



TO: Nick C. Mimms, P.E., ICMA-CM, City Manager

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Vennis Gilmore, Planner

RE: **Application for Zoning Atlas Map Amendment
Willow Lakes Planned Development**

BOARD DATE: September 21, 2020

STAFF REPORT

Property Owner: Willow Lakes, LLC
433 S. Main St., Suite 300
West Hartford, CT 06110

Applicant: Dean, Mead, Minton, & Zwemer
1901 S. 25th Street, Suite 200
Fort Pierce, FL 34947

Requested Action: Approval to Rezone one (1) parcel from AG-2.5, Agricultural, 1 du/2.5 ac (Saint Lucie County Zoning) to Planned Development, PD.

Site Location: At or near the northwestern interchange of West Midway Road and Interstate 95.

Parcel IDs: 3302-212-0001-000-4

Existing Use: Vacant/Agricultural

Parcel Size: 200.3 +/- Acres

Current Future Land Use: Mixed Use Development (MXD)

Current Zoning: AG-2.5, Agricultural, 1 du/2.5 ac (St. Lucie County Zoning)

Proposed Zoning: Planned Development (PD)

	North	East	South	West
Surrounding FLU:	Mixed Use Development (MXD)	Industrial (SLC Future Land Use)	ROI/CG/CS/SLC MXD/SLC TU (PSL Future Land Use)	Mixed Use Development (MXD)
Surrounding Zoning:	Planned Development (PD)	Industrial Light (SLC Zoning)	Planned Unit Development (PSL Zoning)	Planned Development (PD)

Staff Analysis

Request

The subject petition is a request for a Zoning Atlas Map Amendment from AG-2.5, Agricultural, 1 du/2.5 ac {Saint Lucie County (SLC) Zoning} to Planned Development (PD) in order to provide for a zoning category that is compatible with the Future Land Use designation of the subject property as the current zoning classification of SLC AG-2.5 is inconsistent with the MXD Future Land Use designation. In addition, the requested Zoning Atlas amendment will further the applicant's proposed vision of a Mixed-Use Urban Resort Village for the subject site.

The existing Mixed-Use Development (MXD) Future Land Use Category, as defined in the Future Land Use Element of the City's Comprehensive Plan, is intended to promote intensification, redevelopment, and revitalization targeted for live/work environments. The subject area is characterized by development that promotes the creation of a well-planned center designed to integrate a variety of complementary residential and commercial uses.

The MXD Future Land Use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.5. Pursuant to the City Comprehensive Plan, all MXD designated areas shall contain a minimum of three (3) of the following general land uses:

- Residential (single-family and/or multi-family)
- Commercial – General and/or Neighborhood
- Commercial – Town Center
- Hotel (minimum 100 units)
- Office Uses – Professional and/or medical
- Industrial
- Institutional

Additionally, within the MXD, residential uses must comprise a minimum of 40% of the total floor area of a Mixed-Use Development project.

Background

The subject application involves only the request for a Zoning Atlas amendment. Subsequent to this application, the petitioner will be submitting an application for a phased development to develop a mixed use live, work, play and learn community referred to as Willow Lakes Resort Village and Community.

To provide some perspective, the Willow Lakes Resort Village and Community is envisioned as a vibrant, mixed-use urban village at the crossroads of Florida's Turnpike, Interstate 95, and the City of Fort Pierce. Situated on 200.23 acres of land lying immediately north of Midway Road and west of I-95 within the City of Fort Pierce, Willow Lakes will be an east coast destination that will bring together local residents and regional, national and international visitors in a lively, pedestrian-oriented, and healthy environment of inviting public spaces, walkable streets, and authentic neighborhoods with a destination recreational amenity for seasoned and novice surfers.

The vision proposed by the applicant is that Willow Lakes will be designed as a community that celebrates outdoor activity and a healthy lifestyle. The envisioned community will be a place where residential, retail, and commercial uses will be combined to provide a critical mass of activity that will bring year-round life to the proposed community. The applicant is seeking to create a "village" that will be one of a kind in Florida built around a state-of-the-art and largest world-class surf park in the country. As stated in the application:

"The Wavegarden at Willow Lakes will deliver high quality waves and authentic surfing experiences year-round for new and existing surfers of all ages, experience and ability. Beyond the Wavegarden, the Village will be comprised of several distinct neighborhoods, knit together by a network of walkable, pedestrian-oriented streets, and navigable flow-ways designed for maximum environmental and recreational purposes. The result will be an inclusive environment where visitors, residents, and professionals have fun, keep fit and feel part of a community that shares their passion and respect for surfing, the ocean, others and the planet."

The submitted Planned Development Site Plan is conceptual in nature. Site Plans for the proposed ten phases of this Planned Development will require Development Review and Design Review for conformance with Section 125-212(c)(2) shall be submitted for final approval by the City Commission.

Future Land Use and Zoning Designation Comparison

The subject property currently has a Future Land Use of Mixed-Use Development, (MXD) and Zoning designation that is AG-2.5, Agricultural, 1 du/2.5 ac (St. Lucie County Zoning). This is an inappropriate zoning designation because the vacant site abuts the major corridor of West Midway Road, intersects with Federal Interstate 95 and the applicant is proposing a Mixed-Use Development. Mixed-Use Land Uses are intended for parcels suitable for Commercial

development and to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments in the City of Fort Pierce. Uses allowed within this Mixed-Use Development, (MXD) designation include residential (single-family/multi-family), commercial (general/neighborhood), commercial (town center), hotel (minimum 100 units), office uses (professional/medical), industrial, and institutional. This land use designation allows for a maximum density of 15 dwelling units per acre and a maximum FAR of 1.5. Development shall include a minimum of three (3) of the allowed general land uses. Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed-Use Development FLU designation.

As the development of the subject parcel is a vital component to the development pattern envisioned throughout the City of Fort Pierce, the appropriate Zoning is Planned Development, (PD) with the compatible Future Land Use classification of Mixed-Use Development (MXD).

Standards for Review

Pursuant to Article IX, City Code of Ordinances, a proposed change of district or text may be initiated by the city commission, the city planning board or by petition of one or more of the property owners or affected residents within the area proposed to be changed or affected by a change in the district map or text.

The following standards must be satisfied per Section 125-136 of the City Code prior to the approval of the requested amendment:

- (1) The amendment is consistent with the Comprehensive Plan.
- (2) The amendment will not have an adverse effect on the ability of the City to:
 - a. Satisfy land and water use needs; and
 - b. Meet transportation demands and provide community facilities and services.
- (3) The amendment will promote and protect the public health, safety, and general welfare.

The proposed amendment is consistent with and furthers the Goals, Objectives, and Policies of the City's Comprehensive Plan. The Zoning Atlas Map Amendment promotes and protects the public health, safety, and general welfare as the request as proposed is in character and similar with the surrounding area, land uses and zoning designations.

Technical Review Committee (TRC)

All affected City and County Departments have reviewed the proposed Future Land Use Map and Zoning Atlas Map Amendments and there were no comments from the TRC.

Property Owner Response Summary

A total of 7 notifications of the Zoning Atlas Amendment proposal were mailed to the owners of property located within 500 feet of the subject property. An update will be provided to the City Commission at the public hearing.

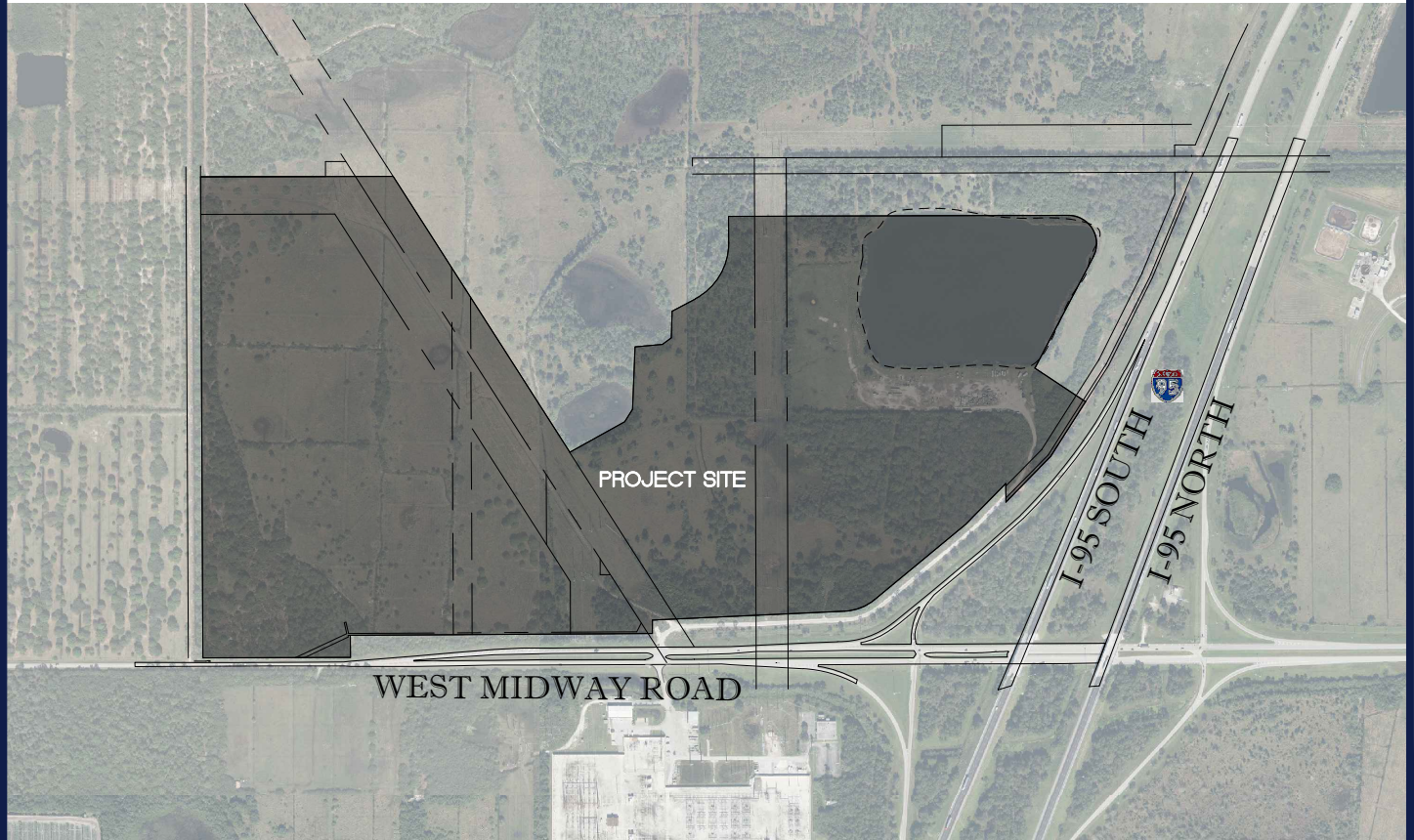
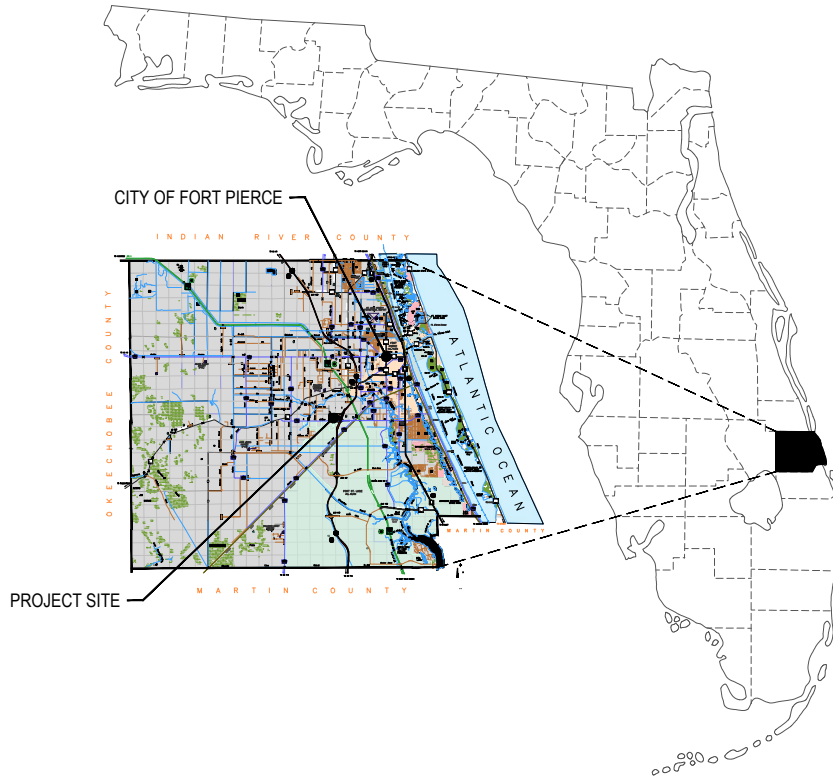
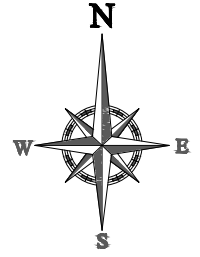
Planning Board Recommendation

The Planning Board, at their August 11th, 2020 meeting, voted unanimously to recommend **Approval** of the request.

Staff Recommendation Zoning Atlas Map Amendment

The requested Application for Zoning Atlas Map Amendment meets the criteria specified in Section 125-136 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare. Therefore, Staff recommends **APPROVAL** of the proposed Rezoning from AG-2.5, Agricultural, 1 du/2.5 ac (Saint Lucie County Zoning) to Planned Development, PD.

LOCATION EXHIBIT



WILLOW LAKES, LLC

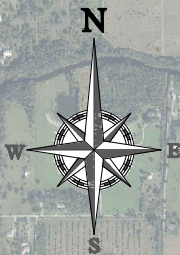
LOCATION EXHIBIT

W. MIDWAY ROAD
CITY OF FORT PIERCE
ST. LUCIE COUNTY, FLORIDA

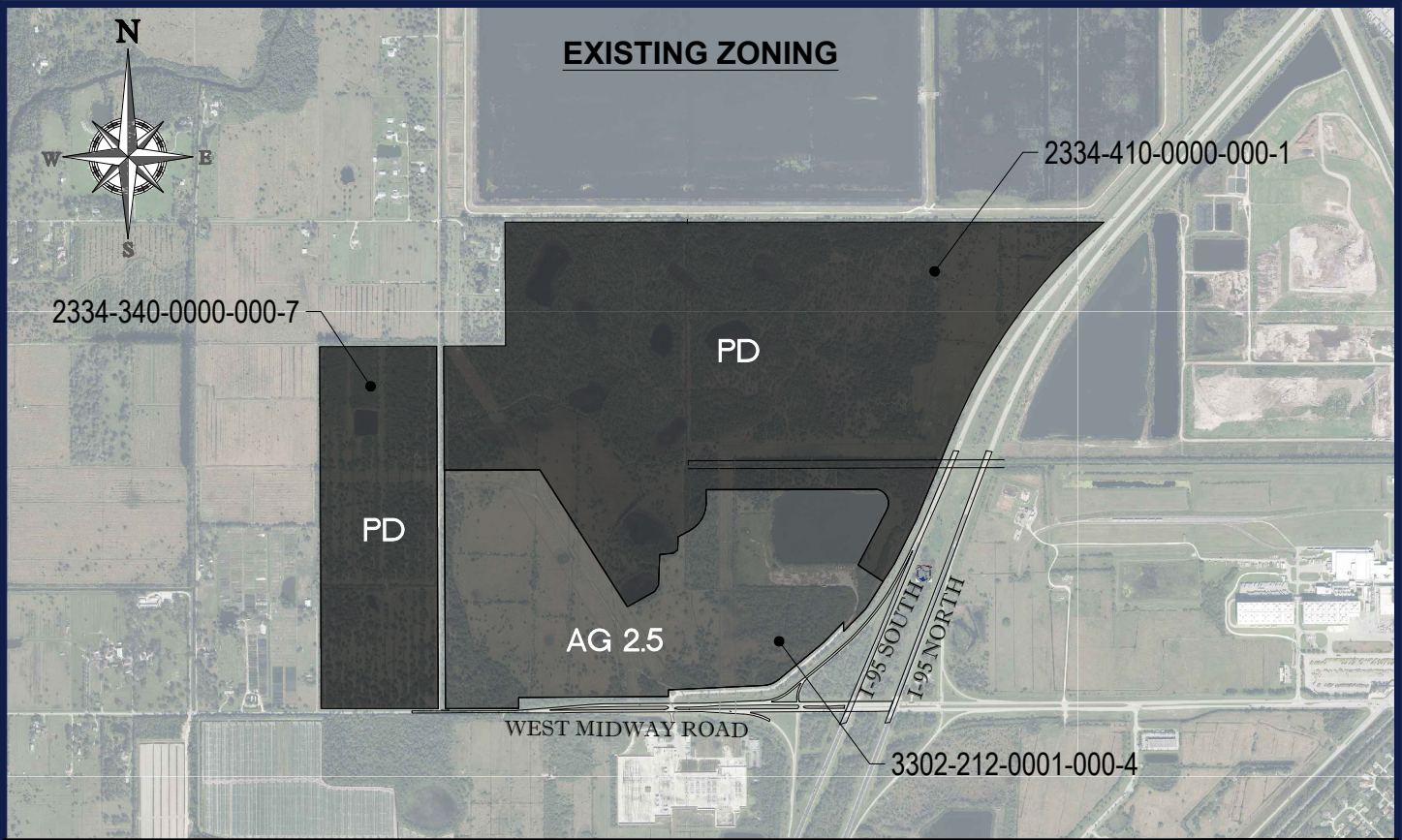
SCALE: 1"=80,000' & 1,000' DATE: 01/20/2020

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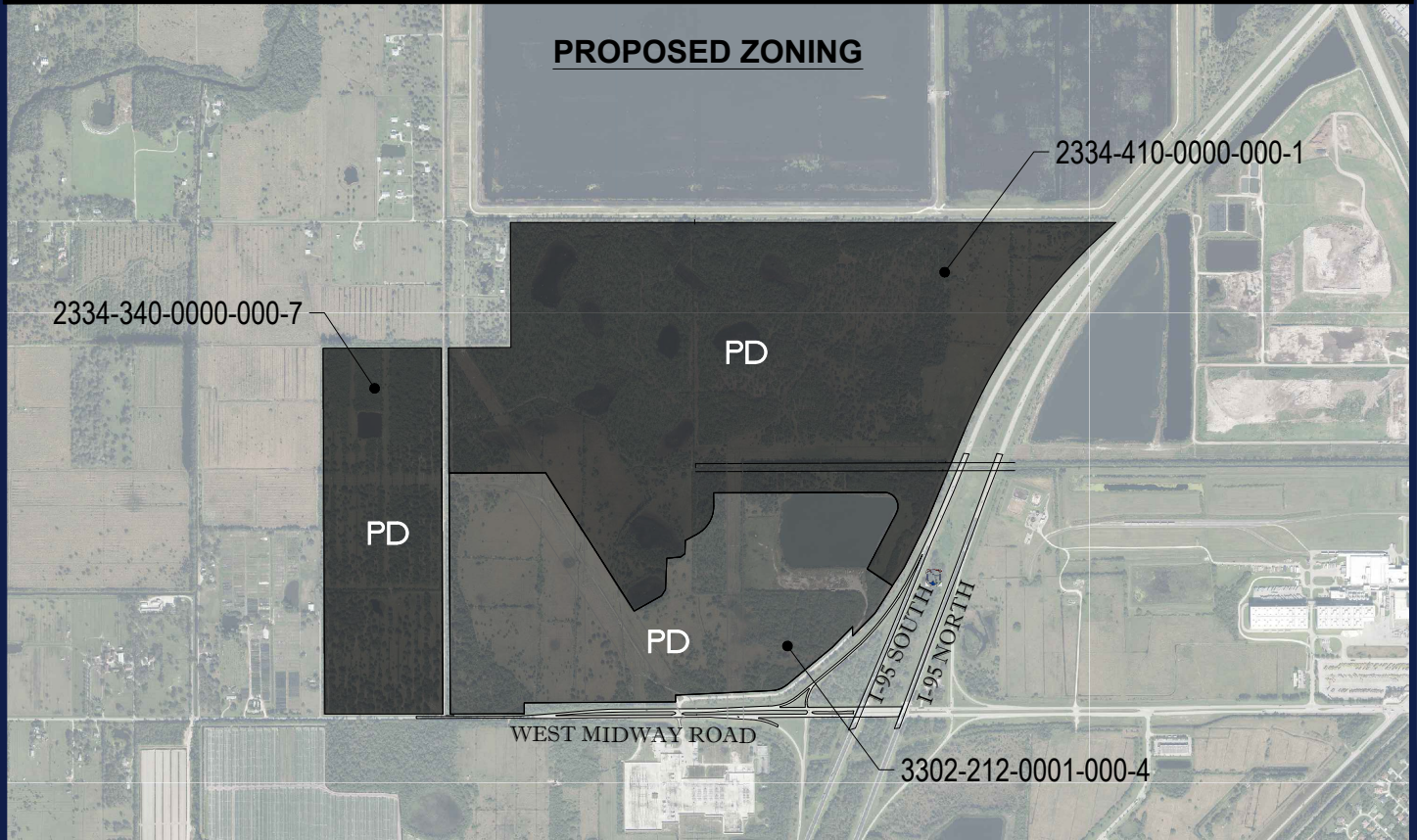
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EXISTING ZONING



PROPOSED ZONING



WILLOW LAKES, LLC

ZONING EXHIBIT

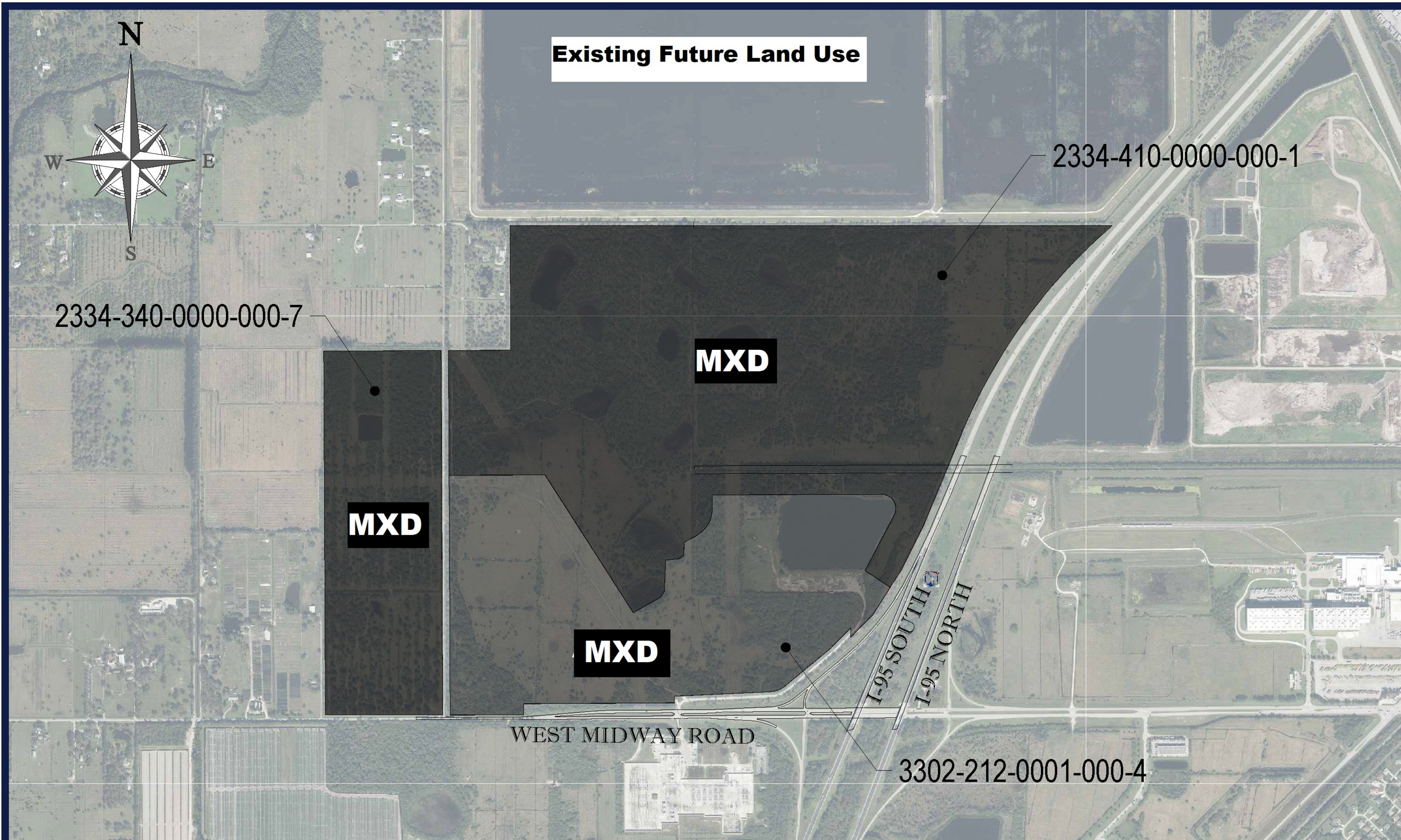
W. MIDWAY ROAD
CITY OF FORT PIERCE
ST. LUCIE COUNTY, FLORIDA

SCALE: 1"=2,000' DATE: 01/20/2020

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Future Land Use Exhibit

WILLOW LAKES, LLC

W. MIDWAY ROAD
 CITY OF FORT PIERCE
 ST. LUCIE COUNTY, FLORIDA

SCALE: 1"=2,000' DATE: 01/20/2020

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May 21, 2020

Willow Lakes, LLC c/o Dean, Mead, Minton & Zwemer
1903 S. 25th Street, Suite 200
Fort Pierce, FL 34947

**Subject: Willow Lakes – NW corner of W. Midway Rd. & I-95 – Technical Review
Committee Comments for May 21, 2020 conference call**

Dear Dean, Mead, Minton & Zwemer,

Below please find received comments from the City of Fort Pierce and applicable entities:

Fort Pierce Planning Department

1. The subject application is limited to the rezoning of the property from AG-2.5 to PD. As a PD requires a plan, Planning staff will be attaching the conceptual master plan to the approving Ordinance. With that said, the master plan shall include the proposed uses, maximum densities, intensities, height, lot coverage, impervious areas, and a general location where these uses are proposed on the master plan. A note shall be provided on the master plan that states that the plan is conceptual in nature.
2. Specific
3. A master sign program will be required.
4. Elaborate on the "future phasing" and include a more detail phasing.
5. Include a projected timeline for each phase.
6. Will the roadways be Public ROWs or Private Roads?
7. Please provide a sheet that superimposes the "The Village at Midway" project to the north to determine compatibility with uses.
8. Under the Allowed Uses section - Townhomes should only be called "Townhomes", not Single-Family Homes.
9. In Table 1.2, please divide Single-Family Medium Density Zone into "Single-Family Attached" and "Single-Family Detached".
10. Please include
11. Page 72, please remove sections: Conditional Use, Agricultural Use, & Commercial.
12. Page 72, please scale down your permitted uses to what you are

- proposing. Your permitted uses should be compatible with City Code Section 22-22.
13. Our landscape code is currently under review. Your future submitted landscape plan will have to be consistent with the City's Landscape Code. Please meet with Planning staff and the City's Tree Arborist prior to preparing your landscape plan(s).
 14. Correct Page 78 (g), it states "three (12) months after planting".
 15. The proposed cross sections are being reviewed with the NACTO and FDOT complete streets standards. Comments will be provided in a separate letter.
 16. Further comments may be forthcoming.
 17. Each phase of development will require the following:

Master Sign Plan
Development and Design Review
Elevations
Color Boards (proposed colors & architectural elements)
Landscape Plan and tree list
Tree Mitigation Plan
Lighting Plan

Fort Pierce Engineering Department

1. This approval pertains to the Rezoning and FLU request only and not to any proposed site improvements. Site review will be conducted when detailed plans are submitted for review and approval.
2. There are numerous recorded FPL Right-of-Ways and FPL Easement parcels located throughout the site. The applicant shall provide proof of FPL approval for improvements within the limits of the rights-of-way and easements at the time of Planned Development site plan submittal.

Fort Pierce Utility Authority

- FPUA W/WW Engineering: Outside FPUA W/WW service area
- FPUA Electric & Gas Engineering: Outside FPUA Electric service area

Fort Pierce Building Department

1. Building Official or his representative has no comment at the time of this meeting, but reserves submission of comments upon completion of the official plan review.

St. Lucie County Engineering/PW

No Comments

St. Lucie County Planning

- The applicant is proposing an alternative Tree Mitigation Plan, in the form of “excellence in urban village, pedestrian-oriented tree-lined streetscapes, in lieu of the mitigation requirements set forth in the City Code”. o St. Lucie County provides for Alternative Mitigation Compliance Methods for development within its jurisdiction. One option, per SLC LDC Section 6.00.05 D. 3. b. 1. provides “If a site is consistent with the following minimum standards (subsections a.h.) , twenty-five percent (25%) of the existing native upland habitat can be preserved on site to take the place of all tree mitigation requirements.”
 - The applicant is encouraged to preserve and provide buffering of existing wetlands where quality and feasibility exist.
 - The City is encouraged to evaluate established height standards adjacent to I-95 interchanges throughout St. Lucie County in considering the 100ft. height standard proposed. (i.e. SR 70, Orange Avenue, Tradition, The Reserve, St. Lucie West, etc. A St. Lucie County Agricultural District exists (further) to the west of the project site.
 - The applicant is encouraged to consider multi-modal links between the subject site and adjacent corridors (Midway, SR 70, etc.), further evaluating and providing Greenways & Trails connections where possible.
-
- Traffic Impact Report (Provided 5/13/2020) Review is underway. Staff may provide additional comments upon review completion. The eastern project entrance should be evaluated based upon current and future I-95 interchange conditions.
 - The TPO’s GO2040 Plan should be evaluated as it relates to projected roadway needs and considered links, accounting for vested trips and roadway assignment. Pedestrian connectivity and street lighting adjacent to the project should be considered.



- The applicant is encouraged to hold neighborhood meetings, if not already conducted. St. Lucie County has low density residential and agricultural/residential areas in proximity to the subject site(s).
- St. Lucie County owns and operates the St. Lucie County Landfill to the northeast at 6120 Glades Cut Off Rd. The applicant is encouraged to evaluate the long-term management plans for the landfill. The Tropicana – Fort Pierce processing plant is also situated to the east.
- The applicant should be advised of the applicability of both St. Lucie County & City of Fort Pierce Impact Fees – active.

St. Lucie County Fire District

No Comments

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **SEPTEMBER 8, 2020**, 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**

Chairman Creyaufmiller welcomed new Planning Board member, Marsha Baker.

Present: **Marcia Baker; Bob Burdge; Gloria Johnson-Scott; Michael Broderick; Solomon Lee; Patricia Diaz; Frank Creyaufmiller, Chairman**

Staff Present: **Jennifer Hofmeister, Planning Director
Tanya Earley, Assistant City Attorney
Vennis Gilmore, Planner
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant**

4. **CONSIDERATION OF ABSENCES**

All Planning Board members were in attendance.

5. **APPROVAL OF MINUTES**

a. Minutes from the August 11, 2020 meeting

Motion was made by Michael Broderick, and seconded by Bob Burdge to approve the minutes from the August 11, 2020 meeting.

AYE: Bob Burdge, Gloria Johnson-Scott, Michael Broderick, Solomon Lee, Patricia Diaz, Marcia Baker, Chairman Frank Creyaufmiller

Passed

6. NEW BUSINESS

a. Conditional Use - Barsotti Dwelling Rental - 1040 Windward Drive, Unit 3402

Mr. Gilmore gave an overview of the application.

Mr. Broderick asked if the updated recommendations to the dwelling rental conditions, that will heard at the September 14, 2020 Conference Agenda, should be included.

Ms. Hofmeister stated it may be premature and best to hold off until the City Commission approves the modifications to the conditions.

Ms. Baker suggested adding a condition that business liability insurance is required.

Board discussion ensued on the benefits of adding liability insurance as a condition to dwelling rentals.

Ms. Hofmeister suggested adding the condition to the updated recommendations being presented at the Conference Agenda.

Ms. Johnson Scott noted that adding an additional fee may limit some people from renting out their property which in turn could hurt the city.

No one spoke for or against the application.

Motion was made by Bob Burdge, and seconded by Marcia Baker to recommend approval with the following six (6) conditions:

- 1. The property manager for the dwelling rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.**
- 2. Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.**
- 3. The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.**
- 4. There shall be a limitation of no more than no two (2) vehicles per unit.**
- 5. The City of Fort Pierce Business Tax License number shall be included on all advertising.**
- 6. Third-party liability insurance is required.**

AYE: Michael Broderick, Solomon Lee, Patricia Diaz, Marcia Baker, Bob Burdge, Chairman Frank Creyaufmiller

NAY: Gloria Johnson-Scott

Passed

b. Conditional Use - Ballantyne Dwelling Rental - 715 S. Ocean Drive, Unit B

Ms. Hofmeister gave an overview of the application and answered questions from the Board on guest parking spaces and the number of Conditional Use approvals for the building. Ms. Hofmeister stated since the application triggers the state requirement for a change of use and fire sprinklers, she does not foresee any more rentals at the building due to being cost prohibitive.

No one spoke for or against the application.

Motion was made by Bob Burdge, and seconded by Michael Broderick to recommend approval with the following six (6) conditions:

1. **The property manager for the vacation rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.**
2. **Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.**
3. **The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.**
4. **There shall be a limitation of no more than no two (2) vehicles per unit.**
5. **The City of Fort Pierce Business Tax License number shall be included on all advertising.**
6. **Third-party liability insurance is required.**

AYE: Michael Broderick, Solomon Lee, Patricia Diaz, Marcia Baker, Bob Burdge, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

Passed

c. Conditional Use - Danaluk Dwelling Rental - 715 S. Ocean Drive, Unit L

Ms. Hofmeister gave an overview of the application and answered questions from the Board. Ms Hofmeister explained the 2-story duplex is a separate building located on the parcel and the building does not trigger the states 25% requirements because it is only two units.

No one spoke for or against the application.

Motion was made by Bob Burdge, and seconded by Patricia Diaz to approve with the following six (6) conditions:

1. **The property manager for the vacation rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.**
2. **Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.**
3. **The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.**
4. **There shall be a limitation of no more than no two (2) vehicles per unit.**
5. **The City of Fort Pierce Business Tax License number shall be included on all advertising.**
6. **Third-party liability insurance is required.**

AYE: Solomon Lee, Patricia Diaz, Marcia Baker, Bob Burdge, Gloria Johnson-Scott, Michael Broderick, Chairman Frank Creyaufmiller

Passed

d. **Annexation - Jetson - 504 Tumblin Kling Road**

Mr. Creagan gave an overview of the application and answered questions from the Board on the residential area. Mr. Creagan explained that the property is zoned commercial in St. Lucie County and the city is not allowed to down zone the property.

Mr. Burdge noted that a barrier would be required between the commercial development and residential property.

Ms. Hofmeister stated the Planning department will put the elements in the review process for Jetson's expansion and the site plan will come before the Planning Board.

Motion was made by Bob Burdge, and seconded by Michael Broderick to recommend approval of the proposed annexation Future Land Use designation of GC and the Zoning designation of C-3.

AYE: Patricia Diaz, Marcia Baker, Bob Burdge, Gloria Johnson-Scott, Michael Broderick, Solomon Lee, Chairman Frank Creyaufmiller

Passed

7. **ELECTION OF CHAIR AND VICE-CHAIR**

Mr. Broderick nominated the current Chair, Mr. Creyaufmiller, for Chairman.

Mr. Burdge nominated Mr. Broderick as Chair but Mr. Broderick stated he would be more effective in the Vice-Chair position and Mr. Creyaufmiller would be better suited as Chairman.

Motion was made by Michael Broderick, and seconded by Patricia Diaz to elect Mr. Creyaufmiller as Chairman.

AYE: Marcia Baker, Bob Burdge, Gloria Johnson-Scott, Michael Broderick, Solomon Lee, Patricia Diaz, Chairman Frank Creyaufmiller

Passed

Motion was made by Patricia Diaz, and seconded by Marcia Baker to elect Mr. Broderick as Vice-Chair.

AYE: Bob Burdge, Gloria Johnson-Scott, Michael Broderick, Solomon Lee, Patricia Diaz, Marcia Baker, Chairman Frank Creyaufmiller

Passed

8. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Chair, as this section of the Agenda is limited to thirty minutes. The Planning Board will not be able to take any official actions under Comments from the Public. Speakers will address the Board and the Public with respect. Inappropriate language will not be tolerated.

There were no comments from the public.

9. **DIRECTOR'S REPORT**

Ms. Hofmeister reminded the Board that Mr. Broderick will be presenting the proposed dwelling rental conditions to the City Commission at the Conference Agenda on Monday, September 14, 2020 at 9:00 AM.

10. **BOARD COMMENTS**

Ms. Baker suggested the dwelling rental insurance condition be limited to third-party liability insurance, so the owner is spending the least amount of money on insurance to protect the general public and adjoining neighbors.

Chairman Creyaufmiller reminded the Board of the upcoming CeeCee Ross Lyles 9/11 Virtual Memorial Ceremony.

Motion was made by Michael Broderick, and seconded by Bob Burdge to add the condition that third-party liability insurance be required on all dwelling rentals.

AYE: Gloria Johnson-Scott, Michael Broderick, Solomon Lee, Patricia Diaz, Marcia Baker, Bob Burdge, Chairman Frank Creyaufmiller

Passed

11. **ADJOURNMENT**