

**CITY OF PORT ST. LUCIE
PLANNING AND ZONING BOARD MEETING MINUTES
JULY 3, 2012**

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Blazak at 1:30 p.m., on July 3, 2012, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

1. CALL TO ORDER

2. ROLL CALL

Members Present: William Blazak, Chair
Ken Martin, Vice Chair
Brian Battle
Nicole MacKenzie
Steven Garrett
Ernie Ojito, Secretary
Susan E. Parks

Others Present: Pam E. Booker, Senior Assistant
City Attorney
Daniel Holbrook, Planning and Zoning
Director
Anne Cox, Assistant Planning
And Zoning Director
John Finizio, Planner
Katherine Huntress, Planner
Bridget Kean, Senior Planner
Thresiamma Kuruvilla, Planner
Marty Sanders, St. Lucie County
School District
April C. Stoncius, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Mr. Sanders led the assembly in the Pledge of Allegiance.

APPROVAL OF MINUTES - JUNE 5, 2012

There being no corrections, the minutes were unanimously approved.

6. CONSENT AGENDA

There was nothing scheduled under this item.

7. PUBLIC HEARINGS**A. P12-071 PORT ST. LUCIE SUBURBAN, LLC - TOWN CENTRE - SIGN VARIANCE**

Ms. Huntress said, "The applicant is Thomas Sign and Awning, Company, acting as the agent for the owner, Port St. Lucie Suburban, LLC. The property is located at 10065-10067 South Federal Highway, which is the Town Centre Shopping Center. The zoning is the Town Centre PUD. The future land use is CG or Commercial General. It was formerly Sally Beauty Supply. The Site Plan shows the distance from the road and the location. The variance request is for a sign for Cosmo Prof, which is a beauty supply store that will be located in the shopping center. There are two parts to this variance request. One is for the letter height for the façade sign, and the other is for the total square footage for the façade sign. The first variance request is to Chapter 155.08(E)(1)(b) of the Sign Code of the City of Port St. Lucie Land Development Regulations to allow a 7.5 inch increase in the maximum allowable letter height for a façade sign. Said Code allows a maximum letter height of 24 inches, whereas the applicant is proposing a maximum letter height of 31.5 inches."

Ms. Huntress continued, "The second variance request is to Chapter 155, Table 1 of the Sign Code of the City of Port St. Lucie Land Development Regulations to allow a 28 square foot increase in the maximum allowable square footage for a façade sign. Said Code allows a maximum square footage of 53 for the façade sign, whereas the applicant is requesting a maximum square footage of 81 for the façade sign. The Planning and Zoning Department staff finds the requests to be inconsistent with variance criteria as stipulated in Chapter 158.295(C) of the Zoning Code, and recommends denial. On March 8, 2010, the City Council, which was serving as the Board of Zoning Appeals, requested that the City encourage commercial developments such as this one to apply for a Master Sign Program." Chair Blazak clarified, "This does not have a Master Sign Program." Ms. Huntress replied in the affirmative.

GREGORY T. DAVIS, Thomas Sign and Awning Company, said, "We are sitting nearly 400 feet from the road. We are trying to increase the overall square footage of this sign, so that we might be visible. We are trying to make it accessible to the general public where it can be visible, so that they can have easy access into the property. Staff mentioned in their report that there was a free standing sign on this piece of property, but this business has no access to that sign. This wall sign will be the primary sign for the location. The logo is their corporate

logo, which adds some overall height as far as the characters. Once we decrease the size of the logo, then we would have to decrease the size of the letters. We would still have the concern of visibility. With the way that this road is traveled, and the speed of the traffic, we feel that this sign is needed in order to be visible enough to the general public to locate the site. This tenant is a new tenant. Their trademark is their corporate sign that they use all over the country. We would ask that you look at the distance from the road and the overall size of the elevation. Take into consideration the size of this sign in proportion to the overall size of the elevation, and give us an opportunity to install the sign."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Ms. Parks said, "The letter height for the façade sign that they are requesting is 31% higher than we require. The square footage for that sign was 52% larger than the City's specifications. I understand that there are corporate logos that come to us from out of the community, but every time we make an evaluation and give someone an opportunity with variances, it comes back to us. At this point, I'm going to have to vote no on this item." Chair Blazak stated, "I'm sensitive to corporate logos, but it needs a Master Sign Plan. Our City's Sign Code has worked very diligently to establish this Code and work with people. I think the variances are not sustainable at this point." Secretary Ojito pointed out, "The important thing is to get a Master Sign Program set up for this center. The tenants are suffering, because the landlord is not implementing something that could benefit everyone. I'm going to vote against it as well." Ms. MacKenzie said, "I agree with Secretary Ojito. A Master Sign Program is the only long-term solution."

Mr. Davis said, "The dilemma that we are in with this site is that there is no Master Sign Plan in place. There are tenants who are moving into a retail space where there is no Master Sign Program. Should the Board decide to go back and request the retail owners to develop a Master Sign Program, then you will probably hear fewer requests for variances. We are in a position where there is no Master Sign Program, so we have no option in order to get a sign that we think will be visible. It is important to the overall operation of any retail space, whether it be this one or another one. We had no choice but to come to this Board and request a variance. Thank you." Chair Blazak advised, "We have the rules in place. It is up to the landlord to come forward with a Master Sign Program, not the tenants. If it is a concern when moving into that space, then it should be part of the negotiations prior to moving into that property. The

rules are in place to implement it, but the property owner has to come forward, not Council."

Vice Chair Martin **moved** to deny project P12-071, Port St. Lucie Suburban, LLC, Town Centre, Sign Variance. Ms. Parks **seconded** the motion, which **passed unanimously** by roll call vote.

B. P11-108 CITY OF PORT ST. LUCIE - CHAPTER 158 ZONING CODE - OUTDOOR SALES AND SPECIAL EVENTS, ZONING TEXT AMENDMENT

Ms. Cox said, "This is a City-initiated Zoning Text Amendment to Section 158.225 of the City's Zoning Code regarding outdoor sales and special events. This amendment arose from requests from property owners, and suggested revisions were made by City departments. Road festivals and organized competitive events are proposed to be added to the list of special events that would be allowed. Currently, special events are allowed in the Open Space Recreation, Institutional, and General Commercial Zoning Districts. This amendment proposes to allow them in PUD's and the Master PUD's, which are the developments in the NCD area. It is also proposing to expand the number of outdoor special events that are allowed on the same property from two to four times per year. If an applicant wanted to have one more than four times per year, they would have to ask the City Council for approval. It also is requiring that if an event requires a closure of a public street, they would have to apply to the Police Department for a permit. It is adding a new subsection, which would state the grounds for denial for an application. It moves a couple of other items to another location where they make more sense. There are also proposed text amendments regarding the temporary outdoor sales that are allowed by the Code. They are also being proposed to be expanded to be allowed in the PUD and MPUD areas. It is adding a new subsection, which would allow farmers' markets. They would be able to get annual permits similar to what the craft or vendors are already getting. They would be limited to 24 two-day sales events per calendar year. The last proposed revision is to add a subsection, which states that if anyone is requesting a waiver of fees, they would have to put it in writing to the City Manager's office to be placed on the City Council agenda. The Planning and Zoning Department staff recommends approval of the proposed text amendments as presented."

Ms. Parks said, "On Page 4, Item 7, there is some striking out of some verbiage in regards to liability insurance that would be required at the event location. The new one states, 'The City reserves the right to request that the identification and insurance to protect the City shall be provided in the event of using public property.' I think it should be stronger. They

should, because there are a lot of people looking for deep pockets that I do not want impacted on the City. I know that our Legal Department does a fantastic job of sifting through that, but as a citizen of the community, I would be remiss if I didn't bring that to your attention. It had originally been \$1 million in bodily insurance for injury and property damages required." Ms. Cox explained, "The proposed language did come from our Risk Management Department, and it has been the practice to always get that insurance." Ms. Parks pointed out, "It says, 'shall provide' and doesn't say that they have to." The Senior Assistant City Attorney advised, "That is what the word 'shall' refers to. Other times we use the word 'may,' which gives them the option. When we use the word 'shall,' it is mandatory that we receive it. The stricter language that was in here previously on the indemnification amount was changed because some of the smaller groups couldn't meet the requirements, as it is extremely expensive." Ms. Cox remarked, "It is to allow flexibility." Ms. Parks said, "On Page 6, Item 3 has to do with non-profit organizations. Does that include religious groups and fraternal organizations, or biking and running events?" The Senior Assistant City Attorney responded, "If they have the 501(c)(3) status, then yes. It doesn't matter what type of entity as long as they have that legal status from the Internal Revenue Service, they would be considered under Paragraph 3." Ms. Parks asked, "Would it not be a good idea to put that 501(c)(3) language in there, so it is very clearly defined, or perhaps there is some leeway with that." The Senior Assistant City Attorney advised, "The non-profit would cover that, but it wouldn't change anything if we put 501(c)(3) in here, as that is the IRS's definition of a not for profit status." Ms. Parks questioned, "Where do bicycle and running events come into play in this framework?" Ms. Cox answered, "Under the Organized Competitive Events as a special event." Ms. Parks commented, "Thank you."

Mr. Garrett **moved** to recommend approval of P11-108, City of Port St. Lucie, Chapter 158 Zoning Code, Outdoor Sales and Special Events, Zoning Text Amendment. Mr. Battle **seconded** the motion, which **passed unanimously** by roll call vote.

(**Clerk's Note:** The public hearing was not opened; therefore, the item will come back to the next Board meeting).

C. P11-123 VERANO DEVELOPMENTS OF REGIONAL IMPACT - NOTICE OF PROPOSED CHANGE

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. (**Clerk's Note:** Chair

Blazak advised that this item was requested by Scott Morton to be postponed to a date yet to be determined).

D. P11-135 RESERVE DEVELOPMENT OF REGIONAL IMPACT - NOTICE OF PROPOSED CHANGE

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. (**Clerk's Note:** Chair Blazak advised that this item will be pulled, and will be heard at another date yet to be announced).

Chair Blazak said, "I would like to put into the record that we have responses from the legal counsel for the two other developments in the area."

E. P11-146 CITY OF PORT ST. LUCIE - CHAPTER 158 ZONING CODE - ZONING TEXT AMENDMENT

Mr. Finizio said, "This is a City-initiated Zoning Text Amendment to address changes to the following sections of the Zoning Code: Section 158.192, Changes in Conceptual Plans, Section 158.213, Wireless Communication Antennas and Towers, and Section 158.221, Off-Street Parking and Lighting, and Handicapped Parking Spaces. Section 158.192, Changes in Conceptual Plans will help us establish processing requirements regarding major changes to Conceptual Plans in the MPUD Zoning District. The following text is being proposed to be added to Section 158.192 identified as 'B': Major changes in Conceptual Plans shall require a rezoning application, meeting all applicable requirements of this Chapter for MPUD rezoning, and are subject to the newspaper notice and public hearing requirements as set forth for rezonings in this Chapter. The changes to Conceptual Plans include a land use not previously permitted, or to change a land use type adjacent to a property boundary. Notices shall be sent to owners of real property within the area subject to the change and within 300 feet of the boundary of the area subject to the proposed change."

Mr. Finizio continued, "Section 158.213, Wireless Communication Antennas and Towers; to ensure the Zoning Code is compatible with the Tradition MPUD document, the following changes are being proposed to the existing text so it reads, 'Neighborhood Village/Commercial, Town Center, Resort, Employment Center, Mixed Use, and designated park or school sites within Residential land use sub-categories in Master Planned Unit Development in New Community Development District future land use areas. Section 158.221, Off-Street Parking and Lighting, Handicapped Parking Spaces; stacking requirements for schools, daycares, carwashes, and drive-through windows are not currently

addressed in the City's Zoning Code. To assist in preventing negative impacts on the individual sites and their surrounding sites, and the overall transportation network, the following stacking requirements are being proposed to be included in Section 158.221 and labeled as Subsection I: Stacking Requirements. The locations and lengths of vehicular stacking areas for facilities including, but not limited to, schools, daycare facilities, carwashes, and drive-through windows shall be provided in accordance with standards that promote the general safety and welfare of the public.

1. The stacking areas shall have direct access to the service window, station, or pick-up/drop-off location.
2. The stacking area shall not include space for any other circulation driveway, parking space, or maneuvering area.
3. An escape route from the stacking area for drive-ups is required.
4. An escape route for schools and day care facilities is highly recommended.
5. The stacking area shall be located and of sufficient length, so that it will not block traffic circulation within the development during peak queuing periods.
6. An analysis showing the estimated normal peak queue lengths shall be provided with the Site Plan. The analysis shall be signed and sealed by a professional engineer registered in Florida.
7. Adequate stacking storage to accommodate normal peak queues shall be provided on-site, and shall not overflow onto adjacent streets.
8. Due to the great variability of the site conditions and the facility, the stacking location and length shall be reviewed and accepted by the Site Plan Review Committee.

My staff report was sent to Mr. Marty Sanders for his feedback regarding the stacking requirements. His comments were added to the dais this morning for your review. Planning and Zoning and Engineering do not have any objections to incorporating these comments into the proposed requirements. The Planning and Zoning staff finds the request to be consistent with the direction and intent of the policies of the City's Comprehensive Plan, and recommends approval."

Vice Chair Martin said, "On Page 7 at the top, it talks about non-conforming uses, and how they will be handled with regard to off-street parking and lighting. The words, 'or extension of the use' and the non-conforming use is if the business is non-conforming and stays in business under the same ownership name that their requirements shouldn't be changed or modified. The extension of the use; does that open the door, so that people

could then be required to make modifications to the site even though they have been non-conforming?" Mr. Finizio responded, "This text already exists." Mr. Holbrook advised, "This is an existing Code, which was provided because amendments were being changed to sections that were associated with this. This isn't new language which is being proposed for the Board's consideration. It says, 'In the case of a building occupied by a use which is not permitted as a principal use in the Zoning District in which the building is located for major repairs, substantial alterations, or extensions of the use are to be made. No alteration of use shall be permitted unless the off-street parking requirement is fully provided.' If you have a legal use, you can continue that legal use. The City from time to time has amendments to its parking Codes. Sometimes it has a greater requirement and sometimes we decrease it, depending on the changes, the review, and the analysis that we have, or if there is a change in policy." Vice Chair Martin remarked, "Thank you."

Mr. Sanders stated, "I appreciate what staff has done on behalf of the stacking, specifically for schools. The design and stacking for schools is more of an art than a science, because a lot of things affect how many parents are going through a queue in a particular school. A lot of it revolves around the parents' socioeconomic status. If they are a single working parent, they don't have time to go into the parent pickup line to pick up their kids. Many schools, like Manatee, may have 300 or 400 cars in line to pick up kids, where other schools may have less than 100 cars, and is a similar size. It can vary a lot based upon the demographics of the student body. I try to incorporate the best design practices that we use in schools. Specifically, trying to keep the parents and the buses separate, because buses have a schedule to meet, and there are a larger number of kids on the busses. I incorporated that language to try to keep them separate and also looked at the left-turn movements. If you have a left-turn movement within a parking lot, it becomes a conflict point, and slows things down. While you may have a similar amount of stacking in a parking lot, if you have a left-turn conflict movement, it slows things down and doesn't work the same as if you had no conflict. Those were my recommendations to try to speed things up for dismissal. Getting the kids to school, getting them fed, and getting them home is half of the effort of the school sometime, because it is a logistics problem with the number of students that we have coming and going from school."

Secretary Ojito inquired, "Have you looked at the definition of major change?" Mr. Finizio responded, "Yes." Secretary Ojito said, "It is kind of ambiguous as to what a major change is."

Mr. Finizio explained, "It is included in a prior section of the Code." Secretary Ojito asked, "Do you feel that the definition is adequate?" Mr. Finizio replied, "At this time, yes. Do you want to propose any changes?" Secretary Ojito said, "No. I'm just asking when you evaluated it, that you also evaluated the definition to make sure that it is clear." Mr. Finizio replied in the affirmative. Secretary Ojito questioned, "Regarding the stacking, did you look at the turning lanes as additional stacking, or are you only looking at on-site stacking?" Mr. Holbrook answered, "The language that is being proposed is stacking areas, so the area can accommodate people. It is primarily for on-site stacking facilities. The traffic analysis looks at how it will impact the surrounding local roads and arterials, and if they create a conflict what it will look like dealing with turning movements. This language indicates the things that we will be looking for that need to be considered when it is required, but it also gives staff the flexibility so that when we are looking at a specific site, we are not going through the variance process every time. Some sites will be very unique, and could affect a main arterial. It is trying to provide best practices, as well as flexibility, and gives staff some ability to have an individual review."

Ms. Parks asked, "On Page 9, Numbers 3 and 4 in comparison, Number 3 states, 'An escape route from stacking from the area the drive-ups is required.' Number 4 states, 'An escape route for schools and day care facilities is highly recommended.' Why did we select the less weight verbiage for schools and day care facilities over a drive-thru? I think of the security, health, and welfare of our children and the faculty members who are using that area." Mr. Sanders explained, "People get impatient when they look at a line that is not moving, and they decide to take a bypass route. A school may have a half-mile of stacking and people become accustomed to it. They recognize that if they get there early, they will be there until the cars in front of them leave. To some extent, it is almost not practical to provide a bypass in those cases." Ms. Parks clarified, "We are talking about using land area for an escape lane." Mr. Sanders replied in the affirmative. Chair Blazak said, "On Page 3, Number 2 says, 'The stacking area shall not included space for any other circulation driveway, parking space, or maneuvering area.' It is a typo? It should just say include." Mr. Finizio replied in the affirmative. Chair Blazak stated, "That is fine that it is not going to be for any other circulation, parking space, or maneuvering area, but are we comfortable stating that? We have seen a pretty creative approach to this already with 8 to 10 lanes wide. What will prevent a developer from saying, okay this is my stacking area and this is my parking area that are similar in shape, as we have seen it come forward already."

We all know if we say okay, and it is a big paved area, it is going to get mixed. Do we need something to define those areas or separate those areas? Like the example we saw with the school where there were 8 circular lanes of stacking, parking, and emergency access all in one. It had three separate descriptions on a piece of paper. While we are saying they can't have it, how do we define it to make sure it doesn't happen?" Mr. Holbrook responded, "Number 7 says, 'Adequate stacking storage to accommodate normal peak queues shall be provided on-site and not overflow onto adjacent streets.' As a part of the required parking, they have to provide it first on-site, and have to meet the parking requirements. Some of the creative approach is taking the queuing areas and coning them off, so that they can accommodate on-site additional parking, which typically isn't needed. One of the items that we have shared from staff's perspective is that we are not looking for additional asphalt, but we want to ensure that there is sufficient parking for the use, specifically, day in and day out, but also to address the special events that they have. It is one of the areas that we have allowed for flexibility in the past. Hopefully, it has worked well, as we have learned more as each application comes along. Hopefully, this proposed text will address it, and still provide flexibility so we can do individual reviews on Site Plans." Chair Blazak said, "Thank you. I just wanted to make sure."

Mr. Sanders inquired, "Are we trying to say that the stacking area should not be included in any other required circulation space, and maybe the insertion of the word required might clear that up? In our case, we often may be required to have 50 parking spaces, but we may put in 100. We may use some of that space for queuing from time to time." Ms. MacKenzie said, "I've noticed in a lot of schools that there is usually signage that gives certain hours where people are not to park after a certain time or they will be towed. It tells people the parking is only during non-peak times." Chair Blazak stated, "I'm okay with that. I just didn't want to see something come forward like we had that was all combined into one. If Mr. Holbrook is comfortable with it, then I am. Mr. Sanders' idea of having a required area for queuing and stacking might not be a bad idea." Mr. Holbrook asked, "Do you feel that Item 2, where it says, 'The stacking area shall not include space for any other circulation driveway, parking space, or maneuvering area' addresses it, or are you looking for something more specific?" Chair Blazak replied, "I'm comfortable with it, if you are. It is a definition that we didn't have before, so I think it gives us a little more teeth. We had nothing like this in Number 7 before, so I wanted to make sure so we can handle a situation like we had before. I'm fine with it, if Legal is fine with it."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Mr. Garrett **moved** to recommend approval of P11-146, Chapter 158 Zoning Code, Zoning Code Text Amendment. Secretary Ojito **seconded** the motion, which **passed unanimously** by roll call vote.

F. P12-059 PORT ST LUCIE ACQUISITION I, LLC - COMPREHENSIVE PLAN TEXT AMENDMENT - LARGE SCALE

Ms. Kean said, "The City has received an application from PSL Acquisitions I, LLC, owner of the Southern Grove Development of Regional Impact, for a text amendment to the Future Land Use Element of the Comprehensive Plan. The proposal is to amend Policy 1.2.2.3 to increase the maximum building height for schools and the maximum building height for multi-family buildings within the residential sub-category of the New Community Development District future land use classification. NCD is a mixed land use future land use classification for large scale Developments of Regional Impact or DRI's. Tradition, Western Groves, and the three DRI's in the City's Southwest Annexation Area, Southern Grove, Wilson Groves, and Riverland/Kennedy, utilize the NCD land use classification. An NCD District can be divided into seven land use sub-categories. Policy 1.2.2.3 sets the development standards for the Residential Areas sub-district. The maximum building height for all uses in this sub-district is 35 feet. This amendment would increase the maximum building height for multi-family development and schools to 65 feet. The maximum building height for residential and other uses would remain at 35 feet. If this policy is approved, it would apply to Tradition, but Tradition is an MPUD and PUD. In order for them to utilize this policy, they would have to apply to amend the approved MPUD. It wouldn't affect the current development in Tradition. The Planning and Zoning Department staff finds the petition to be consistent with the intent and direction of the City's Comprehensive Plan, and recommends approval of the proposed amendment."

Secretary Ojito inquired, "When you looked at the multi-family height of 65 feet, did you consider limiting the number of floors?" Ms. Kean responded, "It would be limited on what they could build. No, we didn't look at that. This proposal was from the applicant, and they didn't bring that up. It doesn't exist in any of the other policies in our Comprehensive Plan. It just sets a maximum height." Secretary Ojito asked, "Would we want to consider it?" Ms. Kean replied, "It is already captured by the maximum height. They couldn't do much more than five or six floors." Mr. Holbrook advised, "Anything typically would be five stories high, but I would caution that our Comprehensive Plan and maximum height is established both in the Comp Plan and

throughout the City's Land Development Regulations. We have established a maximum height that is not based on the number of floors. I would caution the Board if you want to consider going down that path."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Vice Chair Martin **moved** to recommend approval of P12-059, Port St. Lucie Acquisition I, Comprehensive Plan Text Amendment, Large Scale. Mr. Battle **seconded** the motion, which **passed unanimously** by roll call vote.

P12-037 SHAMROCK PLAZA - DRIVE-THROUGH SERVICE - SPECIAL EXCEPTION USE

Ms. Kuruvilla said, "The owner is Azzi Plus, LLC. The applicant is David L. Phillips, P.E. of Sustainable Engineering & Design, LLC. The property is located west of SW Port St. Lucie Boulevard, and north and east of SW Yamada Drive. It is legally described as Lots 1, 2, 25, and 26, Block 2283, Port St. Lucie Section 33. The size of the lot is 1.06 acres. The existing zoning is General Commercial, and it is a vacant site. The proposed use is to have a drive-through window on the south side of the building in the proposed Shamrock Plaza. The requested special exception is to have a drive-through service in the Commercial General Zoning District, per Section 158.124 (C) 14 of the Zoning Code. The applicant has applied for a Site Plan, P12-038, and a Conceptual Site Plan for a drive-through service SEU P12-037, and a conceptual Site Plan for a convenience store SEU P12-556 for approval. On June 13, 2012, the Site Plan Review Committee recommended these projects for approval. Exhibit A is the conceptual Site Plan. The main access is from Port St. Lucie Boulevard with a right in and a right out only. The second access is from Yamada Drive with the full access. The existing site has adequate ingress and egress to and from the property. The proposed Conceptual Site Plan shows adequate parking. Bicycle parking is provided at the site. A cross access easement is shown on the Conceptual Site Plan to the adjacent vacant lot, which is in the Conversion Area. The applicant has to provide Landscape Plans along with Construction Plans. The Conceptual Site Plan shows a 6-foot high opaque fence on the north side of the property and a 6-foot high wall on the west of the property to meet the City's Code. The Conceptual Site Plan also shows the location of 6-foot high light poles to be used along the north and west property lines, and 20-foot high light poles to be used for the interior of project site. A 5-foot sidewalk along Port St. Lucie Boulevard and Yamada Drive is proposed. The requested Special Exception Use for a drive-through is in conformance with the provisions and requirements of the City of Port St. Lucie

Land Development Regulations. The applicant has stated in his email that the proposed hours of operation will be from 6 a.m. to 11 p.m. The proposed use should not constitute a nuisance or hazard based on the information provided by the applicant. The Planning and Zoning Department staff finds the request to be consistent with the Special Exception criteria as stipulated in Section 158.260 of the Zoning Code, and recommends approval of the drive-through service."

THOMAS FARLEY, Attorney for the applicant, said, "We have no presentation, but Dawn Hilton, the engineer and I, are here to answer any questions you may have." Ms. Parks stated, "You have come before us previously, and there was question at that time about the ingress and egress, particularly, the egress from your facility onto Port St. Lucie Boulevard. At that time there was striping or a median, so that you could not make a left turn out of your facility onto Port St. Lucie Boulevard. Has that changed?" Ms. Hilton responded, "No ma'am. It has not changed. You cannot make a left-hand turn out of the site onto Port St. Lucie Boulevard. You must make a right." Ms. Parks asked, "Is there striping or a median there?" Ms. Hilton replied, "It has striping." Mr. Battle questioned, "Do you have any prospective tenants?" Mr. Azzi answered, "We are using two bays for our own business as a convenience store. I have contacted Dunkin Doughnuts, but we haven't received an answer yet." Mr. Battle clarified, "So you are looking for a fast food restaurant." Mr. Azzi replied in the affirmative.

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing and said, "We received a letter from a Mr. Steven Rudolph that I would like to add into the record. He is opposed to this project." Ms. MacKenzie remarked, "I will be abstaining." (**Clerk's Note:** A Voting Conflict Form is attached to the minutes). Chair Blazak asked, "Does the Special Exception for the drive-through change the compatibility that would normally exist with this zoning in this area?" Ms. Kuruvilla replied, "It is in a Conversion Area, and is compatible with the Zoning Code." Secretary Ojito said, "It appears from the Site Plan that the 8-foot high wall seems to terminate halfway through the curve. Should that wall extend a little further, because it appears that there are two residential blocks that are not blocked from the view?" Ms. Kuruvilla responded, "The fence is going to be up to the residential area, per the Code requirements. The rest of the area is commercial on the south side." Secretary Ojito clarified, "Lot 26 says RS-2 and Lot 27 says RS-2, so I'm concerned that they will have a view unless it is landscaped." Mr. Holbrook advised, "Perimeter landscaping is required for this development. As a part of the landscaping requirement, a

wall is required when you have a residential area that abuts up to a non-residential area. For areas that are in Conversion Areas, which this area is, you will see the wall stopping there. On the Future Land use map, Lot 26 on the southwest side, from that lot moving to the east is within the Conversion Area, as are the lots which are immediately to the north of this project. It doesn't require a wall for those areas, and a fence can be provided. Since this is across the street, fences have typically not been provided. That has been a past practice of the City. The best map to look at is the Future Land Use Map, and it is actually Lot 25." Ms. Kuruvilla said, "They are Lots 25, 26, and 27, 28, and 29 that are commercial on the Future Land Use Map." Mr. Holbrook advised, "From Lot 25 through 29, on the south side on Block 2284, is all commercial future land use. To the north of the project, which are Lots 3 and 24, is future land use, and those are within the City's Conversion Areas. The Conversion Area is a set of policies and guidelines, which the City established in the mid 1980's. It allowed for the conversion of residential lots to other uses. Those are policies that we have been dealing with for a number of decades. Back in the 1980's, the City changed the Future Land Use Map, and created a manual. This is a Special Exception Use, which has the listed criteria that Ms. Kuruvilla reviewed in her presentation."

Mr. Garrett **moved** to recommend approval of P12-037, Shamrock Plaza, Drive-through Service, SEU. Mr. Battle **seconded** the motion, which **passed** by roll call vote with Chair Blazak, Vice Chair Martin, Mr. Garrett, Mr. Battle, and Secretary Ojito voting in favor, Ms. Parks voting against, and Ms. MacKenzie abstaining.

P12-056 SHAMROCK PLAZA - CONVENIENCE STORE - SPECIAL EXCEPTION USE

Ms. Kuruvilla said, "This is a Special Exception Use application for Shamrock Plaza Convenience Store for the same property. The requested Special Exception Use is to have a retail convenience store in the General Commercial Zoning District, per Section 158.124(C)12 of the Zoning Code. The proposed use is compatible with all of the Special Exception criteria stipulated in the Zoning Code. The Planning and Zoning Department staff finds the request to be consistent with the Special Exception criteria as stipulated in Section 158.260 of the Zoning Code, and recommends approval of the retail convenience store."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing and stated, "I want to note again the communication we had from Mr. Rudolph who opposed this project as well. Vice Chair Martin **moved** to recommend

approval of P12-056, Shamrock Convenience Store, SEU. Secretary Ojito **seconded** the motion, which **passed** by roll call vote with Chair Blazak, Vice Chair Martin, Mr. Garrett, Mr. Battle, and Secretary Ojito voting in favor, Ms. Parks voting against, and Ms. MacKenzie abstaining. (**Clerk's Note:** A Voting Conflict Form is attached to the minutes).

12-058 ST. LUCIE WEST DEVELOPMENT OF REGIONAL IMPACT - NOTICE OF PROPOSED CHANGE

Ms. Huntress said, "The applicant is Michael T. Redd of Redd and Associates, P.A. The property is located east of Interstate 95, west of the Turnpike, south of Port St. Lucie Section 44, and north of the Crosstown Parkway. It is approximately 4,614 acres in size. The land use designations within the DRI include a variety of mixed use designations. The zoning designations within the DRI include a variety of designations consistent with the land use designations. The initial St. Lucie West DRI Development Order was approved by the City Council on February 9, 1987 with Residential, Industrial, Office, Commercial/Retail, Parks/Recreation, Schools, and Town Center uses. There have been 15 amendments to the initial St. Lucie West DRI Development Order since it was originally adopted. The previous changes are listed in the attached resolution. The Notice of Proposed Change to the approved DRI is requesting changes to include a simultaneous decrease of 107,111 square feet of office use, and an increase of 158 residential units as shown on Exhibit 'E' on the resolution. No changes to the Master Development Plan are proposed. The transportation conditions of the St. Lucie West DRI Development Order have been satisfied. The applicant has provided a traffic analysis, which indicates that the proposed change will not negatively impact the transportation network. The Treasure Coast Regional Planning Council has reviewed the proposed changes to the Development Order and has no objections. The Florida Department of Transportation has reviewed the proposed changes to the Development Order and has no objections, but has listed three suggestions. Those suggestions will be included with the PUD document that was submitted to the City on June 12, 2012, and is scheduled for the July 11, 2012, Site Plan Review Committee meeting. The Planning and Zoning Department finds that the proposed changes will not create additional significant impacts on the regional resources and facilities in the area, and recommends approval."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Ms. Parks said, "This project was presented to us a number of months ago, and was one of the most exciting well-presented projects that we had had. I certainly hope that the Site Plans that are coming up in the

future mirror what we saw before, because it is a gateway to our community with access off of I-95 at St. Lucie West Boulevard. It can clearly be seen from I-95, from both the north and south travel routes. I hope things are as spectacular as they were in the original presentation." Mr. Holbrook said, "These proposals are not site-specific. This is to the Development Order for all of St. Lucie West. The applicant is a different owner than the property that you were mentioning. That specific project does have Site Plan approval. They are working out some other issues between the master developer and the private property owner."

Mr. Garrett **moved** to recommend approval of P12-058, SLW DRI, NOPC. Secretary Ojito **seconded** the motion, which **passed unanimously** by roll call vote.

P12-066 PONACO CAR WASH/SAM'S CLUB SITE - SPECIAL EXCEPTION USE

Ms. Kuruvilla said, "The owner is PNC Bank. The applicant is Stephane Cote. The property is located along the east side of US Highway 1, south of the Lennard Road intersection. The legal description is Tract 1, Lennard Square, Sam's Club site. The size of the site is 1.02 acres. The existing zoning is General Commercial, and it is vacant land. The requested special exception is to have a car wash facility in the Sam's Club site, in the Commercial General Zoning District, per Section 158.124 (C) 6 of the Zoning Code. The primary vehicular and pedestrian access to and from the car wash is provided by an existing driveway on US Highway 1. The proposed car wash is connected to this existing driveway, which was approved and constructed as part of the development of Sam's Club. Additionally, vehicular and pedestrian access is provided through the existing parking drive aisles that connect the Sam's Club gas station as shown in the Conceptual Site Plan Exhibit A. The applicant has to apply for Site Plan approval. The proposed Conceptual Site Plan shows an area of 6,630 square feet for a proposed car wash building, with adequate parking. Bicycle parking also was shown on the proposed Conceptual Site Plan. The proposed car wash may serve the neighborhood well, and the close proximity to US Highway 1 further justifies the benefit to the public. The Conceptual Site Plan of the proposed car wash shows an automatic car wash bay and detailing bay, and provides room for traffic to flow into and out of the car wash facility. On June 13, 2012, the Conceptual Site Plan for the car wash was recommended for approval by the Site Plan Review Committee. The Planning and Zoning Department staff finds the request to be consistent with special exception criteria, as stipulated in Section 158.260 of the Zoning Code, and recommends approval of the car wash facility."

Chair Blazak opened the Public Hearing. There being no comments, Chair Blazak closed the Public Hearing. Ms. Parks said, "This particular area has been plagued by drainage problems in the past. I don't see exactly where they are going to put their stormwater drainage. I'm concerned about the runoff from the tarmac that is there into the community. I don't want to further impact people who have already been blighted by water in the past."

JOHN BOYER, Masteller & Moler, Inc., said, "I'm an engineer, and the Sam's Club site has a master drainage system into which our proposed site will connect. There is a drainage inlet in the existing access road, and a proposed driveway of storm piping will connect to that inlet. The existing piping in the Sam's Club parking lot will carry the water down to the pond. All of the treatment and retention requirements for our site are taken care of and addressed in the master system." Mr. Battle stated, "I would like to see the pedestrian paths ADA compliant, as it is not shown on the plans." Chair Blazak advised, "It is a prerequisite of the City. The last phase of EWIP is to the south of this, and all of the ponds are constructed. They are down to the last 50,000 yards of fill to come out of the last pond before it ties into Howard Creek. If any of the Board members haven't looked at this project, you need to, because the plantings are tremendous. It should win the City an environmental award."

Secretary Ojito **moved** to recommend approval of P12-066, Ponaco Car Wash, Sam's Club Site, SEU. Vice Chair Martin **seconded** the motion, which **passed unanimously** by roll call vote.

8. DISCUSSION ITEMS/NEW BUSINESS

A. DETERMINATION OF EXCUSED ABSENCES

Chair Blazak noted that there were no prior absences.

9. OLD BUSINESS

A. COMPREHENSIVE PLAN UPDATE

Mr. Holbrook said, "We are expecting comments from the state by the end of this week regarding the City's Comprehensive Plan update. Hopefully, we will get those, make any appropriate changes, and take it to the City Council for final adoption. The City Council Retreat is scheduled for July 19 and 20, 2012, for anyone who is interested. Also, the state has provided an additional extension. In the past, numerous bills were signed by various governors that extended Development Orders of local

jurisdictions. The most recent one went into effect on July 1, 2012, and is related to Developments of Regional Impact that provides for an extension. It doesn't allow it to exceed a cumulative of four years from all of the previous extensions that have existed. The developers have until December 31, 2012, to submit that information. We will post the information on the City's website. I don't see it as greatly impacting, because a majority of the developers have already requested past extensions."

B. CITY/BUSINESS COLLABORATION

Mr. Holbrook continued, "There was some great discussion that occurred on the tour. One of the words that I came away with was collaboration, and building upon that. If there is anything you saw that the City can assist with, I'd really like to hear from the Board." Chair Blazak stated, "It was a great tour. I agree with the collaboration, as I wasn't aware of how much went on between all of the scientific folks that we have from the whole region. It was very interesting. It brought a lot to light, and we could actually see what was going on. We saw the new hospital coming out of the ground, and it was exciting to see. I want the Board to be cognizant of the efforts of staff for that area, and the whole Southwest Annexation area. Whatever we can do to work with businesses is critical. The potential for the world that they are working on out there is pretty amazing. We need to do anything that we can to help prosper that whole area." Ms. MacKenzie said, "It was a fantastic experience. There are so many people that have no idea what is going on in Port St. Lucie. We should have more public relations about what is going on there." Mr. Battle commented, "Not only local PR, but more regional outside this area."

10. ADJOURN

There being no further business, the meeting adjourned at 2:55 p.m.

Ernie Ojito, Secretary

April C. Stoncius, Deputy City Clerk