

**Planning Advisory Board
Commission Chambers
City Hall
Kissimmee, Florida
Wednesday, September 16, 2020
6:00 P.M.**

MEMBERS

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

STAFF

Douglas Etheredge, Assistant Director
Kalanit Oded, Deputy City Attorney
Brenda Ryan, Planning Manager
Erika Allen, Planner I

Vice Chairman Wolff called the meeting to order at 6:26 p.m.

II Moment of silence and Pledge of Allegiance.

III Minutes

Member Spalding made a motion to approve the minutes of the August 5, 2020. Planning Advisory Board meeting. Seconded by Member Espinosa.

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

Motion carried 4-0.

IIII OLD BUSINESS

IV NEW BUSINESS

A. Shingle Creek Reserve, Land Use Plan Amendment, DRC#20-075, request approval of a Land Use Plan Amendment (Large Scale).

Planning Manager Ryan stated that this is a request for approval of an Land Use Amendment (Large Scale from INST (Institutional) to MF-MDR (Multi-Family Medium Density Residential) on 22.34 acres of Land.

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 multiple family structures.
2. Compliance with Comprehensive Plan Transportation Element Policies 2.1.1.7 (F) and 2.2.1.3 as the City of Kissimmee is considered a Transportation Concurrency Exception Area (TCEA). Roads outside of this area, such as S. John Young Parkway, are subject to Florida Department of Transportation (FDOT) and Osceola County review and approval prior to any access authorization.

Staff recommends approval subject to the following 1 condition:

1. Subject to Department of Economic Opportunity (DEO) review and approval.

Assistant City Attorney Oded advised that public comments that were received by Staff should be read into the record.

Planning Manager Ryan read into record comments provided by Jack Clark, 2595 Cypress Ln., Kissimmee, FL 34746 stated that he is opposed to this project as he feels his property will flood.

Planning Manager Ryan read into record comments provided by Rene Rodriguez & Maria Cordero, 2555 Cypress Ln., Kissimmee FL 34746 stated that they are opposed to this project as they feel it will have a negative impact on their property and create more traffic congestion.

Planning Manager Ryan read into record comments provided by Graeme Leach 2495 Cypress Ln., Kissimmee, FL 34746 stated that he strongly opposes this project as he feels that it will create flooding and more traffic congestion.

Planning Manager Ryan stated that there were duplicate comments provided by Graeme Leach.

Assistant City Attorney Oded stated that duplicate comments provided will be applicable to both Ordinance# 20-18 & Ordinance# 20-19 for the record.

Planning Manager Ryan read into record comments provided by Maria Vega, 2795 Alice Ln., Kissimmee, FL 34746, stated that the lake behind her home is dirty and wanted clarification on who was responsible for cleanup.

Planning Manager Ryan read into record comments provided by Emily Elrod 2670 Cypress Ln., Kissimmee, FL 34746 stated that she is opposed to these land use changes as it will cause traffic and safety concerns.

Planning Manager Ryan read into record comments provided by Robert Patterson, 2825 Alice Blvd., Kissimmee, FL 34746 stated that he is opposed to the higher density allowed and would be agreeable to a less dense zoning.

Vice Chairman Wolff asked would the comments that were read into record apply to both items IV A & IV B.

Assistant City Attorney Oded stated that for the record the comments that were read into record Staff will be accepting those comments to be applied to both agenda items IV A & IV B.

John Adams, RJ Whidden & Associates 316 Church St., Kissimmee, FL 34741 representing the applicant addressed the concerns regarding drainage and traffic for this project.

Member Kapp asked the applicant how far away from the canal is this project and will there be an acceleration lane.

Mr. Adams stated that in accordance with the code you have to be a minimum of 25 feet away & that with regards to the acceleration lane that the road is an FDOT roadway.

Maria Di Silva, 903 Lake Lilly, Kissimmee, FL speaking on behalf of Maria Vega stated that her concern is that this project will be a financial loss.

Member Kapp made a motion for approval subject to 1 condition. Seconded by Vice Chairman Wolff.

- 1. Subject to Department of Economic Opportunity (DEO) review and approval.**

**Vice Chairman Wolff
Member Kapp**

**Aye
Aye**

**Member Spalding
Member Espinosa**

**Aye
Aye**

Motion carried 4-0.

B. Shingle Creek Reserve, Zoning Map Amendment, DRC#20-0754, request approval of a Zoning Map Amendment

Planning Manager Ryan stated that this is a request for approval of a Zoning Map Amendment from MUPUD (Mixed Planned Unit Development to RC-1 (Multi-Family Medium Density Residential) on 22.34 acres of land.

CRA Manager Singleton also stated that this will allow the areas that were not previously included in the Brownfield Area to be included; so that it will allow for things such as tax credits and other funding.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the RC-1 zoning district as outlined in Section 14-2-24(A) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-2-24(B) as multiple family housing developments are consistent and compatible along this segment of N. John Young Parkway and the surrounding area.
3. Compliance with the site design regulations such as lot size, lot area, setbacks, building separation, height, frontage, lot coverage, and other general standards such as internal circulation, access and other conditions as outlined in Section 14-2-24(D), 14-2-24(E), and 14-2-32(F).
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 multiple family structures.

Staff recommends approval subject to the following 2 conditions:

1. Subject to City Commission review and approval of associated future land use plan amendment (DRC#20-00075).
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.

John Adams, RJ Whidden & Associates 316 Church St., Kissimmee, FL 34741 representing the applicant addressed was available for any questions.

Member Spalding asked for clarification if item IV A the same subject property as item IV B.

Planning Manager stated that both Items are the same subject property.

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

1. **Subject to City Commission review and approval of associated future land use plan amendment (DRC#20-00075).**
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.**

Vice Chairman Wolff
Member Kapp

Aye
Aye

Member Spalding
Member Espinosa

Aye
Aye

Motion carried 4-0.

C. Sunbelt Phase 1, PUD Amendment, DRC#20-001, request approval of a PUD Amendment

Planning Manager Ryan stated that this is a request for approval of a PUD Amendment to update the use and design standards for the Sunbelt Phase 1 Mixed Use PUD (MUPUD) on approximately 3.53 acres of land.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the MUPUD zoning district requirements as outlined in Section 14-2-52(A) of the Land Development Code.
2. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.2, Single-Family Low Density Residential (SF-LDR) that is intended to accommodate single family detached dwelling units with a maximum density of up to six (6) dwelling units per acre.

Staff recommends approval subject to the following 10 conditions:

1. With the exception to the proposed changes in this PUD Amendment, all uses, design standards, setbacks, buffers, landscaping, open space, phasing, and conditions as outlined in the Sunbelt Ph. 1 MUPUD Amendment (DRC#04-037) and Ph. 1 Construction Plans shall be adhered to.
2. A PUD Amendment, Preliminary Plan Amendment, Preliminary Plat, Final Plat and/or a PUD Site Plan shall be required for Phase 2 and any other future phases.
3. All common areas and facilities such as utilities, drainage, retention ponds, and the maintenance free masonry wall, which will be required adjacent to Mill Slough Road and Bill Beck Boulevard within a 10-foot wall easement, will be owned and maintained by the homeowner's association. In addition, all amenities will be owned and maintained by the homeowner's association and will be constructed and completed prior to acceptance of improvements.
4. All sewer, potable water, and reuse lines will be dedicated to and maintained by Toho Water Authority.
5. Proposed buildings elevations shall be constructed to conform with the submitted building elevation plans included with this PUD Amendment.
6. All proposed screen enclosures (with screen roofs), patios, ancillary buildings, etc. shall not be located within any open space, common areas, or easement unless it is determined as permitted as part of this approval.
7. All mechanical equipment located outdoors, such as heating, ventilation, air conditioning, and refrigeration systems, shall be visually screened from adjacent rights-of-way.

8. A garage shall not be converted to living space unless the garage (parking space) has been relocated to an acceptable location approved by the Development Services Planning Division.
9. Existing trees on the property and those within close proximity from adjacent properties shall be preserved in accordance with the Land Development Code and shall be barricaded & inspected prior to any future land clearing of the site. Differing slopes to adjacent properties and/or a grade/fill greater than 6-inches within the dripline of any trees to be preserved shall be prohibited.
10. All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re-evaluation of this request with possible revocation.

Dan Schumaker, NH Development representing the applicant stated that he was available for any questions.

Member Kapp made a motion for approval subject to 10 conditions. Seconded by Member Espinosa.

1. **With the exception to the proposed changes in this PUD Amendment, all uses, design standards, setbacks, buffers, landscaping, open space, phasing, and conditions as outlined in the Sunbelt Ph. 1 MUPUD Amendment (DRC#04-037) and Ph. 1 Construction Plans shall be adhered to.**
2. **A PUD Amendment, Preliminary Plan Amendment, Preliminary Plat, Final Plat and/or a PUD Site Plan shall be required for Phase 2 and any other future phases.**
3. **All common areas and facilities such as utilities, drainage, retention ponds, and the maintenance free masonry wall, which will be required adjacent to Mill Slough Road and Bill Beck Boulevard within a 10-foot wall easement, will be owned and maintained by the homeowner's association. In addition, All amenities will be owned and maintained by the homeowner's association and will be constructed and completed prior to acceptance of improvements.**
4. **All sewer, potable water, and reuse lines will be dedicated to and maintained by Toho Water Authority.**
5. **Proposed buildings elevations shall be constructed to conform with the submitted building elevation plans included with this PUD Amendment.**
6. **All proposed screen enclosures (with screen roofs), patios, ancillary buildings, etc. shall not be located within any open space, common areas, or easement unless it is determined as permitted as part of this approval.**
7. **All mechanical equipment located outdoors, such as heating, ventilation, air conditioning, and refrigeration systems, shall be visually screened from adjacent rights-of-way.**
8. **A garage shall not be converted to living space unless the garage (parking space) has been relocated to an acceptable location approved by the Development Services Planning Division.**

9. Existing trees on the property and those within close proximity from adjacent properties shall be preserved in accordance with the Land Development Code and shall be barricaded & inspected prior to any future land clearing of the site. Differing slopes to adjacent properties and/or a grade/fill greater than 6-inches within the dripline of any trees to be preserved shall be prohibited.
10. All applicable code requirements of the City of Kissimmee Code of Ordinances and conditions of approval shall be adhered to at all times. Failure to comply with the City of Kissimmee Code of Ordinances could result in re-evaluation of this request with possible revocation.

Vice Chairman Wolff
Member Kapp

Aye
Aye

Member Spalding
Member Espinosa

Aye
Aye

Motion carried 4-0.

VI Discussion

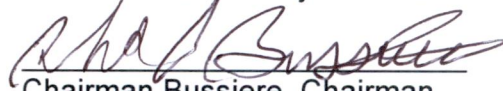
Board members had some discussion regarding meetings going forward and Zoom links

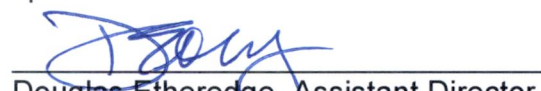
VII HEARING CHAIRMAN AND BOARD MEMBERS

No Discussion

VIII ADJOURN

The Board adjourned the meeting at 7:27 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.