



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON MONDAY, **AUGUST 14, 2023**, 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

Ms. Daniel entered the meeting at 2:10 PM.

Present: Uline Daniel; Nichelle Clemons; Harold Albury; Anton Kreisl; John Hening; Frank Creyaufmiller, Chairman

Absent: Alexander Edwards

Staff Present: Kev Freeman, Planning Director
Vennis Gilmore, Assistant Planning Director
Ryan Alitzer, Senior Planner
Kerry Charles, Planner
Alicia Rosenthal, Planning and Development Organizer

4. CONSIDERATION OF ABSENCES

Mr. Edwards absence will be voted on at the September 11, 2023, Planning Board meeting.

5. APPROVAL OF MINUTES

a. Minutes from the July 12, 2023 meeting

Motion was made by Harold Albury, and seconded by Nichelle Clemons to approve the minutes from the July 12, 2023 meeting.

AYE: Nichelle Clemons, Harold Albury, Anton Kreisl, John Hening, Chairman Frank Creyaufmiller

Passed

6. NEW BUSINESS

a. **Annexation - Patrick & Keniesha Burton - Avenue Q - Parcel ID: 2405-501-0131-000-4**

Ms. Charles gave an overview of the application. She stated the applicant is requesting a voluntary annexation of one (1) parcel at or near Avenue Q. The subject property has St. Lucie County Future Land Use designations of Residential Urban 5 du/ac (RU) and a St. Lucie County Zoning designation of Residential, Single-Family, 4 du/ac (RS-4). The applicant is proposing Future Land Use designations of Low Density Residential (RL) with a Zoning classification of Single-Family Low Density Residential Zone (R-1). The current value of the vacant property is \$25,000.

Patrick Burton, Applicant, stated he plans to either build a single family home to rent out or build a quadplex. Mr. Burton noted the vehicles that were parked on the property were associated with the home that was being built to the west of his property and the vehicles are no longer there.

Motion was made by Harold Albury, and seconded by Nichelle Clemons to forward a recommendation of approval to the City Commission.

AYE: Harold Albury, Anton Kreisl, John Heaning, Uline Daniel, Nichelle Clemons, Chairman Frank Creyaufmiller

Passed

b. **Annexation - Ubilla-Duque Holdings, LLC 3307 S. US Highway 1 - Parcel ID: 2427-601-0050-000-7**

Ms. Charles gave an overview of the application and stated the applicant is requesting a voluntary annexation of one (1) parcel at 3307 S. US Highway 1. The subject property has St. Lucie County Future Land Use designations of Commercial (COM)/Residential High (RH) and a St. Lucie County Zoning designation of Commercial General (CG)/Residential, Multi-Family, 11 du/ac (RM-11). Ms. Charles stated the applicant is proposing split Future Land Use designations of General Commercial (GC) on the east end of the parcel and Residential on the west end, with a Zoning classification of General Commercial (C-3). The current value of the vacant property is \$359,260.00. Mr. Charles stated the Planning department is waiting on the legal surveys for the split of the Future Land Use in order to move the application to City Commission for approval.

Mr. Freeman explained, at the moment, the Planning department does not have the legal surveys or the site areas that the split would be looking to establish. Mr. Freeman suggested a motion by the Board to move the application forward with the split Future Land Use, before it goes to City Commission, to accommodate the switch in accordance with the transfer of the county city designations, so the applicant, in the future, does not need to come in with a new Future Land Use application. Mr. Freeman confirmed the application will not move to City Commission until the applicant adequately describes the division between the commercial and residential areas in accordance with the Future Land Use split that is established in the county. Mr. Freeman noted if appropriate documentation is not received from the applicant, the Future Land Use will move forward as it is now, General Commercial (GC).

Staff answered questions from the Board on the location of the split, egress on 7th Street, and the buffer between the commercial and residential areas.

Alejandro Toro, Applicant Representative from EDC, stated he has had numerous conversations with staff, and EDC will be pinpointing the legal description for each boundary. He said the survey department is coming up with the scope and separate surveys for the split, along with a color exhibit showing the split. Mr. Toro answered questions from the Board on the residential/commercial percentages of the parcel, and residential density.

Mr. Toro said it is the full intent of the applicant to match the county Future Land Use. He noted the applicant owns a granite business, and he wants to use one (1) acre of the parcel for residential, and the remaining two (2) acres for the granite business.

Brad Currie, Applicant Representative from EDC, said they are retaining the county land use designation with the annexation, and they are proposing the same Future Land Use as the county. He noted the only thing needed is the legal descriptions.

Motion was made by Anton Kreisl, and seconded by Nichelle Clemons to forward a recommendation of approval to the City Commission with the following condition:

1. The applicant would be required to provide legal sketch and diagrammatic exhibits to confirm the split within the lot between the residential and commercial Future Land Use. It will be aligned with the existing line that the county holds now. If provided the application will move forward to the City Commission.

AYE: Anton Kreisl, John Heaning, Uline Daniel, Nichelle Clemons, Harold Albury, Chairman
Frank Creaufmiller

Passed

c. **Conditional Use with New Construction - Olson Residence - 2507-234-0002-000-5 and 2507-234-0003-000-2**

Mr. Gilmore gave an overview of the application and answered questions from the Board on the property setbacks, window specifications for South Beach, and lot combinations. Mr. Gilmore stated the applicant is requesting the review of an application for a Conditional Use for a 35-foot-tall single-family residence. Due to the existing height of the dune and base flood elevation, the second-floor elevation needed to rise approximately 9-foot 8-inches above the base floor elevation, consequently, greatly reducing the allowance for tall ceilings and structural requirements for a multi-level design. Mr. Gilmore said the Future Land Use is Low Density Residential (RL) and the Zoning is Single-Family Intermediate Density Zone (R-2).

Mr. Gilmore stated the purpose of a conditional use is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare. In addition, in permitting a conditional use, the City Commission may impose, in addition to those standards and requirements expressly specified in article V. Conditional Uses, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Mr. Gilmore noted the applicant confirmed the property is to be occupied as a single-family residence by the property owners.

Mike Seal, Architect of Record, explained the home is well within all the setbacks and the home is set back from the street for privacy which aids in the streetscape. Mr. Seal said the entire street is east of the Coastal Construction Control Line and no development is allowed on the dune or east of the dune.

Mr. Freeman explained there are no separate side setbacks for the South Beach Overlay District. He said the setbacks relate to the R2 zoning. Mr. Freeman stated the front elevation cannot intrude on the front setback. Mr. Freeman noted the property is in a special flood hazard area, and it will have to meet state requirements and obtain flood permits from the Building department.

Chairman Creyaufmiller asked the intention of the seven suites, which are independent of the owner's occupied space. He expressed concerns with the home becoming a bed and breakfast and a party house.

Mr. Gilmore noted a condition was added that states the use of the property be maintained as a single-family residence only and shall not be utilized to accommodate short-term rentals as regulated by section 22-506 of the City's Code of Ordinances.

Chairman Creyaufmiller suggested adding conditions to protect the community that state the use of the property shall not be used as a vacation rental, bed and breakfast, rooming house or any other use that rent rooms.

Marcel Macias, Business Partner of Property Owner, stated the owner will not be running the family business from the home and nine (9) months out of the year the Surfside home will be their primary residence.

Charles Bent, resident, spoke against the application and had concerns with the walls along the Surfside and Coconut Beach access points. He said the house is not consistent with the neighborhood.

Stan Synkoski, resident, spoke against the application, and he said the home is basically a bed and breakfast or a hotel with seven (7) lockable suites.

Kara Niejadlek, resident, showed pictures of the Surfside and Coconut Beach parks. She stated the home has a potential to become a short term rental with the owner suite locked off.

Charles Selig, resident, expressed concerns with noise from the swimming pool coming from a seven (7) bedroom home. He also expressed concerns with parking and street flooding.

Tom Rager, resident, stated his privacy will be taken away along with the Coconut Beach access parking lot.

Mike Seal, Architect of Record, stated the owners chose the site for privacy, quietness at the end of the street, and to be set back off the street. He said the intentions of the separate suites and bedrooms are for guest to stay in when friends come to visit. The layout of the bedrooms are linear, so every bedroom has a view of the ocean, which creates massiveness of the house. Mr. Seal noted the property owner is currently going through a Unity of Title with the Property Appraiser's office. He said the turtle lighting has to abide by the FDEP, Florida Department of Environmental Protection. Mr. Seal said the building will be designed per the building code retention and runoff. Mr. Seal stated there will be six (6) garage doors with double car depths and plenty of room in the driveway for parking since the home is set back from the street. Mr. Seal highlighted that the home is not a hotel or a bed and breakfast.

Mr. Albury stated he worked on a house that had eight (8) or nine (9) suites, two (2) kitchens and five (5) people were living in the home where the residents wanted to have space. Each suite had its own bathroom. He said he understands the frustration people have, but families are setting up life for their family for the long term future and residents have to rule out the false accusals of the home being a bed and breakfast or hotel.

Chairman Creyaufmiller noted the Ocean Village buildings next to Coconut Park do not fit in with the scale of the buildings in Surfside.

Mr. Freeman explained the property appraiser's office is the correct mechanism for combining lots, and the city has no jurisdiction over the property owner's rights to do this.

Mr. Gilmore explained there are no design standards for single family residences and Mr. Freeman stated the city is further restricted by the state statute unless the city has an overlay.

Mr. Gilmore stated in the R2 zoning, 28 feet of height is allowed. The applicant is requesting 35 feet.

Mr. Kreisl asked Mr Seal, if he had designed any options, so the home would not need Conditional Use approval.

Applicant, Mike Seal, stated there were two options, but they could not get the amount of space to fit into the height because of the dune height and having to raise the main floor to see the beach. The other option would require squashing down the floors and not having tall ceilings.

Mr. Freeman explained Surfside is in a special flood area and any properties that are 50% damaged from a storm would have to be constructed much higher. Mr. Freeman noted there is no guarantee the flood elevations will not rise and everyone in the Surfside will potentially be effected if a storm event hits the area.

Mr. Kreisl stated the home is very a typical for the Surfside neighborhood, and he reminded the Board to consider the "Conditional Use" slide during the presentation before they vote.

Mr. Heaning stated the home is not that far-fetched based on the condos to the north and south of Surfside Drive. He said it is a shame to turn down the house for seven (7) feet.

Chairman Creyaufmiller stated he is not a fan of approving the Conditional Use because the scale, size, and separation of private use of structure versus visitation use of the structure. He highlighted that he is not sure if it fits the health, safety and welfare of the community.

Mr. Kreisl said he has confidence in the design team in being able to accomplish building the structure without having to go over the height by seven (7) feet.

Ms. Clemons said the Board is strictly approving only the height and not the architecture. She highlighted that it is not up to the government to dictate the size the home can be built. She stated there are two other homes in the neighborhood that exceed the height.

Mr. Albury said time continues to show the flood levels are rising and everyone on the barrier island will eventually have to rebuild.

Ms. Daniel said the double lot will block the neighbor's view, and it is not too much to ask to accommodate a lower height.

Motion was made by Nichelle Clemons, and seconded by Harold Albury to forward a recommendation of approval to the City Commission with the following condition:

1. Prior to the issuance of Building Permit approval, A Unity of Title with the St. Lucie County Clerk of Courts and a Parcel Combination with the St. Lucie County Property Appraiser shall be provided.
2. The use of the property be maintained as a single-family residence only and shall not be

utilized to accommodate short-term rentals as regulated by section 22-506 of the City's Code of Ordinances.

AYE: John Heaning, Nichelle Clemons, Harold Albury

NAY: Uline Daniel, Anton Kreisl, Chairman Frank Creyaufmiller

Failed

Motion was made by John Heaning, and seconded by Harold Albury to forward a recommendation of approval to the City Commission with the following condition:

1. Prior to the issuance of Building Permit approval, A Unity of Title with the St. Lucie County Clerk of Courts and a Parcel Combination with the St. Lucie County Property Appraiser shall be provided.

2. The use of the property be maintained as a single-family residence only and shall not be utilized to accommodate short-term rentals as regulated by section 22-506 of the City's Code of Ordinances.

AYE: Nichelle Clemons, Harold Albury, John Heaning

NAY: Uline Daniel, Anton Kreisl, Chairman Frank Creyaufmiller

Failed

Motion was made by John Heaning, and seconded by Anton Kreisl to table the vote until next month's Planning Board meeting when there are seven (7) Board members present.

AYE: Uline Daniel, Nichelle Clemons, Harold Albury, Anton Kreisl, John Heaning, Chairman Frank Creyaufmiller

Passed

d. **Site Plan (Development Review and Design Review) - NAPA Auto Parts - 4001 Oleander Avenue**

Mr. Gilmore gave an overview of the application and answered questions from the Board. Mr. Gilmore stated the request is for a site plan to construct an approximately 14,086 square foot auto parts-retail store with associated site improvements. He said the subject parcel has a total of approximately 4.217 acres. Mr. Gilmore said the Future Land Use is GC, General Commercial and the Zoning is C-3, General Commercial. Mr. Gilmore showed the design review elevations and noted the building does not present adequate architectural value to meet the intent of the design guidelines. He highlighted the present design has no architectural roof overhangs, no articulation in building elevations, limited articulation of rooflines and large areas of blank walls. Mr. Gilmore stated NAPA will not be developing the entire site.

Chairman Creyaufmiller said some additional architectural features on the walls will help to upgrade the residential and commercial area.

Mr. Freeman explained investors are looking at what is next to their property. He noted most design guidelines are currently not being met, and the city does not want box buildings with blank elevations. He stated this could put the city in danger of guaranteeing standards of architecture. Mr. Freeman said he would like to see the start of an effort to identify Fort Pierce with an architectural design the city is proud of.

Mr. Kreisl agreed, and he stated the city needs to be looking forward and little things make a big difference in years to come. Mr. Heaning agreed.

Mr. Albury stated he was extremely pleased the architecture was commented on. He said the improvements have to start somewhere, and the NAPA building needs to integrate into the residential community to the south and east.

Mr. Freeman provided examples of what the Planning Department would like to see including a front elevation like a retail store instead of a warehouse, break points in the roofline, elevation articulation and how the entrance way presents itself to the street.

Michael DePree, Project Engineer from DePree Engineering, stated the development to the south is buffered by lots of trees due to the underdevelopment of the NAPA store site. He said the front elevation is not the street side of the building. Mr DePree stated the Main Street facade sample pictures provided by staff are not feasible for the NAPA store. He highlighted the entryway is recessed for articulation. Mr. DePree noted the area has metal buildings with dirt lots and to the north is an industrial area. Mr. DePree said the discharged treated water will go into Platt's Creek and there will be substantial stormwater runoff on site.

Thomas LaPerriere, Architect of Record, stated he is weighing the needs of the clients, the budget and the esthetics the city is looking for with the surrounding heavy industrial and light industrial uses. He said they tried not to make it a standard warehouse by using split face block columns, elevation change on Oleander Avenue side, modified building material on the facade, and vertical breaks and reveals. Mr. LaPerriere noted that NAPA is used to using pre-engineered metal buildings. He asked for additional clarification for what is needed to make the building acceptable to the Planning department.

Mr. Freeman stated staff wants to engage with the architects to discuss blank areas of wall that need attention and how the building can be broken up through texture and rhythm. He noted the Planning department is not looking for substantial building design. Mr. Freeman suggested they cut down on the volume of the costly facade material and split the elevations out, add striping, and apply paint or color to offset the cost.

Motion was made by Harold Albury, and seconded by John Heaning to forward a recommendation of approval to the City Commission with the following conditions:

1. A completion certification 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 any site clearing permits, the applicant shall provide a Tree Mitigation Survey and coordinate with the City of Ft. Pierce Arborist for the required mitigation of the City regulated trees proposed to be removed as a result of this site's development/construction activity.
3. Prior to Public Hearing by the City Commission the proposed design of the building shall be amended to incorporate: a. Elevational Articulation. b. Roofline Articulation. c. Breaking up of areas of blank wall.

AYE: Uline Daniel, Nichelle Clemons, Harold Albury, Anton Kreisl, John Heaning, Chairman
Frank Creyaufmiller

Passed

e. **Final Plat - Villas at Kings Landing - 125 A. E. Backus Avenue**

Mr. Gilmore gave an overview of the application. Mr. Gilmore stated the request is for a Final Plat to subdivide approximately 0.76 acres of land (more or less) into 10 platted lots

including one (1) private access tract for the Villas at Kings Landing subdivision. The subject property has a Future Land Use designation of Central Business District (CBD) and a Zoning designation of Planned Development (PD). Mr. Gilmore answered questions from the Board on the site plan changes to increase from eight (8) to ten (10) units, parking, and ingress and egress.

Brad Currie, Applicant Representative from EDC, said the main difference is the orientation of the buildings. The buildings were flipped and the driveways and garages are in the back of the units. He said the units are laid out like custom homes. Mr. Currie answered questions from the Board on sidewalks and parking.

Chairman Creyaufmiller asked if the changes had gone to the Historic Preservation Board and Mr. Freeman said Minor Amendments do not need to go before the Historic Preservation Board.

Motion was made by John Hening, and seconded by Nichelle Clemons to forward a recommendation of approval to the City Commission with the following condition:

1. 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: Uline Daniel, Nichelle Clemons, Harold Albury, Anton Kreis, John Hening, Chairman Frank Creyaufmiller

Passed

7. **COMMENTS FROM THE PUBLIC**

There were no comments from the public.

8. **DIRECTOR'S REPORT**

Mr. Freeman stated he presented an idea at the August 14, 2023 Conference Agenda to look into how we access the development of small lots particularly in Lincoln Park. He suggested proposing a bedrooms per acre density calculation. Mr. Freeman said this will allow for more development potential on small lots by having have more than one home on a lot. The homes would be small, affordable and attainable and will promote homeownership in the city. This will increase housing supply and market demands which will in turn reduce the housing cost. Mr. Freeman highlighted there are 2,000 small residential lots in Lincoln Park and half are vacant. The lots are too small to properly develop to pay for the cost and build out. Mr. Freeman stated this has been very successful in two other communities. In the future, proposed ordinance and zoning changes will be coming forward.

Chairman Creyaufmiller said it could be a convenient and inexpensive way to increase vacation rental properties in the city if the intent is not met.

Mr. Freeman said the Planning department received its first application for the Live Local affordable housing State Bill 102. The 210 multifamily development is proposed to be off of US Highway 1, north of Tumblin Kling Road. He said the current Zoning and Future Land Use is commercial. The state mandates the application be processed as administratively based on the city's regulations for multifamily residential, if the site is industrial or commercial. The applicant has to show there is a 30-year guarantee the homes are going to be affordable. They have to be designed in accordance with the city's

standards, including stormwater, and they can look at a parking reduction, which is state mandated. Mr. Freeman explained the application will be going to the Technical Review Committee on August 17, 2023. There will be no public hearings involved or change in Future Land Use or Zoning. Mr. Freeman concluded the applicant is looking for 100% affordable in the development.

9. BOARD COMMENTS

Chairman Creyaufmiller said the Board needs to operate like it's a Quasi-Judicial hearing by stating what is accurate and stating when you are giving a personal opinion. He said good evidence is needed by using statements that can be validated as being competent and substantial.

Mr. Heaning noted that Board discussion does not need to fit into the Quasi-Judicial category.

Mr. Albury applauded Mr. Freeman for doing his due diligence and guiding the Board in the right direction when they are at a loss for words. Mr. Albury said everything Mr. Freeman said today was "spot on".

Mr. Albury stated this meeting will be his last meeting because he is moving out of the area. Chairman Creyaufmiller wished him well.

10. ADJOURNMENT