

MINUTES OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, JULY 13, 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), Tom Knott, Pam Williams, Margaret Benton, Harriett Brenner, Chuck Enns, Charlie Harris, Jeremiah Johnson, and Robert Poitier.

Members absent: None...everyone present.

Citizens and Staff present:

Robert Imperato	Ramon Trias, AICP, Director of Development
James E. Gilgenbach	Wendy Clark, Planning Coordinator
Susan Holland	Jim Walker, Assistant City Attorney
Cristobal & Margarita Jimenez	Dianna D. Rose, Secretary
Richard Keane	
Al Brodeur	
Ariel Bentata	
Alfred Seidner	
Justin Bryant	
Benjamin Bitton	
Howell Walter, II	
Bob Miller	
Steven McCroey	
Icelyn McLean	
Bob Stackelbeck	
John Foster	
Ken Natoli	
John Donahue	
Andy Clark	
Jim Forbes	

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

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

There were no absences.

Mr. Bergman stated – Mr. Walker, if there's no objection, I'm going to have Mrs. Gates chair the remainder of the meeting as I have four projects to present tonight.

Attorney Walker stated – Mr. Chair, for the purposes of the minutes, I would respectfully recommend that you solicit a motion from the Board designating her the Vice Chair as the Chair Pro Tem of the meeting. It's a simple procedure.

Mr. Bergman asked – Do we have a motion?

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MOTION WAS MADE BY MR. POITIER TO ALLOW MRS. GATES (VICE CHAIR) TO CHAIR THE REMAINDER OF THE MEETING BECAUSE OF MR. BERGMAN'S SEVERAL CONFLICTS OF INTERESTS. Seconded by Mr. Harris. Unanimously approved by roll call vote.

Agenda Item #3 – Consideration of Minutes

MOTION WAS MADE BY MR. ENNS TO APPROVE THE MINUTES OF JUNE 8, 2004. Seconded by Mr. Poitier. Unanimously approved by voice vote.

Agenda Item #4 – Site Plan w/ Conditional Use/PUR – Approval of a Preliminary Planned Unit Redevelopment for a mixed-use project located on South Hutchinson Island. Owner is Beach Group Investments, LLC, applicant/representative is Al Brodeur of Thomas Lucido & Associates.

Staff Report – Mr. Trias stated – Madam Chair, the project as proposed is in an area zoned PUR. And as you know, it provides an exception for the height of buildings. As you know, the beach has a height limitation of 45 feet, and one of the concerns that's reflected in the staff report, is that the building height is way beyond that, and because of that staff has recommended denial. The other aspects of the project are appropriate and well resolved; however, that single aspect, we believe, is a little bit excessive and we are recommending denial.

Mrs. Gates asked – Are there questions for staff from the Board on this issue?

Mr. Enns asked – Ramon, that's the only issue that you have a problem with on this?

Mr. Trias stated – To make it simple, basically the building is one story too high.

Mrs. Gates stated – Any further questions for staff from the Board?

Mr. Knott asked – Ramon, have you spoken with the applicant about this, and is he willing to work with this or is just going to go with the luck of the draw here?

Mr. Trias stated – I think that you should ask the applicant. I haven't talk to him today.

Mr. Knott – Okay, thank you.

Mrs. Gates asked – Any further questions for staff? If not, is there anyone here to speak on behalf of this request?

Al Brodeur introduced himself and stated – I'm with Thomas Lucido & Associates. I need to start out with giving you a brief description of the project. We're proposing a rezoning to PUR to allow for a mixed-use building. Underneath the PUR district, it allows 18 units per acre, which we're consistent with. We're proposing 39 dwelling units on 2.16 acres. I brought this colored drawing because I realized that the black and white is kind of hard to see what we're proposing. And hopefully this will help you out a little bit. The first floor is actually parking. Because of FEMA laws you cannot have floor inhabitable, wherein it must be 12-14 feet, in case there's a storm surge.

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So, we put the parking underneath the building. The second floor is actually a deck with a pool overlooking the ocean, and a dune crossover. Another aspect of this project is the applicant is agreeing to improve St. Lucie Court, which is now a city-owned right-of-way. Parking, landscaping, and a dune crossover, which will all be available to the public will be constructed at the expense of the applicant. I'd like to explain the building height issue a little bit. I realized that the staff report indicated that the building height was 75' 8". That was actually the first proposal, and a second proposal was submitted not that high. The latest proposal right now is 59 ft. right to here (showing on drawings) which was submitted by Peacock & Lewis. This is actually three stories of habitable space. The reason that it had to be so high is because of newer laws that require the first floor to be 12-14 ft. above sea level. The first habitable floor is actually right here and there's three floors above that. And I guess this (pointing to drawings) is the area that involved some concern. There are actually four floors and an architectural embellishment right here (pointing to drawings), and I'd like to let Peacock & Lewis explain that more clearly. If you have any questions about the technical issues I'd be happy to answer them.

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

Mr. Knott asked – Al, how does that relate to this 75' 8" ?

Mr. Broedur stated – I'm not sure...that's what not submitted.

Mr. Enns asked – Is that the top of the cupola maybe?

Mrs. Gates asked – Could we bring somebody up who could answer that?

Mr. Bergman introduced himself and stated – I'm with Peacock & Lewis. This is basically submittal to staff on this one. I think the average roof height on the schematic that we sent to staff was at 75' 8", which is probably the number that they pulled off of. We have since made an effort to lower the building significantly to try to get it to compare with other structures out on south beach. If you look at this elevation (pointing to drawings), this is actually just a mansard roof with a flat deck behind it with all the air conditioning equipment mounted on the roof of this unit. So, what we've measured is, I think it was 60' 4" to the actual roof deck of the four story portion of the building. As Al said, the ground floor is parking and retail. We're trying to incorporate the retail element to the project with maybe some amenities for the condos on that ground floor since they can't be habitable. But right now we've made an effort to try to lower the scale of the project because at the first submittal it was significantly higher than what it was permitted. I believe there are three, possibly four units that do exceed the height limit and we tried to make this comparable to the South Point project, which is similar in height. They've handled the height issue a little differently. I was made aware of the height issues from staff. I've discussed them with the client. We felt that the project is basically a 40 to 50 million dollar project for south beach. We thought that it would worth going ahead and taking our chances with the Board and seeing how it went from here.

Mrs. Gates stated – Thanks Don. Any other questions for Mr. Bergman?

Ms. Benton stated – Staff indicates that a little over 45 ft. is often allowed or can be allowed. How far over that are you?

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Mr. Poitier added – It's 85 ft. isn't it?

Mr. Bergman stated – This project and other projects on the beach, as Al mentioned, has had us run into FEMA regulations where they require anywhere from a 12-14 ft. wave crest elevation, meaning that the lowest structural element, whether it's a beam or whatever, has to be at 14 ft. to avoid any tidal surge from a storm. That's done so if there is this tidal surge it only takes out the ground floor of the building, not taking down the whole building, which is why you can't put anything habitable on the ground floor. So, regardless of what project was to go out on the beach, generally your first floor is non-habitable. The zoning ordinance measures building heights from grade. So, what's happening in this instance is—we're not necessary being penalized—but it's part of building on the beach. You're losing 14 ft. right off the bat because you can't basically have anything habitable on that ground floor. So, basically on the front elevation we have three floors of condos, which gives you the four floors but the excessive height on the ground floors is part of the height problem we're running into.

Ms. Bennett asked – So, are you saying that you're just 14 ft. over the code?

Mr. Bergman stated – We're at about 60' 4" for this front elevation. And on this (pointing to drawing) back here where we had these other elements we are another floor higher. And I believe that was the issue staff had with the building height.

Ms. Bennett – Thank you.

Mrs. Gates asked – Don, that's for the design elements though, the cupola...?

Mr. Bergman stated – Well, there are three units. About 80% of this project is at the 60 ft. height. We have in the back corner this octagon shaped tower, and then there are three units behind the tower. When we originally came up with the concept was to obtain views over the Beachwood and some of the structures that are right there on Seaway. So, those elements are clearly a story above the height restrictions. The rest is taller; there are some architectural embellishment. But we're willing to work with staff on trying to get this stuff down in height where we can work. We think it's a really nice project. Architecturally it has a great look. I think it would be a great addition for the beach; but at the same time, we all have to work within the guidelines set up by staff. We try to with what's there. You're probably unaware of this, but the county and the city measure their building height differently. The county—I'm sure Tom's aware—measures from your base elevation, which in this case should be 14 ft., because that where your first habitable floor could be. The city, on the other hand, measures from grade. And there have been instances where developers have pushed up grade around the building to shorten the building height. There all kinds of things that go on. Those are the rules we have to work with, but that's what's happening with this project, is that we're getting that extra 14 ft. stuck in due to DEP requirements.

Mr. Knott asked – Don, what's your yield on it...how many units do you have here?

Mr. Bergman stated – Right now we have 39 units on there.

Mr. Knott asked – So, what kind of density does that give you on this?

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Mr. Bergman stated – I believe it was 18 an acre; I don't think we exceeded the density.

Mr. Knott asked – Ramon, are this submittal here, are you still unhappy with this or have you had an opportunity to look at these modifications? Are these more in line with your thinking now?

Mr. Trias stated – I think the applicant has made a lot of progress and I think that the applicant has also indicated that they want to keep working on it. So, as long as they do it I think that we can have a good project as the process proceeds.

Mr. Knott asked – Is there a density requirement for the PUR? Maybe Mr. Walker could answer that.

Mr. Bergman stated – That's generally a staff issue.

Mr. Trias added – The PUR provides some flexibility in height and also in density. And that's the reason why we have that designation available to the city.

Mr. Al Brodeur stated – I wrote down the section number, I don't know if anybody has a code in front of them, but section 22-42, n.1f states that, "Any project in the PUR that exceeds 18 units per acre must have a justification from the Director of Development.

Mr. Knott stated – Up to that it sits acceptable.

Mr. Brodeur stated – Yeah, that's our understanding. When we have a site like this we have to look at density and building height. And so we went by the 18 units per acre; we didn't want to justify anything more. So, that's what we went for. And when it comes to the 45 ft. it's our understanding that that was designated for nothing more than four floors on south beach. I think that was the intent of it. That's my understanding of it. But it gets more complicated than that when you have to put the first floor 12-14 ft. high, and then if you don't want to design a flat square condo, you actually want to have a building that has some architectural features, then obviously there's some gray area there and obviously that's up to you to decide. But that's our understanding. I believe the applicant wanted to say something too.

Ariel Bentata introduced himself and stated – When we first took over this property it had, I believe, an approval for a condo hotel essentially more units than property we're proposing. But what we're proposing here is a very upscale development. We are even considering having direct elevators to each unit. Each unit will face the ocean and it's going to be a very upscale project. We also understood that the city really wants to develop mixed-use projects, which initially we thought would go to the detriment of the value of the units. But we agree with the city that we would provide for that retail space. So, as you can see, right in the ground floor you're going to have some very upscale retail that we believe that's going to be a good addition to the city or so we've been indicated. So, within those limits we try to work with the 39 units that we're proposing. And the only aspect of the building that we believe is substantially higher probably than the original floor limitation that we have granted although the comments that we received. It's just this small portion of the building, which is not even immediately on this street. All of this street from this is really within very close distance from where we understood the height limitation to be. So, in order to

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make our project work, the only way we felt we could put in those three or four additional apartments without making it too crowded and really not nice from an architectural prospective, was in that little portion of the building which fronts the beach adding an additional floor. And I believe that's what's under discussion today. We're willing to work with the City and we've been in meetings to try to make it work but we respectfully submit the project to for approval. Thank you.

Mrs. Gates – Thank you very much.

Mr. Johnson stated – I'm not sure who could answer this but in the design of the project you talk about a dune walk going down to the beach. Is it in your plans to build some kind of a stem wall or are you modifying the dunes that are there to improve upon them based on the beach renourishment or what's going to happen to that?

Mr. Brodeur stated – Yeah, according to the DEP, if we get city approval or local government approval, we have to get approval by the DEP also because it's east of the Coastal Construction Line. And one of those requirements is that the landscape architect design a dune restoration plan, which is to put all kinds of native species of grasses along the dune. That is a requirement of the DEP, it's also required that we design this so that people are discouraged from crossing the dune except where it is designated, which would be right here (pointing to drawing) for the residents of this condo and then right here for the public. This whole area would have to be restored by the applicant before we received an approval from the state.

Mr. Johnson asked – In terms of elevation, though, are you adding to the dune that's there or is the elevation going to work out...?

Mr. Brodeur stated – Whatever the DEP requires. If they require more sand, if they require more grasses, then that's what we'll do.

Mr. Johnson asked – And your dune walk is coming from the second floor where the pool is?

Mr. Brodeur – Right.

Mr. Johnson – Okay.

Mr. Brodeur stated – So, if you're parking, you'll either have to come upstairs in this area of the pool and walk across or you'll have to go this way. You'll be discouraged from walking just right across it.

Mr. Johnson – Right. Thank you.

Mr. Benjamin Bitton introduced himself and stated – I'm part owner of Beach Group Investment. I'm working with this project with Mr. Bergman and Thomas Lucido for quite a while. And I just wanted to give you a perspective of my point of a business man ... What happened was that I really wanted to bring over here something different. Something to make it upscale, something that can maybe be a pioneer to start. Maybe I'm a dreamer, but everybody remembers south beach 20 years ago, and things change. So, I'm really insisting to have many more than 39 units as a reason. I

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know the regulations. I know that they have restrictions, but when I do my calculation, when I sit with my bookkeeper and 39 units is the minimum to have in a building, ...I cannot have 36/35 units and they're going to have to pay tremendous amount ...just to keep the building in this high end. This is number one. Number two, if I go less than 39 units...I'm going to have to squeeze in the apartment and do them smaller. If I'm going to do them smaller, I don't think I can bring upscale people over here to this building. I don't think I can push it to the elevation that I want to bring it as a businessman. That's all I'm trying to say.

Mrs. Gates stated – Thank you. We need many good dreamers for our city. Thank you very much. Anybody else? Any other applicants would like to speak? Any other questions?

Mr. Knott asked – The parking that's indicated on here...is this all off-street parking now is some of that out in that inner street?

Mr. Brodeur stated – Let me get the plan if you don't mind.

Mr. Knott stated – You're requiring 74 and you've got 74 and you don't indicate that there's parking out on A1A and...

Mr. Brodeur stated – That 74 is actually parking on site.

Mr. Knott asked – All on site?

Mr. Brodeur stated – Yes, that parallel in front is part of the A1A...

Mr. Knott stated – That's great, because other projects have tried to incorporate some of that into theirs. Second and final thing I've got is, just for clarity, you are prepared to improve that St. Lucie Court...that access?

Mr. Brodeur stated – Yes. That will be at the owner's expense.

Mr. Knott stated – If we have a motion, would the applicant be willing to design, permit, and construct, not only the 8 parking spaces and the access there in the St. Lucie Court, but I see a sidewalk to the beach too?

Mr. Brodeur stated – Yes, that will all be part of it.

Mr. Knott stated – Okay, good, thank you.

Mr. Johnson stated – I have one last question. I see in the architectural detail it was hard to depict, but actually in the other rendering there's a second building in the back and on our plan it calls for ground floor parking. Is that building just a one-story structure?

Mr. Brodeur stated – These are the buildings where the units are.

Mr. Johnson – Correct.

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Mr. Brodeur continued – This deck with the pool is actually about 14 ft. up above the ground, and the parking is underneath there...if you look at the site plan.

Mr. Johnson stated – Right, I see that. What about the building in the northeast corner there?

Mr. Brodeur stated – There's parking underneath this too.

Mr. Johnson asked – Yes, but is that just a one-story structure that it abuts to the deck?

Mr. Brodeur stated – No, I included this (pointing to drawings) because it's hard to tell from this design right here that this is that back one and this is the front one right here. And the courtyard goes through here.

Mr. Johnson stated – Okay, so those are units in the rear also?

Mr. Brodeur stated – Yes they are.

Mr. Johnson – Okay.

Mrs. Gates asked – Are there any further questions for Mr. Brodeur?

Mr. Knott stated – I do have one more, I'm sorry. And then we've got to get going on these other things. There's another project on this. Ramon, has the site plan expired on that one that was approved about a year or so ago on the same parcel?

Mr. Trias stated – It probably has, yes.

Mr. Knott stated – If I remember correctly there was an issue of the north driveway on that site plan, and because of the configuration and nearness of this to the intersection that's being proposed up there, that was limited to a out-only movement, not a left in. Because there's a turning lane being proposed...

Mr. Brodeur stated – It's my understanding that the engineer has discussed this with Hector, I don't know if he's here right now.

Mr. Knott stated – There was an issue because it didn't meet the D.O.T. standards for the stacking for the left turn lane up there.

Mr. Brodeur stated – Well, we didn't get any comment that indicated concern about that from the Technical Review.

Mr. Knott – Okay, thank you.

Mrs. Gates asked – Okay, is there any further questions on this issue?

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Ms. Brenner stated – I think my question is probably for staff. It mentions retail underneath in the front. In view of some recent events in town is there some way that we can make this a for-sure that it will be as presented. That the commercial district will in fact materialize?

Mr. Trias stated – The approval will have that condition that the ground floor will be retail. And that's the best way that we can control that at this point.

Ms. Brenner – Thank you.

Ms. Gates asked – Any other questions? If not, is there anyone here to speak against this request?

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN W/CONDITIONAL USE/PUR UNDER THE CONDITIONS THAT THE GROUND FLOOR WILL BE DESIGNATED AS ONLY COMMERCIAL, AND THAT THE APPLICANT WILL BE RESPONSIBLE FOR THE DESIGN PERMITTING CONSTRUCTION OF THE PARKING AND THE IMPROVEMENTS IN ST. LUCIE COURT AND THE BEACH ACCESS AS SHOWN ON THE SITE PLAN. Seconded by Mr. Poitier.

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

Mr. Johnson stated – I have one issue just to make sure that I'm on the right track here. We talked about 60' 4" as like the mean roof height, and I don't see that in the submittal that was given to us. I don't know if we need to make that a condition of this motion or not.

Mr. Knott stated – Okay, I'd like to modify my motion to stipulate that the mean elevation of the roof would be 60' 4".

Mrs. Gates – Okay.

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN W/CONDITIONAL USE/PUR UNDER THE CONDITIONS THAT THE GROUND FLOOR WILL BE DESIGNATED AS ONLY COMMERCIAL, AND THAT THE APPLICANT WILL BE RESPONSIBLE FOR THE DESIGN PERMITTING CONSTRUCTION OF THE PARKING AND THE IMPROVEMENTS IN ST. LUCIE COURT AND THE BEACH ACCESS AS SHOWN ON THE SITE PLAN, AND TO STIPULATE THAT THE MEAN ELEVATION OF THE ROOF WOULD BE 60' 4". Seconded by Mr. Poitier. Unanimously approved by roll call vote.

Mrs. Gates stated – This will go before the City Commission. This looks like a great project...good luck to you.

Agenda Item #5 – Site Plan w/Conditional Use – Approval to allow the construction of a multi-family condominium with bonus density award located on South Ocean Drive, south of Porpoise Avenue. Owner is Oceanfront Land, LLC, and applicant/representative is Al Brodeur of Thomas Lucido & Associates.

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Staff Report – Ms. Clark stated – The project consists of 12 units spread out over four stories in an ocean front condominium. The applicant does comply with the awarding of bonus density units and staff is recommending approval.

Mrs. Gates asked – Are there any questions for staff from the Board?

Ms. Brenner stated – On the drawing it shows a street called Palma Avenue. I assume that was a typographical error.

Mrs. Gates stated – I think it's on page 3 of your maps.

Ms. Brenner stated – It says Palma on one and Atlantis on the other of the double fold. I want to be sure this is the project that we're talking about, not one that came in from outside as a mistake. It appears to be the same.

Ms. Clark stated – Most likely the applicant was using an old plat, so, yes it should be Porpoise.

Mrs. Gates asked – Any further questions for staff?

Mr. Knott stated – On the description, Wendy, I don't know if it's just a typo, it says that the applicant is requesting conceptual approval. I don't know if that's part of the record or not, but that is not good.

Ms. Clark stated – It is not a concept plan. It is a formal site plan.

Mrs. Gates asked – Any further questions? If not, is there anyone here to speak in favor of this request?

Mr. Brodeur stated – Again, this is a parcel east of the Coastal Construction Line. The parcel size is 1.35 acres. Under that current zoning from its 8 units per acre, which would be 10.8 units, we requested one additional unit per acre for innovative design, and we're providing 66% more landscaping than what is required by code. So, that is why we're requesting 12 units total.

Mrs. Gates asked – Twelve?

Mr. Brodeur stated – Yes, and I'd be happy to answer any questions that you may have.

Mrs. Gates asked – Are there any questions for Mr. Brodeur?

Mr. Johnson asked – The rendering that was provided in the packet here looks like to be from the ocean. Are the architectural features the same on the opposite side.

Mr. Brodeur stated – Yes, I think I'll let the architect answer that question.

Mr. Bergman stated – This building is done in the old Florida Key West vernacular basically metal roof structure, and more of an arcade ...on the ground floor. Yes, it would have the dormers, the

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metal roof. We tried to feature the viewable side of the building. The other side would be similar in style. Probably not quite as open but it would still have the same design elements on it.

Mr. Johnson – Thank you.

Mr. Bergman stated – I'm sorry I don't have a big board all I've got is the small colored ones.

Mrs. Gates asked – Any questions for Mr. Bergman on this?

Ms. Brenner stated – Mr. Bergman, that's 12 living units and all the parking is underneath...is that correct?

Mr. Bergman stated – Yes ma'am, all of the parking is on the ground floor.

Ms. Brenner asked – And does that meet the surge code?

Mr. Bergman stated – Well, we're not sure what the surge is going to be on this yet. We have the engineers determining what that height would be but obviously we're going to have to adjust that one way or another what the height would be. All the parking is on the ground floor...enclosed, and basically there are three floors...

Ms. Brenner asked – And what's the height of that building?

Mr. Bergman stated – Good question. I don't have that drawing with me but we are in compliance with the 45 ft.

Ms. Brenner – Thank you.

Mrs. Gates asked – Are there any other questions for Mr. Bergman?

Mr. Knott asked – Don, you're probably aware of the design efforts that are going on on A1A now with the City and with Ramon. I see no knowledge of any activity out there with your driveway and sidewalk. Ramon, would it be good to include something in there that they would finalize their design subject to your input on what your design team is on A1A?

Mr. Trias stated – Yes, that would be a very good recommendation.

Mr. Knott – Okay, thank you.

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

Mr. Johnson stated – I see on the engineering plan that there's a proposed decorative wall...is that correct?

Mr. Brodeur – Yes.

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Mr. Johnson asked – Okay, how tall would that be?

Mr. Brodeur – Six feet.

Mr. Johnson – It would be 6 ft.?

Mr. Brodeur – Yes.

Mr. Johnson – Okay, thank you.

Mrs. Gates asked – Anyone else for Mr. Bergman? Is there anyone else to speak on behalf of this request? If not, is there anyone here to speak against this request?

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN W/CONDITIONAL USE SUBJECT TO THE COORDINATION BY THE APPLICANT WITH THE CITY’S DESIGN TEAM ON THE A1A IMPROVEMENTS TO AVOID DUPLICATION/REPLICATION OF EFFORTS THERE. Seconded by Mr. Enns. Unanimously approved by roll call vote.

Mrs. Gates stated – Your request has been approved and will be notified by City Commission.

Mrs. Gates added – Okay, if there’s no objection, I’m going to move numbers 7 and 10 up to the next spot.

Agenda Item #6 – Site Plan – Approval to construct a community center known as the Human Development & Resource Centre located on the northwest corner of North 29th Street & Ave. D. Owner is Housing Authority/City of Fort Pierce, applicant is Peacock & Lewis Architects, and representative is Donald Bergman.

Staff Report – Ms. Clark stated – The project is a community center, which will consist of classroom buildings, gymnasium, athletic fields, and also a future pool. Parking is provided both on site and also a portion of the Hurston Library will be used for some of the classrooms on that side of the property. And staff is recommending approval.

Mrs. Gates stated – Thank you. Are there any questions for staff on this issue? If not, is there anyone here to speak on behalf of this request?

Mr. Trias stated – Madam Chair, I’ll speak on behalf of the request. This is a City project. It’s one of the projects we are financing with several sources of revenue including the CRA and perhaps some of the other moneys available for the area. And at this point, we expect an additional 2 million dollars of funding, so the project will be built in at least two phases. And it is designed to serve the whole community and provide classroom space, gymnasium space, and a variety of other activities.

Mrs. Gates stated – Thank you very much. Are there any questions for the applicant? Mr. Bergman, do you want to say anything?

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Mr. Bergman stated – This is a rendering that we've presented to IRCC and to City staff of our depiction of what the Human Development Resources Centre would appear as the direction we're headed, at least in the design phase right now...the construction phase. We're tentatively looking at two phases of the building. The first being the classroom and the multipurpose rooms which basically encompass from the west end of the building to the adjacent of the parking lot of the Hurston Library ...covered area between the two buildings. We're envisioning to at least get as much of that done in the first phase. The second phase is primarily gymnasium, locker rooms, weight rooms, classrooms, and offices. And presently that second phase is being considered by the Boys & Girls Club as being funded as part of their capital campaign for this. They would both benefit as well as obviously the community in this city by having this gymnasium built as part of the project. The property is situated on about 6.7 acres that was donated for the city by the Housing Authority. It's property that they have set aside for this project. And as you can see from the site plan, we've got parking to the rear, which would more than likely be constructed as part of the second phase. In the first phase, the parking would be handled by on-street parking on Avenue D...angle parking, and some additional parking to the north end of the Hurston Library parking. So, anyway with that we would just like to present it and request your approval.

Mrs. Gates asked – Thank you, are there any questions for Mr. Bergman?

Mr. Johnson stated – Don, you might be able to answer this, or it might be for Ramon also. Are we comfortable putting the twenty parking spaces along Avenue D? That's very close to the intersection. I think it has a stoplight.

Mr. Bergman stated – There is a light there. This is something our engineer Steve Cooper is working with the County on and presently. Right now, from the information I got today, there's not going to be any problem putting the parking on there according to County engineering, because I believe this is a County right-of-way, so, we're having more trouble trying to get the library people to agree to the additional parking in their lot, not so much on Avenue D. This was a suggestion of staff, which we actually welcomed because I think it's a great addition to the front elevation of the building. It reduces the amount of front yard, it brings the building closer to the sidewalk, and overall I just think it's going to have a lot more impact with some additional parking out there. It keeps people from walking the length of that block to get to the building.

Mr. Johnson stated – Right, thank you.

Mrs. Gates asked – Are there any other questions for Mr. Bergman?

Ms. Benton asked – Mr. Bergman, you've indicated you're in the design phase at this time?

Mr. Bergman stated – Well, we're finishing up...actually still kind of tweaking the plan, but we're in CD phase on phase I part of the building. Commissioner Nelson's goal was to have this thing completed by October. I don't think that's going to quite happen but we are pretty well into CD's on this already.

Ms. Benton asked – Could you give us a little overview of the classroom area, and what that's going to consist of?

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Mr. Bergman stated – This (pointing to drawings) portion of the building is basically this area, which is set up originally...this replaces the plan that John Foster was doing originally as a classroom/office/bathroom basis because it was all going to be all of 1,500 sq. ft. facility waiting for more money to do the remainder of the project. Since the project has received some funding, what we're trying to do is create this still as a computer lab. It probably will have an office and bathrooms in it as basically your main receiving room for people who come to the facility. If you look at the site plan, I apologize for not including a floor plan in here, I thought we had one, immediately behind this little office building, where the little computer lab is, the arts & crafts room, then there's a drama. There are a couple of multi-purpose rooms in there; it's just a variety of activities through the building. The large end of the first phase...this is a multi-purpose room, which they use for performances that might happen out there. I think the whole facility is about 25...27,000 sq. ft., not including the arcades or the future pool.

Ms. Benton – Okay, thank you.

Mrs. Gates asked – Anybody else? Anyone here to speak against this request?

MOTION WAS MADE BY MR. POITIER TO APPROVE THE SITE PLAN. Seconded by Mr. Johnson. Unanimously approved by roll call vote with Don Bergman abstaining from voting.

Mrs. Gates stated – Okay, you'll be receiving your notice, Don, and good luck.

Agenda Item #7 – Conceptual Site Plan – Approval of a mixed-use Conceptual Site Plan known as South Beach Jetty. Located on Seaway Drive. Owner is John Boinis, applicant is Peacock & Lewis Architects, and representative is Donald Bergman.

Staff Report – Mr. Trias stated – Madam Chair, staff, the architect, and the applicant have had a chance to work on this for quite some time now. And the idea behind the project is to provide parking for that very important area of the beach, and also to provide some commercial activity, in this case, a restaurant and some apartments or condominiums facing the water. The project is designed to compliment some of the proposed improvements of A1A, such as the round-a-bout there at that corner and some of the enhancements, and also some the public spaces right next to the Jetty Park, etc. So, that's reflected in the drawing, of course as a conceptual plan at this point, and is presented to you just to get your reaction and then later on it will have to go through the formal site plan process. And staff recommends approval.

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

Mr. Knott asked – Ramon, is this the site plan we're looking at?

Mr. Trias – Yes.

Mr. Knott stated – Okay, very good. I understand it's just a conceptual, but I noticed that one of the accesses is down by the round-a-bout.

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Mr. Trias – That’s correct.

Mr. Knott continues – Should there be perhaps off of the round-a-bout another leg or will that be confusing?

Mr. Trias stated – The round-a-bout has not been designed yet. There are two alignments that we’re looking at and clearly once we choose one then we’ll be able to design it. Part of the idea, also, is to provide public parking, I don’t know if I made that clear or not; but access from the round-a-bout to a public parking garage would be a fairly good idea for that whole area.

Mr. Knott asked – Would the restaurant be City owned or would they lease it?

Mr. Trias stated – That would be private and the parking garage most likely would be a CRA project.

Mr. Knott asked – But the restaurant would not be part of the CRA funding?

Mr. Trias – No.

Mr. Knott – Okay, thank you.

Ms. Brenner asked – Ramon, the 28 units that are facing the jetty, are those accessed from the public parking? Is that from where they get their parking?

Mr. Trias stated – Probably Don, should explain that in detail, because they would have to have some parking spaces dedicated to the units. And there’s only one parking garage, right? (asking Don Bergman, and he replies, yes) Then the answer is yes then.

Ms. Brenner asked – And how will they access that?

Mr. Bergman stated – I apologize for getting this sketch to you, it’s kind of crude but we’re on our fourth revision of this project. The owner is real excited about the project. Obviously he wants to do what the City would like for him to do. If you could bear with me for just a minute I’ll kind of explain the whole project to you. Originally what he wanted to do was to come out here and do this big mixed-use complex, and basically we were cramming a whole lot on this little site. This is the old Rawlings property. Not knowing what the limits of the property were, we basically had this surveyed, spent about three months going through the legal hurdles trying to find out whose property this all belongs to, and actually which part of the property was actually quick claim deeded to the city, if any of it was. It’s been a big mess but the actual survey for this property goes from the heavy black line around the project and it extends all the way out to the (mean high?) water line. So, he basically has from this (pointing to drawings) line all the way to the ocean as part of his property. I don’t know that the City was ever aware when they put the parking in. This was all done way back before anybody really knew what the ramifications were or what the property was for. But anyway, what we’re trying to put on this project is basically 28 units. Basically it’s one floor of 10 units, two floors of 9. And above the ground floor amenities and retail, which would be facing the inlet. As you come around the corner facing east, there’s about a 5 to 6,000 sq. ft. restaurant probably a story and a half in height similar to a (JayBees?) down on the beach in Deerfield. This is a restaurant that

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he owned at one time down there. And as a part of that, there are two bays that you can see just to the north of the restaurant where it says retail below. In the first bay he's planning on putting basically a bar so the patrons could actually get beer and drinks and things like that in this bar area. And to the bay to the north of that would be a small sandwich shop, hamburgers, hotdogs, that kind of thing. So, he's going to have basically the restaurant plus these two bays to serve food as things. The pool may or may not happen at this point.

What we're considering is below that pool area would become all the (backing house?) for these three units for the bar, the little sandwich shop, and the restaurant, so most of the kitchen serving would be below where that pool area is. This is all still going to be a one-story space between these buildings. What we're trying to do is create some sort of plaza between the four-story condos and the story-and-a-half restaurant. There would be something to break up the massing, so we've got basically some type of a landscape plaza that's going to happen between these two units. Behind all of this, wrapping the north and east sides, is a three-level parking garage. The latest calculation, depending on how we do the design, the parking garage could be either 195 spaces up to about 210. The first concept we came to with the City Commissioners was a 280-space four-level parking garage. And one of the commissioners had a little bit of objection, feeling that people coming up A1A would not like to see a four-story parking garage, and would prefer to see something a little lower. So, we basically eliminated one of the floors, and tried to squeeze as many spaces in it as we could.

Mr. Bergman continued – Part of this project involves almost a land swap with the City. The existing parking on that north end is currently for Jetty Park users, and there's a little bathroom building there. What I think they're proposing to do is basically deed the property from where the little square is in that upper right corner of the property. Deed that all to the City in exchange for being able to use that section, which is basically about 1/3 of an acre. It's about 50 ft. by 350 ft. along the north edge for these units. The reason being, once that road and the park is redesigned as part of this project, the whole idea is to keep vehicular traffic from driving through the Jetty Park area. We're trying to make as part of the design for this, which you'll see at the next Planning Board meeting, we're actually redesigning the entire Jetty Park area from the round-a-bout at A1A and Seaway down and all the around to the back side of the Days Inn. This is all being redesigned as part of this project. If you look at the round-a-bout that's being proposed as part of the D.O.T. project, you'll see that we would be widening that extension of Seaway Drive trying to create some on-street parking. And then creating another round-a-bout at the opposite end with the old submarine observation tower at its terminus. If you'll look at the site, that little parallelogram type of thing in the corner, it's like a 20 ft. by 25 ft. square. That was the original location of the submarine observation tower during World War II, and that building is still housed at the City Compound on Savannah Road. What we have proposed to do was to try to bring it back to south beach and use it as a focal point for the end of the round-a-bout at Seaway Drive. So, when people are coming to south beach, you've got on-street parking for the existing restaurants and businesses that are on the south side of Seaway, but you've also got this little round-a-bout at the end. So, you can control the traffic, keep people from going through the park area, and still have an area where fishermen or beachgoers could be dropped off so they're not taking a hike to the beach, and then they could also go back and park in this garage. At one point, we were trying to get this garage funded through the CRA, I think the owner decided that it would be probably in his best interest rather than give up the property for the construction to go ahead and build a parking garage on his

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own. But there are probably going to be approximately 60-75 public spaces—where we haven't done all the calculations yet—but that would be set aside for public. And those are to replace the spaces that we're taking out on the north site. Part of this project is going to involve redesigning the entire park area with pavers, terraces, landscaping, probably do a new cabana bath building out towards the jetty to replace the bathroom building that's in the parking lot now. And enhance the waterfront on the inlet. I know the City would like to see a continuous boardwalk along the entire inlet from probably down past the Coast Guard Station up along the jetty, and that's basically what we're trying to get this to. Hopefully when some other developers come in and try to develop other property along the inlet, we can tie all of this together and have a nice boardwalk from the inlet all the back to south bridge. The restaurant has been a sticky point with this project. We basically tried to talk him out of it, only because the value of the condos, we felt, would be diminished by having a restaurant of whatever food type he would serve there with smoke and things like that. But he's basically going to go and spend the money on a water and static system where the smoke is removed from the exhaust. So, there are no smoke odors. There's no grease. It's a pretty expensive system by he realizes the impact that this could have on his condominiums if he had the noisy, smelly business of a restaurant next to condominiums. Right now, we're proposing to do this building in kind of a Nantucket fishing village vernacular similar to probably to the Disney Boardwalk project. I don't know if anybody has seen that but it's going to be similar to the Coast Guard Station. Dormers, lapsiding, a lot of old rustic looking ...It's not like the Key West look, it's going to be more rustic than that. Kind of the old fishing village look. It's the owner's intent to create a destination on south beach with this project. To basically bring people to the beach. He feels that this could be a landmark development, which would really enhance Fort Pierce. This property has sat empty for so long, but it is something he feels would be a benefit to the south beach and could spur the development even further than that for other projects. So, anyway, that's where we are at that and we're trying to get this all put together so you'll have it for the next Planning Board meeting in a formal site plan submittal.

Mrs. Gates – Thank you, Don. On the map where you've got 1-10 units here, will you have retail below where this arrow is as well?

Mr. Bergman stated –What we're going to try to do is probably some type of amenity for the condominiums, whether it's an exercise club, tenant storage, those type of things in there. And more than likely we would end up with maybe four or five bays of retail or office space on that northeast corner of the condominiums. There will be retail, I just don't know at this point how much we're going to have. It could be the entire 10 bays, it could be half of it. But there would definitely be a retail element to it because once you get to the beach there's nothing else out there as far as drinks or sunscreen or kites or t-shirts or anything else. He definitely wants to get some type of retail feature in there.

Mrs. Gates asked – Any other questions?

Ms. Brenner asked – The parking level is a three-story parking level?

Mr. Bergman – Yes ma'am.

Ms. Brenner continued – And the condominium itself is four stories?

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Mr. Bergman – Yes ma'am.

Ms. Brenner asked – What is the view from the upper levels of the condominiums looking across the parking garage roof?

Mr. Bergman – Cars.

Ms. Brenner asked – Are they going to be open on the top?

Mr. Bergman stated – Yes ma'am, this is going to be an open deck. As far as the final look, we won't know yet until we get finished with the design of the parking garage, whether we go with the slope parking ramp where the floors are actually sloped, or with level floors and a ramp. With the sloped floor, we may end up with an actually landscaped terrace on the upper floor based on half of a floor.

Ms. Brenner asked – So, are these going to be pillared and open?

Mr. Bergman stated – They'll have to be open to maintain the open function for a garage. If you don't have a certain percentage of the walls open then you have to mechanically ventilate the fumes from the garage. So, we're going to try and maintain the openness. Obviously it's going to be a challenge to try and make this garage look like a fishing village. But that's what we're faced with. We'll have some type of architectural elements to break up the massing of this thing, because it's not going to look like it's going to be a 240 ft. long garage, obviously we're going to have to break it up somehow with fake facades, fake roofs, dormers, that kind of thing.

Ms. Brenner asked – What about the elevations on those two buildings, the bar and the restaurant? Are those going to be raised before surged?

Mr. Bergman stated – No. If the storm comes it's going to take them out. They will be frangible in design, so anything basically from the pool deck or the first floor of the condominiums, everything below that will taken out if there's a storm surge. It's a pretty expensive proposition when you look at maybe having your restaurant get washed away, but that the condition of building on the beach.

Ms. Brenner – Thank you.

Mr. Johnson stated – You talked about the apartment spaces that are going to dedicated to the public...there was a certain number.

Mr. Bergman stated – Right, we've got about a 15-20 space variation in the two systems for the garage. Right now, with about 195 spaces, we kind of envisioned, it could be anywhere from 60 spaces available for the public on up to maybe 80, depending on which system we go with. Depending on the amount of retail we have will obviously dictate the number of spaces we're going to need. But we're assuming at this point we're going to end up with probably 125-130 spaces for the actual need of this project. Fifty-six of them would be set aside for the condos, and they would be probably gated somehow...we'd cord them off in the garage so they would have their private parking. But the remainder of the garage would be open for the public. And at some point he was

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talking about charging for parking. I said that Fort Pierce isn't ready for that yet. The whole thing that is going to make this work is to make this thing public parking. The restaurant is going to pull a lot of people. The retail may or may not. The beach obviously will and this being a destination would bring a lot of people in. So, I don't know if this parking garage is going to solve all the parking problems for south beach, but it will certainly handle what we've got proposed and then maybe a little more.

Mr. Johnson – Okay.

Mr. Enns stated – Don, on the east there you say the blackened line...is that where the property ends or do they have riparian rights out?

Mr. Bergman stated – They actually have to the mean high water line, which extends out to the beach. This was based on an old survey, and we just got the recent survey from Allen Beck in the last week.

Mr. Enns asked – Well, does that mean that boardwalk and pavilions actually lay on their property?

Mr. Bergman – Yes.

Mr. Enns asked – Does the owner have any problem with that?

Mr. Bergman stated – No, he really doesn't. He wants to tear them down and build something different there. I think the County built those originally. But we are actually proposing some new shelters as part of the park design...

Mr. Enns asked – He's going to let the public access all of that?

Mr. Bergman stated – Oh absolutely. The restaurant and all the retail is all for public access. The only thing that's going to be controlled would be access to the condominiums. By enhancing the park, he feels that it's going to bring business to his business and plus bring business to south beach. He's not a selfish guy who would want to hog everything, he basically wants to have a successful south beach project. It's going to benefit everybody.

Mr. Enns stated – It just seems like some real smart lawyer would maybe...if someone ever got hurt on those I wonder where the liability would lie...?

Mr. Bergman stated – Like I mentioned, the land swap we're trying to do is actually the quit claim deed or whatever he's going to do with it...basically deed that portion to the City.

Mr. Enns asked – Then that would be part of the swap?

Mr. Bergman stated – Right, and I'm sure, we've been going through this thing for months to trying to figure out who owns from that dark line seaward, and they basically came up through a bunch of different legal descriptions, and all these dates issues that this is actually still a part of his property. Now, obviously he doesn't really care. He's not going to hold a gun to the City's head saying I want

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this and this. He wants to give this to the City. He's willing to work with the City all the way on this thing.

Mrs. Gates asked – Any other questions for Mr. Bergman?

Ms. Benton asked – We are talking about the City and not the County with regards to the riparian rights and the boardwalk, right?

Mr. Bergman stated – There's an erosion line, I believe, that the County or City has established up there on the survey. I don't know what is involved with that but I think the survey that I just got shows that his property line extends out to that erosion, wherever that is. I think it's like another 75-100 ft. past that dark line.

Ms. Benton asked – I was just curious if he's said anything for the past seven years about the City going out there building on property that now seems to be his. And if the City wanted to press it if it could take a firm stand ...

Mr. Bergman stated – I don't know. I stayed out of that mess. When we were trying to figure out where the property lines were, the legal description for this parcel read that it extended all the out to the ocean. And then there was quit claim deed to the City back when, and I don't know if that was ever executed properly. It was just a big legal thing and basically I said, Look I'm just throwing my hands up, you guys sort this thing out. When you get a survey that works let me know. We'll try to design around it. He's not in a position that he wants to hold the City hostage for anything, he's basically willing to give that to the City because it probably always has been anyway. And the Rawlings have owned that property until this last year when he made the offer close on it. Who knows what the history of this thing is but it goes back a long time.

Mr. Knott stated – Don, I do have one question. That dark line, you say, represents what you know so far. What about to the north to the inlet side? Where does the ownership go there where you have all the condos out there on the ...?

Mr. Bergman stated – Well, that's was part of the trade. We were looking to try and pick up the paved area. You can see that there's a line that basically follows the contour of the inlet. I think that might be the Corp's setback for the inlet. I'm not sure who actually owns that.

Mr. Knott asked – You're swapping that off or something like that?

Mr. Bergman stated – Well, I met with all the commissioners about it, they didn't have a problem with it.

Mr. Knott stated – There's going to be some outcry when there's people parking there to go fishing at the jetty.

Mr. Bergman stated – When you see the plan, we're going to address that. It will still have parking, it will still have access to the jetty, and I think with this round-a-bout at the east end they'll have

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basically a drop off where they can haul their equipment out there. It's not going to be much more of a hike than what they're making already. As part of the improvements, we want to build that little cabana building out closer to the inlet.

Mr. Knott stated – And I would hope that you have a nice clear title before you come back the next time.

Mr. Bergman stated – That's the plan. I've finally got signed and sealed surveys this morning.

Mrs. Gates asked – Does anyone else have anything for Mr. Bergman?

Mr. Jim Forbes (from the public) introduced himself and asked – In the parking of the restaurant, are they going to be parking in this parking garage or are they going to be taking part of that 65-70 units? And then how are they going to differentiate between the parking of the individuals that own the condos and the individuals that have free parking?

Mr. Bergman stated – The actual condos are going to have their own dedicated parking spaces. In the parking garage they have an area set aside that would be either gated...I'm not sure yet. The remainder of the garage is basically opened to the public. Whether they park on street or whether they park in the garage, it's all going to be public parking.

Mr. Forbes asked – So the restaurant would use those 65-70 units?

Mr. Bergman stated – Depending on the square footage, the restaurant could take probably 50-60 spaces of that 195 or 210 spaces that we end up with.

Mrs. Gates asked – Does that answer your question sir?

Mr. Forbes – Yes ma'am.

Mrs. Gates stated – Okay, thank you. Okay, is there anyone here to speak against this request?

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE CONCEPTUAL SITE PLAN. Seconded by Ms. Brenner. Unanimously approved by roll call vote with Don Bergman abstaining from voting.

Agenda Item #8 – Site Plan – Approval of an amended preliminary development plan for a PUD located at 801 Seaway Drive. Owner is Causeway Island Trust (Jack B. Owen, Trustee), applicant is Harbour Isle Development, and representative is Al Brodeur of Thomas Lucido & Associates.

Staff Report – Mr. Trias stated – Madam Chair, the applicant has expressed desire to postpone action on this item in order to revise the site plan. I did work with Mason Simpson today about some alternatives and you may want to have a presentation from them to confirm that but that's what they have expressed to me.

Mrs. Gates asked – Is there someone here from that development who could talk to us?

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Mr. Butch Terpening introduced himself and stated – I'm with the firm of Culpepper & Terpening, and we are requesting a tabling of this petition to give us more adequate time to work these issues out with your staff. And we would appreciate that consideration.

Mrs. Gates stated – We have to vote on this.

MOTION WAS MADE BY MR. ENNS TO TABLE THIS SITE PLAN AT THE DEVELOPER'S REQUEST. Seconded by Mr. Poitier.

Mrs. Gates asked – Are there any comments on this motion?

Ms. Brenner asked – is that a table or a postponement to a date certain?

Mr. Trias stated – I think the developer expressed to me that they needed some time, so I don't think that the certain date would be appropriate at this point, just table it.

Mrs. Gates asked – Mr. Walker would it be okay for us to table this issue?

Attorney Walker stated – That would be permissible, Madam Chair.

Unanimously approved by roll call vote.

Agenda Item #9 – Site Plan – Approval of a 31-unit residential townhouse project, known as Coconut Cove Marina located on Fernandina Street. Owner is Seaside Housing Corporation, LLC (W. Robert Miller), applicant is Culpepper & Terpening, Inc., and representative is Richard Ladyko, P.E.

Staff Report – Mr. Trias stated – Madam Chair, the applicant has also requested to table this item in order to work out some design issues. The applicant is here is you would like to confirm that with him.

Mrs. Gates asked – May we hear from someone on this issue?

Mr. Bob Miller introduced himself and stated – I'm with Seaside Housing. We'd like to have a postponement to the next meeting if we could. We found out late last week that there are some neighbors in opposition to our density. We were caught by surprise in that because our density allows for 45 units on acreage, and we've only proposed 31. In an effort to be good neighbors, and out of respect for the work that Mr. Trias and his staff are doing, we'd like to take one week to see if we can pin down the problem and possibly come up with a neighborly solution. We would, if possible, like to hear what the problems are tonight, because they've been vague at most. We just hear that we have density problems. We don't know the full nature of those problems, and we'd like to get our arms around them if we could as soon as possible. So, we're asking for a postponement until the August 10 meeting if possible.

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

MOTION WAS MADE BY MR. KNOTT TO POSTPONE THE SITE PLAN UNTIL THE NEXT MEETING OF AUGUST 10, 2004. Seconded by Mr. Poitier.

Mrs. Gates asked – Are there any discussions on the motion?

Ms. Brenner stated – Yes. The applicant asked for some input from the Board.

Mrs. Gates stated – I don't think the Board has any input on objections in the neighborhood to my knowledge.

Mr. Trias stated – Madam Chair, I don't recommend that that happens at this point. I think it's better to open the public once we have an action.

Mrs. Gates stated – I think we'll have to wait until you bring your issue before us and we would certainly be happy to address it.

Mr. Knott stated – Madam Chair, maybe I could make a suggestion. If you could ask for a show of hands if anybody's here who is here for this matter. Perhaps the gentleman could get with them out in the hallway or something like that.

Mr. Miller stated – That would be helpful.

Mrs. Gates asked – Is that permissible Mr. Walker?

Attorney Walker – Yes Madam Chair.

Mrs. Gates asked – Is there anyone here to speak against this request. You're not going to speak tonight, but the developer would like to possibly see you later on. Is there anyone here for this issue who's having problems with it?

Mayor Benton raised his hand from the crowd.

Mrs. Gates stated – Our Mayor is right back here.

Mr. Miller stated – We'll meet with him if he'll meet with us. Thank you very much.

Mrs. Gates stated – There's a motion and second on the floor. Is there any further discussion for postponement until the August meeting? If not, could we have roll call please?

Unanimously approved by roll call vote.

Mrs. Gates stated – It's a good project and I will see you next month. Thank you.

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Agenda Item #10 – Site Plan – Approval to allow construction of a 60-unit, four story hotel building, known as Best Western located at 6651 Darter Court. Owner is Dan Patel, applicant is James Gilgenbach, and representative is Robert Imperato.

Staff Report – Ms. Clark stated – The hotel is proposed in between I-95 and the turnpike. Sixty rooms. The site plan is received as conceptual () approval and staff is recommending approval.

Mrs. Gates asked – Okay, are there any questions for the staff on this issue? Is there anyone here to speak on behalf of this request?

Mr. James Gilgenbach introduced himself and stated – I’m the applicant and I also have Robert Imperato with me and Susan Holland, the civil engineer. And we’re hear in case anybody has any questions about the project.

Ms. Benton asked – Is this a company development or is it a franchise of Best Western?

Mr. Gilgenbach stated – It’s a franchise.

Ms. Benton stated – Okay. And the owner of the franchise is the applicant?

Mr. Gilgenbach stated – No, I’m the applicant. Dan Patel is the owner of the franchise.

Ms. Benton – Okay, thank you.

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

Mr. Knott asked – Your access is going to be off the Metal Road?

Mr. Gilgenbach stated – Metal Drive...yes.

Mr. Knott asked – That comes down by the Red Lobster?

Mr. Gilgenbach stated – Yes, it comes between the Denny’s and the Red Lobster.

Mr. Knott – Right.

Mr. Gilgenbach stated – The little road that ends that’s going to be extended down.

Mr. Knott stated – Right, and that was my question. Are you going to be responsible for extending that roadway?

Mr. Gilgenbach stated – We’re showing that, yes. There’s a little piece coming from the south and we’re going to connect the northern end to the southern end.

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Mr. Knott stated – I didn't see anything on your plans. I just saw some little lines out there. Okay, thank you.

Mrs. Gates asked – Any other questions?

Mr. Bergman asked – Have you selected a color scheme for this building yet?

Mr. Gilgenbach stated – No, we haven't discussed the colors.

Mr. Bergman stated – Okay. It's not an unattractive building by any means. You might want to work with staff when you get your color selected. You're going in a very industrial area, and it would be nice to make your building stand out.

Mr. Gilgenbach stated – I'm sure Mr. Patel would love the same thing.

Mrs. Gates stated – We like Florida colors.

Mr. Gilgenbach stated – I remember from the Comfort Inn, yes.

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

Mr. Johnson asked – Where are you connecting to the existing utilities? It looks, I guess, in the northwest corner. Is that a utility easement that you're connecting to...do you know? It kind of appears to be a right-of-way, it could be a utility easement, it could be...

Mr. Gilgenbach stated – There is a right-of-way from Crossroads Drive on the west coming across, without a name...there's no name to that right-of-way. It's coming across there and that's where the utilities come down from Days Inn on Darter Court. It comes down into that right-a-way and then it's going to go east.

Mr. Johnson asked – So, it's an east/west right-or-way that is pre-existing.

Mr. Gilgenbach stated – Yes, it's on the plan.

Mr. Johnson asked – It looks like the water main is coming from the north, though, it is not coming from the west. Is that...?

Mr. Gilgenbach stated – Yes. The road comes from the west and comes across, but the water comes down from the north from the Days Inn, and then goes east.

Mr. Johnson asked – Okay. Has the Utility Authority said anything about extending that water main through your property?

Mr. Imperato stated – No, we're going to extend.

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Mr. Johnson asked – You’re going to extend it to your parcel, but do you have to extend it beyond that? Is there a right-of-way to the south of your property that you would have to extend to? Do you know?

Mr. Imperato stated – You mean going south down where Metal Drive exists? Is that where you’re speaking of, sir?

Mr. Johnson stated – Yes, either Metal Drive or on the western side of your hotel there. I don’t know. Because it appears that they’re bringing the water main from the north down some kind of an easement. It’s on the civil site plan, and they’re bringing it from the north for some reason and it’s an 8 inch water main.

Mr. Imperato stated – It’s an existing area.

Mr. Johnson stated – That’s correct. That’s when you’re tapping into a valve, and you’re bringing it to your service...your building.

Mr. Imperato stated – Right. We’re going to be on that road that’s going to be running east and west. We’re going to extend it both ways.

Mr. Johnson – Okay.

Ms. Susan Holland introduced herself and stated – I’m of Holland Engineering. The water main comes from the north from the Days Inn site. It’s currently coming through that hotel under construction right now, and we’re going to extend it further south.

Mr. Johnson – Okay.

Ms. Holland continued – South of us is a large drainage retention area, which would not be buildable. That’s where all the drainage ends up on these parcels. So, we wouldn’t extend it further south than our property.

Mr. Johnson – Okay, thank you.

Mr. Bergman stated – I noticed you’ve got your elevated sign located on the southeast corner of the property. I’m just curious what kind of visibility you think you’re going to get with your four-story building basically blocking your signage.

Mr. Gilgenbach stated – The building is to the west of the sign.

Mr. Bergman stated – The building is north and west of the sign. The sign is out on the front of Metal Drive at the southeast corner. What height sign are you intending to put out there and what direction of people are you hoping to attract?

Mr. Gilgenbach stated – From I-95.

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Mr. Bergman stated – Okay, because I don't think you're going to see that from Okeechobee Road, if that was your intent. You probably would only see it from 95, or from the west.

Mr. Gilgenbach stated – I think from the experience of the Comfort Inn project we're going to rely on the sign for I-95 and then a sign on the building for those on Okeechobee.

Mr. Bergman – Okay.

Mrs. Gates asked – Are there any other questions for the applicant? Thank you very much.

Mr. Gilgenbach – Thank you.

Mrs. Gates asked – Is there anyone here to speak against this request?

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

Mrs. Gates stated – Okay, your request has been approved and you'll receive a notice of the City Commission meeting, and good luck. Thank you very much.

Agenda Item # 11 – Site Plan – Approval to allow construction of a retail redevelopment project, know as Betts project located at 1217 Avenue D. Owner is Lafitte Community & Economic Development Corporation, and applicant/representative is Steve McCroey.

Staff Report – Ms. Clark stated – This project is a commercial infield development. The site plan was previously approved back in 2002; however, for lack of any construction taking place, that site plan has expired. It is the same request as two years ago. There are certain variances, such as isle width, which will be necessary as far as the site plan approval. And staff is recommending approval based with the condition upon that the variances be applied for through the Board of Adjustment.

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

Mr. Johnson asked – Have they gone in front of the Board yet?

Ms. Clark – No.

Mr. Johnson – Okay.

Mrs. Gates asked – Any further questions for staff? If not. Is there anyone here to speak on behalf of this request?

Mr. John Foster introduced himself and stated – I'm the project architect. I've been working on the project now for a little while. And this is actually a contributing structure to the Avenue D Historic District. So, it's an historic structure as well, even though there's not a lot left of it at this point.

We're going to proceed with the design that I think we've submitted previously if we can receive approval. And Wendy, if you could have a list of the variances we will, of course, apply for those.

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Ms. Clark – Sure.

Mr. Foster stated – Okay, good.

Mrs. Gates asked – Anyone have any questions for the applicant?

Mr. Harris stated – On this application you have 73 sq. ft. and on the last one you have 68 sq. ft. so, what's the right amount?

Ms. Clark stated – I think the 6800 sq. ft. refers to the building size and then the 7300 in the application refers to the property.

Mr. Harris stated – Okay. Some time ago that building had a lien on it. Does it still have a lien on it?

Mr. Foster stated – I have no idea. I'm not the project owner.

Mrs. Gates stated – Mr. McCroey.

Mr. Steve McCroey stated – Good evening, Madam Chair, Planning Board, City Staff, and Attorney, that lien is being cleared up, it does still exist. We have settled, though, and that lien is being cleared up.

Mr. Harris – Okay.

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

Mr. Bergman asked – John, I didn't see any parking calculations. You've got 9 spaces provided. How many are actually required for the retail that you're planning to put in there?

Mr. Foster stated – Basically the retail will be the whole first floor. So, about 14. But there is on-street parking in basically all directions. And in addition to which, we don't expect that the amount of vehicular traffic will equal a typical suburban location, which this is not.

Mrs. Gates asked – Any other questions?

Mr. Johnson stated – On sheet S-1 of 1, it talks about Lincoln Place as a private right-of-way. I'm not sure if that's improved or not. It looks like you're using that as access to the site also?

Mr. Foster stated – Well we would improve it if it isn't. It's presently, as far as I'm aware, either dirt or gravel.

Mr. McCroey added – It's dirt.

Mr. Foster continued – But there’s an outline showing paving that we would end up building to City road standards...

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Mr. Johnson stated – And that’s going to be an entrance and an exit to your property?

Mr. Foster – Yes.

Mr. Johnson – Okay.

Mrs. Gates asked – Any other questions? Thank you.

Mr. Foster – Okay, thank you very much.

Mrs. Gates asked – Is there anyone here to speak against this request?

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN. Seconded by Ms. Benton.

Mrs. Gates asked – Are there any further discussions on this issue?

Mr. Knott stated – Madam Chair, I don’t know if you need to condition the motion with the staff’s recommendation.

Mr. Enns stated – (Reading the staff’s recommendation) Oh, okay, upon granting all the necessary variances.

MOTION REITERATED

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN WITH THE CONDTION OF GRANTING ALL THE NECESSARY VARIANCES. Seconded by Ms. Benton.

Mrs. Gates asked – Any further discussions?

Mr. Johnson stated – I have one question for the Board just to see what their recommendation is. On Lincoln Place, if it is not developed currently and they’re building the roads to City standards. Do

we need to bring that right-of-way beyond the property line? Because it doesn’t depict that in the site plan.

Mrs. Gates asked – To whom are you asking this question?

Mr. Johnson stated – Ramon, I guess I could ask you also. But the Board members... is that going to be something that we require? I know it’s a redevelopment project, so I don’t want to hinder the process.

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Mr. Trias stated – The architect is correct. The right-of-way is not included at this point, so that would have to be intergraded into the design of the parking lot; and that’s the intent. I think that any conditions are really reflected in the site plan drawing and will be worked out through a process as we go along. I don’t think you need to be more specific than what we have here.

Mr. Johnson stated – Okay, I’m satisfied with that, thank you.

Mrs. Gates asked – Okay, is there any further discussions? If not, could we have roll call please?

Unanimously approved by roll call vote.

Mrs. Gates stated – Okay, your request has been approved. And I guess will go to the Board of Adjustment?

Mr. Trias stated – That’s correct, Madam Chair.

Mrs. Gates stated – And I’m sure you can find out when the next meeting is on that. And good luck on your project, it will be a wonderful project, a great addition to the Lincoln Park area.

Agenda Item #12 – Site Plan – Approval of a 200-unit multi-family housing development known as Mariner Cove, located on the southeast corner of Edwards Road & Jenkins Road. Owner is Twenty Six Associates, LLC, applicant is Houston Cuzzo Group, Inc., and representative if Ken Natoli.

Staff Report – Ms. Clark stated – This property was recently annexed into the City. It’s just over 38 acres. The project consists of 220 units spread out over 30 individual buildings, with 8 units in each. It’s designed at a block design, each building being two stories. It also includes the preservation of existing oak trees on site. And staff is recommending approval.

Mrs. Gates asked – Are there any questions for staff on this issue?

Mr. Bergman asked – Wendy or Ramon, were there other elevations of this building?...of the project?

Mr. Trias stated – I don’t believe so.

Ms. Clark added – No.

Mr. Bergman stated – I didn’t know if there was any submittal. I couldn’t find any when I went through the packet.

Mr. Trias stated – I don’t remember any, no.

Mr. Bergman – Okay.

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

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Ms. Brenner asked – Is this a public money project?

Mr. Trias stated – I don't believe so. You may want to ask the applicant.

Ms. Brenner – Thank you.

Mrs. Gates asked – Any other questions for staff? If not, is there anyone here to speak on behalf of the request?

Mr. Ken Natoli introduced himself and stated – I'm with Houston Cuozzo Group, and I'm just here to concur with the staff report and to answer any questions that you might have.

Ms. Brenner asked – Are these going to be owner occupied condominiums, rentals? And if they're rentals is there any public money involved in it?

Mr. Natoli stated – No public money involved in it at this point. I hope it's going to be condominium but I don't know if that's been determined yet, whether it will be rentals or condominiums. But no public money will be involved.

Ms. Brenner asked – It's not going to be income controlled and public money?

Mr. Natoli stated – Not public money, no.

Mrs. Gates asked – Okay, is there any other questions for the applicant?

Mr. Bergman asked – Ken, do you know if there's any elevations that were presented of this project?

Mr. Natoli stated – No building elevations yet at this time. It's still preliminary as far as the building design goes. They still have to finalize it. We're just working on the site plan right now.

Mr. Bergman asked – But this isn't a conceptual site plan is it?

Mr. Natoli stated – No, it's not, but there wasn't any requirements for building elevation. So, we haven't provided them yet. If they had asked we would have gotten them.

Mr. Bergman stated – You had better talk to staff again.

Mr. Trias stated – Madam Chair, I will request drawings of the elevations be presented to the City Commission, otherwise we will not schedule this, if that is your desire.

Mrs. Gates stated – Okay, I think that is a requirement that we would like to have, so, if you would not mind following that request?

Mr. Natoli – Okay, no problem.

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Mrs. Gates asked – Okay, are there any other questions for the applicant? Is there anyone here to speak against this request?

MOTION WAS MADE BY MR. KNOTT TO APPROVE THE SITE PLAN ON THE CONDITION THAT THE APPLICANT PROVIDES STAFF WITH THE ELEVATIONS AND THEREFORE RECEIVES APPROVAL FROM STAFF. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

Mrs. Gates stated – Okay, your request has been approved with the conditions and you'll be notified of the City Commission. Thank you very much. Good luck.

Agenda Item #13 – Waiver of Distance – Approval to waive the distance requirements for a 2-COP license in order to serve beer and wine for consumption on premises., known as Club Diamond located at 3215 S. U.S. 1. Owner/applicant is Rolin Dorsainvil.

Staff Report – Ms. Clark stated – The applicant intends on renting out the facility for private events, such as wedding receptions and birthday parties, and also special community events. It does include the service of food. The application complies with the requirements for granting a distance waiver, and staff is recommending approval.

Mrs. Gates asked – Okay, thank you. Are there any questions for staff from the Board? Is there anyone here to speak on behalf of this request?

Mr. Rolin Dorsainvil introduced himself and stated – I'm here for any questions.

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

Mrs. Gates asked – So, this is only going to be used for special events?

Mr. Dornsainvil – Yes.

Mrs. Gates asked – And there will be food...are you doing the cooking or how is this going to be handled?

Mr. Dorsainvil stated – We're doing fast food cooking there...

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

Mr. Knott asked – Is this the old Chinese restaurant that was down there or what?

Mr. Dorsainvil stated – No, where the old movie theatre used to be.

Mr. Knott asked – Oh, the old movie theatre?

Mr. Dorsainvil –Yes.

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Mr. Knott stated – Okay.

Ms. Brenner added – The old Festival.

Mr. Knott stated – Yes, now I know what you’re talking about, thank you.

Mrs. Gates asked – Are there any other questions for the applicant? Thank you very much.

Mr. Dorsainvil – Thank you.

Mrs. Gates asked – Is there anyone here to speak against this request? If not, I entertain a motion from the Board.

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

Mrs. Gates stated – Your request has been approved and you’ll receive a notice of the City Commission meeting, and good luck to you.

Agenda Item #14 – Special Exception/Variance - Approval to permit an addition to a residential non-conforming structure; and a variance from regulations governing setbacks for sideyards located at 1812 Binney Drive. Owners/applicants are Christobal & Margarita Jimenez.

Staff Report – Ms. Clark stated – The applicant wishes to make an addition to the side-yard setback to a non-conforming structure; and staff is recommending approval.

Mrs. Gates asked – Are there any questions for staff from the Board?

Mr. Bergman asked – Wendy, there’s no drawing in here but from your description it does not appear that we are increasing the non-conformity, is that correct?

Ms. Clark answered – Actually they are continuing the construction line, so that’s what the variance is for.

Mr. Bergman – Okay.

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

Mr. Knott asked – Wendy, was the neighbor notified on this or was it necessary? They’re not here tonight so I guess nobody objects.

Ms. Clark stated – It’s not scheduled until the July 22 Board of Adjustment.

Mr. Knott – Okay.

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Mrs. Gates asked – Any further questions for staff? If not is there anyone here to speak on behalf of this request?

Mr. Christobal Jimenez introduced himself and stated – If you have any questions I will be glad to answer them.

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

Mr. Bergman asked – This goes to the Board of Adjustment, is that correct, Wendy?

Ms. Clark – Yes.

Mr. Bergman added – You (speaking to the applicant) may want to have some sort of a drawing for them so they'll understand.

Mr. Jimenez stated – I have all the paper work ready.

Mr. Bergman stated – We just didn't get it in our packets.

Mrs. Gates asked – Any further questions for the applicant? Anyone here to speak against this request?

MOTION WAS MADE BY MR. JOHNSON TO APPROVE THE SPECIAL EXCEPTION/VARIANCE. Seconded by Mr. Harris. Unanimously approved by roll call vote.

Mrs. Gates stated to applicant – You have been approved and you will receive a notice of the Board of Adjustment meeting. Thank you very much.

Mr. Jimenez – Thank you.

Agenda Item #15 – Special Exception – Approval to permit an addition to a residential non-conforming structure located at 812 Atlantic Avenue. Owner is Mr. Joachin Laurent, and applicant is David M. Cleveland.

Staff Report – Ms. Clark stated – This is for an addition which will not further increase the non-conformity and staff is recommending approval.

Mrs. Gates asked – Any questions for staff on this issue?

Mr. Knott inquired about the percentage of letters sent to property owners stating whether they were approved or disapproved.

Ms. Clark stated that the percentage didn't need to be applied in this case.

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

No one present to represent this request.

Mrs. Gates asked – Is there anyone here to speak against this request?

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

Agenda Items #16-19 Annexations

Mrs. Gates asked – Could we group these annexations all together?

Mr. Ramon stated – Yes, Madam Chair, that’s what I would suggest, to all the annexations...that would be a great thing.

Mrs. Gates stated – Thank you so much. My voice thanks you. We have a lot of annexations here.

Group Staff Report – Ms. Clark stated – All are contiguous and staff recommends approval.

Mrs. Gates asked – Are there any questions for staff on any of these annexations?

Ms. Brenner asked – That total was 28, was that correct?

Mrs. Gates stated – Correct, 28 annexations.

MOTION WAS MADE BY MR. POITIER TO APPROVE ALL 28 ANNEXATIONS. Seconded by Mr. Harris. Unanimously approved by roll call vote.

There was no further discussions.

Adjournment at 9:30 p.m.

