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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, **JANUARY 8, 2019**, 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: **Brian Paul; Gloria Johnson-Scott; Tim O'Connell; Michael Broderick; Bob Burdge; Frank Creyau Miller, Chairman**

Absent: **Jovona Parker**

Staff Present: **Peter Sweeney, 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. Parker was excused.

5. **APPROVAL OF MINUTES**

- a. Minutes from the December 11, 2018 meeting

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the minutes from the December 11, 2018 meeting.

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

Passed

6. NEW BUSINESS

a. Annexation - Robert Cleveland - 2607 Kerr Street

Mr. Gilmore gave an overview of the application. Kathleen Nalley, Applicant Representative from Coldwell Banker, provided additional information on the purchaser of the property.

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

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

Passed

b. Conditional Use - Little Scholars Academy/Child Day Care Facility - 810 S. 6th Street

Ms. Lewicka gave an overview of the application and answered questions from the Board regarding the shopping center exits, fencing around the playground and placement of speed bumps.

Hoyt Murphy, Property Owner, provided additional information on the shopping center and stated there is little traffic in the back of the plaza, where the daycare will be located. Mr. Murphy said the Department of Children and Family Services (DCF) has specific requirements for an outdoor playground and the applicant's safety plan make sure it is well marked for any traffic coming through.

Rudolfo Diaz, Applicant, answered questions from the Board on staffing, DCF inspections, playground utilization, teacher/student ratio in playground area, fencing and playground surface area.

The Board expressed concerns with the safety of moving the kids from the classroom to the playground area, traffic, rustic and hard surface of the playground and having enough personnel to control the children walking to the playground.

Board discussion ensued on installing additional speed bumps and safety signage prior to getting to the playground area.

Ms. Grohall stated the city does not regulate where the speed bumps should be located on a private lot. Ms. Grohall suggested the applicant add the location of the speed bumps and signage to the site plan that will be presented to City Commission. Ms. Grohall stated she has not seen DCF get involved with speed bumps and signage and a precedent has not been set with the city regarding additional speed bumps and signage.

Mr. Sweeney stated the Board can put timing on a condition. Mr. Sweeney explained the Board and the City Commission will not be responsible for liability and the fact that the playground safety issues have been pointed out to Mr. Murphy, the onus is put on him and the tenant. Mr. Sweeney said the liability has been removed from the city and made imperative.

Motion was made by Bob Burdge, and seconded by Gloria Johnson-Scott 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 (j) Lighting (1)a. Please provide the lighting plan with a minimum average of two (2) footcandles.**
- 2. Add at least two (2) additional speed bumps on the property and add additional safety signage.**

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

Passed

c. Conditional Use - We Buy Scrap - 3340 Enterprise Road

Mr. Creagan gave an overview of the application and answered questions from the Board on the processing area, drainage, fencing and landscaping.

Jim Frogner, Planning and Zoning Consultant, provided additional information on the site, phasing plan and operation details. Mr. Frogner expressed concerns with some of the conditions, including the Unity of Title timing, being able to add an incinerator, and completion of the landscaping and abandonment in Phase 1. Mr. Frogner stated the landscape and drainage improvements cannot be done until the road is abandoned because the improvements are taking place in the roadway. Mr. Frogner answered questions from the Board on parking, drainage, and landscaping.

Ms. Grohall stated typically drainage is completed at the time of site plan application and the abandonment is subject to County Commission approval. Ms. Grohall stated a full landscape plan needs to be submitted and the recycling classification is the most generous of all the parking calculations. Ms. Grohall stated the Unity of Title turn around time is typically a couple of days and a survey is not required. Ms. Grohall said it is a reasonable interpretation that condition #6, no melting or burning, refers to no open fires and outdoor burning, excluding interior incinerators.

Board discussion ensued on the Unity of Title, phasing of the landscaping, site drainage improvements as well as the submittal of the abandonment application.

Motion was made by Michael Broderick, and seconded by Bob Burdge to forward a recommendation of approval for the Conditional Use to the City Commission with the following conditions:

- 1. A Landscape Plan that demonstrates compliance with City Code 22-187 will be required at the time of Building Permit.**
- 2. A Lighting Plan or Photometric Survey that demonstrates compliance with City Code 22-60 (j)(1)(a) will be required at the time of Building Permit.**
- 3. A Unity of Title or parcel combination will be required prior to submission of the building permit.**
- 4. The operations adheres to a submitted and approved truck route to and from the site. The truck route must be submitted to the Planning Department prior to City Commission.**
- 5. The facility confines operational hours to Monday through Saturday, 7:00 am to 5:00 pm.**
- 6. No melting or burning of any materials will take place on site.**
- 7. All storage of recycling materials must be contained in the buildings on site, no outdoor storage.**
- 8. All site drainage must be implemented with phase 1 of the project as well as submittal of the application with St. Lucie County for roadway abandonment of Grose Road and landscaping improvements on Enterprise Road must be completed in phase 1. Grose Road common area improvements are to be completed upon successful completion of the abandonment from St. Lucie County.**

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

Passed

d. **Conditional Use - Jones Dwelling Rental - 355 S. Ocean Drive #601**

Mr. Gilmore gave an overview of the application. Kimberly Jones, Owner, stated she has accommodated all six conditions and she will be managing the property herself.

Motion was made by Bob Burdge, 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 no more than 2 vehicles.**
- 6) Include the City of Fort Pierce Business Tax License number on all advertising.**

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

Passed

7. BOARD COMMENTS

Chairman Creyaufmiller welcomed the new City Attorney, Peter Sweeney and congratulated Commissioner Alexander and Commissioner Perona on their re-election and the reinstatement of Mr. Burdge and Ms. Johnson Scott to the Planning Board. Chairman Creyaufmiller also congratulated the newly appointed Governor DeSantis and the newly appointed Senator Rick Scott.

8. ADJOURNMENT