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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 12, 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: **Michael Broderick; Gloria Johnson-Scott; Brian Paul; Tim O'Connell; Bob Burdge; John George; Frank Creyaufmiller, Chairman**

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

4. **CONSIDERATION OF ABSENCES**

All Planning Board members were in attendance.

5. **APPROVAL OF MINUTES**

- a. Minutes from the November 14, 2017 meeting

Motion was made by Michael Broderick, and seconded by John George to approve the minutes from the November 14, 2017 meeting.

AYE: Tim O'Connell, Bob Burdge, John George, Michael Broderick, Gloria Johnson-Scott, Brian Paul, Chairman Frank Creyaufmiller

Passed

6. **NEW BUSINESS**

a. **Voluntary Annexation - 5450 S US Highway 1**

Mr. Benton gave an overview of the application. Lee Dobbins, Applicant Representative, made himself available for questions. No one spoke against the application.

Motion was made by John George, and seconded by Tim O'Connell to forward a recommendation of approval to the City Commission.

AYE: Brian Paul, Tim O'Connell, Bob Burdge, John George, Michael Broderick, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

Passed

b. **Zoning Atlas Amendment & Planned Development - Jenkins Road KOA - 3180 S. Jenkins Road**

Mr. Benton gave an overview of the application and answered questions from the Board regarding the landscape buffer, sidewalks considered for installation and the zoning change.

Lee Dobbins, Applicant Representative, provided additional information on the neighborhood meetings and the sidewalk payment in lieu of.

No one spoke against the application.

Motion was made by John George, and seconded by Michael Broderick to forward a recommendation to approve the proposal upon the following conditions:

- 1. The development plan accommodates a right-of-way dedication consistent with St. Lucie County's established provisions for Jenkins, Edwards, and McNeil roads, maintaining landscape buffering plans presented;**
- 2. The applicant completes sidewalks, or provides payment-in-lieu of sidewalk construction, pursuant to City Code Section 22-62 or applicable St. Lucie County provisions as abutting roadways are under County jurisdiction.**
- 3. Transportation Level of Service (LOS) analysis and potential suggestions by St. Lucie County are considered by the final development plan, where applicable.**

AYE: Gloria Johnson-Scott, Brian Paul, Tim O'Connell, Bob Burdge, John George, Michael Broderick, Chairman Frank Creyaufmiller

Passed

c. **Conditional Use with No New Construction - Galleria Parking - 120 N. Depot Drive**

Mr. Benton gave an overview of the application and answered questions from the Board regarding the angle parking configuration, shared access alleyway and lighting.

Mr. Messer asked Mr. Benton how the city will ensure the establishment of an ingress easement is accomplished and if the ingress and egress easement is what is being referred to in the first condition. Mr. Benton stated the easement is what is being referred to in the first condition in the staff report and the capacity has been left open for various ways of accomplishing the shared access, whether it is a private agreement or an actual access easement.

Gus Gutierrez, Applicant, stressed that the parking lot is private property and after hours cars are being towed for liability reasons. Mr. Gutierrez said to prevent cars from being towed during special events and after hours, a parking lot attendant would collect for parking, and in turn the

city would have an additional 40 - 60 parking spaces. Mr. Gutierrez answered questions from the Board on lighting, intention to have angle parking and different ways of closing off the parking lot.

Motion was made by John George, and seconded by Michael Broderick to forward a recommendation to approve the request to operate a commercial parking lot with the following conditions:

- 1. Either an Ingress-Egress Easement is required or the applicant will need to re-develop his parking lot to meet minimum design standards as the parking aisle widths would not be sufficient for 90° parking.**
- 2. The applicant integrates an accessible route from the handicap parking spaces to an adjacent pedestrian way; and**
- 3. A trash receptacle and process for collection are integrated into the use plan; and**
- 4. All city lighting codes are met.**

AYE: Bob Burdge, John George, Michael Broderick, Gloria Johnson-Scott, Brian Paul, Tim O'Connell, Chairman Frank Creyaufmiller

Passed

d. Conditional Use - Deese Dwelling Rental - 1011 Boston Avenue

Mr. Gilmore gave an overview of the application and answered questions from the Board regarding change of use and the conditional use staying with the property.

Ms. Grohall explained the change of use permit.

Kevin Deese, Applicant, asked if approved, if he has to go through with the request. Ms. Grohall explained that he would not be obligated in anyway and if the conditional use is not used within a 12 month window then the conditional use would have to be re-applied for.

Mr. Messer explained that the conditions do follow the property and if the conditional use cannot be met, then the condition does not exist.

Motion was made by John George, and seconded by Gloria Johnson-Scott to forward a recommendation to approve the request with the following conditions:

- 1. The applicant identifies the maximum occupancy of the 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 (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts;**
- 4. The applicant may be required to obtain a Change of Use permit through the Building Department and receive Certificate of Completion, prior to filing for St. Lucie County & Fort Pierce Business Tax Licenses; and**
- 5. Limit occupancy based on the number of bedrooms, and no more than 2 vehicles (one vehicle per unit).**

AYE: Michael Broderick, Gloria Johnson-Scott, Brian Paul, Tim O'Connell, Bob Burdge, John George, Chairman Frank Creyaufmiller

Passed

e. **Conditional Use - Arenas Dwelling Rental - 1218 S. 11th Street**

Mr. Gilmore gave an overview of the application and answered questions from the Board regarding surrounding single family housing and pending code enforcement cases.

Andrew Drucker, Applicant Representative, stated he did not think the property had been used as a short term rental.

Mr. Broderick stated he has reservations on approving the project due to creating a transient housing environment in the the R1 and R2 residential single family neighborhood Mr. Broderick also stated that neighbors are being put in a difficult spot because they are the neighborhood enforcement mechanism.

Mr. Burdge asked what can be done if the property becomes a nuisance.

Mr. Messer explained that Code Enforcement uses the 3 strike rule, for the same type of problem, to declare a property a nuisance.

Motion was made by Gloria Johnson-Scott, and seconded by John George to forward a recommendation to approve the request with the following conditions:

1. **The applicant identifies the maximum occupancy of the 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 (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and**
4. **The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval. Limit occupancy based on bedrooms, and no more than 4 vehicles (2 in the garage, 2 in the driveway).**

AYE: **Gloria Johnson-Scott, Brian Paul, Bob Burdge, John George**

NAY: **Tim O'Connell, Michael Broderick, Chairman Frank Creyaufmiller**

Passed

f. **Conceptual Development Plan - Southwick Commons - Oleander Avenue**

Mr. Creagan gave an overview of the application and answered questions from the Board on density and phased development.

Matt Toeniskoetter, Seller Representative, provided additional information.

Motion was made by John George, and seconded by Michael Broderick to forward a recommendation of approval for the conceptual parameters of the proposal.

AYE: **Tim O'Connell, Bob Burdge, John George, Michael Broderick, Gloria Johnson-Scott, Brian Paul, Chairman Frank Creyaufmiller**

Passed

g. Preliminary Plat - Dollar Tree - 4008 Okeechobee Road

Mr. Benton gave an overview of the project. Jason Gunther, Applicant Representative, agreed with staff's conditions.

Motion was made by John George, and seconded by Michael Broderick to approve with the following conditions:

- 1. The applicant complete the recommended housekeeping corrections referenced by the City Engineering Department and City's reviewing surveyor, prior to scheduling for City Commission review; and**
- 2. The ingress/egress Easement is maintained, or appropriately adjusted during development review of Lot 2, to accommodate shared access with adjacent uses.**

AYE: Brian Paul, Tim O'Connell, Bob Burdge, John George, Michael Broderick, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

Passed

7. ELECTION OF CHAIR

Motion was made by Michael Broderick, and seconded by John George to nominate Mr. Creyaufmiller as Chairman.

AYE: Bob Burdge, Michael Broderick, Gloria Johnson-Scott, Brian Paul, Tim O'Connell, John George, Chairman Frank Creyaufmiller

Passed

Motion was made by Bob Burdge, and seconded by Gloria Johnson-Scott to nominate Mr. George as Vice-Chairman.

AYE: John George, Bob Burdge, Tim O'Connell, Brian Paul, Gloria Johnson-Scott, Michael Broderick, Chairman Frank Creyaufmiller

Passed

8. BOARD COMMENTS

Mr. Messer stated the Planning Board meeting was congenial and the business was transacted professionally.

Mr. Messer explained that the Planning Department Director, Ms. Grohall, is more than just staff, she is an expert in land use matters and he encouraged the Board to have dialogue with her by asking her for her opinion and advice.

Mr. Broderick stated it would be helpful to have the Planning Director sit on the dais for the meetings. Ms. Grohall stated she is more than happy to sit on the dais with the Board members.

Mr. Creyaufmiller said he respected Mr. Burdge as Chairman and the work he had done on the Board and the respect to all parties who attend the Planning Board meetings is of utmost importance.

9. ADJOURNMENT