



**MEETING MINUTES
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, JANUARY 4, 2023 AT 6:00 PM**

1. **MEETING CALLED TO ORDER Members Present:** Chairman Robert Bussiere, Member Fatima Santiago, Vice-Chairman Diana Marrero-Pinto, Member Melissa Thacker
Staff Present: Brenda Ryan, Planning Manager, Patricia Prevost, Planner I, Kalanit Oded, Deputy City Attorney, Yolanda Hazley, Planning Technician
Members Absent: Member Robert Spalding

Chairman Robert Bussiere called the meeting to order at 6:00 PM.

2. **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE** After a moment of silence the Chairman Bussiere led the audience in the Pledge of Allegiance.
3. **MINUTES**

3.A Approval of the November 2, 2022 Planning Advisory Board Meeting Minutes.

Board Member Thacker made a motion to Approve . Board Member Santiago seconded the motion.

AYE: Board Member Bussiere, Board Member Santiago, PAB Board Member Marrero-Pinto, Board Member Thacker
NAY: None

Motion to Approve Passed 4 - 0.

4. **OLD BUSINESS** None.

5. **NEW BUSINESS**

5.A Public Hearing for a Conditional Use with Site Specific Redevelopment Plan to establish a child care facility at 820 Emmett Street - CU-22-0011

Planner Prevost stated that this is a request for a Conditional Use w/ Site Specific Redevelopment Plan to establish a child care facility. The subject property is located at 820 Emmett St.

Planner Prevost stated that this business was originally established as a dental office and that the parking calculation was made as there is no designated drop-off area, so the requirement is 1 space for every 5 children.

Planner Prevost stated that the property currently has 10 parking spaces and the original application projected a maximum of 80 children. However, the maximum number of children that this site can support is 50 children and there are no other businesses on this property.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Neighborhood Open (T4-O) transect zoning standards as outlined in Section 14-5-4 of the Land Development Code.
2. Compliance with Section 14-5-6, Table 5-1, as a child care facility is listed as a potential conditional use allowance in the Neighborhood Open (T4-O) zoning district.
3. Compliance with Section 14-3-29(G) 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 Future Land Use Element Policy 1.2.9.2, Mixed Use - Downtown (MU-D), Government District sub-area, which is primarily non-residential in character, and is generally intended to remain so. The mix of uses in this sub-area shall be 5-15 percent residential and 58-95 percent non-residential, with a maximum project density of up to 4.0 FAR.

Staff recommends approval subject to the following 7 conditions:

1. This approval is for a child care facility only. Private and public schools and educational service establishments require separate Conditional Use approval.
2. The maximum number of children is 50 based on the existing number of parking spaces.
3. Should the applicant wish to increase the number of children, a satellite parking agreement in accordance with the standards in Section 14-7-26 must be provided.
4. Should the applicant not obtain State approval for the child care facility, this Conditional Use approval shall be revoked.
5. Accessory structures, such as playground equipment, shall not be placed in front of the building or in the rear within the drive aisles.
6. Drop off and pick up in the drive aisles or on Emmett St. or S. Clyde St. is prohibited. All vehicles must park in marked parking spaces to ensure there are no adverse internal circulation and external traffic impacts.
7. Transportation service vehicles larger than the provided parking spaces shall be prohibited. All drive aisles must maintain clearance for vehicle circulation.

Member Thacker made a motion for approval subject to 7 conditions. Seconded by Vice Chairman Marrero-Pinto.

1. **This approval is for a child care facility only. Private and public schools and educational service establishments require separate Conditional Use approval.**
2. **The maximum number of children is 50 based on the existing number of parking spaces.**
3. **Should the applicant wish to increase the number of children, a satellite parking agreement in accordance with the standards in Section 14-7-26 must be provided.**
4. **Should the applicant not obtain State approval for the child care facility, this Conditional Use approval shall be revoked.**
5. **Accessory structures, such as playground equipment, shall not be placed in front of the building or in the rear within the drive aisles.**
6. **Drop off and pick up in the drive aisles or on Emmett St. or S. Clyde St. is**

prohibited. All vehicles must park in marked parking spaces to ensure there are no adverse internal circulation and external traffic impacts.

- 7. Transportation service vehicles larger than the provided parking spaces shall be prohibited. All drive aisles must maintain clearance for vehicle circulation.**

Board Member Thacker made a motion to Approve w/Conditions . PAB Board Member Marrero-Pinto seconded the motion.

AYE: Board Member Bussiere, Board Member Santiago, PAB Board Member Marrero-Pinto, Board Member Thacker

NAY: None

Motion to Approve w/Conditions Passed 4 - 0.

5.B Public Hearing for a Conditional Use with Site Specific Redevelopment Plan to establish an office conversion at 721 Mabbette Street - DRC-21-00055

Planner Prevost stated that this is a request for a Conditional Use w/Site Specific Redevelopment Plan for approval of an office conversion on approximately 0.23 acres. The subject property is located at 721 Mabbette St.

Fernando Homs, 721 Mabbette St., Kissimmee, FL, representing the applicant, stated that he is happy with the project starting soon.

Planner Prevost stated that this conversion includes the addition of 6 parking spaces (1ADA), a paved access-drive at the rear of the property along with other improvements.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Neighborhood Open (T4-O) transect zoning standards as outlined in Section 14-5-4 of the Land Development Code.
2. Compliance with Section 14-5-6, Table 5-1, as an office is listed as a potential conditional use allowance in the Neighborhood Open (T4-O) zoning district
3. Compliance with Section 14-3-29(G) 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 Future Land Use Element Policy 1.2.9.2, Mixed Use - Downtown (MU-D), Low Density Residential sub-area, which is primarily non-residential in character, and is generally intended to remain so. The mix of uses in this sub-area shall be 85-95 percent residential and 5-15 percent non-residential, with a maximum project density of up to 4.0 FAR.
5. [HPO approval with conditions]

Staff recommends approval subject to the following 5 conditions:

1. The applicant shall make the required changes and meet the conditions of approval outlined by the Historic Preservation Board's Certificate of Appropriateness before the final inspection of the building permit.
2. Remove the ramp that connects to the sidewalk on Mabbette Street. Like other residential conversions in the area, the ramp should connect to the parking area

- and have a minimal impact to the integrity of the structure. The ramp should only connect to the parking area and shall not extend in front of the front facade.
3. Slats for the ramp shall match the style of other similar style improvements within the district and be consistent with slat styles appropriate for the bungalow style. Samples have been included as a reference.
4. The trash receptacles shall be moved to the rear of the structure and comply with any Land Development Code requirements for screening.
5. Any changes to the approved work, including a change in work materials, must be presented to the Historic Preservation Board before starting or continuing with construction. Failure to do so will result in Code Enforcement Action.

Vice chairman Marrero-Pinto made a motion for approval subject to 5 conditions. Seconded by Member Santiago.

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- 3. Slats for the ramp shall match the style of other similar style improvements within the district and be consistent with slat styles appropriate for the bungalow style. Samples have been included as a reference.**
- 4. The trash receptacles shall be moved to the rear of the structure and comply with any Land Development Code requirements for screening.**
- 5. Any changes to the approved work, including a change in work materials, must be presented to the Historic Preservation Board before starting or continuing with construction. Failure to do so will result in Code Enforcement Action.**

AYE: Board Member Bussiere, Board Member Santiago, Board Member Marrero-Pinto, Board Member Thacker
 NAY: None

Motion to Passed 4 - 0.

- 5.C Public Hearing for a Conditional Use with Site Specific Redevelopment Plan to establish a 30 unit multi-family residential development at 511 Dillingham Avenue - CU-22-0010
 Planning Manger Ryan stated that this is a Conditional Use with Site Specific Redevelopment Plan to establish a 30 unit Multi-Family Residential Development. The subject property is located at 511 Dillingham Ave.

Planning Manager Ryan stated that the applicant will demolish the Sunrise Drop in

Center; the new building will accommodate more permanent supportive housing for the current program, which is a legal non conforming use for Park Place operating as an institutional use, housing individuals with serious mental illness.

Planning Manager stated that the City Manager deemed the project of significance to the City and warrants greater flexibility with the Form Based Code design and development standards.

Vice Chairman Marrero- Pinto asked if Park Place currently has housing.

Planning Manager Ryan stated that, yes, they currently have housing onsite.

Vice Chairman Marrero-Pinto asked what the number of residents can be housed on this site.

Planning Manager Ryan stated that the maximum number of residents that are allowed is only 16 residents.

Ana Suarez, Birdsong Housing 2700 Westhall Ln. Suite# 200 Maitland, FL, representing the applicant stated that they are in support of staff's recommendations.

Willie Mae Prettygaurd, 416 Dillingham Kissimmee, FL, asked where the parking lot would be located and if the apartments are proposed, they will face June Street.

Planning Manager Ryan stated that parking will be located off of Dillingham Ave and the apartments will face June Street.

Brenda Haley, 422 June Street, expressed concerns about debris from the construction site and she also wanted to know the number of residents that would be in each unit and the start and completion date for the project.

Ms. Suarez stated the first phase is the asbestos removal, then the demolition and, as far as the completion date, it would be approximately the end of 2023 or the spring of 2024.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Neighborhood Restricted (T4-R) transect zoning standards as outlined in Section 14-5-4(C) of the Land Development Code.
2. Compliance with Section 14-5-6, Table 5-1, as a multiple family residential is a use listed as potential conditional use allowance in the Neighborhood Restricted (T4-R) transect zoning district.
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 Section 14-5-14, Form Based Code Flexibility, with the accompanying Developer's Agreement that acknowledges this project of significance to the City which is defined as any development or redevelopment

project with special site characteristics of size, especially very small or very large, determined by the City Manager to be of such economic or social importance to the city that it warrants greater flexibility in the interpretation of the Form Based Code standards of the Land Development Code.

5. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.9.2, Mixed Use - Downtown (MU-D), Medical Campus sub-area, This sub-area is centered on the hospital and medical use area and includes residential uses to provide housing for area employees. The mix of uses in this sub-area shall be 5-25 percent residential, and 75-95 percent non-residential, with a maximum project density and intensity of up to 40 du/ac and up to 6.0 FAR. The proposed project density for this conditional use is 30 du/ac.

Staff recommends approval subject to the following 5 conditions:

1. Design and development standards included within the Developer's Agreement is limited to the new, 30 unit multi family building and existing, non conforming institutional use building only. Any future multi family expansions, alterations, or additions to the new building or site is not subject to the Developer's Agreement and must meet all Land Development Code (LDC) design and development standards.
2. The legal, non-conforming institutional care use within the existing building is limited to a maximum of 16 residents. This existing use and building cannot be increased or expanded and is subject to the City's legal non conforming standards in the Land Development Code (LDC).
3. Six (6) bicycle lockers must be provided and cannot be replaced with bicycle racks with the approval of a parking reduction for this site. If bicycle lockers are not installed, a minimum of 51 parking spaces must be provided.
4. On-street parking shall remain open to the public and cannot be reserved or dedicated for private use or ADA-accessible spaces.
5. NORD dumpster cannot be located in the streetscape zone or right-of-way.

Member Thacker made a motion for approval subject to 5 conditions. Seconded by Vice Chairman Marrero-Pinto.

1. **Design and development standards included within the Developer's Agreement is limited to the new, 30 unit multi family building and existing, non conforming institutional use building only. Any future multi family expansions, alterations, or additions to the new building or site is not subject to the Developer's Agreement and must meet all Land Development Code (LDC) design and development standards.**
2. **The legal, non-conforming institutional care use within the existing building is limited to a maximum of 16 residents. This existing use and building cannot be increased or expanded and is subject to the City's legal non conforming standards in the Land Development Code (LDC).**
3. **Six (6) bicycle lockers must be provided and cannot be replaced with bicycle racks with the approval of a parking reduction for this site. If bicycle lockers are not installed, a minimum of 51 parking spaces must be provided.**
4. **On-street parking shall remain open to the public and cannot be reserved or dedicated for private use or ADA-accessible spaces.**

5. NORD dumpster cannot be located in the streetscape zone or right-of-way.

Board Member Thacker made a motion to Approve w/Conditions . Board Member Marrero-Pinto seconded the motion.

AYE: Board Member Bussiere, Board Member Santiago, Board Member Marrero-Pinto, Board Member Thacker

NAY: None

Motion to Approve w/Conditions Passed 4 - 0.

5.D Public Hearing - Ordinance amending the Zoning Map from City Planned Mixed Use Development (PMUD) to City Multiple Family Medium Density Residential (RC-1): Ivey Creek, ZMA-22-0006 - Proposed Ordinance #22-21

AN ORDINANCE AMENDING ORDINANCE NO. 3068 KNOWN AS THE CITY OF KISSIMMEE LAND DEVELOPMENT CODE, REZONING THE PROPERTY HEREINAFTER DESCRIBED, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Planning Manager Ryan stated that this is a request for an approval of a Zoning Map Amendment to change the Zoning designation from MUPUD (Mixed-Use Planned Unit Development-City to RC-1 (Multiple Family Medium Density Residential on approximately 62 acres of land. The subject property is located on the south side of Fortune Rd.

Planning Manager Ryan stated the proposed RC-1 is compatible with the surrounding land uses and there is an existing multi-family northwest of the property which makes it compatible with the surrounding areas.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Multi Family Medium Density Residential (RC-1) zoning district as outlined in Section 14-4-4(E) of the Land Development Code.
2. Compliance with the allowable uses as outlined in Section 14-4-5, Table 4-1, is consistent and compatible with the surrounding area.
3. Compliance with Land Development Code Section 14-3-27, Zoning map and Land Development Code (LDC) amendments, in regards to the submittal and review procedures and criteria to support an amendment.
4. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.3 Medium Density Residential, in that the Multiple Family Medium Density Residential (MF-MDR) designation is compatible with the Multi Family Medium Density Residential (RC-1) Zoning designation.

Staff recommends approval subject to the following 1 condition:

1. Subject to Planning Advisory Board (PAB) and City Commission approval.

Celia Dorn, representing the applicant, stated that they were in agreement with the staff's recommendation and was available for any questions.

Chairman Bussiere made a motion for approval subject to 1 condition. Seconded by Member Santiago

1. Subject to Planning Advisory Board (PAB) and City Commission approval.

Board Member Bussiere made a motion to Approve w/Conditions . Board Member Santiago seconded the motion.

AYE: Board Member Bussiere, Board Member Santiago, Board Member Marrero-Pinto
NAY: None

Motion to Approve w/Conditions Passed 3 - 0.

6. PUBLIC HEARINGS None.

7. DISCUSSION

7.A Board Member Meeting Attendance

Planner Ryan discussed with the Planning Advisory Board members the importance of attendance at Planning Advisory Board Meetings.

8. HEAR CHAIRMAN AND BOARD MEMBERS None.

9. ADJOURNMENT

There being no further business to come before the Planning Advisory Board, Chairman Bussiere adjourned the meeting at 6:30 PM.



Board Chairman

ATTEST:


Board Secretary