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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, **MAY 8, 2018**, 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: **Gloria Johnson-Scott; Bob Burdge; Brian Paul; Michael Broderick; John George; Tim O'Connell; Frank Creyaufmiller, Chairman**

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

4. **CONSIDERATION OF ABSENCES**

All members were in attendance.

5. **APPROVAL OF MINUTES**

- a. Minutes from the April 10, 2018 meeting

Motion was made by Michael Broderick, and seconded by John George to approve the minutes from the April 10, 2018 meeting.

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

Passed

6. **NEW BUSINESS**

a. **Hearing of the Local Planning Agency
Comprehensive Plan Amendment to Future Land Use Map - Fresh Wind Fresh Fire
Church - 411 N. 25th Street**

Mr. Gilmore gave an overview of the application. Abraham Chabab, Applicant Representative, stated the reason the church is applying for an amendment use change is to be consistent with the adjacent property.

Motion was made by John George, and seconded by Gloria Johnson-Scott to forward a recommendation of approval to the City Commission for the proposed amendment.

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

Passed

b. **Hearing of the Local Planning Agency - Comprehensive Plan Amendment to Future Land Use Map - Camping World - 2191 S. Jenkins Road**

Mr. Creagan gave an overview of the application. Brad Currie, Applicant Representative from Engineering Design & Construction, provided a brief background on Camping World.

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

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

Passed

c. **Annexation - Peter Angelos - 2850 S. Jenkins Road**

Mr. Gilmore gave an overview of the application. No one spoke for or against the application.

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

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

Passed

d. **Zoning Atlas Amendment (Rezoning) - Fresh Wind Fresh Fire Church - 411 N. 25th Street**

Item 6d, 6i and 6o were presented together. Mr. Gilmore gave an overview of the application.

Abraham Chabab, Applicant Representative, stated they are in agreement with the staff report.

Motion was made by John George, and seconded by Gloria Johnson-Scott to forward a recommendation of approval of the proposed amendment.

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

Passed

e. **Zoning Atlas Map Amendment (Rezoning) - Camping World - 2191 S. Jenkins Road**

Items 6e and 6j were presented together.

Mr. Creagan gave an overview of the application and answered questions from the Board regarding the Technical Review Committee comments, landscape barrier and traffic study.

Ms. Grohall stated all the Technical Review Committee comments have been addressed by the applicant and some of the items will become conditions of approval but most would be in place before it goes to City Commission. Ms. Grohall explained the water feature will be a fountain that will help with water circulation and pond retention. Ms. Grohall said St. Lucie County Engineering will work with Camping World to ensure any traffic impacts are mitigated and the traffic study was looking at a maximum build out scenario for the property, so not all 64,000 trips will occur on the same date. Ms. Grohall stated the county is going to ensure that the turn lanes are safe and appropriate for the school. Ms. Grohall said the applicant is conducting a neighborhood meeting on May 17, 2018, to ensure there is not any comments or questions from any of the adjacent properties. She also said there was a sign placed on the property advising people of the site plan and rezoning and a large advertisement ran in the newspaper for the Future Land Use component.

Brad Currie, Applicant Representative, from Engineering, Design & Construction, explained that two traffic studies were completed; one for the maximum build out and one for zoning. Mr. Currie stated the revised site plan shows queuing lanes, and they will be required to get a right-of-way permit through St. Lucie County. He went on to say, St. Lucie County will do a thorough review of their application and traffic study and make a determination of what the required turn lanes will be. Mr. Currie stated Camping World will be giving an additional 40 feet of right-of-way dedication.

Marty Sanders, St. Lucie County School District Representative, expressed concerns with the payment in lieu of option for sidewalks along Jenkins Road and creating a back log of school buses trying to turn into Samuel Gaines Academy, because of the 200 foot reduction in the left turn lane.

Mr. Currie stated the revised site plan shows a sidewalk along Jenkins Road and the payment in lieu of is for the required sidewalk along Graham Road. Mr. Currie explained there is a minimum distance that is required for DOT turn lanes and that distance was met for the left turn lane going into Camping World and the left turn lane going into Samuel Gaines Academy. Mr. Currie preceded to say that the existing turn lane at Samuel Gaines Academy far exceeds DOT standards so they tried to split the difference.

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

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

Passed

f. **Zoning Atlas Amendment (Rezoning) - Wilson Rezoning - 1101 N. US Highway 1**

Mr. Gilmore gave an overview of the application. Sandzua Cooper, Applicant, introduced herself to the Board.

Motion was made by John George, and seconded by Gloria Johnson-Scott to forward a recommendation of the proposed amendment.

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

Passed

g. Zoning Atlas Amendment & Planned Development Plan - Crownman PD - 515 S. Indian River Drive

Item 6g and 6n were presented together. Mr. Creagan gave an overview of the application and answered questions from the Board regarding parking. Mr. Broderick disclosed that he discussed the planning concept with the applicant.

Ms. Grohall explained the parking requirement can be met through a lease agreement with the adjacent properties or the payment in lieu of option but they do not have to make it a binding agreement with the site plan.

Kris Einstein, Owner, provided additional information on parking, licensed kitchen, event pavilion, landscaping and fencing.

Kurt Holden, Director of Operations for Fly the Whale, spoke in favor of the development.

Kip Lyman, Neighbor, stated she is in favor of the Bed and Breakfast and the conceptual idea of having a quaint event opportunity but she has many concerns. Ms. Lyman provided a handout to the Board with options to her concerns. She expressed concerns with the event pavilion being located 85 feet from her bedroom window, construction of the residence located on the east side of Indian River Drive blocking her view and safety concern with traffic on Delaware Avenue. Ms. Lyman explained she is more than happy to work with the Planning department and her neighbors to work on something that would be amicable for all.

Dr. Ron Lyman, Neighbor, spoke against the driveway off of Delaware and the location of the residence and pavilion.

Ms. Einstein said she went over the plans a few days prior to the meeting with the neighbors and she would love to work with them on looking at the properties and the building placements. Ms. Einstein stated she will be living on the property and on call 24/7 and will maintain and watch the noise levels.

Mr. Broderick asked Ms. Einstein if she would be willing to table the application for the next Planning Board meeting, to have the opportunity to meet with the abutters, to address some of the concerns, and come up with some modifications.

Ms. Einstein stated she prefers to keep moving forward and not take another month to delay the application approval process.

Chairman Creyaufmiller stated it would be difficult for the Board to move the project forward to City Commission, because ample time is needed to make changes, to satisfy the needs of the neighbor.

Ms. Einstein stated it was unfortunate that they sat with the neighbors and are being blindsided at the meeting. Ms. Einstein said their proposal will not work with the setback and parking requirements and the bank on the other side of the road is not usable space. Ms. Einstein went on to say that they will be including valet services to help alleviate the parking issues and safety issues and they will be living on the property so they can watch the level of noise and how late it goes. Ms. Einstein said they can work together on those items and try to keep their view available, so it should not deter from moving forward with the approval process for the PD. Ms.

Einstein said they are proposing to build the residence across the street so one day they can possibly move to the residence and allow more rentals on the back unit. Ms. Einstein stated that another option for the property was a boutique hotel but they felt bad for the neighbors and decided to do something one level, to go along with the waterfront charette and to reuse the existing buildings to how the downtown historic area was designed.

Mr. George asked if the Board could allow staff to work with the two parties to make an amicable decision, before coming to the board.

Ms. Grohall stated it is entirely possible that staff can work this out and it still would have to go to City Commission and the Lyman's have every opportunity at City Commission to speak in favor or in opposition of the project. Ms. Grohall said the landscaping, Delaware Avenue, the storm water capacity area and the parking lot is going to help provide a lot of buffer. Ms. Grohall explained that an opaque buffer, different height and different plant materials will also achieve some additional buffering. Ms. Grohall stated her recommendation was to improve the project with the conditions and include the meeting if the Board desires. Ms. Grohall explained that the project will go to the Historic Preservation Board for character as part of the River's Edge Historical District and the preference is that it goes to Historic Preservation Board prior to the City Commission.

Planning Board discussion ensued.

Ms. Grohall provided clarification on the letter that was mailed out for the Bed and Breakfast Conditional Use with No New Construction application. She stated that the Planned Development is a new application, which encompasses several different uses in it, and when the project moves forward to City Commission new notices would be mailed to all the adjacent properties.

Motion was made by Bob Burdge, and seconded by John George to lay the question on the table.

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

Passed

h. Conditional Use - Morestant Driving School - 1607 Avenue D

Mr. Gilmore gave an overview of the application and answered questions from the Board regarding the Technical Review Committee comments.

Ms. Grohall stated the St. Lucie County Planning department comments are advisory in nature only and the county participates merely as a courtesy on the projects and the jurisdictional approvals are to the city. Ms. Grohall preceded to say that the Fort Pierce Engineering comments are minor in nature and can be handled prior to any actual authorization and before they begin operations.

Buteau Morestant, Applicant, stated customers would take class at his location, to prepare them for the driving test.

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) Comply with City Code Section 22-60. Off-street Parking and Loading (c) Design Standards, d) Commercial Uses & OJ Lighting. Please provide the lighting plan with a minimum average of two (2) footcandles.**
- 2) Please consider the installation of a bicycle rack (two (2) -space minimum) for students/visitors per CityCode Section 22-60 Off-Street Parking and Loading.**
- 3) Remove the existing driveway skirt that is located next to the eastern property line.**

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

Passed

i. Development Review & Design Review - Fresh Wind Fresh Fire Church - 411 N. 25th Street

Item 6d, 6i and 6o were presented together. Mr. Gilmore gave an overview of the application.

Abraham Chabab, Applicant Representative, stated they are in agreement with the staff report.

Mike Menard, from Architectonic, ensured they will meet all code criteria, including ADA and Life Safety.

Motion was made by Michael Broderick, and seconded by John George to recommend approval of the proposed Site Plan and Design Review application.

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

Passed

j. Development Review, Design Review, & Conditional Use - Camping World - 2191 S. Jenkins Road

Items 6e and 6j were presented together.

Mr. Creagan gave an overview of the application.

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

- 1. Coordinate with St. Lucie County for the installation or payment-in-lieu for sidewalks along Graham Road.**
- 2. Submit a tree protection and mitigation plan pursuant to City Code 22-194, Tree Protection and Mitigation prior to the City Commission Meeting.**
- 3. Before a CO is issued, please provide a landscape bond for all proposed landscaping pursuant to City Code 22-180.**
- 4. A Unity of Title will be needed prior to the issuance of a Building Permit.**
- 5. That both the Zoning Atlas Map Amendment and Future Land Use Map Amendment are approved**

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

Passed

k. Development Review & Design Review - Bev Smith Toyota - 3350 S. US Highway 1

Mr. Creagan gave an overview of the application and answered questions from the Board on the water retention area.

Pat Ferland, Applicant Representative from Culpepper and Terpening, stated they agree with the conditions on the staff report.

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

- 1. Coordinate with St. Lucie County for the installation of sidewalks along Dixieland Drive and Southland Drive.**
- 2. Schedule a meeting with Planning Staff and the City Arborist to discuss the proposed tree mitigation that was discussed at the project intake meeting. Please schedule this meeting prior to the City Commission meeting.**
- 3. Before a CO is issued, please provide a landscape bond for all proposed landscaping pursuant to City Code 22-180.**
- 4. A Unity of Title will be needed prior to the issuance of a Building Permit.**
- 5. Please provide a copy of the approved agreement made with the County that grants approval to move Southland Drive to the new desired location. This agreement must be submitted with the Building Permit.**

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

Passed

l. Major Amendment to Planned Development - Celebration Pointe - 5501 Peterson Road

Item 6l and 6m were presented together. Brandon Creagan gave an overview of the application and answered questions from the Board on density, traffic, open space and parks.

Ms. Grohall said the Planned Development was originally approved and processed through St. Lucie County and was annexed it in together. Ms. Grohall stated as market conditions changed, the project owner indicated that they were looking to do a multi-family project to the north, so a re-plat of the parcel is needed to take off the single family lots and turn it into one large lot. She said the project will need to come back with a PD modification with the plan. Ms. Grohall explained that as the project stands, it meets the 20% green space based upon the area, which includes the stormwater parks and recreational amenities. Ms. Grohall proceeded to say that every time they pull a building permit, they are going to pay a impact fee to the Parks and Recreation department, which helps provide parks to the community at large and every time a single family or multi-family permit is processed, there is a school impact fee paid that helps the school board provide schools to the neighborhood.

Mr. Burdge had concerns with no parks planned for the neighborhood.

Mr. Sanders, St. Lucie School District Representative, stated the school district does collect school impact fees to plan for schools and they don't expect the developer to provide school sites.

Bill Barboro, Applicant Representative, from Carnahan Proctor and Cross, stated the current site plan has 21% open green space, not including the lakes, which is 31 acres of landscape area. Mr. Barboro stated the minor modification is to add a community green space area and

clubhouse to the single family units, which will be accessible by the multi-family units. Mr. Barboro stated the site plan was accepted at the time of annexation and the question of donating land for parks was not presented at that time.

Mr. Barboro explained that Wall Homes had purchased lots within the development and there will be a Master HOA that includes all sections and a sub section HOA for the single family homes.

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

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

NAY: Bob Burdge

Passed

m. Minor Replat - Celebration Pointe - 5501 Peterson Road

This item was presented with 6l.

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

- 1. The applicant adhere to any comments that may be rendered by the City Engineer**
- 2. The applicant adhere to any comments that may be rendered by NorthStar Geomatics, the City's surveyor.**

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

NAY: Bob Burdge

Passed

n. Waiver of Distance - Crownman Bed & Breakfast - 515 S. Indian River Drive

Mr. Creagan gave an overview of the application and answered questions from the Board regarding license requirements on premises and the landscape plan.

Ms. Grohall explained the Waiver of Distance process looks at, proximity of schools, churches and other license establishments, and she stated the city has several facilities that serve beer, wine and alcohol within a school's proximity, so that is all to be considered as part of this process.

Kris Einstein, Applicant, explained the 4COP is for the Bed and Breakfast area only and the gazebo and pavilion event area will have alcohol provided by a caterer. She preceded to say that the Bed and Breakfast cannot legally provide any alcohol to any other area.

Dr. Lyman stated he is not opposed to an alcohol license for the Bed and Breakfast.

Motion was made by Michael Broderick, and seconded by John George 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. Provide a lighting plan or photometric survey with the Planned Development Plan that demonstrates compliance with City Code 22-600)(1)(d) prior to the City Commission Meeting.

2. Provide a Landscape Plan with the Planned Development Plan that demonstrates compliance with City Code 22-187, General Landscaping Requirements prior to the next Planning Board Meeting.

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

Passed

o. Abandonment - Fresh Wind Fresh Fire Church - Avenue C (between N. 25th St. and N. 26th St.)

Item 6d, 6i and 6o were presented together. Mr. Gilmore gave an overview of the application and answered a question regarding payment for the abandonment.

Abraham Chabab, Applicant Representative, explained they do not know the exact price of the abandonment at this time.

Mr. Messer explained the process for the abandonment payment is the property is appraised and the person who wants the property pays the appraised value unless the City Commission waives it or reduces it.

Ms. Grohall stated a price for the abandonment will be determined by the City Commission and the City Commission typically ask for the appraisal and they like the applicant to pay the appraised price.

7. BOARD COMMENTS

Ms. Grohall reminded the Board that Ms. Susan Trevarthen, from Weiss Serota Helfman Cole & Bierman law firm, will be speaking about vacation rentals, at the Conference Agenda meeting on May 14, 2018 at 9 AM, and the mayor has agreed to accept questions from the Planning Board.

8. ADJOURNMENT