

**CITY OF PORT ST. LUCIE
PLANNING AND ZONING BOARD MEETING MINUTES
FEBRUARY 7, 2012**

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Parks at 1:30 p.m., on February 7, 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: Susan E. Parks, Chair
Charles Rooksberry, Vice Chair
Brian Battle, Alternate
Bryan Gardner
William Blazak, Secretary
Ken Martin
Ernie Ojito

Others Present: Councilman Jack Kelly
Gregory J. Oravec, Assistant City Manager/
CRA Director
Pam E. Booker, Senior Assistant
City Attorney
Daniel Holbrook, Planning and Zoning
Director
Anne Cox, Assistant Planning
And Zoning Director
Roxanne Chesser, Engineering Department
John Finizio, Planner
Katherine Huntress, Planner
Bridget Kean, Senior Planner
Thresiamma Kuruvilla, Planner
Marty Sanders, St. Lucie County
School District
Joan Weissman, Planning Technician
April C. Stoncius, Deputy City Clerk

3. DETERMINATION OF A QUORUM

Chair Parks stated that a quorum was present.

4. PLEDGE OF ALLEGIANCE

Vice Chair Rooksberry led the assembly in the Pledge of Allegiance.

5. APPROVAL OF MINUTES - JANUARY 3, 2012

There being no corrections, the minutes were unanimously approved.

6. CONSENT AGENDA

A. P11-141 FOUNTAINVIEW PLAZA PUD - SITE PLAN

Chair Parks advised that Item 6 A, P11-141 would be moved to the end of the meeting.

7. PUBLIC HEARINGS

Chair Parks stated, "The applicant or agent for the applicant must be present. If no representative is present for the application, it may be tabled to the following month's meeting. Anyone wishing to speak on any item may approach the podium after the issue has been opened for the public to comment. Each person wishing to speak may do so for not more than three minutes. Please state your name when you come to the podium. You may speak only once for each agenda item. Your comments and concerns are very welcome. However, we must maintain order and provide time for everyone."

A. P12-006 CITY OF PORT ST. LUCIE - AMENDMENT TO THE COMMUNITY REDEVELOPMENT PLAN FOR SOUTHERN GROVE

Mr. Holbrook said, "This is the second draft of the proposed modification to the Community Redevelopment Plan for Southern Grove. The City of Port St. Lucie's Community Redevelopment Agency is the applicant. City staff is the representative for the applicant, and has prepared the attached plan. At the Community Redevelopment Agency Board meeting of August 15, 2011, the Board unanimously recommended the approval of the proposed modification of the Community Redevelopment Plan to include an additional area commonly referred to as Southern Grove, which is a DRI, subject to the City Council's determination that the redevelopment of the area is necessary pursuant to Chapter 163, Florida Statutes."

Mr. Holbrook stated, "On August 29, 2011, the City Council, after holding a public hearing, adopted Resolution 11-R50, finding the redevelopment of Southern Grove necessary pursuant to the Florida Statutes, which prompted staff to prepare a modification of the Community Redevelopment Plan. The City hired outside consultants that prepared both a legal opinion as to the legality of including Southern Grove as a part of the Community Redevelopment Area, and to provide tax increment revenue

projections. City staff conducted a two-month process of interviewing over 50 individuals. We invited over 80 people to attend during the months of November to December of 2011. Those individuals were property owners, business owners, public officials, and citizens. It was followed by a public workshop at the Tradition Town Hall on December 14, 2011. The interviews and workshop explored the topics of land use, aesthetics, transportation, economics, and investments. I want to thank everyone who participated in it. The insight was very diverse, and a lot of people gave different opinions and shared time as a part of the interview and workshop process. The plan modification draft was presented to the Community Redevelopment Agency Board on January 23, 2012. At the meeting, the Board reviewed the plan and provided comments. Since that meeting, minor formatting and adjustments have been made to the attached plan. The Planning and Zoning Board is now tasked and asked to review the plan, and consider if the proposed plan modification is in conformance with the City of Port St. Lucie's Comprehensive Plan. The subject property has numerous owners that are listed on Page 15 of Appendix D. The subject property is generally located south of Tradition Parkway, north of Martin County, east of Community Boulevard, and west of Interstate 95. The size is approximately 3,606 acres. The existing zoning for the property is predominantly St. Lucie County AG-5. The northern portion does have City zoning, which is MPUD. The existing uses are hotel, research and development, undeveloped vacant land, and agriculture. On the north end to the west are mixed use Developments of Regional Impact, known as Tradition and Riverland/Kennedy."

Mr. Holbrook continued, "The future land use designation is NCD, which is the New Community Development District. The proposed plan provides for a vision of the subject property that is supported by one goal, two objectives, and two policies. I will give you some of the critical ideas that went into the formulating and the drafting of that vision. First: Southern Grove is not a typical CRA, which features a built out urban environment and a decaying area with the need of being redeveloped or rezoned. It is a CRA because of economic factors. Number Two: Southern Grove is largely a clean slate with a good plan. Third: the CRA is the most promising tool that the City has at its disposal to realize the desired development of job creation in Southern Grove. For those who aren't familiar, Southern Grove has been known as the jobs corridor section of the City. It was presented to the City to make up some of the deficiencies it has had with the GDC legacy. The CRA provides the agency with a dedicated funding source and authority to implement incentive programs and public improvement and other projects, which affect the community's vision for the area. As a

result, the agency can work to attack barriers of development like hiring costs stemming from the southwest SAD and regional tax climate, or to provide public amenities that provide added value. Fourth: It provides an opportunity to overcome the legacy of GDC. Fifth: The vision, goals, and objectives of policies for Southern Grove are extremely focused compared to what you would typically have in most CRA's as well as the plan that we have for the eastern CRA. The vision for Southern Grove is a regional employment center and a retail destination providing the City with a diverse economic base forum of innovation and interval facet of its identity and fiscal stability. The area will be a well planned Mixed Use community that is aesthetically pleasing, interconnected, sensitive to the environment, and unique. It will enable the City to become a better place where its citizens need not leave to fulfill life's necessities. It will be a place to live, learn, work, shop, socialize, and play. The goal of this vision statement is that the Community Redevelopment Agency will promote and support the build out of Southern Grove pursuant to the approved Southern Grove DRI Development Order. The City's Comprehensive Plan and the vision statement may be amended from time to time."

Mr. Holbrook said, "In going through the plan as part of the review of the impacts and findings, we are looking at the City's Comprehensive Plan and how it plays in, and if it is consistent with it. We have an application, a Notice of Proposed Change to the Development Order for Southern Grove, that will be before this Board and its first public hearing at the March 6, 2012, Planning and Zoning Board meeting. During the review of DRI, the NOPC and subsequent substantial deviation applications, impacts and findings for level of service standards and other items required by state law have and are being reviewed. Revised Development Order conditions to address such impacts of the proposed development program are being finalized and are scheduled for the next Board meeting. The proposed modification to the Community Redevelopment Plan for Southern Grove is consistent with the following goals, objectives, and policies of the City's Comprehensive Plan. I'm not going to read those in their entirety, but they are part of the staff report if anyone wants a copy of it. They are specifically, Goal 1.1 and Goal 1.2, the western annexation sub-area elements and Goals 1.7, 8.1, and 8.3. The requested action is for the Planning and Zoning Board to hold a public hearing, and consider if the proposed plan modification is in conformance with the City of Port St. Lucie's Comprehensive Plan. The Planning and Zoning Department staff finds the proposed modification to the Community Redevelopment Plan for Southern Grove, Draft 2, to be consistent with the policies of the Comprehensive Plan, and recommends approval."

Chair Parks advised, "Since the City of Port St. Lucie is the applicant, they will not come forward at this time."

Chair Parks opened the Public Hearing. There being no comments, Chair Parks closed the Public Hearing. Secretary Blazak inquired, "What other incentives could we add to this? Is there something we can do once they get their changes in? The whole key to this is development, and if there is no development, the CRA is an empty bag. What else do we have to look forward to?" Mr. Holbrook responded, "We have the future to look forward to. If you would turn to Page 24, as a part of this plan, there is a list of incentives, which are expedited permitting and an ambassador program. It indicates we need to stay with what we have. It is a unique opportunity along I-95, as the infrastructure is there. We have rooftops and partnership for development costs. The Agency could construct and then select businesses for incubator buildings, and provide loans. There are other items that are listed, and these are part of a set of tools that the CRA has. It is not restricted to one, but it gives them options as opportunities come forward. We have a situation where the City could do nothing, but the City has decided to take a step with a plan and list of incentives to try to have success. The long term vision is to have the jobs corridor for the City." Secretary Blazak said, "I read the incentives, but how do we get there? It is going to be five years before you have any money available in the CRA. How do we assure that this property gets advertised? If we are worried about the taxes being paid, how do we know that it will be marketed appropriately?"

The Assistant City Manager stated, "In the first five years, the plan authorizes all of the programs that are available to the CRA, and gives us all of the tools available. It is then up to the Board to figure out which tools it wants to use, and how it can implement them. I'm going to give you some examples of how the agency can be creative to accomplish things without money up front. It is important to recognize that the City Council has taken debt off of the table, so there is no ability to go out and bond anything. One of the incentives is paying development related fees. One such fee is an impact fee. The agency could very easily work with the City to internally arrange for the agency to make payments on behalf of a desired project that created a targeted number of jobs at a target wage. It could be paid off over time, and the CRA would make those payments on a schedule agreed to by the agency and the City. It wouldn't need any cash in pocket, as that is something that can be set up. Additionally, one of the main incentives that are being imposed is the offsetting of the Southwest Special Assessment payments. Every developer does a pro forma before they do a deal to see if

they can make the numbers work. When the property owner or the City is trying to recruit you, and you have whole districts that are about \$10 million and your pro forma is \$1 million a year, then that is blowing up your pro forma. We could say that 50% of the taxes levied on your property can go back towards your assessment, so that just improved the pro forma. Before it wasn't doable, but now it is, because you were able to offset the cost and the deal would be profitable. That doesn't take any cash in hand for the agency to do it. It just takes the creation of the program. When the building materializes and they are paying taxes, a portion of that tax is going to go to offset the special assessment payment. It is just creating a possibility to make the pro forma work. As you know, if the numbers don't work in your pro forma, it will never happen." Chair Parks said, "I have reviewed and compared the Comp plans, and I find them to be the same except for two items. The second one has open space recreational areas and the park and ride lot, which are very important to have updated in the new plan."

Vice Chair Rooksberry **moved** to recommend approval of P12-006, City of Port St. Lucie, Amendment to the Community Redevelopment Plan for Southern Grove. Secretary Blazak **seconded** the motion, which **passed** by roll call vote with Secretary Blazak, Chair Parks, Vice Chair Rooksberry, Mr. Ojito, Mr. Battle, and Mr. Gardner voting in favor, and Mr. Martin voting against.

B. P10-100 MOBILITY STUDY

Ms. Kean said, "This is a mobility plan that was prepared for the City and the county by FDOT. Beginning in 2010, staff from the City's Planning and Zoning and Engineering Departments participated in a series of meetings organized by the Florida Department of Transportation, District 4, to discuss the multi-modal transportation planning in St. Lucie County. The multimodal transportation planning considers various modes such as walking, cycling, public transit, and also looks at the connections among these modes in terms of how they affect the overall transportation system. The participants in those meetings included staff from the City of Port St. Lucie, the City of Fort Pierce, St. Lucie Village, the St. Lucie TPO, St. Lucie Transit, St. Lucie County School District, and the Treasure Coast Regional Planning Council. The result of these meetings was the preparation of a Mobility Plan countywide. It looks at the impacts both to the local level for the City of Port St. Lucie, St. Lucie County, and the City of Fort Pierce, which includes an assessment of existing and future conditions countywide, within the jurisdictional boundaries. It also looks at roadway levels of service, and the quality of service for walking, bicycling, and transit use. The roadway level of

service is directly related to the number of vehicles and congestion in a facility, but the quality level of service focused on comfort, safety, and convenience of the traveler. This plan not only looks at how traffic moves on a road, but also how comfortable it is for people to walk or ride a bike, if those facilities even exist. It offers recommendations to the City and to the county on how to improve the facilities. It was funded by FDOT, and it was prepared by their consultant with input from the City and county staff. The City's Comprehensive Plan does encourage the establishment of an integrated transportation system and coordination of transportation planning with the Florida Department of Transportation and St. Lucie County, as well as the TPO and other partners. The Planning and Zoning Department recommends the City adopt this document by resolution, recognizing it as a guiding document for transportation planning for the City of Port St. Lucie." Chair Parks said, "Since the City of Port St. Lucie is the applicant, along with the other agencies that were listed in the report, there will not be a presentation by anyone else."

Chair Parks opened the Public Hearing. There being no comments, Chair Parks closed the Public Hearing. Mr. Gardner **moved** to recommend approval of P10-100, Mobility Study. Mr. Martin **seconded** the motion, which **passed unanimously** by roll call vote.

C. P11-139 ST. LUCIE WEST - DEVELOPMENT OF REGIONAL IMPACT/NOTICE OF PROPOSED CHANGE - 15TH AMENDMENT

Ms. Huntress said, "The applicant is Cotleur and Hearing for HL St. Lucie, LLC. 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. The size is approximately 4,614 acres. The initial St. Lucie West DRI Development Order, Resolution 87-R15, was approved by the City Council on February 9, 1987 with residential, industrial, office, commercial and retail, parks and recreation, schools, and town center uses. There have been 14 amendments to the initial St. Lucie West Development Regional Impact Development Order since it was originally adopted. The previous changes are listed in the attached resolution. The current St. Lucie West DRI Development Order, Resolution 10-R47, was approved by the City Council on July 12, 2010, with the following development thresholds:

| | |
|------------------------|-----------------------|
| Residential | 7,125 dwelling units |
| Hotel/Motel | 800 rooms |
| Office | 1,562,899 square feet |
| Commercial/Retail | 2,125,287 square feet |
| Industrial | 2,499,528 square feet |
| Post-secondary Schools | 5,000 FTE students |

| | |
|---------------|---------------|
| Stadium | 5,000 seats |
| Town Center | 0 square feet |
| Movie Theater | 3,218 seats |
| RV Park | 525 spaces |

The Notice of Proposed Change, NOPC, to the approved DRI is requesting changes to include a simultaneous decrease of 162,700 square feet of office use and an increase of 240 residential units as shown on Exhibit 'E' on the attached resolution. No changes to the Master Development Plan are proposed. The transportation conditions of the St. Lucie West Development Regional Impact Development Order have been satisfied and the roadway improvements have been made. 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 letter stating that is attached to the staff report. We received a letter from the Florida Department of Transportation after the packet was put together, so we distributed copies before the meeting. The letter states, 'The proposed change results in no change in the PM peak hour trips that will be generated by the DRI, and hence there will be no transportation related impacts. Based on the materials submitted, the Department offers no comments concerning this proposed St. Lucie West NOPC.'

Ms. Huntress continued, "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. There are two other projects that are scheduled on this agenda; P11-140 is the Fountainview Plaza PUD Amendment No. 3 and that amendment to the PUD includes the following:

- 1) Provide for a multifamily residential use.
- 2) Addition of shared parking regulations.
- 3) Reduce their requirement for native landscaping from 75% to 50%.
- 4) Update the Conceptual Plan.

The Site Plan, which is accompanying this, is P11-141, which we have moved to the end of the agenda. It is going to be a total of 402,500 square feet with several different uses including residential, office, retail, restaurant, and a daycare."

Donaldson Hearing, Cotleur and Hearing, representing the applicant, said, "Staff did a very thorough job in walking you through this proposed NOPC 15. As you may recall, NOPC 14

converted or reduced the number of residential units by 400 units to increase the number of hotel units. We are trying to balance it by adding 240 single-family units, and decreasing simultaneously the amount of office space by 162,000 square feet."

Chair Parks opened the Public Hearing. There being no comments, Chair Parks closed the Public Hearing. Mr. Gardner **moved** to recommend approval of P11-139, St. Lucie West, Development of Regional Impact, NOPC, Amendment 15. Mr. Martin **seconded** the motion, which **passed unanimously** by roll call vote.

D. P11-140 FOUNTAINVIEW PLAZA - PUD AMENDMENT NO. 3

Ms. Huntress said, "Cotleur and Hearing is acting as the agent for the owners, as there are multiple owners in the Fountainview Plaza PUD. They are listed in Exhibit 'E' of the PUD document. The property is located on the south and east side of SW Fountainview Boulevard, south of St. Lucie West Boulevard, north and west of The Belmont multi-family development, and east of I-95. The legal description is Lots 6-10, St. Lucie West Plat No. 164, 2nd Replat, and is approximately 30 acres. The existing zoning is the Fountainview Plaza Planned Unit Development, and the existing uses are office building, Carrabba's Restaurant, Residence Inn, and cleared vacant land with partial pavement. A detailed list of the Third Amendment is on Page 4 of the PUD document and includes the following:

- 1) To provide for a multi-family residential use.
- 2) Addition of shared parking regulation.
- 3) Reduce the requirement for native vegetation from 75% to 50%.
- 4) Update the Conceptual Plan.

The proposal is consistent with the direction and policies of the Comprehensive Plan. Objective 1.1.4 states that future growth, development, and redevelopment shall be directed to the appropriate areas as depicted on the Future Land Use Map. The Site Plan Review Committee reviewed the request, and unanimously recommended approval on December 28, 2011. The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan and the St. Lucie West DRI, and recommends approval. We have had numerous correspondences from St. Lucie West residents concerning this project. After the packets were put together, we received a letter from the Florida Department of Transportation that you should have in front of you. A majority of the correspondence was from the residents of The Belmont, which is adjacent to the eastern border of the PUD.

There is also an email from a board member of the Magnolia Lakes HOA in opposition to the project. The main concerns of the residents are as follows:

- 1) The addition of residential units.
- 2) The need for commercial/retail.
- 3) The building height.
- 4) The noise and light.
- 5) The buffer between The Belmont and the proposed development.
- 6) The Dumpster location.
- 7) The pool location.
- 8) Traffic congestion.
- 9) The decrease in native vegetation.

We organized the letters so that there was one form letter that people signed. There were also some additional independent comments." Chair Parks stated, "It is very difficult to read this amount of material on the dais, but many of them were a form letter. I believe there are approximately 45 disapprovals."

Donaldson Hearing, Cotleur and Hearing, representing the applicant, said, "It may be most appropriate for this item to be heard simultaneously with the Site Plan." Chair Parks advised, "Generally speaking, our applicants don't request that of me, but I was already going to do that." Mr. Hearing clarified, "So we will just defer this matter until the Site Plan." Chair Parks stated, "I would prefer that you do your presentation now."

Mr. Hearing said, "Before you is a request to amend the existing PUD document and PUD Master Plan for this project. There are four components that we want to modify. The intent of it is so that we can create a vibrant mixed use center at the Fountainview site, which is a part of the Fountainview PUD. They are the largest group of undeveloped parcels that are remaining at the intersection of I-95 and St. Lucie West Boulevard. The amendments are supported by 100% of the commercial property owners, and some of them are here today. There are some concerns that have been identified by the residents, and we will speak to those when we get into the details of the Site Plan. The amendments that we are proposing are to add residential as a component to this PUD so we can create a vibrant mixed use center. One of the underlying land uses is residential, so it is fully consistent with your Comprehensive Plan, and is the overall intent of creating a mixed use center. Also, we have introduced a shared parking methodology based on the Urban Land Institute. The existing PUD has shared parking, but it assumes shared parking for one parcel to the next. We are proposing shared parking to recognize the synergies of the specific nature

of our mixture of uses that we have. For example, the synergies between residential and professional office that are there. The current PUD document requires that 75% of the landscaping be of native plant materials, which limits what we can achieve from a design perspective. The City Code requires 50% for trees and a little less for shrubs. We are asking for 50% native plant materials, 50% trees, and 50% shrubs, so we can develop a landscape theme that is consistent with a vibrant mixed use center."

Mr. Gardner inquired, "Could you clarify the mixed parking scenario?" Mr. Hearing responded, "Mixed use projects commonly have shared parking. During the day, you will have office workers. However, the peak of the office use is different from that of a residential use. The same thing with restaurants, as we have a restaurant pad that is included as a part of our proposed Site Plan. The restaurant pad would be used such as Carrabba's across the street that drives a large evening type of peak parking requirement, as opposed to the parking that would be required during the day. The Urban Land Institute has developed, together with the Institute of Traffic Engineers, a methodology to evaluate what those peaks are each day of the week, including the weekend. We determined what the maximum peak is to determine the required parking allocation for the site." Mr. Gardner clarified, "In your calculations, you are factoring in the apartments at 10:00 p.m. that are at full capacity, and you are calculating that people are parking across the street at the business locations." Mr. Hearing responded, "They would be within a very close proximity. We assume that about 10% of the office parking in the evening hours would be open." Mr. Gardner asked, "Would the residents have to park across the street at a business?" Mr. Hearing replied, "The residents will only have to walk a certain distance that is all within a very close proximity. They are walking no further from their car, whether they were parking in the areas that are solely dedicated to residential, versus where they would be walking from for the shared parking." Mr. Gardner questioned, "Do the property owners across the street know that their parking is going to be shared with the apartments across the street?" Mr. Hearing answered, "Since it is all one development, we typically have a shared parking covenant. As part of the residential as well as the office, they are made aware of the shared parking. We can't assign parking when you are dealing with shared parking. This is a methodology that we have used very effectively in other parts of the state." Secretary Blazak clarified, "I just want to make it clear that you are not reducing the quantity by 25%, but you are reducing the type of landscaping." Mr. Hearing stated, "We are only talking about the type. That is correct." Secretary Blazak clarified, "You will be consistent with what the rest of

the City has with requiring 50% native-type plants." Mr. Hearing responded, "Absolutely."

Mr. Ojito asked, "Are the building locations preset, or do you have flexibility?" Mr. Hearing replied, "There is some flexibility, pursuant to the PUD Master Plan." Mr. Ojito stated, "I have concerns about the lack of pedestrian connectivity between the different buildings. I would like to see more creativity in the Site Plan." Mr. Hearing remarked, "I will go over it in the Site Plan phase." Chair Parks questioned, "Has your company gotten together with the group of residents in that area in a public forum to present this to them prior to this meeting?" Mr. Hearing answered, "We met with them previously and earlier today. I also extended a willingness to meet with them following this meeting. We can address a majority of their concerns, and will continue our dialogue with the residents." Chair Parks inquired, "When was the meeting held?" Mr. Hearing responded, "We met with them three weeks ago on January 23, 2012." Chair Parks asked, "Where was it located? How many people were in attendance?" Mr. Hearing replied, "It was at the clubhouse where we met with representatives from their board and the residents. It was an open meeting, but I'm not sure how they advertised for it." Chair Parks said, "Thank you."

Chair Parks opened the Public Hearing.

STEVEN LEVENHERZ, President of the Board of Directors of The Belmont at St. Lucie West, said, "We are the community directly to the east of the property. The City and the Planning and Zoning Department should strongly consider the original PUD for the site. Our community is cognizant of the economic times that we are confronted with. A lot of St. Lucie West properties are facing foreclosures, and many units are vacant. We are seeing enormous erosion in our tax base, reduction in our property values, and many of us are struggling to survive, as well as many associations. The City needs to consider the wants and needs of the communities that have these vacancies, as adding additional multifamily residential units will further dilute the tax base. We don't need more residential units in St. Lucie West, especially to amend an existing PUD. We need businesses, corporate offices, professional offices, and permanent jobs in the City, in our county, and in our country."

TOM GIBSON, property owner, said, "I own the two office buildings directly adjacent to this parcel. The PUD amendment has had 100% of the other commercial owners' approval. They are behind it all of the way. The site had been approved for 300,000 feet of office space, which will never happen in my lifetime. We have two buildings there that have 75,000 feet that we have

struggled to get through in this down time. We believe and support the idea of a mixed use to bring more people in. Thank you."

W.O. PEARCE, The Belmont resident, said, "I think it is very important for the Board to view the entirety of St. Lucie West. There was obviously a vision when it was put there as a PUD. It is important that you keep that first and foremost in your mind, because if you approve this project, it is done. The question is what kind of image do we want to present? In my mind, I-95 and Exit 121 is an entrance to a very attractive and appealing place to be. If you drive down St. Lucie West, there are very attractive retail, professional, and medical buildings, and you want to put a midrise apartment complex at your front door. Whether you agree or disagree, I think you have to agree that it would present an image that is not consistent with what you have been trying to accomplish. There is really only one reason that this property is being developed in this direction, and that is because they haven't been able to sell the parcels, and we know why. We are in a bad economic situation. If you approve this project, it will be there forever. Our current economic buildings will not, and when things get better, those parcels will be sold. I feel for them having to carry them, but that is the risk of doing business. They are big boys, and they ought to know that when they got into it. You will set the image of what people are going to see when they come into the St. Lucie West community."

Mr. Pearce continued, "The traffic flow pattern is already a problem. You have redone the roundabout one time, and it will have to be redone again. If you put a stop light there, it will have a major impact, because a lot of vehicles come off of I-95 and turn right to go around the traffic circle and back the other direction. They won't be able to do that, and the crossover from people coming off of I-95 trying to turn left on Peacock is already impossible many times because of the Mets games, and so forth. There is a problem there, and I don't know how you are going to be able to resolve it. Thank you for the opportunity to speak." (Clerk's Note: Mr. Pearce submitted a letter of opposition.)

LARRY GLICKMAN, The Belmont resident, said, "I'm an owner, and I reside in The Belmont, which is very close to the hotel and in direct proximity to the proposed project. The issue everyone is focusing on is whether or not there should be residential allowed in that area. I want to speak in favor of the PUD amendment. When this project gets built, there are going to be jobs. When it is finished, there are going to be people who are going to live, shop, and work in St. Lucie West. All of that

will contribute to the revival of our area. I would rather the marketplace decide what should be done with this property than a decision be made by regulators. If investors have determined that it makes sense to invest, then I think we should allow that to happen and should support it, because this is the economic activity we are looking for. The rising tide will lift all of the boats, including my property and investment. I would ask you to vote in favor of supporting the rising tide, which is with real investors that have real money, and will create jobs in this area. Thank you."

There being no further comments, Chair Parks closed the Public Hearing. Mr. Gardner said, "In 2003, I got off at Exit 121 for a tank of gas at 10:00 p.m. on a Saturday night, and it was dead as could be. My wife and I fell in love with St. Lucie West in the dark, and came back the next morning to buy a house. I feel that if we would have gotten off that exit and seen a four-story apartment building, it would have painted a different picture. I have to agree with the resident that came up earlier who indicated the overall aesthetics of the community is what people see. I don't think that a project of this scale is appropriate. I could be in favor of a smaller project, but because of my feelings, I will not be voting in favor of this today." Secretary Blazak inquired, "What height are the hotels?" Mr. Hearing explained, "The maximum height of a commercial building allowable is 75 feet, and the residential is 50 feet. The Hampton Inn is around 50 feet, and the newer six-story is around 67 feet in height. We will be below those heights on all of the buildings proposed as part of the PUD." Secretary Blazak pointed out, "With the change in the landscape, you will be able to get some trees in the 35 to 40-foot range around these buildings to soften them up." Mr. Hearing replied in the affirmative. Mr. Battle asked, "Do you have anyone that is interested in the property, as far as the office space and restaurant space?" Mr. Hearing replied, "My client is speaking with people to move into the office space at this time, so there is some movement. There is nothing specific regarding the restaurant space or the retail, because it would be driven by being able to create some synergies within the area. Without the residential, the potential of getting any meaningful retail wouldn't likely occur, but there is some movement. The project is going to be at a minimum in the range of about a \$50 million initial direct capital expenditure. Those monies are going directly into the economy, which are hard dollars and money to the City. The common economic ripple effect of it is about \$120 million directly impacting the St. Lucie economy. Of course, there is the ad valorem tax, what the businesses will be spending, and what they bring to this economy. This is a very significant project, and when we get into the Site Plan, you will begin to

understand the benefits of it. I would request that you approve the PUD, which does not approve the project. It just gives you the ability to evaluate the project. Without the PUD, we would not be able to present the project to you, should you find that it would be good for the City." Chair Parks said, "I appreciated your money trail comments, which I think are very valuable. Often people have come to us with lovely plans, but didn't have a money trail, which is paramount for the success of any project. Also, I have seen people come in and we grant them wonderful projects, but within several months there is a for sale sign on that project. I don't want to approve it if you are going to sell the project. Is this an investor who is a strong capital person who will fulfill the project, and fulfill what is being proposed?" Mr. Hearing stated, "Let me introduce you to the developer, James Knuckle with Center Star Development. This is not speculative. He has closed on the property before he had the approval from the City. He is looking to create a vibrant mixed use center, and has the capital to do it." Mr. Gardner asked, "Do you have any statistics on the occupancy rate or the current rentals in St. Lucie West?" Mr. Hearing replied, "I don't have the direct statistics, although we do know that there is an increasing need for rentals in the market place. When we get into the details of our Site Plan, you will see why it is not the same as a traditional rental apartment. There haven't been any new ones built in a long time, but there are people that are coming into town to work at VGTI or Torrey Pines. People may be coming from out of the country, because a lot of scientists come from out of the country, or they may be coming down from the northeast and still have a home up north that they can't sell, or they may not want to buy when they first get here, so this provides a great opportunity. We are also doing a lot of activity around the Scripps Max Planck area, and we are finding that a lot of the researchers, particularly the young people coming in working within the labs are European, and they'd much rather rent. In Europe, they rent a lot more than they own. We are proposing 215 residential units on our Site Plan, so it is a relatively small number." Mr. Gardner asked, "How do you substantiate the need for the project without statistics on what the available rentals are?" Mr. Hearing replied, "The market reports a need for it. You can't look at the rental market the same as you would a new mixed used project. We think that people will enjoy the amenity that we are bringing here that other cities don't have. It will have a professional management, and there will be some people that will rent in a project like ours, as opposed to those who would actually go find an individual home to rent within a neighborhood. The Belmont has a pretty good population of renters, as opposed to owners. It will be a high-end rental with air conditioned corridors. They are not garden apartments, as

you will see when we get into the Site Plan. We have elevators in our buildings, so we can appeal to a very broad scale of people."

Mr. Gardner said, "We looked at the occupancy statistics with the service stations a couple of months back, as far as the amount of gas pumps there were to people, and it was a concern. It concerns me with the amount of vacant real estate that we are going to green light a project like this in the name of getting this parcel sold. I support the development process, but I want to make sure we are picking the right use for it." Mr. Ojito stated, "I'm torn in the sense that I'm for mixed use, as I think that it is something that works. The problem I have is that if I vote for this, we will end up with a Site Plan that I don't think has any merit. When you look at mixed uses, residential over retail and a more pedestrian friendly type of mixed use will use less asphalt. I know there are a lot of parking requirements, but the issue that I have is that if we vote for this, then we lose our leverage with the Site Plan. That is something that we need to look at." Secretary Blazak said, "We have before us the amendment to allow residential, and we will work towards the Site Plan. I see it as a plus to have this. I think there is a market, and we have a developer that wants to bring us a new project. There is certainly a need for it in that area, and they have covered the positives for it. Obviously, the Site Plan Review Committee has looked at it and there is something that they like, as they unanimously approved it. I think for the amendment to have residential in this area is fine."

Secretary Blazak **moved** to recommend approval of P11-140, Fountainview Plaza, PUD Amendment Number 3. Mr. Martin **seconded** the motion, which **passed** by roll call vote with Mr. Battle, Mr. Martin, Secretary Blazak, Chair Parks, and Vice Chair Rooksberry voting in favor, and Mr. Gardner and Mr. Ojito voting against.

6A. P11-141 FOUNTAINVIEW PLAZA PUD - SITE PLAN

Ms. Huntress said, "Cotleur and Hearing is acting as the agent for the owner, HL St. Lucie, LLC. The property is legally described as Lot 6, St. Lucie West Plan Number 164, second replat, and is approximately 16 acres. The existing zoning is the Fountainview Plaza Planned Unit Development and the existing use is clear vacant land with partial pavement. The proposed project consists of 10 buildings for a total of 402,500 gross square feet. The buildings consist of the following: two 97,000 square foot four-story residential buildings, 80 dwelling units each, one 65,000 square foot four-story residential building with 55 dwelling units, one 45,000 square foot four-story office

building, one 56,000 square four-story office building, one 21,500 square foot three-story office building, one 5,800 square foot one-story retail building, one 52,000 square foot one-story retail building, one 5,000 square foot one-story restaurant, and one 5,000 square foot one-story daycare building. The project has been reviewed for compliance with Chapter 160 City Code regarding provision of adequate public facilities and found in compliance. The Site Plan Review Committee reviewed the request at their meeting on December 28, 2011, and unanimously recommended approval. The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the City's land development regulations and policies of the Comprehensive Plan and recommends approval."

Donaldson Hearing, Cotleur and Hearing, representing the applicant, said, "I want to introduce Mr. James Knuckle with HL St. Lucie, LLC and Center Star Development as well as our Civil Engineer, Mr. Roderick Kennedy and our traffic engineer, Sean McKenzie. This is an exciting project. I have worked with a lot of projects with mixed uses that have been very successfully done, so I'm very excited about the project, the Site Plan, the architecture and how it is being delivered. As you are aware, the site is located south of St. Lucie West Boulevard on the east side of I-95. It is about 15.64 acres in size. There is commercial zoning all around the site, but you will also notice that there is multifamily, which is The Belmont community that is in higher density to the east; further east is an even lower density. There is a great combination of density, which is one of the things that we try to achieve from a planning perspective. We appreciate all of the comments that The Belmont community has, and we are committed to try to address those. All of their comments are valid and we will address those. Some infrastructure has already been put in place, and there is an existing main street. It is a beautiful parcel that has sat vacant for a long time. What we are proposing could really be a jewel at the entry gate of St. Lucie West, and I think it will be something that you will be very proud of. The PUD would allow for a 75-foot building being adjacent to the Belmont community. The previous Site Plan that was approved had a 65-foot building adjacent to The Belmont, and it was a large hotel similar to this one. We are proposing to reduce that with the transition that we propose. Our total development in front of you is 122,000 square feet of office and 10,800 square feet of retail. We don't see this as being a retail power center, but we see the opportunity for a bakery or a small café or restaurant. It will be stores that will serve the needs of the businesses and those that might be staying in the hotel, as well as the needs of the residents that will be there. We do have a 5,000 square foot restaurant pad, a 5,000 square foot preschool, because we think

if we can bring some employment base here, that a preschool would be a good synergistic use, and there are 215 proposed residential units. The Site Plan has four points of entrance. The primary point of entrance is at the existing main street location, and there are three others at logical locations to provide a sense of mobility in and out of the project. The two buildings that are northwest are both retail buildings, and we are trying to create a vibrant pedestrian type of a feeling. We are not proposing to vertically integrate residential over commercial, because that won't work. We have a good understanding of what will work. We have a two-story office building that is 21,000 square feet, and two four-story office buildings that are about 122,000 square feet in total."

Mr. Hearing continued, "We would have a pool that will provide a recreational opportunity. We are proposing an interconnection between the Belmont community and this project so that there is an opportunity for them to engage and enjoy the site. It is a one-way access point for The Belmont's use only. If they don't want the access point now, but they may want it in the future, we have provided for that. We also have a very comprehensive network of pedestrian walkways that interlink the different uses that we have together. The architecture is extremely well articulated and it is very proportionate. It is a classical style of architecture with a different articulation at the ground level. We are planning for the future, and for the building to have flexibility at the ground level, so it is a higher floor plate. It is articulated that way so that in the event in the future there is an opportunity for additional retail uses, we planned for it. We would have to come back to you to get approval, but we have planned for it. On the north side there will be another one-story building, flanked by a two-story building in the back and then a four-story building. We have worked to create some very interesting architecture. This is high quality and well thought out architecture that our client is proposing to deliver. At the end of the street as an amenity there is an architectural element, which is something that we try to provide as a terminated vista. We want this place to be something that people can walk to and when you have a tall element, like the dome element, it gives somebody a viewpoint to walk to, as well as providing some variety. This will be a true mixed use project where all of the buildings are different. The architecture is four-sided, so all of the architecture on both the commercial buildings and the residential buildings are articulated with architecture. There is no front or back. There are doors and access points on both sides. We have pedestrian corridors on both sides and a paver system that goes between the courtyard and in between the buildings. You won't find too many developers who want to take a 5,000 square foot retail building

and split it in two, because it is very expensive. There are double the walls, but he is doing it specifically, because for him, he understands that if he provides for some of this retail, this ancillary use, that it will be an amenity to attract a higher quality tenant in the office building. At a cost, he is doing this and we are pointing that out because we really are trying to cater to the pedestrian movement. We would hope it would become an amenity for the residents of the Belmont and help them sell their homes, because it is something that you would want to be around."

Mr. Hearing stated, "The residential buildings are also articulated with the same architectural style, very classical. They are very different than a traditional garden apartment, as they are usually three-story walk-ups, and they are not air conditioned. They are the most inexpensive buildings that you can build. All of the other apartments that were built in St. Lucie West have all been converted to condominiums. These have elevators and are courtyard buildings that have a great design. You can access these buildings from the street and from the courtyard, and we have an air conditioned corridor interior. We want to provide an amenity for the residents. Our architecture is superior, and the landscape will be spectacular."

Mr. Hearing advised, "We have been in contact with the Belmont community and they have expressed some concerns regarding the landscape buffering. All of the landscape buffering that abuts the Belmont would go in the first phase of development. They had concerns with the Dumpster location, and suggested that we use a trash compacter that doesn't make noise. My client is open to work with the residents on that. The potential for noise from the pool we don't think will be an issue. We think there is a real market for a project that has rentals with a professional management system, because we provide a lifestyle with all of the amenities that a high-end luxury apartment environment that people come to expect. Our buildings are all four stories, and our pool is located well over 100 feet from any residential area. There are several pools that are in close proximity, and there haven't been any arguments. Pools are one of those things that you would demand in a community that you were going to buy in, but truly how often do you go to a pool? I have a pool in my backyard, and I haven't been in it for a year. The types of clientele that we are gearing towards are not going to be noisy and loud around the pool area. It is a little over 800 square feet. We have substantially landscaped it, and we think that it is truly mitigated given the distance and relationship of them. Staff has asked us to consider providing pedestrian gates to The Belmont. This is for their benefit, and they can control it with a key card. We are proposing substantial landscape buffering in

the first phase. The previous Site Plan that was approved had a wall of building along the eastern boundary that was 45 feet tall. Our buildings are residential, and only 50 feet tall. We have limited the height to provide a courtyard. We have been working with the residents on the buffering. All that exists now at The Belmont is a chain-link fence with no hedge. We have a 22 to 48-foot buffer and they have a 30-foot buffer, so we have a distance of 52 to 78 feet of pure green. Our buildings are set back with a minimum of 75 feet away, which is further than the past approved Site Plan, or about 105 feet building to building, so we have really tried to be respectful to the residents. This request is a decrease in trips relative to traffic, and does provide that opportunity for the capture of use, but it is a decrease of net trips. Our traffic engineer is here, so should you have a question about traffic, Mr. MacKenzie would be more than happy to talk about that. As far as the market, the gentleman who lived in The Belmont pointed out, the tide will rise with success and everybody's boat will rise with the rising tide. We believe that this positive economic benefit is really significant to the county and to the City, because it would be a \$50 million initial capital investment, which ripples through the economy. Also, the annual ad valorem taxes and others would be very significant. I would be happy to answer any questions that you may have."

Mr. Battle said, "Tell me why mixed use won't work here." Mr. Hearing responded, "You simply cannot get financing for it. We can't vertically integrate them, because in the event that Mr. Knuckle would want to convert them from rental to condominium, he wouldn't have the ability to do it because he couldn't get end user financing in this particular market." Mr. Battle asked, "In your phasing plan, what portions of the residential and office units do you plan to build first?" Mr. Hearing replied, "The first two buildings will be the 5,800 square foot retail building and the 21,000 office building. The residential will be built in the second phase." Chair Parks questioned, "What is the anticipated build out date of this property?" Mr. Hearing answered, "We would hope to be able to start construction within six to eight months. It will probably be a solid 12-month build out for the first phase of development. We would hope the second phase would begin within six to eight months of completing each individual phase. It would be about a five to six year build out of the total plan." Mr. Gardner said, "As far as the commercial property, are there concerns of building in this market, considering how much vacant office space there is in St. Lucie West?" Mr. Hearing responded, "The benefits of this site are that it has great visibility, and there is no bond debt or SAD associated with it. We are seeing some activity, and we think if we build the right product, it will be successful. We want to

build something a little different than just an office building, as we are trying to create something with a strong sense of identity." Mr. Gardner asked, "Do you have any statistics as far as the vacant office space in St. Lucie West?" Mr. Hearing replied, "We have some synergies that we think are special, and there is a good opportunity for us to be able to land people." Mr. Gardner inquired, "Do you have any statistics as far as percentages?" Mr. Hearing replied in the negative and remarked, "I know that the market is picking up." Mr. Gardner questioned, "Mr. Martin, do you have any idea what the vacancy rates are?" Mr. Martin answered, "St. Lucie West in general is experiencing lower vacancy rates than any other area in the county. The vacant properties are being absorbed in the office and retail class. The asset class is struggling the most in the county and everywhere in Port St. Lucie that is industrial. I would agree that there is a strong market, because the properties are being absorbed."

Secretary Blazak stated, "I think this is exciting, and it is in the early stages of form based codes where you can actually take the architecture and put all of the different uses in it. We are so used to when you say commercial, everyone is expecting to see a concrete wall. We need to mix and blend them, as it has been successful in California and Pennsylvania. I think it is something the City should look at and maybe have zones with form based codes, because it is a way to bring people in." Mr. Hearing advised, "There is a concern regarding the unknown, and it is our obligation to be a good neighbor. We found that people have supported our development in the past with the end product, and I'm convinced that it is the exact same case here. We will commit to you to continue to work with the residents to address their concerns to make them comfortable." Chair Parks said, "This will be a nice addition to Port St. Lucie if the Board approves it. The architecture is exemplary and world class, and the individuality of it is exciting. I hope the residents embrace it, because the opportunities for something unusual will make St. Lucie West very special. There is a seed there and now we need to get it to grow." Mr. Hearing said, "There are so many good things happening in the county, and nowhere else has the assets that the City of Port St. Lucie has between St. Lucie West and Southern Grove and the Tradition Development Regional Impact. The opportunities for the future are endless. Nobody else has those opportunities. They don't exist in Palm Beach County and they will never happen in Martin County, so we need to get the word out." Chair Parks remarked, "It will be a nice gateway to the City."

Secretary Blazak **moved** to recommend approval of P11-141, Fountainview Plaza PUD, Site Plan. Mr. Martin **seconded** the

motion, which **passed** by roll call vote with Mr. Battle, Mr. Martin, Secretary Blazak, Chair Parks, and Vice Chair Rooksberry voting in favor, and Mr. Gardner and Mr. Ojito voting against.

A recess was called at 3:15 p.m., and the meeting resumed at 3:30 p.m.

E. P11-163 CITY OF PORT ST. LUCIE - CHAPTER 158 - ZONING TEXT AMENDMENT

Ms. Cox said, "This is a City initiated amendment to the City's Zoning Code. The proposal is to amend the Code to add two new sections, which would allow for certain exceptions to the Site Plan approval and revision process. The main purpose of the proposed Zoning Text Amendment is to establish an administrator process whereby property owners can add minor structures and make changes to their sites without having to amend their Site Plan. This proposed change would expedite the approval process, thus saving time and money. The following items are proposed to be exempt from the Site Plan revision on previously approved developments:

1. Development activity to comply with the Florida Statute requirements for accessibility by handicapped persons.
2. Changes of use within a lawfully established building.
3. The construction of emergency electric power generators or solar facilities.
4. The construction of uninhabitable accessory structures less than 200 square feet in size.
5. The construction of fences with certain restrictions.

Staff would review the location and the size of these structures through the building permit review process. Staff thought it was a good idea to clarify what projects do not go through the Site Plan Review process, because these items are not spelled out in the Code. They are:

1. Single-family homes and their accessory uses.
2. Public Works projects.
3. Public Works stormwater projects.
4. City capital improvement projects, excluding public access buildings.

The Planning and Zoning Department staff recommends approval of the proposed text amendment to the Zoning Code."

Chair Parks opened the Public Hearing.

CLAYTON TRAVERS, C&C Canvas and Awning, Inc., said, "In the permit process, anytime a post touches the ground, they are making it so that I have to pull \$3,000 worth of permits. We are trying to amend this so I don't have to spend \$3,000 worth of permits for a \$1,200 awning. I've lost close to six or seven jobs over the last three to five months. A customer is not going to pay \$1,200 for a job if he has \$3,000 worth of permits he has to pull. I have been losing jobs like crazy, so I'm in support of this change."

There being no further comments, Chair Parks closed the Public Hearing. Vice Chair Rooksberry **moved** to recommend approval of P11-163, City of Port St. Lucie, Chapter 158, Zoning Text Amendment. Mr. Gardner **seconded** the motion, which **passed unanimously** by roll call vote.

F. P11-166 STEWART J. AND SUZANNE M. LANG - SPECIAL EXCEPTION USE

Ms. Kuruvilla said, "This is a special exception use that was tabled at the last Planning and Zoning Board meeting. The owners and applicants are Stewart J. Lang and Suzanne M. Lang. It is located at 2481 SE North Lookout Blvd., north of Lookout Boulevard, south of Canal C-24. The legal description is Lot 5, Vikings Lookout. The size of the site is 1.09 acres, and it is vacant. The existing zoning is Estate Residential Zoning District. The proposed use is a request for a guest house exceeding one acre in area in the proposed Estate Residential Zoning District, as per section 158.071 (C) (1) of the Zoning Code. The evaluation of the findings is located in the staff report. As per the definition of the City's Code, 'A guest house is a dwelling unit in a building separate from and in addition to, the main residential building on a lot intended for intermittent or temporary occupancy by a nonpaying guest. However, those quarters shall not be rented or otherwise used as a separate dwelling.' This is a vacant lot. The applicant wants to build a house and a guest house on this lot, which exceeds one acre in area in the proposed Estate Residential Zoning District. As per section 158.071 (C) (1) of the Zoning Code, 'A guest house is permitted as a special exception use in the Estate Residential Zoning District.' The access to this property is through Lookout Boulevard, and is adequate to handle the traffic generated by the proposed guest house. The survey sketch showing the proposed guest house is attached as Exhibit A.

All of the setbacks meet the City's Code. As per section 158.221 (C), (7) (B), at least one guest parking space is required and is provided near the concrete driveway of the guest house as shown in the exhibit. As per the City's Landscaping Code, this parcel

should have a minimum of 18 trees, selected from the approved tree list. We have done similar projects in the past that are noted in the staff report. On January 23, 2012, the City Council approved the rezoning of this lot from RM-5 to RE, as per Ordinance 12-02. A notice has been sent to all property owners within a 300-foot radius."

Ms. Kuruvilla said, "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 with following conditions:

1. Development shall comply with all standards and regulations of the RE (Estate Residential) Zoning District Section 158.071, and all applicable policies of the Comprehensive Plan.
2. The guest house shall conform in appearance to material and design of the principal structure.
3. There shall be a 50-foot rear set back from the backwater.
4. Guest house shall be used for intermittent or temporary occupancy by a nonpaying guest. Those quarters are not to be rented or otherwise used as a separate dwelling.
5. The applicant shall plant a minimum of 18 trees on this property to bring the site into compliance with the Landscape Code Section 158.04 (M)."

Stewart J. Lang, applicant, said, "My request is very simple. I bought a lot six months ago that is just over an acre. I wish to build a house for myself and a small house adjoining for my mother and mother-in-law, both of whom are in their 80's. The plat I bought was originally zoned for six houses, and we have rezoned it for one. I'm asking for an exception to go for one and a half or two homes." Vice Chair Rooksberry asked, "Are the conditions acceptable to the applicant?" Mr. Lang replied in the affirmative.

Chair Parks opened the Public Hearing. There being no comments, Chair Parks closed the Public Hearing. Mr. Gardner **moved** to recommend approval of P11-166, Special Exception Use. Mr. Battle **seconded** the motion, which **passed unanimously** by roll call vote.

G. P11-171 WALTON WESTAR - SERVICE STATION - SPECIAL EXCEPTION USE

Mr. Finizio said, "The owner is Petro Walton, LLC., and the location is the southeast corner of Walton Road and Lennard Road. The size is approximately one acre or 43,127 square feet. The existing zoning is CN or Neighborhood Convenience Commercial. The existing use is Service Station and Convenience

Store. The proposed use is to reestablish a service station and convenience store at this location. The requested special exception is for a service station with fuel pumps, as permitted per Section 158.120 (C)(5) of the Zoning Code. This particular area is a small commercial node in what is predominately a residential area of the City. Due to surrounding residential zonings, staff feels the site does not provide an adequate buffering or screening when considering the surrounding residential zoning. With this business being open 24/7, to ensure the proper screening from the inevitable vehicle headlights which will be visiting this site, more landscaping is required. The site has an approved Landscape Plan, and much of the required hedgerow is dead or missing. Therefore, to provide adequate buffering, any missing or dead hedge material along the Walton Road and Lennard Road right-of-way identified on the Landscape Plan will need to be reinstalled. By conforming to the City Codes, staff believes that the service station at this location will not impair the health, safety, welfare, or convenience of residents and workers in the City, and will not constitute a nuisance or hazard. 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 with the following condition:

- 1) Any missing or dead landscape material, located along the Walton Road and Lennard Road right-of-way shall be replanted as identified on the approved Landscape Plan."

Chair Parks clarified, "It was an existing service station, and now we are revisiting it again." Mr. Finizio replied in the affirmative and explained, "It was first approved in the late 1980's, but there has been no special exception application applied for since then. Since it stopped for a period of over six months, as identified in the non-conforming use section of the Code, it ceased and they have to apply for a SEU to reestablish it." Secretary Blazak asked, "Is there shared access for the property behind it?" Mr. Finizio replied, "There is shared access with the church to the east. I don't think it will cause any problems, because it is platted that way." Secretary Blazak stated, "I'm going back to your remark about the buffering for the headlights, as there is no residential directly adjacent to this." Mr. Finizio explained, "There is across the street, as both Walton and Lennard Roads have residential." Secretary Blazak commented, "It is across the street." Mr. Finizio said, "Headlights do shine." Secretary Blazak said, "We will also have new landscape medians in both of these roadways that we didn't have before when this was built." Mr. Holbrook advised, "Going back to the original Landscape Plan, staff is asking that it be brought back into conformance."

Carolina Obando, applicant, said, "My father, John Obando, is one of the owners. This gas station is now functioning and impacting the economy of Port St. Lucie and is providing jobs. It will be good for the City, because it will create revenue for the City. They have experience with a convenience store and gas stations, as they have been operating this kind of business for almost 20 years. Please consider approving this project." Chair Parks inquired, "Will you and your father accept the City of Port St. Lucie's conditions, which have to do with landscaping?" Ms. Obando replied in the affirmative. Secretary Blazak questioned, "How does it look for the large canopy trees, Mr. Finizio?" Mr. Finizio answered, "I think they would have easement issues, because of the sewer and water lines along 20 feet of the front of the property, which were identified on the original Landscape Plan." Secretary Blazak remarked, "In the future regarding the shade canopy, it would be an opportunity to get some larger trees put back in, as well the original landscaping back." Mr. Finizio said, "I agree, as the shade trees are an asset to the City."

Chair Parks opened the Public Hearing. There being no comments, Chair Parks closed the Public Hearing. Vice Chair Rooksberry **moved** to recommend approval of P11-171, Walton Westar, Service Station, Special Exception Use. Mr. Gardner **seconded** the motion, which **passed unanimously** by roll call vote.

H. P11-172 WALTON WESTAR - CONVENIENCE STORE - SPECIAL EXCEPTION USE

Mr. Finizio said, "The property is located on the southeast corner of Walton Road and Lennard Road, and my comments are the same as the previous project. The requested special exception use for a convenience store is permitted per Section 158.120(C)(7) of the CN Zoning District. 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 with the following condition:

1. That any missing or dead landscape material, located along the Walton Road and Lennard Road right-of-way shall be replanted as identified on the approved landscape plan."

Chair Parks opened the Public Hearing.

ABBAS JAVED, store manager, said, "I'm running the store and we have a good business, as our customers like us. They come back again and again, because we are very clean and we have the best

prices. A majority of them come from Indian River Drive where there is no convenience store or gas station. We are also opening a deli section that will create jobs. I have almost three employees and will need a couple more."

There being no further comments, Chair Parks closed the Public Hearing. Mr. Gardner **moved** to recommend approval of P11-172, Walton Westar, Convenience Store, Special Exception Use. Vice Chair Rooksberry **seconded** the motion, which **passed unanimously** by roll call vote.

I. P12-002 CITY OF PORT ST. LUCIE - CHAPTER 158.122(C) - PROFESSIONAL ZONING TEXT AMENDMENT

Ms. Kean said, "The City of Port St. Lucie is proposing to amend Chapter 158.122(C), Professional Zoning District, of the Zoning Code to add Enclosed Assembly Areas to the list of special exception uses in the Professional Zoning District. On November 14, 2011, the Zoning Code was amended to provide a definition for enclosed assembly area and to establish the enclosed assembly area as a special exception use in the neighborhood commercial, general commercial, highway commercial, service commercial, and warehouse industrial zoning districts. At the January 9, 2012, City Council meeting, the City Council directed staff to prepare an amendment to the Zoning Code to include enclosed assembly area in the list of special exception uses in the Professional Zoning District."

Ms. Kean continued, "The Code defines an enclosed assembly area as any enclosed area, building or structure where people assemble for a common purpose, such as social, civic, cultural, recreational and/or religious purposes, whether owned and/or maintained by a for-profit or not-for-profit entity, and includes, but is not limited to, public assembly buildings such as auditoriums, theaters, halls, private clubs and fraternal lodges, assembly halls, exhibition halls, convention centers, and places of worship. This would add the enclosed assembly area to the Professional Zoning District. Currently, the uses are not allowed in the Professional Zoning District. The Planning and Zoning staff finds the request to amend Section 158.122(C), Professional Zoning District, to be consistent with the direction and intent of the City's policies of the Comprehensive Plan and Land Development Regulations, and recommends approval."

Chair Parks opened the Public Hearing. There being no comments, Chair Parks closed the Public Hearing. Vice Chair Rooksberry **moved** to recommend approval of P12-002, City of Port St. Lucie, Chapter 158.122(C), Professional Zoning Text Amendment. Secretary Blazak **seconded** the motion, which **passed unanimously** by roll call vote.

J. P12-003 CITY OF PORT ST. LUCIE - CHAPTER 158.225(A)(1) - ZONING TEXT AMENDMENT

Ms. Huntress said, "In January of 2011, the City Council unanimously approved a motion to allow one banner per business to meet all City Code requirements until January of 2012. In December of 2011, the City received a request from the St. Lucie County Chamber of Commerce to modify Chapter 158.225(A)(1), Outdoor Sales and Special Events of the City of Port St. Lucie Land Development Regulations to allow special events for 7 days, no more than four times per year, and that those 7 days be consecutive. Currently, the Code allows special events two times per year. The City Council unanimously approved a motion for this request in January of 2012, and the Planning and Zoning Department created a file to process this request. We also advertised the requested zoning text amendment to be on the February 7, 2012, Planning and Zoning Board meeting's agenda. On January 26, 2012, at the request of the Mayor, the Planning and Zoning Department set up a meeting with City staff and local businesses to discuss signage. These discussions are ongoing so this information will come before you at a later date."

Chair Parks opened the Public Hearing. There being no comments, Chair Parks closed the Public Hearing.

8. DISCUSSION ITEMS/NEW BUSINESS

A. DETERMINATION OF EXCUSED ABSENCE

Chair Parks said, "All of our members were in attendance at the meeting of January 3, 2012."

B. INTERVIEW FOR PLANNING AND ZONING BOARD - DISTRICT II VACANCY

Chair Parks said, "We are going to ask Mr. Garrett a few questions, and his name will be the only one on the tally sheet, as the other gentleman has withdrawn." Mr. Holbrook stated, "That is correct, Madam Chair. Since we only have one applicant here today, there is no need for the tally sheet. We will just need a motion by the Board to forward to the City Council." Chair Parks stated, "Tell us about yourself, Mr. Garrett." Mr. Garrett said, "I am a land planner and landscape architect by trade. I have brought some items before you in the past. I have been living in the City for the past six years. I'm currently a resident of St. Lucie West in the Lake Charles community. I feel it is always a civic responsibility for people to give back to the community that they live in. I love the City in which I live. I have served on a couple of boards before, Public Art

Advisory Board being the last one for the City. I would like the opportunity to serve again."

Chair Parks inquired, "Why do you want to be on the City of Port St. Lucie's Planning and Zoning Board?" Mr. Garrett responded, "It is an opportunity to give back. With my experience in the development community, working with staff in the past, and serving on other boards, I will have a good mindset with an open mind to review elements, and give my expertise to make recommendations." Chair Parks pointed out, "And of course, you understand our purpose." Mr. Garrett replied in the affirmative. Chair Parks asked, "Will you be able to pick up the packet and review it one week before our meetings? Our meetings are held the first Tuesday of every month at 1:30 p.m. in these chambers, unless the first Monday is a holiday, then it is on a Wednesday." Mr. Garrett replied in the affirmative. Chair Parks questioned, "What do you think the most critical issues of the City of Port St. Lucie are?" Mr. Garrett answered, "Continuing growth in a responsible manner. We have a lot of infrastructure investments that have been done in the City in the last few years, and it is an opportunity to fill in those pieces and bring quality responsible growth to the City. Today we had a good example of a site in St. Lucie West, as it was a great example of bringing elements into an existing site that is vacant, and putting the right player into it to make the best use of it." Chair Parks inquired, "Have you had any involvement in government as a volunteer, as an elected official, or staff?" Mr. Garrett responded, "Not as an elected official or staff for any municipality or government. It has all been in public service on boards and committees." Mr. Gardner asked, "Do you see many conflicts that would cause you to abstain, as you are in the industry?" Mr. Garrett replied, "No. I don't see many conflicts at all. If an applicant comes before the Board that is represented by my company, then I would abstain. I don't see any conflicts there. Keeping an open mind with each application that comes before the Board is really the task at hand, and providing well thought out recommendations to the City Council. I think I'm prepared to do that. Thank you for your time."

Vice Chair Rooksberry **moved** to recommend approval to the City Council for Steven Garrett to serve on the Planning and Zoning Board for District II. Secretary Blazak **seconded** the motion, which **passed unanimously** by roll call vote.

9. OLD BUSINESS

Mr. Holbrook advised, "We anticipate setting a date shortly for the first Public Hearing for the update to the City's Comprehensive Plan EAR-based Amendments. Once we have one, we

will publish it and post it on the website. Also, we do anticipate having the Southern Grove Substantial Deviation Application at the March Planning and Zoning Board. We will have the information out a week prior to the meeting, and we will go through the merits of that application at that time."

10. ADJOURN

There being no further business, the meeting adjourned at 4:10 p.m.

William Blazak, Secretary

April C. Stoncius, Deputy City Clerk