

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **FEBRUARY 12, 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: **Tim O'Connell; Bob Burdge; Gloria Johnson-Scott; Brian Paul; Jovona Parker; Frank Creyaufmiller, Chairman**

Absent: **Michael Broderick**

Staff Present: **Rebecca Grohall, Planning Director
Iola Mosley, Senior Assistant City Attorney
Rebeca Guerra, Assistant Planning Director
Maria Lewicka, Historic Preservation Planner
Vennis Gilmore, Planning Analyst
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant**

4. **CONSIDERATION OF ABSENCES**

Mr. Broderick was excused.

5. **APPROVAL OF MINUTES**

- a. Minutes from the January 8, 2019 meeting

Motion was made by Gloria Johnson-Scott, and seconded by Tim O'Connell to approve the minutes from the January 8, 2019 meeting.

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

Passed

6. NEW BUSINESS

a. Conditional Use - Office Furniture Consultants/Woodworking Room- 2610 Orange Avenue

Ms. Lewicka gave an overview of the application and answered questions from the Board on irrigation and Technical Review Committee comments from the fire department. Ms. Lewicka explained she received a letter from the fire department that stated fire sprinklers and dust collection is not needed due to the nature of the business.

Michael Waldrop, Innovation Contracting, stated the applicant is not manufacturing furniture and the irrigation system will be addressed.

Motion was made by Bob Burdge, and seconded by Gloria Johnson-Scott to forward a recommendation to approve the request with the following conditions to be met prior to the Building Department Permit issuance:

- 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.**
- 2. Submit Change of Use Application to the Building Department to include a signed and sealed Life Safety Plan.**
- 3. Provide a copy of a signed and sealed boundary survey.**
- 4. Provide revisions to the parking in accordance with the existing structure features; Revise width of a handicapped access aisle to comply with ADA requirements, revise parking stall length to provide a minimum length of 18 feet, show the location of the stop sign and stop bar and indicate the standard parking stall width.**
- 5. Relocate all proposed plantings to be situated within the limits of the property and not within the limits of the 27th Street public right-of-way.**
- 6. Schedule a meeting with building department and the fire district to discuss possible sprinklers and dust collection requirements.**

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

Passed

b. Conditional Use - Kublitskiy Dwelling Rental - 2005 Mimosa Avenue

Mr. Gilmore gave an overview of the application and answered questions from the Board on the number of parking spaces and the reason for staff's denial.

Jeff Binner, Applicant Representative from Weichert Realtors, explained that he sold the house to the owner with the understanding he could rent the home for less than 6 months at a time. Mr. Binner stated the owner has put \$50,000 of improvements into the house and the home is currently not being rented out.

Carole Mushier, President of South Beach Association, spoke against the application and stated she supports staff's decision for denial. Ms. Mushier stated the dwelling rental presents challenges to the neighborhood with increased noise and traffic as well as changing the quality of life they enjoy.

Nancy Moore, Neighbor, spoke against the application. Ms. Moore stated that every weekend someone different is staying at the house and some are Airbnb rentals. Ms. Moore is concerned the owner is using an illegally subdivided house for short term rentals when it is not supposed to be rented out. Ms. Moore said that the owners story has changed over the last 3 months and the owner has rentals scheduled through the summer.

Mike Antoniak, Neighbor, spoke against the application and stated that rentals will destroy the neighborhood.

Anatole Klyosov, Neighbor, spoke against the application and stated there has been loud noise till 1:00 AM coming from the house along with 15 vehicles parked on the street.

Bruce Murray, past leader of the South Beach Citizens Advisory Council, spoke against the application and asked the Board to take into consideration safety issues and the past behavior of the owner, regarding rentals he owns in Colorado.

Motion was made by Bob Burdge, and seconded by Jovona Parker to forward a recommendation to deny the request.

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

Passed

c. Conditional Use with New Construction - Ghezzar Residence - 410 S. Ocean Drive

Mr. Creagan gave an overview of the application and answered questions from the Board on parking.

Tom Cooper, Architect, provided additional information and answered questions from the Board on the layout.

Steve Boehning, Coastal Engineer from Coastal Waterways, stated the house is much higher than required and the application has been submitted to the Department of Environmental Protection (DEP). Mr. Boehning said the house exceeds the minimum standards and design criteria.

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

1. A landscape plan that demonstrates compliance with City Code 22-186 must be submitted with the building permit.

2. A lighting plan or photometric survey that demonstrates compliance with City Code 5-375 must be submitted with the building permit.

3. Prior to any construction the applicant shall obtain an FDOT Driveway Connection Permit.

4. Prior to construction activities the applicant shall obtain approval from the FDEP for construction activities seaward of the Coastal Construction Control Line.

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

Passed

d. Conditional Use with New Construction - Steve Tarr (TR) - 316 S. Ocean Drive

Chairman Creyaufmiller expressed he has personal dealings, with no fiduciary responsibility, with Mr. Tarr and he can be impartial.

Ms. Grohall gave an overview of the application and stated the applicant has reached a resolution with St. Lucie County to move the deck out of the easement .

No one spoke for or against the application.

Motion was made by Jovona Parker, and seconded by Gloria Johnson-Scott to recommend approval of the request as presented, subject to the following Conditions of Approval:

- 1. The segment of the proposed dune cross-over extending into the perpetual construction easement, contained in Resolution No. 98-016, as recorded in OR Book 1154, Pages 1351-1360, is approved by the St. Lucie County Erosion District in accordance with the requirements of said easement or is eliminated, prior to issuance of a building permit by the City of Fort Pierce. The contact information for St. Lucie County Erosion District is: Joshua Revord, P.E., Coastal Engineer St. Lucie County Erosion District- (772) 462-1269/ Revordl@stlucieco.org.**
- 2. The proposed observation deck (12ft. by 12ft.- Future) will not be located the perpetual construction easement contained in Resolution No. 98-016, as recorded in OR Book 1154, Pages 1351-1360, with the construction drawings and DEP permit updated accordingly.**
- 3. The work is completed in compliance with DEP rules for dune construction, and in accordance with sea turtle compliant lighting (Sec 5-375 if lighting is to be used).**

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

Passed

e. Text Amendment - Chapter 22 - Enforcement

Ms. Guerra gave an overview of the Text Amendment. She explained to the Board that the Building Inspector, by statutory decree, is prohibited from enforcing municipal zoning requirements and that is why the responsibility of enforcement is being shifted to the Code Enforcement division.

Motion was made by Bob Burdge, and seconded by Jovona Parker to forward a recommendation of approval of the proposed Amendment to Section 22-138 through Section 22-155, Administrative Provisions, to the City Commission.

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

Passed

f. Text Amendment - Chapter 22 - Required Signage

Ms. Guerra gave an overview of the Text Amendment and answered questions from the Board on how the signs will be provided, guidelines for sign placement, proof of signage, size regulations, sign cost, and sign posting duration.

Ms. Grohall added that the signs should be placed in a conspicuous place at the physical address and not in the right-of-way. Ms. Grohall showed the Board a sample sign and stated the applicant will be able to install the new sign, unlike the current signs.

Ms. Mosley suggested that adding the language "in a conspicuous place in proximity to the subject property," would help avoid the confusion of where to place the sign when there is no physical address.

Motion was made by Bob Burdge, and seconded by Gloria Johnson-Scott to forward a recommendation of approval of the proposed Amendment to Section 22-143, Public Hearings, to the City Commission with the additional language "in proximity to the subject property."

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

Passed

g. Text Amendment - Chapter 22 - Use Table

Ms. Guerra gave an overview of the Text Amendment.

Chairman Creyaufmiller commented that on complicated issues he would like the Board to receive materials sooner so they can be reviewed. Chairman Creyaufmiller said changes to the Use Table will affect planning issues for years to come.

Ms. Grohall said a number of updates have already been made to the Use Table and typically they are handled incrementally. Ms. Grohall stated this fast-paced process is a response to the business community asking the City to be more nimble and efficient in processing issues that come up on a regular basis.

Terissa Aronson from St. Lucie County Chamber of Commerce and Chair of the Development Review Task Force stated this change is in response to a report between St. Lucie County Economic Development Council, the Treasure Coast Builders Association, and the Chamber of Commerce. Ms. Aronson said the Task Force is very supportive of anything that will streamline, expand, and clarify uses in the City of Fort Pierce.

Charlene Adair, resident, expressed her concern, and wanted reassurance that changing the Use Table will not disturb in anyway the present appeal for a suit that is basing the effective date, of one of the ordinances, on the date the Use Table is changed.

Ms. Mosley answered that this has been researched by the Legal Department, and the City Attorney is of the opinion it will not have any effect.

Motion was made by Gloria Johnson-Scott, and seconded by Jovona Parker to forward a recommendation of approval of the proposed Amendment to Section 22-22, Allowed Uses, to the City Commission.

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

Passed

h. Text Amendment - Chapter 22 - Major and Minor Site Plans

Ms. Guerra gave an overview of the Text Amendment and answered questions from the Board.

Ms. Grohall stated that Design Review is handled internally at the Building Department stage for site plans under 4,000 square feet.

The Board expressed concerns with projects that would no longer be seen by the public or the City Commission.

Ms. Guerra explained that the Site Plan threshold change would not effect Planned

Developments, Conditional Uses, Rezonings, or Text Amendments.

Ms. Grohall stated the Development Review Task Force looked at the Planning and permitting processes throughout the City and recommended changes to make things better.

Brad Currie, current Chair of the St. Lucie County Chamber of Commerce Board of Directors, stated he is familiar with the process because his job consists of presenting applications for site plan approvals, conditional uses, and rezonings. Mr. Currie said the benefit of being part of the Development Review Task Force is he works with different municipalities with different codes. He explained the one thing that is consistent with all the codes is that they do allow some sort of threshold for review. He went on to state that at some point, the Planning Board and the City Commission determines that staff is capable of making decisions for certain type of square footages. Mr. Currie stated the intent was to focus on the new and expanding businesses in the City and streamline the process for development and staff time and also be competitive with the County.

Motion was made by Jovona Parker, and seconded by Gloria Johnson-Scott forward a recommendation of denial of the proposed Amendment to Section 22-58, Major & Minor Site Plan Applications, to the City Commission.

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

NAY: Chairman Frank Creyaufmiller

Passed

7. BOARD COMMENTS

Chairman Creyaufmiller asked the Board to keep the Easter Avenue Abandonment packet for a future Planning Board meeting and he also said a request was made for the Board to receive bottles of water at the meetings.

8. ADJOURNMENT