

**Planning Advisory Board
Commission Chambers
City Hall
Kissimmee, Florida
Wednesday, January 15, 2020
6:00 P.M.**

MEMBERS

Robert Bussiere, Chairman
Jeff Wolff, Vice Chairman
Debra Buxton, (Absent)
Linda McCoy
Tom Kapp
Robert Spalding
Jackie Espinosa
Nakeisha Lyon, (School District), Absent

STAFF

Craig Holland, Director
Douglas Etheredge, Assistant Director
Kalanit Oded, Deputy City Attorney
Brenda Ryan, Planning Manager
John Hambley, Planning Manager
Ashley Cornelison, Senior Planner
David Bridle, Planner I
Erika Allen, Planner I

Chairman Bussiere called the meeting to order at 6:00 p.m.

II Moment of silence and Pledge of Allegiance.

III Minutes

Member Espinosa made a motion to approve the minutes of the November 20, 2019. Planning Advisory Board meeting. Seconded by Vice Chairman Wolff

Chairman Bussiere	Aye	Member Kapp	Aye
Vice Chairman Wolff	Aye	Member Spalding	Aye
Member McCoy	Aye	Member Espinosa	Aye

Motion carried 6-0.

IIII OLD BUSINESS

IV NEW BUSINESS

A. Mill Creek Mural Project, True Work of Art, DRC#19-163, request approval of a True Work of Art.

Planning Manager Bryan stated that this is a True Work of Art to allow a mural to be painted on a portion of a wall. The subject property is located at 1312 E. Vine St.

Planning Manager Bryan stated that the current zoning for this property is HC-(Highway Commercial) and that the proposed rendering will be located on the western most portion of the wall that is located in the Mill Creek Plaza.

Staff recommends approval for the following reasons:

1. Compliance with Section 14-2-74.5 of the Land Development Code as the mural is a true work of art and not a sign as defined by Section 14-2-240, 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 3 conditions:

1. The mural and subject building wall shall be conducted in accordance with the attachments.
2. No signage or direct association of the establishment(s) shall be permitted within the mural.
3. Existing or proposed signage shall not be incorporated into the mural. All signage will be reviewed and permitted through a separate building permit.

Member Kapp asked for clarification of the existing sign that is there now.

Assistant Director Etherege stated that as of now there should only be a Wal-Mart & Wendy's sign that should be visible from the street.

Sunday Bougher, SGA Design Group, 1437 S. Boulder Ave. Tulsa, OK representing the applicant stated that she was available for any questions.

Member Kapp made a motion for approval subject to 3 conditions. 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 establishment(s) shall be permitted within the mural.**
3. **Existing or proposed signage shall not be incorporated into the mural. All signage will be reviewed and permitted through a separate building permit.**

Chairman Bussiere
Vice Chairman Wolff
Member McCoy

Aye
Aye
Aye

Member Kapp
Member Spalding
Member Espinosa

Aye
Aye
Aye

Motion carried 6-0.

B. Awakened Auras CO Crystal Shop and Wellness Center, Conditional Use, DRC#19-164, request approval of a Conditional Use.

Planning Manager Ryan stated that this is a request for a Conditional Use to allow for a specialty retail and personal service establishment. The subject property is located at 113 Broadway.

Planning Manager Ryan stated that the applicant would like to establish a wellness center that will provide holistic, relaxation and healing that will incorporate meditation.

Planning Manager Ryan stated that this Conditional Use is including a Site Plan waiver in that the applicant is proposing alterations and construction that is limited to the interior of the building.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the B-1(Downtown Commercial) zoning district as outlined in Section 14-2-30(A) of the Land Development Code.
2. Compliance with Section 14-2-30(C)(9) as retail sales or personal services not specifically listed as permitted uses as a potential conditional use allowance.
3. Compliance with Section 14-2-206(C)(1)-(2) conditional use site plan waiver as construction is limited to the interior of an existing building and the existing parking, loading, lighting and other site characteristics are not impacted by the conditional use.
4. Compliance with Section 14-2-206(H)(1)-(5) 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 the intent of Section 14-2-45(B) Community Redevelopment Area Overlay District (CRAO) criteria that promote and encourage economic investments, redevelopment activities, and historic preservation and improvements consistent with the CRAO Design Manual.

Staff recommends approval subject to the following 7 conditions:

1. Conditional Use (CU) approval is limited to specialty retail sales and personal service uses only. The wellness center shall not include doctor's offices or medical clinic uses or activities.
2. The interior layout is subject to building permit review and approval.
3. Any exterior façade alterations or improvements must adhere to the Community Redevelopment Area Overlay Design Manual (CRAO) standards and is subject to Architectural Review Committee (ARC) and building permit review and approval.
4. All signage will be reviewed and permitted through a separate building permit.
5. All guests will enter and exit through the Broadway entrance (front). Rear ally entrance will be exclusively for employees and deliveries.

6. Classes must be ancillary to specialty retail and personal service uses and must occur behind the retail floor layout area in the meditation area. If classes becomes the primary use, all class activities shall be prohibited.
7. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.

Member Epinosa made a motion for approval subject to 7 conditions. Seconded by Vice Chairman Wolff.

1. Conditional Use (CU) approval is limited to specialty retail sales and personal service uses only. The wellness center shall not include doctor's offices or medical clinic uses or activities.
2. The interior layout is subject to building permit review and approval.
3. Any exterior façade alterations or improvements must adhere to the Community Redevelopment Area Overlay Design Manual (CRAO) standards and is subject to Architectural Review Committee (ARC) and building permit review and approval.
4. All signage will be reviewed and permitted through a separate building permit.
5. All guests will enter and exit through the Broadway entrance (front). Rear ally entrance will be exclusively for employees and deliveries.
6. Classes must be ancillary to specialty retail and personal service uses and must occur behind the retail floor layout area in the meditation area. If classes becomes the primary use, all class activities shall be prohibited.
7. All applicable code requirements of the City of Kissimmee Code of Ordinances shall be adhered to for any proposed use(s) and its processes.

Chairman Bussiere	Aye	Member Kapp	Aye
Vice Chairman Wolff	Aye	Member Spalding	Aye
Member McCoy	Aye	Member Espinosa	Aye

Motion carried 6-0.

C. Former Hansell Plant Brownfield Site Rehabilitation Agreement Update

Michael Sznajstajler with the law firm of Cobb & Cole Daytona Beach, FL representing on behalf of the City of Kissimmee and the developer Mosaic Partners LLC., stated that he would give a brief explanation of Brownfields & the Hansell Plant property.

Mr. Sznajstajler stated that Brownfields are properties that have trouble being redeveloped due to actual or perceived environmental contamination issues.

Mr. Sznajstajler stated that State law provides the definition of a Brownfield site and a Brownfield area; a Brownfield area is a collection of a number of properties that are designated by a local government by resolution as a Brownfield area and the City has designated this as an Environmental Remediation Area and it is a Brownfield area within our State program that are composed of individual sites such as the former Hansell Plants site.

Mr. Sznajstajler stated that the way the State program works is that after a large area is designated as a Brownfield area the local government, a developer, a non-profit anyone who is interested in redeveloping the site enters into a Brownfield Site Rehabilitation Agreement; it's a voluntary clean up contract between those parties and the State that essentially states that you are going to follow the rules to clean up the site.

Member Kapp wanted clarification about the Brownfield Advisory Board and reports.

Mr. Sznajstajler stated that the Brownfield Advisory Board was created at the very end of 2019; the Brownfield Cleanup Agreement was signed 2 weeks before the end of 2019 and this is the first meeting since the agreement was signed to come before the Planning Advisory Board.

Member Kapp asked about the contaminants on this site.

Mr. Sznajstajler stated that the issues that are on this site are mainly petroleum products, generators and some pesticides.

Vice Chairman asked what will be the cleanup process and has the project started.

Mr. Sznajstajler stated that the cleanup has started; they hope to be done this year a lot of it depends on the science; there is a requirement to monitor the results after you do the removal work to ensure you have everything removed.

Member McCoy asked will they have access to the see the reports as they come in.

Mr. Sznajstajler stated that the reports are public record.

Member Spalding asked if the contaminants reached the lake.

Mr. Sznajstajler stated that all the contaminants have remained contained onsite.

Chairman Bussiere wanted clarification if there is a certain threshold with regards to cleanup.

Mr. Sznajstajler stated that the State has established cleanup target levels by which if you exceed those levels that triggers action that has to be tested more to determine the extent of the issue.

D. Form Based Code Update

Planner Cornelison stated that this is a Form Based Code that would replace the Land Development regulations in the Vine Street Redevelopment District and the Downtown Redevelopment Area both of which has been a City Commission priority.

Planner Cornelison stated that the Form Based Code would call for more Urban Form that would make the standards architecturally based and ensure that developers or anyone that is looking to develop would know what the City would require for development in the City for those corridors.

Planner Cornelison stated that this Form Based Code is not much different in terms of standards than what is already in place it's just a whole new way of doing a development code where the regulations are visually presented instead of a lot of legal ease where it is not very clear.

Pat Tyeski, Planner for S&ME Orlando, FL representing the City stated that the City requested that the Code be rewritten to a Form Based Code for the Downtown and Vine Street area; the idea was to have more predictable development regulations aiming it towards being pedestrian friendly and more urban in nature for both areas.

Member Spalding asked how the standards will be for sidewalks to accommodate those who are handicapped.

Ms. Tyeski stated that the way the standards are designed now it is designed better to accommodate them.

Chairman Bussiere asked for clarification about minimized curve cuts.

Ms. Tyeski stated that minimized curve cuts are the driveways.

Member Kapp asked how wide the sidewalks on Broadway are.

Planner Cornelison stated that Staff does not currently have the exact sidewalk width along Broadway; however Staff would provide the information later.

VI Discussion

No Discussion

VII HEARING CHAIRMAN AND BOARD MEMBERS

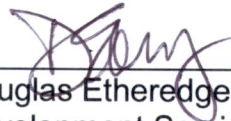
No Discussion

VIII ADJOURN

The Board adjourned the meeting at 7:17 p.m.



Chairman Bussiere, Chairman
Planning Advisory Board



Douglas Etheredge, Assistant Director
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.