



# CITY OF FORT PIERCE

## PLANNING BOARD

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### Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, OCTOBER 14, 2008, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

Chairman Johnson called the meeting to order.

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The Pledge of Allegiance was recited

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Upon Roll Call, those present were: Chairman Johnson, Vice Chair Tom Knott, Charlie Harris, Charles Hayek, Colin Lloyd, Robert Poitier, Edward Reilly and Kara Wood.

Those absent: Dan Dannahower, Irene Dixon and Clay Yates.

Staff Present: James Walker, Assistant City Attorney; David Carlin, Interim Assistant Director; Paul Williams, Urban Forester/Development Review Planner; Erica Ehly, Comprehensive Planner; Duane Yazzie, Development Review Planner; Diann Ploetz, Planning Specialist; Bob Frank, City Traffic Engineer and Maritza Suarez, Executive Assistant.

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Chairman Johnson said I want to introduce everyone to our newest member, Kara Wood. Thank you very much for joining the group. Good to have you.

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The next item considered - **#3 – Consideration of Absences.**

Chairman Johnson said we had three call ins. Is there a motion to accept their absences?

Motion made by Mr. Bey and seconded by Mr. Hayek to approve the absences.

Unanimously approved by voice vote.

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The next item considered - **#4 – Certification of Alternate member voting status.**

Chairman Johnson said Mr. Bey, thank you very much for being here tonight to fill in. You have all privileges as a voting member. Thank you.

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The next item considered - **# 5 – Approval of Minutes of September 9, 2008.**

Chairman Johnson said has everyone had a chance to review the minutes of the September 9, 2008 meeting and are there any additions or corrections? If none, I entertain a motion.

Motion was made by Mr. Poitier, seconded by Mr. Bey to approve the minutes.

Unanimously approved by voice vote.

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The next items considered: **Item # 6a – Annexations - South 33<sup>rd</sup> Street** – Approval of an application for annexation for a 1.46-acre parcel identified as being contiguous to the municipal boundaries of Fort Pierce. The property is located on South 33<sup>rd</sup> Street. The property owners are Inuka Rhaheed and Jacqueline Raheed.

Chairman Johnson said can we have staff report please?

Ms. Ehly said good evening Mr. Chair. This is an application for annexation on South 33<sup>rd</sup> Street, like you just said. If you have any questions, I'm here to answer them.

Chairman Johnson said any questions of staff on the annexation? Is there anyone from the public that would like to speak for or against this request? We'll go back to the Board and entertain a motion?

Motion made by Mr. Hayek and seconded by Mr. Reilly to forward a recommendation to the City Commission for approval of the annexation for a 1.46 acre parcel located on South 33<sup>rd</sup> Street.

Chairman Johnson said a motion and a second. Is there any discussion? Roll call please?

Those in favor: Mr. Bey, Mr. Harris, Mr. Hayek, Mr. Knott, Mr. Lloyd, Mr. Poitier, Mr. Knott, Mr. Reilly, Ms. Wood and Chairman Johnson.

Those opposed: none.

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The next items considered: **Item # 6b - 4201 South 25<sup>th</sup> Street** – Approval of an application for annexation for a 1.4-acre parcel identified as being contiguous to the municipal boundaries of Fort Pierce. The property is located 4201 South 25<sup>th</sup> Street. The property owners are Kelly Smith and Corine Janine Van Grootheest.

Chairman Johnson said can we have staff report please?

Ms. Ehly said staff recommends approval of the annexation.

Chairman Johnson said any questions? This was a voluntary annexation?

Ms. Ehly said yes it was. It was an application for annexation.

Chairman Johnson said okay, very good. Is there anyone from the public that would like to speak for or against this request? Seeing none, I entertain a motion from the Board.

Motion made by Mr. Poitier and seconded by Mr. Hayek to forward a recommendation to the City Commission for approval of the annexation for the property located at 4201 South 25<sup>th</sup> Street.

Those in favor were: Mr. Harris, Mr. Hayek, Mr. Knott, Mr. Lloyd, Mr. Poitier, Mr. Reilly, Ms. Wood, Mr. Bey and Chairman Johnson.

Those opposed: none.

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The next item considered: **Item # 6c - 2208/2210 Old Dixie Highway** - Approval of the annexation via agreement for two (2) parcels totaling 5.85 acres identified as being contiguous to the municipal boundaries of Fort Pierce. The property is located at 2208 and 2210 Old Dixie Highway. The property owner is Terpening Holdings, LLC.

Chairman Johnson said can we have staff report or is there a staff report?

Ms. Ehly said I'm here to answer any questions but staff recommends approval.

Chairman Johnson said thank you. Any questions of staff from the Board?

Ms. Wood said Mr. Chair, I don't have a question. I just have a comment really for staff. I just noticed on one of the parcels the property record cards indicates that one the date of the building is 1900 and since it's a house or I assume it's a house and the proposed zoning is industrial, I assume that there will be development on the parcel at some time. It's my recommendation that either the property owner or staff take into consideration as soon as the parcel is annexed into the City whether or not it's going to be historically designated. There have been instances in the past where we get to a development proposal and then we notice there's a building that's 80 years old and then we're faced

with the consideration of whether or not to designate it. I'm not advocating for or against a designation because I don't know anything about the building. I'm just suggesting it be addressed sooner rather than later.

Ms. Ehly said Mr. Chair, Ms. Wood. As part of our analysis, we do have our Historic Preservation Officer look at annexed properties to determine whether there is a historic designation on there or whether these structures on the on the property should be historically designated.

Ms. Wood said great. Thank you.

Chairman Johnson said any other questions of staff? Seeing none, any comments from the public for or against this request? I'll return to the Board.

Motion made by Mr. Bey and seconded by Mr. Hayek to forward a recommendation to the City Commission for approval of the annexation for two parcels located at 2208 and 2210 Old Dixie Highway.

Those in favor: Mr. Hayek, Mr. Knott, Mr. Lloyd, Mr. Poitier, Mr. Reilly, Ms. Wood, Mr. Bey, Mr. Harris and Chairman Johnson.

Those opposed: none.

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The next item considered: **Item # 7a - Deiulio – 908 Sunrise Boulevard** - Approval of a Conditional Use to permit an accounting office. The property is located at 908 Sunrise Boulevard and is zoned R-4, Medium Density Residential. The property owner is Daniel M. and Stephanie J. Deiulio. The representative is David N. Sowerby, Esq.

Chairman Johnson said can we have staff report please?

Mr. Carlin said good evening Mr. Chair, members of the Board. Duane Yazzie will be presenting tonight.

Mr. Yazzie said good evening Chairman Johnson Board members. Welcome Ms. Wood. In accordance with Section 22-27 (c)(11) of the City Code, the applicant is requesting the review and approval for a Conditional Use to allow a professional establishment in the R-4 zoning district. The property is located at 908 Sunrise Blvd. The parcel is approximately 0.35 acres. The zoning is R-4, Medium Density Residential and the properties to northeast, east and southwest are also R-4. The property directly to the northwest is R-2, Single Family Intermediate Density. The existing building is situated on a triangular lot. Because of this, the applicant went before the Board of Adjustment on June 26, 2008. The variance that was granted was for the reduced driveway width to be 12 feet, the reduced landscaping strips along the northeast to be six feet and the reduced landscape strip along the right-of-way to be 8 foot 6. The proposed parking area will be of brick pavers and will be separated for employees and patrons. The rear parking will be for employees whereas the front

parking will be for customers. The customer parking will also include a handicapped parking stall notated here in Orange. At the rear of the building, a ramp is proposed to allow for handicapped accessibility. Other improvements will be a retention pond located at the back of the building. In addition to the improvements, a total of 25 trees will be planted on the property as well as various shrubs. The landscaping improvements will serve both as a visual enhancement as well as a buffer to residents to the south and northwest across Sunrise Blvd. Additional lighting will also enhance visibility within the parking lot. A traffic statement conducted by Culpepper & Terpening found that the facility of this type would generate a minimal amount of traffic. Therefore, no mitigation is required. As the proposed Conditional Use meets the requirements of the City Code and all affected departments have reviewed the submittal and have approved the proposed Conditional Use based on it meeting the requirements of City Code, Staff recommends that the Planning Board forward a recommendation of approval to the City Commission.

Chairman Johnson said I have one quick question. All departments have reviewed the application? In the report it said it said except for the Fire District.

Mr. Yazzie said that is correct. Prior to when the packet was sent out, the Fire District had replied and approved the project.

Mr. Lloyd said what is the closest cross street to where this project is?

Mr. Yazzie said it's 50% to the northeast and 50% to the southeast. There's two intersections. Currently, I would have the applicant.

Chairman Johnson said are there any other questions of staff?

Mr. Lloyd said looking at the site plan.

Chairman Johnson said one second. If the applicant could come forward, you can probably address the question quicker.

Mr. Lloyd said I can wait.

Chairman Johnson said it's okay, he's getting ready to speak anyway. Go ahead. Good evening.

Mr. Sowerby said good evening, Dave Sowerby for the applicant. The side streets or the two cross streets are Pinewood which is a four way and then Parkview which I think comes in as a four way.

Mr. Lloyd said and it's the church to your south?

Mr. Sowerby said correct.

Mr. Lloyd said on the corner of Parkview?

Mr. Sowerby said Parkview Baptist Church is a neighbor on the east, northeast because that's where it comes in as an angle.

Mr. Lloyd said right but there is also a church, isn't there another church on the corner of? I live two blocks away.

Mr. Sowerby said yeah, I think there is a Pentecostal Church.

Mr. Lloyd said that's what it is. Okay.

Chairman Johnson said Mr. Hayek, you had one question for staff?

Mr. Hayek said the applicant would be probably be able to answer.

Chairman Johnson said Mr. Sowerby, any presentation you'd like to make?

Mr. Sowerby said not really. I just wanted to say that when we got into this project and met with staff, they thought that there was going to be a hiccup. It may be in the variation because of the peculiar shape of the lot. We went through a variation process first and had no issue there. I'd like to bring two things to your attention. First of all, is that the Parkview Baptist which is our immediate neighbor is very enthusiastic about this project. They sent a letter of support for the variation, when we went for the variance. I'd be happy to share that letter with you if you need it. It may be in your package. I'm not sure if it is or not. The only other point I'd like to bring out is when they made the introduction, they said it was a Conditional Use to permit an accounting office and in fact it will be used for an accounting office at this point in time. Maybe I'm making a mountain out of a molehill here but if you go to the application, we actually asked for a professional service establishment which is what it is called under the Code. I think the significance of that to me is it would allow use of the property for several other purposes in the future. Why that's significant is when you get a Conditional Use granted for your property and then you sell it, as long as the next owner uses it within the parameters of the Conditional Use that Conditional Use status continues. We don't want to close. Mr. Deulio is going to move his practice there and plans to be there for a long time but when the time comes to close his practice he'd like to have the option to be able to sell it to perhaps a one or two man attorney firm. Some of the other things that are allowed under there is a medical clinic, legal services, engineering maybe an architectural firm, something along those lines.

Chairman Johnson said any questions of the applicant? Let's get Mr. Hayek's question and then we'll go into that because I have a question about it too. Mr. Hayek?

Mr. Hayek said according to the site plan and the presentation, the employees only parking lot is in the rear. There are three spaces. In the front of the building there is one handicap space and one space for a client.

Mr. Sowerby said there is also street side parking there also. There is on street parking there.

Mr. Hayek said I guess that's allowed on the street? It will suffice according to our City Code?

Mr. Carlin said Mr. Chair, Mr. Hayek, if on street parking is there, certainly anyone is entitled to use that parking. The applicant has provided appropriate parking because it's a new parking lot. Again, the reason for the variance was exactly for what you see in front of you on the screen is the unusual configuration of the property. The variance was required to facilitate getting the driveway to the back so you can have some additional parking for any customers or people that are going to be visiting this particular establishment.

Mr. Sowerby said and when we were going through the variance process, they were concerned that the width going to the back of only 12 feet would not allow enough for two-way parking so they asked that we restrict the back to employee parking only. That is why that is restricted to employee parking only. That is why that is restricted to employee parking as part of the variance procedure and the request that we had to address at that time.

Mr. Hayek said thank you.

Chairman Johnson said Mr. Knott, I think you went to the application. Did the application change? Staff?

Mr. Knott said just for the point of clarity on this and maybe Mr. Walker needs to enlighten us if.

Chairman Johnson said what's in our packets, the project for which Conditional Use approval requested accounting and bookkeeping office. However, the owner signed this one and maybe we just didn't have it signed by the representative which is Mr. Sowerby and that's okay.

Mr. Carlin said Mr. Chair, there may not have been an updated application that was provided to you which should say, I believe the applicant's representative can confirm there should have been an updated application.

Chairman Johnson said what is the updated application?

Mr. Carlin said it shows professional service establishment.

Mr. Sowerby said correct.

Mr. Knott said okay, I guess Mr. Walker, that general statement is adequate to cover the request that the applicant is making that he doesn't want to tie himself down to an accounting business?

Mr. Sowerby said we actually resubmitted an application with professional service establishment on there.

Mr. Knott said can okay but can we be that general? I guess that's my question.

Mr. Carlin said the definition in the City Code does encompass when you classify it as a professional service establishment so it does list a broad number of things that can be in there in our definition.

Mr. Knott said anything can be licensed in a way professional services can be used in this building then.

Mr. Sowerby said Mr. Knott if I can read it to you. It says "*Professional service establishments, except hospitals, such as doctors' offices, medical, accounting, auditing and bookkeeping services.*" Those are the items that are allowed under that.

Mr. Knott said very good. That answered my question.

Chairman Johnson said Mr. Walker was ready to concur, right?

Board Attorney Walker said yes Mr. Chair.

Ms. Wood said Mr. Chair and then this other question that I have is when you're trying to be clear about what it is your actually approving is that? I'm not clear on what the process is in the City to go back and verify what use was approved because if I remember correctly, you don't draft a resolution that approves a conditional use so what document do you actually refer to when you look back to see what's been approved when something is applied for on that parcel?

Mr. Carlin said Mr. Chair, Ms. Wood, I think the answer to that question is when we get an occupational license whether it's consistent with a professional service establishment if it goes within those parameters. That's what we would look at.

Ms. Wood said right but what I'm saying is that when they were sort of deliberating over whether or not a new application had been submitted, do you look at an application, do you look at the staff report that went with the agenda item to see what the name of the thing is that you are approving?

Mr. Carlin said apparently you didn't get an updated application with the one that we had on file. For whatever reason, it made it into your packet. That probably caused the confusion. That is what we have – professional service establishment.

Mr. Sowerby said and I'm not really worried about that with staff that we have now. I just don't know what staff and what things will be fifteen years from now.

Ms. Wood said and that's why I'm asking the question because legally I just don't know what that means in terms of what is the document that approves this thing that you're asking for. I don't know what that is because then how do you know what to look to see the words "professional service establishment"? I'm just not clear.

Mr. Carlin said Ms. Wood, the document that would be referenced would be the approval that ultimately is provided by the City Commission. We have a letter that is generated by the City Clerk's office that shows exactly what the approval is for Conditional Use to operate as a professional service establishment and then we utilize the definition of the City Code which defines what professional service establishments can be.

Ms. Wood said so it's the letter verifying the approval by the City Commission. Great. That's exactly what I was looking for. Thank you.

Chairman Johnson said any other questions of the applicant?

Mr. Lloyd said do you know if there are any other businesses between US 1 where Sunrise starts and then to Virginia in that corridor there?

Mr. Sowerby said there are several right next to you. Dan, can you address that?

[Speaker from the audience inaudible]

Mr. Lloyd said Dollar Tree starts the V there, and then there's that daycare center and then, okay.

Mr. Sowerby said we're actually the second building in from the southeast side because you've got the park and you've the church and then you have this building.

Mr. Lloyd said okay.

Chairman Johnson said any other questions of the applicant? Very good. Thank you very much. Anyone else here from the public that would like to speak for or against this request tonight? Seeing none, oh Mr. Walker, yes Sir.

Board Attorney Walker said respectfully allow me to get a quick clarification?

Chairman Johnson said please do.

Board Attorney Walker said the question of staff under the analysis it indicates this request is being made under 22-27(c)(11) and when you look at that, that refers to neighborhood commercial uses rather than a professional service establishment. Could you just clarify that please?

Mr. Carlin said Mr. Walker, if you give us one moment we'll take a look at that.

Mr. Sowerby said could I address that issue?

Chairman Johnson said yeah, absolutely. If you have it open and ready to go, sure. Please Mr. Sowerby and then just repeat what section you're looking at so staff can look at that also.

Mr. Sowerby said under Section 22-27 which is Medium Density Residential zone R-4, under your Conditional Uses permitted number 11 is "Neighborhood Commercial" listed in Subsection 22-30(b). Now we have to go to 22-30(b) which is the Neighborhood Commercial zone and under the semi-restricted uses permitted there it has uses allowed as semi-restricted uses in C-1 zone. Now we have to go to C-1. You got to follow the trail. If you get over to C-1 which is Section 22-29, one of the semi-restricted uses item 4 is "Professional Service Establishments".

Board Attorney Walker said thank you Mr. Chair.

Chairman Johnson said thank you. I'll just question staff, do you concur?

Mr. Yazzie said that is correct.

Chairman Johnson said very good. Thank you Mr. Sowerby. We have returned to the Board and entertain a motion on this item.

Mr. Knott said I move for approval, recommend approval subject to the staff's condition concerning the Fire District.

Mr. Reilly said second.

Motion made by Mr. Knott and seconded by Mr. Reilly to forward a recommendation to the City Commission to approve the Conditional Use to permit a professional service establishment for the property located at 908 Sunrise Boulevard with the condition Fire District approval has been received prior to City Commission consideration.

Mr. Yazzie said Chairman Johnson, Mr. Knott, that approval has been received. That packet was sent out prior to receiving that approval.

Mr. Knott said I'll just strike that and just make a recommendation for approval.

Amended Motion made by Mr. Knott and seconded by Mr. Reilly to approve the Conditional Use to permit a professional service establishment for the property located at 908 Sunrise Boulevard.

Those in favor were: Mr. Knott, Mr. Lloyd, Mr. Poitier, Mr. Reilly, Ms. Wood, Mr. Bey, Mr. Harris, Mr. Hayek and Chairman Johnson.

Those opposed: none

Chairman Johnson said okay, your project will be forwarded with a recommendation. Thank you.

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The next item considered: **Item # 7b - Treasure Coast Bible Assembly – 4146 Edwards Road** – Approval of a Conditional Use to convert a single-family residence to a church. The property is located at 4146 Edwards Road and is zoned E-3, Single Family Residential.

Chairman Johnson said could we have staff report please?

Ms. Ploetz said good evening. In accordance with Section 22-23.2 (c)(1) of the City Code, the applicant is requesting approval for a Conditional Use to convert a 1,216 square foot single-family house into a church with no new construction. The subject property is located at 4146 Edwards Road, which is on the north side of Edwards Road and northwest of Selvitz Road. The property is zoned E-3 Single Family Density 3 units per acre, with a Land Use Designation of RU, Residential Urban. The property adjacent to the east is zoned R-1, Single Family Low Density and RL, Low Density Land Use. The properties to the north and south are unincorporated with a County Designation of AG-1 and RU. The properties to the west are unincorporated with County designations of RS-3 and RU. The interior of the building will consist of an entryway, sanctuary with fixed seating for 70 people, 1 small classroom, and two restrooms. The exterior of the building will not be altered and is consistent with the surrounding buildings. A total of 26 parking spaces will be provided: 13 will be paved shown in yellow and 13 will be stabilized parking shown in green. In accordance with Section 22-60 (b) (6) of the City Code which requires that 50% of the required parking for church facilities be paved, due to the small width of the property a Variance was granted by the Engineering Department to allow the driveway connection to be located in the center of the property to achieve appropriate side lot clearance. Also per City Engineering, road speed of 45 mph and distance to the signalization at Selvitz Road 245 feet to stop line for through movement is acceptable for this generated volume. The project will generate up to 37 AM trips and 3 PM trips. Based on the predicted weekday traffic, the proposed project will have a minimum effect on the adjacent roadways. The site consists of 5 Oaks, 4 Palms, 11 Pine trees, and 3 Evergreens in existing landscaping and additional proposed landscaping consists of 17 established Live and 8 Laurel Oaks, 3 Sabal Palms, 7 Mahogany and plantings of Green and Silver Buttonwood, Silverhorn, Holly, Cocoplum and Japanese Yew. The existing and proposed landscaping complies with Section 22-187 of the City Code. All affected Departments have reviewed the proposed Conditional Use and have approved it based on it meeting the requirements of the City Code. Staff recommends that the Planning Board forwards a recommendation to the City Commission for approval of the Conditional Use. Thank you.

Chairman Johnson said any questions of staff from the Board? The only question I had, the City Engineering Department you said was the one that approved the driveway location, is that correct? That's because construction would encroach upon the side lot setback or what was the approval based on again?

Mr. Carlin said Mr. Chair, the answer to the question is that when you have a property that doesn't have the normal width requirements, the Code has a provision that allows the Engineering Department to grant an administrative variance for driveway separation. It does not meet the requirements to place a driveway connection close to the property line. The best location for this was in the center which that is but it still required a variance because it didn't meet the minimum side requirements.

Chairman Johnson said very good. Thank you. Any other questions of staff?

Ms. Wood said Mr. Chair, I have a technical landscape question. It's not going to really bear on my opinion on the application. I'm just curious. The staff report says that there's "additional proposed landscaping consisting of 17 established Live Oaks." How do you propose an established tree? What does that mean?

Mr. Williams said Mr. Chair, Ms. Woods, I believe the staff report was stating that, and in knowing the landscape architect like I do, there's a combination of Live Oaks to be planted and Laurel Oaks to be planted. Diann mentioned the existing trees on there so I think it's just a.

Ms. Wood said right but this is separating the existing landscaping from proposed landscaping. It seems like it's distinguishing the establishment of the tree and it was just unclear like that was some other designation of a type of tree but maybe it was just a mistake. I don't know. The quote is "additional proposed landscaping consist of 17 established Live and 8 Laurel".

Mr. Williams said okay, again, looking at the landscape plan materials, the plan calls for 17 Corcus Virginiam, so that's 17 Live Oaks and 8 Corcus Laura Folia which would be 8 new Laurel Oaks. So the existing trees on site don't specify the trees by species other than by Pine trees and Oak trees. I believe that's just verbiage in the staff report that could have been changed.

Ms. Wood said okay. Great. Thanks a lot.

Chairman Johnson said any other questions of staff? Seeing none I'd like to invite the applicant forward at this time or the applicant's representative. Good evening. If you would state your name and address for the record or your association to the project.

Mr. Burkhardt said Dan Burkhardt and one of the members of the Bible Assembly.

Mr. Michaelson said Ed Michaelson.

Chairman Johnson said also a member?

Mr. Michaelson said yes.

Chairman Johnson said welcome. Anything you'd like to add to the staff report that has been proposed?

Mr. Burkhardt said I'm just willing to be if there are any questions.

Mr. Lloyd said I know you are converting it to a church. Is there going to be any residents area in the church?

Mr. Burkhardt said no.

Mr. Lloyd said so it's going to be used as a church and no one will be living there at all?

Mr. Burkhardt nodded.

Mr. Knott said Mr. Burkhardt, what is the church's services schedule? Is it strictly a Sunday operation or will you have bible classes?

Mr. Burkhardt said there are three different days: Sunday 9 in the morning until 12:30, Wednesday night 7:30 till about 9 o'clock, Saturday afternoon youth movie-type meeting from 3 o'clock in the afternoon until 5 o'clock.

Mr. Knott said so Wednesday, Saturday and Sunday. How many parishioners do you all have?

Mr. Burkhardt said 35.

Mr. Knott said about 35 and you have seating for 70, is this correct?

Mr. Burkhardt said that is correct.

Mr. Knott said do you anticipate hopefully that you will get that many members?

Mr. Burkhardt said you have to look at the area of the sanctuary that they wanted us to put on there. For parking reasons, we didn't want to try to fudge anything either way so 70 gave us so many parking spaces.

Mr. Knott said okay. Other than these three days, do you have any other activities scheduled?

Mr. Burkhardt said the only activities are like a Christmas program, a barbeque and a picnic just three times a year. Every quarter they have a meal that consists of the same Sunday timeframe. It just carries it to about 2 o'clock every quarter.

Mr. Knott said your classroom is just strictly a bible teaching or bible class or something like that?

Mr. Burkhardt said to separate the children from the adults.

Mr. Knott said so there's no formal classes during the week or anything of this nature? You have no staff that stays here?

Mr. Burkhardt said no.

Mr. Knott said very good. Thank you.

Chairman Johnson said any other questions of the applicant from the Board?

Mr. Reilly said the neighbors, any response from them having?

Mr. Burkhardt said no.

Mr. Reilly said interaction or?

Mr. Burkhardt said we didn't start using this as a, you know, it's going to need to be updated to your Codes and everything for us to use it as such. We do go there like once every other week to have like youth run around and kick the ball, small message outside type meeting but we haven't had any complaints.

Mr. Reilly said okay, thank you.

Chairman Johnson said any other questions. Okay, very good. Thank you very much for coming. Anyone else from the public that would like to speak for or against this request tonight? Seeing none, we'll return to the Board and entertain a motion.

Motion made by Mr. Poitier and seconded by Mr. Bey to forward a recommendation to the City Commission to approve the Conditional Use to convert a single-family residence to a church for the property located at 4146 Edwards Road.

Those in favor were: Mr. Lloyd, Mr. Poitier, Mr. Reilly, Ms. Wood, Mr. Bey, Mr. Harris, Mr. Hayek, Mr. Knott and Chairman Johnson.

Those opposed: none

Chairman Johnson said okay, your project will be forwarded with a recommendation from this Board to the City Commission.

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The next item considered: **Item # 7c - Megs on the Avenue** – Approval for a Conditional Use to operate a beauty salon in the C-1, Office Commercial zoning district. The property is located at 1111 Delaware Avenue. The property owner is Pam Norvell. The applicant is Megan Norvell.

Chairman Johnson said could we have staff report please?

Mr. Yazzie said in accordance with Section 22-29 (c)(1)(c) of the City Code, the applicant is requesting the review and approval for a Conditional Use to allow a beauty salon in the C-1 zoning district. The property is located at 1111 Delaware Avenue and is approximately 0.17 acres. The zoning for the property is C-1, Office Commercial. The zoning to the north is R-4, Medium Density Residential. The zoning to the east and west is also C-1. To the south it's R-3, Single-Family Moderate Density. The property currently has an existing building which was previously used as a law office. In addition, the driveway will be used by the applicant and the neighbor to the east who will also use the driveway. The parking for the proposed salon currently exists at the rear as well as an existing handicap parking space. The landscaping will be implemented to enhance buffering and satisfy the requirements for landscaping in the areas of vehicular use. The applicant has also stated that additional vegetation will be placed along the driveway and at the front of the building. An ADA compliant ramp also exists for access into the facility. Pedestrian sidewalks exist along the right of way. All affected departments have reviewed and approved the Conditional Use with the exception of the Fort Pierce Utilities Authority Water and Wastewater Department. We had a condition that the applicant installs a terminal cleanout. As the proposed conditional use meets the requirements of the City Code, staff recommends that the Planning Board forward a recommendation of the approval to City Commission with the condition that the applicant fulfills the request of the Fort Pierce Utilities Authority Waste Water Department to install terminal cleanout.

Chairman Johnson said that was the only condition of the Utilities Authority was just the connection to the sewer system?

Mr. Yazzie said correct.

Chairman Johnson said okay, easy enough. Any other questions of staff from the Board?

Mr. Knott said Mr. Chairman, I'm confused on where does the wastewater go from there now if it's not connected?

Chairman Johnson said I think it just doesn't have a cleanout above ground.

Mr. Yazzie said previously, the applicant had been working with the Fort Pierce Utilities Authority Water and Waste Water Department because of the type of use from a law office to a salon which potentially can use more sewer to the utilities department, that's why they requested that additional cleanout.

Mr. Knott said it was an attorney's office before, is that right?

Mr. Yazzie said the applicant stated it was a law office before. They are here tonight.

Mr. Knott said they would definitely need a sewer connection.

Chairman Johnson said well I think the other thing is that they're trying to clean up some of the connections and make sure they have access from the Utilities Authority standpoint.

Mr. Yazzie said right.

Mr. Knott said right, very good. I just didn't understand what the deal was.

Chairman Johnson said any other questions of staff? I had one question. Since we're seeing a couple of these tonight, 22-29(c)(1)(c) of the Code.

Mr. Yazzie said correct. That's the Conditional Use for the C-1 zoning.

Chairman Johnson said does it state specifically this use, beauty salon specifically?

Mr. Yazzie said it states beauty shops under 22-30(b)(6).

Chairman Johnson said okay, any other questions? Seeing none, I'd like to invite the applicant forward?

Mr. Yazzie said Chairman Johnson? I have to restate that. It was 22-29(c)(1)(c) Beauty Shops.

Chairman Johnson said thank you. Good evening. How are you?

Chairman Johnson said good, how are you? If you would state your name and address for the record.

Ms. Norvell said Pamela Norvell and I live in Stuart. I'm the one of the owners of the building. I have the other owner here and then I also have Megan here.

Chairman Johnson said very good. Anything you'd like to expand upon from staff?

Ms. Pamela Norvell said no.

Chairman Johnson said very good. Any questions of the applicant from the Board?

Mr. Bey said what are your hours of operation going to be?

Ms. Megan Norvell said I would say probably about a 9 to 7 something that starts in the morning and ends in the evening.

Chairman Johnson said and you're Megan?

Ms. Megan Norvell said yes Sir.

Chairman Johnson said welcome. Any other questions of the applicant? Ms. Wood?

Ms. Wood said that was actually my question too but you're going to be open on the weekends as well?

Ms. Norvell said as much as possible.

Ms. Wood said I guess back to staff, is there anything to limit their hours of operation? Not that I'm suggesting that. For the record, I just live about just a few hundred feet away from your property. I'm very excited to have you there. It's a good thing to me to have you open on the weekend. I'm just curious in terms of the Code if there are any parameters on that or do they get to decide and if there are any issues with it?

Mr. Yazzie said from a Conditional Use aspect there is no prohibiting hours.

Mr. Carlin said Ms. Wood if I can expand on that Chapter 22 does not reference specific hours of operation but Mr. Walker may have some additional insight as to what chapter that might be in and what can and cannot be open at certain times.

Ms. Wood said okay, thanks.

Board Attorney Walker said Mr. Chair, I'm not aware of any such Code restrictions.

Chairman Johnson said any other questions of the applicant?

Mr. Falk said I'd just like to add something. I'd like to thank staff for helping us walk us through the process. It's not as easy as you can imagine. My name is Allen Falk. I'm also a co-owner. They were great.

Chairman Johnson said they do a good job. Thank you. Anyone else here from the public that would like to speak for or against this request? Seeing none, we'll return to the Board and entertain a motion.

Motion made by Mr. Poitier and seconded by Mr. Bey to forward a recommendation to the City Commission for approval of a Conditional Use permit to operate a beauty salon for the property located at 1111 Delaware Avenue.

Mr. Knott said do we need to condition it? I don't know if they've satisfied yet or not?

Chairman Johnson said does the motion include staff's comments? That's my comment.

Mr. Poitier said good. Staff comment.

Amended motion by Mr. Poitier and seconded by Mr. Bey to forward a recommendation to the City Commission for approval of a Conditional Use permit to operate a beauty salon for the property located at 1111 Delaware Avenue with the condition that the

applicant fulfills the request of the Fort Pierce Utilities Authority Waste Water Department to install terminal cleanout.

Those in favor were: Mr. Poitier, Mr. Reilly, Ms. Wood, Mr. Bey, Mr. Harris, Mr. Hayek, Mr. Knott, Mr. Lloyd and Chairman Johnson.

Those opposed: none.

Chairman Johnson said okay. Your project is forwarded with a recommendation. Thank you very much.

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The next item considered: **Item # 8 a - Hall's Memorial – 1810 Avenue C** – Approval of a Site Plan and Conditional to construct a new 2,560 square foot church. The property is located at 1810 Avenue C and is zoned R-3, Single Family Moderate Density Residential. The property owner is Halls Memorial Church of God in Christ, Inc. The applicant is Jimmie E. Foster. The representative is John Adair of Culpepper & Terpening, Inc.

Chairman Johnson said could we have staff report please?

Mr. Yazzie said good evening Chairman Johnson, Board members. In accordance with Section 22-58 of the City Code, the applicant is requesting a review and approval of a Site Plan and Conditional Use to construct a 2,560 sq. ft. church. The property is located at 1810 Avenue C. The property consists of a combination of 4 lots to total 0.51 acres. The zoning for the property is R-3, Single-Family Moderate Density. The surrounding zoning is R-3 to the west as well as to the east. To the north the zoning is R-4, Medium Density Residential. To the south the zoning is a mixture of R-4 to the southeast whereas, the zoning to the southwest is R-3. The orientation of the proposed Church will reside to the east of the parcels and will be setback 25 feet in accordance with Design Review. The entrance to the parking lot will be to the southwest. This two-way driveway will be a minimum of 26 feet wide and allow unrestricted turning movements. The parking will consist of 25 spaces total. The parking includes one designated handicap space located near the entrance. In addition, eleven of those spaces will be grass in accordance with Section 22-60(b)(6) of the City Code which allows for up to 50% of church parking spaces to consist of grass. This will be placed to the western portion of the property. To the immediate north is the Moore's Creek Canal. The proposed landscaping will consist of 26 new trees and the removal of one tree that will be in conflict with the dry detention area. However, the removal of one tree will be mitigated for with the preservation of one tree located to the west. Other trees will be relocated and preserved; therefore, no mitigation is required. The traffic statement generated by Culpeper & Terpening found that the facility will be of low impact and will not require mitigation. The building consists of a stucco finish with vertical and horizontal expansion joints. At the entrance will be a canopy which allows shelter as members enter the building. In addition, many arched windows are used to give natural lighting to the facility. The floor plan to the church consists of an assembly area of 75

fixed seats, a pulpit for speaking. In addition, various rooms consisting of a Pastor's study, storage area, and near the entrance there will be a church office. As the proposed Site Plan and Conditional Use meets the requirements of the City Code, Staff recommends that the Planning Board forward a recommendation to the City Commission for approval of the Site Plan and Conditional use.

Chairman Johnson said okay, thank you. Any questions of staff from the Board? I have one question. Is there, I know the drawing or the elevation did not show it but, is there a proposed sign or monument? I'm looking at the site plan now. It may be on here. I didn't see it.

Mr. Yazzie said I believe it was east to the driveway but the applicant is here. They can verify that.

Chairman Johnson said I see it now. How about the driveway and location to 18<sup>th</sup> Street? It's okay in regards to that location right within the movement?

Mr. Yazzie said Engineering did review this and they did approve this.

Chairman Johnson said okay, very good. Any other questions of staff?

Mr. Reilly said Mr. Chair, what was this? It's a relocated building? What was this before? Do you know?

Mr. Yazzie said the building is not constructed yet. It is a donated building. The applicant is here to further elaborate on that.

Chairman Johnson said anything else?

Ms. Wood said I was confused about that as well because there is a sentence in the staff report that says "The plan proposes to utilize a donated building that will be placed within the setback as required by Design Review."

Mr. Yazzie said that is correct. The Design Ordinance in 22-59 requires that buildings will be setback 25 feet from the right of way.

Ms. Wood said well no the Design Review doesn't establish the setbacks and this says that it's within the setback which means it's in the yard.

Mr. Yazzie said that was a typo, a clerical error. It's at the 25 foot.

Ms. Wood said right and I understand and I'm not trying to assess your grammar. I'm just pointing out why it was confusing to me when I read the sentence this whole thing about the donated building which isn't explained. What it sounds like is that there is an existing building, it's going to be moved and it's going to be put in the yard.

Mr. Yazzie said well I apologize for that. That is incorrect.

Ms. Wood said and again, I'm not here to criticize you. I'm just clarifying why that was confusing to me and I'll just ask the question about the design piece of it because it's just a matter of whether or not they are willing to make some changes.

Mr. Yazzie said sure.

Chairman Johnson said any other questions? Seeing none, I'd like to invite the applicant forward or the representative. If you would state your name and address or your association for the record, please.

Mr. Adair said John Adair of Culpepper & Terpening representing the applicant.

Mr. Foster said John Foster, Architect, representing the applicant.

Chairman Johnson said very good. Thank you. Anything else you'd like to add to staff's report or just entertain questions?

Mr. Adair said no. Staff did a great job. I'm just here to field any questions.

Chairman Johnson said okay. Any question, Ms. Wood? We'll start with you.

Ms. Wood said good evening Mr. Foster. How are you?

Mr. Foster said well fine. Good to see you here this evening.

Ms. Wood said thank you. It's good to be here. To begin with, I didn't have a lot of time to review this stuff and so I just glanced through the packet that I received yesterday and I'm also new so I haven't looked through ordinances as carefully as I would like but I believe that in the Design Review there is a specific slope requirement for the roof which I think is probably the weakest element of that design. I'm not sure what the story is if it's a set design package that's being assembled?

Mr. Foster said well the actual structure is sitting on the site today as we speak. It was donated by a steel building manufacturer. Therefore, the size of the building is absolutely determined and also the slope of the roof. We're trying to utilize a significant donation that's not a \$2,000 or \$3,000 donation. It's the entire building structure: roofs, walls, perlins, bolts, nuts, and everything else that it would take to put it up. What I tried to do with the design was while doing the design review I went around and took photographs of a number of the modest churches in Fort Pierce. Basically, they are stucco finish usually painted white with some trim color. I was trying to emulate that to whatever extent the exterior stucco finish although it's on a metal building you really won't be able to tell one way or the other. The arched windows and the expansion joints are a design element. The expansion joints are of course required because the building can move around a little bit and stucco doesn't move very well so we always put a fair amount of expansion joints. In this case, I've used them as a pattern on the building and also added a cover at the entrance that matches basically the same

structural roof slope that we have on the main building. Normally, this is kind of a reverse engineering kind of a deal because before I was even contacted about doing the building, it was already sitting there.

Ms. Wood said so all of the major components of this, so the volume of the building is established?

Mr. Foster said yes they are.

Ms. Wood said okay, great. Thank you.

Mr. Foster said that's the brief explanation.

Chairman Johnson said any other questions of the applicant?

Mr. Bey said could you give me an idea of what the weekly schedule would be for the worship services, the programs and things of that nature?

Mr. Foster said I believe that Pastor Foster would be most able to speak to that for us.

Pastor Foster said good evening. The services will be on Sunday.

Chairman Johnson said what's your name and address for the record?

Pastor Foster said Jacqueline Foster, 920 S. 23<sup>rd</sup> Place, Vero Beach.

Chairman Johnson said thank you.

Pastor Foster said on Sundays, Tuesdays and Thursdays.

Mr. Bey said and the size of your congregation?

Pastor Foster said 35.

Mr. Bey said thank you.

Pastor Foster said your welcome.

Chairman Johnson said any other questions of the applicant or the representatives?

Mr. Knott said Mr. Chairman?

Chairman Johnson said Mr. Knott?

Mr. Knott said John, basically this is like a Butler building? Is this what it is?

Mr. John Foster said yes. It has not ever been assembled. It's a brand new kit out; I'd guess you'd call it.

Mr. Knott said it's a kit?

Mr. John Foster said yes.

Mr. Knott said I see.

Mr. John Foster said exactly. I don't know if it was an overrun or somebody cancelled an order or whatever but the building manufacturer donated it specifically to the Church or the Congregation for its use.

Mr. Knott said okay, very good. Thank you.

Chairman Johnson said any other questions? I'll direct this one to staff real quick in regards to what Ms. Wood was speaking of and the roof slope and the design element of what we have today. I know the language is in there, you're recommending approval so we meet the standard? Is it based on the Conditional Use option? Is that what it is?

Mr. Yazzie said the design review element because this is a site plan gives a reference to pitch roofs of wooden vernacular styles shall be a symmetrical hip with a slope to 6:10:12. Pitch roofs of a design reflecting Mediterranean, Spanish, Eclectic, Craftsman and Prairie styles may have a slope of (and this is where it says it may have, it's subjective) may have slopes of 3:12 to 6:12.

Chairman Johnson said thank you. This project is?

Mr. Yazzie said it's a 1:12 pitch.

Chairman Johnson said okay. Mr. Foster, are there any other elements visually, I'm looking at the elevation that was provided I'm assuming that's where we've taken some structures that are along the streetscape there.

Mr. Foster said well those are the adjacent. We were also asked in the design review to provide at least a sketch and proportions of the adjacent structures. They are actually a little farther away from the proposed church building that I've shown on that sketch but otherwise we have a 4 foot long piece of paper there.

Chairman Johnson said of course, of course.

Mr. Foster said but basically they are the same height as the proposed building. Our existing building on site is basically a flat roof that's been added to a stucco building. Unfortunately, the building structure that we have I can't really add much to. I mean some decorative items.

Chairman Johnson said that was going to be my question because structurally and wind load and everything else.

Mr. John Foster said but things like steeples and so on are really are not a possibility because the structure is already existing.

Chairman Johnson said right and there is no design that we can implement. Did you add into the front?

Mr. John Foster said yes that front entrance, the filling has been added. We'll have to come up with a structure for that but I believe I have some sources for small pieces of steel and so on and maybe (inaudible) as well. I was proposing to follow along with that and by using the arched windows and the placement of them I was trying to indicate this was not just an average house or whatever it's actually a religious building. A number of the similarly sized churches in Fort Pierce have very similar details to this excepting perhaps the roof pitch. Most of them are higher pitch. In this case without completing reengineering and re-fabricating the structure, we're not going to be able change it.

Chairman Johnson said I understand.

Ms. Wood said Mr. Chair?

Chairman Johnson said Ms. Wood.

Ms. Wood said since you carried the design review conversation a little bit forward I was going to leave it but it is my assessment that the building doesn't meet the standards. I'm not going to kind of pick through and cite Code but I sadly wrote the thing so I can do that. I was prepared to make a specific suggestion about the way I thought it could be altered without adding too much expense but now knowing it's sort of a kit of parts I just don't.

Mr. John Foster said well the exterior fabric can be changed because what we have is basically the shape that I've shown. We can do pretty much anything as far as the walls go. They're simply metal wall panels that we'll have to cut through in any case for the windows. They are just simply whole panels. They aren't cut out in any shape right now.

Ms. Wood said right. Well my thought initially for the easiest solution was to not demonstrate the front elevation as a pitched roof but to take the front wall and slide it past the roof and show it as a parapet which would emphasize the verticality of the building a little bit more. I think it would make it a little bit more elegant not quite so squat and then the pitch roof, the slight pitch could be hidden behind that parapet.

Mr. Foster said well that's a possibility. We have a building on Delaware that's not in very good shape now that did that specifically. It has been a law office, I forget the name of it now, but it's basically a false front. It'll be entirely easy to do but as soon as you got around to the side it's going to be very obvious it's a false front building.

Ms. Wood said right but you wouldn't be so presented with this very blunt slope at the front elevation which I think what was the most determining thing for the squatness of the building and then you wouldn't be sort of hemmed into the same pitch for this entry feature that you are creating which defines the front the most. Then you can create a slightly more elegant pitch to be reflective of this parapet that slides passed the roof behind.

Mr. Foster said the Langley building is the one I was thinking of.

Mr. Bey said Langley?

Mr. Foster said yes. That's on Delaware.

Ms. Wood said that might be a bit pricey to replicate that but that's the idea.

Mr. John Foster said well no I mean that's the basic concept. They took a little cottage and added a very nice façade. It hasn't been painted in 30 years but other than that. I can take the suggestion into account. What we end up doing is probably building that as a concrete wall because it would be fairly difficult to do a steel structure to build that. The building would become 8 inches longer than it is today because we still need to have the steel structure inside.

Chairman Johnson said correct.

Ms. Wood said right.

Mr. Foster said the north/south dimension would be 8 inches longer because I need a space to put the block.

Ms. Wood said right.

Chairman Johnson said correct.

Mr. John Foster said I don't have an objection to doing that but can we have that approved by staff review; however, so as to not bring it back before this Committee in here.

Chairman Johnson said yes I would think we could make it even as a recommendation.

Mr. John Adair said a condition of approval?

Chairman Johnson said well I don't know if we condition just to look into the option of doing that unless the Board members want to condition that.

Ms. Wood said well I mean if you are willing to condition it then that would certainly give.

Mr. John Foster said as far as that goes, I don't mind doing that. I'm just trying to not to have to come back

Ms. Wood said sure.

Chairman Johnson said that's correct.

Mr. John Foster said not that I don't want to particularly, but it would I think.

Ms. Wood said I'm sure you enjoy being here.

Mr. John Foster said well that's fine. On the other hand, I think we can work with staff with that basic suggestion and that would be fine.

Mr. Carlin said Mr. Chair, members of the Board. I would also just like to add a comment on that that the surrounding properties in this particular area have similar roof styles to the roof that is proposed so this is not inconsistent. Design Review also takes into account what around in other properties; how is this best going to blend? You don't want to have a Mediterranean building sticking up when you have Florida Cracker-style buildings and so on and so forth. With this particular area, the roof is not inconsistent with the surrounding properties. Certainly, if you do make a motion, please specify exactly what it is you would like to see changed or modified so we can have that for the record and work with the applicant on any changes you'd like to see.

Chairman Johnson said thank you very much. Any other questions of the applicant?

Mr. Knott said I just happened to notice a couple of things on here of the application here. Your drainage discharge into the Moore's Creek, I know that the City has the final construction drawings I believe for the Linear Park for this section. I see that you have a riff raff or some sort of a headball or something at the end of your outfall pipe?

Mr. John Adair said the riff raff was at the request of the Engineering Department.

Mr. Knott said Engineering has approved this?

Mr. John Adair said they specifically requested, yes, and that was a condition of their approval is that they wanted that.

Mr. Knott said as long as they've seen that and it's something not that you're going to build and it's going to be torn out?

Mr. John Adair said that was something they specifically asked for.

Mr. Knott said the other thing I noticed you all put the sidewalk on your property with an easement?

Mr. John Adair said correct. That was a request of the Engineering Department to put in.

Mr. Knott said why would they? Not enough right-of-way?

Mr. John Adair said correct. We had to do a five foot and in this particular instance, we did a five foot pedestrian easement to address the right-of-way.

Mr. Knott said alright, very good. Thank you. That's all.

Chairman Johnson said any other questions of the applicant? Very good. Thank you very much. Anyone else here from the public that would like to speak for or against this request tonight? Seeing none, we'll return to the Board and entertain a motion?

Mr. Poitier said I will. Is there any condition on it?

Chairman Johnson said if you are going to make a motion, that's up to you.

Motion made by Mr. Poitier and seconded by Mr. Harris to forward a recommendation to the City Commission to approve a Conditional Use permit to construct a new 2,560 square foot church on the property located at 1810 Avenue C.

Chairman Johnson said motion and a second to approve as proposed. Any discussion?

Mr. Lloyd said you're not going to condition, it's as is?

Mr. Poitier said as is.

Mr. Carlin said Mr. Chair, before you proceed, I just want to make sure from staff there will not be, what you are discussing with regard to the requested modification that will not be part of the motion just so staff understands?

Chairman Johnson said correct, as proposed. Any other discussion?

Mr. Reilly said do we know if any of the neighbors, have they seen these pictures of the building?

Mr. Carlin said Mr. Chair, Mr. Reilly, for the Conditional Use application, this is a Conditional Use so property owner notifications will be mailed out prior to City Commission consideration. They will be provided those notices once it's scheduled. I'm not aware of any particular request by anyone to come in and look at the plans. Duane do you know?

Mr. Yazzie said that's correct. Prior to City Commission, they will be notified. However, I have not received any complaints or request to see the proposed project.

Chairman Johnson said any other discussion? Could we have roll call please?

Those in favor were: Mr. Reilly, Ms. Wood, Mr. Bey, Mr. Harris, Mr. Hayek, Mr. Knott, Mr. Lloyd, Mr. Poitier and Chairman Johnson.

Those opposed: none.

Chairman Johnson said okay. Your project is forwarded with a recommendation to the City Commission.

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The next item considered: **Item # 8b - Crossroads Commerce Park – Building A** - Approval of the Site Plan to construct a 141,200 square foot warehouse. The property is zoned CP-1, Commercial Parkway Zoning and is located west of I-95, east of Florida Turnpike and north of intersection of I-95 and Florida Turnpike. The owner is IDI, Inc. The representative is Gabe Henehan of Kimley Horn and Associates.

Chairman Johnson said could we have staff report please?

Mr. Yazzie said good afternoon Chairman Johnson, Board members. In accordance with Section 22-58 of the City Code, the applicant is requesting the review and approval for a Site Plan to construct a 141,200 square foot warehouse. The property is located south of Okeechobee Road and is situated between I-95 and the Florida Turnpike. The zoning for the property is CP-1, Commercial Parkway. The zoning to the north is also CP-1, with the exception of the northwest which is unincorporated St. Lucie County and as well as to the west and south. To the east, it's divided by way of I-95 and a parcel of unincorporated St. Lucie County. The parcel is approximately 132.41 acres. However, the developed area will be approximately 20 acres. The proposed development will occur to the eastern portion of the parcel along I-95 noted here in yellow. In addition, a proposed dry and wet detention pond will be added to capture storm water runoff. The detention areas will be located just north of a Conservation Easement line. Vehicles entering the facility will be by the way of Crossroads Parkway road. Future connectivity for a westward development has been planned with a 60 foot stub out located near the entrance of the proposed development. Access to the south parcel will through the development as shown in blue. The parking will consist of approximately 236 spaces and a loading area for the warehouse which will be to the west of the building for tractor trailer vehicles. Landscaping will be around the surrounding property along its border and various shrubs and trees will be placed within the property for aesthetics. The Building A will consist of a flat roof that will be approximately 38 feet 6 inches in height with additional parapets extending to 41 foot 6 inches. The façade will be of a two-tone stucco finish that incorporates a grid pattern for visual site breaks. In addition, art deco projections will accentuate the tall impact tinted green window features. As previously mentioned, the proposed development will incorporate a dry detention area and a wet detention area. This location will be to the southwest of the development. The wet detention will capture storm water runoff from Building A and then filter to a secondary detention area. Ultimately, this filtered run-off will discharge to the south. The detention areas will also include 10 foot landscape strips. As previously mentioned, a conservation easement has been set aside with the developer and South Florida Water

Management District. This conservation easement is approximately 47.75 acres. In addition, Ten Mile Creek runs through the easement. Although the property that is to be developed has existing trees, the developer is utilizing the trees located in the conservation easement to offset tree mitigation required by Section 22-194. The tree mitigation is as follows: 53 palm trees are to be removed from within the development whereas 63 palm trees are to be preserved within the conservation easement, 3,057 inches of pine trees are to be removed from the proposed development whereas 215 inches of pine trees will be kept within the conservation easement, 725 inches of Oak trees are to be removed for the development and 3,942 inches of Oak trees are to be preserved again with the conservation easement. In addition to the conservation easement, the developer has proposed a 20 foot easement to the south of Ten Mile Creek for possible use for the public. The logistics will have to be worked out with South Florida Water Management District as to the acquisition of the 20 foot easement to the City. The traffic analysis determined that the project will impact a 1.5 mile radius from the proposed project. Therefore, a percentage of trips would be expected to traverse through the unimproved section of Crossroads Parkway. The applicant has agreed to provide funding to the City of Fort Pierce, for the off-site improvement in the amount of \$782.55. However, it should be noted that the City does not have a formula for calculating off-site improvements. The applicant has also entered into a Developers Agreement with the St. Lucie County Fire District. The Developers Agreement made with the Fire District notates a contribution in the amount of \$100,000 which will be used to purchase a Fire Truck. In addition to the contributions made toward the Fire truck, St. Lucie County Growth Management District has weighed in on the impact to the surrounding area in regards to Kings Highway and Orange Avenue and they have requested that a road impact fee be requested from the applicant of approximately \$65,000. At this time, the applicant and the St. Lucie County Growth Management District has not had any further outcome of that. As the proposed site plan meets the requirements of the City Code, staff recommends that the Planning Board forward a recommendation to the City Commission for approval of the site plan with the condition that a Developer's Agreement is provided regarding the road impact fees with St. Lucie County prior to City Commission consideration.

Chairman Johnson said okay very good. Any questions of staff on this project that's before us?

Mr. Knott said Chairman. How did this project dovetail with the existing projects to the north? If I remember correctly, the industrial park out there all the drainage went to the south and there were ponds associated with all the development out there of the existing industrial area with the hotels and motels but this appears to be cutting them off. I'm just wondering if there are agreements or how they are going to interact with each other?

Mr. Williams said Mr. Chair, Mr. Knott you are correct. The applicant is here and their team has all the detailed information but you are correct. The first phase of the Industrial Park was constructed and this undeveloped portion was Phase II. In these many years you probably remember when that first area was done. The road stubs off in the roundabout and then the new property owner is looking at expanding and this is

Phase I of a three-phase program if that answers your question. The drainage, they'll be able to answer that with their engineers but when I examined this along with staff, we could see where the Phase I water treatment was all completed and the appearance of them preparing for this secondary phase was in the works. This new retention/detention area that they're proposing is what was required to build this extra.

Mr. Knott said but this is a different owner than the, these folks are not tied to the original development I think, is this correct?

Mr. Williams said that I'll leave to the applicant to explain that because I do see that they do have their attorney present who has been involved with all of the negotiations for this property.

Mr. Knott said okay, thank you.

Chairman Johnson said any other questions of staff?

Mr. Hayek said the building is 141,000 square feet. There's only a dumpster location on the very north end of the facility. Is that going to be adequate?

Mr. Yazzie said that is correct. Solid Waste has weighed in on the dumpster location and the quantity of dumpsters which is in this case, one. They have approved that this is adequate according to the use.

Mr. Hayek said okay, thank you.

Chairman Johnson said any other questions?

Ms. Wood said staff, I'm sorry, could you bring up the slide? There was a slide that overlaid the proposal on the aerial if I'm not mistaken. I just wanted to be able to look at it and reference it as we talk about the application if that's okay.

Chairman Johnson said I noticed in the staff report, which you didn't touch on it, the building is going to be an LEED standard constructed building. Is that correct? I know I can ask the applicant but you reported that here.

Mr. Yazzie said that is correct. The applicant has stated that they will incorporate LEED which is a green standard for construction.

Chairman Johnson said also, the back of the building backs up to the main thoroughfare of Crossroads Parkway, if I'm not mistaken. I noticed that was a loading dock of some sort.

Mr. Yazzie said that is correct.

Chairman Johnson said in the site plan and maybe I'll have to pull it up here, I was just looking for the distance between the loading dock and basically it's the width of the

roadway that passes through because if this is going to be our interconnect to the southern portion of the property we have to make sure we have a big enough thoroughfare egress/ingress there if you want to call it that.

Mr. Carlin said if I can elaborate on that. That is not a road. That is maneuvering area for the loading trucks that can come in and out of the warehouse. That is not a road.

Chairman Johnson said okay, then we have a stub out and we have a stub out to the south but Crossroads Parkway is not extended there. Are you proposing we're going to, Phase II let's call it, that we're going to propose a curve in Crossroads Parkway onto the Phase II property and extend that?

Mr. Carlin said Mr. Chair that is correct. That is the intent. When we were reviewing this, the area shaded in yellow here I can highlight it, this is the stubout for the future extension of Crossroads Parkway when the development expands further to the west.

Chairman Johnson said how about to the south, the southern portion of the building?

Mr. Carlin said to the south the applicant is willing to provide a stubout here for access to this parcel. If I go back one slide, you can see that there is no connectivity right now to that. This would be the area that I'm shading here but it's somewhat difficult, there is no connectivity here. It is essentially land-locked so the applicant is willing to provide a stubout at that south portion of the property to facilitate future connectivity.

Chairman Johnson said okay but that would require (if you go back to the original screen, the site plan screen) that would require that we would construct let's call it the Phase II portion a roadway to? The stubout is provided; however, it's provided within the boundary of today's project which you just described to me is that's for the loading zone. That's not a travel way. It's okay to have a stubout. However, you see what I'm saying? It's okay to provide a stubout; however, for someone to travel from the north to the south they're going to travel through the loading zone area. I understand what.

Ms. Wood said Mr. Chair, I don't mean to interrupt you. I just wanted to contribute to that. Hopefully, it's a contribution to that conversation. As far as I understand, that parcel to the south already has a conservation easement on it so I don't know if that parcel is developable and maybe the applicant can speak to that. It may be not an issue.

Chairman Johnson said maybe we don't need the stubout is where I'm getting at. I understand the effectiveness of that. However, if we're going to create a travel way – a thoroughfare through this to the next property, it should be without or not within the confines of the loading area.

Mr. Carlin said Mr. Chair, certainly if the Board feels that having that stubout is not something that would be appropriate at this time, you certainly can make a recommendation to have that. We don't have anything in the City Code to say that it has to be there. What Planning staff ultimately looks for is Master Planning and to

facilitate connectivity. Ultimately throughout as this development continues with Phase II, Phase III, Phase IV how to ensure that the roadway infrastructure is there. Certainly we would like to see a road extend all the way south to make that a true connection per say but again that was not the case as the plans are drawn right now. That is something that we did explore during the review process.

Chairman Johnson said I think it's a good idea. If that's going to be thoroughfare, we may need to look at other options that's all but I'd like to talk with the applicant also. Any other questions of staff from the Board? Alright, I'd like to invite the applicant forward at this time.

Ms. Angelos said good evening, attorney Cynthia Angelos on behalf of IDI who is the applicant and the property owner. Welcome Kara. I'm really excited to have the opportunity to represent this project. To classify it as a warehouse is such an understatement. This actually as stated is Phase I of what's ultimately going to be a 1,283,000 square feet of warehouse distribution space. I would be remiss if I didn't say to you that the EDC did not bring this particular property owner and developer to this City. Staff's cooperation and insight in meeting with applicant before they purchased this property was the most persuasive element in bringing this company here. This is really a terrific company. I've worked with them now for two years. They have 14 of these across the Country. They have four in Florida, one of which is now in Fort Pierce. Essentially what this is, and I call it somewhat of a distribution center, but it's individual bays. In this particular phase, I think this would be 12-14 in which for instance, American Express is one of their tenants or Watson Pharmaceutical, Aetna. These are where all the bills would be generated for the entire Country. In this phase alone the anticipated amount of folks that would be employed are 90. As I mentioned upon buildout, we're looking or IDI is looking at employing at a minimum 1200 folks. It's an existing project. As you probably know, this is the old St. Andrew's property that has gone through a lot and I understand had gone through some litigation maybe with the City years ago but very positive outcome. I'm not sure. We do have our entire team here: our architect and civil engineer, traffic engineer. If there are specific questions that I can answer in relation to the easements involved, that conservation property. I worked with Mr. Williams with regards to a pedestrian trail. He's been great to work with. They just tell you a little bit of the picture but there are plans for that in working with the County to either have that property conveyed to the City or the County and that would be the entire South Florida Water Management Conservation Easement parcel. That's in the future for the piece. My client has met with the, I'll refer to him as the bikers which is probably an incorrect term. I think it's the mountain bikers. They've worked out an agreement with these folks to allow them to continue to use the property. That came out to a happy ending thus far. I don't know if there were any further questions with regards to that stub-out. If there is, I'm happy to answer those.

Chairman Johnson said mine is specifically to the engineers. Any questions for Ms. Angelos?

Ms. Angelos said thank you so much.

Chairman Johnson said good evening.

Mr. Henehan said good evening. My name is Gabe Henehan. I'm with Kimley-Horn and Associates, the civil engineer representing IDI. Mr. Chairman, your first question I think you posed I think I can respond to in regards to the stormwater.

Chairman Johnson said no it was Mr. Knott.

Mr. Henehan said Mr. Knott, okay. Congratulations Kara on your appointment. We actually received approval October 9<sup>th</sup> of a new stormwater permit. The parcel to the north was Phase I of the park and this remaining Phase II was all permitted together in an old permit at South Florida.

Mr. Knott said under the Audubon Estates or something like that I believe was the original owner?

Mr. Henehan said I don't know the name of the entity that originally permitted it. In the development of this project what we were required to do was obtain two permits from South Florida. One was a new conceptual permit that covered existing Phase I and the proposed Phase II. The second permit was for the construction phase of this Building A tonight. In summary, the stormwater from Phase I is actually being managed, attenuation and treatment in the new pond of Phase II. That was all part of this permit that we obtained approval on October 9<sup>th</sup>.

Mr. Knott said will you all have, you probably already have, an agreement with the owners of the Phase I. You all remember Phase I right?

Mr. Henehan said correct but the way when it was permitted together the stormwater is tied to the permits and now we basically just incorporated the same tie between the two parcels and the new permit.

Mr. Knott said you're honoring all the discharges and all the stages in the first Phase?

Mr. Henehan said that is correct. That was a big part of our permitting process with South Florida was to demonstrate the volumes and stages. We're not impacting Phase I.

Mr. Knott said okay, very good. Thank you.

Chairman Johnson said any other questions of the applicant? If we can go back to the site plan for me if it's possible I was just looking at the tie end to the south. Obviously, you have specific plans and I'm looking at the stubout that's to the south. It's always a good idea, however, if you look at the overall scheme of where the project is and how it's laid out I'm not sure what you have proposed to the west. Do we need that stubout? Do you plan for a thoroughfare there, a connection of some sort?

Mr. Henehan said sure. I can simply answer that. We do not plan for a connection to the south. It was never our intent to. We provided a stubout as we worked through with staff but I wish, David is there a, if you see the two existing cul de sacs and the stub-out that we provided to the northwest there, our intent as this project develops through different phases is to create a connectivity. This was something that we kind of discussed early on probably in the due diligence process when we were talking about connectivity and things. We all thought that the best thing would be to connect these two terminating cul de sacs in the horseshoe shape that would basically just come down to that yellow connection, head to the west and then tie into the one up there. David thanks. That's the general idea of the connectivity.

Chairman Johnson said okay.

Mr. Henehan said our understanding that there would be no connection to the south actually. We would prefer to not a stub-out. It was something we were trying to accommodate staff and we'd be happy to pull it off.

Chairman Johnson said and that was where I was kind of going with the question is you know is there a reason because sometimes if there's not a proposed plan, what would be the point especially since the travel areas are within their own loading zone so do we dictate specifically?

Mr. Carlin said Mr. Chair, during the review process we looked at a variety of things for connectivity. Again, it's looking at how to facilitate future improvements. If it can't be accounted for now, how can we ensure that parcel to the south can get access. It was really a matter of coming up with some type of strategy, if you will, to see how that could be facilitated whether it's an easement, whether it's a right-of-way, whether it's a stub-out. We came into a mutual agreement that the stub-out was provided there. Certainly again, if that's something the Board does not want to see or you want it removed and taken away then.

Chairman Johnson said that parcel is owned by who? A different owner?

Mr. Carlin said I don't know the name. The property would be a separate property owner.

Chairman Johnson said I guess the backup to that assuming and now knowing that it is a different owner it's a good idea to have a stub-out. Are we okay with that travel pattern to connect that parcel to the Parkway? That's the question I propose. Are we comfortable with that proposed location and that proposed travel way to the southern parcel?

Mr. Carlin said Mr. Chair, I think I'm going to need a little more clarification as to what you mean by that.

Chairman Johnson said it's traveling behind the building which is their loading zone. They have a wide enough travel way to encompass the tractor trailer backing into its

loading zone parking space. Is that going to become cumbersome overtime to the person or individual corporation that owns the southern parcel?

Mr. Carlin said Mr. Chair, whether you call it a right-of-way or an easement you are still going to have the overall configuration with this layout just due to the fact that the parcel configuration for this phase limits where the building can go. It really cannot be tweaked in any other way. The other issue, you can kind of back up here, has to do with the parking. Everything is a function of how big your development is. How much parking you can fit on the site? Our Code with this particular application for warehouse parking requires x amount of spaces parked at 1 per 600 square feet. Again, there is a limiting factor on what can be done on the parcel itself in terms of building location, overall traffic patterns within the site. Certainly, the applicant can tell you whether or not they would be interested in providing something that you are looking for whether it's a right-of-way, an easement.

Chairman Johnson said I don't think it's either. I want to make sure that we have enough room to not even become a problem for their own tenants because the southern parcel has traffic flowing through the property.

Mr. Carlin said well certainly the parcel that access point of traffic could theoretically take a right and not go around where those loading trucks are. That's certainly an option as well if you're concerned with the actual maneuvering trucks in and out.

Chairman Johnson said it's a maneuvering issue overall to the parcel to the south. This is a wonderful project. Don't get me wrong here. To you, the applicant and the engineer, what you have proposed overall, how wide is the travel area there outside of our loading dock? Is it 80 feet? Is it 100 feet? Is it 60 feet? I don't know what it is.

Mr. Henehan said it's 60 feet. To be honest, just to simplify confusion with that parcel south. We'd be happy to remove the curb cut to be honest with you. We really don't see a purpose for it.

Chairman Johnson said well it's good planning practice.

Mr. Henehan said I understand what you're saying but just to kind of clarify the issue for now we'd be happy to take it off so there isn't a question of that connectivity.

Chairman Johnson said it's really a minute issue unfortunately but I just want to make sure that the proper planning is put in place. It's 60 feet you said? Sixty feet off the site plan? Okay, I don't have to look it up. Maybe I'm the only one with this concern. I don't know. Does anyone else see what I see or no?

Ms. Wood said Mr. Chair, I think that normally I would concur you would want to be able to plan for future development and that type of connectivity and I would completely agree. Again, I don't know if Ms. Angelos can confirm whether or not that easement continues but I'm fairly certain that it does. The parcel to the south that's this landlocked triangle that's to the south of your Phase I building, I believe that the South

Florida Water Management district easement continues all the way to I-95. If there's a conservation easement, you really can't build on it. I have the opposite assessment in this regard that I don't want to make it look like where planning for someone to build on a parcel that has a conservation easement.

Chairman Johnson said I agree with you because that yellow dash line right there is the beginning of that conservation land. Is that correct?

Ms. Wood said on their property. Yes.

Chairman Johnson said it's a flood plain. Okay, and that's what I mean. We can just eliminate the stub-out if that's what we need to do. I understand proper planning but it's questionable in this case without a doubt. Well, thank you very much. Any other questions of the applicant?

Ms. Wood said well I don't know how to really start here. I think you probably heard my disclaimer from earlier that I really didn't have a lot of time to review all the information in your application and so I might be just asking you to sort of just highlight some things that are already there. My concerns are entirely environmental. I have just enough information to be dangerous I think in this regard. Unfortunately, I only read the sort of more easily attainable report which was the Natural Resource Assessment but did not go through the entire Phase I and Phase II. It seems like on the whole, and I don't know what your whole phasing plan is, it seems conceptually fine. I was disturbed by what seemed to be a lack of information and a lack of coordination with the other jurisdictional agencies. At this point it seemed that you hadn't yet done wetland jurisdictions and delineation yet and that there was only one wetland. I'll just sort of free associate for a couple of minutes and then you can respond to all the concerns that came up. As I was looking at this there was one wetland that was identified so far. That may even be close enough to be Corp jurisdictional. You even mentioned in your report that you will have to coordinate with the Corp through their lineation. There was some sort some of mention of needing to do species surveys but you would just look for Gopher Tortoises and not even in the area where you are building. It just seemed a little squooshy to me. Maybe if you could just sort of talk about wetland issues, why you've cited your retention where it is, that was of some concern because it's very close to the floodplain. If you could just speak to some of those issues.

Mr. Henehan said sure. I'll reference the permit. It talks a little bit about our coordination. We do have a Army Corp Permit Nationwide number 39 for some minor impacts. The original drainage swale from the Phase I stormwater, we've obtained that. There is a very small wetland on site that is actually not associated with this project and it's not close enough that we would not have to permit it at this time. The stormwater pond location was, there is a hydraulic gradient in the design that you must meet. The idea is that any surface water in your pond is not going to negatively impact a floodplain or a nearby wetland or any other water body that might be protected. Of course, we designed our pond to satisfy all the hydraulic gradients so we wouldn't be impacting the conservation easement.

Ms. Wood said can you say something about hydraulic gradient?

Mr. Henehan said yeah it's just a math, I don't want to bore you guys with all that but it's just a slope of water surfaces. If you have Surface A here at elevation 10 and Surface here at Elevation 2 call it Ten Mile Creek or whatever, there has to be a certain distance between the two that creates a hydraulic gradient.

Ms. Wood said right and there didn't seem to be a lot of distance.

Mr. Henehan said that was five years of college to figure that out.

Ms. Wood said well done. I like it.

Ms. Wood said so the hydraulic gradient?

Mr. Henehan said it's a design parameter that we deal with in every stormwater.

Ms. Wood said but it would be even greater if you put it say in the middle of your site like the hydraulic gradient would be more?

Mr. Henehan said the only thing that the pond impacts from the hydraulic gradient standpoint is the conservation area Ten Mile Creek. We're actually proposing and we do have some permitting in the works with the Corp to impact the one wetland on site but it's not part of this application and we're still coordinating with them. We provided staff with all of our correspondence with the Corp and South Florida.

Ms. Wood said okay so you've already started. That was my concern. It looked like you hadn't started those communications.

Mr. Henehan said oh yeah. We've probably had discussion with both agencies for a year so a lot of coordination going on.

Ms. Wood said okay, great. Thanks.

Chairman Johnson said any other questions of the applicant?

Ms. Wood said I'm sorry, yes species?

Mr. Henehan said oh, I'm sorry yes. There are some Gopher Tortoises that were identified on site and we are relocating those. We're already permitted to do so. We've obtained the proper Fish and Wildlife permits to relocate the existing Gopher Tortoises on this 20 acres.

Ms. Wood said where you are building because your transects showed a different part of the site?

Mr. Henehan said no. We wouldn't survey, I mean, all of our studies pretty much identified every burrow that was out there: existing, dormant, abandoned, active. We have again, been permitting with fish and wildlife for about a year now to handle the relocation of the gopher tortoises.

Ms. Wood said and those surveys and the results are in your Phase I report?

Mr. Henehan said they should be. I don't know if you had time either time to review it or if it was in the package.

Ms. Wood said that was why I was just trying to identify where that information was because again in your Natural Resource Assessment you showed transects that were further towards the west of the site.

Mr. Henehan said actually what you may be referring to is we did a transect survey just to get a feel of how many tortoises might be on the whole 85 acres. If you were to investigate the relocation permit, you'd probably see the more detailed location of the burrows that will be or the tortoises will impact with Building A.

Mr. Knott said excuse me. The tortoise relocation is it a relocation permit or a Take Permit on these or anything?

Mr. Henehan said no. It's a relocation permit.

Mr. Knott said is it going to the back country or over onto your other property?

Mr. Henehan said they're actually going to a mitigation bank in Polk County.

Mr. Knott said very good. Thank you.

Chairman Johnson said any other questions of the applicant? The only other question I had was very easy. I think I know the answer probably. Without architectural plans, I didn't look at them, but having an LEED rated building, it's exciting to see that. That's very good. I'm very proud of that. I'm glad you're bringing it here. Hurricane impact rated at the same time? I'm sure it's going to be the same certification.

Mr. Henehan said correct. We have the minimum wind load, 140 [mph].

Chairman Johnson said and your glass has to be rated impact glass. Okay, good.

Mr. Henehan and IDI is a very sustainable company and they pride themselves. They have a couple LEED-certified projects ongoing now I believe one in Atlanta. This will be, I think one of the first ones in the City of Fort Pierce if I'm not mistaken. They will be seeking LEED Cornshell certification from the U.S. Screen Building Council. It's very exciting for an industrial.

Chairman Johnson said absolutely. I think it's great. Anyone else? Thank you very much.

Mr. Knott said I'd like to say that you look at the photographs of the neighboring uses. Some of the design standards as compared to what they're proposing and it is quite a step up. I appreciate that too because it's what you will see from the Interstate out there as you pass by St. Lucie County. Thank you.

Chairman Johnson said anyone else here from the public that would like to speak for or against this request? Alright very good. Return to the Board and entertain a motion.

Mr. Knott said were there any conditions or are they all set?

Chairman Johnson said only discussion was the driveway. Yes, Mr. Hayek.

Mr. Hayek said I make a motion we approve the site plan with the condition that we eliminate any connectivity to the south.

Motion made by Mr. Hayek and seconded by Mr. Poitier to forward a recommendation to the City Commission to approve the Site Plan for Crossroads Commerce Park – Building A with the condition that the connectivity to the south of the parcel be eliminated.

Mr. Carlin said Mr. Chair, respectfully does that motion also include the staff's recommendation to formalize the agreement with the applicant for the contribution to the County? That was in the staff's recommendation.

Mr. Hayek said wasn't that already formalized Mr. Carlin? A letter was there.

Chairman Johnson said no the one he was referring to I think, your talking about the road impact fees with St. Lucie County.

Mr. Hayek said I'll add that condition to the motion that they formalize the agreement with the County for the road impact fees.

Amended motion made by Mr. Hayek and seconded by Mr. Poitier to forward a recommendation to the City Commission to approve the Site Plan for Crossroads Commerce Park – Building A with the condition that the applicant formalize the agreement with the County for the road impact fees and to eliminate the connectivity to the south of the parcel be eliminated.

Chairman Johnson said we have a motion and a second. Any discussion on the motion? Okay, could we have roll call please?

Those in favor: Ms. Wood, Mr. Bey, Mr. Harris, Mr. Hayek, Mr. Knott, Mr. Lloyd, Mr. Poitier, Mr. Reilly and Chairman Johnson.

Those opposed: none.

Chairman Johnson said very good. Nice project. Forwarded with a recommendation to the City Commission. Thank you very much.

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The next item considered: **Item # 9a - Federal Courthouse** – Approval of an abandonment for a portion of the right-of-way of Atlantic Avenue from U.S. Highway 1 to South 5<sup>th</sup> Street to construct a new Federal Courthouse. The applicant is U.S. General Services Administration. The representative is Elizabeth Lloyd.

Chairman Johnson said could we have staff report please?

Mr. Carlin said Mr. Chair, good evening members of the Board. Tonight, the applicant is requesting that the City of Fort Pierce abandon a portion of the right-of-way of Atlantic Avenue from U.S. Highway 1 and South 5th Street as seen on your screen. This is to construct a new Federal courthouse that will be coming in for development in the near future. The site plan included with the application that you have does specify that the new building will be located in the area where the existing road will be abandoned. As you can see from this aerial, all properties surrounding this including the subject property are zoned C-3, General Commercial. Atlantic Avenue is currently a two-way street and the portion requested for abandonment is approximately .3 acres in size. What you see here is a site plan. It is zoomed down at a lower scale so it is somewhat difficult to review but it was included in your packet to see where Atlantic Avenue will be situated. I've highlighted that in yellow. All departments have reviewed the proposed abandonment and have approved the request. Based on the approvals from all departments, staff does recommend approval of this abandonment request.

Chairman Johnson said any questions of staff?

Mr. Knott said Mr. Chairman. David, when somebody requests an abandonment I think in the past isn't it customary to reimburse the City for the cost of that property?

Mr. Carlin said Mr. Chair, Mr. Knott, I believe that has occurred but I'm not aware of how that process works when you are dealing with the Federal government.

Mr. Knott said I don't know. That's what I'm saying. We so seldom get a chance to hammer on the Feds. I just wondered if they made any offer.

Mr. Carlin said Mr. Chair, Mr. Knott, as of today's date, I have not received any information or correspondence regarding that particular issue.

Mr. Knott said I know when developers come in and they want even want a portion of the right-of-way there is an appraisal process and all this, a cost for property adjacent. Anyway, I was just curious if they offered to pay for it.

Chairman Johnson said very good. Any other questions? Seeing none, I don't think there is anyone here from the public who wants to speak unless staff wants to hop up? No? Okay. I entertain a motion.

Mr. Poitier said I so move we approve the site plan for the courthouse.

Motion made by Mr. Poitier and seconded by Mr. Harris to approve the site plan for the Federal Courthouse.

Chairman Johnson said a motion and a second. Any discussion?

Mr. Carlin said Mr. Chair, respectfully, if I can interject. It's not a site plan, it's an abandonment request. This is a site plan which shows where the building will be located in regards to where this portion is going to be abandoned. It's not the site plan that you are approving.

Mr. Poitier said okay.

Chairman Johnson said it's the right-of-way abandonment.

Mr. Poitier said right-of-way abandonment okay.

Chairman Johnson said still a second?

Mr. Harris said remain the same.

Chairman Johnson said thank you.

Amended Motion made by Mr. Poitier and seconded by Mr. Harris to forward a recommendation to the City Commission for approval of a portion of the right-of-way abandonment of Atlantic Avenue from U.S. Highway 1 to South 5<sup>th</sup> Street.

Ms. Wood said Mr. Chair, under discussion, does the staff have an update on when this will come in for review for site plan?

Mr. Carlin said Ms. Wood, that's an interesting question. We did, Planning Staff and other departments, met with the applicant, the representatives from GSA who are working for the government for this project on this project a few weeks ago. We were provided this plan layout, if you will, with some architectural designs and enhancements and things of that nature. We did have our first opportunity as a pre-application to meet with the representatives that will be working on the project. At that time, they indicated that they would be going through their final documentation in terms of getting their specifications updated because the Federal Courthouse has certain requirements. It has to be constructed a certain way. It has to have certain security elements involved. My understanding is they have completed that process and they will be coming in to start the process of getting this new courthouse building. When that is, I'm not sure. I do not have a final date but I would hope that would be in the next month or two.

Mr. Knott said so we can ask about payment then, right?

Mr. Carlin said you can certainly ask that question.

Mr. Poitier said the GSA isn't going to give you money on that.

Chairman Johnson said very good. Could we have roll call please?

Those in favor were: Mr. Bey, Mr. Harris, Mr. Hayek, Mr. Knott, Mr. Lloyd, Mr. Poitier, Mr. Reilly, Ms. Wood and Chairman Johnson.

Those opposed: none.

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The next item considered: **Item 10a – Discussions.**

Chairman Johnson said Veterans Day falls on our Tuesday meeting for November so we are going to move to Wednesday, November 12, 2008. Be aware of that and then my question to staff is did you secure your two Board members for your LDRs? Did we get two members?

Mr. Carlin said thank you Mr. Chair. The LDR rewrite that's very good that you brought that up. We had our first meeting about three to four weeks ago with the Consultant that works for Duncan & Associates to go over an overview of how the LDR rewrite. Mr. Hayek was kind enough to attend the meeting and to start that process and certainly we hope that you are able to continue following through with subsequent meetings. If there is another Board member that would be interested in joining the Committee, if you will, to participate in the rewrite, we would certainly welcome input from you all. As you can see, we deal with a lot of different issues with the Code. You all see where the problem areas are, areas that need to be improved or modified, changed, what have you. It is an important process. The consultant will be returning back at the end of this month for about two days. We will go ahead and get an itinerary set up and make sure that Mr. Hayek and whoever else is interested in attending that meeting will be available.

Mr. Knott said you will have a schedule this time when they're going to hold them?

Mr. Carlin said that last meeting was set up at the last minute. I know that were some Board members that couldn't attend. As of right now, the 28<sup>th</sup> and 29<sup>th</sup> are the days that the consultant will be here. We'll put together a time frame and a summary of what will be discussed and get that to you.

Ms. Wood said one of our esteemed elected officials asked me if I would participate in that process. I don't know if there are two designated Planning Board members. I don't know how it exactly works but if no one else is going to volunteer, I'd be happy to do that especially if I can rewrite the Design Guidelines.

Mr. Carlin said well the Design Review Guidelines that brings up a very good point because as you know, the Design Review Guidelines was a first draft if you will. It was in our Ordinance but there are areas that can be improved upon in terms of how the Design Review Guidelines applies to different projects. Certainly, that would be a forte to have you participate in that regard. There are many other areas, stormwater, management, landscaping, issues. There are lot of different things in the City Code that you certainly can provide input on from all of you from your experiences.

Chairman Johnson said but basically you're just asking for two but if more can show.

Mr. Carlin said absolutely. If more are interested, I'm sure the consultant would be glad to sit down with Planning Board members specifically.

Mr. Knott said out of curiosity, are you getting any responses or any input from the private sector on this?

Mr. Carlin said we will Mr. Knott. That's part of this next session with the consultant is to have group sessions with different representatives from the community whether it's for developers, traffic consultants, engineers. That's the intent of this next meeting.

Mr. Knott said that's good.

Mr. Carlin said certainly if you know anyone that would be interested in participating, please give me that information so we can get that schedule set up.

Chairman Johnson said anything else from the Board?

Mr. Reilly said maybe Mr. Frank can answer this question. What's going on with U.S. 1? It's really hard to go to Taco Bell nowadays and to get out of my office is really hard too. My wife keeps on asking me. She said "next meeting ask".

Mr. Frank said good evening. For the record, Bob Frank, Traffic Engineer for the City of Fort Pierce. Right now from Edwards Road to Taylor Creek there is a roadway improvement construction project going on. It's being conducted by the Department of Transportation. We have had a lot of comment. We are getting a lot of benefit from a traffic standpoint. We're getting intersections rebuilt internally. We eliminated street named signs, video detection cameras and permanent count stations, things that will benefit us as well as safety. The median safety, I think your question and we've had them from the public since this began is why medians are being constructed that will cut off traffic from making turns into existing proprietorships, etc. They're all based on crash data. The intersections, the locations that have the heaviest amount of crashes due to 90 degree left turn angles are being cut off. Where they can allow them and we have championed those that we think are safe and need access from left turns as well as right turns, they have allowed some of them as long as they haven't conflicted with the accident, the crash standards which basically what they did was if they were more than three 90 degree accidents in the past year and three for five consecutive years that

could have been prevented by a median they are installing the medians. This was predetermined by their design teams. I did have a chance to review and as I said, we were for the ones along Virginia Avenue were they accessed them all or the K-Mart Plaza but they put a lot into this and that's the idea is to improve safety, reduce crashes and take people out of what we call "suicide lanes", reverse turn lanes and they're being utilized and (inaudible). We have film and we were involved in their studies and many people were using them to pass, to gain access to merge into traffic. They were using it for everything but what they were intended for and that was short-term left turns. They are reducing; they are using what they call "reverse-curb transitions" where people will never come at each other. They'll go into a left-turn slot behind one another and never face each other. That really should help. It's pretty much what they're doing is working at night and constructing these things and it's pretty much been, the design is done and implementation is happening.

Mr. Knott said as part of this, are they going to put up a No U-Turn signs at the intersections?

Mr. Frank said at those where they are conflicts with right turns on red etcetera and U-turns can't be permitted they will. Signage is a big part of this, yes.

Mr. Knott said because there will be a lot of U-turns at your intersections.

Mr. Frank said you're right. That maneuver is a costly maneuver from what we're trying to do and that is to improve the level of service. It takes a lot of time. If you contrast a left-turn maneuver with a U-turn maneuver it's about 2.1 second per vehicle.

Mr. Knott said if you just look at Virginia there and Sunrise.

Mr. Frank said and part of it is the conflict of a right on red that they must hold up and prevent the left or the U-turn. We're really looking at level of service. We've been all through this and yes there will be restrictions. There will be prohibitions.

Mr. Reilly said so there is a plan?

Mr. Frank yes. If anyone wants to go over this, we do have it available, traffic operations along with the cameras and some new video detection and new surveillance cameras not for law enforcement; strictly for traffic control that has 360 zoom and tilted up and down U.S.1 and Orange Avenue corridors and you can see flow, disruption, causes of disruption, reroute. We're able to do some things and the State has been generous in helping us.

Mr. Knott said on the medians that they're putting in, I've noticed they've curbed them and they've undercut them, are they going to backfill those and landscape?

Mr. Frank said there is going to be landscape where they can be without causing a site distance problem.

Mr. Knott said it's just not going to be a bullhead or not just a median correct?

Mr. Frank said no. Landscape is required.

Mr. Knott said are all of them going to be landscaped?

Mr. Frank said it depends on the site distance requirements for each one. In general, the City Engineer was very specific about trying to keep up what we've been accomplishing with the landscaping issue and the State has been cooperative.

Mr. Knott said the luxury of the suicide lane now is landscaping.

Mr. Reilly said but there will be ways to get like when I'm going southbound to get to Taco Bell. I know it's an important one for my family.

Mr. Frank said it won't be as convenient as cutting through but it will be safer.

Chairman Johnson said Kara did you have something else or no?

Ms. Wood said well I was going to and again the little I've learned about traffic matters within the last year or so doesn't this type of infrastructure improvement also significantly increase the level of service on the roadway without widening the roadway.

Mr. Frank said that's one of the other reasons was to keep the cost down. You are exactly right.

Ms. Wood said we could have spent ten times more money buying all the property on either side to make another lane.

Mr. Knott said that's because people stay home. They don't want to go on the road.

Ms. Wood said well that's too.

Mr. Frank said they've incorporated fiber optic and again the cameras that I mentioned and there won't be any loop detection in the roadway, any inductive detection that you ride over to indicate vehicular presence. This will come from cameras. There's a coordination system. Hopefully, we'll be able to go from Edwards Road all the way to Taylor Creek in one zone and coordinate the control of speed, make it safer, create gaps, create platoons of traffic to allow side street entry. This is all on paper. We're using the software programs that have been used to develop this stuff and they are providing a lot of this equipment so that we can go into the state of the art type coordinated traffic effort and you'll be able to see it. This again, controlling the speed, things like that it will be safer and the level of service will be increased because you will have less stops, less fuel cost but you'll proceed but a selected speed that's deemed safe enough for vehicles to operate and still make the necessary maneuvers. A lot of thought has gone into it. It's a good project. When it's done, I think we will all be the beneficiary. We'll see where the benefits accrue.

Chairman Johnson said alright very good. Thank you very much. Anything from Mr. Walker?

Board Attorney Walker said thank you for asking Mr. Chair.

Chairman Johnson said anything else from staff. This may or may not be my last meeting.

Mr. Reilly said do we vote on a Chairman?

Chairman Johnson said it's going to be an easy vote. I have a feeling. We'll see. I don't know. We'll see what happens I guess. Make sure everybody here goes out and votes.

Mr. Poitier said vote for you?

Chairman Johnson said no, I didn't say that. I said vote.

There being no further business, Chairman Johnson declared the meeting adjourned at 8:00 pm.