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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, **NOVEMBER 10, 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: Michael Broderick; Solomon Lee; Marcia Baker; Bob Burdge; Gloria Johnson-Scott; Frank Creyaufmiller, Chairman

Staff Present: Jennifer Hofmeister, Planning Director
Tanya Earley, Assistant City Attorney
Rebeca Guerra, Assistant Planning Director
Audria Moore-Wels, Special Projects Coordinator
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant

4. CONSIDERATION OF ABSENCES

All Planning Board members were in attendance.

Chairman Creyaufmiller read Patty Diaz's Planning Board resignation letter.

5. APPROVAL OF MINUTES

a. Minutes from the October 13, 2020 meeting

Motion was made by Bob Burdge, and seconded by Gloria Johnson-Scott to approve the minutes from the October 13, 2020 meeting.

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

Passed

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

a. **Comprehensive Plan Amendment - Policy 3.12.7 - Ten Year Water Supply Facilities Plan**

Mr. Guerra gave an overview of the Ten Year Water Supply Facilities Plan and answered questions from the Board.

Motion was made by Marcia Baker, and seconded by Michael Broderick to approve the Ten Year Water Supply Facilities Plan with the recommendation that staff works with the Fort Pierce Utilities Authority to present a clean document to City Commission.

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

Passed

b. **Future Land Use Map Amendment - Jenkins Point - 2107 Swain Road**

Items 6b and 7a were presented together. Mr. Creagan gave an overview of the Future Land Use Map Amendment and Rezoning and he stated three parcels are going from Medium Density Residential to High Density Residential. Mr. Creagan answered questions from the Board on past drainage issues, density, and traffic on Jenkins Road.

Mr. Creagan noted that the traffic reviewer said the level of service is met and when the development review application is received, the drainage issue will be looked at extensively.

Brad Currie, Applicant Representative from EDC, said there will be two developments proposed on the property and they hope to bring in a development plan within 12 months.

Motion was made by Michael Broderick, and seconded by Solomon Lee to forward a recommendation of approval to the City Commission.

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

Passed

7. **NEW BUSINESS**

a. **Zoning Atlas Map Amendment - Jenkins Point - 2107 Swain Road**

This item was presented and discussed with 6b.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to forward a recommendation of approval to the City Commission.

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

Passed

b. Planned Development, Development Review, & Design Review - Lawnwood Regional Medical Center - 1700 South 23rd Street

Mr. Creagan gave an overview of the application and stated the zoning will go from Office Commercial to Planned Development. He explained the Master Plan of development involves expansion of the main campus that will be completed in five (5) phases. Phase 1: Construction of a three (3) story addition, Phase 2: A 3rd floor shell build out, Phase 3: An emergency department addition with a helipad, and a 4th floor addition, Phase 4: A 5th Floor addition, and Phase 5: A parking structure. Mr. Creagan answered questions from the Board on water and tree mitigation, traffic, Nebraska Avenue road improvements and parking issues.

Mr. Creagan said there are no significant traffic impacts with the changes to the site.

Ms. Hofmeister highlighted that parking and traffic will be reviewed after each phase and the improved landscaping will help with the drainage. She also said the Planning department is working with the city's tree arborist on the landscape plans.

Michael Schwartz, Applicant Representative from Kimley Horn, provided responses to the Board's questions. He stated an underground drainage system will be installed and there are no proposed road improvements to Nebraska Avenue and 13th Street. Mr. Schwartz said the increase in traffic will be strictly visitors, and landscape buffers will be enhanced on Quincy and 25th Street. Mr. Schwartz also noted that during the construction the hospital and contractor's employees will park off site and be bussed in.

Motion was made by Bob Burdge, and seconded by Michael Broderick to forward a recommendation of approval of the proposed Development Review & Design Review along with a Rezoning from Office Commercial (C-1) to Planned Development (PD) with an underlying zoning of C-1.

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

Passed

c. Conditional Use - Sunshine Arcade - 2202 N. US Highway 1

Mr. Creagan gave an overview of the application and he explained the 66 machine arcade amusement center will take up four units and the parking requirement of 50 spaces will be met. Mr. Creagan answered questions from the Board on parking for the balance of the lease owners and shared parking.

Board discussion ensued on pedestrian traffic, egress and parking for new tenants in the plaza.

Ms. Hofmeister explained that it is standard practice to not anticipate or hold back development and that a shared parking agreement could be reached if some stores are only open during the day and others are only open in the evening.

Mike Menard, Applicant Representative from Architectonic, stated the landlord is in a lease agreement with the tenant for 50 parking spaces. He noted that the plaza has been vacant for a long time and this is an opportunity to utilize the building and bring money to the landlord.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to forward a recommendation of approval for the Conditional Use with No New Construction to the City Commission with the following two (2) conditions:

- 1. Submit a Landscape Plan to the Building Department in accordance with City Code 125-325 (2)(i) that demonstrates compliance with the City's Landscape Code 123-37. This shall be completed before the issuance of a Business Tax Receipt in accordance with City Code 125-325 (2)(i).**
- 2. Install a sidewalk along the eastern property boundary that abuts North Old Dixie Highway prior to the issuance of a Business Tax Receipt in accordance with City Code 125-325 (2)(j).**

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

NAY: Marcia Baker

Passed

d. Conditional Use - Single Family Home - Parcel ID: 2412-501-0125-000-1

Mr. Creagan gave an overview of the application and answered a question on the building height.

Mike Menard, Applicant Representative from Architectonic, stated he is aware of the Department of Environmental Protection permit process.

Motion was made by Marcia Baker, and seconded by Solomon Lee to approve the Conditional Use and Design Review as presented with the following condition:

- 1. Obtain the approval of the Florida Department of Environmental Protection for construction activities seaward of the Coastal Construction Control Line before construction activities can commence**

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

Passed

e. Conditional Use - Dwelling Rental -1132 Granada Street

Ms. Hofmeister gave an overview of the application and answered questions from the Board on the sidewalk regulations, on-street parking and the number of bedrooms.

Ms. Scalone, owner, was contacted via phone and she said she plans to rent out the home next summer.

No one spoke against the application.

Motion was made by Gloria Johnson-Scott, and seconded by Michael Broderick to recommend approval 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 per unit.**
 5. **The City of Fort Pierce Business Tax License number shall be included on all advertising.**
 6. **No- on street parking.**

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

NAY: Marcia Baker

Passed

f. **Conditional Use - Dwelling Rental -1507 Faber Court**

Ms. Hofmeister gave an overview of the application and answered questions from the Board on the number of bedrooms, on-street parking, and limiting the number of guest.

Ms. Baker said she does not believe that single family R-1 is the same type of neighborhood as R-2 or R-4 and that a R-1 neighborhood is not compatible with the intended use.

Mr. Broderick shared Ms. Baker's concerns and he suggested no on-street parking be added as a condition of approval.

Andres Guarnizo, Owner, provided additional information on the dwelling rental and he stated he is inline with the conditions and part of the revenue received will help out the non-profit group, Vacation for Warriors. Mr. Guarnizo answered questions from the Board on the Homestead Exemption and how often he will be occupying the home.

Ms. Earley recommended the Board stick to granting the conditions and not give legal advice to the applicant.

Glynda Cavalcanti spoke against the application and she provided the Board a handout showing the location and distance between three neighboring properties.

Terry Shafer spoke against the dwelling rental.

Chip Shafer spoke against the dwelling rental.

Sandra Teel spoke against the dwelling rental.

Ross Crittenden spoke against the dwelling rental.

David Munne spoke against the dwelling rental.

Julie Munne spoke against the dwelling rental.

Linda Godfrey spoke against the dwelling rental.

David Hicks spoke against the dwelling rental.

James Longstreet spoke against the dwelling rental.

Chairman Creyaufmiller explained to the audience that the Board has to work with the ordinances that are drafted by the City of Fort Pierce.

Andres Guarnizo, Owner, stated he understands the traffic concerns on the cul-de-sac. He stated that Airbnb will be doing background checks on the renters and they will have additional cameras on the property, along with a local property manager.

Ms. Hofmeister noted the Planning Board meeting only requires a sign posting and public notice letters will be sent out prior to the City Commission meeting. Ms. Hofmeister also said that is it not in the Planning department's purview to limit the number of renters in the home.

Ms. Earley clarified to the public that the Planning Board is an advisory Board that forwards a recommendation to the City Commission. She stated at City Commission there will be a Quasi-Judicial hearing and substantial, competent evidence will be needed for a denial.

Board discussion ensued on having multi-uses at a single family residence.

Ms. Earley noted that the Homestead Exemption is a completely separate application process and it is incumbent on the applicant to provide the correct information.

Ms. Baker recommended a motion of denial for the application on the basis that the property in question is in a neighborhood that is not accurately described in the report and is certainly not compatible with the proposed use. The proposed use would be very inappropriate in that area because it is in a dead end cu-de-sac and it would cause great detriment to the safety and well being of the neighborhood. It would effect the health, safety, good order and appearance, convenience and general welfare. Although there were no specific violations on the property, the owner illegally applied for a Homestead Exemption on two properties in the state of Florida, which would be a violation of the law and should be considered a factor in the denial.

Motion was made by Marcia Baker, and seconded by Bob Burdge to forward a recommendation of denial to the City Commission.

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

Passed

g. Annexation - 2564 S. Kings Highway

Mr. Creagan gave an overview of the application and stated that after successful annexation into the city, the applicant will be moving forward with a Future Land Use Map Amendment, Rezoning and Development Review.

Brad Currie, Applicant Representative from EDC, said an office warehouse with storage is proposed for the location.

Motion was made by Michael Broderick, and seconded by Marcia Baker to forward a recommendation of approval of the proposed annexation along with the Future Land Use designation of MXD and the Zoning designation of E-2.

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

Passed

h. Disposal of Surplus Property - Lots 4 and 17 of FEE and MAY's RE-S/D BLK K on Avenue E

Ms. Moore-Wells explained during the site plan review of 505 N. 7th Street, staff identified that an error had occurred when the bid for Request for Proposal, (RFP) 2018-049 was awarded in January 2019 to Dreamchaser Preschool. She said the surplus property is a paved parking lot immediately adjacent to 505 N. 7th Street and was thought to have been included in the RFP. Ms. Moore-Wells said the City advertised the property had been declared surplus and only one bid in the amount of \$1.00 was received from Dreamchaser Preschool, LLC.

Motion was made by Michael Broderick, and seconded by Solomon Lee to forward a recommendation for approval of the sale of FEE AND MAY'S RE-S/D BLK K LOTS 4 AND 17 (MAP 24110C) to Dreamchaser Preschool, LLC, Port St. Lucie, Florida.

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

Passed

8. COMMENTS FROM THE PUBLIC

There were no comments from the public.

9. DIRECTOR'S REPORT

Ms. Hofmeister stated the November conference agenda dwelling rental discussion will be rescheduled due to the weather. She said the City Commission will be looking at establishing a working committee, with a handful of effected members of the community, to come up with a resolution of the best way to handle dwelling rentals.

10. BOARD COMMENTS

Mr. Broderick said a brief dwelling rental presentation was prepared for the City Commission conference agenda outlining the best participants for the short term task force. He said the group will be challenged with coming up with procedures. Mr. Broderick also read the Department of Business and Professional Regulation's definition of a vacation rental.

Ms. Baker noted that removing the Conditional Use from dwelling rentals would in effect negate the City's grandfathering.

Chairman Creyaufmiller congratulated all the newly elected officials and he thanked Commissioner Sessions for all the work he has done for the city and he wished him success in future endeavors.

Chairman Creyaufmiller suggested that the Board stays with the intent of the Planning Board and that they do not give legal advice to applicants.

11. ADJOURNMENT