

MINUTES OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, DECEMBER 14, 2004, IN THE CITY HALL COMMISSION CHAMBERS (due to anticipated seating accommodations for the public), 100 NORTH U.S. 1, FORT PIERCE, FLORIDA.

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

Members absent: Thomas Knott and Pam Williams.

Citizens and Staff present:

Robert Wulbern
Greg Boggs
Jeff Elsner
Edwardo Vazquez
I. Korkmaz
W. Smith
Michael Jacquin
Steve Tierney
Nelson Ernst
Olivia Nicholas
David Gordon
Leo Bellou
Jerome Miller
Mike Nevel
Troy Holloway
Jamie Telchin
Rod Kennedy
Ernesto Velasco
Robert Walker

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

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

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

Secretary also stated that two of the Board members had called in: Mrs. Williams and Mr. Knott.

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

Approval of minutes of Planning Board meeting held November 9, 2004. (**Agenda Item #3**).

Mr. Bergman asked if there were any comments or corrections to be made on the minutes of November 9, 2004?

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MOTION WAS MADE BY MR. ENNS TO APPROVE THE MINUTES OF NOVEMBER 9, 2004. Seconded by Mrs. Brenner. Unanimously approved by voice vote.

Agenda Item #4 – Site Plan – City Parking Garage – Approval for the construction of a City parking garage. Generally located on Indian River Drive between Avenue A and Orange Avenue. Owner is the City of Fort Pierce.

Staff Report – Ms. Clark stated – This is a City-initiated project consisting of retail on the first floor and offices on the remaining three. The parking garage is located along Orange Avenue and Indian River Drive. And staff is recommending approval.

Mr. Bergman stated – Alright, thank you. Ramon, are you doing the presentation for this?

Mr. Trias stated – Mr. Chairman, I'll be happy to answer any questions. What this is is a policy that the City projects should follow our own rules...denser site planning and building permits and so on. So, that is why this is before you. This is a project that has been under design for several months now. I think it's about 80% or so through the process of design. So, we're pretty much ready to go with construction early next year. The project is a mixed-use project...it does have retail in the ground floor and it is designed on a very high level of quality in terms of the detailing...particularly for a parking garage. And addition to that it has a four-story office building right at the northern end of the project, which we believe, will contribute to the urban design of that intersection where the round-a-bout is. And I think that the project as designed will set an example of quality for future projects in the area. One of the things, I think, are very clearly... is the proposed four-story limit and 65-ft. height limit. And by that I mean that there are four stories of actual program, but there are some towers...some architectural features that are on the corners and so on that are beyond that. And that is what we mean by the 65 feet. And that is the way the project was designed. And I recommend that you approve it.

Mr. Bergman stated – Alright, thank you. Were there any questions of staff from the Board?

Mr. Enns asked – Ramon, what kind of time frame do you think that you're looking at on the completion of this?...Is there any kind of time table set up...?

Mr. Trias stated – Yes. It is hard to predict, obviously, the conclusion of this but we plan to have about a year's worth of construction work at most. So, our hope is by the end of next year we will be done.

Mr. Enns asked – Is this financed with the CRA money?

Mr. Trias stated – The CRA money, yes, sir.

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

Mr. Johnson asked – Ramon, is that breezeway maintained there?...from the alley way right there?

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Mr. Trias stated – Yes. There’s an existing alley between the existing restaurant, the Governor’s Grill, right now. And that alley is continued through the project. So, that creates this breezeway effect, which I believe, is going to be very beneficial...It’s also the entrance for the parking garage. We tried to make the experience of going into the parking garage as architectural, as nice as possible with the lobby being the elevators and so on. So, that’s the way that is designed.

Mr. Johnson – Okay.

Ms. Benton stated – Mr. Trias, you said the CRA money...do you recall the construction costs?

Mr. Trias stated – It’s between five and six million dollars at this point, that’s the estimate.

Ms. Benton – Thank you.

Mr. Bergman asked – Ramon, I didn’t see a landscape plan here, is the City doing that part?...the CRA?...the pavers?

Mr. Trias stated – Yes. There’s a street project going on right now, which is the reconstruction of Indian River Drive. And that’s about 90% of the landscape plan...

Mr. Bergman added – So, most of the landscaping looks like it’s along Indian River Drive, not so much around the rest...there’s really no place to put anything.

Mr. Trias stated – Orange Avenue and Avenue A are already designed with pavers and landscapes; so, that pretty much remains...the new construction is along Indian River Drive, which as you know, will include both sides of the street. So, it’s no longer limited to this project. And it’s a project that is timed to coincide with this parking garage.

Mr. Bergman – Alright.

Mrs. Brenner stated – Ramon, I didn’t understand just how the back of the existing buildings will interface with this. There are some gaps in the walls there...some indentations.

Mr. Trias stated – The ground floor, for all practical purposes, is an alley in the back. It allows for circulation into some of the private properties behind the parking garage. It allows for deliveries, it allows for circulation that services the retail on the ground floor. So, the ground really is retail and service. The parking actually starts on the second floor. And there are three floors of parking above that ground floor.

Mrs. Brenner asked – And how many parking spaces do you anticipate?

Mr. Trias stated – It’s about 300...I think it’s 298 at the latest count.

Mrs. Brenner – Thank you.

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Mr. Bergman asked – Are there any other questions for staff? Alright, hearing none, is there anyone here to speak on behalf or against the parking garage site plan? Alright, I'll entertain a motion from the Board.

Mrs. Gates commented – I've recently been in three different cities and I've been looking at parking garages and I must say, this is probably the most wonderful parking garage I've ever seen. And I think it would be a great addition to help downtown as well as provide office and retail space.

MOTION WAS MADE TO APPROVE THE SITE PLAN FOR THE CITY PARKING GARAGE. Seconded by Mr. Enns. Unanimously approved by roll call vote.

Agenda Item #5 – Site Plan with Conditional Use – Strawberry Fields – Approval to allow the construction of a multi-family development with a bonus density award, known as Strawberry Fields Townhomes. Located at 810 Tumblin Kling Road. Owner/applicant is Malcolm Scharf of Tumblin Kling, LLC.

Staff Report – Ms. Clark stated – The property is currently zoned for multi-family use. The site plan includes 92 units, which also includes one bonus density unit. And staff is recommending approval.

Mr. Bergman stated – Alright, thank you. Are there any questions for staff from the Board? Okay, is there anyone here to speak on behalf of the conditional use site plan?

Mr. Rob Walker stood and introduced himself and stated – I'm with CPH Engineers. We represent Malcolm Scharf. And in light of the length of the agenda tonight, I'm here to answer any questions you may have.

Mr. Bergman stated – Alright, thank you. Were there any questions for the applicant?

Mrs. Gates asked – I have a question about the roof. What is the roof made of? Either I missed something in my reading....

Mr. Walker asked – You mean the material?

Mrs. Gates – Yes.

Mr. Walker stated – It's asphalt shingles...an architectural asphalt shingles.

Mrs. Gates – Okay, thank you.

Mr. Bergman asked – Ramon, what is the bonus density award for?

Mr. Trias stated – A landscape and architectural enhancements are included in the code as a way to get a density bonus.

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Mr. Bergman continued – They would get how many extra per acre? Is that two? One?

Mr. Trias stated – It's up to one per acre, yes.

Mr. Bergman stated – Okay. So, they get like a half of a unit for the landscape?

Mr. Trias continued – Half for landscape, half for architecture, yes.

Mr. Bergman asked – So, this is not an IRD there's a bonus density available for ...

Mr. Trias stated – It's a way to enhance...it's ...an incentive for enhancement for architectural and landscape design.

Mr. Bergman continued – Did Paul have a chance to look at the site plan? Was he happy with the landscaping?

Mr. Trias stated – Yes. That is part of the technical review committee. Paul is a member.

Mr. Bergman – Okay.

Mr. Trias added – The Code does specify some specific perimeters for additional landscape...we can check the code specifically if you're interested.

Mr. Bergman asked – Any other questions for staff or the applicant?

Mr. Enns asked – Mr. Chairman, I've got a question for the applicant. Are these going to be rental units or are they going to be ...

Mr. Walker stated – They're townhomes fee simple ownership.

Mr. Bergman asked – Have you provided a traffic study for this project?

Mr. Walker – Yes.

Mr. Bergman asked – I'm just curious, does the County have a chance to look at? Because I know we did a project on Tumblin Kling. There seems to be a couple down in that area, I was just wondering...

Mr. Trias stated – The County is getting the City's site plans for review and they should do the same thing with their site plans but they haven't been able to do that, and that's a source of quite significant frustration on our part. But our site plans have been forwarded and reviewed by the County staff.

Mr. Bergman – Alright.

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Mr. Walker added – One clarification on the density issue was that the acreage is 9.19 acres, and that's why we're asking for 92. So, we're only asking for 1%.

Mr. Bergman asked – Any other questions for the applicant? Nice looking project.

Mr. Walker – Thank you.

Mr. Bergman asked – Is there anyone else here to speak on behalf of the site plan with conditional use? Okay, is there anyone here to oppose the site plan application? I'll entertain a motion.

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

Mr. Bergman stated to the applicant – You'll be notified by the City Clerk when this will be going to the City Commission.

Mr. Walker – Thank you.

Agenda Item #6 – Site Plan – Tower Medical – Approval for construction of a medical office building known as Tower Medical. Generally located on South 25th Street. Owner/applicant is Michael Jacquin of Paul Jacquin & Sons.

Staff Report – Ms. Clark stated – Two separate buildings, both to be used as medical offices, located within the vicinity of the Lawnwood Regional Hospital. And staff is recommending approval.

Mr. Bergman stated – Alright, thank you. Are there any questions for staff? Alright, is there anyone here to speak on behalf of the site plan application?

Mr. Michael Jacquin stood and introduced himself and stated – I'm with Paul Jacquin & Sons here on behalf of Tower Medical. And I'd be happy to answer any questions that you may have.

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

Mrs. Brenner asked – These are one-story buildings...is that correct?

Mr. Jacquin – Yes, ma'am.

Mrs. Brenner continued – On the last drawing, on the front elevation and a right-side elevation, it shows a second story, but I find no access stairwell.

Mr. Jacquin stated – It's just a tower...it's decorative...there's no second floor. It's just a tower. We haven't finished developing the scheme. It's called Tower Medical...it will be a tower element. That's just an identifying architectural rendition of what it may look like. We're still tweaking it. We have to get with Ramon and fine tune some things, with respect to that.

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Mrs. Brenner asked – So, there's no accessibility up there for storage or anything like that?

Mr. Jacquin stated – No, not in that area, no ma'am.

Mrs. Brenner – Thank you.

Mr. Bergman asked – Are there any other questions for the applicant? Is there anyone else here to speak on behalf of the site plan application? Alright, is there anyone here to oppose the site plan? Alright, what's the pleasure of the Board?

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

Mr. Bergman stated – Mike, you'll be notified by the City Clerk when this is going to the City Commission.

Mr. Jacquin – Thank you.

Agenda Item #7 – Site Plan/PUR – One Marina Place – Approval of a Preliminary Planned Unit Redevelopment located next to the P.P. Cobb building. Generally located on Indian River Drive between Avenue A and Orange Avenue. Owner is David Gordon, applicant is Paul Jacquin & Sons, and representative is Thomas Lucido & Associates.

Staff Report – Ms. Clark stated – The proposed site plan is a mixed-use project with retail on the ground floor and residential above. As Ramon had referenced earlier, staff is working towards amending the Code within the C-4 district to four stories. The applicant is applying for Planned Unit Redevelopment (PUR) zoning category. And although the City Commission has the authority to approve the project at 40-units per acre and five stories, staff is recommending approval conditioned upon it being four stories and 30 dwelling units per acre.

Mr. Bergman stated – Alright, thank you. Wendy, has this been gone over with the applicant?...the density wishes of the City?

Mr. Trias added – Well, what's going on is that 30-units per acre is the maximum density that we have pretty much anywhere in the City. And that maximum density is allowed in a C-4 as a conditional use. And what we're saying is that to change that does require some kind of policy decision on the part of the City Commission and whether or not that something that the City Commission wants to do has yet to be seen. But our recommendation is that the massing of the building and the scale and so on, be kept to the standard that we have throughout the downtown. That's what the staff report says.

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

Mr. Enns asked – Ramon, you wanted this the same height as the parking garage in other words, since it's going to be something very close to that?

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Mr. Trias stated – Yes. What we’re saying is whatever we approve becomes the norm. And it’s a significant decision to approve something different than what we’re saying in terms of the four stories or the 30-units per acre. And if we do that we need to realize that that’s going to be the norm pretty much for all the parcels around. And that’s the issue before you as a recommending body and before the Commission, as ultimately the approval authority. And in our view it’s possible to approve the project under PUR and the Commission certainly has the ability to do so.

Mr. Johnson stated – Ramon, in addition to that, I’m assuming—and I’m pretty sure the Code states—we want to keep everything on the first floor as retail?

Mr. Trias stated – Right, parking or retail. Clearly on the front retail should be a requirement, yes.

Mr. Johnson – Okay.

Mr. Trias continued – And that is what’s proposed...that is what the project proposes.

Mr. Bergman asked – Any other questions for staff?

Mr. Enns stated – One more question. Ramon, I see a total of 96 parking spaces are required, whereas 88 parking spaces are provided...

Mr. Trias stated – And that has to do with the density. And what happens when there are just too many units and not enough parking. And there’s the biggest issue...where we’re dealing with these urban densities of 30-units per acre. The real issue is how do fit the parking? And what happens is that what we see here is that there is more density and then parking becomes very, very tight in terms of the requirement. And we do have the flexibility to say yes, but if we say yes we need to be very conscientious of what the consequences are, and what that means to other neighboring parcels.

Mr. Johnson stated – I have one more. I remember we looked at this site before and there were some parking spaces proposed along Avenue B in the reconstruction there. Any idea why those were eliminated this time? They’re just not part of the design this time?

Mr. Trias stated – I think it’s an issue of design and how much room is there.

Mr. Johnson – Okay.

Mrs. Brenner stated – I have a question for the attorney. Mr. Walker, since we’re in the throes of doing some adjusting on the height. We have a proposal before us tonight...a memorandum about the clarification of the height requirements in the core of downtown. Would we be out of order if we tabled this for a date certain to come back after we’ve had a chance to look at the memorandum?

Attorney Walker stated – Mr. Chair, the Board does have the discretion to table an application for the purpose of obtaining information if the information on hand is insufficient to verily evaluate the

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application. That's really the only basis for not passing the application on to the Commission with a recommendation either for or against. This is a conditional use approval application that we're on. So, the Board does have flexibility.

Mrs. Brenner continued – Since there's such a discrepancy appearing between what staff is recommending and what the applicant is requesting, it's rather a significant difference in the density in particular. I would move that we table this for a date certain of January's meeting...the second Tuesday of January.

Mr. Bergman stated – Well, before you make a motion we probably ought to wait and let the public speak, and go ahead and address any comments to the applicant and then we can certainly make a motion, if you'll hold onto that. Were there any other comments or questions for staff?

Mrs. Gates stated – I believe, if I'm not mistaken, that when we had this come before the Historical Preservation Board and, correct me if I'm wrong, Ramon, but the south elevation facing the back of the P.P Cobb building, I believe there was some concern about the architectural detail of the building. And I don't know, from my recollection, whether there has been any work done on the south elevation since the Historic Preservation Board meeting. And I'd like for you to comment to me on that if you would please.

Mr. Trias stated – The applicant did enhance the design and lined things up and did enhance the detailing.

Mrs. Gates stated – So, you feel better about what you're seeing here?

Mr. Trias – Yes.

Mrs. Gates – Okay, thank you.

Mr. Bergman asked – Are there any more questions for staff? Alright, is there anyone here to speak on behalf of the site plan application?

Mr. Steve Tierney stood and introduced himself and stated – I'm an attorney with the firm of Neil, Griffin, Tierney, Neil, and Marquee. We represent Location Development Corporation, who's the owner of the parcel involved. David Gordon is the principle of that corporation...he's here. Michael Jacquin of Paul Jacquin & Sons, a post contractor, is here also. First of all, Mr. Chairman, I respectfully that you consider recusing yourself from this because of your prior involvement in the design back in November and for other reasons as far as your consideration of this.

Mr. Bergman asked – On what basis? There's no conflict.

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Mr. Tierney stated – Okay. Well, on the basis that you were involved in the first application back in last November, the design, which had the five stories of front that were very similar to the one being presented. And also any conflict you and I have together.

Attorney Walker stated – Mr. Chair. Mr. Tierney, do you contend that there's a principle here that will benefit or there appears the agent of a principle so that there's a direct conflict of interest?

Mr. Tierney stated – That would benefit?...no.

Attorney Walker continued – Well, in the absence of a statutory conflict of interest, then what's the basis for insisting that he be excused legally?

Mr. Tierney stated – Well, the two reasons was that he was involved in the project to begin with; and the second reason is he and I are adverse in a case...

Attorney Walker stated – Mr. Chair, it's my opinion that there's no legal basis for recusing your presence. The presentation may bring out whatever facts that it believes constitutes bias on the part of the fact finder; but that's not a legal basis for excusing your presence in this instance.

Mr. Bergman – Okay.

Mr. Tierney stated – We're here with, I think, is a rather historic submittal to this Board. At this time there is a window of opportunity to develop upscale condominium units in downtown Fort Pierce. It's a narrow window and it may close soon. Interest rates are still low. The demand for this area is still high. And the possibility still exists to create developments that will be successful. But they're only going to be successful if they're economically feasible. Back in November 17th of 2003, the City Commission approved an application on this site with five stories...the face of it very similar to the one that's presented to you. In that case, however, it was a mixed use...it had offices in the back. Because it had not been to the Historical Preservation Board, it had to start all over. And it became apparent. It made more sense. And I think we can thank staff for this for suggesting the project would make more sense if instead of the office space it was all residential except for the retail on the ground floor facing Indian River Drive. It also was apparent that the project would need underground parking. Underground parking is very expensive. There's only so much that you can charge for these units. So, when you get construction costs hitting 16 million dollars you need to have some volume to make this viable. In the project you will see that the top floor has a pool and a sundeck, that's a very expensive amenity. It's something that should be shared by many, not by a small group. A small group really can't afford that. I think the project itself has a very good elevation and it's compatible with the skyline set by the garage. Now, the garage, I thought, had five levels to it, and I may be wrong. I know it doesn't have a roof on the top level, but I think it does have five levels to it. And when you put an SUV or something on there it's five stories. This project is very consistent with that. It's very consistent with the Clerks Office that is being proposed. And, as a member of the historical review board said, looking at the skyline he made when looking at the Clerk's Office, looking at the Renaissance building, looking at the garage, said I like to look at this skyline. It will be an appropriate skyline for Fort Pierce. We're not claiming to be Miami. We're not claiming to be West Palm Beach. Just in the paper the other day, there was an article

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on a thing called Two City Plaza in West Palm Beach. And it caught my eye...it's Two City Plaza, we're One Marina Place. That project is a 20-story condominium with a pool on the roof and a sundeck. And it talks about marketing to the urban professional who wants to be near his work or the retiree who enjoys an urban environment. We're not asking for Miami's skyline. We're not asking for West Palm Beach's skyline of 20 stories. We want one that's appropriate for Fort Pierce...one that says that we're a small friendly town but we can be elegant and impressive. Now, I want to relate what I heard from Vicki (Bushward?), who owns the building immediately west of this property. First of all, she absolutely is in favor of this development with this many units. But recently a broker tried to entice Starbucks as a tenant for her. Starbucks is apparently is zoned in Stuart, Jensen, and even Port St. Lucie, but they said Fort Pierce wasn't ready. Downtown Fort Pierce should be ready for a Starbucks. It should be a place where people can live...a city that's alive. Where businesses can truly count on walk-up trade. But it can only happen if it makes economic sense. At 41 units, this development is on the edge of viability. At 30 units it is not viable. If you likes the looks of the project, if you agree that downtown Fort Pierce should have residential development, if you think a 16-million-dollar investment in an upscale development downtown is a positive thing, if you like the idea of first-floor retail with residential condominiums above, if you think a very attractive building overlooking the marina is desirable, we'll ask you to vote for this as submitted. If you think the City is better off with their parking lot, and I understand that some people would rather have no development, and by the way, missing a chance to improve Avenue B and the P.P. Cobb parking lot, which is part of this development, which is what the developers agreed to do, then you can vote to not approve it or with conditions to make it financially impossible to proceed. This opportunity might not be here again any time soon. And we ask you to approve this as submitted. It's been a long time in this project. It's been over a year since the City Commission first approved five stories for this project. The developer is anxious to start. He would like to have the ability to start. I know the parking is a question, but we have 41 units; all but six of them will have two parking spaces per unit, those six will have one parking space per unit and there will 12 for the public. Some developments in downtown Fort Pierce aren't given anything near that or given no parking...some projects we've seen. So, I think it has been somewhat liberal in the parking, it has, I think, addressed what is needed in Fort Pierce. It is a project that can be viable. A lot has gone into it. A lot of architectural work has gone in to satisfying the historical review board. And we would appreciate your consideration. If anyone has any questions, I'll try to answer them or Mr. Jacquin or the developer may.

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

Ms. Benton asked – How many units per floor? I noticed that you have 41 all total?

Mr. Tierney stated – Right. Now on the front there are going to be three on the top floor there, and there's going to be the pool. The bottom floor is either going to be retail or is going to be parking. So, I guess we've got...

Mr. Jacquin asked Mr. Tierney – Want some help?

Mr. Tierney – Yes.

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Mr. Jacquin stood and introduced himself once again and stated – Okay. To answer the question...basically on the east exposure we have 17 condos, and on the rear of the building, the second through the fifth floor we have 6 condos as you come up. So, it varies per floor. If you had a specific floor in mind I could tell you how many for that floor, because it changes. Basically there's a western half and an eastern half. There's some open space...there's like an open atrium through the center of the building.

Ms. Benton – Okay, thank you.

Mr. Enns asked – On Avenue B, what are your plans there?

Mr. Jacquin stated – Basically we've all driven down Avenue B...it's basically a one-way street that heads from the west to the east. It was asked at the November 17th, 2003 City Commission by Commissioner Nelson to expand that roadway to a two-way street. And at that point we had been working with staff and requiring getting the property from FPUA to expand to a two-lane road.

Mr. Enns continued – As you showed on the site plan now though, I assume that that is still a one-way road, correct?

Mr. Jacquin stated – No, it is a two-way road. There is a lift station that is on the western portion that was going to remain. It's similar to a design that Enron had suggested when they were in town.

Mr. Enns stated – That's how, I guess, you plan on accessing into your parking lot there?

Mr. Jacquin stated – Right, there are actually a couple of things that have been done since the technical review. There were suggestions made by Buddy Emerson with the Fire Department that an egress off of Avenue A, if you're heading east, he wants a left-hand turn into the process. Basically what we have to do is move the median strip to the west to allow us access...it's a fire requirement. So, we have an access off of Avenue A and it's a one-way into the parking area for the P.P. Cobb building and also we're going to have basically two-way traffic on Avenue B for access off of Avenue B as well.

Mr. Enns stated – One question for Mr. Tierney. If the City Commission doesn't allow you the five stories, are you going to scrap the project?

Mr. Tierney stated – Okay, I'm not the developer. My understanding is the way that he's done the figures is he won't be able to unless people start agreeing to pay lots more money than what the market has shown for this type of project. The underground parking is a big thing and the other improvements too really jack up the cost of it.

Mr. Enns asked – Do you have any idea what he's going to charge per unit yet?

Mr. Jacquin stated – They're going to vary.

Mr. Enns asked – Could you give a range?

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Mr. Tierney added – Well, at a construction cost of \$400,000 a unit obviously they would have to be somewhat more than that. I'm guessing \$500,000 - \$700,000...somewhere in there.

Mr. Jacquin added – I think too, with the underground parking garage really setting a precedence for this type of project. As Mr. Tierney has stated, that's a definitely a unique process. We have constructed previously in Vero and it's definitely a process to do. So, that into consideration, we are trying to make every effort to provide the parking that, I believe, is the point of topic at this point. And we're doing everything we can and we are supplying the parking spaces. We're supplying two per unit, which equates to 82 parking spaces...

Mr. Tierney added – Except for six units.

Mr. Jacquin continued – Except for six...I was getting to that. And then six of those were going to be public (Mr. Tierney had stated 12 for the public in an earlier paragraph). So, basically with the type of zoning that it's in, which I forget the classification exactly, we're not required to provide any parking for the retail space. So, in essence, we're providing the parking that's required for the type project that we're proposing due to the increased cost from the underground parking garage. So, in essence, we're providing everything that we need for the facility that we have at this point. The retail space based on the zoning district doesn't require us to provide any parking for that even though we are providing some for that. And there is a point of interest. Everybody knows the building behind us that didn't provide any parking, but that's another topic. But still in all, we're doing everything that we can to provide the parking for this facility.

Mr. Enns asked – So, the patrons of the retail, you feel, are going to park in the parking garage or ...?

Mr. Jacquin stated – Well, that's kind of the theme of the City is you have small boutiques and you venture from one store to another. You're in a centralized area and you venture out to whatever little boutique or restaurant and so forth, and you basically do it by foot. So, we're only used to basically going to a mall parking somewhere and venturing out. And it's the same thing with the City generally.

Mrs. Brenner asked – What is the plan for the electrical access from the power plant? There was a project on the opposite side of the power plant that was killed because of it being inaccessible by the fire department. Have you spoken specifically to them and do you plan to put the electrical underground? And also to speak on what Mr. Tierney said about the Starbucks. In the paper it also said that Stuart is in open arms...people downtown are against that Starbucks, just for your information. But I am mostly concerned about the electrical.

Mr. Jacquin stated – Right. You had a couple of points, and to answer your question, they have been addressed. Respect to the project that you're referring to, that's north of the power plant. There was overhead lines that were in front of the project and that was what the point of contention was. At this point we don't have any of those power lines in front of the facility. Secondly, is yes, we're planning on going underground with our electrical feeds to the building and providing electricity for the facility. As I mentioned earlier, we had had a review by Buddy Emerson in regards to Avenue A and the access to get the proper equipment in if there was a central fire or some kind of item that they needed to get on

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site. So, that has been reviewed and they have approved with those conditions. So, it was something that was done during the technical review process.

Mrs. Brenner continued – Including the upper stories?

Mr. Jacquin stated – Yes, ma'am, everything's been addressed.

Mrs. Brenner – Thank you.

Mrs. Gates stated – It may be that I misheard this. Did I hear you say that you may not put retail there?

Mr. Jacquin stated – He was referring to the fact that the retail is on the first floor and that the parking was behind.

Mrs. Gates – Oh, okay.

Mr. Jacquin continued – He was trying to elaborate on every floor.

Mrs. Gates – Okay.

Mr. Bergman asked – How are you going to keep the water out of the basement parking?

Mr. Jacquin stated – Want to go to Vero?

Mr. Bergman asked – Where's the parking garage in Vero that you did?

Mr. Jacquin stated – The U.S. Trust building...it's on the corner of Beachland Blvd. & A1A. It's on the barrier island. So, I've had similar circumstances...it's surrounded by two bodies of water.

Mr. Bergman asked – Were they flooded after the hurricanes?

Mr. Jacquin stated – No, I had not had any problems.

Mr. Johnson stated – You said that you're negotiating with FPUA on the property acquisition there on Avenue B?

Mr. Jacquin stated – No, we're not. Basically what it is, is the City of Fort Pierce has to...it's like entering a local agreement between the City and FPUA. And we've already talked to everybody, it's not a problem to go ahead and do that. It's a paperwork formality.

Mr. Trias added – Yes. The City of Fort Pierce owns all of the property.

Mr. Jacquin – Right. I think FPUA leases it or something like that or...

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Mr. Trias added – The City of Fort Pierce owns the property and this is simply an issue of making sure we have enough...There's really nothing there at this point than the FPUA's property, as you may know.

Mr. Johnson asked – Would the City not be interested then in putting additional parking spaces along Avenue B like Avenue A?

Mr. Trias asked – Parallel parking you mean?

Mr. Johnson – Yes.

Mr. Trias stated – That's an interesting thought. I guess that's possible, yes.

Mr. Johnson asked – Do you know, Mike, if there's enough room over there?...the UA has to be interested the encroachment...

Mr. Trias added – There's enough room in the sense that there's nothing on the other side and yes, there's enough room over there for eight addition feet, which is what the width of parking would be. So, that's an interesting thought, yes.

Mr. Jacquin added – There's only one component in respect to that. On the corner of Avenue B there's an existing structure that's there...I don't know if you're familiar with that...I don't know exactly what that is, but towards the west they have that where they had the contaminant material that they had removed. There's a hole there now, but anyhow, there's an opportunity ...

Mr. Trias stated – I think it's reasonable or is likely to assume that whole site will be something different; that the UA will be something different in the future. So, to design it as a two-way street with parking with a long picture in mind would be a reasonable thing to do, yes.

Mr. Johnson asked – One more question. On the north elevation it shows, or actually what they call the elevations, it shows the roof height of 64' 8". Is that your fascia board height or is that the mean roof height?

Mr. Jacquin asked – What sheet are you on?

Mr. Johnson stated – A-11, where it depicted.

Mr. Jacquin stated – I believe that's probably an approximated beam height. It was asked of us during the historical review to go back and make some modifications. And doing so, we met with staff and we made those modifications and some of those critiques changed a few of the design elements, one of which was height; so, that has been reviewed by staff.

Mr. Johnson asked – Is there a roof pitch that's been set yet or no?

Mr. Jacquin stated – I don't know if we've determined that level of detail.

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Mr. Johnson – Okay.

Mrs. Brenner stated – Going back to the parking garage...those are below street level?

Mr. Jacquin – Yes, ma'am.

Mrs. Brenner asked – How far below?

Mr. Jacquin stated – I don't know if we've had a cross-section at this point. We're working with Culpepper & Turpening on the design. Steff Mathis is intimately involved. There is some issues off of Avenue B...I wouldn't call them issues per se, but there are some design issues that we have to address to get down into the parking garage. But at this point, you're asking me the level from the road to that.

Mrs. Brenner added – To the floor of the garage.

Mr. Jacquin continued – I would approximate six feet.

Mrs. Brenner continued – Because in this drawing that we were just talking about, on A-11, it says ground floor minus 3.2. Now that doesn't speak of the parking garage.

Mr. Jacquin stated – Yes, ma'am.

Mrs. Brenner – Unless I'm...

Mr. Jacquin continued – There's a topography issue also at the site. I don't know if you notice, but it does come up.

Mrs. Brenner – Right.

Mr. Jacquin continued – So, there's a whole lot different issues that we're combating in respect to that. Everything runs down to the river. So, where we're at obviously is higher than where you would be as you go closer to the river. So, I don't know if that helps you in envisioning in what you're doing, but the property also takes and goes up and so forth. So, we're combating a lot of those issues.

Mrs. Brenner asked – So, are you proposing to level it to the top of the hill?...the lump?...or lowering it to the bottom...shaving it off with the level of the surrounding?

Mr. Jacquin stated – I wouldn't say either. I'd say there'd be a slight retaining wall to the west, minimal maybe two feet or something of this nature. But basically everything else is going to ...for ADA concerns and other things like that you have to make everything level and so forth. So, it's kind of hard without ...it's one of those things you have to kind of envision. You have aretaining wall on the west side, maybe about two feet, and that's where the first floor is going to be. And then you're going to have some areas that are down. One nice feature I'd like to point out in respect that you brought that up is that on Indian River Drive. There's actually a nice hardscape element that we're going to do that's

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very familiar with the City downtown setting, which we're going to have some little (kneewalls?) and so forth and some decorative items right on the Indian River Drive roadway. So, we're looking at doing some nice enhancements, it's not going to be a run-of-the-mill-type project, we're definitely doing some things.

Mrs. Brenner – Thank you.

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

Mr. Jacquin added – I have one last comment. I just respectfully request that you ...make a decision...whether it's for or against so at least we know where we stand. Thank you.

Mr. Bergman asked – Alright, is there anyone who wishes to speak on behalf of the site plan application? Is there anyone here to oppose the site plan? Alright, I'll entertain a motion.

Mrs. Brenner stated – I'll make a motion that we take staff's recommendation for the Preliminary Planned Unit (PUR) development of an office and residential mixed-use project located next to P.P. Cobb site at 30-units per acre and four stories.

Mr. Bergman asked – Do we have a second? Alright, motion dies for a lack of a second.

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN/PUR WITH THE FIVE STORIES. Seconded by Ms. Benton.

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

Mrs. Gates stated – I have something. Just looking at the analysis here. It says Mr. Walker, the City Code requires the applicant to provide a statement indicating the justification for a gross density in excess of 18-units per acre. Have they done that to meet your satisfaction as far as ...?

Attorney Walker stated – Respectfully, that's an element of a staff review.

Mrs. Gates – Okay.

Attorney Walker continued – I have not been specifically asked to review anything of that sort.

Mr. Trias added – The applicant provided that in writing and also in their presentation explained their logic, and it's up to you to decide whether or not it's sufficient. And I want to emphasize that this is really a significant policy choice that is made by you and also as a recommending body and also by the City Commission. And it's not appropriate for staff to make a policy choice at that level.

Mr. Bergman asked – Any other discussion?

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Mr. Johnson stated – Yes, I have one thing. Looking at the motion as proposed. I'm looking at the parking spaces. I actually went through and counted the parking spaces and I came up with 90 if you include the 5 that are right there behind the P.P. Cobb building just to the north of Avenue A. I think we should put in the motion that the developer should develop Avenue B with parallel to add additional parking spaces...if you are in agreement with that, I think it will definitely be a benefit to the public.

Mr. Enns stated – I could add that to my motion.

Ms. Benton reiterated – I would second that.

Mrs. Brenner asked – Would you restate the motion please?

MOTION REITERATED

MOTION WAS MADE BY MR. ENNS TO APPROVE THE SITE PLAN/PUR WITH THE FIVE STORIES AND ADD THE PARALLEL PARKING ALONG AVENUE B AS A CONDITIONAL USE.

Mr. Enns asked – Do we know how many spaces along Avenue B?

Mr. Trias added – We don't know, it would have to be designed.

Mrs. Gates asked – Excuse me, you're saying at 40-units per acre?

Mr. Enns – Yes.

Mrs. Brenner asked – You did clarify that 40-units per acre?

Mrs. Gates stated – I would like that clarification made please.

Mr. Bergman added – I think Mrs. Gates wanted to know if the motion was made with the 40-units per acre.

Mrs. Gates added – As presented.

Mr. Bergman added – As presented.

Mr. Enns added – That's the higher density.

Ms. Benton added – That's what I seconded.

Mr. Bergman – Okay. Any other discussion?

No Recommendation ...roll call vote of 5 – 3.

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Mr. Bergman stated to the applicant – Alright, this will go to the City Commission without a recommendation. You’ll be notified when this is forwarded to the City Commission for their hearing.

Applicants – Thank you.

Mr. Bergman stated – If there is no objection, I would like to move item #16, which is an annexation for the same parcel of the site plan for item #8.

Mr. Bergman asked the applicant – Does that work for you?

Applicant – That’s fine.

Mr. Bergman stated – I figured if we’re going to look at this we may as well annex it first. Dianna, do you have any problem with that?

Ms. Rose – No.

Mr. Bergman asked – Ramon, is that any problem?

Mr. Trias – No.

Agenda Item #16 – Annexation – Approval of an annexation of property identified as having contiguous municipal boundaries of Fort Pierce. Located at the NW corner of Weatherbee Road & U.S. 1. Owner is Car AAG FL FT PIE Llc and applicant is Greg Boggs of Lucido & Associates.

Staff Report – Ms. Clark stated – The annexation is voluntary and will run concurrent with the site plan for Coggin BMW.

Mr. Bergman stated – Alright, thank you. Greg, are you representing the annexation as well?

Mr. Greg Boggs stood and introduced himself and stated – Yes sir, I am. I’m with Lucido & Associates.

Mr. Bergman asked – Were there any questions for staff from the Board? Alright, do you (the applicant) want to speak on behalf of the annexation request first?

Mr. Boggs stated – Let me just say I appreciate your moving that up on the agenda. We are just following procedure. It’s contiguous in terms of the annexation. We are proceeding with annexations, zoning and site plan approval. So, with that I just appreciate your forwarding your recommendation of approval for the annexation.

Mr. Bergman stated – Alright, thank you. Is there anyone else here to speak on behalf of the annexation? Is there anyone here to oppose the annexation request? Alright, what’s the pleasure of the Board?

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MOTION WAS MADE BY MRS. GATES TO APPROVE THE ANNEXATION. Seconded by Mr. Enns. Unanimously approved by roll call vote.

Mr. Bergman stated to the applicant – Alright, since you're on your way into the City, we move to item #8, which is the site plan for this parcel.

Agenda Item #8 – Site Plan – Coggin BMW – Approval for construction of an automobile dealership. Located at the NW corner of Weatherbee Road & U.S. 1. Owner is Gary Day of Coggin Automotive and applicant is Greg Boggs of Thomas Lucido & Associates.

Staff Report – Ms. Clark stated – The property is adjacent to the existing Coggin dealership. The building itself is just over 39,000 sq. ft. Staff is recommending approval.

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

Ms. Benton asked – Is that the NW corner or the NE corner?

Mr. Bergman stated – It's across the street from the Coggin dealership.

Ms. Benton – Across the street? Okay.

Mr. Bergman asked – Are there any other questions for staff? Alright, is there anyone here to speak on behalf of the site plan?

Mr. Greg Boggs stood once again and introduced himself and stated – I'm with Thomas Lucido & Associates. And I'm here to represent Coggin Automotive out of Jacksonville tonight. The architect is here. The civil engineer is here. And the contractor is here. And when we get to that spot, if you have any questions for those kind of details. You have a copy of it there. What basically we're doing is following the kind of strict guidelines that BMW has in terms of the building siting, the size of the building as Wendy said...it's roughly 40,000 sq. ft. surrounded by vehicular display, employee parking, and the customer parking obviously. The west side, which is roughly 160 ft. where our retention and buffer area are sited kinds of acts as a buffer between the residential to the west and this (referring to drawing) commercial facility. We are proposing that the frontage, which is roughly about a three-quarter acre site along Weatherbee may be used for an additional use. At such time Coggin would decide, we'll be back if it becomes another structure or a use, because right now it's essentially not included with the approval tonight. But that's the area right down in front along Weatherbee that be in fact another structure or another expansion. But we'll again pursue unto the rules in the Code. We'll be back again another approval at such time that would occur. We saved some trees, which we always like to do. That's the rendering of the large circles...the large oaks. We did need to remove three trees, which we're litigating in terms of our proposed landscape plan will be way in excess of what is required by way of planting larger trees. But with that, it's pretty straightforward. If you have any questions, we have a team that can answer those.

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

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Mr. Johnson asked – Is there a service garage in this facility also?

Mr. Boggs – Yes, sir.

Mr. Johnson – Okay.

Mrs. Brenner stated – I don't know, Greg, if it's you I should address this to. But on the analysis it says the traffic study was prepared for the project analysis determined that the roadway links surrounding the site are projected to operate at an acceptable level of service with the proposed development. I only raise the question. I know you're not exactly at the intersection, however, the intersection....there's another project that is coming up in a few minutes that has a similar situation and their traffic study indicated that the traffic study was prepared to address the impact of the project. The conclusions of that report indicated that a proposed FDOT roadway improvement plan on Highway 1 within the project and the proposed ...development will not decrease the level of service. The traffic study that you did indicate was done, did that come into the FDOT plans for that area? Because that intersection at Weatherbee Road...you take your life in your own hands making a left coming out of there or making a left going in there.

Mr. Boggs stated – Let me see if I can address that. We had (K. R. Pender?), which is a renown traffic engineer, to work on it. I'm assuming that (K.R.?) worked in through the projection of the U.S. 1 improvements. And our and the future traffic for Weatherbee...it is your concern for Weatherbee?...our entrance at Weatherbee?

Mrs. Brenner – Yes. And then coming off of U.S. 1...that whole corner there, which is basically your corner...north and south.

Mr. Boggs continued – Right. I've done a lot of work involving frontage along U.S. 1. The right-of-way, as it stands today, will be...that's the full section. And what that section looks like is down at Prima Vista South, in its built-out condition. So, ultimately there will be medians, left-turn lanes, (d?) lanes at the intersection. And I remember, I think, in this chambers, talking about the project or hearing discussion about the project at Gator Trace, where there was going to be signalization and improvements to the Weatherbee Road part...at least on the east side. Now, as we proceed, which we're going through right now, with Ernesto Velasco as our civil (engineer) and was (K. R. Pender?) through DOT for the driveway permitting and through the final construction planning. We may also be looking at some minor road improvements for our Weatherbee Road turn-out, so that we'll also be looking at potentially and improving based on whatever the needs are that we're generating from the dealership. But I'm pretty sure that we'll all see a major improvement for Weatherbee. And we're working on two or three projects on Weatherbee, and I think you've had some projects come before you on Weatherbee.

Mrs. Brenner stated – This Board would greatly appreciate all of you who come before us with a traffic study that it be more specific; that we know what you're talking about. And like the other people had said, they anticipate the (FDOT?) changes there...they can't come soon enough for that corner. Thank you.

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Mr. Boggs – Thank you.

Mr. Bergman asked – Are there any other questions for the applicant? I’ve got one. What’s the exterior of that building? What’s the finish material that is on it?

Mr. Robert Wulbern stated from the audience – The exterior material right now is going to be a combination of exterior stucco and also an aluminum panel system.

Mr. Bergman stated – That’s what it looked like...that’s why I was asking.

Mr. Wulbern continued – (Inaudible...speaking from audience without a microphone.)

Mr. Bergman asked – Could you state your name for the record please?

Mr. Wulbern stated he was the architect for the project.

Mr. Bergman added – It looked like aluminum panel that’s why I was asking. Alright, thank you.

Mr. Boggs – Thank you.

Mr. Bergman asked – Is there anyone else here that wishes to speak on behalf of the site plan? Is there anyone here to oppose the proposed site plan? Anyone want to make a motion?

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

Mr. Bergman stated to the applicant – You’ll be notified when this goes to the City Commission.

Agenda Item #9 – Site Plan – Lawnwood Medical Park – Approval for construction of a medical office building. Generally located at 23rd & Nebraska Ave. Owner is Howard Patterson of HCA Realty Inc., A Tennessee Corp., applicant is The Greenfield Group, and representative is Thomas Lucido & Associates.

Staff Report – Ms. Clark stated – A two-story building, 24,000 sq. ft. adjacent to the hospital and staff is recommending approval.

Mr. Bergman stated – Alright, thank you. Are there any questions of staff from the Board? Is there anyone here to speak on behalf of the site plan application?

Mr. Greg Boggs stated – I also appreciate staff putting all of my projects together. Once again, I’m from Lucido representing the applicant tonight. The engineer is here as well as a representative from The Greenfield Group. What we’re doing is requesting approval for approximately 50,000 sq. ft. of medical office. There are two buildings, as you see there on the plan, with a hardscape courtyard in the center. It’s pretty straightforward, it’s a very much needed medical office building in the medical park around

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Lawnwood. We have worked it through the staff, the tree litigation with Mr. Williams. You may note that the off-site retention down along the street. And this was sort of a massive drainage plan for this particular site, such that our drainage is connected to a pipe system that goes into the drainage system that you've seen along 25th Street. It's overgrown and not very well taken care of right now. We'll take of that in our modeling, and again, in terms of the contouring, the sodding and the perimeter landscape that you see around it...But that's the extent of the site plan. Again, we went through staff, we're obviously meeting code. No variances or special requests in what we're asking for tonight. Any questions for me, in terms of the planning or the landscaping, or the engineer, Rod Kennedy, is sitting back there, and Jamie from Greenfield, who can answer anything particular to the construction or to the actual use. Thank you.

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

Mrs. Brenner stated – Just one, Greg. Did I misunderstand? You said 50,000 sq. ft.?...our paper says 24,000.

Mr. Boggs stated – There are two (2) 24,000 sq. ft....

Mrs. Brenner added – In each building?

Mr. Boggs – Yes.

Mrs. Brenner – Thank you.

Mr. Johnson stated – The artist's rendering and the elevation seem to be different than the landscape plan and the utility plan. You have a breezeway on the artist's rendering that's in the center of the building, which wouldn't allow for that courtyard, doesn't appear. And you have two separate buildings on the landscape plan. There are two drive-up areas according to the landscape plan, and the utility plan there?

Mr. Boggs – Right.

Mr. Johnson continued – Where you could access each building. But on that rendering and on the elevations there would just be one drive-up area right there in the center. It appears they differ.

Mr. Boggs stated – I'm not sure I understand.

Mr. Johnson continued – It doesn't look like there's a courtyard in that rendering.

Mr. Boggs stated – Well, what happens here...there's not another building shown.

Mr. Johnson – Okay.

Mr. Boggs continued – But between this building and another building will be the courtyard.

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Mr. Johnson stated – I understand. I thought that was the combined picture.

Mr. Boggs stated – No. It's a singular building.

Mr. Johnson – Thank you.

Mr. Enns stated – The on-site retainage...who actually owns that property?

Mr. Boggs stated – I'm not sure I know that.

Mr. Enns continued – I hope they know you're getting ready to retain your water on their property.

Mr. Jamie Telchin stood and stated – I'm with the Greenfield Group. HCA Realty owns the small ...parcel for the drainage as well as the site that's going to happen to(inaudible?...the gentleman speaking was not near the microphone.)

Mr. Enns stated – Okay, where the off-site retainage is, you also own that? And is that off-site retainage used by another building at all or do you plan on using that on another building?

Mr. Telchin stated – The bank building that is between that parcel and our parcel that drains into it...

Mr. Enns asked – The First Union Bank there?

Mr. Telchin stated – Yes...

Mr. Enns – Okay. And you've got no problem with that?...everything's ...?

Mr. Telchin – No.

Mr. Bergman asked – Are there any other questions for the applicant? Alright, thank you. Is there anyone else here to speak on behalf of the site plan? Is there anyone here to oppose the site plan?

MOTION WAS MADE BY MR. POITIER TO APPROVE THE SITE PLAN. Seconded by Mrs. Brenner. Unanimously approved by roll call vote.

Mr. Bergman stated to the applicant – Again, you'll be notified by the City Clerk when this will be heard by the City Commission.

Agenda Item #10 – Conceptual Site Plan – Pioneer Gardens – To seek approval to further proceed with a site plan for a project generally located on North 29th Street. Owner is Mazal Investment & Development LLC, applicant/representative is Al Brodeur of Thomas Lucido and Associates.

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Staff Report – Ms. Clark stated – The applicant has opted for the conceptual review process. At a later date, they will be going through the formal site plan review process. At this level of review, they're simply looking for comments from the Planning Board and the City Commission.

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

Mr. Enns asked – Wendy, where on 29th Street is this? On Avenue Q, I guess...

Ms. Clark asked – Is it around the Pioneer area, Greg (Boggs)?

Mr. Trias added – Yes...

Ms. Clark – Right.

Mr. Trias continued – Do you know where Pioneer Park is?

Mr. Enns – Yes.

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

Mr. Boggs stated – Where do I begin? What we've done is we've planned a project in that we will eventually be requesting to rezone to PUD. Today it's R-4 and it's 17 ½ acres. And ultimately we'll provide 296 units at roughly 17-units per acre...18-units an acre allowed in a PUD, 12 acres are allowed in an R-4. So, we will be requesting through the PUD process a density increase. Today we have a plan that we've prepared and revised a couple times, worked through with Ramon and made his suggestions as part of the plan. What the plan calls for is essentially three different project types...townhome, a two-story garden apartment, and then a two (2) quadplex...two different products with four units. There are 30 of the larger footprint. This is a two-story apartment project. And by the way, the client is here behind mine...it may be hard to see. That's what the architectural would be looking like for the two-story 8-unit buildings. And again, that's all on the left-hand side of the sheet.

Mr. Enns asked – That's all the ones denoted with the yellow roofs there?

Mr. Boggs – Yes...correct. And the other product, which is the townhome product, would be looking similar to this. This is an 8-unit townhome that would be here, and there are 48 of those. Now, the plan will consist of additional structures and you can see the detail...there will be a club, a (top lot?), a pool, in terms of the recreation component. There will be pathways and gazebos around the lake. And we're trying to address the on-site needs for the people that live there in terms of the recreation element; plus connecting it to Pioneer Park, which is to the south. This (inaudible?) is ultimately where those people will funnel down into the existing park. Are you familiar with the park? It's kind of active (impass?) the park space. What we're doing, and you don't see a lot of this, where applicants come before you for a conceptual. And we decided since this is a little out of the ordinary, and with working with Ramon and the suggestion that we bring it before the Planning Board before we really spend ...money with engineering, architectural, and detailed drawings. Let's try to get some opinions from the Planning Board, and then we'll work those back into the full submittal when we do make the submittal as an

official PUD. So, with that, we just are simply here fact finding. We feel like it would be a nice addition to the area. It has some really nice floor plans and some decent architecture. I think it would be a boost to the area...I really do.

Mr. Enns stated – The phase I basically has no amenities so they would be using, I assume, phase II's club and recreation center?

Mr. Boggs – Yes.

Mr. Enns continued – And on North 27th Street...do you see the people that live in phase II turning into the project there at 27th going through their parking lot?...I guess that area's not included...landscape buffer.

Mr. Boggs added – I think they would cut up and go into this other entrance.

Mr. Enns stated – Right. So, they wouldn't use that as an entrance then?

Mr. Boggs stated – Ultimately for the single family...Pioneer Village is constructed. What we tried to do is vehicularly connect those ...it becomes a part of the overall circulation system.

Mr. Enns stated – So, they're coming down 27th then they could go straight through the ...

Mr. Boggs added – Straight through the parking lot...

Mr. Enns – Right.

Mr. Boggs continued – Straight through the community...just to provide that as an option of getting in and out of there.

Mr. Enns – Sure...absolutely.

Mr. Boggs stated – In fact, that's how we worked with Ramon earlier and Patty Tobin on this. That's why the streets go all the way to the property line, so that connection could be made.

Mr. Enns – That's a good idea.

Mr. Bergman asked – What's the landscaping out there? Is it existing foliage? Pretty heavy pine?

Mr. Boggs stated – It's a heavy pine, palmetto flatwood with some laurel oaks.

Mr. Bergman added – I mean the product you're presenting looks pretty decent. I just hate the concept of coming in here and throwing these in so rigidly that they look like housing authority developments. I mean if you've got the flexibility to get some movement in the drives or do something where you don't have these, not so much (dragsters?), but if you could do something with the buildings as far as staggering them. Just something a little more creative than just sliding them all up around the property. It looks like it's a little more deserving than to just being thrown around the perimeter. I know this is conceptual. I like the idea...I know Ramon had something to do with tying all of the pavement together...trying to create that neighborhood, which I think is an excellent idea. Really, it looks like it would work pretty well. But at the same time I just hate the rigidity of the location of the buildings. If

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there's some way to...even the lake is rectangular. If there was someway to just try to loosen things up on the side a little bit to make a little more interesting. Similar to what you guys did to that Tumblin Oaks...it's not quite the same environment, but a serious effort was made to work the buildings in and around the trees and around drives...

Mr. Boggs stated – With that, has everyone seen Live Oak Villas on 25th Street north of Delaware?

Mr. Poitier stated – Yes, that's nice.

Mr. Boggs added – That's how you do a project. Now, what we could do with (H's?) project...it's difficult to see. These are the woodlands on the property. If we can work some of that between buildings...at some of the building ends. And work clusters of pines and set those aside and not fill around them, that's hoping one idea that we could go to kind of get the structured look litigated.

Mr. Bergman stated – Anything like that would help. I know you have to have a certain dimensional size for your wet retention to be classified as a lake. But maybe you can do that and give it a little form or shape or even stretch it across the ...I'm sure everything I'm bringing up is a huge expense. But I think the more attractive you make an environment, the better success rate you'll have with the project. I think they're pretty nice for that area, there's really nothing substantial as far as housing authority projects in the northwest part of town and this would be a really nice looking product.

Mr. Boggs stated – I appreciate that. We'll work that into the plan.

Mr. Bergman added – Well, try not to compromise density...I know that's always an issue but I'm sure Ramon would be encouraged by something along that line.

Mr. Johnson asked – The units are going to be available for purchase is that true?

Mr. Boggs – Yes.

Mr. Johnson asked – All of them or just the townhomes?

Mr. Boggs stated – All of them.

Mr. Johnson – Okay.

Mr. Bergman stated – If he hurries up FEMA might jump all over these too.

Mr. Boggs – You're right.

Mr. Bergman asked – Were there any other comments for Mr. Bogg?

Mrs. Brenner stated – Just one. Is this funded by CRA or is this outside the zone?

Mr. Boggs stated – I would have defer to Ramon on that one.

Mr. Trias stated – There is no CRA money on this project, no.

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Mrs. Brenner – Thank you.

Mr. Boggs – Thank you.

Mr. Bergman stated – Thank you. Ramon, are we being asked to make a recommendation on this or just comments?

Mr. Trias stated – Just comments. It's pretty much an informal process.

Mr. Bergman stated – Okay. I didn't know if we needed to make any kind of recommendation for the record or how we are to handle that.

Mr. Boggs asked – May I address that?

Mr. Bergman – Sure.

Mr. Boggs continued – It says in the line of element code...a public hearing will be held by the City Planning Board and it will approve, approve with conditions, or disapprove the concept plan. I take it that that does require some action.

Mrs. Brenner asked – How can we approve it and have you juggle those buildings so they're not so square on?

Mr. Boggs stated – You could condition your approval and we could work that out with Ramon and the client. And when you see it again it will hopefully have some (whittle?) to it.

Mrs. Gates asked – You want me to make a motion? Well, I think it's a great project. And I think with a little bit of working with all the ...vegetation there as Mr. Bergman has presented. I would like to make that a condition and approve the project. I think it's going to be an excellent to the area....very needed.

MOTION WAS MADE BY MRS. GATES TO APPROVE THE CONCEPTUAL SITE PLAN WITH THE CONDITION THAT THE APPLICANT TRY TO REARRANGE THE CONFIGURATION OF THE BUILDINGS TO BETTER AESTHETICALLY BE PLEASING AND MORE COMPATIBLE WITH THE NATURAL LANDSCAPE THAT ALREADY THERE. Seconded by Mr. Harris. Unanimously approved with conditions by roll call vote.

Agenda Item #11 – Rezoning – Platts Creek – Approval to rezone the subject property from R-2, Single Family Intermediate Density to C-3, General Commercial. Located at 4000 S. U.S. 1. Owner is Platts Creek Developers, LLC and applicant/representative is Markus Frankel of Frankel Benayoun Architects, Inc.

Staff Report – Ms. Clark stated – Mr. Chairman, items #11 and #12 I will discuss together since both applications are filed concurrently. The project itself is a site plan and is know as Platts Creek Development. It has 102 townhomes. They are applying for conditional use in order to get additional density. They are applying for 13-units per acre, 4 stories. And staff is recommending approval of the

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site plan. The rezoning application is part of this project. The rezoning applies to a 10-acre parcel to the back of the development. And they are requesting that it be rezoned to C-3, which is commercial, which is consistent with the overall project.

Mr. Bergman stated – Alright, thank you. Are there any questions for staff on the rezoning?

Mr. Johnson stated – I have one question. Is this project next to or adjacent to the residential project that was approved a few months ago...is that correct? I can't remember who was working on it or who the applicant was. It's right across the street from, I was thinking the area was Sam's Club. Is that the general location?

Ms. Clark stated – This project is adjacent to the Bill Schultz Chevrolet. I can't recall the other project that you're referencing from months ago.

Mr. Johnson – That's alright.

Mr. Enns asked – It's on the east side of U.S. 1, right, Wendy?

Ms. Clark – Yes.

Mr. Bergman asked – Is there anyone here to speak on behalf of the rezoning application? Yeah, let's go ahead and hear the rezoning first and then we'll hear the site plan.

Mr. Robert James Gorman stood and introduced himself and stated – Good evening ladies and gentlemen. I'm representing the applicant on both of these matters. As it was explained by staff, the rezoning is approximately a 10-acre part of the overall 16 acres that Platts Creek Developers own at this location. When this was annexed into the city recently, it had some mixed zoning with part of it as a C-3 and part as an R-2. They're seeking a rezoning of that approximately 10 acres to C-3, which would then be utilized for a residential setting under a C-3 conditional use consistent with an R-5 zoning. I have Mr. Markus Frankel, the applicant present, as well as representatives of Platts Creek Developers present if there are any questions on either of the matters. And Mr. Frankel would be happy to explain the site plan that is envisioned for this property.

Mr. Bergman stated – Let's get this rezoning out of the way before we jump into the site plan. Were there any questions for the applicant on the rezoning request? Was there anyone here to oppose the rezoning request?

Mrs. Brenner asked – Did we get to ask staff a question about the zoning?

Mr. Bergman – Go ahead.

Mrs. Brenner asked – Would you tell me what the benefit is to change this from a single family to a general commercial and then put a housing project in here?

Ms. Clark stated – Well, the rezoning application corresponds to the overall project. As Mr. Gorman had stated, the total acreage is 16 and the portion in question regarding the zoning was the 10 acres in

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the back. And the county had a current zoning of multi family and for some reason or another at the commission level it was annexed as single family.

Mrs. Brenner stated – Okay. So, it was almost technical error?

Ms. Clark stated – Somewhat, yes.

Mrs. Brenner – Thank you.

Mr. Bergman asked – Are there any other questions for staff? Alright, I already asked if there was anyone here to oppose the rezoning. What's the pleasure of the Board?

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

Agenda Item #12 – Site Plan w/Conditional Use – Platts Creek – Approval to construct 102 residential units on property located at 4000 S. U.S. 1. Owner is Platts Creek Developers, LLC and applicant/representative is Markus Frankel of Frankel Benayoun Architects, Inc.

Staff Report – Ms. Clark stated – I previously discussed that with the rezoning application. And just to clarify there are no additional units. This is vacant property. And the project is for 102 residential townhomes.

Mr. Bergman asked – So, that's 102 total units?

Ms. Clark – Right.

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

Mr. Enns asked – Wendy, that's a typo then, the 210...that should be actually 102?

Ms. Clark stated – This is agenda item #12, I'm reading it as 102. Are you referring to the application?

Mr. Enns stated – No, under recommendation. Staff is recommending approval for Platts Creek Development consisting of 210 dwelling units.

Ms. Clark stated – Yes, that's correct. It is for 102.

Mr. Enns stated – I have 210 on mine.

Mr. Bergman stated – The recommendation for staff states 210...it should be 102.

Mr. Markus Frankel stated – 102, I believe, relates to the rezoned area...210 is the total 16 acres...the total for the entire project. And you note that that is 6.1 acres roughly set aside in nature preserves for tortoises as well being involved in the project.

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

Mr. Markus Frankel stood and stated – Finally! Thank you Mr. Chairman and Board members. And I also want to thank the City for the annexation first of all. As you heard a little bit of history here. We started on this project about a year ago, and that time it was in the county. And we were fortunate enough to have you annex it and to have your Planning Department work with us on the design and conceptual planning of the project. And I must say that we're fortunate again, because the project has been enhanced by their input...by the various staff members. We started out with 242 units, which was about 15-units per acre for the R-5 on the overall 16.1 acres. It was recommended by staff to reduce it and we had 6-story buildings and 4-story buildings. The end result that you have before you in color there shows 14 buildings...two of which are 3-story townhomes...we consider them upscale townhomes with private garages and courtyards and terraces and little private look-out roof decks to enjoy the nature of the site. The other 12 buildings are a mixture of unit types...we have smaller townhouses, again, with private courtyards and terraces and two levels of lofts or flats above the townhouses. And those buildings have private lobbies and covered garages and they also have some look-out roof decks to enjoy the nature. We think it's a great opportunity as architects and planners for the City as well as the people that would inhabit this community of development, because they would really be living in a site that's driven by nature. As Robert and staff mentioned, it's 6.5 acres of preserved woodlands there, which is an oak forest with some (slashed?) pines and sabal palms, all of the size would be preserved. And there's also about 1.8 acres of tortoise preserve that we found. We had an environmental scientist planner working with us...the (Tiara?) Group...Scott (Zednick?), the principle, and they located about 6 or 7 colonies of tortoises; so, we are preserving them on the north and east borders of the site in their natural environment. And they'll be protected with a fencing, which would stop them from migrating from the preserve back into the construction or into the lifestyle of the buildings. As you can see on the site plan, there's a main entrance security gate, which has about 100 ft. of back-up, and that will secure entry into the community. And there's a separate entry and exit gate, which would be secured for people that own units in the property. All of the roads are on the perimeters of the site. And the interior of the site, of which is about 3 acres, is pretty much open space and recreation. There are a couple of water features, which are actually retention ponds, two tennis courts, a competition swimming pool, which could be open to the community for events, a two-story fitness center, a nature pavilion and trails in the forest and an entire (vita?) course around the perimeter. So, no cars or parking or service vehicles would access that area. We also have planned in the site for five refuse collection points and service vehicle stops...you can see them...they're numbered on the site plan. There are 340 parking spaces, which is 25 more than the requirement of 315, and about 60% of those parking spaces are covered. So, we're excited about this. We hope that it becomes an alternative lifestyle for various unit types and various households. It would be in a natural setting of real tranquility, security, and privacy. So, we hope you like it. If you have any particular questions about the architecture...about the units themselves...there are two sheets there attached to the site plan, which show the typical units and the façades of the building, which we consider a kind of a Florida vernacular architecture that we think we hope fits well into this natural setting. And I might add that our engineering team is all local and we're working with the Culpepper & Turpening group...Steff Mathis is the principle in charge and the Garrison Engineering Group for lighting and site work. Also, I'd like to introduce the owners...my clients are here...Doctor (Elize Zargoron?), one of the principles, and Michael Dalton.

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Mrs. Gates stated – I have a question. On your architectural style, just curious, you referred to it as Florida vernacular?

Mr. Frankel – Yes.

Mrs. Gates continued – I'm looking at it, and it could be Paul Rudolph style possibly. This could be something that you're bringing into this community that's a little different? I don't know whether you agree with this or not, but to me anyway...So, Florida vernacular is what you're calling this?

Mr. Frankel stated – Yes. To tell you where you might see these kind of structures and architecture...there's a community called Seaside on the west panhandle of Florida, and there's another one called Watercolor, which is right next to it, and there's a third called Rosemary Beach, I believe. These are the new communities in the west panhandle. And they really were fashioned by the old style Florida Cracker houses and apartment buildings...things you might see down in the Keys. We're trying to adapt a more woodland kind of look for this forest preserve nature.

Mr. Bergman stated – I've lived next to Seaside, I don't know if this looks anything like Seaside.

Mr. Frankel asked – You lived next to Seaside?

Mr. Bergman stated – I grew up there.

Mr. Frankel – Oh, very nice...

Mr. Bergman continued – I've seen buildings like this somewhere in the Stuart area...they've got several buildings in this style.

Mr. Enns asked – Do you have any fences along here? I don't see noted anywhere.

Mr. Frankel stated – That's a good question. The intention is to fence it in...not just the perimeter of the site but the preserve area, where the tortoises are...on the north and east border. It also has a natural boundary on the east, which is a drainage creek and on the entire south going all the way back to U.S. 1.

Mr. Enns stated – Right, I saw it where you have a ditch running down that side there.

Mr. Frankel stated – But the intention would be to fence it in and have security gates along U.S. 1 at the road entrances. But the portions abutting the highway and the future pedestrian walk by DOT would be heavily landscaped. That was another request of staff to put a combination of royal palms and some mahogany trees...combination of canopy trees and royals all along the 450 ft. of U.S. 1.

Mr. Enns asked – If you put the fence around there you'd hide it with the landscape I would assume?

Mr. Frankel – Yes. And I would specify a green fencing for all of that.

Mr. Johnson asked – Can I assume that the buildings in the areas of the curves are not going to be curved like the site plan shows?

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Mr. Frankel stated – No, they would have slight curvature to them...very slight. These four buildings here...all the others are (rectilinear?).

Mr. Johnson – Okay.

Mr. Frankel added – And what's really dictating that form is the nature of the site itself.

Mrs. Brenner asked – Can we assume that you will be on City water and electric...is that correct?

Mr. Frankel – Yes.

Mrs. Brenner continued – I don't see...maybe it's a little too soon...where are the lightings for the project? Are there street lights or ground lights?

Mr. Frankel stated – Yes. There should be in your packets submission by the Garrison Engineering Group, which shows the entire lighting plan for the roads and the parking and the perimeter walkways. That was submitted to the staff review process...I think it's in there.

Mrs. Brenner stated – You're right, I'm sorry...

Mr. Johnson asked – All utilities will be underground?...is that correct?

Mr. Frankel – Yes.

Mr. Bergman asked – Is there any separation between these balconies off of, I assume, the back of these units?

Mr. Frankel asked – From one unit to the other?

Mr. Bergman – Yes.

Mr. Frankel stated – Yes, there would be a wall that separates...it takes you to the end of the balcony. If you look in the plan, it will probably show there, yet it shows in the floor plans...wait a minute, I see what you're referring to. Yes, there are few there with just the balconies themselves...

Mr. Bergman asked – There's no screen wall or anything to screen one tenant from looking on or jumping across the balcony to the adjacent unit?

Mr. Frankel stated – There's a space between the balconies but some of them do not have walls...you're right. About half of them have walls, the other half...if you have a long arm, two people could perhaps shake hands...The balconies on the flats, which are on sheet A2.02, there's a lot space between those. And the townhouses under those buildings do have walls between the balconies.

Mr. Bergman asked – If you don't mind me asking, what was staff's response to the style of the architecture? Were they fairly receptive or ...?

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Mr. Frankel stated – We had a lot nice comments from staff, in particular, Ramon Trias. He recalled another architect that this reminded him of...

Mr. Trias added – Mr. Chairman, I could tell you which architect in Seaside is the precedent for this, and that's Steven Hall.

Mr. Bergman – Okay.

Mr. Trias continued – So, when the architect says that, I understand what he means. But his words mean something different to me and to you when he talks about Florida vernacular clearly. But I understand what he means and I'll leave it at that.

Mr. Bergman stated – Alright. Is there any other questions for the applicant? Alright, thank you.

Mr. Frankel – Thank you.

Mr. Bergman continued – Is there anyone here to speak on behalf of the site plan application? Is there anyone here to oppose the site plan? What's the pleasure of the Board?

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

Mr. Bergman stated to the applicant – Alright, you'll be notified when this goes to the City Commission.

Mr. Frankel – Thank you.

Agenda Item #13 – Rezoning – K-3 Development – Approval to rezone the subject property from R-2, Single Family Intermediate Density to R-4, Medium Density Residential. Located at 2000 S. 29th Street. Owner is Kadir Ulkealan of K-3 Development, LLC, and applicant is Edwardo Vazquez.

Staff Report – Ms. Clark stated – Based on the absence of any type of concept plan or site plan for this rezoning application from single family to multi family, staff is recommending denial.

Mr. Bergman stated – Alright. Obviously they didn't submit anything with this?

Ms. Clark – No.

Mr. Bergman stated – Okay. Were there any questions of staff? Alright, is there anyone here to speak on behalf of the rezoning application?

Mr. Edwardo Vasquez stood and introduced himself and stated – I'm the architect for the applicant. We have some site plans to show you.

Mr. Bergman asked – Has staff seen any of this?

Mr. Trias – No.

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Mr. Vazquez stated – We made several attempts to contact staff to submit our plan. There was not a requirement in the submittal documents. We understand if you require time to review them, and time for staff to comment, we will accept a tabling. The property for that...we've come up with here a concept plan...it's not a final plan, it shows something that we'd like to do on the property if it was rezoned to the R-4. As you see here in the bottom plan, this shows the surrounding zoning at the property. This is the subject property. Right below us, adjacent to Virginia Avenue is a big residential R-4 zoning...multi-family apartments. And this side as well is also R-4 zoning, multi-family. And then behind and over we do have some adjacent R-2 zoning. Our intent is to come in here with almost a site plan buffer area that would give us the density of an R-4 zoning but put in some small-cottage-type of multi-family unit. As you see here on the photograph of the elevation, those are a concept to style that we'd like to put in. I would consider Florida vernacular architecture opposed to the other site. Again, we want to bring in a nice concept for the City. Bring in some medium income housing for the development...we don't want to overscale it. And we want to bring a nice product for the neighborhood.

Mr. Trias stated – Mr. Chairman, I would recommend that you table this to the next meeting so that staff can review the proposal.

Mr. Bergman – Okay.

Mrs. Gates stated – I'll make a motion if it's alright with the developer, I would like to see that they come back and have a chance...this looks like a very interesting project, but we need more information. So, I'll make a motion that we table it to the January meeting if you can come up with what's needed and if you'll talk to staff.

Mr. Vazquez – Okay.

MOTION WAS MADE BY MRS. GATES TO TABLE THE REZONING UNTIL THE NEXT MEETING SO THAT MORE INFORMATION COULD BE PRESENTED AND THE APPLICANTS WOULD SPEAK WITH STAFF. Seconded by Mr. Enns.

Mr. Bergman asked – Are there any comments on the motion?

Mr. Johnson asked the applicant – Is that going to be enough time?

Mr. Vazquez asked – What is that day?

Mr. Poitier – January.

Mr. Bergman stated – It's generally the second Tuesday of January.

Mr. Vazquez – Yes.

Mr. Johnson – Okay.

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Mr. Bergman stated – One question. You mentioned you're rezoning to multi family...these all appear to be single-family units.

Mr. Vazquez stated – Yes, the development itself will be a multi family...we're looking at small units. Again, this is a concept plan. We could consider putting townhouses ...but we haven't reviewed it with staff and looked at the options. But this is something that we'd like to do. This almost would depict like a zero lot line type of development. But again, we need to review it with the staff and our engineering.

Mr. Bergman stated – Alright, but are you going to be able to put all of this together with the holidays and everything?

Mr. Vazquez stated – Again, we're asking for the rezoning. If it's the recommendation of the staff that we submit a site plan and do it concurrently, we would do that. We did not apply for a site plan approval.

Mr. Bergman stated – Typically, when you apply for rezoning you need to have some type of site plan to justify the rezoning in terms of why you would be asking for that rezoning. I don't know if it's spelled out specifically in the Code, but I know when we've done this same type of thing, they generally want to consider rezoning unless you have the application before you of what you plan to put on that site.

Mr. Vazquez – Okay.

Mr. Bergman added – It's a nice looking product. I'm sure it's something that I'm sure staff would be really interested in looking at and working with you on.

Mr. Vazquez – Okay.

Mr. Bergman stated – If you don't mind, I think it will probably be to your advantage to just table this and get some more information to staff.

Mr. Vazquez – Okay.

Mr. Bergman stated – Okay. Since we do have motion and a second, could we have roll call please?

Unanimously approved to table the rezoning by roll call vote.

Mr. Bergman – Okay, thank you.

Agenda Item #14 – Conceptual Site Plan – Southland Townhomes – To seek approval to further proceed with a site plan for a project located at U.S. Hwy. 1 & Southland Drive. Owner is FLS Investment Inc., and applicant/ representative is David S. Knight of Knight , McGuire & Associates, Inc.

Staff Report – Ms. Clark stated – The applicant is simply looking for recommendations from Planning Board and City Commission prior to going through the formal site plan review process.

Mr. Bergman stated – Are there any question of staff from the Board? Is there anyone here to speak on behalf of the project?

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Mr. Leo Bellou stood and introduced himself and stated – I'm a principle with Bellou (inaudible?) Architects. We are here substituting for David Knight, who is sick tonight and couldn't make it...he's our land planner. We here to answer any questions you may have about the site plan or the units and also to get conceptual site plan approval.

Mr. Bergman stated – Well, I'm going to make the same comment I made with the previous one. Your land planners need to loosen up a little bit and start bending their t-squares and putting some curve on their straight edges...

Mr. Trias stated – Mr. Chairman, I'm going to have to disagree with those statements. I think it's a great, great success that we have achieved in the last few years...people are finally beginning to draw blocks and draw a more urban design. I completely disagree with the statement that we need to infuse any kind of irregularity, because what we need in this world is a little bit of order. That is the most important thing we need today. And I think in both projects there's a great improvement compared to some of the site plans that have been done in the past.

Mr. Bergman – Alright.

Mr. Johnson stated – The one thing I see on the rear elevations, it looks like there needs to be some architectural improvements there...this is kind of plain.

Mr. Bellou stated – Okay, we will consider that on the final submission. That's something we can do.

Mrs. Brenner stated – Mr. Chairman, I have a question for this gentleman. This says that the project consists of two commercial out parcels on south U.S. 1 and 250 townhomes. The entrance comes in off of U.S. 1? Is that coming in between the two commercial properties?

Mr. Bellou stated – Yes. The properties are fronting U.S. 1, which is heavy commercial area. We wanted to keep some of the commercial elements of the parcel within the planning of the residential and commercial together. And what we did was create an entrance right to the center of the commercial area and buffer area fronting U.S. 1 so that way we could develop two different commercial (inaudible?) that will benefit the residents of this community.

Mrs. Brenner asked – So, you own the property up to and including those parcels on either side of the entrance way?

Mr. Bellou – Yes, that is correct.

Mrs. Brenner asked – So, your intention is, as some point, to develop those to be more aesthetically pleasing to your community?

Mr. Bellou – Definitely.

Mrs. Brenner – Thank you.

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Mr. Bergman asked – Are both of these driveways coming in off of U.S. 1? Are they one-way going out?

Mr. Bellou stated – No, one way going in, one way going out.

Mr. Bergman added – Because your arrows indicate that they're both going out. That didn't make sense but ...

Mr. Bellou stated – That's an obvious mistake.

Mr. Bergman – Alright.

Mrs. Brenner asked – Do we need to make a motion?

Mr. Bergman stated – Yes. If there's any other questions for the applicant...if not we can always make a motion.

MOTION WAS MADE BY MRS. BRENNER TO APPROVE THE CONCEPTUAL SITE PLAN. Seconded by Mr. Poitier. Unanimously approved by roll call vote.

Mr. Bellou – Thank you very much.

Mr. Bergman – Alright, thank you.

Agenda Item #15 – Proposed Four-Story Limit Ordinance

Mr. Trias stated – Mr. Chairman, the City Commission has discussed this amendment to the ordinance and has recommended it go through the process. And the intent here is try to clarify the type of intensity and the type of scale that will be desirable for the downtown area. The proposal is the intent to limit the height in two ways at the same time; one of them is the number of stories, and the other is the maximum height. So, it should really read, no building shall exceed four stories in height and 65 ft. above grade. And the reason for that is, as I had explained before, and for example, if you look at the parking garage, the parking garage has four stories and then on the corners it has little towers that are a little bit taller. Well, those are not really stories, but sometimes you want to allow for that or allow for the roof if you have a gabled roof, for example, that goes beyond. And that's what the 65 ft. is about. If you only have 65 ft. people will cram six stories into it and it will be very tight...So, it is to have four stories and to allow for the additional height for architectural or roof areas. This is a significant change in the Code, and it really makes a statement in terms of policy and terms of what is desirable. And from a design point of view, clearly if we build a downtown with four stories and 65 ft. we will probably end up with the nicest downtowns in Florida. I think it's a very great vision for the downtown...And I think we will be very satisfied with the results. At this point, as you can see, there are many projects that are in that range. Sometimes they add that additional fifth story, which tends to be parking and retail. So, it does reflect what the market is wanting to build in any event. What this does, it makes it clear in the Code, and I think it allows for a much better downtown than we would otherwise have.

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Mrs. Brenner stated – I had one suggestion. I think we get so tangled up in semantics...we say a story or which floor is it? And then we have a level. We have three terminologies for the same space...a story, a floor, and a level. And I think we should try to pick one and stay with it and like in the parking garage, it won't be four stories, or it will be five levels of parking or four levels of parking, which is the same as saying in the condominium they want five stories but one of those levels is parking. So, we have a problem of semantics. A floor doesn't mean anything. A floor can be a level or it can be a story.

Mr. Trias stated – Well, I went to school for six years in architecture and I'm not confused.

Mrs. Brenner added – I know You're not confused.

Mr. Trias continued – Well, what I'm saying is that the people who are confused about what a story is are people who have ulterior motives to deal with...not really doing a story. The building Code, I believe, provides sufficient information. If we need to create more definitions, I guess we could. I don't know what to tell you. To me it's like if you're confused you want to be confused and you want to confuse other people. I'm speaking of the way the projects are presented. I cannot even begin to tell you how many professional architects come to be and show be a building that clearly has five stories and tell me it has four. I count them and it has five. What can I say? I think, at this point, it is very clear that unless we change the Code and we clarify some of these issues, we're going to continue to have this endless debate.

Mrs. Brenner added – Well, I could come before you with a three-story project that was 65 ft., which would have higher ceilings inside.

Mr. Trias stated – And that probably would be a good project. And a very clear example of that would be the Federal Courthouse...it has stories that are 30 ft. because a courtroom is a big space. Well, that's not a bad thing...that's a very expensive thing and it's usually a very desirable thing. And that's why the 65 ft. comes into play. If we only said four stories, I don't think that would be enough. If you only say 65 ft. I think that would be very detrimental to have in quality buildings, because people would try to do tiny little stories. So, having both in the text, I think, makes for a much better design. Now, we may need more information if you want to, but at least the concept should remain.

Mrs. Brenner stated – No, I don't have a problem with the concept, I just have a problem with the people who use the words interchangeably when I don't think they really mean to.

Mr. Trias stated – And you're absolutely right...they don't mean to...they mean to confuse. And that's why we should strive towards clarifying the meaning.

Ms. Benton stated – Ramon, would you tell under the Code how many stories can we get within 65 ft.?

Mr. Trias asked – If you only had 65 ft. as the only regulation?

Ms. Benton – Yes.

Mr. Trias continued – You could fit six very easily, yes.

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Ms. Benton stated – Okay, well, in light of that, I think the language is somewhat confusing, and I'll tell you why. It seems to me instead of "or", the word there should be "and."

Mr. Trias stated – Yes, that is what I said...yes, that's a typo, yes.

Ms. Benton stated – Then that takes care of it. But then you go onto say whichever is greater...is this the new language or the old?

Mr. Trias stated – No, no. Let me rephrase this.

Ms. Benton – Okay.

Mr. Trias continued – For whatever reason, the intent of staff was not explained properly to our attorney, so our attorney wrote something that is different.

Ms. Benton – Okay.

Mr. Trias continued – What I'm saying is what we got from the City Attorneys is not what I meant to present to you. What I meant to present to you is very clearly four stories and 65 ft.

Ms. Benton – Period?

Mr. Trias – Period.

Ms. Benton continued – That's what I was going to say, thank you.

Mr. Bergman asked – What does that require in terms of the Comp Plan? When would that amendment have to go in?

Mr. Trias stated – I don't believe that's an issue in the sense that this is separate from density, and the Comp Plan deals with density. And I know, intuitively it appears like it effects density, but it really doesn't. And I'll tell you why. The Renaissance project or the One Marina project that we have seen is within, generally speaking, four or the five stories that we're talking about, and yet the densities that they're proposing are much higher than what's on the Comp Plan. So, clearly what we're saying here...we're not limiting density at all because in that envelope, as demonstrated by the private sector projects, you can actually go beyond what the Comp Plan allows within the envelope that we're proposing.

Attorney Walker stated – Mr. Chair, for purposes of clarification and restating (inaudible?) statement here, it is my understanding then that staff takes the position that this amendment is consistent with the Comprehensive Plan?

Mr. Trias – Yes.

Attorney Walker – Thank you.

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Ms. Benton stated – I have a question. I’m a little bit confused. When Mr. Walker says, this amendment, is he talking about the amendment as written or as you clarified?

Mr. Trias stated – As I clarified...I suppose that’s what he’s referring to.

Ms. Benton stated – I guess it just means you were referring to, “no building shall exceed four stories in height, and 65 ft...”

Mr. Trias stated – That’s what staff is proposing, yes.

Ms. Benton – Alright, thank you.

Mrs. Brenner asked – If you say four stories in height, whichever is greater, how many stories high can I go?

Ms. Benton – No...

Mr. Trias stated – No. I really apologize for having a different text than what it should be. Forget about the “whatever is greater”...that doesn’t apply...it’s four stories and 65 ft.

Mrs. Brenner – Okay, thank you.

Mr. Johnson stated – Question. Hans’ building is being built on Second Street there.

Mr. Trias – Yes.

Mr. Johnson continued – How tall and how many floors did he end up with?

Mr. Trias stated – It’s four stories and less than 65 ft...it has a little area where you can access the roof...that is the tallest area.

Mr. Johnson –Okay.

Mr. Bergman added – That’s about the tallest, I think, we’re looking for.

Mr. Trias stated – And that’s a good example of what we’re talking about, in terms of the way the buildings would look...in terms of massing and of general layout.

Mr. Johnson – Okay.

Mr. Bergman asked – Does this put the City in a bad way with some of these projects coming through, you think, Ramon?

Mr. Trias stated – Well, the policy decision, at this point, is whether we allow, I guess, a fifth story. The only thing that is being proposed at this point is five-story buildings, so we’re pretty close between the original concept and what the private sector is proposing. And from a planning point of view, I suppose

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that we could support a fifth story if it's parking and retail front. And that would be a way to, for example, (incentivise?) retail at the ground level.

Mr. Bergman stated – The only reason I was asking was because we had that Clerk of Courts building come in that was five stories and 84 ft.?

Mr. Trias stated – Yes. Clearly that would not be consistent with this.

Mr. Enns asked – Did we ever approve anything over on the beach over these limits right here, Ramon?

Mr. Trias stated – No, the commission has not approved anything. We had that ...what was the name of that project on the beach?

Mr. Bergman asked – That condo? Beach Group Investments?

Mr. Trias stated – Exactly. That has not been approved yet and it's redesigned so it will comply pretty much with these regulations. And I think, as a general rule, this is a good universal rule that we can apply everywhere as a maximum.

Mr. Bergman stated – Everyone pretty much knows that they're going to work out four stories. And 65 ft. has been the limit before. It gives you an opportunity to do some architectural embellishments on a four-story building without making the thing a box.

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

Mrs. Brenner asked – Ramon, is this going to just apply to a core area of downtown? Because I thought we had a six-story limit on architecture inside the City.

Mr. Bergman added – No, it's 65 ft.

Mrs. Brenner asked – It's 65 ft. and 6 stories?

Mr. Bergman – No.

Mr. Trias – No, it's just 65 ft. period.

Mrs. Brenner asked – All the way across the City?

Mr. Trias stated – That or less...there are some zoning designations that have a lesser height.

Mrs. Brenner asked – But the maximum throughout the City, with this, would be 65 ft.?

Mr. Enns – Period.

Mrs. Brenner – Period.

Mr. Trias – Yes, you're right.

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Ms. Benton asked – So, the four stories apply only to downtown?...is that it?

Mr. Trias stated – It applies to just the C-4, which is a downtown designation.

Mrs. Brenner added – Yes, that’s what I was asking.

Mr. Trias stated – And this is a very specific amendment. We may do other amendments in the future for other things. We’re trying to see how this goes and so on. In the past, we’ve had a maximum height of 200 ft. It wasn’t very useful because it wasn’t possible to build a building that high and provide for, let say, parking and a variety of things. Density and number of stories are limited by many other issues in the site. And what happens is that it was very misleading to have that in the Code, because people have dreams of doing 20-story buildings and then the reality was that it didn’t fit. I think it’s much better to have realistic proposal and say, look, this is what we’re looking for and this is what this amendment would make. It would tell what we’re looking for as a city and what we can realistically accommodate.

Mrs. Brenner asked – So, where does this leave the One Marina Place project?

Mr. Trias stated – Well, they want to do five stories. I suppose we could amend it to five stories, but at some point you really have to draw the line, because clearly you can do five on one, six, and then seven and so on. There are very good reasons to do four stories that deal with urban design and the proportions of streets, and we could go into that in some detail. The argument, though, will be, well, we cannot make enough money with a building like this. And that clearly has to do with the pricing of the land. If you have Manhattan real estate, that you could do 100 stories, it’s more expensive than if you have Fort Pierce real estate that you can do four stories. And just because it’s a bigger building, it’s not necessarily going to create a better city from the public’s point of view.

Mrs. Brenner stated – That’s why I raised the question about the level. If they come back and called ground level the parking level and then four stories and they’re under 65 ft. they’re five stories but they’re four stories and one level...one ground level.

Mr. Trias stated – I would not accept that interpretation...maybe other people would, but I would not accept that. I think I already told the story the way that in Paris and in Barcelona the developers count stories...it’s terrible. By the time they get to the fourth story that’s the first story according to them. This is the oldest discussion in the development world.

Mr. Bergman stated – Alright, we need to make a motion for this to pass on to the City Commission I believe.

MOTION WAS MADE BY MR. ENNS TO APPROVE THE PROPOSED FOUR-STORY LIMIT ORDINANCE. Seconded by Mr. Poitier.

Attorney Walker stated – A point of clarification. Is the subject of your motion an approval of the draft language as submitted or are you seeking to approve other language as suggested by Mr. Trias?...in which case it may be helpful to state that language.

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MOTION REITERATED

MOTION WAS MADE BY MR. ENNS TO APPROVE THE PROPOSED FOUR-STORY LIMIT ORDINANCE AS CORRECTED BY MR. TRIAS. Seconded by Mr. Poitier.

Attorney Walker stated – As I understand the jist of the motion, Mr. Chair, if I may be permitted to restate for clarification. And if I'm wrong, this is the point to get that straightened out. The intent of the motion is to amend section 22-32(d)(2) to add the following revision: Building heights. No building shall exceed four (4) stories in height and 65 ft. above grade. Is that the amendment?

Mr. Trias – That is correct.

Attorney Walker – Thank you.

Mrs. Gates stated – I have a question. Did I understand this right? Ramon, this only is applicable to C-4? So, should that be stated in this also?

More than one person speaking at once...inaudible.

Mrs. Gates stated – Oh, this is the second one, okay.

Mr. Bergman asked – Did we have a second on that?

Mr. Poitier stated – Yes, I did.

Mr. Bergman stated – Okay. Is there any other discussion? Could we have roll call please?

Unanimously approved with changes by roll call vote.

Mr. Bergman stated – Alright, we've got a whole slew of annexations here.

Mr. Poitier asked – Can we just do them all at one time?

Mr. Bergman stated – Well, we could certainly do that...do a consent vote on items #17 - #27.

Mrs. Brenner stated – One question. Are these voluntary annexations?

Ms. Clark – Yes.

Mrs. Brenner asked – All of them are?

Ms. Clark – Yes.

MOTION WAS MADE BY MR. ENNS TO APPROVE THE ANNEXATIONS #17 - #27. Seconded by Mr. Harris. Mr. Bergman asked – Wendy, I'm just going to ask you a general question. Are we bringing these in at the same basic zoning?

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Ms. Clark – Yes.

Mr. Bergman continued – Because I know that issue has come up in the past that we were, what was it?...granting density...that was from the County to the City...

Mr. Trias stated – The state law requires that it be the same density unless a planned amendment is made later on.

Mr. Bergman – Alright. Any other discussion? Could we have roll call please?

Unanimously approved by roll call vote.

Mr. Bergman asked – Mr. Walker, Ramon, any discussions?

Mr. Trias – No, sir.

Mr. Bergman – Anybody?

Attorney Walker – No, Mr. Chair, thank you.

Mr. Bergman – Well, that's it...we're out of here.

Meeting was adjourned at 9:45 p.m.

