

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON MONDAY, **MARCH 11, 2024**, 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: Justine Carter; Alexander Edwards; Anton Kreisl; John Hening; Nichelle Clemons; Frank Creyaufmiller, Chairman

Absent: Uline Daniel

Staff Present: Kev Freeman, Planning Director  
Ryan Alitzer, Senior Planner  
Kerry Driver, Planner  
Alicia Rosenthal, Planning and Development Organizer

**4. CONSIDERATION OF ABSENCES**

Ms. Daniel was excused.

**5. APPROVAL OF MINUTES**

- a. Minutes from the February 12, 2024, meeting

Motion was made by Anton Kreisl, and seconded by Nichelle Clemons to approve the minutes from the February 12, 2024, meeting.

AYE: Anton Kreisl, John Hening, Nichelle Clemons, Justine Carter, Alexander Edwards, Chairman Frank Creyaufmiller

Passed

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

**a. Future Land Use Map Amendment - Florida Barn - 3720 Okeechobee Road**

Mr. Altizer gave an overview of the application and answered questions from the Board. He stated the Future Land Use Map Amendment is for an approximate 1.06 acre parcel of land to change from Boundary Commercial (BC) to General Commercial (GC). Mr. Altizer said the current zoning is C-2, Neighborhood Commercial and the proposed zoning is C-3, General Commercial. Mr. Altizer showed the Future Land Use comparison, and he noted the 15 unit increase in density for the General Commercial Future Land Use change. He stated the applicant is not proposing an increase in dwelling units. Ms. Altizer explained the purpose of the Future Land Use Map Amendment is to unite the parcel with the other recently annexed parcels that have the same Future Land Use.

Mr. Kreisl asked if there are any commercial Future Land Use categories that don't include residential uses.

No one spoke for or against the application.

Motion was made by Nichelle Clemons, and seconded by Anton Kreisl to forward a recommendation of approval of the Future Land Use Map Amendment to the City Commission.

AYE: John Hening, Nichelle Clemons, Justine Carter, Alexander Edwards, Anton Kreisl,  
Chairman Frank Creyaufmiller

Passed

**7. NEW BUSINESS**

**a. Rezoning - Florida Barn - 3720 Okeechobee Road**

Mr. Altizer gave an overview of the application and answered questions from the Board. He stated the Zoning Atlas Map Amendment is for one (1) parcel of land, approximately 1.06 acres, to change the zoning classification from Neighborhood Commercial (C-2) to General Commercial (C-3). M. Altizer explained the intent of the zoning district, and he noted Outdoor and Indoor Entertainment is not allowed in the C-2 zone but is a Conditional Use in the C-3 zone. He said the Site Plan and Conditional Use will be coming to the Planning Board for a recommendation.

Jazz Jules, applicant, said they are proposing a multipurpose event center for weddings, non-profit events, formal dinners and corporate conferences. Ms. Jules stated they met with St. Lucie county about improving Totten Road. She said she is excited about having the site plan completed in a couple of weeks. Ms. Jules said the event center will have a caterer's kitchen, and patrons can bring their own vendors. Ms. Jules said the event center will have an industrial look with lots of glass and manicured lawns, similar to PGA National.

Chairman Creyaufmiller asked about the soil concerns in the environmental report.

Ms. Jules said the environmental testing was complete, and she highlighted that the tester was very surprised at how clean the area was. She said there are no wetlands or gopher tortoises on any of the four properties, only invasive species which will be removed and

cleaned. Ms. Jules noted one lot will be cleared and used for drainage only.

Motion was made by Nichelle Clemons, and seconded by John Hening to forward a recommendation of approval to the City Commission for the Zoning Atlas Map Amendment for 3720 Okeechobee Road.

AYE: Nichelle Clemons, Justine Carter, Alexander Edwards, Anton Kreisl, John Hening,  
Chairman Frank Creyaufmiller

Passed

**b. Annexation - 2507 Rolyat Street**

Ms. Driver gave an overview of the application. She stated the subject property has a St. Lucie County Future Land Use designation of Commercial (COM) and a St. Lucie County zoning designation of Commercial, Office (CO). The applicant is proposing a Future Land Use designation of General Commercial 15 du/ac (GC) with a zoning classification of Office Commercial (C-1). Ms. Driver said the site is approximately .24 acres and the property is contiguous to the Fort Pierce city boundary, reasonably compact; and will not result in the creation of an enclave. She noted the current value of the property is \$150,700 and it has an existing dwelling unit. Ms. Driver showed the FLU comparison chart and highlighted the three (3) unit increase in density.

No one spoke for or against the application.

Motion was made by Nichelle Clemons, and seconded by Alexander Edwards to forward a recommendation of approval of the annexation to the City Commission.

AYE: Justine Carter, Alexander Edwards, Nichelle Clemons, Chairman Frank  
Creyaufmiller

NAY: Anton Kreisl, John Hening

Passed

**c. Site Plan - Youth and Family Health Center- 1211 and 1213 S. 25th Street**

Mr. Altizer gave an overview of the application and answered questions from the Board. He stated the 4,306 square foot building will provide mental health services for ages three (3) and up. The proposed development includes a rain garden and utilizes pervious pavement for drainage. Mr. Altizer said the site is approximately .52 acres and has a Future Land Use of General Commercial (GC) and zoning of General Commercial (C-3). Mr. Altizer showed the landscape plan, the location of the rain gardens and elevations.

Jerry Compton, applicant representative, introduced himself and was available to answer any questions from the Board.

Motion was made by John Hening, and seconded by Nichelle Clemons to forward a recommendation of approval to the City Commission for the site plan 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. A gopher tortoise survey will be required per State Statute before construction can

begin.

3. Prior to the issuance of any site clearing permits, the applicant shall provide a Tree Mitigation Survey and coordinate with the City of Fort 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.
4. 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.

AYE: Alexander Edwards, Anton Kreisl, John Hearing, Nichelle Clemons, Justine Carter,  
Chairman Frank Creyaufmiller

Passed

d. **Zoning Text Amendment - Sec. 125-3 - General Definitions  
Providing Consistency with the State Statute and the City's Comprehensive Plan**

Mr. Freeman gave an overview of the Zoning Text Amendment and answered questions from the Board.

He stated the proposed amendment is to remove conflicts with existing state statute, and internal conflicts with the Code of Ordinances, and to provide consistency with the City's Comprehensive Plan. Mr. Freeman explained that staff looked at state statutes coming forward and how they will affect the existing code, and he noted the general definitions will link to other zoning code amendments in the future.

Mr. Freeman highlighted some of the changes to the definitions. He said an accessory use or structure is controlled by the zoning code and not by a definition. The code regulates setbacks, coverage, height, density etc. Mr. Freeman noted that this change will allow for full use of lots and remove encumbrances of developing property.

Mr. Freeman stated an amusement device and family amusement center is defined as a skill-based game or machine per state statute and will be added to the general definitions.

Mr. Freeman said the Agricultural Use definition will be added and used in cases of annexation where agricultural use is retained.

Mr. Freeman stated the definition change to Boardinghouse and Roominghouse will regulate such uses.

Mr. Freeman explained that density (net, gross, developable area, floor area ratio (FAR), lot coverage) needed a better definition to comply with the Comprehensive Plan.

Lastly, Mr. Freeman noted that definitions of modular, mobile and manufactured homes have been added, but the zoning code amendments regulating such are on hold pending the outcome of a review of the state statute concerning their allowed consideration as single-family dwellings.

Mr. Kreisl asked if anyone had questions regarding the oversight or regulation of agricultural activities. Mr. Freeman said the purpose is more for people annexing into the city. Currently, the Comprehensive Plan does not have an agricultural land use, but it will be proposed in 2025. Mr. Freeman noted the General Definitions were reviewed by the Development Review Task Force, the Technical Review Committee, and the City Attorney's office and property owners have provided comments.

Ms. Carter asked if the changes were already in the zoning code and if there will be any adverse effects from what is currently going on. Mr. Freeman explained that some of the definitions are not in the code, and he does not want to add definitions that will conflict with the existing code. He noted the Board may see additional definitions in the future for particular sections of the code. Mr. Freeman highlighted that the changes will cure bureaucratic difficulties and allow a consistent definition.

Chad Ingram, from the "Because We Love Lincoln Park" non-profit, stated he supports the Planning department in the changes being made. He suggested adding affordable housing, workforce housing, and agricultural urban farming to the definitions. He also mentioned amending the definitions of having a full kitchen in a dwelling unit, including increased density in the Freebee area, and separation from Boardhouse and co-living.

Motion was made by Anton Kreisl, and seconded by Nichelle Clemons to bring back the additional definitions to the Planning Board that were discussed at the March 11, 2024, Planning Board meeting.

AYE: Anton Kreisl, John Hening, Nichelle Clemons, Justine Carter, Alexander Edwards,  
Chairman Frank Creyaufmiller

Passed

e. **Zoning Text Amendment - Sec.125-322 - Fences, Walls and Hedges; Installation, Replacement and Maintenance  
Allowing Higher Fences Adjacent to the Railroad Right of Way (ROW)**

Mr. Freeman gave an overview of the application and answered questions from the Board. He said the proposed amendment is to allow higher fences up to eight (8) feet in certain locations abutting railway lines or railroad ROW on the rear and side property lines. The maximum height for fences within the front yard setback shall remain as provided in the zoning district. Mr. Freeman stated the issue is dangerous trespassing and access to and from the railroad.

Mr. Hening said an eight (8) foot privacy fence between properties is like making a fortress around the neighborhoods.

Board discussion ensued on the height, style and removing the side property line fence.

Motion was made by Nichelle Clemons, and seconded by Anton Kreisl to forward a recommendation of approval to the City Commission for the code amendment to allow fences up to eight (8) feet in height adjacent to the railroad right-of-Way (ROW).

AYE: Nichelle Clemons, Justine Carter, Alexander Edwards, Anton Kreisl, Chairman Frank Creyaufmiller

NAY: John Hening

Passed

f. **Zoning Text Amendment - Sec. 123-6 - Required Landscape Bond  
Replacing Landscape Bond Requirement with a Landscape Maintenance Agreement;  
Sec.123-7- Enforcement  
Inspections and Violation of Landscape Maintenance**

Mr. Freeman gave an overview of the text amendment. He said the landscape bond

requirement is a timely bureaucratic process to get a Certificate of Occupancy (CO). Mr. Freeman stated the existing site plan review and approval process requires the property owner to provide security through a landscape bond as a means to ensure that all approved landscaping is installed and maintained after approval. Mr. Freeman said, through code enforcement provisions, the city is able to inspect and require that all approved landscaping is maintained, protected and replaced as required. He stated the landscape maintenance agreement shall be attached to the approved landscape plan. Mr. Freeman noted the landscape maintenance agreement for required landscaping shall be approved by the Planning Department prior to issuance of a CO.

Mr. Kreisl addressed concerns about the enforcement being complaint based instead of a planned scheduled process.

Mr. Freeman said this change will have long-term benefits. Staff will be taking more ownership of what is being brought forward and have a hand in making the city look good. Mr. Freeman noted the planners would be the complainers when the landscape maintenance agreement is broken.

Ms. Clemons asked how current landscape bonds would be handled. Mr. Freeman said a maintenance agreement will be offered and a Minor Site Plan amendment will be needed to release the bond. Mr. Freeman said he plans to educate developers interested in the city and advertise the maintenance agreement as part of the development process.

Motion was made by John Hening, and seconded by Nichelle Clemons to forward a recommendation of approval to the City Commission for the replacement of the Landscape Bond with a Landscape Maintenance Agreement.

AYE: Nichelle Clemons, Justine Carter, Alexander Edwards, Anton Kreisl, John Hening,  
Chairman Frank Creyaufmiller

Passed

g. **Zoning Text Amendment - Sec 125-313 - Major and Minor Site Plans  
Increasing Administrative Thresholds for Residential and Commercial Development**

Mr. Freeman gave an overview of the application and answered questions from the Board. He stated the Development Review Task Force recommended proposing an amendment to the major/minor site plan application thresholds such that the major site plans will be considered as a residential project which exceeds 50 (existing code 20) total dwelling units; or a non-residential or mixed-use development over 10,000 (existing code 4,000) square feet in area based on the review of neighboring municipalities.

Chairman Creyaufmiller suggested the Planning Board become quasi-judicial and assist with reviewing the site plans for under 50 dwelling units and less than 10,000 square feet. He said it would add an extra level of support to the Planning Director, eliminate the City Commission hearing and allow the community to see all developments under review. Chairman Creyaufmiller said if the application meets the city code there is no need for City Commission review. He stated he does not want to make a decision if the application does not meet the code. Mr. Hening and Ms. Carter agreed.

Mr. Freeman suggested leaving the existing site plan limits and having a tier for site plans that are 4,000 to 10,000 square feet due to the support received from the City Commission and other entities. Mr. Freeman stated that current site plans of less than 4,000 square feet and less than 20 dwelling units are minor site plans, approved by a range of different departments, and administratively approved once the application meets code. Mr. Freeman

said removing development rights from the current process would cause a backlash, and he suggested keeping the existing system in place and reducing steps by not creating a separate tier.

Mr. Kreisl said he is not comfortable taking the public out of the initial site plan conversation.

Chad Ingram, representing "Because We Love Lincoln Park", said the numbers are competitive with surrounding municipalities and changing the limits is opening up arms for more business. He said if a project passes the code, there should not be so many additional steps. Mr. Ingram said this will make the development process smoother and faster. Mr. Ingram provided details on a project he has been working on. He highlighted the various costs needed for his innovative project. Mr. Ingram said he wants to operate in a safe space and economically kept away from setbacks. He said the city can always change the process if it is not working.

Ms. Carter asked Mr. Ingram if he thought the proposed amendment would make the City of Fort Pierce another Port St. Lucie. She also addressed concerns about where this type of development would be located.

Board discussion ensued on Mr. Ingram's ideas.

Ms. Carter asked Mr. Freeman how efficient the new limits would be.

Mr. Freeman explained the difference between the minor and major site plan review processes and decreased timelines and cost for the minor site plan review.

Mr. Kreisl asked if the limits were subjective. He said he wanted to know if the numbers make sense for the size of the community and the growth of development. Mr. Kreisl asked how the city makes it easy for applicants to do a good job and have reasonable oversight of things that don't go as planned.

Mr. Freeman said everything will be addressed as the application moves forward. He noted that commercial site plans between 4,000 and 10,000 square feet will most likely be located on outside parcels in larger developments. Mr. Freeman also said the Planning department is doing a lot of work behind the scenes on architecture, design and landscaping, which will add flexibility, attractiveness and help make the project economically feasible for the developer.

Mr. Kreisl said the Planning Director has the obligation to review and meet the code, but the City Commission is not bound to that restriction. He said if the Planning Board approved site plans up to 10,000 square feet, the application would not go to the City Commission for an extra review. He noted the code is getting cleaned up, and he would agree with the administrative ability to have more oversight if the code was right.

Mr. Hening said the Board needs to show trust in the proposed process and that the Planning department will do the right thing. He also said he would hate to take away a step that would make a difference in the process.

Motion was made by Nichelle Clemons, and seconded by John Hening to forward a recommendation of approval to the City Commission for the text amendment to the major site plan thresholds.

AYE: Alexander Edwards, John Hening, Nichelle Clemons, Chairman Frank  
Creaufmiller

NAY: Justine Carter, Anton Kreisl

Passed

**8. ELECTION OF CHAIR AND VICE-CHAIR**

Chairman Creyaufmiller announced his retirement from the Planning Board effective March 12, 2024.

Motion was made by Chairman Frank Creyaufmiller, and seconded by Nichelle Clemons to elect Mr. Kreisl as Chair.

AYE: Anton Kreisl, John Hearing, Nichelle Clemons, Justine Carter, Alexander Edwards,  
Chairman Frank Creyaufmiller

Passed

Motion was made by Chairman Frank Creyaufmiller, and seconded by Anton Kreisl to elect Ms. Clemons as Vice-Chair.

AYE: John Hearing, Nichelle Clemons, Justine Carter, Alexander Edwards, Anton Kreisl,  
Chairman Frank Creyaufmiller

Passed

**9. COMMENTS FROM THE PUBLIC**

There were no comments from the public.

**10. DIRECTOR'S REPORT**

Mr. Freeman told a story about how Chairman Creyaufmiller was one of the reasons he decided to come to the City of Fort Pierce. Mr. Freeman said he heard from a co-worker, who attended an American Planning Conference, about a Planning Board chair from Fort Pierce who spoke about his role as chair, the Planning Board process and how the Board links with the community and staff to not have surprises. Mr. Freeman said he had never heard of that. Mr. Freeman said if the Planning Board is responsive and communicative with staff, I am going to apply at the City of Fort Pierce.

Mr. Freeman said he hopes the new chair will be open to communication.

**11. BOARD COMMENTS**

Chairman Creyaufmiller said the Board working together is necessary, and he suggested calling the Planning department for any questions or additional information needed.

Chairman Creyaufmiller thanked the Board for their participation and dedication, and he highlighted that in eight years, only one meeting did not have a quorum.

**12. ADJOURNMENT**