

MINUTES OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, JUNE 8, 2004, IN THE CITY HALL COMMISSION CHAMBERS (due to anticipated seating accommodations for the public), 100 NORTH U.S. 1, FORT PIERCE, FLORIDA.

Members present: Donald Bergman (Chairman), Sonja Gates (Vice Chair), Pam Williams, Margaret Benton, Harriett Brenner, Chuck Enns, Jeremiah Johnson, and Robert Poitier.

Members absent: Thomas Knott and Charlie Harris.

Citizens and Staff present:

Michael J. Brown, Jr.
Roger A. Hoskins
Marilyn Copley
Oliver Copley, Jr.
Charles Bicht
Aaron Bowles
Chris Lundstrom
Scott James
Max Cross
Scott Mcguire

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

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

Secretary proceeded with roll call and informed the Chairman that Mr. Knott and Mr. Harris would be absent and had informed the Board at the last meeting that they would be (**Agenda Item #2**).

MOTION WAS MADE BY MR. POITIER TO EXCUSE THE ABSENCES. Seconded by Mr. Johnson. Unanimously approved by voice vote.

Agenda Item #3 – Approval of Minutes

MOTION WAS MADE BY MS. BRENNER TO APPROVE THE MINUTES OF MAY 11, 2004. Seconded by Mr. Johnson. Unanimously approved by voice vote.

Agenda Item #4 – Site Plan w/Conditional Use – Approval to construct a private dock consisting of a 4 x 480 ft. access. Owners/applicants are Michael & Laura Brown. Representative is Harbor Bay Marine.

Staff Report – Ms. Clark stated – The project is for a private dock. The property is developed with a single-family residence. The applicant has previously obtained permits from DEP and the Army Corps, and staff is recommending approval.

Mr. Bergman stated – Thank you, are there any questions for staff from the Board? Is there anyone here to speak on behalf of the Site Plan w/Conditional Use?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Mike J. Brown, Jr. introduced himself and stated – I respectfully ask that you would approve my request for a dock tonight...It's a pretty standard dock, everything is to the specs of DEP and the Army Corps. The plans were prepared by Bruce J. _____ who I think has pretty much done most of the docks in the area.

Mr. Enns stated – I see they crossed out the handrail, Mike?

Mr. Brown – Yes.

Mr. Enns asked – No handrail the whole way?

Mr. Brown stated – It's out preference to not have a handrail, that is correct.

Mr. Enns stated – That's my preference as well. Very good.

Mr. Bergman asked if there were any other questions for the applicant?

There were none.

Mr. Bergman asked – Is there was anyone else to speak in support of this Site Plan w/Conditional Use? Is there anyone here to oppose the application?

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN W/CONDITIONAL USE. Seconded by Mr. Johnson. Unanimously approved by roll call vote.

Agenda Item #5 – Site Plan w/Conditional Use – Approval to construct a 227 ft. linear concrete wall. Owner is Auxiliary Flottilla 8, Division I, Pelican Yacht Club. Representative is Herman Summerlin Sr. Applicant is Joy Summerlin.

Staff Report – Ms. Clark stated – The intended purpose is to decrease erosion along this portion of the property. The applicant is in process of obtaining permits from DEP and the Army Corps, and staff is recommending approval.

Mr. Bergman stated – Okay, thank you. Are there any questions for staff from the Board? Is there anyone here to speak on behalf of the Site Plan w/Conditional Use?

Mr. Roger A. Hoskins introduced himself and stated – I'm the general manager of the Pelican Yacht Club, and here filling in for Herman Summerlin, who had a quadruple bi-pass, so I wouldn't expect to see him here today. I really don't have anything to say other than to speak in favor and to answer any questions you may have. I understand that we do have that DEP permit now.

Mr. Bergman stated – Thank you. Are there any other questions for the applicant from the Board? Is there anyone else here to speak on behalf of the Site Plan w/Conditional Use application? Is there anyone here to speak against the application?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

MOTION WAS MADE BY MRS. GATES TO APPROVE THE SITE PLAN W/CONDITIONAL USE. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

Agenda Item #6– Site Plan – Approval for the construction of a recreational vehicle sales office. Located at 2650 Peters Road. Owner is Copley RV Center. Applicant/representative is Oliver Copley.

Staff Report – Ms. Clark stated – Copley RV Center currently operates at a facility down in Hobe Sound, Florida. The proposed project is your typical recreational vehicle sales office. The building itself is right at 4,000 sq. ft., and staff is recommending approval upon the condition that there will be no storage of vehicles on any unpaved surface.

Mr. Bergman stated – Okay, did the applicant have any problems with those conditions, Wendy?

Ms. Clark – No.

Mr. Bergman stated – Okay. Are there any questions of staff from the Board? Is there anyone here to speak on behalf of the Site Plan application?

Mr. Oliver Copley, Jr. introduced himself and stated – We’ve had Copley’s RV for over twenty years in Hobe Sound, and we wanted to get something with more acreage. We’re on less than two acres now. That’s why we found this site. It’s very contusive to Rvers. They come to the area. They spend a lot of money in your city, so, I hope you approve this plan.

Mr. Bergman stated – Thank you, are there any questions of the applicant from the Board?

Mrs. Gates asked – About how many vehicles are you going planning to store?

Mr. Copley stated – Well, this is for sales, we don’t store them.

Mrs. Gates stated – So you don’t store anything?

Mr. Copley stated – No, it’s just for sales. We usually have 100 vehicles there that we sell. Now, in case of a storm or something like that we usually move them out of the area if we do get a hurricane or something, because our insurance is pretty high on these things. We try to get as many as we can out of the area.

Mrs. Gates – Okay.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Copley stated – So, there’s really no impact on a windstorm or anything. And they are moveable, that’s what’s nice about RVs.

Mrs. Gates – Thank you.

Mr. Bergman asked – Are there any other questions from the Board? Is there anyone else here to speak on behalf of this Site Plan application? Is there anyone here to oppose the application?

MOTION WAS MADE BY MR. POITIER TO APPROVE THE SITE PLAN WITH CONDITIONS. Seconded by Mr. Johnson. Unanimously approved by roll call vote.

Agenda Item #7 – Site Plan – Approval for a retail building located at 600 North U.S. Hwy. 1. Project known as Seaway Plaza. Owner is Ward Snyder. Applicant is Peacock & Lewis Architects. Representative is Donald Bergman.

Mr. Bergman stated – Mr. Walker, I have a conflict with this agenda item. I’m presenting the project. I have my form (Conflict of Interest), thank you, Dianna. So, I guess I’ll pass the gavel to Mrs. Gates, and let her handle this one.

Staff Report – Ms. Clark stated – The proposed building is located directly south of what is known as Seaway Plaza at 600 North Hwy. 1. The building itself is 5,000 sq. ft. and intended for a variety of retail uses, and staff is recommending approval.

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

Mr. Johnson asked – The location is on the east side of U.S. 1, is that correct?

Ms. Clark – Yes.

Mr. Johnson - Okay.

Mrs. Gates asked – Any further questions for staff? Is there anyone here to speak in favor of this request?

Mr. Donald Bergman introduced himself and stated – I’m the architect with Peacock & Lewis on this project. Many of you may be familiar with this site, it’s the vacant lot immediately south of the art deco building on U.S. 1 right across from McDonald’s. I believe it was the old Lemon Tree Plaza. The owner of this project is currently going through, basically cleaning house, renovating the building. They just put a new roof on it. And I believe that building was a car dealership at one time, and being such, the

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

parking is very limited around the building. So, in addition to the 6,000 sq. ft. building, we're proposing for the south property that he recently purchased. We've provided parking for that building and as much other parking as we can get for the existing facility to the north. He's also under contract with FEC to buy the back, I guess the northeast corner where that banyan tree is, I guess it's not really a banyan tree, I can't remember what it is. But that's all under contract with FEC to purchase that additional piece of property. I think the elevation of the building wasn't included with the packet, but I know it was in front of you at the beginning of the meeting tonight. The building we're proposing is basically a one-story with some high ceilings. It's an old Florida, Key West style. A lot of metal roofing, no dormers, but we've got some exposed gable ends and some clear story type of ...a lot of metal roofs and arcade. It's not your typical storefront. The owner is pretty adamant about doing something exceptional there, because he wants to try and bring in one tenant for the whole building. He wants to do something besides the same old block building with the flat roof with no articulation on the building. So, I think we came up with something that they'll be happy with and should certainly add to the aesthetic of U.S. 1. And if you have any questions I will certainly answer them.

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

Mr. Johnson stated – This could be for staff also, but Avenue E has been abandoned the right-of-way right there, is that correct? It says vacated on the Site Plan but I don't know if it was abandoned legally.

Mr. Bergman stated – That was off of the survey. That's the one that goes between the two parcels?

Mr. Johnson – Correct.

Mr. Enns added – It lines right up with Avenue E on the west side of U.S. 1.

Mr. Bergman stated – Yes, as far as I know there's nothing in the legal or in anything that was recently surveyed that indicates that that right-of-way is still active. As far as I know the south property and the north property are contiguous and there's no right-of-way between them. I'm sure when this thing went through Technical Review that the utilities probably didn't have any comment because there was nothing there.

Mr. Johnson – Right, thank you.

Mr. Enns asked – Don, all of the parking is going to be behind the building?

Mr. Bergman stated – Yes, all of the parking is behind the building, and we're trying to utilize as much as the existing parking that's around the north building and make it legal, because there's a lot of parking there that doesn't have adequate back-up space. We're

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

trying to utilize whatever meets current code.

Mr. Enns stated – Right, and Cedar Street, I guess that’s going to be one of the entrances?

Mr. Bergman stated – Yes, that’s correct.

Mr. Enns asked – Where’s Cedar Street?

Mr. Bergman stated – Cedar Street is a half-paved drive, it’s right next to that Shell station.

Mr. Enns – Okay.

Mr. Bergman stated – Currently it’s paved about 50 ft. in and it’s dirt from there on in.

Mr. Enns – Okay.

Mrs. Gates asked – Are there any further questions for the applicant? Is there anyone else here to speak in favor of this request?

Mr. Brown stated – Actually, Madam Chair, I will. I would just like to tell the Board actually that I’m very familiar, my company, as well as the Snyders. We’re not involved in this project but they have renovated a number of these centers in Port Saint Lucie. I think universally the response by the community has been very favorable. So, I think, as Don said, they are uncompromising in what they do and I do know they have very big plans for this site. And I just think they’ll be a fine addition to the City of Fort Pierce.

Mrs. Gates stated – Thank you. Anyone else? If not, is there anyone here to speak against this request?

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN. Seconded by Mrs. Benton. Unanimously approved by roll call vote with Mr. Bergman abstaining from vote due to conflict of interest.

Mr. Bergman resumed his position as Chairman.

Agenda Item #8 – Conditional Use – Approval to permit an assisted care home in a R-2, single-family residential zone. Located at 1301 Wyoming Avenue. Owner/applicant is Ethel Newton.

Staff Report – Ms. Clark stated – The property is located within a single-family zoning district. The proposal is for eight persons accommodated within five bedrooms within a single-family home. In terms of density it is inconsistent with the comprehensive plan, and it’s been staff’s position in the past that these types of facilities with that intended

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

intensity is better suited in your multi-family, higher density districts or commercial districts, and staff is recommending denial.

Mr. Bergman stated – Okay, thank you. Are there any other questions of staff from the Board?

Mrs. Gates asked – Wendy, isn't this in the same vicinity where we talked about a dental office?

Ms. Clark stated – The dental office proposal was directly east of this property and previously there was a daycare facility that was proposed for the 1301 Wyoming.

Mrs. Gates – Thank you.

Mr. Bergman asked – Are there any other questions for staff? Is there anyone here to speak on behalf of this Conditional Use application?

Ms. Ethel Newton introduced herself and stated – This is my house at 1301 Wyoming Avenue. My proposal is that my house is already zoned for an assisted living, but it is only zoned for six people. Because I have five bedrooms, and I intend to use all five of them, I was asking to get permission to use the other bedroom for the extra two people.

Mr. Ramon Trias stated – Mr. Chairman, if I could just clarify the statement. There's no such thing as zoning for this type of activity. Simply the state law says that if six or less we have no ability to allow it or not allow in that residential house. So, that's what that statement is about.

Mr. Bergman stated – Okay, thank you. Ms. Newton, was there anything else you would like to add?

Ms. Newton stated – No, that was it.

Mr. Bergman stated – Okay, thank you. Are there any questions for the applicant from the Board?

Mr. Johnson asked – I just want to make sure and clarify. You're asking for an assisted living facility?

Ms. Newton stated – No, it has already been zoned for assisted living.

Mr. Johnson stated – I understand, but you're asking for assisted living, but on the site plan it shows childcare center. Is that an old note?

Ms. Newton stated – Yes, that's an old note.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Johnson stated – Okay, so it's an assisted living facility?

Ms. Newton – Yes.

Mr. Johnson – Okay.

Ms. Newton stated – But they said in order for me to have eight people I would have to go back before the City Commission.

Mr. Enns stated – I'm sure the drawing that you have here is not to scale, but you show the bathroom as 5 x 7'9"?

Ms. Newton stated – I know it's just a regular bathroom. I have two bathrooms. I have a full bath and a bath and a half.

Mr. Enns asked – Is it handicapped equipped?

Ms. Newton stated – Yes, we have bar rails in every bathroom.

Mr. Enns asked – Mr. Chairman, I have a question for you.

Mr. Bergman – Yes sir.

Mr. Enns stated – Does 5 x 7'9" meet the new ADA code?

Mr. Bergman stated – No, I think it has to be 60" x about 7'4". The one dimension is fine, the depth is not enough. The other problem with this is that there's an interior bedroom with no means of egress. I know these are all building code issues but these are just things I noticed on the plan. So if we have any other questions, let's keep them geared toward conditional use, versus building code issues. Are there any other questions for the applicant?

Mrs. Brenner asked – Are your doors wheelchair accessible? Are they wide enough to pass a normal wheelchair through?

Ms. Newton – Yes.

Mr. Bergman asked – Is this being currently used as an assisted care?

Ms. Newton stated – No, not yet; we've been working on it.

Mr. Bergman – Okay.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mrs. Brenner asked – How many people on staff do you expect to have?

Ms. Newton stated – At least four.

Mrs. Brenner asked – Twenty-four hours?

Ms. Newton – Yes.

Mrs. Brenner asked – Four each shift?

Ms. Newton stated – It's going to be a 24-hour facility, 24-hours a day.

Mrs. Brenner reiterated her question – But how many for each shift?

Ms. Newton stated – One, because the patients are not going to be wheelchair bound. They're going to be able to walk in and out, go to the bathroom, do everything that they have to do for themselves.

Mrs. Brenner asked – Do you have your state license yet?

Ms. Newton stated – No, not yet. I have my license for the facility.

Mrs. Brenner asked – Have you applied?

Ms. Newton – Yes.

Mrs. Brenner – Thank you.

Mrs. Gates stated – This question may be for staff. I'm concerned about parking. From what I can see, I don't see that there's enough parking for staff members plus anybody that comes to visit the people that live there.

Mr. Trias stated – Mrs. Gates, I think you're correct. I think that the information that is depicted in the drawing suggests that that parking area is not going to work very well. And that is one of the main reasons why staff recommends denial, for all of these inappropriate uses. These are houses. This is not any kind of multi-use, multi-family facility. And due to that fact, parking is an issue and, of course, the fact that there's overcrowding and the effect that has in the neighborhood. As always, we have very serious concerns and we have recommended denial in similar applications, and the commission has also denied those applications.

Mrs. Gates – Thank you.

Mr. Bergman asked – Are there any other questions?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Ms. Benton asked – Mr. Trias, if the applicant was simply wanting to use it up to the capacity of the number of bedrooms there would that be alright?

Mr. Trias stated – The applicant can have up to six customers, and that's what state law allows, and there's no city regulation that can prevent that from happening. So, the applicant can use the building for that use for up to six people.

Mr. Poitier asked – She wanted eight people to be in it?

Mr. Trias stated – Yes, that is the request.

Mr. Poitier stated to Ms. Newton – Why don't you just have six people then? You don't have the facility to cope with eight. You don't have the parking. You don't have the room.

Ms. Newton stated – I have the room for eight, because there's two beds to each room. My clients are not going to be driving. I have a driveway that holds four cars, then I have another driveway that holds two.

Mr. Poitier stated – You don't show that on here.

Ms. Newton stated – That drawing is not the original, that's one that a friend of mine drew up. My architect is doing them now. I had to go back and have the architect do the blueprints of the whole house, because when that house was built in 1954 didn't have the original blueprint. So, I had to go back and get an architect to draw up the original blueprint.

Mr. Poitier stated – But you have to work with the Planning Board...so they can help you do it right.

Mr. Bergman asked – Is there any other questions for the applicant? Is there anyone else here to speak on behalf of the Conditional Use application? Is there anyone here to oppose the application?

Ms. Benton stated – The sense of the Board seems to be not to agree with staff, and I was wondering if there was any way perhaps that the matter could be tabled to give her an opportunity to get with her architect to do it in accordance with code rather than vote on it...?

Mr. Bergman stated – I'm sure that's something we would have to ask the applicant if she would be interested in bringing her architectural drawings to the next meeting if we tabled this item. Because the drawings that you (Ms. Newton) have here now are lacking as far as some of the information...

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Ms. Newton stated – I know, a friend of mine did that. I had to write something to show what the house looked like.

Mr. Bergman – Okay.

Ms. Benton stated – I would suggest also that perhaps the architect ought to contact Mr. Trias in reference to the issues that were raised here tonight.

Mr. Bergman stated – I don't think it's going to be so much the plan as much as it is the inconsistency with the Comprehensive Plan. So, I think there still may be some issues regardless of what she comes up with.

Mr. Trias stated – I'm afraid that the design issues are not going to make any difference in terms of staff recommendation. I would suggest if there's a motion to table and it passes, we will review it again. But otherwise you may want to take a vote on this application.

Mr. Bergman stated – Okay, waiting on a motion.

MOTION WAS MADE BY MR. POITIER TO TABLE THE CONDITIONAL USE. Seconded by Mr. Enns.

Mr. Bergman asked if there was any discussion on the motion?

Mrs. Gates stated – I have a question, and maybe I'm not understanding this right, maybe Mr. Trias could set me straight if I don't. Aren't six beds inconsistent with the Comprehensive Plan?

Mr. Trias stated – It is, but state law says that there's nothing that the City can do about it. So, even though it's not consistent, and even though it's probably not a desirable thing, there's nothing we can do to prevent that from operating. And that's the situation we have. This type of activity is completely inconsistent with the single-family neighborhood in any situation, and yet the state says that if you have up to six people that needs to be allowed. Now, the projective to regulate this happens when the applicant requests more than six people, and then it's a Conditional Use. And that's why you have it before you. The reason that it's a Conditional Use is that you have the ability to place conditions in terms of parking and access, etc. Or in terms of the number of people that would be in each of the bedrooms. For example, there was a condition that was discussed last night at the Commission Meeting. The Commission believed that only one person should be allowed per bedroom. So, those are the types of conditions that you have the ability to place on these applications.

Mrs. Gates – Thank you.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Bergman asked – Are there any other discussions?

Mrs. Gates stated – Well, I go back to the fact that we have had to deny other similar requests in this same neighborhood. I can think of at least two. So, that's where I'm coming from. I'm having a problem with any request like this, and because it's inconsistent with the plan.

Mr. Bergman stated – Well, the motion is only to table it.

Mrs. Gates stated – Yes, I know, we're discussing it.

Mr. Bergman asked – Is there any other discussion?

Mr. Poitier stated – I think that this will give her a chance to correct what she has here on the paper. She said she would get a print and do it over.

Mr. Bergman stated – Well, maybe, but I believe Mr. Trias indicated that regardless of what plans she brings in it's still going to be inconsistent with the Comprehensive Plan.

Mr. Poitier stated – You gave her leeway at six and you say you're going to deny it when it comes back?

Mr. Bergman stated – When it has six it's not required to come back to Planning Board.

Mr. Trias added – Right, six does not require any kind of approval by you (the Planning Board) or the City Commission.

Mr. Poitier – Oh, okay.

After roll call vote it was denied 5 – 3 to table this item.

Attorney Walker stated – Mr. Chair, the Board has merely declined to table the application. The application remains pending for further action by the Board.

Mr. Bergman stated – Okay, I just didn't know exactly what number of votes came into play at this point versus approval or disapproval.

Attorney Walker stated – No sir, there's been no recommendation for either approval or disapproval.

Mr. Bergman stated – Okay, thank you. Well, let's entertain another motion.

Mrs. Gates stated – Well, as much as I don't want to do this, I know she means well with her business. But I do not think that coming back before the Board with architectural

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

drawings is going to change the inconsistency with the Comprehensive Plan. So, therefore because of that reason, I'm going to make a motion that we deny this request. And if she wants to open up one with six beds then I guess she doesn't have to come before us.

MOTION WAS MADE BY MRS. GATES TO DENY THE CONDITIONAL USE BASED ON THE FACT IT WAS NOT COMPATIBLE WITH THE COMPREHENSIVE PLAN. Seconded by Mrs. Brenner. Denied by roll call vote 6 – 2.

Mr. Bergman stated – This has been denied based on the inconsistency with the Comprehensive Plan, and I'm sure this will be forwarded to the City Commission. We're strictly a recommending Board and they will have ultimately the final say in this. So, you will be advised when this goes to City Commission.

Agenda Item #9 – Annexation – Approval of annexation of property identified as having contiguous municipal boundaries of Fort Pierce located at the corner of Old Dixie Hwy. & A1A. Owner/applicant is V & O Properties. Project is Lighthouse Storage.

Staff Report – Ms. Clark stated – The annexation is relative to the next agenda item, which is the Lighthouse Self Storage facility. It is voluntary, and staff is recommending approval.

Mr. Bergman stated – Okay, thank you. Are there other questions for staff from the Board?

Mr. Enns stated – I see that they've got two signatures on here for the annexation, and the third one is missing.

Mrs. Brenner added – There's a subsequent page with his signature, not the other two.

Mr. Enns – Okay.

Mr. Bergman asked – Are there any other questions? Is there anyone here to speak on behalf of the annexation?

Mr. Scott Mcguire introduced himself and stated – I'm with Knight, Mcguire & Associates, and I'm representing the applicant here tonight. I would just like to thank staff for their help for reviewing and getting this thing to the point it is now, and again, this annexation does follow up with a Site Plan w/Conditional Use and I'll be glad to answer any questions anybody has relating to either item.

Mr. Bergman stated – Okay, thank you. Are there any questions for the applicant? Is there anyone else here to speak on behalf of the annexation request? Is there anyone here to oppose the annexation?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

MOTION WAS MADE BY MR. ENNS TO APPROVE THE ANNEXATION REQUEST. Seconded by Mrs. Gates. Unanimously approved by roll call vote.

Agenda Item #10 – Site Plan w/Conditional Use – Approval to construct a public storage facility located at the corner of North U.S. 1 & North A1A. Owner is V & O Properties. Project name is Lighthouse Storage. Applicant is Scott James. Representative is Scott Mcguire of Scott & Max, Inc.

Staff Report – Ms. Clark stated – The location is directly east of the Hess service station on North Hwy. 1. The project consists of three buildings to be used for self-storage as well as office area near the front. Total sq. footage is 31,570, and staff is recommending approval.

Mr. Bergman stated – Okay, thank you. Wendy, is this a Conditional Use because of the use of the structure?

Ms. Clark stated – Right, self-storage requires Conditional Use approval.

Mr. Bergman stated – Okay. Are there any other questions for staff from the Board? Is there anyone here to speak on behalf of the Site Plan w/Conditional Use application?

Mr. Scott Mcguire introduced himself once again and stated – I'll be glad to answer any questions if anyone has anything.

Mr. Enns asked – How high is the fence that you're going to put around?

Mr. Mcguire stated – The fence around is actually a retaining wall, so from the south side it will holding back anywhere from 0 to 6 or 8 ft. of dirt. And then above that it will just be enough to meet the required rail height, so a child or something doesn't fall over.

Mr. Enns stated – The reason why I asked...see building four?...the east elevation? You're showing stucco on, I assume, the first floor, and it's got a second floor in building four with metal siding?

Mr. Mcguire stated – Yes, and the ground floors are all concrete because you'll enter on one side at one level and the other side at a lower level. So, the back wall of that building is a retaining wall that you won't see...it will be underground.

Mr. Enns stated – So basically building four faces A1A, is that right? So, if you're coming over the bridge you'll be able to see the wall and then just the metal panels up there?

Mr. Mcguire stated – It will appear as a two-story building from that side.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Mike Menard introduced himself and stated – I'm with Cook & Menard Architecture. To answer your question, it should probably be aimed more towards me. Basically what we did is try to utilize the slopes of the ground and provide access for both floors from one side or the other. And to answer your (Mr. Enns') question, we're trying to use a combination of another mini-storage system, and a concrete block and stucco assembly. Between the retaining walls and the points of interest or view locations, either the Hess, I believe, will block 90% of your basic metal building, which is part of, I guess, building two. And as far as buildings three and four, you will see from Old Dixie a stucco concrete block main structure for your first floor with a butler system on the second floor with stucco paneling inserted on it or applied to.

Mr. Enns asked – Mike, on the second floor you will be able to see where you've got designated metal siding?

Mr. Menard – Correct.

Mr. Enns stated – Because what I'm thinking about is you come over North Bridge and you go across there and all you're going to be able to see then would be that retaining wall or your wall around your site. And then just above that would be the metal panels then?

Mr. Menard stated – No, I don't think you will get that view...with the slopes of the site of building four you will see basically the whole two-story element, and on the sides you will catch the grade sloping and the retaining walls. And if you see the end walls, they are stucco as well. So, we were able to add some Bahama shutter inserts and ...(showing Mr. Enns the plans and of what he was referring to.)

Mr. Trias stated – Mr. Enns, if you have any suggestions in terms of design, you're welcome to make them a condition of approval.

Mrs. Brenner stated – I have one question about the drainage. You're going to be on a downhill side of a large parking area of a gas station...is that correct?

Mr. Menard stated – Right, the way they (Hess) have got their site tilted it drains towards the west. Their retention area is actually very close to that intersection.

Mrs. Brenner asked – They drain to the west? They are below the grade?

Mr. Menard stated – Yes. If you look at that building it's down low and the site is tipped and there's a drainage area right up against that intersection. And our site drains generally down the hill. Our buildings drain towards the west and get caught in exfiltration and it stages down towards Old Dixie.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mrs. Brenner stated – Are you telling me that the Hess station is draining beneath the highway?

Mr. Menard stated – No, their actual on-site retention is to the east to the building and then their outfall goes to the D.O.T. outfall to the north.

Mrs. Brenner asked – So, you won't get any of the overflow from that?

Mr. Menard stated – No, that's a recently developed site, it meets all the new requirements, so it was done correctly.

Mrs. Brenner stated – I new it was recent but I didn't know how much it was going to impact on you being downstream.

Mr. Menard stated – It shouldn't be a problem.

Mrs. Brenner – Okay, thank you.

Mr. Johnson asked – You said the entire system is towards Old Dixie Hwy., is that correct?

Mr. Menard – Yes.

Mr. Johnson stated – My other question is the entrance on U.S. 1. There's a deceleration lane or right-hand turn lane at that point where your driveway butts U.S. 1

Mr. Menard stated – We've already been down and met with the D.O.T. There's a right turn lane condition on a D.O.T. and we're basically required to grant an easement to the adjacent property to the south. So, we're going to grant easements, and then when that site develops the remaining improvements i.e. the right turn lane will have to be constructed. Our site generates very little traffic so in itself doesn't trigger any right turn lanes but when the next site is done we'll have to construct depending on what they do.

Mr. Johnson asked – Okay, but at this point you're just tying into the apron or the shoulder of the right-hand turn?

Mr. Menard – Yes, right.

Mr. Johnson – Okay, thank you.

Mr. Bergman asked – Is there any other comments?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Bergman added – I have one. I don't generally look for reasons to disapprove things but seeing how this is a Conditional Use application. I'm real familiar with this piece of property because I was looking at it with a client who was thinking about buying it a while back. And that property has, like you've already addressed, about a full story worth of slope in it and has some pretty intensive views once you get up some height. And I think one of the standards that we're charged with in the ordinance is the placement of facilities in waterfront areas. And I think the view that's available from that site, while I can't dictate what you can put there, I don't really think that you're taking advantage of what's there. But the biggest problem I have is this 8' ½" wall that you're going to see when you come across from north bridge on the north, south, and east sides, because to deal with the slope. I think there is a place and a need for storage facilities I just don't think this is the place for them, especially on the waterfront. I know you not right on the waterfront but you do have use out across the river. Like I said, I generally don't look for reasons to turn projects down, because I try to encourage development of the City of Fort Pierce but I just don't think that this is the proper place for a storage facility. And the way it has been handled with these retaining walls I think is really not a very good solution to dealing with the views that people are going to see when they come across our beaches and see this 8' ½" wall plus whatever handrail is going to be there. So, I'm not going to support the project based on that but that's my opinion.

Mr. Menard stated – There is no retaining wall on the east side as you come over the bridge you'll have a retaining wall that exists over...a smaller one on the north side, the biggest one is on the south side.

Mr. Bergman stated – Well, the north elevation has a retaining wall for building one and two. (showing Mr. Menard the drawings) You've got this retaining wall here and you've got this one on the south. I just don't think aesthetically that this is the right place for this. So, anyway that's my comment. Are there any other comments for the applicant. Is there anyone here to speak on behalf of the Site Plan w/Conditional Use? Is there anyone here to oppose the application?

MOTION WAS MADE BY MRS. BRENNER TO DENY THE SITE PLAN W/CONDITIONAL USE BASED ON THE DRAINAGE AND INAPPRPRIATENESS OF THE AREA. Seconded by Mr. Enns.
(vote outcome on the next page)

Mr. Bergman asked – Is there any discussion on the motion?

Mr. Enns stated – My view is that I think it's everybody's right to be able to put what they want to on their own property. But this is a pretty main thoroughfare to and from Vero Beach, and I just don't think that elevation there is something that people coming from Vero coming into our town need to really see. I just think that it could be dressed up a lot more.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mrs. Benton stated – I agree that it's not the best site and I don't like the idea of having the storage facility pretty much overseeing our beaches. But at the same time I'm not sure if that is a part of what our determination is supposed to be here.

Mr. Trias stated – Mr. Chairman, if I could make some comments to that. One of the purposes of the Conditional Use is for the Board to see whether or not the specific

location of the use is appropriate, and that's what the code says, so therefore that is criteria that you can take into account.

Mr. Bergman – Thank you, Mr. Trias.

Ms. Benton added – I also wanted to know the recommendation of the staff. Does that mean that staff took it into account and made a recommendation in favor of it?

Mr. Trias stated – I rejected the project the first time around at the Technical Review Committee, and they made an effort to improve it and so on, so we decided to forward it you for your review. But I've always had some serious reservations about the appropriateness of this project and frankly I was planning to recommend denial at the City Commission.

Mrs. Brenner stated – I have one other concern and that is the fact that is built up against that wall with retaining walls and I find that to be not a good construction site for that particular location because of the drainage and the narrowness of the lot of the property.

Mr. Bergman asked if there was any other discussion?

Mr. Bergman asked – Mr. Walker, I need help on this. Does this go with a recommendation or without a recommendation with 5 votes of denial?

Attorney Walker stated – Mr. Chair, it would go without a recommendation.

After a roll call vote of 5 – 3 there was no recommendation.

Mr. Bergman stated – Okay, this will go to the City Commission without recommendation, so you'll have your shot at the City Commission.

Agenda Item #11 – Annexation – Approval of annexation of property identified as having contiguous municipal boundaries of Fort Pierce located on Dixieland Drive. Owner/applicant is David Lundstrom. Project is Broadmoor Assisted Living Facility.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Staff Report – Ms. Clark stated – The annexation is relative to the next agenda item. It is voluntary, and staff is recommending approval.

Mr. Bergman asked – Are there any questions for staff from the Board? Is there anyone here to speak on behalf of the annexation request?

Mr. Michael Jacquin introduced himself and stated – I'm with Paul Jacquin & Sons here on behalf of the applicant for the annexation and also the Site Plan w/Conditional Use which is the next item. And I'd be happy to answer any questions at this time.

Mr. Bergman stated – Thank you. Are there any questions for the applicant? Is there anyone else here to speak on behalf of the annexation request? Is there anyone here to oppose the annexation?

MOTION WAS MADE BY MR. ENNS TO APPROVE THE ANNEXATION REQUEST. Seconded by Mr. Johnson. Unanimously approved by roll call vote.

Agenda Item #12 – Site Plan w/Conditional Use – Approval to construct an adult congregate facility in a R-5 zone. Located at 200 Dixieland Drive. Project is Broadmoor Assisted Living Facility. Owner is Christopher Lundstrom. Applicant/representative is Michael Jacquin.

Staff Report – Ms. Clark stated – The proposal is an addition to the existing Broadmoor of White City, which is currently operating on south U.S. 1. The proposed addition is for 48 resident beds. The architecture will be consistent with the existing facility. The applicant is also processing a Variance to parking requirements. That application will be heard before the Board of Adjustment in June. And staff is recommending approval conditioned upon the acquisition of variance to the required parking.

Mr. Bergman stated – Okay, are there any questions for staff from the Board?

Mr. Enns asked – When does the variance go in front of the Board of Adjustment?

Ms. Clark stated – It has already gone before that Board.

Mr. Bergman asked – Do we know what the outcome of the variance was?

Ms. Clark stated – It was approved.

Mr. Bergman stated – Okay. Are there any other questions for staff? Is there anyone here to speak on behalf of the Site Plan w/Conditional Use application?

Mr. Michael Jacquin once again introduced himself and stated – If you have any questions on the application I'll be happy to answer them.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Bergman asked – Are there any questions for the applicant?

Mr. Bergman asked – What was the variance for?

Mr. Jacquin stated – Basically what happened is when it was originally constructed it was in the County, and ...so when they were annexed into the City the parking requirements differed from what the City's requirements were versus what the County's were. And that was what the little variance was all about. So, we're complying with what it was originally designed under. So, that is why the variance got approved.

Mr. Bergman asked – How many spaces were at stake with the variance?

Mr. Jacquin stated – I don't recall off the top of my head...I think it was only like one or two...it was a small amount.

Mr. Bergman asked Ms. Clark if she recalled how many?

Ms. Clark stated – I think it was four.

Mr. Bergman stated – Okay. I just wanted to make sure that it wasn't twenty spaces or something...

Mr. Jacquin stated – No. And actually we had a report done on it—the owner kept a log—and actually the parking lot that he has presently only stayed at 74% occupancy use. So, most of the people that are there don't drive or anything like that, so all they have is an occasion guest that comes by and so forth.

Mr. Bergman stated – Okay. Are there any other questions for the applicant? Is there anyone here to speak on behalf of the Site Plan w/Conditional Use application?

Mr. Christopher Lundstrom introduced himself and stated – I'm the owner/operator of Broadmoor Assisted Living, and I will answer questions if I can.

Mr. Bergman stated – Okay, thank you. Are there any questions for either of the applicants. Is there anyone here to speak against the Site Plan w/Conditional Use?

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN W/CONDITIONAL USE. Seconded by Ms. Benton. Unanimously approved by roll call vote.

Agenda Item #13 – Site Plan – Approval for a public storage facility located at 4892 Okeechobee Road. Project is known as Pineapple Storage. Owner is WTC, L.L.C. Applicant/representative is Michael Jacquin.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Staff Report – Ms. Clark stated – This is phase II of the existing Pineapple Mini Storage facility. All structures will be placed within the retaining wall. Total sq. footage is 43,462, and staff is recommending approval.

Mr. Bergman asked – Are there any questions for staff from the Board? Is there anyone here to speak on behalf of the Site Plan application?

Mr. Jacquin introduced himself once again and stated – I'm here representing the owner, WTC. Quick history about the project. Basically it was the formal Wal-mart building and it's been subdivided and I don't know if anyone remembers what the old Wal-mart looked like. There's been a tremendous upside to it since the present owner has taken possession in regards to landscaping and other things. I'm sure most people have been to the new Wal-mart and driven by it...probably just haven't given it much of a look. But it has significantly improved and all the improvements that we're here discussing this evening will be contained inside of the existing site and so forth. So, with that I'll answer any questions that you have.

Mr. Enns asked – Mike, I see you've got your privacy wall, which I see is the existing privacy wall; your 11'4" and your eave height on the new metal building is 16 ft. high?

Mr. Menard – That's correct.

Mr. Enns asked – Are there going to be big garage doors across there?

Mr. Menard stated - Right now we haven't to the full of the sizes. Mainly what we're looking at doing is having it so we can have the (foiling?...maybe folding?) doors and so forth, and then having where they can have storage from either side. You're talking about the center building basically is what we're talking about. The rest of the buildings are going to be below.

Mr. Enns asked – There's a 317 ft. long building?

Mr. Menard stated – That's correct. Yes, there will be doors on it for storage and so forth and also there's going to be storage on the interior of the building, that's primarily what it's going to be. It would be similar storage to what is already existing, which is actually inside the former Wal-mart building. So, I don't know if that's making a lot of sense, but there's going to be some on the exterior that you may see. The majority of it is going to be on the interior...

Mr. Enns stated – It will be like two floors...that's the reason for it to be 16 ft. high?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Menard stated – Yes, it gives you some volume, so if you do stacking and other things of that nature.

Mr. Enns stated – I think it's a great idea, especially behind the wall. Those things look pretty bad anyway, but I guess with the wall, you only see 5 ft. of it.

Mr. Menard stated – There is a considerable amount of landscaping again; you have some different shrubs and things that stick up.

Mr. Enns asked – I thought it was parking across there. You've got no shrubbery across the front do you?

Mr. Menard stated – On the exterior of the wall there are shrubberies and different things that are there now.

Mrs. Brenner asked – Is this the only Site Plan you're going to bring us? We have no elevations, no drainage, no...

Mr. Menard stated – Everything existing. All we're basically doing is going right back into...

Mr. Trias added – Mrs. Brenner, the exterior appearance of the project is already in place. The very nice looking wall that they built already.

Mrs. Brenner stated – Okay, so all we're looking at is the interior?

Mr. Trias stated – Right, so there's no impact in terms of the way that the building looks. The impacts are already there.

Mrs. Brenner asked – And the surroundings like the drainage and things like that are already in place?

Mr. Trias stated – That's correct, yes.

Mrs. Brenner stated – So, there's no reason for us to see any of that additional?

Mr. Trias – Right.

Mrs. Brenner – Thank you.

Mr. Bergman stated – Let me get this straight...What you're basically building 20 ft. deep storage bays on the inside part of that wall...is that correct?

Mr. Menard stated – Approximately...I don't have it in front of me...

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Bergman stated – It says 20 ft. on here. Are you going to be building right up against this wall?

Mr. Menard stated – That’s correct. We’re going to use it as one structural component.

Mr. Bergman asked – So, you’re not going to see the 10 ft. high units around the perimeter because they’ll be screened by the wall?

Mr. Menard – That’s correct.

Mr. Bergman stated – But we will see the metal building in the middle...and I think that’s what Chuck (Enns) was asking.

Mr. Menard stated – Yes, that’s where he was heading, and that is what I was trying to convey to him.

Mr. Bergman – Okay.

Mr. Menard stated – Aesthetically it’s going to be pleasing...we’re not going to put an eyesore out there, if that’s what your concerns are.

Mr. Bergman asked – How are you going to handle the drainage off of the roof against those walls?

Mr. Menard stated – We’re sloping from the high point on the masonry wall into...

Mr. Bergman added – I understand what you’re doing, but you’re sloping 20 ft. Are you going to go like a quarter inch per ft. slope on the roof or...?

Mr. Menard – Yes.

Mr. Bergman – Okay.

Mr. Menard stated – We took that into consideration when we originally did it.

Mr. Bergman stated – No, I think it’s fine that you’re hiding those behind the wall. I’m just kind of curious what kind of height you’re going to have with the opening side?

Mr. Menard stated – It will be for small unit people.

Mr. Bergman stated – Okay. Are there any other questions? Is there anyone else here to speak on behalf of this? Is there anyone here to oppose the Site Plan application?

MOTION WAS MADE BY MR. JOHNSON TO APPROVE THE SITE PLAN. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Agenda Item #14 – Conceptual Plan – Approval of a conceptual development plan located between North U.S. 1 & Old Dixie Hwy. Project name is Riverview Club Apartments. Owner is Linda Davis. Representative is B.S.E. Consultants.

Staff Report - Mr. Trias stated – Mr. Chairman, you may recall that once in a while you have an application for a Conceptual Site Plan. That is a preliminary stage that does not convey any approval rights. It's simply an opportunity for the Planning Board to look at the layout and the general character of the project. That's what the code says. The reason that this is before you is that the applicant is attempting to apply for affordable housing tax credits through a state program that you're familiar with, and you have reviewed similar projects in the past. Their intention is that this level of approval will convey the intent of the City, that this type of project is something that we want in the area. Staff has reviewed the project and is concerned about several things. One of them is that the density of this project is such that it may affect the level of service on U.S. 1. We're concerned about transportation and clearly there's no traffic study yet; it's not a requirement given the fact that it's a Conceptual Site Plan. But that's one of the concerns that I think we have. There are some other concerns that deal with the fact that this type of multi-family residential development right on U.S. 1 is not the best use of the property from our planning point of view. We have looked at some other strategies for development in the area. And finally just the general layout of the project is nothing that we can think represents the orderly development that we would prefer in terms of blocks and in terms of a way to deal with the future development of the area. So staff is recommending denial.

Mr. Bergman stated – Okay, thank you. Are there any questions for staff from the Board?

Mr. Johnson asked – Does this butt up to the St. Lucie Village limits? Is that correct? Because I drove the area and saw the sign there. I think it does.

Mr. Trias added – If it doesn't it's very close...I would have to check the map. But it's very close to the City limits.

Mr. Johnson stated – Okay, I mean we're not showing any City limits on the map at that point, is that correct?

Mr. Trias stated – You're right, the village is in that area pretty much.

Mr. Johnson – Yeah.

Mrs. Brenner stated – Mr. Trias, in view of our problems with the fire district, this particular property is a great distance from any fire station and with this many residents it would be inconsistent to not have a fire station within a very close proximity; not necessary just for fire but for EMS evacuation for people. And for that reason alone I would not be in favor of the project.

Mr. Trias stated – Yes, I would tend to agree with that analysis. That's definitely a concern.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Bergman asked – Any other questions for staff?

Ms. Benton asked – Where are the cross streets? I heard you say that it was close to St. Lucie Village. Do we have some idea of where ...?

Mrs. Brenner added – If I may, Ms. Benton, I believe the next road down there is Herman Summerlin used to have his office just before you get to Cracker Barrel. What's the name of that road?

Mr. Enns added – It's Naco Road.

Mrs. Brenner continued – Yes, but there's a marina down there. It's just about there (pointing at the Site Plans) is where the sign is for the village. This is south of the old Grace property. So, I don't think it butts up to St. Lucie Village.

Mr. Johnson stated – I think it's pretty close, I went there this afternoon. But either way, it doesn't matter, it's in between North A1A and ...

Mr. Trias added – Mrs. Brenner is right, it is south of the Grace property. And the Grace property is the one that butts up to this village.

Mr. Bergman asked – Any other questions for staff? Is there anyone here to present the Conceptual Plan?

Mr. Don Kean introduced himself and stated – I'm with B.S. E. Consultants out of Melbourne, and we're representing Sandspur Housing, who is the developer that's looking for this approval. Just to rehash, this site is currently zoned commercial with conditional R-5 use. R-5 permits a density of 15-units per acre while we're proposing a maximum density of approximately of 12.2 units per acre. So, we're not approaching that max density for that area. I know that is a concern. This is an affordable housing area. With the development that we see going in the downtown area, we think this would be a nice compliment to the area. The Sandspur Housing has done numerous affordable housing projects throughout the state. They do an excellent job. They've received numerous awards, landscaping awards, designing awards. They put in a quality product. I'm working on some in my City right now, and I stand behind them. I'd like to answer any questions or concerns you may have. We also have a representative from the developer here tonight to answer any additional questions.

Mr. Bergman asked – Are there any other questions for the applicant from the Board?

Mr. Johnson asked – Was there any consideration in reducing the density of the area? I know it's affordable housing and you have to look at certain things when doing that. But I was just looking at the surrounding area to where it's located. And reducing the density seems, in my opinion, to be a better alternative. Was there any consideration there?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mr. Kean stated – Well, we're at a point right now where it's conceptual.

Mr. Johnson – Sure.

Mr. Kean stated – So, we're entertaining all thoughts and ideas at this moment. Nothing is set in stone. Obviously yes, there is a break point that the client doesn't want to go below. My client might be a little more in tune with discussing density and what they would feel. I think it is open to negotiation at this point.

Mr. Johnson – Okay.

Mr. Enns asked – How many story buildings are these? It might be on here somewhere but I don't see it.

Mr. Kean stated – Typically they're a three-story building with a two-story end cap would be the best description.

Mr. Enns asked – So, on an AB building the two A's would be a two-story and the interior B's would all be three-story?

Mr. Mark Godiet introduced himself and stated – I'm with Sandspur Housing Partners. The product that we're proposing for this site is a full two-story product. There are no three-story sections.

Mr. Kean added – I'm sorry.

Mr. Enns asked – So, would the A's then be one-story?

Mr. Godiet stated – The ABC and D designations refer to the number of bedrooms. An A unit is a one bedroom, a D being a four bedroom.

Mr. Enns asked – But they would all be two-story?

Mr. Godiet stated – They're flat over flat. Each unit has an independent entry but they are one-story units. You have a stacked unit. A one bedroom over a one bedroom.

Mr. Bergman asked Mr. Enns – Did he answer your question with that?

Mr. Enns – Yes.

Mr. Bergman asked – Are there any other questions for the applicant? Is there anyone else here to speak on behalf of the Conceptual Site Plan? Is there anyone here to oppose the Site Plan?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

MOTION WAS MADE BY MR. ENNS TO DENY THE CONCEPTUAL SITE PLAN DUE TO THE INCONSISTENCIES WITH THE CONCEPTUAL PLAN. Seconded by Mrs. Brenner. Denied 6 - 2 by roll call vote.

Agenda Item #15 – Re-Zone – Approval to rezone property from R-4, medium density residential to C-1, office commercial. Located at 2316 Nebraska Avenue. Owner is A & B LLC. Applicant/representative is Harry Gray.

Staff Report – Ms. Clark stated – The Central Florida Bloodbank has operated out of this building on Nebraska for over twenty years. The Comprehensive Plan is office commercial; therefore, the rezoning would be consistent with the Comprehensive Plan, and staff is recommending approval.

Mr. Bergman stated – Okay, thank you. Are there any questions for staff from the Board? Is there anyone here to speak on behalf of the Rezoning request? Is there anyone here to oppose the rezoning?

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

Agenda Item #16 – Special Exception – Approval to permit the expansion of an automatic car wash bay. Project known as Anchor Car Wash. Located at 3104 Okeechobee Road. Owner is Rex Deffendall. Applicant/representative is Cook & Menard Architects.

Staff Report – Ms. Clark stated – A portion of the building on the north side encroaches into the setback into the right-of-way in order to add on to the structure it does require a Special Exception. It would be forwarded to the Board of Adjustment at the last meeting in June, and staff is recommending approval.

Mr. Bergman inquired of the date of the Board of Adjustment meeting.

Ms. Clark stated – It will be heard on the fourth Thursday in June.

Mr. Bergman stated – Okay. Are there any questions for staff from the Board?

Mrs. Brenner asked – Wendy, do I recall correctly that this property came before either this Board or the City Commission before I was on this Board because of the encroachment? There was a question some time ago about this property and they wanted to do a change then. Am I correct? I don't remember the particulars but I remember the property was under discussion.

Ms. Clark stated – I don't remember processing any type of paperwork, no.

Mrs. Brenner asked – There's nothing in the history that would prevent anything that we do now?

Ms. Clark – No.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mrs. Brenner – Thank you.

Mr. Bergman asked – Are there any other questions for staff? Is there anyone here to speak on behalf of the application?

Mr. Mike Menard introduced himself once again and stated – I'm with Cook & Menard Architecture. The current owner is here and also the potential owner. And just to give you an idea of what the potential owner has in mind. It's basically just an expansion of the existing automatic and equipment room and one self-serve bay to be able to put more modern equipment in. And also fix up and put additional landscaping in. This (showing photos) is the car wash he bought in Okeechobee; this is the before, and this (showing photos) is what it looked like when he got finished with it. So he does take pride in his work, and wants to fix up the existing car wash as much as he possible can. There's a slight roof modification. This (showing photos) is the existing car wash. So, the roof will step up where the automatics are and extend back, which will have additional architectural feature. He's going to provide some stucco banding, ...some roofing, and additional landscaping as well as new equipment to conserve on water as well.

Mr. Bergman asked – Thank you. Are there any questions for the applicants' representative?

Mr. Enns asked – Would the potential new owner happen to be Jimmy Hearndon?

Mr. Menard – Yes sir.

Mr. Bergman asked – So, the addition is actually not getting encroached any further than the building already does?

Mr. Menard stated – The automatic bay needs to be extended 3'4", and it will go from the automatic bay across the equipment room and to the first self-serve bay. Basically it's a 3'4" X 34' addition.

Mr. Bergman added – No, 48 ft.

Mr. Menard stated – Hey, I'm just doing this off the top of my head.

Mr. Bergman stated – You're just basically adding 40 in. onto the back of the existing CBS building?

Mr. Menard – Correct.

Mr. Bergman stated – Okay. Are there any other questions for the applicant? Is there anyone else here to speak on behalf of the Special Exception? Is there anyone here to oppose the application?

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SPECIAL EXCEPTION. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Agenda Item # 17 – Special Exception/Variance – Approval to permit an addition with a carport conversion into family living space for a non-conforming structure; and a variance from regulations concerning the side-yard setback. Located at 2001 South 30th Street. Owner/applicant is Mr. Chris Meehan.

Staff Report – Ms. Clark stated – The addition will encroach into the side-yard setback. And the structure itself is non-conforming. The item will be heard before the Board of Adjustment at the end of June, and staff is recommending approval.

Mr. Bergman stated – Thank you. Wendy, the encroachment on this is existing, is that correct?

Ms. Clark – Right.

Mr. Bergman asked – So, they're not actually increasing the non-conformity?

Ms. Clark – Yes.

Mr. Bergman asked – Are there any other questions for staff from the Board?

Mr. Enns asked – This is just a recommendation for them to go in front of the Board of Adjustment, right Wendy?

Ms. Clark stated – Right. Special Exceptions come to the Planning Board for consideration.

Mr. Bergman asked – Are there any other questions for staff? Is there anyone here to speak on behalf of this application? Anyone to oppose it?

No one was present.

MOTION WAS MADE BY MR. POITIER TO APPROVE THE SPECIAL EXCEPTION/VARIANCE. Seconded by Mrs. Gates. Unanimously approved by roll call vote.

Agenda Item #18 – Annexation – Group 24 – Approval of annexations of properties identified as having contiguous municipal boundaries of Fort Pierce. Owner is R.V. Development LLC.

Staff Report – Ms. Clark stated – All properties come to us by way of Fort Pierce Utilities agreements and staff is recommending approval.

Mr. Bergman stated – Thank you. Are there any questions for the staff from the Board?

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Mrs. Brenner asked – The ones that are blanks in the middle are those lots that are not going to be in? Or are they already in? Like on Andrews Avenue there's one that shows a lot that white...that's not dotted.

Ms. Clark stated – If they aren't shaded or colored then they are not within Fort Pierce City limits.

Mrs. Brenner asked – So, they're not coming into the annexation? They're going to isolated?

Ms. Clark – Right.

Mrs. Brenner – Okay.

Mr. Bergman asked – Do we encourage that, Wendy?

Ms. Clark – No.

Mr. Bergman asked – If these are all contiguous wouldn't these be involuntary annexations?

Mr. Trias added – Mr. Chairman, the only voluntary annexations are the ones that the Utilities Authority provides water. And most likely those parcels don't have that type of annexation agreement.

Mr. Bergman – Okay.

Mr. Poitier asked – Could we get them all together?

Mr. Trias stated – Well, the law allows for the County and the City to agree to annex those types of properties. If both the County and City should agree it may happen in the future.

Mr. Bergman – Okay.

Mr. Poitier – Okay.

Mr. Bergman stated – I just know that generally you don't like to have holes in your zoning.

Mr. Trias added – You're absolutely correct. That's a very bad planning practice. But apparently politically it's not as bad.

Attorney Walker stated – I don't know if I'm going to add or so much as take away. But, for whatever it's worth the two holes that are being referred to there are right along Andrews. One appears to be already in existence if I understand this correctly. And the other, if you look at the one of these pages, it is in fact being annexed.

Mrs. Brenner added – That's why I was confused...I wasn't sure...

MINUTES OF PLANNING BOARD MEETING HELD JUNE 8, 2004.

Attorney Walker continued – It doesn't look to me like any new holes enclaves are actually being created.

Mr. Bergman stated – You just have to go through the maps a little farther.

Mr. Trias stated – Yes, there may be typos in the maps, or we haven't done it yet and it's going to be done in the future. In the big picture, eventually, all of that land will be within the City at some point, and we're working through the details of that as we speak.

Mrs. Brenner added – I thought maybe they had wells and septics and were refusing...

Mr. Trias stated – That happens, that is not unusual, that does happen, yes.

Mrs. Brenner – Thank you.

Mr. Bergman stated – Okay, is there any other questions for staff? Is there anyone here to speak on behalf of the annexation or against the annexation?

MOTION WAS MADE BY MR. JOHNSON TO APPROVE THE ANNEXATION GROUP 24. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

Agenda Item #19 – Discussions

There were no discussions.

Agenda Item # 20 – Adjournment at 9:00 p.m.

