



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, JANUARY 14th, 2013, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

Chairman Weaver called the meeting to order.

The Pledge of Allegiance was recited.

The next item considered -- **Item #2 Roll Call**

Upon Roll Call, those present were: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those not present:

Staff Present: Ryan Sweeney, Senior Planner; Kori Benton, Historic Preservation Officer; Clarissa Davis, Planning Specialist; Rebecca Grohall, Planning Manager; James Walker, Assistant City Attorney.

The next item considered – **Item #3 Consideration of Absences**

Mr. Poitier, Ms. Slep and Mr. Clancy were all excused for their absences.

The next item considered – **Item #4 Certification of Alternate Member Voting Status**

Ms. Ganzi and Mr. Paul are welcome to discuss and vote for the items.

The next item considered – **Item #5 Approval of the December 10th 2013 Minutes.**

Mr. George made a motion and was seconded Ms. Baker- To approve.

A voice vote is taken.

Motion passes unanimously.

The next item considered – **Item # 6 6. Future Land Use Map Amendment (LPA Hearing) - East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the Future Land Use designation from OP – Offices - Professional and Business Services to NC, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc. The Planning Board, as the Local Planning Agency, to review and provide a recommendation.

Ryan Sweeney: Both items 6 and 7 will be presented together as a singular staff report and then we will have two separate hearings. The applicant is requesting the approval of a Future Land Use Map Amendment from OP, Offices and Professional Business Services to NC, Neighborhood Commercial and a Zoning Atlas Amendment from C-1, Office Commercial to C-2, Neighborhood Commercial for 6 parcels totaling 1.68 acres. The subject parcels are located on the east side of S 25th street, just south of the intersection of Okeechobee Road and 25th Street, between Orman Avenue and Mississippi Avenue. The subject parcels are zoned C-1, Office Commercial and are located within a transitional zone between the General Commercial at the intersection of Okeechobee Road and 25th Street and the predominant Office Commercial area that surrounds the Lawnwood Regional Medical Center. It was recommended to the applicant that they pursue a Neighborhood Commercial Future Land Use and zoning designation as opposed to a General Commercial designation to further facilitate this transitional area. The applicant obliged and is requesting Neighborhood Commercial Future Land Use and zoning designations. Before an amendment may be approved, the following standards must be satisfied per Section 22-131 of the City Code: The amendment must be consistent with the Comprehensive Plan, the amendment will not have an adverse effect on the ability of the City to satisfy land and water use needs and meet transportation demands and provide community facilities and services, the amendment will also promote and protect the public health, safety and general welfare. As the proposed amendments meet the standards outlined in Section 22-131, staff recommends that the Planning Board forward a recommendation of approval to the City Commission.

Ms. Baker states that one of the requirements was a traffic study and the only reference that is seen regarding a traffic study was that it was at its maximum, stating change in demand would be 442 trips.

Mr. Sweeney states that it is supplemented by the traffic report that's further in the packet. Those trips are based on the store that they are proposing. The traffic study for a rezone and future land use is tricky because they're not really basing it on anything in particular, but for this particular application, as noted in the staff report, they are doing the analysis based on a roughly 8,320 sq. ft. store.

Ms. Baker asks what the difference between the traffic requirements for the existing zoning and the proposed zoning.

Mr. Sweeney states for the zoning change itself, it's difficult. There really is no change in that the permitted intensity that the site can be developed at under C-1 is 60% lot coverage and a certain building height. Changing the zoning to C-2 will present the same parameters. There isn't a change there. They provided the numbers from the proposed project they are pursuing. The change in zoning is not really resulting in any additional capacity being consumed.

Irene Settlemyer (713 Easter Avenue): What kind of uses are allowed in the proposed zoning versus the existing zoning.

Mr. Sweeney states that generally the C-1, Office Commercial zone allows for office type uses such as medical, professional and businesses. C-2 is more restricted in some cases, but it does allow for a number of additional commercial uses that are intended to service the surrounding residential areas. Ultimately, that is the reason for tonight's request.

Ms. Ganzi states that the staff report included states that the applicant held a neighborhood meeting. What took place in that meeting?

Damien Leslie (Bowen Consultants/Representative): The meeting was held in October and three representatives from the community attended the meeting. We described the kind of project that we are doing. They were really encouraging of the new use. The property owner adjacent to the site wanted to make sure there was some type of screening which has been facilitated within our site plan.

Ms. Ganzi asks what the hours are going to be for the store.

Mr. Leslie states he would have to give that answer at a later time.

Ms. Baker asks if the store will contemplate having a beer and wine license.

Mr. Leslie states that it was discussed with the applicant. It is still under debate.

Chairman Weaver asks if secondary streets will be used as points of access as well and were the neighbors aware of that.

Mr. Leslie answers yes.

Mr. Sweeney states that there is a notice requirement for all neighbors within a 500 ft. radius of the site, so if they didn't get to attend the neighborhood meeting they will be aware of the project via those notices from the Planning Department.

Mr. George makes a motion and is seconded by Ms. Ganzi - to approve the Future Land Use map amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item # 7 Zoning Atlas Amendment (Rezoning) – East Side of South 25th Street between Ormond Avenue and Mississippi Avenue – Family Dollar Properties:** A request for approval to change the zoning designation from C-1, Office Commercial to C-2, Neighborhood Commercial. The owner is First Southern Bank, represented by Daimian Leslie, P.E. of Creech Engineers, Inc.

Mr. Sweeney states that the staff report is the same. The request is for a rezoning from C-1, Office Commercial to C-2 Neighborhood Commercial.

Ms. Baker makes a motion and is seconded by Mr. George - to approve the Zoning Atlas Amendment with staff's recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O'Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item #8 Annexation - 3700 Okeechobee Road - Indian River Oil:** A request for annexation into the City of Fort Pierce.

Kori Benton: The request before you is a voluntary annexation application by the property owners of Indian River Oil Company and the applicant Robert Fender. The location is 3700 Okeechobee Road. The location map shows that there are properties to the east, west and south that are within existing Fort Pierce City Limits. The property itself is 1.73 acres in size and has a St. Lucie County zoning of CG, Commercial General and a Future Land Use of COM, Commercial. The annexation of the property would render it as zoning in the City of Fort Pierce as C-3, General Commercial as seen in the neighboring properties. The Future Land Use to be assigned to this property in the event of the annexation would be GC, General Commercial. City staff has reviewed the site as well as the application and found it to be consistent with the City's Comprehensive Plan, therefore City staff is recommending that the Planning Board forward a recommendation of approval to the City Commission.

Mr. Burdge states that in the staff report is does not show the zoning that it will be placed under once it is annexed. Is it being proposed that it be annexed as C-3, General Commercial?

Mr. Benton states that the annexation protocols for the City of Fort Pierce pursuant to Florida State statutes would assign an equivalent zoning. Since St. Lucie County and the

City of Fort Pierce have equivalent zoning districts, it will be brought into the City with the same type of zoning as well as future land use.

Ms. Baker asks when a property is annexed into City limits, would the properties across the street on the other side of Okeechobee Rd. now be considered contiguous.

Mr. Benton states that the site across the street is already considered contiguous based on it being across the street from City Limit property on 37th street. If that property has a Fort Pierce Utility Authority agreement on file and since they are contiguous to City Limits they would then be annexed into the City pursuant to that agreement.

Ms. Castro asks why they want to annex into City Limits.

Mr. Benton states that the property owners are looking at re-establishing a new business there. They have operated the facility for several decades and processed an environmental remediation on the site based on a few past issues. It's been cleared by FDEP. They are going through permitting processes to get back up and running, therefore they would like to request for annexation now so that they only have one direct route for permitting, approval and business tax license.

Ms. Castro asks what they are going to operate there.

Mr. Benton states that they are requesting to continue the operation of their business which is the retail and wholesale of petroleum products, hydraulic steering fluids etc.

Ms. Castro asks if there are any enforcement issues that are going on right now at the County level.

Mr. Benton states that in the process of reviewing the application staff did coordinate with the Technical Review Committee which has members St. Lucie County Planning and Engineering. They discussed this annexation project amongst staff at the County level, therefore have given a recommendation of approval on the annexation which would suggest that there are no outstanding issues.

Ms. Castro asks when the assessed value of the property is going to change from \$36,000.

Mr. Benton states that the St. Lucie County property appraiser has a combination of assessment tools and procedures when they are evaluating a property. In review of the previous assessment for the property it was over \$100,000 which has been reduced over the last couple of years. A part of that may come from the environmental remediation that they took part in, therefore there was no revenue at the site from the business during that time period. Once it is annexed into City Limits and is up for assessment again, there is certainly potential for them to re-assess it based on market conditions, the business being reestablished and any investment that they make once they are up and running.

Chairman Weaver asks if questions about site lighting, parking, landscaping etc. will come into play.

Mr. Benton states that the Technical Review Committee brought forward numerous advisory comments based on the sites existing conditions and the expectations of the City code once they come into City Limits. Planning staff did note the expectations as far as the infill of landscaping in the event that they do pursue establishment of the drive isle in the rear that was previously dirt, they would have to coordinate with the Engineering and Building Department. A new sign is something that they have contemplated and coordinated with City staff on. They are hoping to pursue the façade grant opportunity that the City has currently. As far as the chain-link fence that is on the site, they are currently allowed to keep it in existence, however, any repairs or changes to the fence would have to be in compliance with the code in not only the fence requirements, but also the design review requirements since the site is on an arterial road. DEP has provided a certificate of completion of the work that was done on the site. The applicants are tasked with coordinating with DEP for recertification of the tanks for the re-establishment of the business.

Mr. Burdge discloses that he has had a brief conversation with the applicant.

Ms. Ganzi makes a motion and is seconded by Mr. George – to approve per staff recommendation.

Those in favor: Ms. Castro, Ms. Cummings, Mr. O’Connell, Mr. George, Ms. Ganzi, Mr. Paul, Ms. Baker, Mr. Burdge and Chairman Weaver.

Those opposed: None.

Motion is approved unanimously.

The next item considered – **Item #9 Comments from the Board**

None.

The next item considered – **Item #10 Adjournment.**

Ms. Castro makes a motion – to adjourn.