director
Brenda Ryan, Planning Manager
David Bridle, Planner II
Patricia Prevost, Planner I
Kalanit Oded, Deputy City Attorney

Chairman Bussiere 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 August 4, 2021 Planning Advisory Board Meeting. Seconded by Member Espinosa.

Chairman Bussiere	Aye	Member Espinosa	Aye
Vice Chairman Wolff	Aye	Member Marrero-Pinto	Aye
Member Spalding	Aye		

Motion carried 5-0.

III OLD BUSINESS

IV NEW BUSINESS

A. Mill Creek Mall, Zoning Map Amendment, DRC#20-00076, Proposed Ordinance #21-11

Planning Manager Ryan stated that this is a request for 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.

Staff recommends approval for the following 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.
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).

Staff recommends approval subject to the following 15 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.

Adriannis Suarez, KPM Franklin, 1012 W. Emmett St, Kissimmee, FL representing the applicant stated that there was a discussion with Planning Manager Ryan regarding having Condition 12 removed or modified.

Ms. Suarez asked if the Board would consider removing Condition 12.

Alicia Kelly, Schoolfield Properties representing Mill Creek Mall stated Condition #12 is redundant and would like the condition removed.

Vice Chairman Wolff stated what Staff would need to work out with the applicant regarding Condition #12 before it goes to City Commission.

Planning Manager Ryan stated that Staff is willing to work with the applicant regarding condition 12 before this request move forward to City Commission.

Member Espinosa is the applicant looking to establish food trucks permanently onsite.

Ms. Kelly stated that it would be something that they would like to do in the future.

Member Espinosa expressed concerns regarding the uses such as: special events & food trucks; she stated there should be more clarity given by Staff as to the proper requirements, restrictions and the specifics outlined for those uses related to this request.

Planning Manager Ryan stated that Condition #3 outlines what those outdoor events will consist of; as of right now there is currently no limitations on the maximum number of days for those activities; however there is a set time in accordance with the City's noise ordinance.

Ms. Suarez stated that the food trucks onsite would only take up a parking space and would not impede on any of the entry access points leaving that open for emergency access.

Member Marrero-Pinto wanted clarification on if the food trucks would be allowed onsite 7 days a week.

Ms. Kelly stated that there is a possibility that it could be as they are trying to establish this on a semi-permanent basis.

Member Marrero-Pinto stated that the City should not make light of that there are small businesses downtown that are restaurants that pay taxes consisting of nearly 30 small restaurants that would be effected directly by bringing food trucks so close to downtown.

Member Marrero-Pinto also stated that 7 days a week is too long and this should be reconsidered before making a decision on this request.

Robert Spalding made a motion to approve and the motion died.

The Board had a discussion with Staff.

Chairman Bussiere stated that he would have preferred that there was some different language with more specifics and clarity for this request.

Vice Chairman Wolff asked for clarification of Section 14-4-8(D)(4) as outlined in the Code.

Planning Manager Ryan stated that this section of the Code is Mixed Use Zoning standards to establish a Mixed Use Planned Unit Development.

Vice Chairman Wolff made a motion to approve and the motion died.

The Board had a discussion with Staff regarding Condition #12.

Vice Chairman Wolff made a motion for approval subject to 15 conditions removing condition 12. Seconded by Member Spalding.

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Chairman Bussiere
Vice Chairman Wolff

Aye
Aye

Member Espinosa
Member Marrero-Pinto

Nay
Aye

Member Spalding

Aye

Motion carried 4-1.

VI Discussion

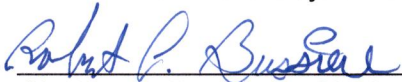
Vice Chairman Wolff asked about sprinklers and the number of requests coming to P.A.B.

Member Espinosa asked if a Board Member could request an item come back to P.A.B.

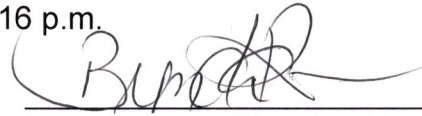
VII HEARING CHAIRMAN AND BOARD MEMBERS

VIII ADJOURN

The Board adjourned the meeting at 7:16 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.