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CITY OF FORT PIERCE
**HISTORIC PRESERVATION
BOARD**

Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON MONDAY, JANUARY 25, 2021, 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; Holly Theuns; Kori Benton; George Johansen; Anthony Westbury; Charlie Hayek; Chair Suzanne Boardman

Staff Present: Jennifer Hofmeister, Planning Director
Tanya Earley, Assistant City Attorney
Maria Lewicka, Historic Preservation Planner
Alicia Rosenthal, Executive Assistant

4. **APPROVAL OF MINUTES**

- a. Minutes from the December 14, 2020 meeting

Motion was made by Michael Broderick, and seconded by Charlie Hayek to approve the minutes from the December 14, 2020 meeting.

AYE: George Johansen, Anthony Westbury, Charlie Hayek, Michael Broderick, Holly Theuns, Kori Benton, Chair Suzanne Boardman

Passed

5. **PUBLIC HEARINGS**

a. **Certificate of Appropriateness 20-70 - Fence - 427 N. 14th Street**

Madam Chair Boardman introduced Certificate of Appropriateness 20-70 for the installation of a new shadowbox fence located at 427 N. 14th Street, Fort Pierce, Florida.

Madam Chair Boardman asked Assistant City Attorney, Tanya Earley, to explain the Quasi-Judicial Hearing procedures as they apply to all subsequent Quasi-Judicial Hearings.

Before commencing this Quasi-Judicial Hearing, Tanya Earley, Assistant City Attorney, reminded the Board that they serve in both a legislative and quasi-judicial role. When acting as a legislative body, the Board engages in law-making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the Board applies those laws and policies and is held to stricter procedural requirements. Quasi-judicial proceedings are less formal than proceedings before a circuit court but are more formal than the normal Board meeting. Quasi-judicial proceedings must follow basic standards of notice and due process; and decisions must be made based on competent substantial evidence. Therefore, Board members have a duty to conduct the quasi-judicial proceedings more like judges than legislators. That is why the Commission has established the uniform procedures for quasi-judicial hearings that will be followed today.

Madam Chair Boardman called the proceeding to order.

Clerk, Alicia Rosenthal, confirmed the City complied with advertisement and notice requirements.

Madam Chair Boardman inquired with the Board regarding ex-parte communications and asked Clerk to call the roll:

Mr. Broderick - no

Ms. Theuns – no

Mr. Benton - no

Mr. Johansen – no

Mr. Westbury – no

Mr. Hayek – no

Madam Chair Boardman – no

Madam Chair Boardman opened the public hearing.

Clerk, Alicia Rosenthal, was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, provided an overview of the application.

The applicant is requesting approval for the installation of a four (4) foot high pressure-treated pine shadowbox fence along the first 25 feet (on the front yard) south property line and continue for the six (6) feet along the east, front property line and installation of a six (6) foot high pressure-treated pine shadowbox fence along the west, rear property line and along the south side property line.

Fences are important elements of the design and character of historic structures and districts. The scale and character of a fence must be compatible with the houses and the neighboring

structures. The subject proposal seeks to install a four (4) foot and six (6) foot high, pressure-treated pine shadowbox fence which do not meet the recommendations based on Secretary of Interior's Standard # 9. The height and mass of the fence and the unfinished wood material does not blend well with the small cottages and white light weight railings of the porches. Therefore, staff recommends that the Board approve the request for installation of a wood fence with the following conditions:

1. The entire fence will be 4 foot high.
2. The entire fence will be painted white.
3. The picket fence construction will be similar to or as recommended by the Fort Pierce Historic District Wood Picket Fence Guide.
4. The portion of the fence facing the street will be obscured by landscaping.

Board questions for Staff: Mr. Broderick asked why the portion of the fence facing the street needs to be obscured by landscaping. Ms. Lewicka explained that the landscaping is only needed if the shadow box fence is used. Mr. Hayek asked if the alleyway is used for trash pick up or patrol cars. Mr. Benton asked about clear vision area for the driveway to the south of the property. Mr. Johansen asked why the applicant could not have a six foot high fence for security. Ms. Lewicka explained that a four foot high fence is more appropriate for a small historic district.

Applicant questions for Staff: None

Applicant presentation:

Chris Patterson, Applicant, sworn, stated the six foot high fence is for safety concerns and to enhance the aesthetics fo the property. Mr. Patterson noted they are looking into the abandonment of the alley way.

Meredith Patterson, Applicant, sworn, stated the six foot high fence on the side and back of the property is needed for the tenants safety.

Board questions for Applicant: Mr. Hayek asked if there is a fence on the north side of the property and he asked the height of the neighbors chain link fence and when it was installed. Mr. Broderick asked if a four foot fence along the side and a picket fence the first 25 feet would be okay. Mr. Benton asked if the trashcans will be maintained inside the fencing and if the current landscaping will be inside or outside of the fence.

Public comment: None

Madam Chair Boardman, seeing no one else, closed the public hearing.

Comments by the Board: Mr. Hayek said he is partial to a picket fence but the shadow box fence is more secure.

Motion was made by Charlie Hayek, and seconded by Michael Broderick to approve Certificate of Appropriateness 20-70 for a 4 foot picket fence on the street side and the first 25 feet of the side property, with the remaining fence, on the side and rear of the property, being a white, six (6) foot high shadow box fence.

AYE: Michael Broderick, Holly Theuns, Kori Benton, George Johansen, Anthony Westbury, Charlie Hayek, Chair Suzanne Boardman

Passed

b. **Certificate of Appropriateness 20-72 - New Restaurant - 421 N. US Highway 1**

Madam Chair Boardman introduced Certificate of Appropriateness 20-72 for a new restaurant located at 421 N. US Highway 1, Fort Pierce, Florida.

Madam Chair Boardman called the proceeding to order.

Clerk, Alicia Rosenthal, confirmed the City complied with advertisement and notice requirements.

Madam Chair Boardman inquired with the Board regarding ex-parte communications and asked Clerk to call the roll:

Ms. Theuns – yes

Mr. Benton - no

Mr. Johansen – no

Mr. Westbury – no

Mr. Hayek – no

Mr. Broderick - no

Madam Chair Boardman – no

Madam Chair Boardman opened the public hearing.

Mr. Benton stated he is familiar with the site plan because he serves as the St. Lucie County Planning Department representative for the city's Technical Review Committee.

Clerk, Alicia Rosenthal, was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, provided an overview of the application.

The subject lot is located at 421 North US Highway 1 in the Lincoln Park Historic District. The property has been vacant since December 2006 and is currently occupied and licensed for a used car dealership. The applicant is proposing the construction of a new 2,332 square foot Phatz Chick n Shack Restaurant, 979 square feet of outdoor seating, construction of two (2) new driveways and parking areas to accommodate 23 space and installation of new landscaping. The applicant is proposing a building design that incorporates large storefront windows that have a historical look and feel, a raised arch entrance that is higher than the building, a unique roof covering the outdoor sitting area, and abundant landscape areas around the building and perimeter of the site. Additionally, the classic white paint on the stucco finish will be enhanced with classic black trim and designer metal window awnings.

The proposed restaurant is to be constructed on vacant parcels facing US Highway 1 within the Lincoln Park Historic District. Located on the on the periphery of the Lincoln Park Historic District, US Highway 1 corridor consists of commercial, religious and institutional buildings built through the years with various architectural styles and rich diversity of materials and colors. The proposed design would enhance the character of the area. The mass, scale, height and colors of the proposed building are not intrusive and blend with existing architecture. The planned new development maintains human scale, relates well to the street and enhances pedestrian orientation and general appeal of the area. Overall, the proposal is consistent with Secretary of the Interior standards, and staff recommends that the Historic

Preservation Board approve the request.

Board questions for Staff: Mr. Benton asked about underground utilities being used for safe vehicular access and a better look. Ms. Hofmeister stated a more comprehensive review for the entire length of the corridor would be needed for underground utilities. Mr. Broderick asked if the Planning Department and the Technical Review Committee will be reviewing the landscaping and lighting. Mr. Westbury asked if their existing restaurant will close down.

Applicant questions for Staff: None

Applicant presentation:

Tod Mowery, Red Tail, Applicant Representative, sworn, explained the Adams are leasing the current Phatz location and they will fully own the new building. Mr. Mowery noted the building is being brought to the front of the property for increased functionality and it will have an outdoor bar area with a wavy canopy, as well as decorative lights above the windows and classic signage.

Robert Adams, Applicant, sworn
Tessa Adams, Applicant, sworn

Board questions for Applicant: Mr. Hayek asked if they will have a take out window. Ms. Adams said they will have a curbside pickup window because all the food is made to order.

Public comment: None

Madam Chair Boardman, seeing no one else, closed the public hearing.

Comments by the Board: Mr. Hayek commended the Adams for the growing business and he is hoping the new restaurant will be an impetus gateway to Avenue D. After clarifying with staff, Mr. Broderick highlighted that the new restaurant does not need to go to City Commission for approval because it is under 4,000 square feet.

Motion was made by Holly Theuns, and seconded by Charlie Hayek to approve Certificate of Appropriateness 20-72 as presented.

AYE: Holly Theuns, Kori Benton, George Johansen, Anthony Westbury, Charlie Hayek,
Michael Broderick, Chair Suzanne Boardman

Passed

c. Certificate of Appropriateness 20-75 - Facade Sign - 108 N. Depot Drive

Madam Chair Boardman introduced Certificate of Appropriateness 20-75 for installation of a new sign located at 108 N. Depot Drive, Fort Pierce, Florida.

Madam Chair Boardman called the proceeding to order.

Clerk, Alicia Rosenthal, confirmed the City complied with advertisement and notice requirements.

Madam Chair Boardman inquired with the Board regarding ex-parte communications and asked Clerk to call the roll:

Mr. Benton - no
Mr. Johansen – no
Mr. Westbury – no

Mr. Hayek – no
Mr. Broderick - no
Ms. Theuns – no
Madam Chair Boardman – no

Madam Chair Boardman opened the public hearing.

Clerk, Alicia Rosenthal, was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Maria Lewicka, Historic Preservation Planner, provided an overview of the application.

This two (2)-story masonry commercial style building is a non-contributing structure in the Downtown Historic District. Notable architectural features include a flat roof, stucco walls, rectilinear parapet, simple headmast and beltcourses. The Property Appraiser's record card indicates the structure was built in 1897.

The applicant is requesting Certificate of Appropriateness approval for the installation of a 26" x 43" digital directory sign to the front of the building next to the front doors. The application states the sign will be similar to a "TV in a box with changing images", (one per tenant) and each tenant will have their own design that reflects their business.

The frequency of the image content change has not been determined. However, the application states that it is anticipated to be approximately every 30-60 seconds.

Signs are very important elements in defining and preserving the overall character of storefronts of historic commercial buildings. Business signs should be appropriately designed, scaled and installed to be informative, perhaps decorative, and a contribution to the historical atmosphere of the building, business and surrounding district. It is staff's professional opinion that a traditional directory sign at the subject location would be appropriate and acceptable. The proposed illuminated, digital, electronic screen display with constant content changing with flashing, animated motion, is not in harmony with the historic character of the downtown. Such a display is not compatible with the historic materials, features and integrity of the building, the district and the Secretary of the Interior's Standard #9. Further, approval of such a sign within this historic district would potentially set precedent for future installations, greatly diminishing the historic significance, charm and appeal of the downtown. Therefore, based upon Secretary of Interior's Standard #9, staff recommends that the proposed digital directory sign be denied.

Board questions for Staff: Mr. Benton asked whether or not the 6" projection on the sign would require a revocable license agreement by the city or if it would be deemed a projecting sign, opposed to a wall sign, requiring increase height for elevation above the walkway. Ms. Lewicka stated she spoke with the Building department and the 6" projection is acceptable and does not need to be elevated. Mr. Benton asked if only one sign is being requested for the building. Ms. Theuns asked if the sign is audio and visual. Mr. Broderick asked about the new animated sign in front of City Hall. Ms. Lewicka said the sign in front of City Hall is free standing and a contemporary design like the building and it is on a major highway. She noted that the sign was approved by City Commission. Ms. Hofmeister stated the setbacks and height of the sign in front of City Hall were adjusted and the sign was approved by an administrative Certificate of Appropriateness and City Commission. Mr. Broderick asked if the building is contributing. Ms. Lewicka said the structure was built in 1897 but there has

been a number of changes to the building, therefore it is not contributing.

Applicant questions for Staff: None

Applicant presentation:

Richard Simnett, Applicant, sworn, explained that the sign is not a digital directory. He said the sign will advertise arts and events in the downtown area. Mr. Simnett stated the 6" enclosure on the sign will protect the device from impact, theft, graffiti and vandalism. He suggested that setting a precedent with the digital sign is a good thing because it will help advertise downtown and it is a valuable step in the right direction to support local business.

Board questions for Applicant: Ms. Theuns asked if the sign is audio and Mr. Simnett said there is no audio, only an image. Mr. Broderick asked if any thought was given to naming the building as a way for finding the location. Mr. Simnett stated he checked into naming the building "The Carlton House" and "The Carlton Center" and both are copyrighted. Mr. Hayek suggested putting up picture frames with HardiePlank on the facade and then putting the sign in the middle. Mr. Simnett explained he was thinking about having a free art gallery with framed art on the north and west side of the building that would feature local artist and be changed out once a month.

Public comment: None

Madam Chair Boardman, seeing no one else, closed the public hearing.

Comments by the Board: Mr. Hayek suggested tabling the application so the applicant can come back with the framed art gallery and sign design. Mr. Benton highlighted the new vision will soften the presentation of the sign and the 6" projection sign could be embellished. Mr. Benton suggested that the sign compliments the facade and the level of brightness of the sign does not distract drivers on Orange Avenue. Mr. Westbury stated he liked the outdoor gallery idea and he suggested withdrawing or tabling the application for a better vision and overall better look of the building. Mr. Broderick suggested it be determined if the new vision is considered artwork or signage.

Ms. Earley suggested to the Board that they table the application, with the consent of the applicant, and have the applicant bring the application back, when he has an entire package to present.

Motion was made by Charlie Hayek, and seconded by Anthony Westbury to table Certificate of Appropriateness 20-75.

AYE: Kori Benton, George Johansen, Anthony Westbury, Charlie Hayek, Michael Broderick, Holly Theuns, Chair Suzanne Boardman

Passed

6. NEW BUSINESS

Madam Chair Boardman mentioned there is a long term parking problem in Edgartown with campers and recreational vehicles utilizing on street parking spaces. Ms. Hofmeister noted a parking study is being done for downtown and they need to take a look at Edgartown. She said that additional staff is being hired for parking enforcement. She also added that parking can be looked at during the Edgartown community meeting in February. Mr. Broderick suggested that the residents come up with solutions and present them to the parking committee. Mr. Benton suggested four to six hour on street parking and accommodating property owners with a badge that is registered with the city.

- a. Administratively Approved Certificates of Appropriateness - December 2020

7. COMMENTS FROM THE PUBLIC

8. CONSIDERATION OF ABSENCES

All members were in attendance.

9. ADJOURNMENT