



**MEETING AGENDA
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, MARCH 20, 2024 AT 6:00 PM**

- 1. MEETING CALLED TO ORDER**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. MINUTES**
 - 3.A Approval of the February 7, 2024, Planning Advisory Board (PAB) Meeting minutes.
- 4. OLD BUSINESS**
- 5. NEW BUSINESS**
 - 5.A Public Hearing to vacate right-of-way located on a parcel of land located at 1108 E. Vine St. - ABDN-23-0002.
- 6. PUBLIC HEARINGS**
- 7. DISCUSSION**
- 8. HEAR CHAIRMAN AND BOARD MEMBERS**
- 9. ADJOURNMENT**

In accordance with Florida Statutes 286.105: 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 to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is made.

In accordance with Florida State 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk, 101 Church Street, Kissimmee, Florida, (407) 518-2309.

ITEM 3.A

Approval of the February 7, 2024, Planning Advisory Board (PAB) Meeting minutes.

Request

Approval of the February 7, 2024, Planning Advisory Board (PAB) Meeting minutes.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve

Attachment(s):

1. 2.7.2024 PAB Minutes



**MEETING MINUTES
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, FEBRUARY 7, 2024 AT 6:00 PM**

1. MEETING CALLED TO ORDER

Members Present: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Melissa Thacker, Board Member Sylvette Santos, Board Member Alex Alemi

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

Members Absent: Board Member Fatima Santiago, Board Member Diana Marrero-Pinto

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

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

3. MINUTES

- 3.A Approval of the December 20, 2023 Planning Advisory Board (PAB) Meeting Minutes.
Board Member Spalding made a motion to Approve. Board Member Alemi seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Melissa Thacker, Board Member Sylvette Santos, Board Member Alex Alemi
NAY: None

Motion to Approve Passed 5 - 0.

4. OLD BUSINESS

5. NEW BUSINESS

- 5.A Public Hearing - Conditional Use with Site Plan to establish a chiropractic office with a live work unit - Shin Family Chiropractic Live Work Bldg. (CU-23-0016)

Planning Manager Ryan stated this is a request for approval of a Conditional Use with Site Plan to establish a chiropractic office with a live work unit. The subject property is located on a vacant parcel south of W. Vine St., west of Philip St., north of Catherine St. in the Orange Gardens subdivision.

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(D) of the Land Development Code.
2. Compliance with Section 14-5-6, Table 5-1, as offices and family are potential allowable uses with conditional use approval by the Planning Advisory Board.
3. Compliance with 14-5, Form Based Code (FBC) development and design standards.
4. 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.

5. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.9.3, Mixed Use - Vine Street Overlay District (MU-V), intended to transform existing strip-style, highway commercial development into a connected series of mixed-use, urban scale neighborhoods and villages with diverse housing options, retail, light industrial/flex office space, and professional offices.

Staff recommends approval subject to the following conditions:

1. The upper residential portion of the proposed live work unit cannot be rented or sold separately from the office use downstairs. Residential unit must be occupied by the business owner of the office.
2. The proposed live work unit cannot be converted to another use(s) without additional site and building improvements to meet the minimum 60% frontage requirement of the Neighborhood Open (T4-0) Zoning requirement.
3. A 6ft. high fence must be provided and maintained along the southern property line adjacent to the existing single family residential.
4. A 5 foot landscape buffer shall be provided between vehicular use areas along the west and south sides of the property.
5. Bicycle lockers cannot be substituted for bike racks for the parking reduction. Provide bicycle locker specifications with the Construction Plans
6. Building elevations must be modified during Construction Plan review to meet Form Based Code (FBC) building design standards.
7. A 20 foot Streetscape Zone shall be provided, consistent with the Form Based Code (FBC), along Vine Street. All sidewalks within Streetscape Zones shall be constructed and the design of the furnishing area within Streetscape Zones shall be coordinated with City Staff.

The applicant, Lee Hale, 111 S. Maitland Ave Maitland, FL 32751, stated he was available to answer any questions.

Board Member Spalding made a motion for approval subject to 7 conditions. Board Member Thacker seconded the motion.

1. The upper residential portion of the proposed live work unit cannot be rented or sold separately from the office use downstairs. Residential unit must be occupied by the business owner of the office.
2. The proposed live work unit cannot be converted to another use(s) without additional site and building improvements to meet the minimum 60% frontage requirement of the Neighborhood Open (T4-0) Zoning requirement.
3. A 6ft. high fence must be provided and maintained along the southern property line adjacent to the existing single family residential.
4. A 5 foot landscape buffer shall be provided between vehicular use areas along the west and south sides of the property.
5. Bicycle lockers cannot be substituted for bike racks for the parking reduction. Provide bicycle locker specifications with the Construction Plans
6. Building elevations must be modified during Construction Plan review to meet Form Based Code (FBC) building design standards.
7. A 20 foot Streetscape Zone shall be provided, consistent with the Form Based Code (FBC), along Vine Street. All sidewalks within Streetscape Zones shall be constructed and the design of the furnishing area within Streetscape

Zones shall be coordinated with City Staff.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Melissa Thacker, Board Member Sylvette Santos, Board Member Alex Alemi
NAY: None

Motion to Approve w/conditions Passed 5 - 0.

5.B Public Hearing - Proposed Ordinance #24-02 - Amending the Future Land Use Map designation from Single Family Low Density Residential (SF-LDR) to Industrial Business (IN): 2804-2814 Patrick St. - LUPA-23-0006

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 stated this is a request for approval of a Land Use Amendment changing the Future Land Use Map designation from Single Family Low Density Residential (SF-LDR) to Industrial Business (IN) on approximately 3.4 acres of land.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.4.3., Industrial Business (IN), that is intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses. The Land Development Code shall establish the specific permitted uses and applicable restrictions which shall be applied to areas with the Industrial Business land use designation.
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.
4. Compliance with Land Development Code Section 14-4-4(M), Business Park (BP) Zoning District, that is compatible with the Industrial Business (IN) Future Land Use designation for manufacturing, warehousing, research, wholesale trade, and office uses.

Board Member Thacker made a motion to approve. Board Member Spalding seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Melissa Thacker, Board Member Sylvette Santos, Board Member Alex Alemi

NAY: None

Motion to Approve Passed 5 - 0.

- 5.C Public Hearing - Proposed Ordinance #24-03 - Amending the Zoning Map designation from Agriculture and Conservation (AC) to Business Park (BP): 2804-2814 Patrick St. - ZMA-23-0009

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 stated this is a request for approval of a Zoning Map Amendment to change the Zoning Map designation from Agriculture and Conservation (AC) to Business Park (BP) on approximately 3.4 acres of land.

Staff recommends approval for the following reasons:

1. Compliance with Comprehensive Plan Future Land Use Policy 1.2.4.3., Industrial Business (IN), that is intended to accommodate a mixture of typical industrial uses and more intense non-industrial uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 0.50 FAR. This designation shall be applied to areas appropriate for typical industrial uses or mixed-use development consisting of light-industrial uses and compatible commercial uses. The Land Development Code shall establish the specific permitted uses and applicable restrictions which shall be applied to areas with the Industrial Business land use designation.
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(M), Business Park (BP) Zoning District, that is compatible with the Industrial Business (IN) Future Land Use designation for manufacturing, warehousing, research, wholesale trade, and office uses.

Staff recommends approval subject to the following condition:

1. Subject to the approval of the associated Patrick St Land Use Amendment (LUPA-23-0006).

Board Member Alemi stated concerns regarding the adjacent properties zoning and land use.

Planning Manager Ryan stated the zoning and the land use is compatible. The difference is Business Park is less intense. It allows for light commercial.

Board Member Spalding made a motion to approve subject to 1 condition. Board Member Melissa Thacker seconded the motion.

- 1. Subject to the approval of the associated Patrick St Land Use Amendment (LUPA-23-0006).**

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Melissa Thacker, Board Member Sylvette Santos, Board Member Alex Alemi
NAY: None

Motion to Approve w/ Condition Passed 5 - 0.

6. PUBLIC HEARINGS

7. DISCUSSION

8. HEAR CHAIRMAN AND BOARD MEMBERS

9. ADJOURNMENT

Board Member Spalding made a motion to Adjourn. Board Member Thacker seconded the motion.

AYE: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Melissa Thacker, Board Member Sylvette Santos, Board Member Alex Alemi
NAY: None

Motion to Adjourn Passed 5-0.

There being no further business to come before the Planning Advisory Board, Chairman Robert Bussiere adjourned the meeting at 6:14 p.m.

Board Chairman

ATTEST:

Board Secretary

ITEM 5.A

Public Hearing to vacate right-of-way located on a parcel of land located at 1108 E. Vine St. - ABDN-23-0002.

Request

Public Hearing to vacate 0.269 acres, more or less, of right-of-way dedicated to be used as future roadway along the west portion of a 1.15 acre parcel located on the south side of E. Vine St., west of Michigan Ave. and E. Oak St. that has a Mixed-Use Urban Corridor (T5-U) Zoning designation.

Explanation

The right-of-way was established by an agreement with the City of Kissimmee in 1972 (O.R. Book 320, PG 169) for the purpose of constructing a future road connection. There was a building on the property that was used for retail and trailer rental. The building was demolished in 2011 (BP-11-00793). The right-of-way measures 47ft. wide and nearly 250 ft. long and runs along the western portion of the site. The vacated portion is needed to facilitate the redevelopment of the parcel with a retail hardware store (SP-23-0006) that is currently in review. No objections were received for this right-of-way vacation/abandonment by any utility providers.

Spectrum requires a utility easement in the southeast portion of the property where they maintain active infrastructure.

Toho Water Authority and Kissimmee Utility Authority (KUA) are both requiring the dedication of new utility easements within the vacated area.

FINDINGS AND REASONS:

1. Removal of the rights-of-way or easements does not have an impact or effect on the roadway network and will result in no net loss of connectivity within the City's Multimodal Transportation District (MMTD)
2. Consistent with applicant justification; future development; emergency responses; city services; and other Land Development Code documents.
3. Compliance with Land Development Code Sections 14-3-47 Vacation and Abandonment of Rights-of-Way and Easements, procedures, requirements, and criteria for right of way and easement vacation requests.

Recommendation

REQUESTED PLANNING ADVISORY BOARD ACTION:

Approve w/Conditions

The Development Review Committee (DRC) recommended approval on February 20, 2024, subject to a condition.

CONDITION:

1. Any new easement dedication requirements over this vacated right-of-way must be provided and reviewed with a final plat submittal or by a separate legal instrument(s).

Attachment(s):

City of Kissimmee

1. ABDN-23-0002 Aerial Map
2. ABDN-23-0002 Vicinity Map
3. ABDN-23-0002 Proposed Vacated ROW
4. ABDN-23-0002 ROW Agreement (OR Book 320 PG 169)
5. ABDN-23-0002 PAB Ad
6. ABDN-23-0002 DRC Comments
7. ABDN-23-0002 DRC Support Documents

ABDN-23-0002 Imeca of Kissimmee

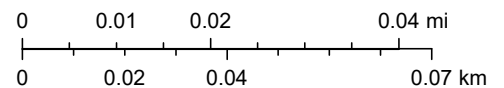


March 8, 2024

1:1,467

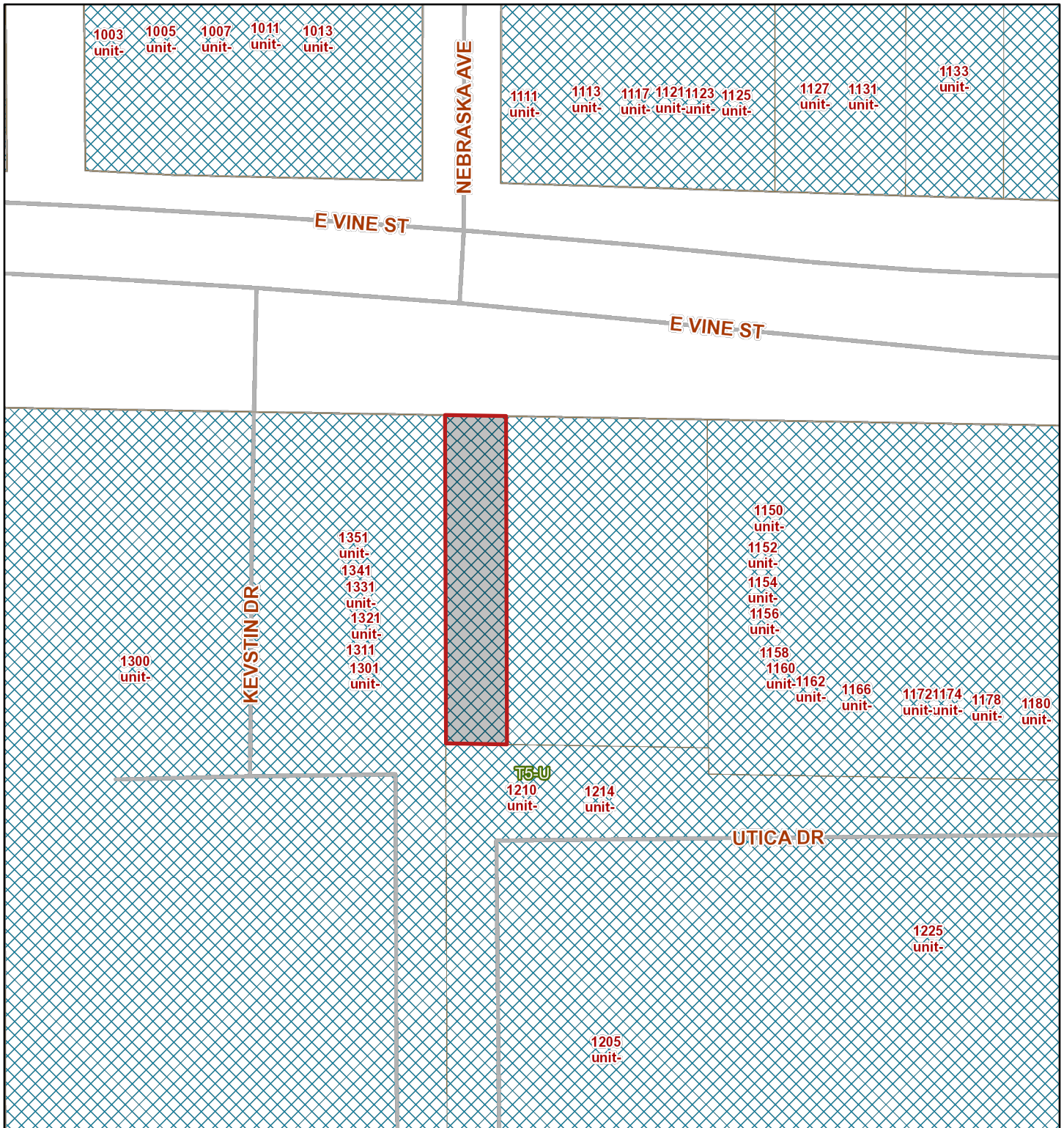
- Address Points
- Parcels
- Road Centerlines
- City Limits
- CITY
- COUNTY

- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 30cm Resolution Metadata



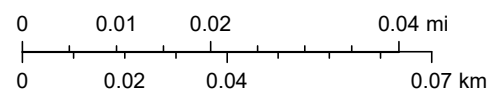
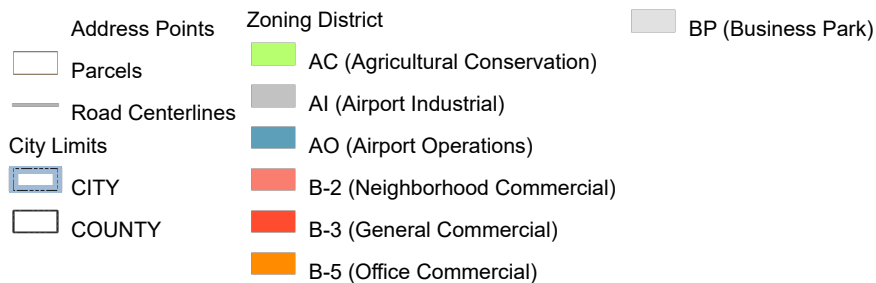
State of Florida, Maxar

ABDN-23-0002 Imeca of Kissimmee



March 8, 2024

1:1,467



Description Sketch

(Not A Survey)

CITY OF KISSIMMEE RIGHT-OF-WAY ABANDONMENT

DESCRIPTION: A parcel of land being Right-of-Way #2 of Official Records Book 320, Page 169 of the Osceola County records, lying in Government Lot #1, Section 22, Township 25 South, Range 29 East, Osceola County, Florida, and being more particularly described as follows:

Right-of-Way #2 as Described in Official Records Book 320, Page 169

Said Right-of-Way to be 17.00 feet West and 30.00 feet to the East of the following described Line:

Beginning at a point on the South Right-of-Way line U.S. Highway #441-192, 357.0 feet East of the West Line of Government Lot #1, Section 22, Township 25 South, Range 29 East, Osceola County, Florida, run South along the line parallel to the West line of Government Lot #1, of Section 22, to the South Boundary of Government Lot #1, the South Boundary being the Government Survey Meander Line: as surveyed described as follows.

Right-of-Way #2 Description per ALTA/NSPS Land Title and Topographic Survey prepared by Geopoint Surveying, Inc., Dated July 07, 2021

COMMENCING at the intersection of the South Right-of-Way Line OF U.S. Highway #441-192 and the Northwest Corner of Government Lot #1, Section 22, Township 25 South, Range 29 East, Osceola County, Florida, thence Easterly along said Right-of-Way line S.88°32'59"E., a distance of 340.10 feet to the POINT OF BEGINNING; thence continuing along said Right-of-Way line S.88°32'59"E., a distance of 47.01 feet; thence departing said Right-of-way S.00°05'25"W., a distance of 249.68 feet; thence N.88°32'03"W., a distance of 47.01 feet; thence N.00°05'25"E., a distance of 249.67 feet; to a point on the South Line of said Right-of-Way and the POINT OF BEGINNING.

Containing 0.269 acres, more or less.



David W.
Maxwell
2023.12.18
14:47:00
-05'00'

David W. Maxwell LS7311

JOB #: EAST VINE ROW ABANDON

DRAWN: BLB DATE: 12/11/2023 CHECKED: DWM

Prepared For: KIMLEY-HORN

Revisions		
DATE	DESCRIPTION	DRAWN

Central Florida
528 Northlake Blvd, Suite 1040
Altamonte Springs, Florida 32701
Phone: (321) 270-0440
www.geopointsurvey.com
Licensed Business No.: LB 7768

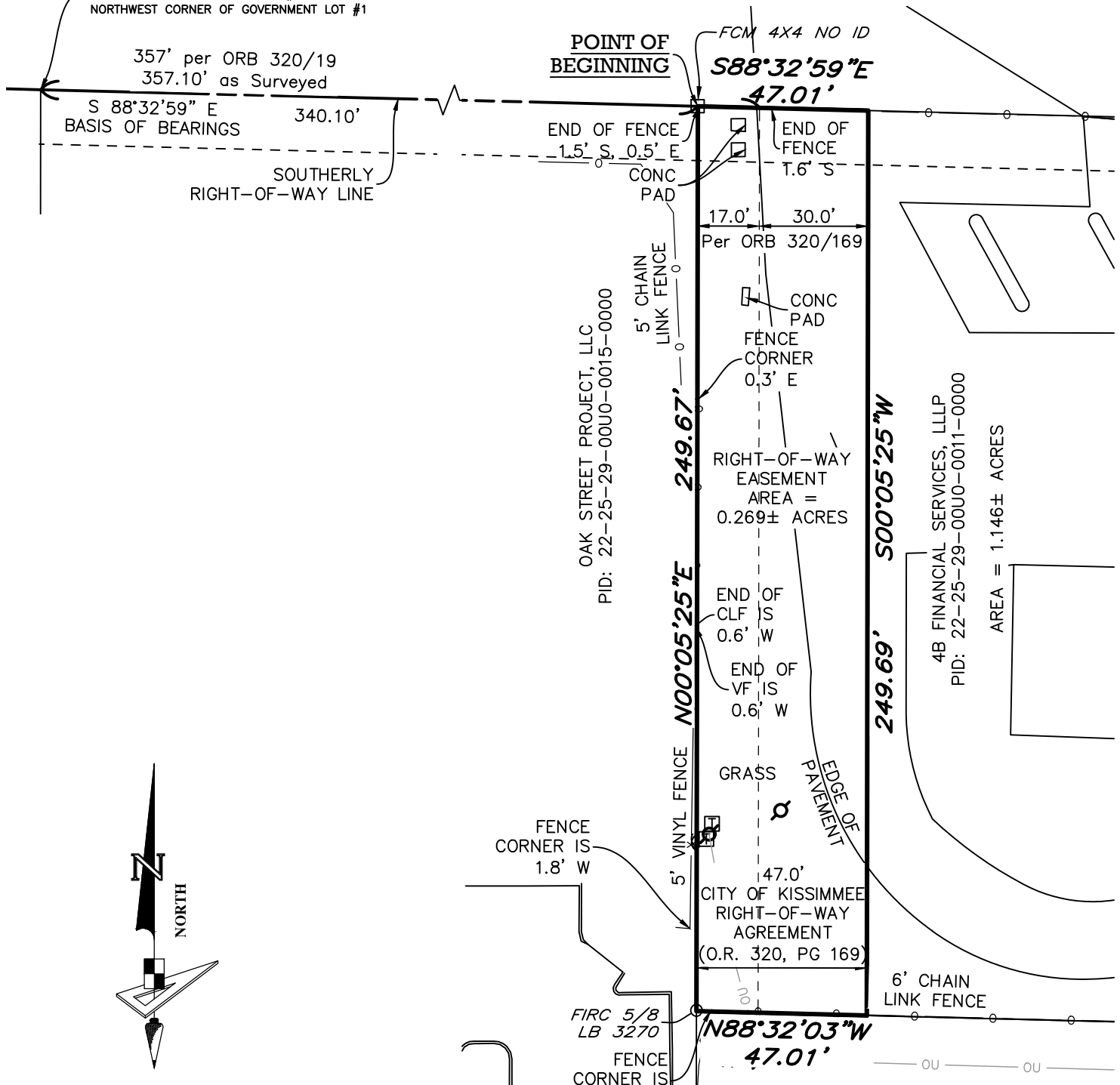


GeoPoint
Surveying, Inc.

(Not A Survey)

POINT OF COMMENCEMENT

INTERSECTION OF U.S. HIGHWAY #441-192 AND THE
NORTHWEST CORNER OF GOVERNMENT LOT #1



See Sheet 1 for Signature & Revisions

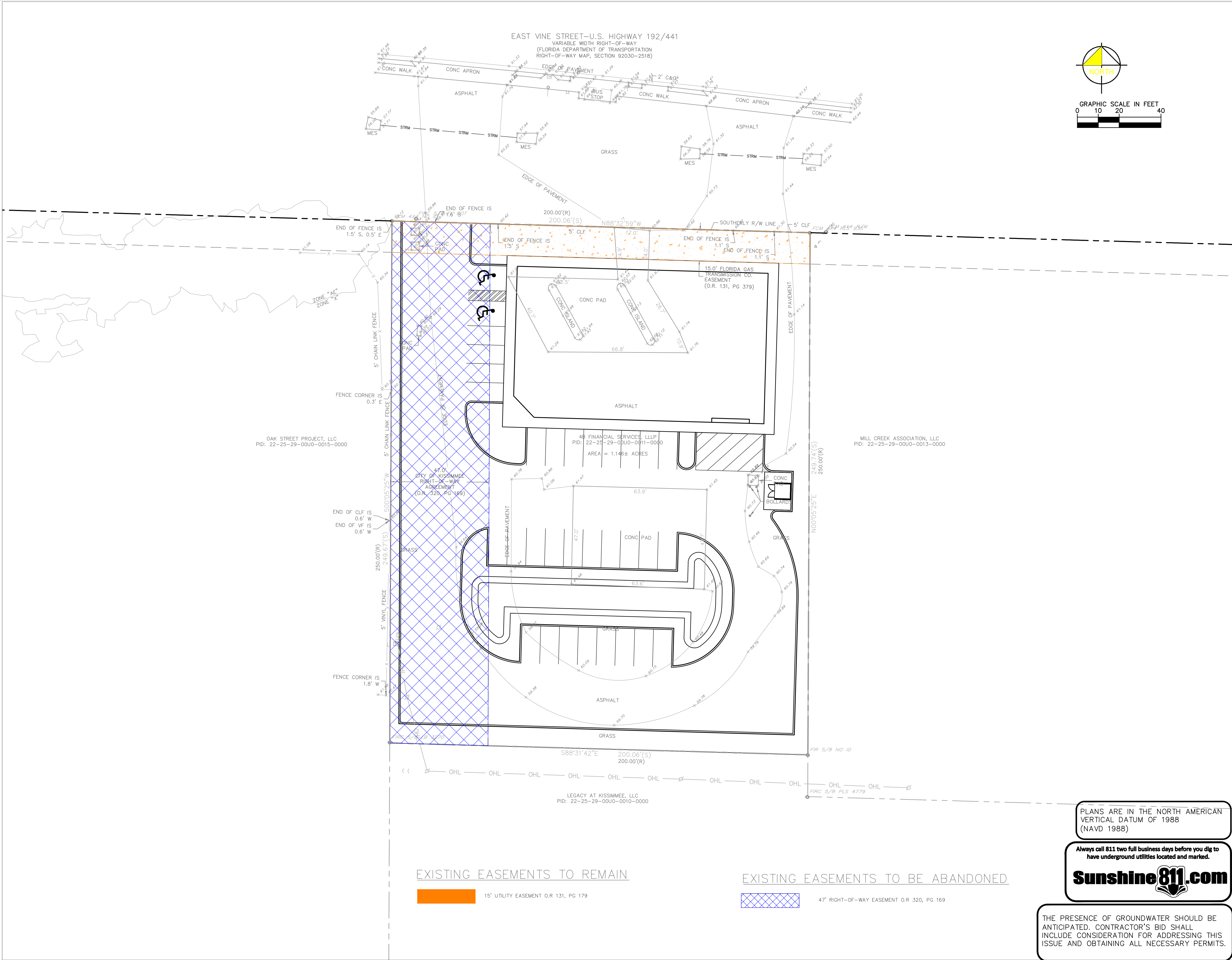
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Altamonte Springs, Florida 32701
Phone: (321) 270-0440
www.geopointsurvey.com
Licensed Business No.: LB7768



GeoPoint

Surveying, Inc.

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



KHA PROJECT 140706004	DATE	SCALE AS SHOWN	DESIGNED BY	DRAWN BY	CHECKED BY	LICENSED PROFESSIONAL JOSHUA D. HORN, P.E. FLORIDA LICENSE NUMBER 67505	DATE	No.	REVISIONS	BY	DATE
EASEMENTS ABANDONMENT EXHIBIT							IMECA KISSIMMEE PREPARED FOR		FLORIDA		
SHEET NUMBER EX							CITY OF KISSIMMEE				

Kimley»Horn	
1615 S. CONGRESS AVE., SUITE 201, DELRAY BEACH, FL 33445 PHONE: 561-330-2345 FAX: 561-863-8175 WWW.KIMLEY-HORN.COM	

THIS INSTRUMENT PREPARED BY: UNKNOWN

RIGHT-OF-WAY AGREEMENT

THIS INDENTURE made the 1st day of August, 1972, by and between THOMAS F. WELLS, TRUSTEE, of the County of Orange, State of Florida, Party of the First Part, and THE CITY OF KISSIMMEE, FLORIDA, a Municipal Corporation of the State of Florida, Party of the Second Part,

W I T N E S S E T H :

That the Party of the First Part, in consideration of the sum of Ten (\$10.00) Dollars, Paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, does hereby give and grant to the Party of the Second Part and its successors Right-of-Ways for public road uses and full authority to enter upon, construct and operate a road over and upon the following described lands situate in Osceola County, Florida, to wit:

RIGHT-OF-WAY #1:

Said Right-of-Way to be 30.0 feet on either side of the following described Center Line:

Beginning at the Intersection of the South Right-of-Way line of U. S. Highway # 441-192, and the East line of Section 22, T 25 S, R 29 E, Osceola County, Florida, run South, along said East line, approximately 1221.0 feet, thence curve said Center Line to transcribe an arc such that said arc be tangent to a line 30.0 feet North and parallel to the Government Survey Meander Line of Government Lot # 1 of Section 22. Thence run parallel to said Meander Line to a point 340.0 feet East of the West line of Government Lot # 1 of Section 22.

RIGHT-OF-WAY #2:

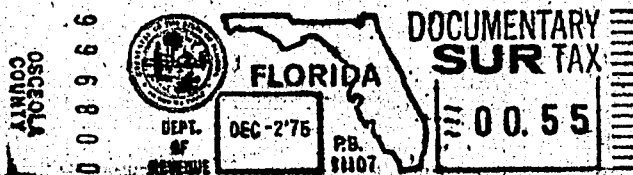
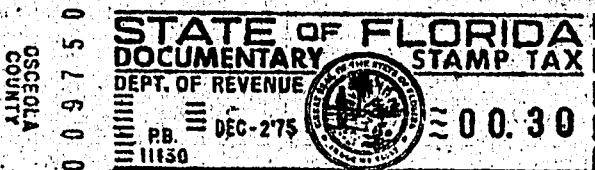
Said Right-of-Way to be 17.0 feet to the West and 30.0 feet to the East of the following described line:

ST STAMPS

\$ 30

SUR TAX STAMPS

\$ 55



FILED

75 DEC 2 AM 11 07

HARRIS, DANIEL
CLERK CIRCUIT COURT
OSCEOLA COUNTY FLORIDA

Order ID: 7592948

* Agency Commission not included

GROSS PRICE * : \$403.18

PACKAGE NAME: Public Hearing/Bid/Misc_Legal

Product(s): Orlando Sentinel, Affidavit, Floridapublicnotices.com, Classifieds.OS.com_Legals

AdSize(s): 1 Column

Run Date(s): Friday, March 1, 2024

Zone: Full Run

Color Spec. B/W

Preview

**NOTICE OF PUBLIC HEARING PLANNING
ADVISORY BOARD**

The City of Kissimmee Planning Advisory Board will hold a Public Hearing on Wednesday, March 20, 2024 at 6:00 p.m. in the City of Kissimmee Commission Chambers, located on the first floor of City Hall, 101 Church Street, Kissimmee, Florida. The purpose of this Public Hearing is to make a recommendation to the City Commission to vacate the easement as described as follows:

That portion of 1108 E Vine St. (Parcel ID#22-25-29-00U0-0011-0000)

A parcel of land being Right-of-Way #2 of Official Records Book 320, Page 169 of the Osceola County records, lying in Government Lot #1, Section 22, Township 25 South, Range 29 East, Osceola County, Florida, and being more particularly described as follows:

Legal Description

Right-of-Way #2 as Described in Official Records Book 320, Page 169

Said Right-of-Way to be 17.00 feet West and 30.00 feet to the East of the following described Line:

Beginning at a point on the South Right-of-Way line U.S. Highway #441-192, 357.0 feet East of the West Line of Government Lot #1, Section 22, Township 25 South, Range 29 East, Osceola County, Florida, run South along the line parallel to the West line of Government Lot #1, of Section 22, to the South Boundary of Government Lot #1, the South Boundary being the Government Survey Meander Line: as surveyed described as follows.

Right-of-Way #2 Description per ALTA/NSPS Land Title and Topographic Survey prepared by Geopoint Surveying, Inc., Dated July 07, 2021

COMMENCING at the intersection of the South Right-of-Way Line OF U.S. Highway #441-192 and the Northwest Corner of Government Lot #1, Section 22, Township 25 South, Range 29 East, Osceola County, Florida, thence Easterly along said Right-of-Way line S.88°32'59"E., a distance of 340.10 feet to the POINT OF BEGINNING; thence continuing along said Right-of-Way

Order ID: 7592948

* Agency Commission not included

GROSS PRICE * : \$403.18

PACKAGE NAME: Public Hearling/Bid/Misc_Legal

line S.88°32'59"E., a distance of 47.01 feet; thence departing said Right-of-way S.00°05'25"W., a distance of 249.68 feet; thence N.88°32'03"W., a distance of 47.01 feet; thence N.00°05'25"E., a distance of 249.67 feet; to a point on the South Line of said Right-of-Way and the POINT OF BEGINNING.

Containing 0.269 acres, more or less.

Any interested party wanting to be heard on this issue may submit testimony to be read into the official record to CityClerkEmail@kissimmee.gov prior to the start of the meeting or may be heard by participating in person.

Reference # ABDN-23-0002
PLANNING ADVISORY BOARD
Imeca of Kissimmee
KISSIMMEE, FLORIDA

In accordance with Florida Statutes 286.26, persons needing assistance to participate in any of these proceedings should contact the Office of the City Clerk (407)518-2308 prior to the meeting. (FS 286.26)

In accordance with Florida Statutes 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 record includes the testimony and evidence upon which the appeal is made.

3/01/2024 7592948



Operations Department

P.O. Box 423219 • Kissimmee, FL 34742-3219
Ph. (407) 933-7777 • Fax (407) 933-4178

February 22, 2024

*Josh Horning
Kimley-Horn
1615 South Congress Ave., Ste. 201
Delray Beach, FL 33445*

*Imeca of Kissimmee
22-25-29-00U0-0011-0000
1108 E. Vine St.
Vacation of Easement*

ABDN-23-0002

To whom it may concern,

In regards to the request for vacation of easement, KUA does not object to the abandonment of the right of way as long as an electric utility easement is placed on the vacated right of way.

If you have any questions, please contact us at (407) 933-7777, extension 6600 or via email to engineering@kua.com

Sincerely,

*Magdalena Fernandez
Senior Engineer
Operations Department*

kda



Construction Department
3767 All American Blvd
Orlando FL 32810

February 22,2024

Re: Vacate of Easement 1108 E. Vine St / 22-25-29-00U0-0011-0000

To Whom it may concern,

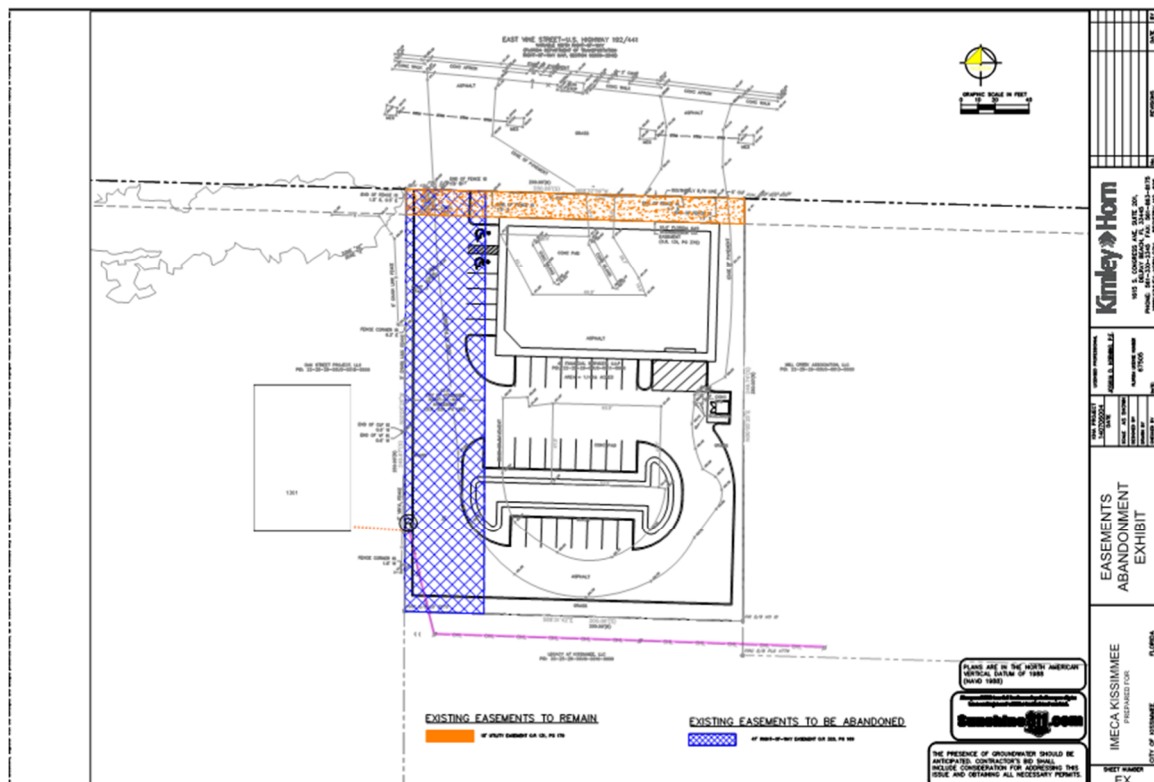
Spectrum has reviewed your request to vacate easement at above parcel. Spectrum has no objection to the vacation as shown in this highlight drawing below as long as there's a utility easement in place at the same location SE corner of property as we have active infrastructure.

If you need and additional information, please contact me at my office 407-215-8955.

Sincerely,

Rex Anderson

Rex Anderson
Construction Supervisor
Charter- Spectrum



From: Ashley Willis <ASHLEY.WILLIS@kissimmee.gov>
Sent: Wednesday, February 28, 2024 11:10 AM
To: Alicia Smith <Alicia.Smith@kissimmee.gov>
Subject: RE: ABDN-23-0002

Good morning Alicia, we are comfortable with allowing this vacation of easement. Thank you!

Ashley L. Willis, P.E.
Public Works Director / City Engineer
City of Kissimmee

101 Church Street
Kissimmee, Florida 34741
407.518.2164 desk
321.624.6131 cell
ashley.willis@kissimmee.gov





THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

DATE: 02/14/2024
PROJECT: Imeca of Kissimmee - Vacation of ROW
SITE PLAN (DRC) NUMBER: ABDN-23-0002
REVIEW NUMBER: 1

Review Status:
APPROVED WITH COMMENTS

ENGINEERING DEPARTMENT - Ryan Kilman - 407.518.2279 - Ryan.Kilman@kissimmee.gov
ADVISORY COMMENTS (No Responses Necessary):

SITE SPECIFIC:

- A perpetually unobstructed drainage easement of sufficient width shall be provided over any existing stormwater drainage pipe(s). Easement widths shall be in conformance with City Construction Standards and Specifications.
- The vacation of the right-of-way easement for the property to the south (DRC# ABDN-22-0001) does not appear to have been completed.

GENERAL:

- Please login to the Citizen Self Service portal at <http://www.kissimmee.gov/energov> to upload any revisions to plans and/or response to comments.
- If you have any questions regarding the comments/conditions above, please use the contact information provided above.

###



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: S. of E. Vine St., W. of Michigan St.

DATE: 2/14/2024

PLAN NUMBER: ABDN-23-0002 – Imeca of Kissimmee ROW Easement Vacation/Abandonment

**Review Status:
APPROVED WITH CONDITIONS.**

PLANNING - Brenda Ryan - 407.518.2104 - Brenda.Ryan@kissimmee.gov

1. Approval of the vacation of the entire right-of-way easement as described in the Right-of-Way Agreement recorded in OR Book 320, Page 169.
2. The easement is approximately 0.269 acres and measures 47 ft. wide and 250 ft. in depth.
3. This vacation request is associated with the Imeca of Kissimmee (SP-23-0006) project which is currently in construction plan review.
4. This easement vacation is subject to no objections to this vacation by any utility provider(s) or other public agencies and City Attorney, City Engineer, City Surveyor, and City Commission approval.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.



**THE SCHOOL DISTRICT OF OSCEOLA COUNTY, FLORIDA
PLANNING SERVICES DEPARTMENT
SCHOOL CAPACITY REPORT**

SDOC#: 2022/23-0206	CoK DRC#: ABDN-23-0002	Current FLU: MXD Requested FLU: N/A
PROJECT NAME: Imeca Kissimmee		Current Zoning: MXD Requested Zoning: N/A
PROJECT LOCATION: 1108 East Vine St., Kissimmee		
COMMENTS DUE DATE: 2.14.24		PID: 22-25-29-00U0-0011-0000

This application has no impact on public school capacity.



THE FOLLOWING SHALL BE USED AS AN ADDENDUM TO ANY PLAN, FILE, OR OTHER DOCUMENT REVIEWED IN ENERGОВ & BLUEBEAM

ADDRESS: 22-25-29-00U0-0011-0000
PLAN (DRC) NUMBER: ABDN-23-0002

DATE: 2/14/2024

**Review Status:
APPROVED WITH CONDITIONS.**

TOHO WATER AUTHORITY – Cynthia Colon - 407.944.5036 - ccolon@tohowater.com

Comments/Conditions (if applicable):

- Toho does not object to the abandonment of the right away as long as a utility easement be placed on the vacated right away.

If you have any questions regarding the comments/conditions above, please use the contact information provided.

Please login to the Citizen Self Service portal at www.kissimmee.gov.energov to upload a response to comments.

Additional comments may be forth coming as a result of revisions to the plans, any new changes in the information provided, future plan review up to plan approval and permitting and/or with submittal of supporting documentation. When submitting, please provide a response to comments outlining where and how the comments have been addressed.



January 11, 2024

City of Kissimmee
101 Church Street
Kissimmee, FL 34741

**RE: *Right-Of-Way Abandonment Narrative
Imeca Lumber & Hardware***

To Whom it May Concern,

On behalf of our client, please accept this narrative and supplemental document for your review to vacate a Right-Of-Way Easement for the above referenced project.

Imeca Lumber & Hardware is a hardware retail redevelopment located on 1108 E. Vine St, Kissimmee FL, 34744. The site has been served with a 47-foot-wide Right-Of-Way Easement along the west side of the property.

The development is part of Use Urban Core (T5-U). The frontage buildout requirements for the T5-U zoning district along Vine Street is 60% (Chapter 14-5-6, table 5-2). The building width or facade satisfies the mentioned above design guidelines of the Vine Street overlay.

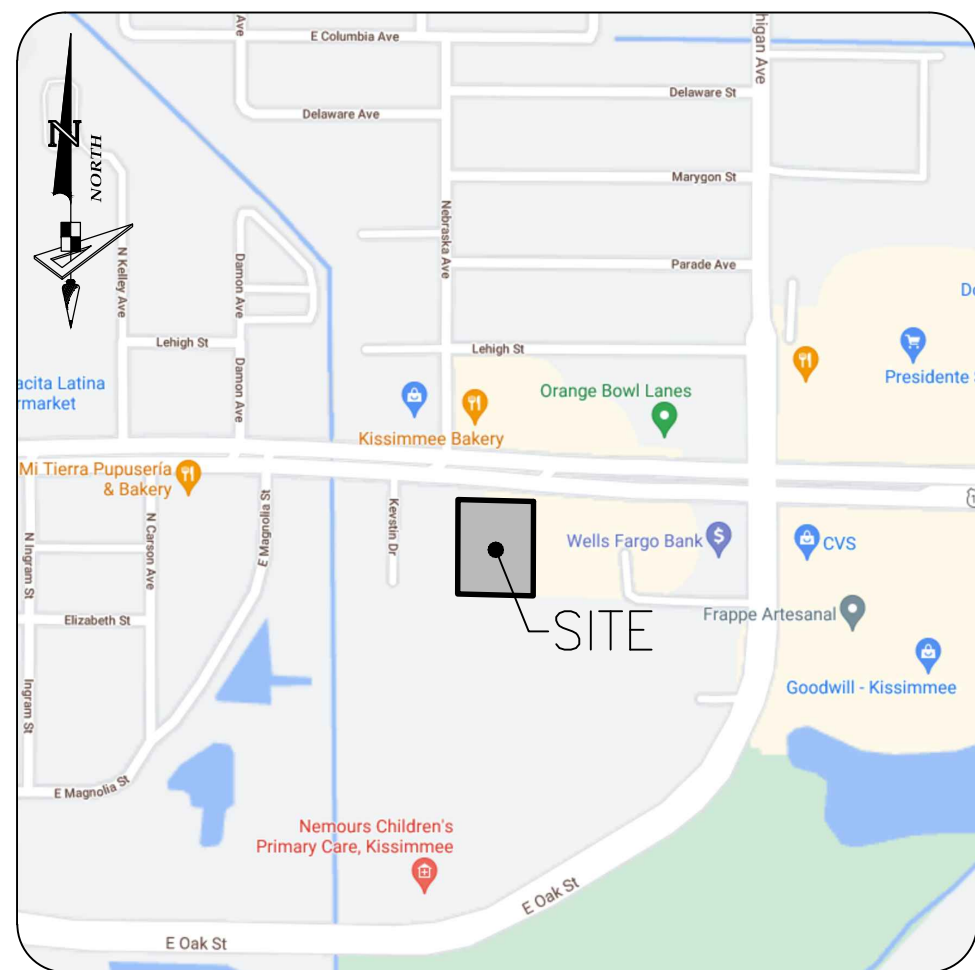
As a result, the building will be constructed within the Right-Of-Way Easement. Additionally, the property south of the site has been approved without this required access and is currently under construction. For those reasons, we are requesting to vacate this 47-foot Right-Of-Way Easement.

Please feel free to contact me at (561) 404-7240 or Josh.Horning@kimley-horn.com should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Horning'.

Josh Horning, P.E.
Project Manager



Vicinity Map
Not to Scale

The Land is described as follows: Official Records Book 5266, Page 2596

Beginning at a point on the southerly right-of-way of U.S. Highway No. 441-192, said point being 340.0 feet East of the West line of Government Lot #1, in Section 22, Township 25 South, Range 29 East, Osceola County, Florida, run thence South, parallel to the West line of said Government Lot #1, 250.0 feet, run thence East parallel to the Southerly right-of-way line of U.S. Highway No. 441-192, 200.0 feet, run thence North, parallel to the West line of said Government Lot #1, 250.0 feet to the Southerly right-of-way line of U.S. Highway No. 441-192, run thence West, along the Southerly right-of-way line of U.S. Highway No. 441-192, 200.0 feet to the Point of Beginning.

SURVEYOR'S NOTES:

3. Current Easements, rights-of-way, set back lines, reservations, agreements and other similar matters taken from Old Republic National Title Insurance Company, Commitment Number: 1067279 with an effective date of April 23, 2021 at 11:00 PM.
2. This survey is limited to above ground visible improvements along and near the boundary lines, except as shown hereon, and that nothing below the ground was located including, but not limited to foundations (footings), utilities, etc.
3. Bearings shown hereon are based on the Southerly Right-of-way line of U.S. Highway 441-192 having a Grid bearing of N 88°32'59" W, The Grid Bearings as shown hereon refer to the State Plane Coordinate System, North American Horizontal Datum of 1983 (NAD 83-2011 Adjustment) for the East Zone of Florida.
4. This survey is intended to be displayed at 1" = 30', or smaller.
5. All dimensions, unless otherwise noted, are survey dimensions.
6. Additions or Deletions to survey maps or reports by other than the signing party or parties is prohibited without the written consent of the signing party or parties.
7. The subject parcel lies in Flood Zone "X" according to Flood Insurance Rate Map, Map No. 12097C0067G for Osceola County, Florida, Community Kissimmee, City of, No. 120190, Community Osceola County, No. 120149, dated June 18, 2013 and issued by the Federal Emergency Management Agency, (<https://msc.fema.gov>).
8. Use of this survey for purposes other than intended, without written verification, will be at the user's sole risk and without liability to the surveyor. Nothing hereon shall be construed to give any rights or benefits to anyone other than those certified to.
9. On this drawing, certify means to state or declare a professional opinion of conditions regarding those findings or facts which are the subject of the certification and does not constitute a warranty or guarantee either implied or expressed. This certification is only for the lands as described. This certification is not a certificate of title, easements, zoning, or freedom of encumbrances.
10. This survey meets the maximum allowable Relative Positional Precision for an ALTA/NSPS Land Title Survey (0.07 feet plus 50 parts per million).
11. Subject Parcel has no evidence of construction currently going on or earth moving activities on site.
12. The Surveyor is not aware of any plans to change the existing Right-of-way lines.
13. There are 0 Parking Spaces and 0 Handicap Parking Spaces in the area this survey covers.
14. No buildings were observed on the surveyed property in the process of conducting the fieldwork.

SCHEDULE B-II EXCEPTIONS

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Commitment Date hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or Mortgage thereon covered by this Commitment. (NOT A SURVEY MATTER)
2. Standard Exceptions:
 - A. General or special taxes and assessments required to be paid in the year 2021 and subsequent years. (NOT A SURVEY MATTER)
 - B. Rights or claims of parties in possession not recorded in the Public Records. (NOT A SURVEY MATTER)
 - C. Any encroachment, encumbrance, violation, variation or adverse circumstance that would be disclosed by an inspection or an accurate and complete land survey of the Land and inspection of the Land. (NOT A SURVEY MATTER)
 - D. Easements or claims of easements not recorded in the Public Records. (NOT A SURVEY MATTER)
 - E. Any lien, or right to a lien, for services, labor or material furnished, imposed by law and not recorded in the Public Records. (NOT A SURVEY MATTER)
3. Any Owner's Policy issued pursuant hereto will contain under Schedule B the following exception: Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the Land insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands. (NOT A SURVEY MATTER)
4. Any lien provided by County Ordinance or by Chapter 159, F.S., in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality. (NOT A SURVEY MATTER)
5. Rights of the lessees under unrecorded leases. (NOT A SURVEY MATTER)

LEGEND

O.R. -----	Official Records Book		Traffic Signal Post
PB -----	Plat Book		Traffic Signal Box
PG -----	Page(s)		Water Meter
PID -----	Property Identification Number		Light Pole
SIR -----	Set 1/2" Iron Rod LB7768		Monitoring Well
FIRC -----	Found Iron Rod & Cap		Buried Fiber Optic Warning Marker
FCM -----	Found Concrete Monument		Sign
(S) -----	Surveyed Data		Service Pole Pole
(R) -----	Record Data		Guy Anchor
R/W -----	Right-of-way		Overhead Utility Line
CLF -----	Chain Link Fence		
VF -----	Vinyl Fence		
CONC -----	Concrete		
C&G -----	Curb & Gutter		
MES -----	Mitered End Section		
PID -----	Property Identification Number		

Certification:

To: Sanchez Vadillo, LLP, firs, successors & assigns, Old Republic National Title Insurance Company
This is to certify that this map or plat and the survey on which it is based were made in accordance with the
2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and
adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7, 8, 9, 13, 16, 17 and 18 of Table A thereof.
The field work was completed on 6/18/21.

GEOPPOINT SURVEYING, INC.

David W. Maxwell
Florida Professional Surveyor and Mapper #7311

Digitally signed
by David W.
Maxwell
Date: 2021.07.2
12:22:46 -04'00'



PROJECT: ALTA SURVEY		
PHASE: EAST VINE SITE		
DRAWN: MRC	DATE: 07/21/21	CHECKED BY: DWM
P.CHIEF: AW	FIELD BOOK: 2021-AW	
DATA FILE: VINE-ALTA(US88)AW		
REVISIONS		
DATE	DESCRIPTION	DRAWN BY

SEE ABOVE ALTA/NSPS
SURVEYOR'S CERTIFICATION

DATE OF LAST FIELD SURVEY:
July 19, 2021

NOT VALID WITHOUT THE
SIGNATURE AND THE
ORIGINAL RAISED SEAL OF
A FLORIDA LICENSED
SURVEYOR AND MAPPER

ALTA/NSPS LAND TITLE SURVEY

PREPARED FOR
SANCHEZ VADILLO, LLP

LOCATED IN
Section 22, Township 25 S., Range 29 E.
Osceola County, Florida

GeoPoint

Surveying, Inc.

355 Windery Hill, Suite 120
Maitland, Florida 32751
www.geopointsurvey.com

Phone: (321) 270-0440
Fax: (813) 248-2266
Licensed Business No.: LB 7768

SHEET NUMBER: **01** of **01**