



**MEETING MINUTES
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, DECEMBER 20, 2023 AT 6:00 PM**

1. MEETING CALLED TO ORDER

Members Present: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

Staff Present: Deputy City Attorney Kalanit Oded, Planning Manager Brenda Ryan, Planner Muhtadi Chowdhury, Administrative Assistant II Alicia Smith

Members Absent: Board Member Sylvette Santos

Chairman Bussiere called the meeting to order at 06:00 PM.

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE After a Moment of Silence, Chairman Bussiere led the audience in the Pledge of Allegiance.

3. MINUTES

- 3.A Approval of the September 6, 2023 Planning Advisory Board (PAB) Meeting Minutes.
Board Member Spalding made a motion to Approve . Board Member Thacker seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

NAY: None

Motion to Approve Passed 6 - 0.

- 3.B Approval of the October 4, 2023 Planning Advisory Board (PAB) Meeting Minutes.
Board Member Marrero-Pinto made a motion to Approve . Board Member Spalding seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

NAY: None

Motion to Approve Passed 6 - 0.

- 3.C Approval of the November 15, 2023 Planning Advisory Board (PAB) Meeting Minutes.
Board Member Spalding made a motion to Approve. Board Member Marrero-Pinto seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

NAY: None

Motion to Approve Passed 6 - 0.

OLD BUSINESS

NEW BUSINESS

- 5.A Public Hearing - Conditional Use with Site Plan Waiver for a private school at 3030 & 3051 Lions Ct. - Nazaret Christian Academy - CU-23-0012
 Planning Manager Brenda Ryan states this is a request for approval of a conditional use with site plan waiver for a private school located at 3030 Lions Ct and at 3051 Lions Ct. Received approval from the Board in 1995. Expanding the school to the larger parcel at 3030 Lions Ct. The school and the church activities will not conflict.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.3.2, Commercial General (CG), which intended to include the hub of retail sales and services within the downtown business district as well as highly accessible areas adjacent to major thoroughfares and transit facilities, that possess necessary location, site, and market requirements. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 2.5 FAR.
2. Compliance with the intent of the General Commercial (B-3) Zoning District as outlined in Section 14-4-4J of the Land Development Code, provide for a broad range of business activities including a variety of retail sales, office, and service establishments, and uses requiring a high degree of accessibility for vehicular traffic.
3. Compliance with Table 4-2, Schedule of Uses for Non-Residential Standard Districts, Section 14-4-5, in that schools are an allowable use within the General Commercial (B-3) Zoning District with Conditional Use approval by the Planning Advisory Board.
4. Compliance with Section 14-3-29(G)(1)-(13) general review criteria for conditional use approval as the subject properties', layout, compatibility, and public facility impacts of the project are in compliance with the site plan waiver requirements with construction limited to the interior of existing buildings; existing parking, loading, and lighting are not impacted, and no special buffers are required.

Staff recommends approval subject to the following 11 conditions:

1. Private school approval for the Nazaret Christian Academy at 3030 Lions Ct. is limited to high school grades 9-12 only with no more than 5 classrooms.
2. School and church activities cannot occur at the same time on any of the properties.
3. Drop off and pick up of students will be permitted only at the main campus at 3051 Lions Ct.
4. Pedestrian striping and ADA accessible improvements is required on Lions Ct. to provide a safe pedestrian connection for students from the main school campus at 3051 Lions Ct. and the new school expansion at 3030 Lions Ct.
5. A satellite parking agreement between the main school campus at 3051 Lions Ct. and the new school expansion at 3030 Lions Ct. may be required if additional

parking spaces at 3030 Lions Ct. does not meet City standards. The satellite parking agreement must be approved prior to the issuance of the Certificate of Occupancy (CO) of the school use at 3030 Lions Ct.

6. No transportation vans or bus services is permitted. If transportation vans or bus services are provided in the future, a Site Plan revision must be provided that addresses parking and circulation route.
7. All drive aisle must maintain a minimum of 24ft. clearance to sustain 2-way traffic throughout at both locations.
8. Should there be any stacking of vehicles on Lions Ct. or Bill Beck Blvd. due to drop off and pick up traffic issues, a revised parking and circulation plan must be submitted and approved to the City prior to implementation of any changes.
9. A vehicular access connection to Bill Beck Blvd. via the paved portion of Ridge St. must be provided.
10. Separate Business Licenses for 3030 Lions Ct. and 3051 Lions Ct. for the school must be submitted and maintained.
11. A solid 6ft. PVC fence must be provided along the southeastern +/- 100ft. portion of the southern boundary line of 3051 Lions Ct. adjacent to the residential district. A minimum of 1 tree at least 2 1/2" caliper shall be provided every 15 lineal feet. Tree types shall alternate between large and medium canopy trees. Species shall be evergreen to form a continuous screen year-round.

Board Member Thacker made a motion to Approve with 11 conditions . Board Member Spalding seconded the motion.

1. Private school approval for the Nazaret Christian Academy at 3030 Lions Ct. is limited to high school grades 9-12 only with no more than 5 classrooms.
2. School and church activities cannot occur at the same time on any of the properties.
3. Drop off and pick up of students will be permitted only at the main campus at 3051 Lions Ct.
4. Pedestrian striping and ADA accessible improvements is required on Lions Ct. to provide a safe pedestrian connection for students from the main school campus at 3051 Lions Ct. and the new school expansion at 3030 Lions Ct.
5. A satellite parking agreement between the main school campus at 3051 Lions Ct. and the new school expansion at 3030 Lions Ct. may be required if additional parking spaces at 3030 Lions Ct. does not meet City standards. The satellite parking agreement must be approved prior to the issuance of the Certificate of Occupancy (CO) of the school use at 3030 Lions Ct.
6. No transportation vans or bus services is permitted. If transportation vans or bus services are provided in the future, a Site Plan revision must be provided that addresses parking and circulation route.
7. All drive aisle must maintain a minimum of 24ft. clearance to sustain 2-way traffic throughout at both locations.
8. Should there be any stacking of vehicles on Lions Ct. or Bill Beck Blvd. due to drop off and pick up traffic issues, a revised parking and circulation plan must be submitted and approved to the City prior to implementation of any changes.
9. A vehicular access connection to Bill Beck Blvd. via the paved portion of Ridge St. must be provided.
10. Separate Business Licenses for 3030 Lions Ct. and 3051 Lions Ct. for the

school must be submitted and maintained.

- 11. A solid 6ft. PVC fence must be provided along the southeastern +/- 100ft. portion of the southern boundary line of 3051 Lions Ct. adjacent to the residential district. A minimum of 1 tree at least 2 1/2" caliper shall be provided every 15 lineal feet. Tree types shall alternate between large and medium canopy trees. Species shall be evergreen to form a continuous screen year-round.**

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

NAY: None

Motion to Approve w/ conditions Passed 6 - 0.

- 5.B Public Hearing - An Ordinance amending the Future Land Use Map designation from City Commercial General (CG) & Single Family Low Density Residential (SF-LDR) to City Single Family Low Density Residential (SF-LDR): Palmetto Ave, LUPA-23-0005 - Proposed Ordinance #23-22

AN ORDINANCE AMENDING ORDINANCE NO. 3050 KNOWN AS THE ORDINANCE ADOPTING THE COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY OF KISSIMMEE, FLORIDA, UNDER THE AUTHORITY OF FLORIDA STATUTE 163.3184; DIRECTING THE CITY MANAGER TO AMEND THE COMPREHENSIVE LAND USE PLAN AS HEREIN PROVIDED AFTER THE PASSAGE OF THIS ORDINANCE; PROVIDING FOR A PUBLIC HEARING AS REQUIRED BY LAW; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

Planning Manager Brenda Ryan states this is a request for approval of a land use amendment to change the future lands use designation from commercial general to single family low density residential. There were attempts to develop this property to commercial, but the immediate surrounding area is residential. We feel it is more appropriate to change the designation from commercial to residential.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.2, Single Family Low Density Residential (SF-LDR), that is intended to protect the quality and character of existing and stable single family detached low density residential neighborhoods. Areas delineated on the Future Land Use Map for single family low density residential uses shall accommodate single family detached dwelling units with a maximum density of up to six (6) dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, and other factors which may be identified in the land development regulations.
2. Compliance with Land Development Code Section 14-3-26, Comprehensive Plan Text and Map Amendments, in regards to the submittal and review procedures and criteria to support an amendment.

3. Compliance with Land Development Code Section 14-3-27, Zoning Map and Land Development Code Amendments, in regards to the submittal and review procedures and criteria to support an amendment. Compliance with Land Development Code Section 14-4-4(C), Single Family Residential District (RA-2) Zoning District, that is compatible with the Single-Family Low Density Residential (SF-LDR) Future Land Use designation.

Board Member Alex Alemi states you said this area is mainly residential. Do you know where the nearest commercial properties are to the residential properties in the area?

Planning Manager Brenda Ryan states there is residential across John Young Pkwy and the future land use on the southside there the existing self storage is commercial. The nearest commercial is across the street to the south and the westside of John Young.

Board Member Alex Alemi states I'm concerned with putting more residential there would mean that more people would have to leave and go elsewhere to conduct their business. Are there existing interests to develop the property or is this the City thinking ahead?

Planning Manager Brenda Ryan states there is interest to develop as a single family residential and the applicant is here. There have been previous attempts to develop the property commercial. In one case it was denied for the use not being appropriate and the second case they wanted an office space within a restaurant and it didn't pass with the committee. It would probably be a better success as residential.

Board Member Robert Bussiere states there is an applicant requesting this?

Planning Manager Brenda Ryan states yes, this is not City initiated.

Board Member Marrero-Pinto made a motion to Approve. Board Member Spalding seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

NAY: None

Motion to Approve Passed 6 - 0.

- 5.C Public Hearing - An Ordinance amending the Zoning Map designation from City Highway Commercial (HC) to City Single-Family Residential (RA-2): Palmetto Ave., ZMA-23-0007 - Proposed Ordinance #23-23

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 Brenda Ryan states this is a request for approval to amend the zoning designation from city highway commercial to city single family residential. In 1998, there was an attempt to change to commercial for a pawn shop. The Planning Advisory Board

recommended approval, but the City Commission reversed their approval and denied the request. In 2001, there was an attempt to include commercial with office space for a dance studio with a restaurant addition that meet all the requirements, but it never left our committee. There have not been any additional commercial applications to be submitted. It is compatible to the proposed future land use.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.1.2, Single Family Low Density Residential (SF-LDR), that is intended to protect the quality and character of existing and stable single family detached low density residential neighborhoods. Areas delineated on the Future Land Use Map for single family low density residential uses shall accommodate single family detached dwelling units with a maximum density of up to six (6) dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, and other factors which may be identified in the land development regulations.
2. Compliance with Land Development Code Section 14-3-27, Zoning Map and Land Development Code Amendments, in regards to the submittal and review procedures and criteria to support an amendment.
3. Compliance with Land Development Code Section 14-4-4(C), Single Family Residential District (RA-2) Zoning District, that is compatible with the Single Family Low Density Residential (SF-LDR) Future Land Use designation.

Board Member Spalding made a motion to Approve. Board Member Marrero-Pinto seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

NAY: None

Motion to Approve Passed 6 - 0.

- 5.D Public Hearing - An Ordinance amending the Zoning Map designation from County Estate (E-1), County Agricultural & Conservation Development (AC), and City Agricultural & Conservation Development (AC) to Mixed Used Planned Unit Development (MUPUD): Hilliard Isle, PUD-22-0004- Proposed Ordinance #23-24

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.

Board Member Melissa Thacker Abstained.

Planning Manager Brenda Ryan states this is a request for approval to amend the zoning designation of about 883 acres of land for mixed use. Phase I will be the village center for commercial and residential. Commercial will be for the amenities. Hilliard Isle will be used for emergency access only.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.1.2, Single Family Low Density Residential (SF-LDR), that is intended to protect the quality and character of existing and stable single family detached low density residential neighborhoods. Areas delineated on the Future Land Use Map for single family low density residential uses shall accommodate single family detached dwelling units with a maximum density of up to six (6) dwelling units per acre. Specific densities will be determined by such factors as natural features of the land, density and/or intensity of developed and/or undeveloped land surrounding development, level of accessibility, housing supply and demand, adequacy of public facilities, and other factors which may be identified in the land development regulations.
2. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.1.3, Medium Density Residential (MDR), which is intended to ensure sufficient land area for developments of medium density, and an adequate supply of existing and/or projected public facilities for the area. Supportive community facilities and accessory land uses may be located within areas designated MDR. Sites for medium density residential developments should be located so they provide a smooth transition between lower density residential areas, and mixed-use areas or those developed and/or designated for more intense uses. The Multi Family Medium Density Residential (MF-MDR) designation is intended to accommodate multiple family structures with a density of 10-20 units per acre. Lesser densities may be allowed in order to protect environmentally sensitive lands or to achieve greater consistency with surrounding land uses, including mixed-uses.
3. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.3.2, Commercial General (CG), which is for purposes of accommodating office uses and general retail sales and services. It is intended to include the hub of retail sales and services within the downtown business district as well as highly accessible areas adjacent to major thoroughfares and transit facilities, that possess necessary location, site, and market requirements. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 2.5 FAR.
4. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.8.2, Conservation (CONS), which is for those lands that, because of their environmental quality or sensitivity, are intended for protection and are not intended for development activities, and therefore have no allowable FAR. These lands may include wetlands, wildlife habitats, and/or watershed protection areas. The CONS designation shall be applied to portions of major natural resource areas and environmentally sensitive corridors which the City deems appropriate and feasible to protect in order to help implement natural resource conservation goals, objectives, and policies stipulated in the Comprehensive Plan. The designation shall be primarily assigned to publicly owned and restricted privately owned properties.
5. Compliance with Land Development Code Section 14-3-27, Zoning Map and Land Development Code Amendments, in regards to the submittal and review

- procedures and criteria to support an amendment.
6. Compliance with Land Development Code Section 14-4-8(D), Mixed-Use Planned Unit Development District (PMUD), which is intended for land under unified control to be planned and developed for a compatible mix of residential and commercial purposes or commercial-light industrial uses with a greater amount of site design flexibility by removing some of the restrictions of conventional zoning. This district is intended for use in suitable areas which have been assigned any of the Comprehensive Plan Future Land Use designations other than the Mobile Home Medium Density Residential (MH-MDR) designation. The uses, density and intensity allowed in this district shall be consistent with the Future Land Use designation(s).

Staff recommends approval subject to the following 18 conditions:

1. Subject to the approval of the Hilliard Isle Annexation (AX-22-0003) and Future Land Use Amendment (LUPA-22-0006).
2. Sign standards included within the Hilliard Isle Mixed Use Planned Unit Development (MUPUD) must be reviewed separately within a Developer's Agreement that must be submitted within one (1) year of the City Commission approval of the MUPUD. If the Developer's Agreement is not approved within one (1) year of the City Commission approval of the MUPUD, sign standards must comply with the Land Development Code (LDC).
3. Phase 1A Transitional Zone and any subsequent sub-phases must comply with the Phase 1 single family development standards, Phase 2 multi family development standards, and the Highway Commercial (HC) Zoning permitted and conditional use standards for non-residential uses.
4. Phase 2 (Village Center) and any subsequent sub-phases containing single family development must comply with the Phase 1 single family development standards.
5. Attached garages with openings for vehicles facing the front lot line shall be set back at least five (5) feet behind the front façade of the principal structure or any porch attached to the principal structure.
6. Three (3) car volume garage elevations were not included with the MUPUD submittal. These elevations must be provided with the Preliminary Plat submittal and comply with the design standards included with the conditions of approval and MUPUD narrative.
7. All building elevations on all lots with front loaded garages will consist of a total garage door opening of no more than 40% of the total lineal frontage of the front façade of the principal structure.
8. All residential dwellings shall be raised a minimum of 18 inches from the finished front property line or sidewalk elevation provided that an administrative DRC waiver with an alternative design proposal consistent with the intent of traditional architectural design is approved. If an alternative design proposal is not approved, the minimum 18 inches standard will be from finished exterior grade.
9. Private roadway standards in Phase 2 (Village Center) must be reviewed separately within a Developer's Agreement that must be submitted within one (1) year of the City Commission approval of the MUPUD. If the Developer's Agreement is not approved within one (1) year of the City Commission approval of the MUPUD, private roadway standards must comply with the Land Development Code (LDC).
10. The maximum building height for the Phase 3 Amenity Area is 2 stories.
11. A performance guarantee must be reviewed and approved by the City prior to any

- issuance of building permits for model homes.
12. Residential block lengths must be no more than 460 feet without a dedicated alley or pedestrian pathway unless all easements or ROW for pedestrian ways and bikeways are at least a minimum of 20ft. in width. Exhibits may be modified with subsequent development review to meet this requirement.
 13. A minimum of 75% of all residential units will be within 1,320 ft (¼ mile) of a central focal point that consists of a minimum of a ½ acre in size provided that the minimum open space, active and passive recreation calculations and amenities exceed all Land Development Code requirements with subsequent development review submittals.
 14. Minimum open space, active and passive recreation calculations and amenities must exceed all Land Development Code requirements for no required setbacks or distance separations from buildings or lots with subsequent development review submittals.
 15. Open space tracts must contain an average of at least 15 trees per acre, each with a minimum caliper of 2½ inches at the time of planting. Perimeter mews and linear parks in open space tracts containing preserved or planted trees may count towards this requirement provided that these trees and areas are identified and approved with subsequent development plan approvals.
 16. Garbage collection systems and street lighting must be reviewed separately within a Developer's Agreement that must be submitted within one (1) year of the City Commission approval of the MUPUD. If the Developer's Agreement is not approved within one (1) year of the City Commission approval of the MUPUD, garbage collection and street lighting must comply with the Land Development Code (LDC).
 17. The maximum lot/tract coverages shall be no greater than what the master stormwater drainage system provides.
 18. All residential dwellings located in the Special Flood Hazard Area shall also meet the regulatory floor minimums required in the Land Development Code.

Public comment by email from John and Michelle Lux, Hilliard Isle Community, states concerns about the land being responsibly developed, over crowded schools, traffic volume, more space between current property line, wanting a natural barrier between the existing properties and new development, and no through traffic on Hilliard Isle Road.

Planning Manager Brenda Ryan wanted to restate that Hilliard Isle Road will be for emergency access only. I can't speak on the buffer requirements. The school district commented that the applicant would need to enter into a separate mitigation and to work with them regarding the capacity of the schools. The applicant did initiate a QA meeting with the surrounding residents on October 16, 2023. As a result, we have not received any public comments other than the one that was read.

Board Member Alex Alemi stated he needs clarification on the map regarding the phases.

Planning Manager Brenda Ryan stated it is separated out. It will be on a different map that shows all of the phases.

Board Member Alex Alemi stated do you have a timeline of the different phases?

Planning Manager Brenda Ryan stated No. The applicant might be able to give you a

better timeline.

Board Member Alex Alemi stated regarding the revised conditions on item 4, I need clarification from item 3 and item 4 because they seem to contradict.

Planning Manager Brenda Ryan stated the standards were not included for Phase I traditional A for single family. Instead of modifying we stated any of the single family in the Phase I traditional zone will follow the Phase I standards.

Board Member Alex Alemi stated I understand, but the item states Phase II village center. Any subsequent sub phases containing single family development standards must comply with Phase I single family development standards.

Planning Manager Brenda Ryan stated that's also the case for Phase II village center. So, two things. Condition #3 Phase 1A will follow Phase I single family and Condition #4 Phase II will follow Phase I because it was inadvertently omitted.

Board Member Alex Alemi stated concerns about if this will have any real impact or this might undo what I saw on the master plan regarding targeting higher density and multi use standards for Phase II.

Planning Manager Brenda Ryan stated your addressing specifically single family residential in the Phase II village center.

Board Member Alex Alemi stated sure. So, I should read this as the Phase I single family development standards will apply only to the sub phases and sub parts of the project containing single family developments, but not to the whole phase as a whole. Is that accurate?

Planning Manager Brenda Ryan stated the Phase II as it is developed can be broken down as well. We wanted to clarify that it will include sub phases as well. We allow for that flexibility.

Applicant Celia Dorn, 17 S Orlando, Kissimmee, FL, 34741, stated at this point there is no single family that is being proposed in Phase II. That condition ensures that the single-family homes will match the rest of the community if those plans are modified later on.

Board Member Alex Alemi stated that does clarify, but also raises a concern on my part regarding how much of this could change from the initial plan. It feels like a risk for traffic concerns because there is a clause that this can be undone.

Celia Dorn stated the actual density and intensity can not change. Those have been maxed out. The maximum allowed of homes remains. Some of those just might go into Phase II instead of Phase I. The amount of homes can not be increased without a PUD amendment.

Board Member Alex Alemi stated I would be more concerned the other way if the whole development turned into single family, then it could create much worse traffic. As previously presented there would be a multi use core that could be used for residents to go about their business for a grocery store and a school.

Celia Dorn stated this is certainly the plan, but this is a what if that the staff wants to ensure that there are some protections in place. Regarding the concern of making sure that this is being responsibly developed, this is the reason for doing the PUD. It is being developed as one cohesive community in a pattern that makes sense with different amenities. Regarding the traffic concerns, the applicant and the city have worked very hard to be respectful of the neighboring communities. There will be no through traffic and all traffic will be directed through Simpson Rd. The 25 ft setback is a minimum. This does not mean that it won't be more than that amount. We do have a presentation to share with the board if you would like to see it.

Board Member Robert Bussiere asked if the Board would like to see the presentation?

Board Member Alex Alemi stated it would add useful contexts to the discussion.

Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Fatima Santiago stated No.

Board Member Robert Bussiere stated which schools currently serve this community?

Celia Dorn stated I believe this is in the school capacity report.

Board Member Robert Bussiere stated that he understands each year they update each school's capacity.

Celia Dorn stated the School District has requested that a mitigation agreement be entered for ways to off set what this development would be.

Board Member Robert Bussiere stated I understand that's under the School District's purview to work that out with you, but I want to understand the 360 of the ramifications of this development.

Planning Manager Brenda Ryan stated the School District stated they will provide a more accurate report once the development comes in. They do not have a traditional or standard school capacity report showing how it will affect the additional residential development. They are requesting mitigation at this time.

Board Member Alex Alemi stated do you have a sense of the timeline between the phases?

Chris Reen, 4901 Vineland Rd, Orlando, FL 32811 stated are you asking specifically between Phase II and Phase I?

Board Member Alex Alemi stated Yes.

Chris Reen stated we used this to identify the two different areas in the project. Phase I residential is going to be developed probably in 8 phases. It could be 10 or 6. It is a market-based decision at the time. It could be over 5 to 15 years to develop. For the Phase II mixed area, it could be 2 different developers because it is commercial and multi family. They might come at different times for the purpose of traffic analysis and the

School Board analysis. They look at a 3 year build out. We are planning to reevaluate every 3 years on the population for the schools. Hopefully, sometime the middle of next year we will be able to start development. We still have to get several permits. It would probably take 9 to 10 months before you actually see any students or traffic being generated into 2025.

Board Member Alex Alemi stated Okay. Thank you.

Board Member Robert Bussiere stated I understand that Hilliard Isle would be for emergency access only. Would this apply to construction vehicles as well?

Chris Reen stated correct.

Celia Dorn asked for additional time to respond to the public's questions.

Dr. Brian Agard, 2423 Aurora Ct, Kissimmee, FL, 34744 stated concerns about the mix density of single-family townhouses and the height that will be allowed, if anything changes will the community be notified for approval, will the outside neighbors have access to the amenities, and is anything going to be done for our community regarding no sewers, no public waters.

Celia Dorn stated at this time we do not have a full breakdown. This will happen at the site development plan process. We have the maximum density, but that can be distributed in different ways and it will be market driven for what is needed in the community. Anytime the PUD is changed, that will be in a public hearing and the neighbors will receive notice. The community will always have input into the changes brought forward.

Planning Manager Brenda Ryan stated the maximum height for Phase I is two stories as proposed.

Dr. Eugenia Agard, 2423 Aurora Ct, Kissimmee, FL, 34744 stated concerns about the information that is being presented before it is approved like the structure, the commercial property, strip mall, what does that look like for our community, and Simpson Road is already out of control and a dangerous road. She wants clarity for the buffer between the properties because she doesn't want to lose her sun rise.

Deputy City Attorney Kalanit Oded stated what were talking about now is zoning. This hearing is for zoning discussions only to plan a cohesive community. I appreciate the interests and details, but those specifics are not under consideration before the Board at this time.

Board Member Robert Bussiere stated thank you for the clarification. I understand these are the broad strokes. I'm giving everybody a chance to speak. If the applicant would like to address any of that you are free to do so.

Celia Dorn stated we are happy to not address that.

Board Member Robert Bussiere stated would the City like to address any of that. If not, other public comments.

Elizabeth Torres, 2685 Hilliard Court, Kissimmee, FL, 34744 stated concerns about traffic. Simpson road needs to be expanded before the development starts.

Celia Dorn stated regarding the traffic concerns, the county is working on improvements to this road. There are already plans in place to address and ease these problems for the residents.

Gustavo Pimentel, 2685 Hilliard Court, Kissimmee, FL, 34744 stated concerns about the traffic and buffer. He would like the buffer to be doubled to keep their privacy.

Celia Dorn stated the 25 ft that was proposed what the applicant needs to remain in place. There is a significant amount of conservation that will still be there. There are trails in the public right away along the mixed use for people to use in a safer manner than is currently available to them.

Planning Manager Brenda Ryan stated regarding doing roadway improvements prior to the development, legally and statutorily we are not able to do that. I recommend to engage legislative representatives to change that. We are not able to delay or deny development prior to improvements. The improvements can run concurrently with the development. Simpson Road is a county road that is phased. You can get more information on the county website. Regarding the land use density, if this property is annexed in the city the maximum single-family low density residential is 6 dwelling units per acre and if this property stays in the county the maximum is 8 single family low density residential.

Board Member Alex Alemi stated isn't the development currently under discussion to mark this whole lot as mixed use (MPUD).

Planning Manager Brenda Ryan stated that's the zoning. The land use is separated out to the village center is phase 2, which will be commercial.

Board Member Alex Alemi stated So, today 5D, we are specifically talking about the zoning?

Planning Manager Brenda Ryan stated we have already voted for the land use. The yellow part is up to the 6 dwelling units per acre, the village center is commercial, the transitional is the multi family medium density residential which has a density between the 10-20 dwelling units per acre. This is part of the backup. The transitional 1A can accommodate the multi family. That density is 10-20. We want for that to happen.

Board Member Alex Alemi stated okay.

Board Member Alex Alemi stated are responsibility on the planning advisory board is to ensure that Kissimmee comprehensive plan is looked after. Our comprehensive plan really doesn't address this part of Kissimmee. This is a bit of exclave. It represents a relatively large proportion of what will be a residential stock for the city. It's a little difficult when the existing chapters in the comprehensive plan dealing with land use, transportation, walk ability, and the other aspects we are supposed to maintain and ensure don't address this part of the city because the bulk of this lot was newly annexed. It provides a difficulty for me from the beginning. Looking at the proposed master plan for

the mixed-use development, I do think that in general it is within Kissimmee's master plan. There's a strong focus on walk ability, mixed use, and trying to create a place where the residents will not have to drive down Simpson Rd. They will be able to do a lot of their business within the core. They really went out of their way to address some of the things we are supposed to look for giving Kissimmee's current comprehensive plan. In certain places, I'm worried that it doesn't go far enough to uphold some of the things that we are supposed to look for. In particular walk ability because a lot of things are 45 minutes away. Transportation and bus network do not address this area. In current plan there was a condition for no bus depots in this lot at all. If I could get clarification for that. A lot of residents have concerns are not residents of Kissimmee, but are residents of Osceola county. This makes it difficult because this is an exclave property as far as the city is concerned. The purview of this body and the discussion right now is for changing the zoning. This is the last time this will come before this body. This is our opportunity to ensure Kissimmee is keeping within its comprehensive plan. In my reading of the comprehensive plan, I'm happy to see that this development is going out of their way to address a lot of the concerns we have. I feel awkward about part of it because it is out of the purview and off the map for most of the comprehensive plan that we currently have adopted. It represents a large stock exclave to the city and I'm not sure the impact it will have on transportation, services and things like that.

Deputy City Attorney Kalanit Oded stated this is circular because of the magnitude of the project and the size of the property. The last time it came before this Board we were talking about annexation and a comprehensive plan amendment. You have to amend the comprehensive plan because you're bringing new stuff in. So, that stuff is all changing because of this development. I hope that when you're considering how this is zoning, does the zoning follow the comprehensive plan. I that you're considering what you approved.

Board Member Alex Alemi stated thank you. I understand we have already approved the annexation of the property.

Deputy City Attorney Kalanit Oded stated that stuff has not happened yet.

Board Member Alex Alemi stated I understand that we will bring it official within the purview of the comprehensive plan. My concerns are more subjective. The bulk of the comprehensive plan as written on sections like transportation and bus network. Generally, the maps all focus on the core of Kissimmee in the downtown area. It doesn't focus on services of these types addressing this part of Kissimmee. That makes it harder to know if they are going to keep within the existing comprehensive plan.

Deputy City Attorney Kalanit Oded stated right. My point was that the existing comprehensive plan is going to be different once this is formally adopted.

Board Member Robert Bussiere stated if it's formally adopted.

Deputy City Attorney Kalanit Oded stated the annexation has been approved by this body not by the City Commission.

Board Member Robert Bussiere stated to Alex's point regarding us being the final spot before it moves on. To help us all understand the process after this. The city commission

will have a say so on the next step.

Planning Manager Brenda Ryan stated you are providing a recommendation to the City Commission.

Board Member Robert Bussiere stated got it. I just wanted us all to understand the next step if it is approved.

Deputy City Attorney Kalanit Oded stated to clarify, in terms of your legislation then this continues under multi department staff reviews for DRC for your site plans. Whether they are site plans with conditional use that might come up or construction plans. There are many years before this process will be complete. This is very conceptual. I'm not trying to influence a decision. I just want you to think of it as zoning and not as voting on a specific development.

Board Member Robert Bussiere stated understood.

Board Member Alex Alemi stated to clarify for my part, it's also true that the particular zoning designation under consideration MPUD is one of the most permissive. There is more within the developer's purview. They are going to be able to make a bunch of decisions without seeking direct approval.

Deputy City Attorney Kalanit Oded stated not really. The city stands to gain as well because there is potential for extra amenities and concessions. Right now, we are talking about what the basic entitlements are, but that doesn't mean that this is the specifics to how the development will unfold. It's set in caps, but it's not mandating specific units and locations.

Planning Manager Brenda Ryan stated we have spent almost a year. We have had numerous meetings. Your right, mixed use PUD is a lot of give and take. In my experience here, there has only been one other development to take this long. Even today, we made changes to present to you. If we are providing a recommendation for approval this is our findings and reasons behind it. We have specific policies for the comprehensive plan and we go through the different aspects. It is going to be difficult from a transportation stand point because Simpson Rd is a county road. It's not a city rd. We are not going to have much data other than traffic impact analysis that we require for this magnitude. Bus depots are prohibited. It does not stop bus transits or links in the surrounding area.

Board Member Robert Bussiere stated do we know when the first homes were built on Hilliard Isle? I'm just curious when that was first constructed.

Planning Manager Brenda Ryan stated I don't know.

Board Member Alex Alemi stated it says right now there are only 4 buildings on the property.

Planning Manager Brenda Ryan stated in my prior experience with the county, these were part of these rural enclaves. It's not only the age, but also the size of the lots. These types of rural enclaves are usually estate style, minimum of one acre. As I previously mentioned the county has changed the land uses within these enclaves to up to 8 dwelling units per

acre, so that they can redevelop at a higher density than they are now.

Board Member Robert Bussiere stated I first lived in Kissimmee in 1986 and I've seen a lot of changes and developments over time. I understand changes happen. I certainly am concerned about the traffic and the schools. With my own involvement with the schools, I don't take any of this lightly.

Board Member Thacker Abstained. Board Member Spalding made a motion to Approve w/ revised conditions. Board Member Santiago seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Fatima Santiago

NAY: None

Motion to Approve w/ revised conditions Passed 5 - 0 - 1 (Board Member Melissa Thacker Abstained)

1. **Subject to the approval of the Hilliard Isle Annexation (AX-22-0003) and Future Land Use Amendment (LUPA-22-0006).**
2. **Sign standards included within the Hilliard Isle Mixed Use Planned Unit Development (MUPUD) must be reviewed separately within a Developer's Agreement that must be submitted within one (1) year of the City Commission approval of the MUPUD. If the Developer's Agreement is not approved within one (1) year of the City Commission approval of the MUPUD, sign standards must comply with the Land Development Code (LDC).**
3. **Phase 1A Transitional Zone and any subsequent sub-phases must comply with the Phase 1 single family development standards, Phase 2 multi family development standards, and the Highway Commercial (HC) Zoning permitted and conditional use standards for non-residential uses.**
4. **Phase 2 (Village Center) and any subsequent sub-phases containing single family development must comply with the Phase 1 single family development standards.**
5. **Attached garages with openings for vehicles facing the front lot line shall be set back at least five (5) feet behind the front façade of the principal structure or any porch attached to the principal structure.**
6. **Three (3) car volume garage elevations were not included with the MUPUD submittal. These elevations must be provided with the Preliminary Plat submittal and comply with the design standards included with the conditions of approval and MUPUD narrative.**
7. **All building elevations on all lots with front loaded garages will consist of a total garage door opening of no more than 40% of the total lineal frontage of the front façade of the principal structure.**
8. **All residential dwellings shall be raised a minimum of 18 inches from the finished front property line or sidewalk elevation provided that an administrative DRC waiver with an alternative design proposal consistent with the intent of traditional architectural design is approved. If an alternative design proposal is not approved, the minimum 18 inches standard will be from finished exterior grade.**
9. **Private roadway standards in Phase 2 (Village Center) must be reviewed**

separately within a Developer's Agreement that must be submitted within one (1) year of the City Commission approval of the MUPUD. If the Developer's Agreement is not approved within one (1) year of the City Commission approval of the MUPUD, private roadway standards must comply with the Land Development Code (LDC).

10. The maximum building height for the Phase 3 Amenity Area is 2 stories.
11. A performance guarantee must be reviewed and approved by the City prior to any issuance of building permits for model homes.
12. Residential block lengths must be no more than 460 feet without a dedicated alley or pedestrian pathway unless all easements or ROW for pedestrian ways and bikeways are at least a minimum of 20ft. in width. Exhibits may be modified with subsequent development review to meet this requirement.
13. A minimum of 75% of all residential units will be within 1,320 ft (¼ mile) of a central focal point that consists of a minimum of a ½ acre in size provided that the minimum open space, active and passive recreation calculations and amenities exceed all Land Development Code requirements with subsequent development review submittals.
14. Minimum open space, active and passive recreation calculations and amenities must exceed all Land Development Code requirements for no required setbacks or distance separations from buildings or lots with subsequent development review submittals.
15. Open space tracts must contain an average of at least 15 trees per acre, each with a minimum caliper of 2½ inches at the time of planting. Perimeter mews and linear parks in open space tracts containing preserved or planted trees may count towards this requirement provided that these trees and areas are identified and approved with subsequent development plan approvals.
16. Garbage collection systems and street lighting must be reviewed separately within a Developer's Agreement that must be submitted within one (1) year of the City Commission approval of the MUPUD. If the Developer's Agreement is not approved within one (1) year of the City Commission approval of the MUPUD, garbage collection and street lighting must comply with the Land Development Code (LDC).
17. The maximum lot/tract coverages shall be no greater than what the master stormwater drainage system provides.
18. All residential dwellings located in the Special Flood Hazard Area shall also meet the regulatory floor minimums required in the Land Development Code.

6. PUBLIC HEARINGS

7. DISCUSSION

8. HEAR CHAIRMAN AND BOARD MEMBERS

9. **ADJOURNMENT** Board Member Marrero-Pinto made a motion to Adjourn. Board Member Spalding seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Diana Marrero-Pinto, Board Member Alex Alemi, Board Member Melissa Thacker, Board Member Fatima Santiago

NAY: None

Motion to Adjourn Passed 6 – 0.

12/20/2023

There being no further business to come before the Planning Advisory Board, Chairman Bussiere adjourned the meeting at 07:12 PM.



Board Chairman

ATTEST:



Board Secretary

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

LAST NAME—FIRST NAME—MIDDLE NAME Thacker, Melissa Morgan		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Planning Advisory Board	
MAILING ADDRESS 704 Canterbury Lane		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Kissimmee	COUNTY Osceola	☒ CITY	☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED 12/20/2023		NAME OF POLITICAL SUBDIVISION:	
		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, Melissa Thacker, hereby disclose that on December 20th, 20 23 :

(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, _____ ;
- ☐ inured to the special gain or loss of my relative, Celia Dorn ;
- ☐ 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:

Agenda item 5D regarding zoning for Hilliard Isle

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.

12/21/2023

Date Filed



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.