

MINUTES OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, JANUARY 11, 2005, IN THE CITY HALL COMMISSION CHAMBERS (due to anticipated seating accommodations for the public), 100 NORTH U.S. 1, FORT PIERCE, FLORIDA.

Members present: Sonja Gates (Vice Chair), Chuck Enns, Harriett Brenner, and Robert Poitier, Jeremiah Johnson, and Charlie Harris (arrived at approx. 7:12 p.m., Thomas Knott and Pam Williams.

Members absent: Donald Bergman and Margaret Benton.

Citizens and Staff present:

Dawn R. Hilton
Kenna Hayes
Harold Turner
Tom Treacy
Clayton Yates
Jon Schmidt
Greg DeJohn
Bob Miller
Ken Hitchens
Cyndi Snay
Howell Watkins
Al Brodeur
Pete Fraccarol
Rod Kennedy
Richard Nevil, Jr.
Karon Tussing
Ward Snyder
Victor DeBellis
Mark Tussing

Ramon Trias, AICP, Director of Development
Wendy Clark, Planning Coordinator
Jim Walker, Assistant City Attorney
Dianna D. Rose, Secretary

Meeting was called to order at 7:00 p.m. (**Agenda Item #1**).

Secretary proceeded with roll call. (**Agenda Item #2**).

Ms. Rose stated that Mr. Bergman and Ms. Benton had indeed called in regarding their absences.

Mrs. Gates (Vice Chair, standing in for the absence of the Chair) stated – If it's alright with the Board I'd like to move item #2, the consideration of absences to the final portion of the meeting.

Approval of minutes of December 14, 2004. (**Agenda Item #3**).

MOTION WAS MADE BY MR. ENNS TO APPROVE THE MINUTES OF THE MEETING HELD DECEMBER 14, 2004. Seconded by Mr. Poitier. Unanimously approved by voice vote.

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Mrs. Gates stated – I think all of you have received an updated agenda from your original agenda. I think item #6 (Hartman Road Parcel) on your original is taken off. So, you should have an updated agenda. If you don't would you please let me know?

Agenda Item #4 – Site Plan/PUD – Mayfair at Lawnwood – Approval of a Preliminary Planned Unit Development (PUD) generally located on Lawnwood Circle. Owner/applicant is Max Ambach & Sons & Co.

Staff Report – Ms. Clark stated – This project takes place on the vacant remaining parcels of what is known as Villages of Longwood. It is a multi-family project...230 units, which equals out to 14 ½ dwelling units per acre. There are 23 buildings, two-story. And staff is recommending approval.

Mrs. Gates stated – Okay, thank you. Are there any questions for staff from the Board members please?

Mr. Johnson stated – I have one question. The item that was here from the Villages of Longwood, was that something provided recently or...? There was a document laying here on the desk. I didn't see it in the packet before.

Mr. Trias stated – That was provided tonight.

Mr. Johnson – Okay.

Mrs. Gates asked – Are there any other questions? If not, is there anyone here to speak on behalf of this request?

Mr. Clayton Yates stood and introduced himself and stated – Yes, ma'am, I'm here on behalf of Mayfair at Lawnwood LLC, which is the partnership that is contemplating buying the property from Mr. Ambach to put this condominium complex together. In trying to get this together, my clients have done everything they can to try to meet with the neighbors. We understand that there was a problem in the past with a proposed development there. We tried to do our homework and see if there are any objections if we could do anything to make those objections go away. We met with Mr. Harold Turner, who is the president of the Villages of Longwood Property Home Owners' Association. He is here tonight. And what I would ask is if the site planner, (Jon Schmidt?) can give you a brief presentation on what is set out to be put there, and I'd ask Mr. Turner is he could confirm that they don't have any objection to this project.

Mrs. Gates stated – Okay, thank you very much.

Mr. Harold Turner stood and introduced himself and stated – I'm the president of the Board of the Villages of Longwood. That's a 292-unit owner-occupied development. As you know, we've appeared before this Board in the past with many concerns. However, tonight we're here in a little different aspect. We've had several meetings with Ariel Homes, and we've also brought it up in one of our Board meetings and it was unanimously approved with the exceptions, which you have up there that are to go through, that we would like to welcome them as a neighbor. Thank you.

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Mrs. Gates – Thank you, sir.

Mr. Jon Schmidt stood and introduced himself and stated – I'm the site planner for the project. Just briefly here I'd like to show you an aerial of the property...just a little over 15 acres, really separated by two or three roads...Lawnwood, Nebraska, and, I believe, Quincy. This is the copy of the proposed site plan. As staff mentioned, it's 15 acres, 230 units, two story, 10 units per building. The main access points are off of these roads but the vehicular access does not go all the way through, they're just confined to these pods within the property so you don't get cross access between the roadways; one central community center. And some the things that we've done is provide additional setbacks along our eastern property line to add some separation between the existing neighbors and what we're proposing on the site. Although vehicular access doesn't go completely through the project, pedestrian access does go through the project. So, pedestrian pathways not only link into existing sidewalks, but alsoyou can go from one end of the property to the other, and use the amenities that are available to you. We did do some minor shifting around the buildings to the north and south to save about a little over two dozen existing trees...pines and oaks on the property. So, I think we've done a nice job in preserving as many of those as we can. If anyone has any questions, I'd be happy to answer them.

Mrs. Gates stated – Thank you. Are there any questions for the applicant?

Mr. Knott stated – Just one question I believe this gentleman can answer for me. The previous project that was very controversial...one of the items was the joint use of the master storm water system out there. Have you all been able to nail that down or get something on a piece of paper that says, yes, this piece of property has the right to use the existing pond that's permitted out there?...because I see no retention on site regarding storm water systems.

Mr. Yates stated – What's contemplated and what we've discussed and set forth in writing with the Villages of Longwood HOA, as was originally contemplated by the master PUD is this would drain into Village of Longwood's retention ponds and we've done a letter of intent with them saying that we're going to assume our rightful share of those maintenance costs.

Mr. Knott stated – Okay, because that was one of the points of intention of last time, that there was a lot of hard feelings because there was no piece of paper that said, even though it was designed as a master system, the parcel had no clear title or easement to drain into that. So, I'll assume you now are satisfied you've got that in hand, is that right?

Mr. Yates – Yes.

Mr. Knott – Thank you.

Mrs. Gates asked – Are there any further questions for any of the applicants from the Board?

Mr. Johnson stated – Yes. One question I have for you guys is, on number (2) of Mr. Turner's document to the Planning Board here talks about a vegetation buffer between the two properties. I

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noticed on the landscaping plan that it's more of a buffer of trees than it is of vegetation right now. What are you planning for that?

Mr. Schmidt stated – Yes sir. Just to address that at this point in the time that we're going to the Planning, it is just a code minimum landscape. A continuous hedge will be put along that whole property line as well as additional foundation plantings. So, the code minimum plan you're seeing right now is just exactly the way it is, it's just the code minimum. We do see putting a complete hedge along that whole property line.

Mr. Johnson asked – Okay, that's just the eastern mostfront?

Mr. Schmidt – Yes, that's correct.

Mr. Johnson continued – Okay, was there any consideration into a decorative barrier such as a fence of some sort, a wall, or? I'm leaning towards a decorative aluminum fence of some sort...maybe five feet high ...kind of a picket type decorative fence that would be in between the two also.

Mr. Schmidt stated – I can't speak for the neighbors ...I did meet with them a couple of times on a previous project. And we really want to be a part of the community here. I think they went a long way in bringing their community back around in terms of ownership and leasing of properties. And we really didn't want to separate ourselves from them. We're doing everything we can to really integrate the property. So, at this time we hadn't contemplated any type of berming or fencing between the properties.

Mr. Johnson – Thank you.

Mrs. Gates asked – Are there any other questions for the applicant?

Mrs. Brenner stated – I just wanted you to speak of the Quincy Avenue end of the property. It's going to be a dead end as it remains now?

Mr. Schmidt stated – We're not proposing any access out onto Quincy.

Mrs. Brenner – Okay, thank you.

Mr. Schmidt added – Our closest access would be out of south Lawnwood.

Mrs. Brenner – Thank you.

Mrs. Gates asked – Are there any further questions? Thank you very much.

Mr. Schmidt – Thank you.

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Mrs. Gates continued – Okay, is there anyone here to speak against this request? Okay, what are the Board's wishes?

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN/PUD. Seconded by Mrs. Brenner.

Mrs. Gates asked – Is there any further discussion on this issue?

Mr. Johnson asked – Do we need to include in that motion—I'm not sure we can include it at all—but that the developer will meet some of the conditions that the association has put forth ...I don't know if we need to mention any of that or not...

Mr. Enns added – I don't know if they've got a copy of that or not...do you have a copy of that Clay?

Mr. Yates – Yes, we do.

Mr. Knott asked the applicants – And you all agree with all the conditions that are there?

Mr. Poitier added – They agreed with everything they had.

Mrs. Gates asked – I believe, Mr. Walker, am I correct in stating that this Board can recommend the conditions if they want to add them to this...?

Attorney Walker asked – May I see those please?

Applicant gives Attorney Walker a copy of the conditions from the Homeowner's Association of the Villages of Longwood.

Attorney Walker stated after looking over the documents – Yes, ma'am.

Mrs. Gates stated – Okay. Do we need to restate the motion?

Attorney Walker stated – For purposed of clarity it would be my recommendation that the motion set out the Board's recommendation of approval subject to the conditions that are reflected as agreed upon in the correspondence that council has handed us.

Mrs. Gates – Okay.

Motion restated

MOTION WAS MADE TO APPROVE THE SITE PLAN/PUD WITH THE CONDITIONS REFLECTED IN THE CORRESPONDENCE. Seconded by Mrs. Brenner.

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Ms. Rose (secretary) asked – Since Mr. Harris has just arrived does he get to participate in the voting of this motion?

Mrs. Gates asked – Mr. Harris just came in?

The secretary reiterates her question.

Attorney Walker stated – Yes, madam chair.

Mrs. Gates stated – Yes, if he feels he understand the issue at hand.

The secretary stated – Okay, and proceeded with the roll call.

Unanimously approved by roll call vote.

Mrs. Gates stated to the applicant – Okay, your request has been approved, and you will receive a notice of the regular City Commission meeting when it will be coming before the commission, and I think you have a good project, and a much-improved project. And I'm glad to see the Villages of Longwood going along with this. So, hopefully you're going to be good neighbors.

Applicants – Thank you very much.

Mrs. Gates – Thank you.

Agenda Item #5 – Site Plan – Coconut Cove Marina – Approval of a 28-unit residential townhouse project located at 443 Fernandina Street in an area known as Faber Cove. Owner is (W. Robert Miller) of Seaside Housing Corporation, LLC, applicant is Culpepper & Turpening, Inc., and representative is Richard Ladyko, P.E.

Staff Report – Ms. Clark stated – The property is currently developed as an existing residential community and also what is being proposed is a residential project, which consists of 26 townhomes and it also includes the preservation of two historical structures on the property. There have been architectural and landscaping features for the site. And staff is recommending approval.

Mrs. Gates stated – Thank you. Are there any questions for the staff from the Board?

Mr. Knott stated – I just wanted to ask the staff. Out of curiosity, what makes the existing structures architecturally/historically valuable? Is there some criteria?

Mr. Trias stated – Mr. Knott, the criteria deals with two issues. One is the age of the structure, which is over 50 years old, and that's the line we use to determine those things....and in addition to that, we also go with architectural style and architectural quality, and in this case it's mission style from the early days and so on. So, the architectural flavors also are taken into account. So, those are the two items of the criteria.

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Mr. Knott stated – Okay, thank you very much.

Mrs. Gates asked – Are there any other questions for staff? If not, is there anyone here to speak in favor of this request?

Mr. Bobby Kline stood and introduced himself and stated – I'm with Kline & Dobbins, on behalf of the applicant and the developer. Listening to Wendy (Clark) go through the report and reading it, I think the staff did a real good job of going through this project. We tried to put together a complete package that included pictures and a lot of the things that we would talk to you about. So, rather than belaboring things, I would let you know that we're here to answer any questions if you have any. We would ask you to support the staff's recommendation of approval. If you would like me to go through some of the highlights I'd be glad to do it but I wouldn't want to waste your time if you're comfortable with it.

Mrs. Gates stated – Thank you. Are there any questions for the applicant on this project?

Mr. Knott stated – Mr. Kline, it looks like there's a letter from the DEP about the docks back there. I thought those were existing, or is this a transfer or an improvement or something?

Mr. Kline stated – We're just showing that the docks are properly licensed...

Mr. Knott – Oh, is that all...?

Mr. Kline continued – Just evidence that it's there. We tried to provide as much information as we could...I'm sorry I gave you too much.

Mrs. Gates added – We can't have too much...this is great.

Mr. Knott added – I couldn't quite figure out if it was a new application or

Mr. Kline added – As a matter of fact, we're reducing the number of slips from 43 to 28.

Mr. Knott stated – Hmmm. Thank you.

Mr. Kline – Thank you.

Mrs. Gates asked – Any further questions?

Mrs. Brenner stated – Mine is not really a question. I would just like to complement you on listening to the community and coming back with a much more pleasing package and for providing us with a written traffic impact statement. We do appreciate the effort when it comes back to us.

Mr. Kline stated – And we appreciate some of the suggestions that were made that allowed us to do that.

Mrs. Gates asked – Anybody else?

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Mr. Johnson stated – The two units that are being preserved ...you do plan on using those for lease units or rental units...whatever they are?

Mr. Kline stated – Yes. There will be two units in the existing historical structure that are going to be used as units and then there will be 26 units built. And the inside of the structures are going to be refurbished....they're going to be a lot nicer than they are now obviously.

Mr. Johnson stated – Yeah, I want to say the same thing. There was some issues with the first go around and then there's a greatly improved project here that looks very good.

Mr. Knott stated – One other question. Are these fee simple, are these going to be leased, what's the arrangement?

Mr. Kline stated – These will be fee simple townhouses.

Mr. Knott continued – So, they will be owner occupied or what have you?

Mr. Kline – Yes.

Mr. Knott – Thank you very much.

Mr. Kline – Thank you.

Mrs. Gates asked – Anybody else? You got off easy...believe me.

Mr. Kline stated – Well, maybe the first time. If necessary I'll come up and address anything if anything else comes up in the public hearing.

Mrs. Gates stated – Thank you. Is there anyone here to speak against this request? What are the wishes of the Board on this issue?

MOTION WAS MADE BY MR. JOHNSON TO APPROVE THE SITE PLAN. Seconded by Mr. Poitier.

Mrs. Gates asked – Is there any discussion on this? I would also like to thank you all. I think this is probably one of the most well-presented projects that I've seen come across here. And as a member of the Historic Preservation Board, I would like to commend you on your efforts to preserve something that is very special to a lot of people in Fort Pierce. And unfortunately we don't have that many historical structures on the south beach. So, this, hopefully will be a great piece of pride for the community over there. And I'm glad to see that you all are trying to do all you can to restore it to its original structure, and for the architectural enhancements that are very reminiscent in your new building and your pedestrian friendly walkways and your landscaping. I really think this is a good project. So, thank you very much. Any further discussion?

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Unanimously approved by roll call vote.

Mrs. Gates stated to the applicants – Your request has been approved and you will receive a notice regarding the City Commission meeting. And I think this will hopefully be a great project in Fort Pierce. Thank you.

Agenda Item #6 – Rezoning – Neill Farms – Approval to rezone approximately 56 acres of property to R-4, Medium Density Residential and to amend the Comprehensive Plan to RM, Medium Density Residential. Generally located south of Okeechobee Road between Jenkins & McNeil Road. Owner/applicant is KB Homes, and representative is Thomas Lucido & Associates.

Staff Report – Ms. Clark stated – A site plan has been filed concurrently with the rezoning application. The overall project is roughly 74 acres, and the parcel subject to rezone is approximately 56 acres. The existing zoning for these simulation of properties is various, everything from single family to general commercial. And the applicant is proposing R-4, which is medium density in order to standardize the zoning throughout the entire community. It does also require a large-scale future land use amendment, which means that it must be approved by the Department of Community Affairs. And staff is recommending conditioned upon that it obtain approval from DCA.

Mrs. Gates stated – Okay, thank you very much. Is there any questions for the staff?

Mr. Knott stated – It just occurred to me that this being in the City...I was looking to see if they have sidewalks proposed on the frontage streets there. If it's a part of the application I guess there's not very much is there? Just an access road on McNeil and then on Jenkins. Okay, I see one on Jenkins...I'm trying to see if there's one on McNeil.

Mrs. Gates asked – Are you asking about the site plan?

Mr. Knott stated – Oh, I'm sorry, we're on rezoning...

Mr. Trias stated – I recall an extensive discussion on that topic, so I'm sure the applicant is ready to explain that...with the oak trees to shade the sidewalks also. So...

Mrs. Gates stated lightly – Tom, I can only go so fast.

Mr. Knott stated lightly – I'm trying to beat your record here.

Mrs. Gates asked – Are there any questions on the rezoning of this piece of property? Is there anyone here to speak on behalf of this request?

Mr. Jonathan Ferguson stood and introduced himself and stated – I'm with the law firm of Ruden & McClowsky on behalf of KB Homes. Also with me tonight is the engineer and site planner for the firm as well as representatives from KB Homes. At this point I'm simply introducing the project and they would have all of the details. In front of you right now and immediately following is a site plan, but

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right now what we're focusing on is a future land use amendment and a rezoning. The property was a number of parcels that were annexed into the City over various times. So, what we're trying to do is simply clean it all up so that it's one cohesive piece of property and switch it from the County land use categories to a single City land use category into a single rezoning category; so then we can go forward with the site plan. So, if you have any questions with respect to the land use or the rezoning I'd be happy to answer them or we can move right into the site plan if you wish. And there are sidewalks on Jenkins Road and McNeil.

Mrs. Gates asked – Are there any questions on this rezoning issue for the applicant? Thank you. Okay, is there anyone here to speak against this request? If not, I'll entertain a motion from the Board.

MOTION WAS MADE BY MR. JOHNSON TO APPROVE THE REZONING. Seconded by Mr. Harris. Unanimously approved by roll call vote.

Mrs. Gates stated – Okay, now we'll move on to the second portion of this.

Agenda Item #7 – Site Plan – Neill Farms – Approval of the construction of a residential development. Generally located south of Okeechobee Road between Jenkins & McNeil Road. Owner/applicant is KB Homes, and representative is Thomas Lucido & Associates.

Staff Report – Ms. Clark stated – The site plan is a single-family residential community consisting of 214 dwelling units. That comes to 2.8 units per acre, which is well below the maximum 10-units per acre as proposed by the R-4 zoning. And staff is recommending approval.

Mrs. Gates stated – Okay, thank you. Are there any questions on the site plan for the staff?

Mr. Knott stated – I think I've heard the answer already.

Mr. Trias stated – Madam Chair, if I could make a comment on these sidewalks. One of the real holes in our code, of course, is that the sidewalks are required only along right-of-ways, which are public streets in many of those projects actually. But what you see depicted as streets are really not public right-of-ways, and that's why your question comes up, and that's why it's so important. In this case the applicant is providing sidewalks along all of the local access roads, which is what should happen in this type of project.

Mrs. Gates stated – Okay, thank you.

Mrs. Brenner stated – Wendy, this is a self-contained project...they will have City water and sewer...is that correct?

Ms. Clark – That's correct.

Mrs. Brenner continued – And will that include fire hydrants and fire lift stations?

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Ms. Clark – Yes.

Mrs. Brenner – Thank you.

Mrs. Gates asked – Okay, are there any other questions?

Mrs. Gates asked the applicant if he could come back up.

Mr. Jonathan Ferguson once again stood and introduced himself and stated – Again, I would defer any of the technical questions to the engineer or the site planners if you have any questions about the specifics of the site plan. KB Homes is expanding in our area...in the Treasure Coast area, and is very much looking forward to developing in the City of Fort Pierce. They're excited by what's going on here, they're excited by the improvements to the entrances to the City. They've been working closely with the Neill family. The Neill family has agreed to allow them to use the Neill Farm as the name of the project. So, it will retain that for historical purposes. They're going to try to develop it into sort of a farm motif...keeping with the name. They're here to answer any questions that you may have about the types of houses they're putting in, the types of projects that they do, and what they're proposing to do.

Mrs. Gates stated – Thank you. Would there be any questions for the applicant on these issues?

Mr. Knott stated – I have one...I can't quite make it out on the map here...but are they taking out the strawberry field? Are we going to lose that?

Mr. Ferguson stated lightly – Well, strawberries are in season, and if you want some, I would suggest that you do so.

Mr. Knott continued – So, this takes it all the way over to the machine shop over there ...is that right?

Mr. Ferguson stated – It would cover the whole area between Jenkins and McNeil, yes.

Mrs. Gates asked – Are there any other questions for the applicant?

Mr. Enns stated – On your typical lot development, I can't read the number on the lot sizes.

Mr. Al Brodeur stood and introduced himself and stated – I'm with Thomas Lucido & Associates. To answer your question, the smallest lot on this is 60 x 125, that would be these right here. And they vary, obviously, around the corner.

Mr. Enns stated – Okay, then on the 60 x 125's, the side setbacks are ...?

Mr. Brodeur stated – They're required to be 6, the front setback is required to be 25 and rear is required to be 15 with a minimum of 12 ft. between buildings for fire code.

Mr. Enns continued – And do you expect that the houses are going to take up the full buildable area?

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Mr. Brodeur stated – I would probably refer the product questions to KB Homes...but I believe so, yes. I'd like to take a quick minute, if I can, to go over the site plan. This is not a gated community, it's designed to be neighborhood. We've been working closely with staff to make sure that it's interconnected. It allows for possible connections to future properties that they would happen to have to connect in the future. To answer your question, yes, there are sidewalks on both sides of the road throughout the interior streets and also we'll be constructing a 5 ft. sidewalk along Jenkins and along McNeil also. So, that may not be clear on the site plan...and we are intending on doing that. There are oaks ...as staff had recommendedto shade the sidewalk...there will be a small clubhouse with a cabana here. And basically it was just designed to be a neighborhood and this will be a storage area for ...if there's anything that their condo association restricts such as campers in the front yard. This will be a site obscured residential storage area for the residents. If you have any questions on the site plan, I'd be happy to answer any.

Mr. Knott stated – I just noticed on here, Al...maybe I missed it or I haven't ran across it, but...I didn't see a copy of the traffic report even though I think you said you had one, for the ...slip on this thing. Given that it's 50/50 perhaps something like that, I don't see anything that has any entrance improvements...any turning lanes...any turning movements out on...like on Jenkins, for example.

Mr. Brodeur stated – We have been in close contact with the County also for the driveway permits. That's why Jenkins Road is actually designated...it's going to continue all the way down to Midway...and go over to Mile Creek ...and all the way up to the Wal-Mart Distribution Center. So, that's where we got this 120 ft. ultimate right-of-way number, and we got that from St. Lucie County. And we've allowed part of the property so we can allocate that right-of-way in the future when they improve that road. We have a lot of room for turning lanes...if they will be required again, we haven't had communication with them on that yet; but that traffic impact report did cover that.

Mr. Knott asked – And it said no turning lanes were required...?

Mr. Brodeur stated – Well, maybe I'll leave that up to the engineer to discuss that.

Mr. Knott stated – Okay. Because I'm not too concerned about McNeil because you're not going to have that much left turn coming left in from the south. But Jenkins is a pretty heavy...even now it's an agricultural shortcut around that, and you get some pretty good trucks going down through there when you get down to Wal-Mart and what have you. And I don't know how the Board feels, but if this project is moving ahead, I don't think I'd wait for the County to improve Jenkins, I think I'd like to stipulate that a left-turn lane be a part of this I would say.

Mr. Trias stated – Madam Chair, one of the really big problems that we have right now is that the County staff is not coming to our meetings. And we have requested that many times. I understand that they have promised many times to do that in the future. But that is the problem...all these County roads really are not getting their input in this process. It is very appropriate for you to provide that input if you choose to at this point, and make some recommendations.

Mr. Knott – Thank you.

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Mrs. Gates stated – Thank you. Are there any other questions?

Mrs. Brenner stated – Going back toI noticed on the drawing that there are these three ponds and you have underground access between the three to keep the water levels...are those going to serve the purpose as your retention ponds?

Mr. Brodeur stated – Yes, and I would like to refer that to the engineer.

Mrs. Brenner stated – Oh, okay. Well, my second question is probably for you. It's over on the McNeil side. There are these SF residences ...are those other owned properties?

Mr. Brodeur stated – Those are existing single-family residences that are there right now.

Mrs. Brenner continued – And how are you going to buffer them?

Mr. Brodeur stated – We have provided a landscape buffer right here of at least a minimum of 10 feet with shrubs and trees.

Mrs. Brenner asked – But no fencing?

Mr. Brodeur stated – If those residents would wish that that be done we could do that.

Mrs. Brenner – Thank you.

Mr. Rod Kennedy stood and introduced himself and stated – Madam Chair, Board, I'm with Engineering, Design, and Construction. I'm the civil engineer on the project. Just to address a couple of concerns that you did have. The lakes are all interconnected. So, there will pipes that connect the lakes. The ultimate outfall will be to the north to the north St. Lucie canal #38. And Mr. Knott, on the turn lanes, the developer was intending to put a right turn lane on McNeil into the project and a right- and left-turn lane on Jenkins.

Mr. Knott – Perfect.

Mr. Kennedy continued – We had some meetings with the County. We're still talking with them. We did provide a traffic report. We're not decreasing levels of service on any of the surrounding roads or intersections. We can make that a condition of approval...KB is willing to do that.

Mr. Knott stated – Well, maybe we can help you with the County if we make it a part of your condition of your approval.

Mr. Kennedy – Absolutely.

Mr. Knott stated – Okay, that would be great. Thank you.

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Mrs. Brenner asked – And those underground culverts...are they going to be culverts ...are they going to protect small children?

Mr. Kennedy stated – Yes, ma'am, there will be culverts and they will all be below the proposed water level. So, they won't be visible...you won't have access to the pipes.

Mrs. Brenner continued – And they will be secured ...grated or something?

Mr. Kennedy – Absolutely.

Mrs. Brenner – Okay, thank you.

Mr. Knott stated – Madam Chair, if I could ask one more question for Mr. Kennedy. Will all of the utilities be underground?

Mr. Kennedy – Yes, sir.

Mr. Knott continued – All of the electric and phone and cable?

Mr. Kennedy – Yes.

Mr. Knott – Fantastic...great...thank you.

Mr. Johnson asked – In the upper right-hand quadrant, there's a step-out to that roadway where it dead ends to serve parcel 63 and 64...northeast corner of the property there. Why is that a step-out right there at McNeil? Why wouldn't we just go ahead and connect that now? ...or terminate it?

Mr. Kennedy stated – I think we wanted to control access and just have one main entry point on McNeil and another main entry point on Jenkins.

Mr. Johnson continued – So, it's really just a dead end to serve the parcels that are right there?

Mr. Kennedy stated – Yes, that's it.

Mr. Johnson – Okay.

Mrs. Gates asked – Okay, are there any other questions? Thank you very much.

Mr. Kennedy – Thank you.

Mrs. Gates asked – Okay, is there anyone here to speak against this request? What are the Board's wishes?

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Mr. Knott stated – Madam Chair, before I make a motion, I'd like to say that I've been familiar with this property for the last twenty or thirty years. I've seen different things happen and proposed out there and nothing happened. I'm just pleased to see that a single-family project is coming in because there's a real need for our single family around here as opposed to multi family and condos and what have you. In my estimation, this is a well laid out project. And it's the kind that we need around here.

Mrs. Gates stated – Thank you. I'm really pleased to see for historical purposes to keep the Neill Farm name. This is a very important name in our community. And they go a long way back. And this is something that I think the Neill family should be very proud of. And we certainly will be too.

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN WITH THE CONDITION THAT THE TURNING LANE IMPROVEMENTS BE INCORPORATED. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

Mrs. Gates stated – Your request has been approved and you'll receive a notice regarding the City Commission meeting. Good luck.

Applicants – Thank you.

Agenda Item #8 – Site Plan – Heritage Grande – Approval to construct a residential development generally located on the northeast corner of Jenkins & Edwards Road. Owner is Ariel Homes Corporation of the Treasure Coast, Inc., applicant is KB Homes, and representative is Thomas Lucido & Associates.

Staff Report – Ms. Clark stated – The project consists of 360 units with a mix of both duplex and quadraplex units. The density is 6.3 dwelling units per acre and the property is appropriately zoned medium density residential for multi-family development. And staff is recommending approval.

Mrs. Gates asked – Okay, are there any questions for staff?

Mr. Johnson asked – You said that was 360 total units?

Ms. Clark – Right.

Mr. Johnson – Thank you.

Mrs. Gates asked – Anybody else? Is there anyone here to represent this request please?

Mr. Jonathan Ferguson stood and introduced himself once again and stated – Good evening again, I'm here on behalf of KB Homes. What we've got before you is a site plan application for multi family. You see the quad units are the buildings and then what look like lots....those would have duplexes on them. Again, it's a quality project that KB Homes has put a lot of thought into...consultation with City staff. I would like to point out just a couple of things. The property does go through and touch on McNeil Road, but in consultation with staff and given the native vegetation that is primarily found in

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that one area that's up against McNeil Road, it was decided not to include a cut-through or traffic and to have two access points...one on Edwards and one on Jenkins. And to leave that primarily as a preserve and buffer area for the neighboring single-family areas. Again, if you have any specific site plan questions or engineering questions, the same consultants are here, as were on the Neills Farm, to answer any of your questions.

Mrs. Gates – Thank you.

Mrs. Brenner stated – Same question about the lakes. Are those self-leveling and protected?

Mr. Kennedy stated – Yes ma'am, they are. Same concept as Neill Farms. A couple of lakes that will be connected together with pipes. The pipes will be under the water line. You won't have access to them. The grates that are draining the roadways will be covered, and there won't be access for children or animals or anything.

Mrs. Brenner – Thank you .

Mr. Knott stated – I assume it's the same as with the Neill project, the turning movement will be a condition of the site plan for the access on there. These are all rentals? Is that my understanding?

Mr. Bill Orazi stood and introduced himself and stated – I'm with KB Homes. Thank you for having us here today...we're happy to be here. Fee simple ownership throughout.

Mr. Knott – Really?

Mr. Orazi – Yes sir.

Mr. Knott asked – For the duplexes?

Mr. Orazi – That's correct.

Mr. Knott stated – Okay. Interesting. So, there will be a condominium association...?

Mr. Orazi added – There will be covenants and restrictions for the community....that's correct.

Mr. Knott added – And particularly for the four-units ones I believe?

Mr. Orazi – Yes sir. The entire community will be under a master association.

Mr. Knott stated – Okay. I have a question ...maybe staff can help me with this also. I was reading through the report here and it sure sounded good...that it's going to be fashioned after the downtown area....Do you have any more detail on that? It says that it's going to be incorporating the elements of the downtown redevelopment area ...design imaginations...?

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Mr. Trias stated – Mr. Knott, it is not unusual to have applicants

Mr. Knott added – To have pretty words?

Mr. Trias agreed – Yes....that was not a staff report, that was by the applicant.

Mr. Knott stated – Okay, I’m sorry about that. I’d like to see how this is going to look like downtown.

Mr. Brodeur stated – Basically just by the use of the round-a-bouts and the brick pavers and it will have palm trees and have a tropical look to it and a Mediterranean look to it.

Mr. Knott stated – Oh, okay. That’s the main theme that you’re going to have?

Mr. Brodeur stated – Yes, of the streetscapes, right.

Mr. Knott stated – Okay, and you’ll have your decorative lighting through the project and all of the utilities will be all underground?

Mr. Brodeur stated – Yes. All underground utilities and we’ll be working with staff on that.

Mr. Knott stated – Okay, very good. Thank you.

Mr. Enns stated – Al, I don’t see that you have any dumpster pads anywhere in here. Am I missing them here?

Mr. Brodeur stated – I believe they’re all individual garbage services...curbside.

Mr. Enns stated – Oh, okay, everyone will have their own receptacle?

Mr. Brodeur stated – Yes. Even these have garages too. See, there are four garages and there are two in each of those driveways. So, there’s a parking space in the garage and then a parking space in front of the garage.

Mr. Enns – Okay.

Mr. Brodeur continued – And sidewalks in front of it and curbside pick-up and everything.

Mr. Gates asked – Anybody else? Thank you. Okay, is there anyone here to speak against this request? What are the Board’s wishes on this?

Mr. Knott stated – Madam Chair, again I’d like to commend this project for the fact the sister project to the north of here, which again, a need for this type of ...you all have done some homework in the area to see what, I think, is going to be a good seller for you, and especially in this area out here so.

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**MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN WITH THE CONDITION THAT THE TURNING LANE IMPROVEMENTS BE INCORPORATED.
Seconded by Mr. Enns.**

Mrs. Gates asked – Is there any further discussion on this?

Mr. Knott added – Maybe I should include the Edwards Road entrance too...I forgot about it, because that's about as bad as Jenkins.

MOTION REVISED

**MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN WITH THE CONDITION THAT BOTH ENTRYWAYS BE SUBJECT TO A LEFT-TURNING LANE.
Seconded by Mr. Enns.**

Mr. Johnson stated – I just have one question. I like the turning lane idea. I'm just going back to the County of what they're going to think on distance from intersection. I might have to ask the applicant again what the distances are on the scale there from the intersection to the driveways themselves. The County might have an issue with the distance from the intersection there.

Mr. Knott stated – Yeah, could be. The left turn is going to be from the ...you should be able to get the (taper?) back in because your (inaudible?) is going to be on the north side there.

Mrs. Gates asked the applicant – Do you have an answer for this?

Mr. Orazi stated – We're working with the County right now, Mr. Johnson. They're looking to expand Edwards in their future plan, it's going to go to an expanded right-of-way from what it is today...

Mr. Johnson asked – They're doing the same thing with Edwards Road?

Mr. Orazi – Yes they are.

Mr. Johnson – Okay, thank you.

Mrs. Gates stated – Thank you. Okay, is there any further discussions? We have a motion and second on the table here. So, anything else?

Unanimously approved by roll call vote.

Mrs. Gates stated to the applicants – Well, I think you all are off to a good start, so good luck and you'll receive a notice of this also for the City Commission.

Applicants – Thank you very much.

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Agenda Item #9 – Rezoning – Leeward Homes – Approval to rezone the subject property from R-2, Single Family Intermediate Density to C-3, General Commercial. Generally located on Tumblin Kling Road, east of South Highway #1. Owner/applicant is Leeward Homes, LLC and representative is Karon Tussing.

Staff Report – Mrs. Clark stated – The parcel is shy of 5 acres, it is adjacent to C-3 zoning. The intended purpose is to develop with townhome units at 14 dwelling units per acre. And staff is recommending approval.

Mrs. Gates asked – Okay, are there any questions on this issue for the staff?

Mr. Knott asked – The use has got to be a multi family....is this correct?

Ms. Clark – Yes.

Mr. Knott continued – Is the C-3...is that ?...would that go to a commercial for that rather than a multi family zoning of some sort?

Ms. Clark stated – Right, there are other surrounding zonings, which are single family, which would not support the density that they are requesting. And within the C-3 your multi family up to 15 units per acre is allowable as condition use. So, they will be coming back before the Board with formal site plan with conditional use.

Mr. Knott asked – It’s just easier to go that way rather than go to a multi family?...and R something?

Ms. Clark stated – Well, it sits directly behind Bill Shultz Chevrolet.

Mr. Knott – Yes.

Ms. Clark continued – Which is obviously commercial right there on the U.S. corridor.

Mr. Knott – Okay, alright. Very good, thank you.

Mrs. Gates asked – Okay, is there any other questions for staff from the Board? Is there an applicant here to speak on behalf of this request?

Mr. Ward Snyder stood and introduced himself and stated – I’m the president of Leeward Homes and also the broker for Leeward Realty Group. I’m here to answer any questions and I’m also here with our contractor, who’s also a member of our LLC, Victor DeBellis, is back here, who is a licensed contractor in the state of Florida. So, we would welcome any questions you may have.

Mrs. Gates asked – Okay, are there any questions for the applicant on this issue?

Mrs. Brenner asked – Are these going to be fee simple properties also?

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Mr. Snyder – Yes ma'am.

Mrs. Brenner – Okay, thank you.

Mr. Knott asked – Will these be just conventional financing or will there be any subsidies or anything with this?

Mr. Snyder stated – No, these will be conventional financing.

Mr. Knott – Okay, thank you.

Mrs. Gates asked – Any other questions for the applicant?

Mr. Enns asked – Do you have any elevations of the buildings themselves?

Mr. Snyder stated – No, that's going to come when we get to our site plan, we'll have all of that in there.

Mrs. Gates stated – Okay, thank you very much.

Mr. Snyder – Thank you.

Mrs. Gates asked – Is there anyone here to speak against this request? I'll entertain a motion from the Board on this issue.

MOTION WAS MADE BY MR. JOHNSON TO APPROVE THE REZONING. Seconded by Mr. Harris. Unanimously approved by roll call vote.

Mrs. Gates stated to the applicants – Okay, you will get a notice regarding being heard at the City Commission.

Applicants – Thank you very much.

Mrs. Gates stated – Okay, thank you. Good luck.

Agenda Item #10 – Site Plan with Conditional Use – (dock) – Approval to allow the expansion of a private dock. Located at 3117 S. Indian River Drive. Owners/applicants are Michael & Mary Brown, and representative is Scott A. Szarfranski.

Staff Report – Ms. Clark stated – The property is developed with an existing single-family residence in which the dock would be an accessory use and the applicant has previously obtained the permits from the Department of Environmental Protection. And staff is recommending approval.

Mrs. Gates asked – Okay, are there any questions for the staff from the Board on this issue?

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Mrs. Mary (Mimi) Brown stood and introduced herself and stated – Mike said he’s sorry he couldn’t be here, he has a Harbor (bank) event in Martin County this evening.

Mrs. Gates asked – Are there any questions for the applicant on this issue with the extension of her dock?

Mr. Knott asked – Just one, Madam Chair. I see the two drawings in here. Is the final one 480?...is that correct? I see one that is 236 on page 2 of 3., and then on 3 of 3...

Mrs. Brown stated – It’s a long dock...it’s the longer one.

Ms. Clark added – 480 plus a 20 ft. terminal.

Mr. Knott stated – Oh, okay, that’s a long dock there...that’s good.

Mrs. Brown stated – Well, I was hoping they would find the patch they needed about 30 ft. further, but no such luck.

Mr. Knott stated – Okay. I’m surprised they let you go that far out there. Are your neighbors out that far also? Are there any docks out that far?

Mrs. Brown stated – I believe the (Wiles) are out that far and Michael Jr. is out that far, and I think the people that bought the Walker’s are out that far.

Mr. Knott – Okay.

Mr. Johnson stated to Mr. Knott – Look at the last page. There’s an aerial photo.

Mr. Knott stated – Oh okay, there you are, that says it all right there. Thank you very much.

Mrs. Gates asked – Are there any other questions for Mimi? Thank you.

Mrs. Brown – Thank you.

Mrs. Gates stated – There’s obviously no one here to speak against this project. So, what are the Board’s wishes on this item?

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN WITH CONDITIONAL USE FOR A DOCK EXTENSION. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

Mrs. Gates stated to the applicant – Okay, your request has been approved, and you’ll receive a notice of when it will be heard before the City Commission. Thank you.

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Applicant – Thank you.

Referring back to Agenda Item #2 – Consideration of Absences.

Mrs. Gates stated – We have to either excuse or not excuse Ms. Benton and Mr. Bergman...they both called in.

MOTION WAS MADE BY MR. POITIER TO EXCUSE THE ABSENCES OF MS. BENTON AND MR. BERGMAN. Seconded by Mr. Enns. Unanimously approved by voice vote.

Discussions

Mrs. Gates asked – Are there any discussions to come before the Board?

Mrs. Brenner stated – I have one simple question. I want to ask staff, when you write up the approvals on the bottom of the page where it says, staff recommends approval, why are they sometimes in bold print and other times just plain? I thought they were like that for some reason...maybe they were trying to give us a message or something.

Mr. Trias stated – I would assume that is the choice of the staff.

Mr. Knott stated – I have a question too. I read in the paper that the metropolis of Indiantown has an overlaying zoning either in place or is going to be in place for a pretty good size development they got going on over there. What ever happened to ours?...for the north part of Fort Pierce?

Mr. Trias stated – Well, you may have read in the paper yesterday also that we are going to have an Architectural Review Board. So, until we have that process it's very difficult to use the architectural code. It's was kind of on hold until the commission really felt comfortable with this idea. And I think they said yes very clearly yesterday.

Mr. Knott continued – I couldn't imagine Indiantown...

Mr. Trias stated – I haven't really read their codes, so I don't know...

Mr. Knott added – They could do it...we can't. I know that you all had put in a lot of time in on that.

Mr. Trias stated – Yes, exactly. And I think that's the short answer to your question. I think now we can get it going again.

Mr. Knott stated – That would be very good, thank you.

Attorney Walker stated – Madam Chair, with your permission I'd like to go back briefly to agenda item #9.

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Mrs. Gates – Certainly.

Attorney Walker continued – As I understand that, staff was actually recommending two actions by the Board. First it was asking that the Board approve a recommendation for rezoning and then second, a Comprehensive Plan amendment. Is that correct, Mr. Trias?

Mr. Trias stated – Yes, that would be correct, sir.

Attorney Walker continued – The motion that was made spoke only of the rezoning. I'm wondering if for record purposes, assuming that that is consistent with the intent of the Board, that we have a motion in connection with the agenda item #9 formally recommending approval of the proposed land use plan change for the Comprehensive Plan.

Mrs. Gates asked – Could we have a motion...?

Attorney Walker added – Well, we made the motion for the approval of the zoning change, we just need one for the Comp Plan change.

Mrs. Gates asked – Okay, so we just need a separate motion?

Attorney Walker – Yes.

Mrs. Gates asked – Okay, is there someone that would be willing to make that motion?

MOTION WAS MADE BY MR. POITIER TO APPROVE THE SECOND PART OF AGENDA ITEM #9, THE COMP. PLAN AMENDMENT. Seconded by Mr. Harris.

Mrs. Brenner asked – Which was?

Mr. Poitier stated – We need two...

Mrs. Brenner stated – I know, I'd like you to state the amendment that you're making the motion for.

Mr. Poitier stated – Go ahead, attorney.

Attorney Walker stated – The motion would be to amend the Comprehensive Plan to make it consistent with the rezoning so that it would be changed from single family intermediate to CG, General Commercial...is that correct?

Mr. Trias stated – Yes, that's correct.

Mrs. Gates stated – Okay, thank you. It's been moved and seconded that we approve the second portion of the rezoning issue for Leeward Homes.

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Unanimously approved by roll call vote.

Attorney Walker – Thank you.

Mrs. Gates – Okay, thank you. Any further discussions? If not, this meeting stands adjourned until February.

Meeting Adjourned at 8:15 p.m.