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CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **DECEMBER 13, 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**

Before roll call, Chairman Burdge asked for a moment of silence to remember Gloria Grimyser, former Planning Board member and former City Commissioner.

Present: **Mike Dahan; Marcia Baker; Frank Creyaufmiller; John George; Eloise Cumings; Charles Hayek; Tim O'Connell; Robert Poitier; Steve Weaver; Al Bernetti; Bob Burdge, Chairman**

Absent: **Brian Paul**

Staff Present: **Iola Mosley, Senior Assistant City Attorney
Rebecca Grohall, AICP, Planning Director
Kori Benton, Senior Planner
Brandon Creagan, Planner
Alicia Rosenthal, Administrative Assistant**

4. **CONSIDERATION OF ABSENCES**

Mr. Paul was unexcused.

Motion was made by Charles Hayek, and seconded by Marcia Baker to approve the absence of Mr. George from the November 8, 2016 meeting.

AYE: Charles Hayek, Tim O'Connell, Robert Poitier, Steve Weaver, Mike Dahan, Marcia Baker, Frank Creyaufmiller, John George, Eloise Cumings, Chairman Bob Burdge

Passed

5. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

Mr. Weaver was made a voting member for the meeting.

6. APPROVAL OF MINUTES

- a. Minutes from the November 8, 2016 meeting

Motion was made by Robert Poitier, and seconded by Charles Hayek to approve the minutes from the November 8, 2016 meeting.

AYE: Eloise Cumings, Charles Hayek, Tim O'Connell, Robert Poitier, Steve Weaver, Mike Dahan, Marcia Baker, Frank Creyaufmiller, John George, Chairman Bob Burdge
Passed

7. NEW BUSINESS

- a. **Conditional Use with New Construction Seaward of the Coastal Construction Control Line - Mandel/Perkins Residence - 324 S. Ocean Drive**

Mr. Weaver recused himself and Mr. Bernetti was made a voting member for the item.

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

William Stoddard, Applicant Representative from Schulke, Bittle and Stoddard, provided additional information and answered questions from the Board.

Carol Mashier, President of Fort Pierce South Beach Association, spoke on behalf of the association.

James Gilgenbach, Architect, answered questions from the Board.

Jimmy Johnson and Rick Ross spoke in favor of the application.

Robert Zaist, Raedele Wittenmyer and Jean Peppers spoke in opposition of the application.

Board discussion ensued.

Motion was made by Charles Hayek, and seconded by Robert Poitier to forward a recommendation of approval to the City Commission.

AYE: Mike Dahan, Frank Creyaufmiller, John George, Charles Hayek, Tim O'Connell, Robert Poitier, Chairman Bob Burdge

NAY: Marcia Baker, Eloise Cumings, Al Bernetti

Other: Steve Weaver (RECUSE)

Passed

- b. **Conditional Use - Dwelling Rental - 608 S. Ocean Drive**

Mr. Poitier asked to be excused.

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

Kelly Golden, Applicant, provided additional information and answered questions from the

Board.

Rick Ross spoke in favor of the application.

Jim Flynn spoke in opposition of the application.

Motion was made by Steve Weaver, and seconded by Charles Hayek to forward a recommendation to the City Commission to approve the request with the following conditions:

1) The applicant provides specificity to the guided maximum occupancy of each unit, ensuring compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit;

2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;

3) Issuance of guide booklets for renters regarding local rules and public service resources to minimize conflicts;

4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses and set up a St. Lucie County tourism tax account within fourteen (14) days of Conditional Use approval; and

5) Adherence to the use limitations presented with the application proposal.

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

Passed

c. Subdivision: Preliminary Plat - Cargill Property - 3798 Selvitz Road

Mr. Benton gave an overview of the application.

Marc Rupp, Precast Representative, 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 with the following condition:

The access easement is executed by all affected land owners and recorded, or dedication of the access easement is added to the Plat.

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

Passed

d. Zoning Text Amendment - Peacock Arts District Parking Exemptions - Segment of the Orange Avenue Corridor between US Highway 1 & 10th Street

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

Linda Cox, City Clerk and Leader of the City Economic Development Team, and Ruth Jefferson spoke in favor of the amendment.

Elkie Steriopoulos, Michael Mcleod, Jose Alvarez, Gus Guitierrez, and Cathy Wassylenko spoke in opposition to the amendment.

Motion was made by Frank Creyaufmiller, and seconded by John George to forward a recommendation for approval of the proposed amendment, to the City Commission.

AYE: John George, Frank Creyaufmiller, Steve Weaver

NAY: Tim O'Connell, Charles Hayek, Eloise Cumings, Marcia Baker, Mike Dahan, Chairman Bob Burdge

Failed

Motion was made by Steve Weaver, and seconded by Charles Hayek to ask staff to come back with a more consistent overlay with a more comprehensive plan for this area.

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

Passed

e. Recommendation on the sale of City Property located at 500 Orange Avenue

Mr. Grohall provided an overview of the city property for sale and answered questions from the Board. No one spoke for or against the sale.

Motion was made by Marcia Baker, and seconded by Charles Hayek to forward a recommendation for approval of the proposed sale of 500 Orange Avenue to the City Commission.

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

Passed

8. BOARD COMMENTS

Chairman Burdge introduced Ms. Mosley to the Planning Board members.

9. ADJOURNMENT

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>WEAVER STEVEN</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>PLANNING BOARD</i>
MAILING ADDRESS <i>607 Malabar Avenue</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>Fort Pierce ST. LUCIE</i>	NAME OF POLITICAL SUBDIVISION: <i>Fort Pierce</i>
DATE ON WHICH VOTE OCCURRED <i>Dec 13, 2016</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> 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, STEVE WENUCH, hereby disclose that on Dec 13, 20 16:

(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, _____ ;
- 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:

I am owner of a construction company that has helped with the Design of the Project.

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.

Dec 13, 2016
Date Filed

[Signature]
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.

A Vision for Ft. Pierce

Good evening, and thank you for the opportunity to speak on a subject that is very important to all of us; you, the public servants who give of your time and energy, we, the people assembled, and yes, the Reverend Jefferson, too.

My name is Alki Steriopoulos. I am a lifelong musician and composer, with an international career spanning over fifty years as a concert pianist, Broadway conductor, and film composer. My wife, a lifelong dancer, choreographer, artist, and I have called Ft. Pierce home for two years. We came to Ft. Pierce for many of the reasons people do; weather and affordability, certainly, but more importantly, the raw potential of what we believe Ft. Pierce can be – a destination, rather than a town to drive quickly through with doors locked en route from Vero Beach to West Palm.

Last year, a sizable group of interested citizens and Planning Department officials were invited to an open house, graciously hosted by Gus Gutierrez in one of his Orange Avenue holdings. There, easels and work-stations were set up asking us to list our priorities of what we wanted, needed, and *didn't* want, in a proposed Peacock Arts District. In short, what were our dreams and visions for the Renaissance of an area that remains underused, empty, and blighted. When these lists were tabulated and the numbers were crunched, it came as no surprise that the answers were uniform. We wanted theatre, music, dance. Restaurants, cafes, art galleries. Classes for young and old alike. Nowhere did another church appear on anyone's wish list.

Now, why is that? Is it because we are all godless heathens? No. My wife and I are church members. We attend services, and attempt to lead godly Christian lives. Could it be that the reason no one saw a need for another church was because that need was already well met? I say, yes.

Ft. Pierce has dozens of churches serving every denomination and ethnicity. We have Greek Orthodox, Roman Catholic, Methodist, Gospel. We have several churches serving the Haitian community. We even have a Muslim mosque nearby, one that God forgive us, has suffered for its religious identity. In the immediate Orange Avenue area and its adjacent boundaries there are probably dozens of places to worship, running the gamut from modest store-front neighborhood gatherings to grand churches with choirs and schools and social gatherings.

But in that same area how many dance schools are there? How many fine-dining establishments, coffee houses, acoustic jazz clubs? How many art schools, symphony orchestras, music schools? How many theatres, for film *and* live locally produced offerings? How many bike shops and book stores? The answer to all of these is none, zero, zilch, nada.

Now, ask yourselves in addition to the plentiful churches, how many bail bondsmen does Ft. Pierce boast? How many dollar stores and thrift shops? How many businesses dedicated to selling you booze, then fixing your drunk-driving ticket, and filling your closet with guns and ammo sufficient to shoot bad guys, good guys, drug gangs and children many times over. I think we all know the answer.

The real thing we are here to discuss tonight, the elephant in the room, isn't really about parking spaces, or limiting the number of people that can legally attend the Reverend's church. Is there anyone here foolish enough to believe that the parishioners will be counted and people turned away when the limit has been reached? And would anyone including the Reverend want a church that turned away a seeker because their quota had been met? I think not. No man's god would want such a church, the very idea of

such a place is counter to the teachings of Jesus, Buddha, or Mohammed.

Within the environs of the proposed Peacock Arts District and its neighbors to the north and south, we could have the next August Wilson, the next Alvin Ailey, the next Toni Morrison, fermenting in the minds and hearts of our youth. We could have the next Misty Copeland yearning to put on tights and a tutu but can't for lack of a solid dance school and the fear of leaving her house for gang cross-fire. For those who may not know, Misty Copeland is the first African American woman to become the principal dancer for ABT, the American Ballet Theatre.

It has been suggested that this new church will serve the community's needs in a way that might improve the quality of life of the neighborhood. Yet I look around and see all of these churches, good, solid, churches that have been established for decades that have failed to make a fundamental discernible improvement in the quality of life of the community, or the town.

Many of you were as outraged as I to have Ft. Pierce voted the worst town in Florida last year, by a poll citing crime, unemployment, and horrific teacher / student ratios in our city. A city where every other house is held by a far-away bank, foreclosed, forlorn, and empty; left to fall into the weeds becoming havens for crack-heads, rats, and other vermin.

I stand here tonight to ask you the Board, and the assembled on both sides of the immediate issue, to ask what kind of town do we envision for the future of Ft. Pierce? What is the foreseeable destiny of this place we all call home? To remain a town of too much of one and none of the other? Or a place that will welcome the arts and the humanities, invite vibrant newcomers, foster a new generation of creators, and flourish as a place where there is room to make beauty *and* worship God by whatever name you call Him?

4.

There is room for all, but only if this Board and current and future policy-makers commit now to beginning to lay that fertile ground. There are visionary developers wishing to provide these spaces, and people like myself that will teach and create the kind of beautiful experiences we so desperately need. But we will need an area dedicated to this re-birth and re-purposing. Another church, using a prime space primarily for Sunday services, that produces neither jobs nor tax revenues, while limiting the color and scope of the neighborhood, is neither wise nor necessary.

This is what we should be considering. This is what I ask you to think of when casting any vote that will impact the vision we have for our town, our town's future, and the Peacock Arts District. I ask you tonight to proclaim the Peacock Arts District and help us make it a reality.

I thank you.