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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, **OCTOBER 9, 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

Jovona Parker, newest Planning Board member, told the Board a little bit about herself.

Present: **Gloria Johnson-Scott; Bob Burdge; Jovona Parker; Michael Broderick; Tim O'Connell; Brian Paul; Frank Creyaufmiller, Chairman**

Staff Present: **Benjamin Bryan, Interim City Attorney
Rebecca Grohall, Planning Director
Jack Andrews, City Engineer
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant**

4. CONSIDERATION OF ABSENCES

All members were in attendance.

5. APPROVAL OF MINUTES

- a. Minutes from the September 11, 2018 meeting

Motion was made by Michael Broderick, and seconded by Tim O'Connell to approve the minutes from the September 11, 2018 meeting.

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

Passed

6. NEW BUSINESS

a. Half-Cent Sales Tax Presentation

Mr. Andrews gave an overview of the Half-Cent Sales tax proposal and answered questions from the Board on the oversight committees, benefits from county road projects, matching funds and increase cost per family.

b. Annexation - Oleander Properties, LLC - 702 Revels Lane

Mr. Creagan gave an overview of the application and answered questions from the Board on the density and number of dwelling units.

No one spoke for or against the application.

Motion was made by Michael Broderick, and seconded by Tim O'Connell to forward a recommendation of approval for the proposed annexation to the City Commission.

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

Passed

c. Rezoning - Civic Professionals Plaza - 2201 S. 25th Street

Mr. Creagan gave an overview of the application and answered questions from the Board regarding the nature of the pharmacy and conditions that would allow for medical marijuana.

Brad Currie, Applicant Representative from EDC, provided additional details on the pharmacy and he explained that there is no intent to sell medical marijuana at the pharmacy.

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

AYE: Tim O'Connell, Brian Paul, Michael Broderick, Chairman Frank Creyaufmiller

NAY: Gloria Johnson-Scott, Bob Burdge, Jovona Parker

Passed

d. Conditional Use - Doster Dwelling Rental - 355 S. Ocean Drive #802

Item 6d and Item 6e were presented together. Ms. Grohall gave an overview of the applications and answered questions from the Board on parking.

No one spoke for or against the applications.

Motion was made by Gloria Johnson-Scott, and seconded by Michael Broderick 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 of no more than 2 vehicles.
- 6) Include the City of Fort Pierce Business Tax License number on all advertising.

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

Passed

e. **Conditional Use - McCann Dwelling Rental - 355 S. Ocean Drive #803 & Cabana-15**

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott 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 of no more than 2 vehicles.
- 6) Include the City of Fort Pierce Business Tax License number on all advertising.

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

Passed

f. **Conditional Use - Sunrise Country Pre-School - 2706 Sunrise Boulevard**

Mr. Creagan gave an overview of the application and answered questions from the Board on student capacity, classroom expansion and school signage. Mr. Creagan explained that the landscape buffering has been addressed since the Conceptual Site Plan.

Ms. Grohall explained that the reduced footprint of the proposed preschool was included in the approved Conceptual Site Plan and the expansion consists of 5 classrooms and each classroom will serve no more than 20 students.

Ms. Parker recused herself from the vote.

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

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

Other: **Jovona Parker (RECUSE)**

Passed

g. Site Plan & Conditional Use - The Manor ALF - 4201 S. 25th Street

Ms. Grohall gave an overview of the application and answered questions from the Board on lot coverage, number of units and traffic impact.

Tiffany Rink, Applicant, provided additional information on services the facility will offer, number of residences and staff members and she explained that most patients will not drive.

Ms. Parker addressed concerns with traffic impact.

Rich Ladyco, Project Engineer from Ladyco Design Group, explained a traffic statement was submitted and reviewed and the number of trips generated by the facility is extremely small and the traffic impacts are basically nil.

Motion was made by Bob Burdge, and seconded by Gloria Johnson-Scott to forward a recommendation of approval of the application with the following conditions:

- 1) Please provide secured access for the pedestrian access entrances of the refuse collection area.**
- 2) Please provide updated architectural elevations with the identified building height, prior to city commission. (Note: Per City Code Section 22-29. Office Commercial Zone; No building shall exceed a height of sixty-five (65) feet above grade.)**

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

NAY: Jovona Parker

Passed

h. Abandonment - Delaware Avenue R.O.W. - Crownman, FL, LLC & Susnar Realty

Mr. Creagan gave an overview of the application and answered questions from the Board on development of the property and FPUA easements.

Kris Einstein, Owner and Applicant, provided additional information on the property and explained the property would be used for parking and it cannot be built on.

Dr. Ronald Lyman, Resident, provided the Board a handout and spoke against the application. He stated for over a decade they have maintained the city right-of-way. Dr. Lyman said the city made a contract with them, and allowed them to put a water line underneath the road from their sprinkler system to maintain the area.

The Board asked Mr. Lyman and the City if they have the contract.

Ms. Einstein explained there is no access to the river from the property because it is overgrown and there is no intentions of building a marina.

Ms. Grohall stated the city property would be maintained by the city Public Works team and if there is a contract stating something different it would have to be searched out. Ms. Grohall explained if there is a pipe under the surface the engineering department is seeking a replacement easement to protect the ability to maintain the pipe and keep it going.

Mr. Bryan explained the city needs to determine if there is a contract and read what it says. Mr. Bryan stated the Board has the option of tabling the item, or alternatively, by the time it goes to the Commission, the city can establish if there was a contract.

Ms. Grohall stated without seeing and understanding exactly what the contract says and entails we will need to work with the engineering department a little closer because they also did not provide that information to us.

Mr. Bryan asked the applicant if there is any time constraints if the application was tabled for a month. Ms. Einstein asked that the application move forward to City Commission.

Board discussion ensued regarding incorporating a condition into the approval about researching the contract.

Mr. Bryan suggested that the Board vote as if the contract is not there, and recognize there may be something out there that legally could change the matter and what impact it would have if any.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to forward a recommendation of approval for the requested abandonment to the City Commission with the following conditions:

- 1. That the easement for Fort Pierce Utilities Authority is recorded at the time of abandonment.**
- 2. That the City Attorney's office, Planning department, and Engineering department has the opportunity to review any existing contractual obligations between the adjacent property owner, indicating a contractual relationship exists between the city and the property owner for providing some type of services to the property and that the review by the City Attorney's office, Planning department, and Engineering department would be satisfactory to relieve any concerns they have making a recommendation of approval to the City Commission.**

AYE: Michael Broderick, Brian Paul, Gloria Johnson-Scott, Bob Burdge, Chairman Frank Creyaufmiller

NAY: Tim O'Connell, Jovona Parker

Passed

i. Waiver of Distance (2COP) - Alabon Haitian Restaurant - 1409 Delaware Avenue

Mr. Creagan gave an overview of the application and answered questions from the Board on lighting and the City of Fort Pierce Police department Technical Review Committee comments.

No one spoke for or against the application.

Motion was made by Bob Burdge, and seconded by Tim O'Connell to forward a recommendation to the City Commission for approval of the requested Waiver of Distance for a 2COP Alcoholic Beverage License for the proposed establishment with the following conditions:

- 1. Provide a lighting plan or photometric survey that demonstrates compliance with City Code 22-60(j)(1)(d) prior to the City Commission Meeting.**
- 2. Provide a Landscape Plan that demonstrates compliance with City Code 22-187, General Landscaping Requirements prior to the City Commission Meeting**
- 3. Provide a site plan that details where the parking will be located on site and show that the parking is compliant with City Code 22-60, Off Street Parking and Loading.**

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

Passed

7. ELECTION OF CHAIR AND VICE-CHAIR

Mr. Creyaufmiller asked the procedure for electing a secretary to the Board. Ms. Grohall stated typically the administrative assistant has been appointed to fulfill the Florida State public records rules, but in theory the position can be appointed. Ms. Grohall explained that in time, the position has gone away due to the public records requirements of keeping the attendance and minutes.

Chairman Creyaufmiller suggested the Board forego the election of secretary and it was objected by Mr. Burdge so an election of secretary was held.

Motion was made by Michael Broderick, and seconded by Tim O'Connell to nominate Frank Creyaufmiller as Chair.

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

Passed

Motion was made by Bob Burdge, and seconded by Michael Broderick to nominate Tim O'Connell as Vice-Chair.

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

Passed

Motion was made by Bob Burdge, and seconded by Brian Paul to elect Ms. Rosenthal as secretary.

AYE: Gloria Johnson-Scott, Bob Burdge, Jovona Parker, Tim O'Connell, Brian Paul, Chairman Frank Creyaufmiller

NAY: Michael Broderick

Passed

8. BOARD COMMENTS

Chairman Creyaufmiller provided the Board with information on an educational seminar he attended on Planning issues and Planning Boards and he also spoke about the TPO meeting he attended regarding the Brightline station in Fort Pierce and interchanges on the Florida turnpike that would have a great effect on Fort Pierce.

9. ADJOURNMENT