

**Planning Advisory Board
Commission Chambers
City Hall
Kissimmee, Florida
Wednesday, February 19, 2020
6:00 P.M.**

MEMBERS

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

STAFF

Douglas Etheredge, Assistant Director
Kalanit Oded, Deputy City Attorney
Brenda Ryan, Planning Manager
David Bridle, Planner I
Erika Allen, Planner I
Yolanda Hazley, Planning Technician

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

II Moment of silence and Pledge of Allegiance.

III Minutes

Member Buxton made a motion to approve the minutes of the January 15, 2020. Planning Advisory Board meeting. Seconded by Member Spalding.

Chairman Bussiere	Aye	Member Kapp	Aye
Member Buxton	Aye	Member Spalding	Aye
Member McCoy	Aye	Member Espinosa	Aye

Motion carried 6-0.

IIII OLD BUSINESS

IV NEW BUSINESS

A. Furniture Depot, Land Use Plan Amendment (Small Scale), DRC#19-178, request approval of a Land Use Plan Amendment.

Planning Manager Bryan stated that this is a request for approval of a Small Scale Land Use Plan Amendment from IN-(Industrial Business) to CG-(Commercial General) for approximately a 1.59 acres vacant lot.

Planning Manager Bryan stated that based on the increase of the floor area ratio from .5 to 2.5 this application may have some potential negative impacts, however, cumulatively with the adjacent vacant property to the south is requesting a Future Land Use designation will balance out the intensity in the area.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.3.2, Commercial General (CG) that is intended for purposes of accommodating office uses and general retail sales and services.

Staff recommends approval subject to the following 1 condition:

1. Subject to Florida Department of Economic Opportunity review and approval.

Member Kapp asked for clarification of what Floor Area Ratio means.

Planning Manager Ryan stated that Floor Area Ratio is the intensity of how large of a building that can be built on a piece of property.

Mike Kiwan, 2460 Michigan Ave., Kissimmee, FL representing the applicant stated that they are looking to change the zoning to commercial in order to allow for improvements to change it to a furniture store.

Member Kapp asked are they adding an addition to the property.

Mr. Kiwan stated that they would only renovate the property.

Member Kapp made a motion for approval subject to 1 condition. Seconded by Member Spalding.

1. **Subject to Florida Department of Economic Opportunity review and approval.**

Chairman Bussiere	Aye	Member Kapp	Aye
Member Buxton	Aye	Member Spalding	Aye
Member McCoy	Aye	Member Espinosa	Aye

Motion carried 6-0.

- B. **Furniture Depot, Zoning Map Amendment, DRC#19-173, request approval of a Zoning Map Amendment.**

Planning Manager Ryan stated that this is a request for approval of a Zoning Map Amendment to revise the zoning designation from IB-(Industrial Business) to CG-(Commercial General) for approximately 1.59 acres of land.

Planner Ryan stated that the applicant intends to utilize the existing 10,334 square foot building to establish a retail furniture store.

Staff recommends approval for the following reasons:

- 1. Compliance with the intent of the IB zoning district as outlined in Section 14-2-36(A) of the Land Development Code.
- 2. Compliance with the allowable uses as outlined in Section 14-2-36(B) as the proposed commercial uses are consistent along Michigan Avenue and the surrounding area.
- 3. Compliance with the site design regulations such as tract size, density, lot area and setbacks; building separation, height, frontage and coverage, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-2-36(D).

Staff recommends approval subject to the following 2 conditions:

- 1. Subject to City Commission review and approval of associated land use plan amendment (DRC#19-181) request.
- 2. 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 McCoy made a motion for approval subject to 2 conditions. Seconded by Member Espinosa.

- 1. **Subject to City Commission review and approval of associated land use plan amendment (DRC#19-181) request.**
- 2. **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
Member Buxton	Aye	Member Spalding	Aye
Member McCoy	Aye	Member Espinosa	Aye

Motion carried 6-0.

- C. Michigan Place, Land Use Plan Amendment, DRC#19-181, request approval for a Land Use Plan Amendment**

Planner Ryan stated that this is a request for approval of a Small Scale Land Use Plan Amendment from CG-(Commercial General) to IN-(Industrial Business) for a 1.83 acre vacant lot.

Planner Ryan stated that the railroad provides a buffer between the existing residential and industrial area.

Planner Ryan stated that the approval of this application is not expected to negatively impact the existing infrastructure and services.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.4.3, Industrial Business (IN) to accommodate a mixture of typical industrial uses and more intense non-industrial uses and is appropriate for areas for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses.

Staff recommends approval subject to the following 1 condition:

1. Subject to Florida Department of Economic Opportunity review and approval.

Jeremy Kibler, KDA Engineering, 2017 13th St. Saint Cloud, FL 34769 representing the applicant stated that he was in agreement with Staff's recommendation and was available for any questions.

Member Spalding made a motion for approval subject to 1 condition. Seconded by Member Kapp.

1. **Subject to Florida Department of Economic Opportunity review and approval.**

Chairman Bussiere	Aye	Member Kapp	Aye
Member Buxton	Aye	Member Spalding	Aye
Member McCoy	Aye	Member Espinosa	Aye

Motion carried 6-0.

D. Michigan Place, Zoning Map Amendment, DRC#19-0182, Request approval of a Zoning Map Amendment

Planning Manager Ryan stated that this is a request for approval of a Zoning Map Amendment to change the zoning from B-3-(Commercial General) to IB-(Industrial Business) for an approximately 1.83 acre vacant lot.

Planning Manager Ryan stated that the applicant intends to establish indoor recreation, warehousing and building services.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the IB zoning district as outlined in Section 14-2-36(A) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-2-36(B) as the proposed commercial uses are consistent along Michigan Avenue and the surrounding area.
3. Compliance with the site design regulations such as tract size, density, lot area and setbacks; building separation, height, frontage and coverage, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-2-36(D).

Staff recommends approval subject to the following 2 conditions:

1. Subject to City Commission review and approval of associated land use plan amendment (DRC#19-181) request.
2. 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 Spalding made a motion for approval subject to 2 conditions. Seconded by Member Espinosa.

1. **Subject to City Commission review and approval of associated land use plan amendment (DRC#19-181) request.**
2. **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
Member Buxton
Member McCoy**

**Aye
Aye
Aye**

**Member Kapp
Member Spalding
Member Espinosa**

**Aye
Aye
Aye**

Motion carried 6-0.

E. Business Air Park, Zoning Map Amendment, DRC#19-0173, Request approval of a Zoning Map Amendment

Planning Manager Ryan stated that this is a request for approval of a Zoning Map Amendment to revise the zoning designation from AI-(Airport Industrial) & AO-(Airport Operations) to AI-(Airport Industrial), establish use, and design standards for an approximate 12.74-acre restricted access lot within the Kissimmee Gateway Airport.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the AI zoning district as outlined in Section 14-2-38(A) of the Land Development Code.
2. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.4.2, Airport Expansion, as the establishment of the single AI (Airport Industrial) land use is appropriate considering the general pattern, impacts, existing use and proximity to the airport and its industrial comparison, and other nearby industrial areas.
3. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.5.3, which ensures compatibility with the environment and encourages aviation activity compatible with nearby neighborhood and community needs and characteristics.
4. Compliance with the site design regulations such as tract size, density, lot area and setbacks; building separation, height, frontage and coverage, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-2-38(D).

Staff recommends approval subject to the following 1 condition:

1. 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 asked will this put more traffic around the nearby Elementary School.

Planning Manager Ryan stated that there would not be any uses that would affect any of the primary uses.

Member Spalding made a motion for approval subject to 1 condition. Seconded by Member Espinosa.

1. **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

Member Buxton

Aye

Member Spalding

Aye

Member McCoy

Aye

Member Espinosa

Aye

Motion carried 6-0.

F. Business Air Park, Conditional Use w/Site Plan, DRC#19-0173, Request approval of a Conditional Use w/Site Plan

Planning Manager Ryan stated that this is an approval for a Conditional Use w/Site Plan of a vocational, technical, trade and industrial school use as well as a variety of supporting

aircraft and aviation uses for an approximate 12.74 acre restricted access lot within the Kissimmee Gateway Airport.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the AI (Airport Industrial) zoning district as outlined in Section 14-2- 38(A) of the Land Development Code.
2. Compliance with Section 14-2-38(C)(1), (C)(3), (C)(5), (C)(7)-(C)(9), (C)(11), C(18), C(25)-(C)(28), & (C)(37)-(C)(38) as the above uses are not specifically listed as permitted uses but could be established as a potential conditional use allowance.
3. Compliance with Section 14-2-206(C)(1)-(2) conditional use site plan waiver as is located internal to the airport operations and does not directly abut a perimeter property boundary that would require a transitional buffer.
4. Compliance with Comprehensive Plan Economic Development Element Policy 10.2.2.4, Foster and Facilitate New Workforce Clusters, that continue networking opportunities to attract new corporate citizens into the City of Kissimmee and assist them during the transitional process.
5. Compliance with Comprehensive Plan Economic Development Element Policy 10.2.2.3, Kissimmee Gateway Airport that expands business and industrial development opportunities within and around the Kissimmee Gateway Airport.

Staff recommends approval subject to the following 2 conditions:

1. Subject to the approval of the Business Airpark Zoning Map Amendment (DRC#19- 173).
2. 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 Kapp made a motion for approval subject to 2 conditions. Seconded by Member Spalding.

1. **Subject to the approval of the Business Airpark Zoning Map Amendment (DRC#19- 173).**
2. **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
Member Buxton	Aye	Member Spalding	Aye
Member McCoy	Aye	Member Espinosa	Aye

Motion carried 6-0.

G. Huzyak Medical Office Building, Zoning Map Amendment, DRC#19-0176, Request approval of a Zoning Map Amendment

Planning Manager Ryan stated that this is a request for approval of a Zoning Map Amendment to revise the zoning designation From RA2-(Single Family Residential District) to RPB-(Residential Professional Business), to establish use and design standards for an approximate 0.133 acre vacant lot.

Planning Manager stated that the applicant wants to do an additional expansion adding an additional 3,700 square feet to the existing medical office.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the RPB zoning district as outlined in Section 14-2-29(A) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-2-29(B) as the proposed commercial uses are consistent along Oak Street and the surrounding area.
3. Compliance with the site design regulations such as tract size, density, lot area and setbacks; building separation, height, frontage and coverage, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-2-29(D).

Staff recommends approval subject to the following 2 conditions:

1. Subject to City Commission review and approval.
2. 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 Kapp asked what the building abuts up to.

Planning Manager Bryan stated next to existing residential.

Rob Wassum, Hanson, Walter & Associates 8 Broadway Kissimmee, FL, 34741 representing the applicant stated he was available for any questions.

Member Espinosa made a motion for approval subject to 2 conditions. Seconded by Member McCoy.

1. **Subject to City Commission review and approval.**
2. **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
Member Buxton
Member McCoy**

**Aye
Aye
Aye**

**Member Kapp
Member Spalding
Member Espinosa**

**Aye
Aye
Aye**

Motion carried 6-0

H. Osceola Arts “ARTISNOW” Public Murals, Authorization of True Work of Art, DRC#20-06, Request approval of a True Work of Art

Planning Manager Ryan stated that this is an approval for a True Work of Art to allow four murals to be painted on four building walls located within the B-1(Downtown Commercial) zoning district.

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 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.

Marilyn Cortes-Lovato, 241 E. Irlo Bronson Memorial Hwy., Kissimmee, FL representing the applicant stated that Osceola Arts is thankful for the opportunity to reach out to the community while displaying their art.

Member Espinosa made a motion for approval subject to 3 conditions. Seconded by Member McCoy.

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.

**Chairman Bussiere
Member Buxton
Member McCoy**

**Abstained
Aye
Aye**

**Member Kapp
Member Spalding
Member Espinosa**

**Aye
Aye
Aye**

Motion carried 6-0-1.

VI Discussion

No Discussion

VII HEARING CHAIRMAN AND BOARD MEMBERS

No Discussion

VIII ADJOURN

The Board adjourned the meeting at 6:32 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.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Bussiere, Robert A</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Planning Advisory Board</i>	
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Kissimmee</i>	COUNTY <i>Osceola</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>2.19.2020</i>		NAME OF POLITICAL SUBDIVISION <i>City of Kissimmee</i>	
		MY POSITION IS: ☐ ELECTIVE ☒ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Robert A. Bussiere, hereby disclose that on February 19, 20 20:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☒ inured to the special gain or loss of my business associate(s) Jeremy Laniere Sherry Sutphen;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I serve as a member and Vice ~~President~~ President of The Opportunity Center, Inc. which receives grant funding from the City of Kissimmee therefore I declared a conflict and abstained from voting on item 5A. on the 2/19/2020 PAB Agenda.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/4/2020
Date Filed

Robert A. Bussiere
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.