

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON MONDAY, **FEBRUARY 13, 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

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

Staff Present: Kev Freeman, Planning Director
Sara Hedges, Assistant City Attorney
Shyanne Helms, Economic Development Manager
Vennis Gilmore, Assistant Planning Director
Ryan Altizer, Senior Planner
Alicia Rosenthal, Planning and Development Organizer

4. CONSIDERATION OF ABSENCES

All members were in attendance.

5. APPROVAL OF MINUTES

- a. Minutes from the January 9, 2023, meeting

Motion was made by Nichelle Clemons, and seconded by Alexander Edwards to approve the minutes from the January 9, 2023 meeting.

AYE: Nichelle Clemons, Uline Daniel, Harold Albury, Anton Kreisl, John Hearing, Alexander Edwards, Chairman Frank Creyaufmiller

Passed

6. HEARING OF THE LOCAL PLANNING AGENCY

a. Future Land Use Map Amendment - Resurrection Life - 1910 S. Jenkins Road - Parcel ID: 2418-322-0001-000-5

Mr. Edwards recused himself from voting.

Mr. Altizer gave an overview of the Future Land Use Map Amendment. He explained the request is to change the future land use classification from Medium Density Residential (RM) to High Density Residential (RH) for 4.883 acres of the parcel.

Brad Currie, Applicant Representative from EDC, Inc., said this is the first of many applications that will be coming forward on the project. Mr. Currie said the intent is to develop the northern piece of the 13 acres as a church facility with three components, consisting of a worship center, education facility and sports facility. The multifamily housing that is being proposed on this property will interact with the church by having a campus style facility where people can walk from building to building. Mr. Currie stated the applicant will be submitting Planned Development zoning applications for the residential piece and for the church facility. Mr. Currie concluded by highlighting that this is a one of a kind facility in Ft. Pierce and possibly in the country.

Trevor Banks, Representative for Resurrection Life and RLCEDC Developer, stated they are planning to offer a village style project with affordable, work force housing as well as a community health and wellness center in a 36,000 square foot dome facility. The whole facility is a tri-dome. The church facility is a 36,000 dome, and it will neighbor two connecting domes that will be 36,000 square feet. One will be an education facility and the other dome will be the community health and wellness center. There will also be an entrepreneurship incubator business facility center.

Mr. Banks answered questions from the Board on the number of residential units, if the church will be open to the public, federal and city government funding, security at workforce housing and if community is gated.

Motion was made by Nichelle Clemons, and seconded by Harold Albury to move the proposed Future Land Use Map Amendment for approval to City Commission.

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

Other: Alexander Edwards (ABSTAIN)

Passed

7. NEW BUSINESS

Mr. Freeman stated that Mr. Sanders notified him that he would not be attending the Planning Board meeting and he has no objections to any of the items on the agenda.

a. **Annexation - Joseph Land - Parcel ID - 2427-801-0085-000-5**

Mr. Gilmore gave an overview of the annexation. He stated the request is for a voluntary annexation for one (1) parcel of land at or near 277 Dixieland Drive. Mr. Gilmore explained that the subject property has a St. Lucie County Future Land Use designation of Residential High (RH), 15 dwelling units an acre and a St. Lucie County Zoning designation of Residential, Multi-Family, (RM-11), 11 dwelling units an acre. The applicant is proposing Future Land Use designations of High Density Residential (RH) with a Zoning classification of High-Density Residential Zone (R-5).

Chairman Creyaufmiller mentioned potential serious flooding issues by continuing to allow R-5 high-density residential in little pieces of property along US Highway 1.

Mr. Freeman said that drainage and stormwater treatment within the city should be the priority, and it needs to be addressed as a whole city. In terms of individual developments, the pervious/impervious issue will be the same ratio, regardless of zoning. The issue is how do we treat the stormwater from whatever development occurs on the property.

Mr. Gilmore stated the current St. Lucie County Future Land Use density is the same as the recommended city Future Land Use density.

Mr. Kreisl observed that the R-4 zoning is a more like for like zoning instead of R-5 zoning.

Mr. Freeman explained that the Future Land Use looks at the capacity of the whole and when you are calculating the likely impacts on the city the Future Land Use is used. He compared the zoning to layers on a cake and the Future Land Use as the cake itself. The zoning is sliced in different proportions and controlled by the city. Mr. Freeman noted that ultimately the property owner has the underlying Future Land Use as the maximum that can be built, and could be claimed as entitlement. Mr. Freeman stated It is difficult to say that R-4 or R-5 zoning is the ultimate number of properties that are put on the site. He also said It could also be converted to Planned Development.

Motion was made by Nichelle Clemons, and seconded by Harold Albury to forward a recommendation of approval to the City Commission for the annexation of parcel ID# 2427-801-0085-000-5.

AYE: Harold Albury, Anton Kreisl, John Hening, Alexander Edwards, Nichelle Clemons, Uline Daniel, Chairman Frank Creyaufmiller

Passed

b. **Zoning Atlas Map Amendment - Oak Alley Planned Development Scrivener's Error - 4483 S. 25th Street**

Mr. Gilmore explained that a scrivener's error occurred on Ordinance # L-303 on December 2, 2013. He stated the subject property located at 4483 S. 25th Street was annexed in the City of Fort Pierce, and it was accidentally annexed with the Oak Alley Subdivision Planned Development zoning designation. Mr. Gilmore noted that a Zoning Atlas Map Amendment will correct the error and the property owner has signed the attached application for the City to proceed with the correction. The application will amend the zoning Classification to R-1, Single-Family Low-Density Residential Zone.

Mr. Gilmore answered questions from the Board.

Motion was made by Nichelle Clemons, and seconded by Harold Albury to approve the proposed Ordinance; amending Ordinance L-303 in order to correct a scrivener's error of a parcel included within the adopted ordinance; removing the subject parcel located at 4483 S. 25th Street and amending its Zoning Classification to R-1, Single-Family Low-Density Residential Zone.

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

Passed

c. **Resolution 23-R17 - Extending the Peacock Arts District Boundaries and Providing for an Effective Date**

This item was moved up and presented as 7a.

Ms. Harnage showed a map of the proposed Peacock Arts District boundaries. Ms. Harnage explained the Peacock Arts District (PAD) was formally established on January 3, 2017, and subsequently expanded on August 19, 2019. The southern boundary of the expanded area was listed as Delaware Avenue; however the parcels on the south side of the street were not included. Resolution 23-R17 corrects that issue by incorporating the parcels on both sides of Delaware Avenue in the Peacock Arts District. Ms. Harnage answered questions from the Board.

Chairman Creyaufmiller made Ms. Harnage aware of the Waiver of Distance exemption for alcoholic beverage sales might not be included in parts of the Peacock Arts District.

Motion was made by Harold Albury, and seconded by Nichelle Clemons to forward a recommendation of approval of Resolution 23-R17 to the City Commission.

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

Passed

d. **Sunshine Presentation**

Sara Hedges, Assistant City Attorney, gave a presentation to the Board on Florida's open government laws, which included the Sunshine Law, Florida's Public Records Act and Voting Conflicts of Interest. Ms. Hedges explained who the law applies to and types of gathering and communications that constitute a meeting. Ms. Hedges also spoke about the policies governing opportunity of the public to be heard at public meetings and the behavior by members of the public. Ms. Hedges noted the prohibited restrictions on meetings and the consequences of violating the Sunshine Law. Ms. Hedges highlighted the seriousness of the Sunshine Law.

After the Sunshine discussion Ms. Hedges spoke about public records. She explained personal communications, retention, requests, and penalties for noncompliance.

Ms. Hedges finished with an explanation of voting conflicts of interest.

Ms. Hedges answered questions from the Board on speaking to commissioners one on one, speaking to applicants, and if the law is different for elected or appointed members.

Ms. Hedges encouraged the Board members to call her or the Commission on Ethics with

any questions or issues. She also highlighted that when a Board member has conversations with an applicant, it does not hurt to over disclose at the Board meeting, as it shows you are open with the public.

8. COMMENTS FROM THE PUBLIC

There were no comments from the public.

9. DIRECTOR'S REPORT

Mr. Freeman said he has been working on the city's strategic plan with the directors, consultant and city manager. He is waiting on the commissions decision on which planning priorities they want to move forward with.

Mr. Freeman said there was discussion at the last City Commission meeting regarding public notice, because a citizen did not get their mail delivery in a timely manner. The City Manager asked for an alternative methodology in notifying the public of when an application may affect them. Mr. Freeman is proposing a notification far in advance of when an application is being scheduled for Planning Board and City Commission.

Mr. Freeman said he is waiting on confirmation from Human Resources for a new planner to start early March 2023.

Mr. Freeman answered Mr. Albury's question regarding form based zoning in the downtown master plan. Mr. Freeman said this is only for the downtown, and it may be part of the strategic plan, and if so, it will be passed on to the Planning department.

Mr. Freeman said he has asked staff to create guidelines for adopting Historic District regulations. From the regulations he would like citizens to value the city and understand planning design and quality projects. He said the standard needs to be raised of the way the citizens live, so that they have pride with what's going on, and this will in turn, encourage people to invest in the city.

10. BOARD COMMENTS

Chairman Creyaufmiller asked the Board to recuse themselves prior to an item being presented, if a recusal is required.

Chairman Creyaufmiller stated he is beginning to work on changes to the Board's operating procedures, and he will bring the changes to the Board for review, with a vote at the following meeting after the review.

11. ADJOURNMENT

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Edwards, Alexander Q</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Planning Board</i>
MAILING ADDRESS <i>1900 Valencia Ave St. Lucie</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY CITY: _____ COUNTY: <i>St. Lucie</i>	NAME OF POLITICAL SUBDIVISION: _____
DATE ON WHICH VOTE OCCURRED <i>4/13/23</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Alexander Edwards, hereby disclose that on Feb 13th, 20 23:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of Resurrection Life Redevelopment Corp., by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

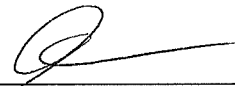
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am a board member of the RLRC

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4/13/23

Date Filed



Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.