



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

1. MEETING CALLED TO ORDER

Members Present: Board Member Alex Alemi, Board Member Rebeca Marin, Board Member Diana Marrero-Pinto, Board Member Robert Spalding

Staff Present: Craig Holland, Development Services Director, Douglas Etheredge, Assistant Director, Brenda Ryan, Planning Manager, John Rabon, Senior Planner, Ryan Altizer, Planner II, Kalanit Oded, Deputy City Attorney.

Members Absent: Board Member Robert Bussiere, Board Member Sylvette Santos, Board Member Aaron Sabino

Diana Marrero-Pinto called the meeting to order at 6:00pm.

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

After a Moment of Silence, Diana Marrero-Pinto led the audience in the Pledge of Allegiance

3. MINUTES

3.A Approval of May 15, 2024 Planning Advisory Board (PAB) Meeting Minutes

Board Member Robert Spalding made a motion to Approve. Board Member Alex Alemi seconded the motion.

AYE: Board Member Spalding, Board Member Marrero-Pinto, Board Member Alemi, Board Member Marin

NAY: None

Motion to Approve Passed 4 - 0

3.B. Approval of July 17, 2024 Planning Advisory Board (PAB) Meeting Minutes

Board Member Alex Alemi made a motion to Approve w/Conditions. Board Member Robert Spalding seconded the motion.

Discussion to change "stated" to "requested" in line item 7 of minutes.

AYE: Board Member Spalding, Board Member Marrero-Pinto, Board Member Alemi, Board Member Marin

NAY: None

Motion to Approve w/Conditions Passed 4 - 0.

4. OLD BUSINESS

5. NEW BUSINESS

5.A Public Hearing - Conditional Use with Site Plan Waiver to establish a child care facility - Let the Children Come - 1504 Patrick St. - CU-23-0002

Planning Manager Ryan stated that this is a request for approval of a Conditional Use with a Site Plan to establish a childcare facility on approximately 0.66 acres of land with a Community Facilities (CF) Zoning designation. The subject property is located at 1504 Patrick St.

Planning Manager Ryan stated that the parking spaces has been reduced from 22 spaces to 20 spaces, but the site still has the capacity to accommodate a maximum of 100 students based on the City's minimum parking requirements (1 parking space for every 5 children).

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Community Facilities District (CF) zoning district standards as outlined in Section 14-4-8(Q) of the Land Development Code. The CF rezoning (ZMA-24-0001) is pending approval at the August 6, 2024, City Commission meeting.
2. Compliance with Section 14-4-5, Table 4-2, as child care facilities are potential allowable uses with conditional use approval by the Planning Advisory Board.
3. Compliance with Section 14-3-29(C)(2) for a site plan waiver as construction is limited to the interior of an existing building; the existing parking, loading, lighting and other site characteristics are not impacted by the conditional use, and no special buffers are required in compliance with the Land Development Code.
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 1.2.6.1, Institutional (INST), which is intended to accommodate existing public and semi-public services including: governmental administration buildings; educational institutions; hospital facilities and supportive health care units; arts and cultural or civic facilities; essential public services and facilities (excluding major utilities); and other similar activities. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 2.0 FAR. The Land Development Code shall implement specific development considerations for this future land use designation. Land uses such as places of worship, cultural or civic centers, and other similar public or private not-for-profit uses may be included within this land use designation. The INST Land Use Amendment (LUPA-24-0002) is pending approval at the August 6, 2024, City Commission meeting.

Staff recommends approval subject to the following conditions:

1. Subject to the approval of Land Use Amendment (LUPA-24-0002) and Rezoning (ZMA-24-0001) at the August 6, 2024 City Commission meeting.
2. Child care facility use only. Public and private schools and other educational services are not permitted.
3. Child care facility is limited to a maximum of 100 students.
4. Drop off and pick up in the drive aisles and in front of the building are prohibited.
5. All vehicles must park in marked parking spaces to ensure there are no adverse internal circulation and external traffic impacts.
6. Any transportation services that may be provided by the child care facility shall be

- limited to only children currently enrolled at the facility.
7. Transportation services for general hire, rental, leasing, or sales is prohibited.
 8. Transportation service vehicles larger than the provided parking spaces shall be prohibited. All drive aisles must maintain a 24ft. wide clearance for 2 way traffic.
 9. A 6ft. fence, in conjunction with shrubs a minimum 30 in. high, spaced a minimum of 30 in. on center, must be maintained along the east and south property lines as approved with the Buffer Waiver granted at the November 10, 1998 City Commission Meeting (DRC#97-093).

Board Member Robert Spalding made a motion to Approve with Conditions. Board Member Alex Alemi seconded the motion.

1. **Subject to the approval of Land Use Amendment (LUPA-24-0002) and Rezoning (ZMA-24-0001) at the August 6, 2024 City Commission meeting.**
2. **Child care facility use only. Public and private schools and other educational services are not permitted.**
3. **Child care facility is limited to a maximum of 100 students.**
4. **Drop off and pick up in the drive aisles and in front of the building are prohibited.**
5. **All vehicles must park in marked parking spaces to ensure there are no adverse internal circulation and external traffic impacts.**
6. **Any transportation services that may be provided by the child care facility shall be limited to only children currently enrolled at the facility.**
7. **Transportation services for general hire, rental, leasing, or sales is prohibited.**
8. **Transportation service vehicles larger than the provided parking spaces shall be prohibited. All drive aisles must maintain a 24ft. wide clearance for 2 way traffic.**
9. **A 6ft. fence, in conjunction with shrubs a minimum 30 in. high, spaced a minimum of 30 in. on center, must be maintained along the east and south property lines as approved with the Buffer Waiver granted at the November 10, 1998 City Commission Meeting (DRC#97-093).**

AYE: Board Member Alex Alemi, Board Member Rebeca Marin, Board Member Diana Marrero-Pinto, Board Member Robert Spalding

NAY: None

Motion to Approve 4 - 0.

5.B Public Hearing - Conditional Use with Site Plan Waiver to establish retail sales use. - 1220 Dyer Blvd. - CU-24-0009

Senior Planner Rabon stated that this is a request for approval of a Conditional Use with Site Plan for retail sales use of heating, ventilation, air conditioning (HVAC) parts, and equipment with a building size of 8,640 sq. ft. located on 1.84 acres of land. The subject property is located at 1220 Dyer Blvd.

Senior Planner Rabon stated this is an additional use for the site under the Kissimmee Industrial Park PUD.

Senior Planner Rabon also stated the applicant is proposing direct retail sales in addition to wholesale through a catalog.

Staff recommends approval for the following reasons:

1. Compliance with Kissimmee Industrial Center PUD standards.
2. Compliance with LDC Section 1403029(C)(2), conditional use site plan waiver, since existing parking, loading, lighting, and other site characteristics are not affected by the conditional use.
3. Compliance with LDC Section 14-3-29(F), general review criteria, for conditional use approval as the subject property, layout, compatibility, and public facility impacts of the project are within compliance of the Land Development Code.
4. Analysis for conditions of approval has been reviewed based on the criteria specified under LDC Section 14-3-29(G).

Staff recommends approval subject to the following conditions:

1. The retail sales use only applies to 1220 Dyer Blvd and ANA Air Solution and Distribution.
2. Any modification or expansion of the retail sales use requires a new conditional use application and approval by the Planning Advisory Board.
3. No outdoor storage or outdoor display of goods and equipment is allowed at 1220 Dyer Blvd.

Board Member Alex Alemi made a motion to Approve with Conditions. Board Member Robert Spalding seconded the motion.

1. **The retail sales use only applies to 1220 Dyer Blvd and ANA Air Solution and Distribution.**
2. **Any modification or expansion of the retail sales use requires a new conditional use application and approval by the Planning Advisory Board.**
3. **No outdoor storage or outdoor display of goods and equipment is allowed at 1220 Dyer Blvd.**

AYE: Board Member Alex Alemi, Board Member Rebeca Marin, Board Member Diana Marrero-Pinto, Board Member Robert Spalding

NAY: None

Motion to Approve w/Conditions 4 - 0.

5.C Public Hearing - Resolution to vacate a portion of the McLaurin right-of-way located south of 504 S. Randolph Avenue- ABDN-23-0001

Planning Manager Ryan stated that this is a recommendation of approval for the resolution to vacate 0.18 acres, more or less, of the right-of-way located south of 504 S. Randolph Ave. that has a Mixed-Use Urban Corridor (T5-U) Zoning designation.

Planning Manager Ryan stated that no objections were received for this right-of-way vacation/abandonment by any utility providers. The dedication of easements within the vacated area will be required for existing utilities and infrastructure.

Staff recommends approval for the following 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.

Staff recommends approval subject to the following conditions:

1. Easements must remain over the vacated portion of right-of-way and must be provided with a final plat or by a separate legal instrument(s).

Development Services Director Craig Holland stated that he is the applicant for this project and that this was a city-initiated right-of-way abandonment.

Director Holland also stated that the city is working on a budget to provide sidewalks in the city and this abandonment will not affect the sidewalk plan.

Board Members discussed future use for side walks and who will be maintaining the utilities along the easement.

VFW Representative, Pat Fischer, stated that VFW will continue to maintain the property and made another request to have the right-of-way split.

Mr. Fischer also stated he was in support of the city's plans.

Board Member Alex Alemi made a motion to retain 15 foot eastern most right-of-way adjacent to Randolph Ave and construct a sidewalk. Board Member Diana Marrero-Pinto seconded the motion.

AYE: Board Member Marrero-Pinto, Board Member Alemi, Board Member Marin

NAY: Board Member Spalding

Motion to Approve w/Conditions Passed 3 - 1.

5.D Public Hearing - Resolution to vacate a portion of the Mill Slough Road right-of-way located north of 1630 and 1700 Mill Slough Road - ABDN-24-0001

Planning Manager Ryan stated that this is a recommendation of approval of a resolution to vacate 0.67 acres, more or less, of right-of-way located north of 1630 and 1700 Mill Slough Road that has a Single Family Residential (RA-1) and Community Facilities (CF) Zoning designations.

Planning Manager Ryan stated this is a city-initiated vacation/abandonment request. The proposed vacated/abandoned portion of the right-of-way is located behind the perimeter fence of private property at 1630 Mill Slough Road and Mill Creek Elementary School located at 1700 Mill Slough Road.

Planning Manager Ryan also stated that the proposed areas are being privately maintained by both property owners.

Staff recommends approval for the following 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.

Staff recommends approval subject to the following conditions:

1. Easements must remain over the vacated portion of right-of-way and must be provided with a final plat or by a separate legal instrument(s).

Development Services Director Craig Holland stated that he is the applicant for this project. He stated that the abandonment will not impact the road, sidewalk or right-of-way.

Board Members discussed connecting the pavement to create a sidewalk alongside Mill Slough Rd.

Pat Fischer, address is blocked, made a statement that if sidewalks do go in alongside Mill Slough Rd., then additional safety guards will be needed for the students.

Liz Robles, 2418 Quail Hollow Ct, stated she is there on behalf of her grandfather Gabriel Santiago, who purchased this home in 2002. Liz Robles stated that Mr. Santiago has been trying to take ownership of a portion of the area that will be abandoned by the city.

Alonzo Burkholder, 2479 Oak Mill Dr, asked the board and city staff if the 100 + year old oak trees will be cut down in the vacation area.

Planning Manager Brenda Ryan stated that permits can be pulled to remove trees, as another option to being cut down. She also stated that the responsibility goes to the owner of the easement after abandonment.

Melissa Maredo, 2422 Benjamin Dr, asked that if the land is turned over to the property owners, what is the allowed land use of the vacated land.

Planning Manager Brenda Ryan stated that the property owners can verify the zoning requirements with the city and use the land based on what it is zoned for.

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Judge Jeff Miller, 1630 Mills Slough Rd, stated that he only wants to sever his parcel from the existing Right-of-Way.

First Motion: To approve with the recommendations to connect the sidewalk alongside Mill Slough Rd. – Failed

Second Motion: To exclude all the land within the fences of 1360 Mills Slough Rd. – Failed

Third Motion: To exclude all the properties north of the fence line from the vacation.

Board Member Alex Alemi made a motion to exclude all the properties north of the fence line from the vacation. Board Member Rebeca Marin seconded the motion.

AYE: Board Member Marrero-Pinto, Board Member Alemi, Board Member Marin

NAY: Board Member Spalding

Motion to Approve w/Condition Passed 3 - 1.

6. PUBLIC HEARINGS

7. DISCUSSION

Board Member Alex Alemi made a motion to request to the City Commission to build sidewalks on properties for Item 5.C and 5.D.

8. HEAR CHAIRMAN AND BOARD MEMBERS

9. ADJOURNMENT

There being no further business to come before the Planning Advisory Board, Vice-Chairman Diane Marrero-Pinto adjourned the meeting at 6:26 p.m.



Board Chairman

ATTEST:


Board Secretary