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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, **JULY 10, 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: **John George; Bob Burdge; Michael Broderick; Tim O'Connell; Brian Paul; Frank Creyaufmiller, Chairman**

Absent: **Gloria Johnson-Scott**

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

4. **CONSIDERATION OF ABSENCES**

Ms. Johnson Scott was excused from the meeting.

5. **APPROVAL OF MINUTES**

- a. Minutes from the June 12, 2018 meeting

Motion was made by Bob Burdge, and seconded by Michael Broderick to approve the minutes with the following change to item 6 a: "Mr. Burdge expressed concerns with rezoning from Residential to Commercial due to the large impact of zoning for that area."

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

Passed

6. NEW BUSINESS

a. Annexation - Fort Pierce Realty - 3030 S. 25th Street

Mr. Creagan gave an overview of the application and answered questions from the Board on compatible zoning and driveway width.

Brian Nolan, Applicant Representative from Lucido and Associates, stated he agreed with staff's analysis and he will look at the driveway width more closely with the engineering department.

Motion was made by Bob Burdge, and seconded by John George to forward a recommendation of approval for the proposed annexation to the City Commission.

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

Passed

b. Zoning Atlas Map Amendment - BHT Properties - 3800 Selvitz Road

Mr. Creagan gave an overview of the application and answered a question regarding the necessity of an environmental survey.

Dennis Murphy, Applicant Representative from Culpepper and Terpening, provided additional information on the environmental survey and disposal ponds. Mr. Murphy stated the larger pond system would probably be incorporated into the stormwater management system.

Mr. Burdge asked, if it is necessary for the property to have an environmental survey, that it be reviewed before going to City Commission.

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

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

Passed

c. Zoning Atlas Map Amendment - Concrete Impressions - 3802 Selvitz Road

Mr. Creagan gave an overview of the application and answered questions from the Board on an environmental survey and assessment report.

Dennis Murphy, Applicant Representative from Culpepper and Terpening, answered questions from the Board on egress and easements.

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

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

Passed

d. **Zoning Atlas Amendment & Planned Development - Redhawk Rebar - 4280 Bandy Boulevard**

Ms. Grohall gave an overview of the application and answered questions from the Board on outside rebar storage, water run off and concerns with heavy metals going into the holding pond.

Dennis Murphy, Applicant Representative from Culpepper and Terpening, stated there will be minimal outdoor storage of material and the required pretreatment designs should take care of any suspended solids before going into the water body. Mr. Murphy answered questions from the Board on rebar coating and the estimated number of employees.

Motion was made by Michael Broderick, and seconded by John George to forward a recommendation to approve the presented plan (PD) and rezoning request with the following conditions:

- 1) Open Space calculation revised to reflect the 20% required in the Land Development Code, Land Development Code 22-40(b)(3). This revision should be made prior to City Commission.**
- 2) Site Lighting is provided in accordance with Land Development Code 22-60(j)(1) Off Street Parking and Loading at the time of Building Permit Review.**
- 3) Building elevations be provided prior to City Commission in accordance with Land Development Code Section 22-59 (c)(1)j.**
- 4) Please provide an updated response to the City of Fort Pierce Engineering Department review dated June 29, 2018 prior to Building Permit application.**
- 5) A Landscaping Plan by a licensed landscape architect in accordance with Code 22-187, and 22-40 (b)(2) is submitted prior to City Commission.**

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

Passed

e. **Conditional Use - Prescribed Pediatric Extended Care/Childcare Center - 2401 Frist Boulevard**

Ms. Lewicka gave an overview of the application and answered questions from the Board on the children drop off area, sidewalks and outdoor activities.

Rochelle Scavella provided additional information about the Center and answered questions from the Board on the outdoor recreational activities.

Ms. Grohall stated there is no specific zoning requirement tied to the playground. Ms. Grohall said typically Department of Children and Families is the approving body on playgrounds and when it is known that a playground will be provided, we ask the applicant to sketch it out on the site plan.

Motion was made by Mr. George and seconded by Mr. Burdge to approve with conditions and to sketch out the playground and the lighting on the site plan.

Mr. Broderick suggested a clarification that the sketch of the playground area and lighting meeting the Planning department requirements.

Ms. Grohall stated there is no specific requirements from the city standards for the playground and if a playground is required we would have the applicant sketch it out.

Mr. Messer expressed concerns about going through the Quasi-Judicial hearing process at City Commission and issuing a discretionary order on the playground.

Ms. Scavella said state regulations do not require Prescribed Pediatric Extended Care facilities to have playgrounds but they want to provide additional outdoor activities for the kids.

Mr. Messer suggested to not include something that does not need to be enforced.

Mr. Creyaufmiller asked for the motion to be amended.

Mr. Broderick asked what would happen if Department of Children and Families requires the playground.

Ms. Grohall explained it would come back to staff as a fence permit and appropriate setbacks and lighting would be looked at.

Motion was made by John George, and seconded by Bob Burdge to forward a recommendation to approve the request with the following condition:

- 1. Comply with City Code Section 22-60. Off-street parking and loading (j) Lighting (l)a. Please provide the lighting plan with a minimum average of two (2) footcandles.**

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

Passed

f. Conditional Use - Zietz Dwelling Rental - 462 Granada Street, Unit B

Mr. Gilmore gave an overview of the application and answered questions from the Board on registered property management and issuing a Conditional Use for only a portion of the property.

Ms. Grohall stated that a Conditional Use applying to only one or two units, with the same parcel ID, is frequently done.

Mr. Creyaufmiller asked how the city deals with making sure the properties have a registered property manager.

Ms. Grohall stated there is an annual process for updating the information.

Mr. Messer explained the ultimate recourse by the city is that, if a conditional use is imposed on the property and there is a complaint that is well founded that the conditional use is not being complied with, then the conditional use would be removed.

Mr. Broderick stated he will be providing further information to the Board, at a later meeting, for consideration on the management issue.

Lisa Cataline, Coldwell Banker Rental Department Manager, stated they have agents readily available and they also have a 24 hour 7 day a week maintenance hotline. Ms. Cataline explained that if someone has a Conditional Use permit and they no longer use Coldwell Banker to manage the property, Coldwell Banker would notify the city. Ms. Cataline went on to say that they have mechanisms, processes and procedures in place to catch those type of things.

Mr. Burdge asked where the revocation process of a Conditional Use would start.

Mr. Messer stated it would depend on the severity and quantity of the violation and whether the

police department or code enforcement felt fit to put it on the agenda, to ask the City Commission to remove the Conditional Use. Mr. Messer said the conditions that are set forth on the approval are the only conditions that are able to be removed.

Ms. Grohall said they also have to abide by the city's rules and regulations, which includes anything in the Code of Ordinances, including any criminal acts or violations.

Mr. Broderick asked if would be warranted to have all advertising for the unit show the license number.

Ms. Grohall stated the city does not issue a number but a future evolution of this would be that the State of Florida works with companies like Air bnb to make sure each listing is properly licensed through the city.

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

- 1) The maximum occupancy ensures 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.**
- 5) Limit no more than 2 vehicles**

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

Passed

g. Conditional Use with New Construction - Braun Residence - 1661 Binney Drive

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

Mr. Broderick stated he had a discussion with Mr. Gilmore regarding the the 45 foot height restriction in the South Beach overlay.

Mike Menard, Applicant Representative from Architectonic, provided additional information on the home and stated the roof structure exceeds the 28 foot height limit.

Motion was made by John George, and seconded by Brian Paul to forward a recommendation to the City Commission for approval of the requested Conditional Use with New Construction for the proposed single family residence with a height of up to 34.4 feet.

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

Passed

h. Abandonment - Granada Street Properties - A portion of Frances Avenue (between Granada Street and Hernando Street)

This item was removed from the agenda.

7. BOARD COMMENT

Mr. Broderick suggests a property manager be available 24 hours a day to resolve code compliance or other type of issues on short term rentals.

Mr. Messer stated the language on short term rental conditions is always susceptible to tightening up and it is well within the power of the city to regulate.

Chairman Creyaufmiller asked if the language regarding the property manager verbiage be tightened up and Ms. Grohall said that is something the Board can come up with together as a group.

8. ADJOURNMENT