

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **AUGUST 11, 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**

Present: **Tim O'Connell; Bob Burdge; Gloria Johnson-Scott; Michael Broderick; Solomon Lee; Frank Creyaufmiller, Chairman; Marty Sanders, Ex-Officio**

Absent: **Patricia Diaz**

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**

Ms. Diaz was excused.

5. **APPROVAL OF MINUTES**

- a. Minutes of the July 14, 2020 Planning Board Short Term Rental Workshop

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the minutes from the July 14, 2020 Planning Board Workshop with the suggestion from Mr. Broderick to add the Florida Department of Business Regulation license number on all advertising.**

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

Passed

- b. Minutes from the July 14, 2020 Planning Board meeting

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the minutes from the July 14, 2020 Planning Board meeting.**

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

Passed

**6. HEARING OF THE LOCAL PLANNING AGENCY**

- a. **Future Land Use Map Amendment - Aria Apartments - 3000 Okeechobee Road**

Mr. Gilmore gave a presentation of the Future Land Use Map Amendment and answered questions from the Board on the applicant's intentions and the number of residential apartments.

No one spoke for or against the application.

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the request to change the Future Land Use Designation from General Commercial (GC) to Medium Density Residential (RM).**

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

Passed

**7. NEW BUSINESS**

- a. **Rezoning - Aria Apartments - 3000 Okeechobee Road**

Mr. Gilmore included the Rezoning with the Future Land Use Map Amendment presentation in item 6a.

No one spoke for or against the rezoning.

**Motion was made by Michael Broderick, and seconded by Solomon Lee to approve the request to change the Zoning Designation from General Commercial (C-3) to Medium Density Residential (R-4).**

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

Passed

- b. **Rezoning- Willow Lakes - NW corner of West Midway Road and I-95**

Mr. Gilmore gave an overview of the application.

Lee Dobbins, Attorney from the Dean Mead Law Firm representing the applicant, gave a presentation on the master plan for Willow Lakes and he highlighted that the mixed use development will be anchored by a surf park. He explained that legislation was passed by the

state to make an exception for a surf park.

Chad LaBonte, Developer of the Project, said he has been working with Wave Garden in Spain and they are the leaders in artificial wave development. Mr. LaBonte showed a video of how the Wave Garden works and noted that the proposed Wave Garden in Fort Pierce is the largest prototype.

Jeff Fitzgerald, Civil Engineer from Bohler Engineering, gave an overview of the overall master plan and how it was conceived. Mr. Fitzgerald explained the different neighborhoods include mixed use, residential, commercial and active entertainment. Mr. Fitzgerald noted that the Wave Garden offers an authentic surfing experience everyday of the year and Willow Lakes will be the new coastal village in Fort Pierce with a healthy outdoor lifestyle.

Susan O'Rourke, Traffic Consultant, explained to the Board that a 20 year comprehensive study was done and each phase of the development will be looked at individually and cumulatively for traffic analysis. Ms. O'Rourke said road improvements will have to go through the county.

The Board expressed their excitement for the novel development and asked about the possibility of adding additional wave pools and the time frame for completion.

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the proposed Rezoning from AG-2.5, Agricultural, 1 du/2.5 ac (Saint Lucie County Zoning) to Planned Development, PD.**

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

Passed

**c. Conditional Use - Fort Vacation Rental - 715 S. Ocean Drive, Unit F**

Mr. Gilmore gave an overview of the application and read a letter of support from Tiffany Wright-Ofeimu.

Gus Fort, Property Owner, provided additional information about the number of rental units in the building. He noted that only three owners live in the building and the rest of the units are either short or long term rentals.

**Motion was made by Gloria Johnson-Scott, and seconded by Solomon Lee to approve with the following five (5) 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 at the site.**
- 5. The City of Fort Pierce Business Tax License number shall be included on all advertising.**

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

Passed

d. **Site Plan and Conditional Use - Aria Apartments - 3000 Okeechobee Road**

This item was moved to 7b on the agenda.

Mr. Gilmore gave an overview of the Site Plan and Conditional Use. Mr. Gilmore explained the applicant is able to take advantage of the density bonus because of the transit stop location.

Ms. Hofmeister commented that the innovative design development, exceeded landscape requirements and traffic design allows for more workforce housing units.

Board discussion ensued on gated entry for security.

Mike Sanchez, Applicant, stated the site plan would need to be updated to add gates to the entry. Mr. Sanchez noted that the security camera system for the complex would come at a later date.

**Motion was made by Michael Broderick, and seconded by Tim O'Connell to approve the site plan with the following four (4) conditions and one advisory comment:**

1. **A Landscape Bond will need to be provided at the time of Certificate of Occupancy for each building pursuant to City Code 123-6. The Landscape Bond for the common areas, clubhouse, lakes, and parking areas shall be submitted before the Certificate of Occupancy is issued for the first building in each phase.**
2. **At the time of Building Permit submit a signed and sealed boundary and topographic survey to the City Engineering Department in accordance with City Code 119-2 (a)(7).**
3. **Remove the light grey from the color scheme and use colors from the blue-violet or blue-green color palette.**
4. **Include a landscaped area around base of the monument sign which extends a minimum distance of three (3) feet in all directions. Such landscaped area shall be completely covered by ground cover and shrubs, hedges or similar vegetative materials. Vegetation in the area surrounding said sign shall be maintained at a height of less than twelve (12) inches.**

**Advisory Comment: Consider a gated entry for the health, safety, and welfare of the future tenants of the proposed development. Details need to be worked out between the design team and the Planning Department.**

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

Passed

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the Conditional Use for Aria Apartments located at 3000 Okeechobee Road.**

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

Passed

e. **Site Plan - Blue Sky Landing - 2419-211-0004-000-8**

Mr. Creagan gave an overview of the application and he stated the applicant is going over and beyond on the landscape requirements. Mr. Creagan answered questions from the Board on traffic impacts, drainage, and fencing material.

Ms. Hofmeister noted there is wet storage retention on the site that will help with drainage.

Rob Schwerer, Local Counsel for the Applicant, explained the development is 9.63 acres with 164 units and it will be completed in two phases. Mr Schwerer said the parcel was previously sighted for high intensity development.

Jerrold Purser, WGI Planner, stated there is an existing 6 foot concrete wall that will have a resident only pedestrian gate and they have access easements to the adjoining property.

Brian Arnold, WGI Civil Site Engineer, said the elevations are raised above the flood plain elevations and the multiple lakes on the project is storage for the flood plain and it also helps the adjacent properties. Mr. Arnold stated the project will be reviewed by St. Lucie County Water Management District, St. Lucie River Control Water District and FEMA.

**Motion was made by Gloria Johnson-Scott, and seconded by Michael Broderick to approve with the following two (2) conditions:**

- 1. A Landscape Bond will need to be provided at the time of Certificate of Occupancy for each building pursuant to City Code 123-6. The Landscape Bond for the common areas, clubhouse, lakes, & parking areas shall be submitted before the Certificate of Occupancy is issued for the first building in each phase.**
- 2. At the time of Building Permit submit a signed and sealed boundary and topographic survey to the City Engineering Department in accordance with City Code 119-2 (a)(7).**

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

Passed

f. **Final Plat - Bent Creek Subdivision (Tract B-2)**

Mr. Gilmore gave an overview of the plat and he noted there are 121 parcels in the plat and that the CDD went to City Commission on August 3, 2020.

The Board asked questions on the influx of students at schools, total units when built out, and proposed landscaping.

Ms. Hofmeister said the CDD is a mechanism used to get connection to Peterson Road.

Marty Sanders, Growth Management, Land Acquisition & Inter-Governmental Relations for the School Board of St. Lucie County, stated that the school board monitors Planned Developments and they work with the local government and development for proper placement of schools. Mr. Sanders said there is plenty of capacity in the schools and they do not have an issue with the increase parcels in Bent Creek.

Brian Nolan, Applicant Representative from Lucido and Associates, explained the different parcels to be developed in Bent Creek. He said there will be a total of 692 homes and the landscape plans have not been submitted as of yet.

Jeff Alexander, Lennar Representative, discussed the progression of development. He said A2 with 65 foot home sites is the next phase to be developed, then B2, which will have 52 foot home sites, and after the construction of Peterson Road, Parcel C will be developed.

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve with the following three (3) Conditions of Approval:**

1. **Prior to final plat approval the appropriate bonding mechanism must be in place ensuring construction completion of all outstanding infrastructure (sidewalks, roadways, drainage, utilities, curb, striping, etc.); for specific information please refer to the City of Fort Pierce Code of Ordinances Section 121- 12.**
2. **The applicant will supply two (2) Mylars for appropriate signatures and then the plat is recorded with St. Lucie County Clerk of Courts in accordance with Florida State Statute 177.111.**

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

Passed

**g. Updated Board Procedures**

Ms. Hofmeister provided updated Board procedures due to the change in time of the Planning Board meetings and no longer having alternates on the Board. She added an additional change to remove the last three sentences of #12 regarding the alternate and ex-officio member having voting privileges.

Board discussion ensued on changing the notification time for not being able to attend the meeting to the day of the meeting, in case of an emergency.

Mr. Sanders said he appreciates the change in time because he will be able to make more meetings.

**Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the updated board procedures.**

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

Passed

**h. Short Term Rental Recommendations**

Ms. Hofmeister gave a presentation on the standard conditions with the amended changes and additional conditions. She explained that the proposed permit fee would need to be an amendment to the fee schedule and approved by resolution by the City Commission. Ms. Hofmeister noted that the department is trying to create standardize procedures for vacation rentals.

Board discussion ensued on researching the annual recommended permit fee amount, posting placards could create vacation rentals as a target for undesirables and condominium association rules not allowing placard signage.

**Motion was made by Michael Broderick, and seconded by Tim O'Connell to approve the additional language for consideration with the changes proposed along with an annual permit fee, amount to be determined by the City Commission.**

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 and shall provide proof of residency.**
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 at the site per vacation rental.**
5. **On-street parking for vacation rental(s) shall be prohibited.**
6. **The City of Fort Pierce Business Tax License number and the Florida Department of Business & Professional Regulation License number shall be included on all advertising.**
7. **Vacation rental placard shall be posted on Vacation Rental property that states the name, City of Fort Pierce Business Tax License, Florida Department of Business & Professional Regulations License Number, phone number and email address of the property manager. Single-family and plexes shall post Vacation Rental placards in the front yard and apartment and condominium placards shall be posted on the front door. For condominiums that strictly prohibit the placard being posted on the front door, placards should be placed in the condominiums common area unless strictly prohibited.**

**AYE: Bob Burdge, Gloria Johnson-Scott, Michael Broderick, Solomon Lee, Tim O'Connell, 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.

## 9. **DIRECTOR'S REPORT**

Ms. Hofmeister said she would like to continue to have workshops with the Board and for the next workshop she wants to bring in a consultant to discuss the level of service on traffic impacts and roadways.

## 10. **BOARD COMMENTS**

Chairman Creyaufmiller said he would like Mr. Broderick to make the "Vacation Rental Recommended Conditions" presentation to City Commission since he has done so much homework on the subject.

Chairman Creyaufmiller thanked Tim O'Connell for his nine years of service on the Planning Board.

**11. ADJOURNMENT**

8/10/2020

To Members of the Planning Board:

I am writing this letter in support of the application for Vacation Rental-Conditional Use Permit submitted by Gus Fort.

As a vacation rental permit holder myself, I can attest to the benefits to the City of Fort Pierce that vacation rentals bring. Since my permit was approved a month ago, I hosted several renters. All stated how much they enjoyed exploring the area. None of my renters had been to the Fort Pierce -Hutchinson Island area previously. Moreover, all stated that they would be returning. This is precisely why vacation rentals are good for the City's economy. Not only do they bring in tax dollars, but also revenue to area businesses. Furthermore, they help to improve the reputation of the City.

Gus Fort is a conscientious, kind, and responsible businessman. He lives locally and supports the St Lucie County community. He takes pride in his properties and continues to work towards improvement. Gus has served as the President of the Boardwalk Condo Association Board for 4 years and has volunteered countless hours to ensure that the property is maintained and enhanced. I believe that his efforts will only increase with this permit approval. Furthermore, Gus has contracted a local Fort Pierce resident to serve as his property manager, Alex Saffron. Alex will be available to respond to any emergencies. Alex is very familiar with the property as he serves as my property manager too.

I can say without any hesitation that Gus Fort will be an accountable and attentive conditional use permit holder.

Sincerely,

Tiffany Wright Ofeimu

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