

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **JANUARY 12, 2016**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Mike Dahan; John George; Brian Paul; Marcia Baker; Steve Weaver; Eduardo Mujica; Charles Hayek; Eloise Cumings; Tim O'Connell; Frank Creyaufmiller; Chairman Bob Burdge**

Absent: **Robert Poitier**

Staff Present: **James Walker, Assistant City Attorney  
Rebecca Grohall, AICP, Planning Manager  
Kori Benton, Senior Planner  
Clarissa Davis, Planner  
Vennis Gilmore, Planning Analyst  
Alicia Rosenthal, Administrative Assistant**

4. **CONSIDERATION OF ABSENCES**

Mr. Walker stated when there is an absence without an explanation, it results in an unexcused absence. If there is an explanation, the member can request and receive an excuse for the absence at the next meeting.

Mr. Poitier absence is unexcused.

5. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS**

All regular members were in attendance.

6. **APPROVAL OF MINUTES**

- a. Minutes from the December 8, 2015 Meeting

**Motion was made by John George, and seconded by Marcia Baker to approve the minutes from the December 8, 2015 meeting.**

**AYE: Mike Dahan, John George, Brian Paul, Marcia Baker, Steve Weaver, Eduardo Mujica, Charles Hayek, Eloise Cumings, Tim O'Connell, Frank Creyaufmiller, Chairman Bob Burdge**

Passed

## **7. NEW BUSINESS**

### **a. Hearing of the Local Planning Agency Comprehensive Plan Amendment to Future Land Use Map - Hartman Road Properties - SW Corner of Hartman and White Way Dairy Roads**

Mr. Benton gave an overview of the application. No questions were asked of staff and no one spoke regarding this application.

**Motion was made by John George, and seconded by Marcia Baker to approve the proposed amendment.**

**AYE: John George, Brian Paul, Marcia Baker, Steve Weaver, Eduardo Mujica, Charles Hayek, Eloise Cumings, Tim O'Connell, Frank Creyaufmiller, Mike Dahan, Chairman Bob Burdge**

Passed

### **b. Zoning Map Amendment - Hartman Road Properties - SW Corner of Hartman and Whiteway Dairy Roads**

Mr. Benton gave an overview of the application. Ms. Baker asked if the project is similar to the company's projects in South Florida. Mr. Benton stated the discussion with the applicant was projected to provide neighborhood commercial development centered around a grocery store. No one spoke for or against this item.

**Motion was made by John George, and seconded by Marcia Baker to forward a recommendation to approve the proposed amendment.**

**AYE: Steve Weaver, Eduardo Mujica, Charles Hayek, Eloise Cumings, Tim O'Connell, Mike Dahan, John George, Brian Paul, Marcia Baker, Chairman Bob Burdge**

Passed

### **c. Zoning Atlas Amendment, Planned Development Plan Approval & Design Review - Indian River Commerce - 401 and 411 S. Indian River Drive**

Ms Davis gave an overview of the application and answered questions from the Board. Ms. Davis spoke about working with the applicant to secure more parking spaces.

Joe Foglia, President of Foglia Contracting Corporation, made himself available for questions.

Jodah Bittle, from Schulke, Bittle and Stoddard, answered questions from the Board.

Mr. Walker asked staff if it is premature for the Board to be reviewing the design elements, if what is seen will be significantly changed as a result of the Historic Boards review. Ms. Davis said that within the Design Review guidelines it does state that when you are within in a Historic

District the Design Review Board is shifted to the Historic Preservation Board and the Planning Board is only looking at the Zoning Atlas Amendment and the Site Plan.

**Motion was made by Marcia Baker, and seconded by John George to forward a recommendation of approval to the City Commission to approve the Zoning Atlas Amendment, Planned Development Plan, Design Review and Minor Plat application, subject to the Historic Preservation Board having the final say as to the design.**

**AYE: Mike Dahan, John George, Brian Paul, Marcia Baker, Steve Weaver, Eduardo Mujica, Charles Hayek, Eloise Cumings, Tim O'Connell, Chairman Bob Burdge**  
Passed

d. **Conditional Use - Adult Day Care - 2400 Rhode Island Avenue**

Mr. Gilmore gave an overview of the application and answered questions from the Board. Mr. Gilmore stated the applicant reduced the number of clients from 20 to 10.

Chairman Burdge asked if the two bathrooms are going to be adequate for an adult day care.

Roxanna Gutierrez, Applicant, answered questions from the Board and explained the Adult Day Care is looking for high functioning clients, not low functioning clients with special needs.

Mr. Dahan was surprised a washroom or mini kitchen is not required. Ms. Gutierrez stated the lunch utensils and containers will be disposable.

Mr. Weaver stated the bathrooms do not look like they are ADA accessible and a mop room or storage room for cleanup items may be needed.

Ms. Cummings questioned the number of employees to take care of 10 - 20 adults.

Ms. Grohall stated the applicant needs to hire a design professional to work with the building department on the change of occupancy of the building and making sure the bathrooms are ADA compliant.

**Motion was made by Brian Paul, and seconded by John George to forward a recommendation of approval to the City Commission with the following conditions:**

**1) Please update the site plan to reflect the required sidewalk improvements pursuant to City Code Section 22-62(b) (4)n and 22-62(d)(2) safe and efficient sidewalk linkages from building entrance to right-of-way.**

**2) Please re-stripe one parking space closest to the entrance of the building and install a curb ramp for handicap accessibility if the applicant chooses to locate facing Quincy Avenue. These improvements are pursuant to City Code Section 22-60(c)(3) (Amount of required spaces for the handicapped).**

**AYE: Marcia Baker, Steve Weaver, Eduardo Mujica, Charles Hayek, Tim O'Connell, John George, Brian Paul, Chairman Bob Burdge**

**NAY: Eloise Cumings, Mike Dahan**

Passed

e. **Site Plan & Conditional Use - Causeway Cove Marina & RV - 601 Seaway Drive**

Both Mr. Paul and Mr. Walker recused themselves.

Mr. Benton gave an overview of the application and answered questions from the Board.

Mr. O'Connell asked if there is a way to move the entrance further east with a turn off lane so a boat could pull off without causing a bottleneck.

Mr. Dahan asked about the maximum size boats allowed. Mr. Benton stated the boats would be no greater than 40 - 45 feet. The target audience is smaller boats due to the draft restrictions.

Mr. Dahan asked if the parking spaces are going to be paved or dirt. Mr. Benton explained the applicant is presenting a 50/50 ratio of improved parking spaces in the first phase.

Mr. Dahan asked about the public access. Mr. Benton explained the public access provided by the applicant includes the kayak launch, sidewalk amenities along the bank, and access to the marina and boat ramp with some restrictions, based on the user fee components.

William Stoddard, from Schulke, Bittle and Stoddard, provided additional information on the project. Mr. Stoddard stated the project on the uplands is seen as an interim project to generate revenue on the property and open up access for the public.

Harold Smyth gave an overview of the proposed project and answered questions from the Board.

John Coseo, Harbour Isle Resident, spoke against moving forward with the project at this time. Mr. Coseo asked the Board to table the item due to significant inconsistencies and contradictions from the applicant, that appear in the paperwork of the project. Mr. Coseo answered questions from the Board.

Carol Mushier, President of the South Beach Association, stated the South Beach Association does not oppose the plan but there are some serious questions and concerns with the project and they want to make sure it is done right.

Peggy Decina, Harbour Isle Resident, spoke against the application.

Rick Reed, Resident, spoke in favor of the application and the progress that is being made in the city.

Chairman Burdge asked if there would be any effect on the permitting of the docks for Phase II if only Phase I was approved.

Mr. Smyth stated because the traffic has to go through one phase to get to the other phase both phases have to be considered at the same time. He also stated that a permit cannot be received on one phase without analyzing the effect of the other phase. Mr. Smyth also stated the permits expire in 2017 so the docks have to be built before 2017 and 2018.

**Motion was made by John George, and seconded by Marcia Baker to forward a recommendation to the City Commission for approval with the following conditions:**

**1) The applicant provides a Lighting Plan pursuant to City Code Sections 22-58, 22-59, 22-60, and 22-86 prior to scheduling of the application for review by the City Commission.**

**2) The applicant provides complete infrastructure and operational plans for the proposed RV spaces consistent with City Code Sections. 22-86. (5) & (6) and 22-85 (6), prior to**

building permit issuance for construction of this component.

3) The presented access and traffic flow plan for both vehicular and pedestrian traffic presented in the Site Plan are approved by the City of Fort Pierce Engineering Department and FDOT, and implemented, prior to issuance of Certificate of Occupancy.

4) Sidewalks are integrated within, and adjacent to, the development pursuant to City Code Section 22-62. (b)(4) & (d) prior to issuance of a Certificate of Occupancy.

5) The applicant provides updated traffic, parking, and drainage plans associated with Phase II of the development prior to issuance of building permits for said phase of construction.

AYE: **Tim O'Connell, Eloise Cumings, Charles Hayek, Eduardo Mujica, Marcia Baker, John George, Mike Dahan, Chairman Bob Burdge**

Other: **Steve Weaver (RECUSE), Brian Paul (RECUSE)**

Passed

f. **Site Plan & Design Review - Cumberland Farms - 2009 S. 35th Street**

Ms. Davis gave an overview of the application and answered questions from the Board. Michael Troxell from Thomas Engineering group, provided additional information on maintaining the canal in front of the property and answered questions from the Board.

**Motion was made by Marcia Baker, and seconded by John George to forward a recommendation of approval to the City Commission to approve the Site Plan and Design Review application.**

AYE: **Brian Paul, Marcia Baker, Steve Weaver, Eduardo Mujica, Charles Hayek, Eloise Cumings, Tim O'Connell, Mike Dahan, John George, Chairman Bob Burdge**

Passed

g. **Site Plan & Conditional Use Major Amendment - Mount Bethel Baptist Church - 4150 S. 25th Street**

Mr. Benton gave an overview of the application. David Baggett from Engineering, Design and Construction, made himself available for questions from the Board.

**Motion was made by Steve Weaver, and seconded by John George to forward a recommendation to the City Commission for approval with the following conditions:**

1) **The applicant shall complete all of the required off-site improvements, prior to the issuance of a Certificate of Occupancy (C.O.).**

2) **The applicant shall remove all listed exotic plant species from the project limits, in accordance with Section 22-187(1) e. of the City Code, prior to the issuance of a Certificate of Occupancy (C.O.).**

AYE: **Eduardo Mujica, Charles Hayek, Eloise Cumings, Tim O'Connell, Mike Dahan, John George, Brian Paul, Marcia Baker, Steve Weaver, Chairman Bob Burdge**

Passed

**h. Waiver of Distance – The Smoke Shop - 1001 S. US Highway 1**

Mr. Benton gave an overview of the application and answered questions from the Board. Melissa Mayer, Owner, asked questions of staff.

**Motion was made by John George, and seconded by Marcia Baker to forward a recommendation to the City Commission for approval of the requested Waiver of Distance for a 4COP Alcoholic Beverage License for the proposed establishment, with the following conditions:**

**1) The applicant provides a site lighting assessment to ensure the site lighting meets the minimum average of three (3) footcandles, as required by City Code, and upgrade the lighting if necessary, prior to release of the alcohol license; and**

**2) The applicant completes landscape improvements along the southern property line to bring the site landscaping into compliance, and improve the buffer between the site and abutting residential homes.**

**AYE: Charles Hayek, Eloise Cumings, Tim O'Connell, Mike Dahan, John George, Brian Paul, Marcia Baker, Steve Weaver, Eduardo Mujica, Chairman Bob Burdge**

Passed

**i. Replat - Indian River Commerce - 401 and 411 S. Indian River Drive**

This item was heard after 7c. Ms. Davis gave an overview of the application. No questions were asked of staff and no one spoke for or against this project.

**Motion was made by John George, and seconded by Marcia Baker to forward a recommendation of approval to the City Commission.**

**AYE: Eloise Cumings, Tim O'Connell, Mike Dahan, John George, Brian Paul, Marcia Baker, Steve Weaver, Eduardo Mujica, Charles Hayek, Chairman Bob Burdge**

Passed

**8. BOARD COMMENTS**

Chairman Burdge reminded Board members, whose terms are expiring in February, to turn in their reappointment forms.

Chairman Burdge asked for the Board's consideration to voice an opinion to the City Commission in retaining Mr. Walker for the Planning Board. Mr. Hayek and Ms. Baker stated they both sent a letter to the City Commission requesting Mr. Walker stay on as the Planning Board's attorney. The Board did not object to Chairman Burdge sending a letter to the City Commission on behalf of the Planning Board.

Ms. Grohall stated the City Commission terminated the contract with Mr. Schwerer's firm and Mr. Schwerer did submit his resignation, which covers all the members of his firm. Ms. Grohall explained the city is in a temporary contract position with the attorneys to stay on until a new attorney is designated. The City Commission has retained Colin Baenziger and Associates to do executive recruitment to hire a city attorney. The City Commission did discuss this issue as it regards to the Retirement Board and the City Commission decided not to consider any sort of motion for retaining counsel for the Retirement Board until the new City Attorney has been selected.

**9. ADJOURNMENT**