

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE SPECIAL MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON THURSDAY, **SEPTEMBER 28, 2017**, 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: **Marcia Baker; Brian Paul; John George; Frank Creyaufmiller; Bob Burdge; Michael Broderick**

Absent: **Caroline Sessions; Tim O'Connell**

Staff Present: Rebecca Grohall, Planning Director
Kori Benton, Senior Planner
Vennis Gilmore, Planning Analyst
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant

4. **CONSIDERATION OF ABSENCES**

Ms. Sessions and Mr. O'Connell called in with reasonable excuses for not attending.

Motion was made by John George, and seconded by Michael Broderick to approve the absences of Ms. Sessions and Mr. O'Connell.

AYE: Brian Paul, John George, Frank Creyaufmiller, Bob Burdge, Michael Broderick, Marcia Baker

Passed

5. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS/EXCUSE NON VOTING ALTERNATE**

Mr. Paul was made a regular voting member.

6. APPROVAL OF MINUTES

- a. Minutes from the August 8, 2017 meeting

Motion was made by John George, and seconded by Marcia Baker to approve the minutes from the August 8, 2017 meeting.

AYE: John George, Frank Creyaufmiller, Bob Burdge, Michael Broderick, Marcia Baker, Brian Paul

Passed

7. NEW BUSINESS

- a. **Voluntary Annexation - Celebration Pointe - 5501 Peterson Road**

Mr. Creagan gave an overview of the project and answered questions from the Board regarding flooding and the annexation process. Mr. George stated he knows the owner of Celebration Pointe and they have talked but he has no financial interest in the project. No one spoke for or against the project.

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

AYE: Frank Creyaufmiller, Bob Burdge, Michael Broderick, Marcia Baker, Brian Paul, John George

Passed

- b. **HEARING OF THE LOCAL PLANNING AGENCY
Zoning Atlas Amendment, Future Land Use Amendment - Dogs & Cats Forever - 4600 Selvitz Road**

NEW BUSINESS

Planned Development - Dogs & Cats Forever - 4600 Selvitz Road

Mr. Burdge asked Ms. Grohall to explain the duties and responsibilities for the Local Planning Agency.

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

Ms. Grohall answered questions from the Board regarding the scrivener's error, zoning, maximum wall height, noise ordinances, code compliance issues, adjacent zoning and Institutional Future Land Use.

The Board discussed coordinating a meeting with the Devine Road residences and the applicant to work out noise issues prior to the City Commission meeting.

Richard Laventure, Applicant Representative from Atlantic Civil Engineering, provided additional information and answered questions from the Board on landscape buffers and sound deadening. Michael Jacquin, General Contractor, provided additional information on the facility, vegetation and funding.

Harold Johns, Don Schooley, Michelle Calandro and Linda Johns, neighbors of Dogs and Cats Forever, spoke against the additional noise that will be caused from the barking dogs.

Motion was made by Marcia Baker, and seconded by John George to approve the Future Land Use and Zoning Atlas Amendment.

AYE: Bob Burdge, Michael Broderick, Marcia Baker, Brian Paul, John George, Frank Creyaufmiller

Passed

Motion was made by Marcia Baker, and seconded by John George to approve the Planned Development with the understanding the applicant is going to work out the noise issues with the residences before the City Commission meeting.

AYE: Michael Broderick, Marcia Baker, Brian Paul, John George, Frank Creyaufmiller, Bob Burdge

Passed

c. Conditional Use - Mike's Arcade - 2732 S. US Highway 1

Mr. Benton gave an overview of the application. Mike Mirando, Owner, provided additional information and stated he was not aware of any new regulations. Hoyt Murphy spoke in favor of the application.

Motion was made by John George, and seconded by Marcia Baker to forward a recommendation of approval with the condition that the landscaping and lighting are completed prior to final inspection for Zoning approval.

AYE: Michael Broderick, Marcia Baker, Brian Paul, John George, Frank Creyaufmiller, Bob Burdge

Passed

d. Site Plan & Design Review - Tropic Supply - 903 S. Market Avenue

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

Mr. Broderick commented that the addition is a welcomed addition.

Charles Delvecchio, Owner of Tropic Supply, provided additional information and spoke highly of the city and the Planning Department.

Motion was made by John George, and seconded by Marcia Baker to forward a recommendation of approval of the requests as presented.

AYE: Brian Paul, John George, Frank Creyaufmiller, Bob Burdge, Michael Broderick, Marcia Baker

Passed

e. Waiver of Distance - The Twisted Tike formerly The Backyard Pub - 658 N. 2nd Street

Mr. Creagan gave an overview of the application and answered questions from the Board regarding parking and joint use of the property. Mr. Creagan stated the name of business has been changed to The Twisted Tiki.

Kevin and Connie Degolier, Owners, provided additional information and answered questions

from the Board.

Motion was made by John George, and seconded by Michael Broderick 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. A Crime Prevention Through Environment Design (CPTED) survey must be conducted by the City of Fort Pierce Police Department before the grand opening of the establishment.**
- 2. Before the grand opening, the site must be in compliance with City Code 22-187, General Landscaping Requirements. This would include a 10 foot landscape strip between streets right-of-way and the vehicular use area.**
- 3. A copy of the Shared Parking Agreement between Captain's Galley & The Backyard Pub should be provided to the City Planning & Engineering Departments. This must be provided when the applicant applies for a business tax license.**
- 4. The two concrete driveway aprons constructed as part of the North 2nd Street Roadway project shall extend 10' into the property to aid in the reduction of sediment tracking into the right-of-way of Indian River Drive and North 2nd Street. This must be constructed by the owner/applicant prior to the grand opening.**
- 5. Provide stop signs and stop bars at the North Indian River Drive and North 2nd Street driveways prior to the grand opening.**

AYE: Marcia Baker, Brian Paul, John George, Frank Creyaufmiller, Bob Burdge, Michael Broderick

Passed

9. ELECTION OF CHAIR AND VICE-CHAIR

Mr. Burdge stated the secretary position was not listed. Ms. Grohall explained the secretary's role is fulfilled by a paid staff member. Ms. Grohall went on to say that the rules and regulations were stricken by the City Commission so new standards of operation for the Board will be drafted. Mr. Burdge said the code states the Board has to elect a secretary but the secretary does not have to be a Board Member. Ms. Grohall stated the Board can abstain from voting for a secretary until the city attorney can weigh in on the matter.

Mr. Burdge handed out new procedures for the Board to discuss since the City Commission did away with the Planning Board rules. Mr. Burdge stated if the procedures are adopted, Ms. Rosenthal could become secretary of the Board and she would be a non-voting member and custodian of the Board records.

Mr. Broderick expressed he would like the city attorney's input on the new Board procedures and a staff member being appointed secretary to the Board as a non-voting member.

Mr. Creyaufmiller asked for clarification on what the City Commission said regarding the reconfiguration of the Planning Board and allowing Planning Department staff to be actively involved in helping to assemble rules and administrate the Board when needed.

Ms. Grohall stated one of the goals of the City Attorney was to return the Planning Director back into being the key contact for the Planning Board. She stated the secretarial position can

be a simple code proposal that would remove the secretary from the Planning Board discussion. Ms. Grohall stated she is uncomfortable without the city attorney reviewing the Board procedures.

Board discussion ensued.

Motion was made by Marcia Baker, and seconded by John George to nominate Bob Burdge as Chair.

AYE: Brian Paul, John George, Frank Creyaufmiller, Bob Burdge, Michael Broderick, Marcia Baker

Passed

Motion was made by Frank Creyaufmiller, and seconded by John George to nominate Frank Creyaufmiller as Vice-Chair.

AYE: John George, Frank Creyaufmiller, Bob Burdge, Michael Broderick, Marcia Baker, Brian Paul

Passed

Motion was made by Marcia Baker, and seconded by John George to approve the new Planning Board procedures and appoint Ms. Rosenthal as secretary.

AYE: John George, Bob Burdge, Marcia Baker, Brian Paul

NAY: Frank Creyaufmiller, Michael Broderick

Passed

10. BOARD COMMENTS

11. ADJOURNMENT

CITY OF FORT PIERCE PLANNING BOARD PROCEDURES

1. The City of Fort Pierce Planning Board will meet the second Tuesday in each month at 6:00 pm in the Fort Pierce City Hall Commission Chambers.
2. Additional meetings may be held at any time upon the call of the chairman or upon request of the Mayor-Commission, following at least twenty-four (24) hours notice to each member of the Board.
3. The Board at its first regular meeting in September of each year shall elect a chairman, vice-chairman, and a secretary.
4. The duties and powers of the officers of the Planning Board shall be as follows:
 - a. Chairman:
 - (1) Preside at all meetings of the Board.
 - (2) Call special meetings of the Board in accordance with these procedures.
 - (3) Sign documents of the Board.
 - (4) See that all actions of the Board are properly taken.
 - b. Vice-Chairman:
 - (1) During the absence, disability, or disqualification of the chairman, the vice-chairman shall exercise or perform all the duties and be subject to all the responsibilities of the chairman.
 - c. Secretary:
 - (1) The secretary shall be custodian of the records and that person need not be a member of the board, provided that if not a member of the board, they shall not be entitled to vote.
5. A majority of the members of the Board entitled to vote shall constitute a quorum for the transaction of business. All recommendations from the Board for either approval or disapproval of any agenda item shall be by a majority vote of the members of the Board entitled to vote.
6. Robert's Rules of Order are hereby adopted for the government of the Board in all cases not otherwise provided for in these procedures.

7. Procedures may be amended at any meeting by a vote of the majority of the entire membership of the Board, provided five days' notice has been given to each member of the Board.

8. The following order will normally be observed; however, it may be rearranged by the chairman for individual items if necessary for the expeditious conduct of the business:

- a. Pledge of Allegiance
- b. Roll Call
- c. Consideration of Absences
- d. Certification of Alternate Member voting status
- e. Approval of Minutes
- f. Annexations
- g. Ordinance amendments
- h. Comprehensive Plan amendments
- i. Re-zonings
- j. Conditional Uses
- k. Site Plans
- l. Other Business
- m. Board Comments

9. Procedures for discussion. The following procedure will normally be observed:

- a. Committee and staff presents report and makes recommendation
- b. The Board may ask questions regarding the committee or staff report.
- c. Proponents of the agenda item make presentation.
- d. Opponents make presentation.
- e. Applicant makes rebuttal of any point not previously covered.
- f. Board asks any questions it may have of the proponents, opponents, or staff and then take a vote.

10. Deadline for consideration of non-agenda items:

No non-agenda item shall be taken after 10:00 pm, except that the chairman may waive this rule at his discretion.

11. Designation of voting order: Voting to be by verbal vote; and the order of voting is to be rotated each vote, except that the chairman shall vote last.

12. Each member, including alternate, of the Planning Board who has knowledge of the fact that he will not be able to attend a scheduled meeting of the Planning Board shall notify the Planning Department at City Hall at the earliest possible opportunity, and in any event, prior to 12:00 pm the date of the meeting. An explanation for the absence shall be provided. The Planning Director shall notify the chairman of the Board in the event that projected absences will produce the lack of a quorum. In case of absences, the alternate will be the first to fill absence. If a quorum is not met, then ex officio members will be contacted to fill absences. Upon their selection by the Chairman, alternate and ex officio members will have full voting privileges and count toward quorum requirements as long as the total sum of the resident appointees and participating alternate and ex officio members does not exceed seven (7).

13. The chairman shall be an ex-officio member of all committees, with voice but no vote.

14. In the event any office of the Board becomes vacant before the September meeting, a special election to fill the vacancy shall be held at the next meeting following the date the office became vacant, with the term of such office to end at the time of the September meeting.

15. Any decision or recommendation of the Planning Board may be rescinded or reconsidered at or during the same meeting the decision was taken or the recommendation was made. If, for good cause, the Board wishes thereafter to reconsider or rescind a measure, it may at any time recommends to the City Commission that it be given leave to reconsider as appropriate any earlier recommendation.

Adopted 9/²⁸~~12~~/2017