

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 4:30 P.M. ON MONDAY, JUNE 21, 2022

1. CALL TO ORDER

Mayor Hudson called the June 21, 2022, Regular Meeting of the City Commission to order at 4:30 P.M.

2. OPENING PRAYER - Rabbi Yaacov Zamstein with Kerem El Messianic Synagogue

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Commissioner Arnold Gaines; Commissioner Curtis Johnson, Jr.;
Commissioner Jeremiah Johnson; Commissioner Thomas Perona; Mayor
Linda Hudson

Staff Present: City Clerk Linda Cox
City Manager Nicholas Mimms
City Attorney Tanya Earley

5. APPROVAL OF MINUTES

Approval of minutes from the June 06, 2022 Regular Meeting

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve the minutes of the June 06, 2022 Regular Meeting.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- a. Mayor Hudson called the June 21, 2022, Regular Meeting of the City Commission to order at 4:30 P.M.
- b. Approval of the Minutes from June 06, 2022 Regular Meeting

6. PROCLAMATIONS

- a. Queen Marva Williams-Peters and King Samuel Christopher Peters Proclamation

7. LETTERS TO COMMISSION

- a. Robert Hale's letter of appreciation for Public Works Facilities Maintenance Manager Rick Stauffer's resourcefulness in addressing an issue caused by a storm.
- b. Letter from Charles C. Hayek in acknowledgment of the great service provided by Ernie Riccardi, Public Works Department Sanitation Driver.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

12e at Staff request

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve the agenda with postponing item 12e to the July 5, 2022 Regular Meeting

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

**9. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS NOT
REQUIRING PUBLIC HEARINGS**

Any person who wishes to comment on an agenda item which is not under Public Hearings on the Agenda may be heard at this time and must sign up to speak in advance. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

No comments

10. MISCELLANEOUS REPORTS

a. 2022 Legislative Session - State Representative Dana Trabulsy

City Manager Nick Mimms introduced State Representative, Dana Trabulsy who presented the 2022 Legislative Session updates. Over 3,000 bills were filed this year, 285 passed both the House and the Senate with 240 pertaining to local government.

b. Fort Pierce Infrastructure Surtax Citizens Oversight Committee 2020-2021 Annual Report.

City Engineer, Jack Andrews and Project Engineer Selena Griffett presented the Fort Pierce Infrastructure Surtax Citizens Oversight Committee 2020-2021 Annual Report.

Commissioner Gaines inquired on the location of the reconstruction and the process of reconstruction versus resurfacing. Ms. Griffett explained that reconstruction was taking place on 8th street, Avenue B, Means Court, some of Avenue H, Ave M, 12th street.30th street and Quincy avenue.

Mayor Hudson commented that the original plan was to resurface more streets whereas reconstruction will reduce that number of streets. Mr. Andrews commented that resurfacing the streets would be like putting a patch on the problem.

Commissioner Curtis Johnson commented on the timeliness of partnering with the FPUA with underground utilities.

Commissioner Jeremiah Johnson inquired on the change in process from resurfacing to restructuring and is there anything that can be done on a maintenance basis Mr Andrews commented that the decision was based on necessity and that the practice should be resurfacing as maintenance.

Mayor Hudson commented that several issues over time have caused the City to play catch up.

Commissioner Perona commented that roads do not last as long due to its coastal proximity and have any improvements been made in road construction that could be used. Mr Andrews commented that roads are being constructed to better specifications and draining is accounted for.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to accept the Surtax Committee Report.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

11. CONSENT AGENDA

- a. Approval of a twelve (12) month Lease Agreement between the City of Fort Pierce and the Marina View Partners Holding LLC, for a vacant lot at the corner of Atlantic Avenue and Melody Lane to provide additional free parking for the public in downtown Fort Pierce.
- b. Approval to contract with FPUA for the purchase and installation of street lighting along Avenue B from 13th Street to 8th Street at a cost not to exceed \$79,373.93.
- c. Approve Award to CWR Contracting Inc, in the amount of \$144,000 and utilizing the piggyback contract for resurfacing to complete raised intersection safety improvements on Binney Drive and Fairway Drive.
- d. Approve contract award to CWR Contracting Inc. in the amount of \$662,141.25 for the FY 2022 Annual Street Resurfacing Program.
- e. Approve award of the Avenue B Reconstruction (from 13th Street to 8th Street) Bid No. 2022-016 to Heavy Civil, Inc. in the amount of \$1,112,846.96.
- f. Approve increase in blanket purchase order 220128 an additional \$40,000.00 with Excelsior Defense, Saint Petersburg, FL, providing City Hall security services.
- g. Approval to install holiday lighting at Marina Square by Lighting by Design from West Palm Beach Florida, in the amount of \$57,539.00 per year / three (3) years (\$181.392.00 total).
- h. Approval of the Grants Division recommendations for PY - Small Business/Marketing Grant Awards in the total amount of \$25,000.
- i. Acceptance of \$10,000 donation from Carole L. Mushier for City of Fort Pierce South Beach Maintenance Fund.

Commissioner Gaines pulled items 11b and 11e
Commissioner Perona pulled item 11i

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines approve items 11a,11c,11d,11f,11g and 11h.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

As to item 11 b and 11e

Commissioner Gaines inquired on the start date of the projects. Mr. Andrews commented that the projects should begin in approximately two months.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve items 11b and 11e.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

As to item 11i

Commissioner Perona thanked Carole L. Mushier for her donation and requested a "Thank You" letter be sent on behalf of the Commission.

Commissioner Jeremiah Johnson thanked Carol L. Mushier.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve it 11i.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

12. PUBLIC HEARINGS

- a. Ordinance 22-014 Amending Chapter 22, Section 22-32 to provide for a 5% increase in business tax fees for businesses, professions, or occupations.
SECOND READING

City Clerk Linda Cox introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 22-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 22, ARTICLE II, BUSINESS TAX, SECTION 22-32 - TAX, TO PROVIDE FOR A 5% INCREASE IN BUSINESS TAX FEES FOR BUSINESSES, PROFESSIONS, OR OCCUPATIONS AS CONTAINED IN RESOLUTION 22-R23; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Hudson opened the public hearing.
Seeing no one, she closed the public hearing.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Thomas Perona to approve Ordinance No. 22-014.

AYE: Commissioner Curtis Johnson, Jr., Commissioner Jeremiah Johnson,
Commissioner Thomas Perona, Mayor Linda Hudson

NAY: Commissioner Arnold Gaines

Passed

- b. Legislative Hearing - Ordinance 22-015: An Ordinance by the City Commission of the City of Fort Pierce, Florida: Amending the Future Land Use Map of the Comprehensive Plan to change the designation of a parcel generally located along the east side of South US Highway 1, approximately 250 feet South of Dickson Drive, from City of Fort Pierce General Commercial (GC) to City of Fort Pierce Medium Density Residential (RM); providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. FIRST READING

City Clerk Linda Cox introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 22-015

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA: AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF A PARCEL GENERALLY LOCATED ALONG THE EAST SIDE OF SOUTH US HIGHWAY 1, APPROXIMATELY 250 FEET SOUTH OF DICKSON DRIVE, FROM CITY OF FORT PIERCE GENERAL COMMERCIAL (GC) TO CITY OF FORT PIERCE MEDIUM DENSITY RESIDENTIAL (RM); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Presentation:

The applicant requested the opportunity to provide one presentation for three agenda items.

Commissioner Jeremiah Johnson inquired of City Attorney Tanya Early the proper guidelines for handling the request.

City Attorney Tanya Earley commented that each item should be handled individually but advised that the Legislative Hearings be combined, and the presentation take place during the Quasi-Judicial Hearing.

Vennis Gilmore, Senior Planner/Planning Supervisor, presented the amending of the Future Land Use Map of the Comprehensive Plan to change the designation of a parcel generally located along the east side of South US Highway1, approximately 250 feet South of Dickson Drive, from City of Fort Pierce General Commercial (GC) to City of Fort Pierce Medium Density Residential (RM). Staff recommends Approval of the request

1) 1 of the 4 parcels for the proposed development already has a FLU of RM, Medium Density Residential O Consistent with Section 1 25-136 of City Code & the Comprehensive Plan

2) Does not adversely affect the public health, safety, convenience and general welfare.

Questions of Staff: None

Mayor Hudson opened the public hearing

Dennis Murphy, Principal Planner, Culpepper & Terpening Inc, representing Kolter Land Development presented the proposed change of land use amendment

David Brian Earle Esq., Ross Earle Bonan & Ensor, representing Gator Trace Master Association and High Point II to express development concerns.

Aurora Mata concerned with wildlife, the aquifer, and traffic. Gladys Parker concerned with current drainage issues and traffic.

Questions of Applicant-None

Mayor Hudson closed the public hearing.

Commissioner Jeremiah Johnson inquired of Staff where the application stands. Kevin Freeman, Planning Director explained that the South Florida Water Management District permit is ongoing and requested that the topic be revisited during the rezoning agenda item.

Commissioner Gaines inquired of the process. Mr. Freeman explained that this will come before the Commission several times

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 22-015.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- c. Legislative Hearing - Ordinance 22-016: An Ordinance by the City Commission of the City of Fort Pierce, Florida: Amending the Future Land Use Map of the Comprehensive Plan to change the designation of two (2) parcels generally located along the south side of Dickson Drive, at the intersection with South US Highway 1, from City of Fort Pierce General Commercial (GC) to City of Fort Pierce Medium Density Residential (RM); providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date.
FIRST READING

City Clerk Linda Cox introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 22-016

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA: AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN TO CHANGE THE DESIGNATION OF TWO (2) PARCELS GENERALLY LOCATED ALONG THE SOUTH SIDE OF DICKSON DRIVE, AT THE INTERSECTION WITH SOUTH US HIGHWAY 1 FROM CITY OF FORT PIERCE GENERAL COMMERCIAL (GC) TO CITY OF FORT PIERCE MEDIUM DENSITY RESIDENTIAL (RM); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Questions of Staff:
None

Mayor Hudson opened the public hearing

Dennis Murphy, Principal Planner, Culpepper & Terpening Inc, representing Kolter Land Development presented the proposed change of land use amendment as a continuation of the previous agenda item.

David Brian Earle Esq., Ross Earle Bonan & Ensor, representing Gator Trace Master Association and High Point II to express development concerns.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Jeremiah Johnson to approve Ordinance 22-016.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- d. Quasi-Judicial Hearing - Ordinance 22-017: An Ordinance by the City Commission of the City of Fort Pierce, Florida: Rezoning four parcels of land generally located on the east side of South US Highway 1 at the intersection of Dickson Drive and lying north of the existing Gator Trace Planned Development, from General Commercial (C-3) and Planned Development (PD) to Planned Development (PD), for the residential project to be known as Savannah Preserve; providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. FIRST READING

City Clerk Linda Cox introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 22-017

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA: REZONING FOUR PARCELS OF LAND GENERALLY LOCATED ON THE EAST SIDE OF SOUTH US HIGHWAY 1 AT THE INTERSECTION OF DICKSON DRIVE AND LYING NORTH OF THE EXISTING GATOR TRACE PLANNED DEVELOPMENT, FROM GENERAL COMMERCIAL (C-3) AND PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), FOR THE RESIDENTIAL PROJECT TO BE KNOWN AS SAVANNAH PRESERVE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Linda Hudson asked all present to listen carefully to what City Attorney Tanya Earley would read regarding Quasi-Judicial Hearings as they apply to subsequent Quasi-Judicial Hearings tonight, Tanya Earley, City Attorney, reviewed the quasi-judicial hearing rules and procedures.

Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - Yes
Commissioner Curtis Johnson Jr. - Yes
Commissioner Jeremiah Johnson - Yes

Commissioner Thomas Perona - Yes
Mayor Hudson - Yes

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing. Staff Presentation:

Vennis Gilmore, Senior Planner/Planning Supervisor, presented the rezoning of four parcels of land generally located on the east side of South US Highway 1 at the intersection of Dickson Drive and lying north of the existing Gator Trace Planned Development, from General Commercial (C-3) and Planned Development (PD) to Planned Development (PD). Staff recommends Approval of the request

- 1) Consistent with Section 125-212 & 125- 136 of City Code & the Comprehensive Plan.
- 2) Does not adversely affect the public health, safety, convenience, and general welfare.

Mr. Freeman commented that when the application was presented to the Planning Board three items should be noted, the stormwater berm, maintenance as its location is in a parcel owned by St Lucie County, if any changes are made

to the location of the berm that it returns for review Development cannot begin until permits are obtained from South Water Management

Questions of Staff:

Commissioner Jeremiah Johnson inquired about the berm in relation to the stormwater system, if there will be improvements to Dixon Dr, and has DOT and Engineering approved. Mr. Gilmore explained that the berm is to be placed on the South easement which is County along Gator Trace additional specification will be required of the applicant, a driveway has been created along Dixon drive as it is not a gated community, there have been no comments against approval from DOT, and Engineering has recommended approval

Commissioner Perona inquired if the Planning Board vetted this with conditions. Mr. Gilmore commented that they had with the conditions presented.

Questions of Applicant: Mr. Murphy had no questions of staff and presented the PD Development Plan and attempted to address several concerns voiced.

Mayor Hudson inquired if a traffic signal will be present at Dixon Drive because it is important Mr. Murphy explained that there is an existing traffic light which could not be adjusted, but modification will be made because of road work.

Commissioner Curtis Johnson inquired on the number of residents and the technical aspects of the berm and will the presentation be provided at a later time Mr. Murphy explained that there would be 650 residents and the height of the berm would be between four and seven feet and the presentation will be provided.

Commissioner Perona inquired of concerns to the proposed development or High Point Mr. Murphy explained that no water will be drained on to High Point

Commissioner Gaines inquired on the application with The South Florida Management District and DOT. Mr. Murphy explained that DOT has provided the authorization for design work and should be completed in one to three months. While South Florida Management District is requesting additional information on the location of the berm which is a construction level not pre-construction concern.

Commissioner Jeremiah Johnson inquired about the water system, the location of the sewer system, and outfall points, the acreage on the east side, pervious area and what makes it special. Mr. Murphy explained that based on what they are looking at there will be no negative impacts to the proposed project or any of its neighbors, the loop connection will be added for greater pressure and water quality with the sewer connection in the Dixon area with two lift stations owned by the UA, there are 132 acres on the east side with verification prior to the second reading, and the central core will be a mixed habitat environment

Mayor Hudson inquired if the internal portion will be affected. Mr. Murphy explained that it will not be. Mayor Hudson opened the public hearing. David Brian Earle Esq., Ross Earle Bonan & Ensor, representing Gator Trace Master Association and High Point II to express drainage issues.

Aurora Mata concerned with wildlife, the aquifer, and traffic.

Bill Houston is interested in the construction as his business will be impacted by it

Leslie Olson, District Planning Group, on behalf of Bill Houston, is concerned with the second driveway on Dixon Drive and how it will impact the future business opportunity. A driveway realignment was submitted into the record.

Commissioner Jeremiah Johnson inquired on the specific parcel affected by possible changes.

Sue Quale is concerned with the drainage issues presently and how the community will be impacted with the proposed development

Patricia Goodies is concerned with drainage issues. Questions of the Applicant:

The driveway locations are a function of St Lucie County, but any changes are subject to their approval, construction concerns will be addressed in stages and specific conditions must be met, drainage concerns will be addressed in subsequent meetings, and the goal is to maintain habitat with the wildlife.

Mayor Hudson closed the public hearing.

Commissioner Curtis Johnson commented that from the public perspective there are many questions, but there are many fail safes in place to address the concerns.

Mayor Hudson commented that she is glad that the public is addressing their concerns and that the Water Management District is our States resilience protection.

Commissioner Perona commented that density is a big issue, but he feels it is a good use, there will be additional hurdles and impacts but believes the conditions must be identified in the second reading.

Commissioner Gaines commented that the cart is in front of the horse and is concerned with permitting and required applications to move forward.

Commissioner Jeremiah Johnson commented that he is concerned about how much water can stack up in the area, excited about the proposed residential count, but there are still many unanswered questions.

Commissioner Perona commented that competent substantial evidence is required to deny the Ordinance. Commissioner Jeremiah Johnson inquired what is the next step in the process.

City Attorney Tanya Earley explained that the next step is the second reading with possible presentation and a public hearing and that zoning code section 125-212 to consider a site development plan, section 125-313 permits additional information and a continuance.

Mayor Hudson inquired if a continuance would require the process to begin again. Mrs. Earley explained it would include any new information.

Commissioner Curtis Johnson commented that he had some trepidation with the process.

City Clerk Linda Cox requested clarification if the continuance would be on the first reading or the second. Mrs. Earley explained that the code does not specify it just allows for additional time for decision-making and consideration.

City Manager Nick Mimms commented that he believes a design of this magnitude issues will not be resolved rapidly but recommends the issues be addressed rather than solved with conditions. This is Rezoning only, conceptual. Mrs. Earley clarified that the Commission has options, and any modifications will restart the process by amending the Ordinance.

Mayor Hudson inquired of City Manager Mimms as to how the process was ahead of itself. Mr. Mimms explained that the process is correct gathering the available information to make an informed decision.

Commissioner Jeremiah Johnson commented on the PD process and the difference in a site plan approval but believes this will not come back before the Commission as he wants answers to the question posed Mrs. Earley explained that any major modification must come back to the Commission for review.

Commissioner Curtis Johnson inquired of Mr. Mimms how long this process could take as he is concerned with competent substantial evidence. Mr. Mimms explained that he cannot give a specific time because there are many components to this process.

Mayor Hudson reopened the public hearing

Mr. Murphy explained that construction level detail will not be available for some time because there are processes that must happen before that, however policy information can be provided by the July 5th Commission meeting. Mrs. Earley explained that motion would be to continue the first reading and quasi-judicial to a date certain.

Mr. Freeman explained that many of the issues could be resolved by the application with conditions and that he has six basic elements for relevance of condition.

The maintenance agreement
The ownership of the ditch
Conceptual proposed design
Issuance of the South Florida Water Management Permit.
Confirmation of US 1 Driveway resolution
Agreement with the County to use right of way drainage easement

Mr. Earle commented that he agreed with Mr. Freeman but believes this is the cart before the horse in some sense as more information is required.

Mayor Hudson closed the public hearing

Mayor Hudson inquired if the berm was included. Mr Freeman explained, he had not limited that.

Commissioner Gaines commented that this is simply a rezoning hearing; everything else will come in subsequent hearings. Mrs. Earley explained that there is one nuance in the code which refers to zoning of plan development which states approval of the development plan shall occur concurrently with the change of zoning for a property any changes can res tart the process.

Commissioner Curtis Johnson commented that this is phase one of the process and conditions can be added.

Commissioner Jeremiah Johnson commented that additional information is required, and he is ok with a continuance.

Commissioner Perona commented that he has a hard time moving forward and supports a continuance with conditions to the July 5th Commission meeting.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve the continuance of the first reading and Quasi-Judicial hearing to the July 5, 2022 Regular Meeting.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- e. POSTPONE TO JULY 5, 2022 AT REQUEST OF STAFF. Quasi-Judicial Hearing - Review and approval of an application for Preliminary Plat, submitted by Property Owner(s) Karma Capital Investments, LP and Applicant, Kolter Land Partners, LLC (Culpepper & Terpening, Inc.), to subdivide approximately 132.7 acres of land (more or less) for The Preserve at Savannah Lakes Planned Development located at or near the east side of S US Highway 1 at the intersection of Dickson Drive and lying North of the existing Gator Trace Planned Development in Fort Pierce, FL. The Developer/Applicant is required to enter into an agreement with the City of Fort Pierce and post the appropriate bond regarding the completion of the outstanding site work during the Final Plat approval process. The property is currently zoned General Commercial (C-3) and Planned Development (PD) Parcel Control Numbers: 2427-433-0002-000-1, 2427-433-0001-000-4, 2434-121-0001-000-8, 2426-333-0015-000-5.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. for a continuance of the Quasi-Judicial hearing of Ordinance No. 22-017, with a request to continue the first reading of the Ordinance with conditions to the July 5, 200 Regular Meeting.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- f. Quasi-Judicial Hearing: Review and approval of an application for a Conditional Use with No New Construction submitted by applicant, Surrounded by Love Eternally, to operate a 2,591.1 square foot daycare at 2806 S US Highway 1 Units D1-D7. Property is zoned General Commercial (C-3); Parcel ID 2422-314-0001-000-3.

City Clerk Linda Cox introduced an Application for Conditional Use Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - No Commissioner Curtis Johnson Jr.- No
Commissioner Jeremiah Johnson -No Commissioner Thomas Perona- No Mayor
Hudson - No

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing. Staff Presentation:

Vennis Gilmore, Senior Planner/Planning Supervisor, presented an application for a Conditional Use with No New Construction submitted by applicant, Surrounded by Love Eternally, to operate a 2,591.1 square foot daycare at 2806 S US Highway 1 Units D1-D7. Property is zoned General Commercial (C-3); Parcel ID 2422-314-0001-000-3. The proposed use offers a provision of Daycare Centers and Childcare Facilities (Preschools) representing a limited commercial use that is compatible with the surrounding neighborhood and is generally consistent with the City's Comprehensive Plan and Land Development Code with appropriate restrictions. Therefore, Staff recommends APPROVAL

Questions of Staff:

Commissioner Perona inquired if the facility will be open seven days a week. Mr. Gilmore confirmed that it would be.

Questions of Applicant:

Santanecia Edmond was available for questions and believes this expansion is beneficial for the community as it is one of the few facilities available seven days a week.

Commissioner Perona inquired of the ages of the children services are provided to. Ms. Edmonds explained they serve six weeks to twelve years old and have tutoring services for students to seventeen.

Commissioner Jeremiah Johnson inquired if there is a school next to the proposed location. Ms. Edmonds commented that Synergy is next to them and provides them with food services.

Mayor Hudson closed the public hearing

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve the Conditional Use.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- g. Quasi-Judicial Hearing - Review and approval of an application for a Conditional Use and Site Plan (Development Review) submitted by owner/applicant Huey & Karen Blackman, to construct a single-family home that will be approximately 33 feet and 11-5/8 inches in height from FEMA Based Flood Elevation at 1627 Thumb Point Drive. The property is zoned Single-Family Low Density (R-1); Parcel ID 2401-700-0001-000-3.

City Clerk Linda Cox introduced the Conditional Use Application Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - No Commissioner Curtis Johnson Jr.- No

Commissioner Jeremiah Johnson- No Commissioner Thomas Perona- No Mayor Hudson - No

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing. Staff Presentation:

Venice Gilmore, Senior Planner/Planning Supervisor, presented an application for Conditional Use and Site Plan (Development Review) submitted by owner/applicant Huey & Karen Blackman, to construct a single-family home that will be approximately 33 feet and 11-5/8 inches in height from FEM A Based Flood Elevation at 1627 Thumb Point Drive. The property is zoned Single-Family Low Density (R-1); Parcel ID 2401-700-0001-000-3. The requested Conditional Use with New Construction is compatible with the surrounding neighborhood and is generally consistent with the City's Comprehensive Plan and Land Development Code with appropriate restrictions. Therefore, Staff recommends APPROVAL

Questions of Staff:

None

Questions of Applicant:

Huey Blackman was available for questions, providing his reason for the properties use, and elevation. Commissioner Perona commented that the rendering fits in with the surrounding neighborhood.

Commissioner Jeremiah Johnson inquired on the feet of the finished floor. Mr. Blackman explained that it is near fifteen.

Mayor Hudson opened the public hearing, Seeing no one, she closed the public hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Thomas Perona approve the Conditional Use at a height not to exceed 35 feet.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- h. Quasi-Judicial Hearing - Review and approval of an application for Site Plan (Development and Design Review) approval submitted by property owner Scannell Properties #533 LLC and applicant Jeff H. Iravani, Inc., to construct one building totaling 750,500 square feet of office and warehouse distribution space with associated site improvements at SE corner of Kings Highway and White Road approximately ½ mile north of Okeechobee Road and known as Kings Highway Commerce Park Phase II. The property is zoned Commercial Parkway (CP-1); Parcel IDs: 2324-241-0004-000-0, 2324-211-0001-000-6, 2324-214-0002-000-2, 2324-214-0001-000-5, 2324-241-0002-000-6, 2324-241-0003-000-3, 2324-211-0002-000-3, 2324-232-0000-000-4, 2324-210-0000-000-6.

City Clerk Linda Cox introduced an application for Site Plan (Development and Design Review) Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - No Commissioner Curtis Johnson Jr.- No
Commissioner Jeremiah Johnson - No Commissioner Thomas Perona- No
Mayor Hudson - No

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing.

Vennis Gilmore, Senior Planner/Planning Supervisor, presented an application for Site Plan (Development and Design Review) approval submitted by property owner Scannell Properties #533 LLC and applicant Jeff H. Iravani, Inc., to construct one building totaling 750,500 square feet of office and warehouse distribution space with associated site improvements at SE corner of Kings Highway and White Road approximately ½ mile north of Okeechobee Road and known as Kings Highway Commerce Park Phase II. The requested application for Site Plan (Development Review and Design Review) meets the criteria specified in Sections 125-313, and 125-314 of the City Code, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience, and general welfare. Therefore, Planning Staff recommends APPROVAL of the project with the following Conditions:

1) A Landscape Bond for all site landscaping shall be provided pursuant to City Code 123-6 prior the issuance of the first Final Certificate of Occupancy for the site.

2) Prior to the issuance of a site work permit, all properties contained within the subject development will need to be combined through a parcel combination with the St. Lucie County Property Appraiser's Office and a Unity of Title with the St. Lucie County Clerk of Courts.

Questions of Staff:

Commissioner Jeremiah Johnson inquired if discussion took place on traffic impact and did St Lucie County or the DOT comment on upcoming projects. Mr. Gilmore explained that the report was a part of the application and comments from the County will be presented by the applicant.

Questions of Applicant:

Jeff Irvani, Jeff Irvani Inc, presented phase two of the proposed project and explained that the traffic impact report was approved by FDOT and St Lucie County. In addition, he thanked Staff for their support.

Commissioner Jeremiah Johnson inquired if the employees are stationed there. Mr. Irvani explained that the employees will be there permanently ahead of construction jobs.

Mayor Hudson opened the public hearing,
Seeing no one she closed the public hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve the application for Site Plan (Development and Design Review) with two conditions.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- i. Quasi-Judicial Hearing - Review and approval of an application for a Conditional Use and Site Plan (Development Review and Design Review) submitted by owner, U-Haul Co. of Florida and representative Jeffery W. Banker, Highland Engineering, Inc., to construct a four (4)-story storage building totaling approximately 33,888 square feet with associated site improvements at 3602 S US Highway 1. The property is zoned General Commercial (C-3); Parcel IDs: 2434-121-0005-000-6, 2434-123-0001-000-4, 2434-123-0002-000-1.

City Clerk Linda Cox introduced an application for a Conditional Use and Site Plan (Development Review and Design Review) Mayor Linda Hudson called the proceeding to order.

City Clerk Linda Cox confirmed the City complied with the advertisement and notice requirements.

Mayor Linda Hudson inquired with the Commission regarding ex-parte communications and asked City Clerk to call the roll:

Commissioner Arnold Gaines - No
Commissioner Curtis Johnson Jr. - No
Commissioner Jeremiah Johnson - No
Commissioner Thomas Perona - No
Mayor Hudson - No

City Clerk Linda Cox swore in those wanting to speak during this Quasi-Judicial hearing. Staff Presentation:

Vennis Gilmore, Senior Planner/Planning Supervisor, presented an application for a Conditional Use and Site Plan (Development Review and Design Review) submitted by owner, U-Haul Co. of Florida and representative Jeffery W. Banker, Highland Engineering, Inc., to construct a four (4)-story storage building totaling approximately 33,888 square feet with associated site improvements at 3602 S US Highway 1. The property is zoned General Commercial (C-3). The proposed Conditional Use - Site Plan (Development Review and Design Review) applications adhere to the requirements of the City Land Development Code and guidelines of the City's Comprehensive Plan and does not appear to adversely affect the public health, safety, convenience, and general welfare. Therefore,

Staff recommends APPROVAL of the requested applications with the following conditions:

1) A certified letter of completion by a landscape architect, cost estimate, and landscape bond pursuant to City Code 123-6 shall be required before the Final Certificate of Occupancy is approved for the site.

2) Prior to the issuance of a site work permit, all properties that make up this development will need to be combined with a parcel combination with the St Lucie County Property Appraiser's Office and a unity of title with the St Lucie County Clerk of Courts.

Questions of Staff:

None

Questions of Applicant:

Jeff Banker, Highland Engineering reviewed staff report and requested the Commissions approval.

Mayor Hudson opened the public hearing,
Seeing no one she closed the public hearing.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve the application for a Conditional Use and Site Plan (Development Review and Design Review).

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

13. CITY COMMISSION

- a. Resolution 22-R24 appointing members to the Sunrise Theatre Advisory Board as a result of the revised structure.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.

RESOLUTION NO. 22-R24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, REMOVING EXISTING BOARD MEMBERS AND CERTIFYING THE APPOINTMENT OF MEMBERS TO THE SUNRISE THEATRE ADVISORY BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Arnold Gaines to approve Resolution No. 22-R24 appointing Jessica Ching and Luke Croghan.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

- b. Resolution 22-R25 appointing Dennis DeVivo to the Board of Examiners of Contractors as a consumer representative.

City Clerk Linda Cox introduced the Resolution, read by title only, into the record.

RESOLUTION NO. 22-R25

A RESOLUTION THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE BOARD OF EXAMINERS OF CONTRACTORS; PROVIDING FOR AN EFFECTIVE DATE

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Resolution No. 22-R25 appointing Dennis DeVivo.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr.,
Commissioner Jeremiah Johnson, Commissioner Thomas Perona, Mayor
Linda Hudson

Passed

14. 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 Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

No comments

15. COMMENTS FROM THE CITY MANAGER

City Manager Nick Mimms- No comments
City Clerk Linda Cox - No comments
City Attorney Tanya Earley- No comments

a. Reports

16. COMMENTS FROM THE COMMISSION

Commissioner Perona- No comments

Commissioner Curtis Johnson, Jr thanked everyone who participated in the 1st Annual Juneteenth Celebration/Block Party as it was a huge success which made it to the national news.

Commissioner Gaines commented on the success of the Juneteenth Celebration/Block Party and asked the City Manager if the events can be combined in the future. The NAACP awarded Commissioner Gaines, Commissioner Curtis Johnson, Jr., and the INC organization at their event on June 18th.

Commissioner Jeremiah Johnson-No comments

Mayor Hudson-No comments

17. ADJOURNMENT

Immediately following adjournment, please move toward the doors and exit the chambers. This allows for the safe and courteous exit of all persons, and those on the dais. Conversations after the meeting should be held outside of chambers, in the foyer or elsewhere, but not in the commission chambers where lights will be out as soon as the chambers are empty.

Mayor Linda Hudson adjourned the meeting at 8:15 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER