

City of Port St. Lucie

Planning and Zoning Board

Meeting Minutes - Draft

121 SW Port St. Lucie
Blvd.
Port St. Lucie, Florida
34984

Eric Reikenis, Chair, Term 1, Expires 1/1/2027
Peter Previte, Vice Chair, Term 1, Expires 1/1/2027
Melody Creese, Chair Pro-Tem, Term 1, Expires 1/1/2027
Jim Norton, At-Large, Term 1, Expires 1/1/2027
John "Jack" Doughney, At-Large, Term 1, Expires 1/1/2027
Greg Pettibon, At-Large, Term 1, Expires 1/1/2027
Peter Louis Spatara, At-Large, Term 1, Expires 1/1/2027
Rose Futch, Alternate, Term 1, Expires 1/1/2027
Regenia Herring, Alternate, Term 1, Expires 3/25/2027

Please visit www.cityofpsl.com/tv for new public comment options.

Tuesday, May 7, 2024

6:00 PM

Council Chambers, City Hall

Addition of Item 8F

1. Meeting Called to Order

A Regular Meeting of the Planning and Zoning Board of the City of Port St. Lucie was called to order by Chair Reikenis at 6:00 PM on May 7, 2024, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Florida.

2. Roll Call

Members Present:

Eric Reikenis, Chair

Peter Previte, Vice Chair

Melody Creese, Chair Pro-Tem

John "Jack" Doughney

Jim Norton

Greg Pettibon

Peter Louis Spatara

3. Determination of a Quorum

Chair Reikenis determined there was a quorum.

4. Pledge of Allegiance

Chair Reikenis led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

5.a Approval of Minutes - April 2, 2024 & Special Meeting April

[2024-429](#)

16, 2024

Board Member Norton moved to approve the Planning and Zoning Board minutes from April 2, 2024 and the Special Meeting April 16, 2024. Board Member Creese seconded the motion, which passed unanimously by voice vote.

6. Consent Agenda

There were no items on the Consent Agenda to approve.

7. Public Hearings - Non Quasi-Judicial

7.a P24-033 Rivella (fka Ravello) Development, LLC -
Comprehensive Plan Amendment/Small -Scale

[2024-394](#)

Location: The property is located north of SE Morningside Boulevard and west of SE Westmoreland Boulevard.

Legal Description: Tract A of Tesoro Preserve Plat No. 4.

This is a request to amend the Future Land Use Designations for the parcel from General Commercial (CG), Limited Commercial (CL) and Low Density Residential (RL) to Medium Density Residential/Institutional (RM/I).

Noel Comeaux, Planning and Zoning, provided an overview of the Applicant's request to amend the Future Land Use of 7.11 acres from CG (General Commercial), CL (Limited Commercial), and Low Density Residential (RL) to RM/I (Medium Density Residential/Institutional. (Clerk's Note: A PowerPoint Presentation was shown at this time.) He explained the Comprehensive Plan Policy Findings and Trip Generation. Planner Comeaux added that Planning and Zoning Department staff found the petition to be consistent with the intent and direction of the City's Comprehensive Plan and recommended approval of the proposed Future Land Use Amendment for 7.11 acres from CG, CL, and RL to RM/I.

Vice Chair Previte asked about the approximate size of the conservation tract, to which Planner Comeaux stated it totaled approximately 200 acres. He inquired if the current Land Use allowed Assisted Living, to which Planner Comeaux responded in the affirmative and noted that it currently allowed 150 Units of Assisted Living. Vice Chair Previte asked if changing the Land Use would allow Independent Living. Planner Comeaux indicated that there was not any density change for the Land Use.

Board Member Creese inquired about the proposed units regarding the amendment before the Board, to which Planner Comeaux confirmed that the number of units would remain at 150 units.

Board Member Norton asked if a Drug Rehabilitative Facility could exist at

the facility, to which Mary Savage-Dunham, Planning and Zoning Department Director advised that was a prohibited use under the PUD (Planned Unit Development). Board Member Norton inquired if the only permitted uses were Assisted Living or Independent Living Facility, if approved by the Board, to which Director Savage-Dunham explained that the current PUD allowed for Assisted Living and Child Day Care facilities. She clarified that what the Board was being asked at tonight's meeting was to modify the Future Land Use only and the Applicant would later have to modify the PUD. Board Member Norton asked if there were any flooding issues known to the area, to which Director Savage-Dunham indicated that they do not analyze flooding concerns during the Future Land Use Application Process. She indicated that drainage would be reviewed during the Site Plan Review Process of the project. Board Member Norton inquired if there were currently any known flooding issues, to which Director Savage-Dunham responded in the negative. He asked if any of the land within the Application was protected by any State or Federal agency, to which Director Savage-Dunham responded in the negative. Board Member Norton inquired about the large reduction in trip generation with the change, to which Diana Spriggs, Assistant Public Works Director, explained that the large reduction in trips was in comparison to a Commercial site.

Chair Reikenis asked why there would be a reduction in trip generation with this change of Future Land Use from Commercial, to which Assistant Director Spriggs indicated that the trip generation numbers were from the ITE (Institute of Transportation Engineers) Manual based on the purposed Land Use.

Attorney Mike Ryan was present on behalf of the Applicant. He discussed the history of Parcel I of the PUD.

Board Member Norton inquired about the Notices sent to the Residents by the City and Attorney Ryan's Office, to which Director Savage-Dunham responded in the affirmative. She advised that the legal notice was sent by the City of Port St. Lucie to 112 residents. (Clerk's Note: At this time, there were various outbursts made from the audience members.)

Vice Chair Previte inquired where the 750-foot radius started to get to the 112 homes, to which Director Savage-Dunham indicated that the 750-foot radius started from all the sides of the property line. She explained that the service was provided through the City's GIS (Geographic Information System).

Chair Reikenis opened the Public Hearing.

Kevin Kestenbaum, 112 SE Via Visconti, spoke in opposition to the proposed amendment.

Jack Randall, 3245 Morningside Boulevard, spoke in opposition to the proposed amendment.

Sue Lawton, 1129 SE Oriental Avenue, spoke in opposition to the proposed amendment.

Charlie D'Agata, 2552 SE Morningside Boulevard, spoke in opposition to the proposed amendment.

David Lipps, 2777 SE Bluem Way, spoke in opposition to the proposed amendment. He stated he lived 725-feet from the property and noted that he did not receive a Notice from the City.

Tracy Rutzle, 2850 SE San Jeronimo Road, spoke in opposition to the proposed amendment and stated she did not receive the letters from the City. She added that she also owns 2861 SE San Jeronimo Road. Ms. Rutzle advised that she nor her tenants did not receive the letters from the City but did receive the letter from Attorney Ryan.

Vice Chair Previte inquired if the same list was used to generate the City letters and the Applicant's letter, to which Director Savage-Dunham responded in the affirmative and confirmed that the letter was sent to Ms. Rutzle.

Cecile Renna, 3205 SE Morningside Boulevard, spoke in opposition to the proposed amendment.

Giovanni Di Vaio, 1619 SE Shelburnie Way, spoke in opposition to the proposed amendment.

Roseann Mazjanis, 2861 SE Morningside Boulevard, spoke in opposition to the proposed amendment.

Cristiana Di Vaio, 1619 SE Shelburnie Avenue, spoke in opposition to the proposed amendment.

Elizabeth Suter, 2777 SE Bluem Way, spoke in opposition to the proposed amendment.

Karen Jawitz, 1432 SE San Sovina Terrace, pointed out the mistake made

on the date in the letter mailed out by Attorney Ryan and spoke in opposition to the proposed amendment.

Donna Rymer, 262 SE Via Visconti, spoke in opposition to the proposed amendment.

Mildred Ferrara, 2804 SE Treasure Island Road, spoke in opposition to the proposed amendment.

Abigail Levy, 3425 SE Sandpiper Circle, spoke in opposition to the proposed amendment.

Jayne (Clerk's Note: Resident wished to not disclose her last name), 2815 SE Treasure Island Road, spoke in opposition to the proposed amendment.

Patrick Hanlon, 117 SE Via Visconti, spoke in opposition to the proposed amendment.

Richard Robilotto, 256 SE Via Visconti, spoke in opposition to the proposed amendment.

Joyce Del Toro, 2880 SE San Jeronimo Road, spoke in opposition to the proposed amendment.

Thomas Ritter, 2793 SE Morningside Boulevard, spoke in opposition to the proposed amendment.

Thomas Tumminello, 177 SE Via Visconti, spoke in opposition to the proposed amendment.

Tim O'Shea, 2675 SE Morningside Boulevard, spoke in opposition to the proposed amendment.

Chair Reikenis closed the Public Hearing.

Board Member Norton asked for additional explanation on the density change, to which Director Savage-Dunham stated that medium density allowed up to 11 units per acre. She clarified that there was no increase in density in the proposed use. Director Savage-Dunham advised that Independent Living coincides with the RM.

Chair Reikenis asked the members of the public to refrain from interrupting.

Director Savage-Dunham explained that this property had a PUD which controls what kind of building could be placed on this property. She explained that the Applicant would still be required to request a change in the PUD. Director Savage-Dunham advised that during the PUD change process was when the Applicant would have to supply the City with a new traffic analysis. She explained that at tonight's meeting the Applicant was just requesting a change of the previous entitlement of 150 units of Assisted Living to 75 units of Assisted Living and 75 units of Senior Independent Living. Board Member Norton inquired if there would be additional units, to which Director Savage-Dunham responded in the negative.

Chair Reikenis advised that the Board would not be making the final decision on the matter and the City Council would make the final decision. Director Savage-Dunham indicated that the Board served as an Advisory Board to the City Council as they make the recommendation to them.

Board Member Creese inquired if a rezoning application would allow a drug rehabilitative facility without further approval, to which Director Savage-Dunham responded in the negative. She indicated that she had a copy of the PUD before her and she indicated that the current uses allowed for the area were Assisted Living Facilities and Child Daycare. She indicated the prohibited uses on Parcel I were nursing homes, convalescent homes, substance abuse rehab facilities, community residential homes, and group care homes. Director Savage-Dunham explained that when the PUD document comes to the Board and the City Council, it would be at that time that the uses would be amended.

Board Member Norton asked Director Savage-Dunham to repeat the prohibited uses of Parcel I, to which she reiterated the following were not allowed: nursing homes, convalescent homes, substance abuse rehab facilities, community residential homes, and group care homes.

Attorney Ryan advised that he made a mistake with the letter mailed to Resident's stating it was on Wednesday instead of Tuesday, May 7th, 2024. He added that he asked both Property Owner Associations to send out an email blast to the residents to correct his mistake. He explained that the element they were trying to change was to include Independent Living facilities and did not increase the number of units. Attorney Ryan noted that at most the building would be three stories high based on the City's code. He added that there would not be individual homes built in the area.

Vice Chair Previte encouraged folks to register on the City's website to

attain the agenda emailed to them directly.

Chair Reikenis inquired about the City's allowable height of the building, to which Director Savage-Dunham responded that the allowable height was 35-feet and stated that the PUD on the parcel governs the height.

Board Member Spatara stated there were conditions that could be set in the future. Board Member Spatara moved to recommend approve P24-033, Rivella (fka Ravello) Development, LLC, Comprehensive Plan Amendment/Small Scale, to the City Council. Vice Chair Previte seconded the motion, which passed (6-1) by roll call vote with Board Member Pettibon dissenting.

(Clerk's Note: At this time, there were various outbursts made from the audience members.)

Board Member Doughney asked Chair Reikenis to take a quick break.

A recess was called at 7:40 p.m., and the meeting resumed at 7:47 p.m.

8. Public Hearing - Quasi-Judicial

Deputy City Attorney Carly Fabien explained the Quasi-Judicial rules and procedures for Items 8.a through Item 8.f of the Agenda. The Deputy City Clerk swore in those individuals who intended to speak on the Quasi-Judicial items.

8.a P16-042-A2 Tradition Master Sign Program Amendment No.

[2024-428](#)

7

Location: The property is located west of I-95, east of Range Line Road, and south of Crosstown Parkway.

This is a request to amend the Tradition Master Sign Program to provide a comprehensive update of all signs within the Tradition, Southern Grove, and Western Grove Communities. The amendment also provides a content neutral master sign program and is better aligned with the current signage needs of the communities.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board Members responded in the negative.

Daniel Robinson, Planning and Zoning, previously sworn, provided the Board with an overview of P16-042-A2, Tradition Master Sign Program Amendment No.7. (Clerk's Note: A PowerPoint Presentation was shown at this time.)

Steve Garrett, Lucido & Associates, previously sworn, represented the Applicant.

Chair Reikenis opened the Public Hearing. There being no comment, he closed the Public Hearing.

There being no discussion, Board Member Pettibon moved to recommend approval of P16-042-A2, Tradition Master Sign Program Amendment No.7, to the City Council. Board Member Doughney seconded the motion, which passed unanimously by voice vote.

8.b P00-221-A1 St. Lucie West Master Sign Program 5th
Amendment

[2024-404](#)

Location: The project is located north of Crosstown Parkway west the Florida Turnpike and east of I-95.

Legal Description: SLW Plat No. 178

This is a request to amend The St Lucie West Master Sign Program.

This 5th amendment is to bring the program in line with modern signage standards and desires. The proposed program will govern both existing and future residential and commercial signs, including those for the St. Lucie West Community.

Daniel Robinson, Planning and Zoning, previously sworn, provided the Board with an overview of P00-221-A1, St. Lucie West Master Sign Program 5th Amendment. (Clerk's Note: A PowerPoint Presentation was shown at this time.)

Chair Reikenis inquired if there was any ex-parte communication, to which the Board Members responded in the negative.

Board Member Doughney disclosed that he was the Chairman of the St. Lucie West Services District. He advised that their Board maintains all monument signs within the DRI (Development of Regional Impact) but added that they were not associated with the Commercial District. Planner Robinson added that the Applicant was available via Zoom. There was no presentation presented to the Board by the Applicant, who appeared virtually.

Chair Reikenis opened the Public Hearing. There being no comment, he closed the Public Hearing.

There being no discussion, Board Member Norton moved to recommend approval to P00-221-A1, St. Lucie West Master Sign Program 5th Amendment, the City Council. Board Member Pettibon seconded the motion, which passed unanimously by voice vote.

8.c P23-194 Southern Grove - Baron Shoppes Tradition-Cell
Tower (PCW Holdings LLC) - Special Exception Use

[2024-442](#)

Location: The property is located at 10870 SW Tradition Parkway,

south of SW Tradition Parkway, west of SW Village Commons, and east of SW Community Boulevard.

Legal Description: Southern Grove Plat No. 28, Parcel 3

This is a request for a special exception to allow a 150-foot-tall

monopole tower in the Master Planned Unit Development (MPUD)

Zoning District, with a Mixed Use Area designation, per Section 2.C.1.

of the Southern Grove MPUD Regulation Book and Section 158.213 of

the Zoning Code.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board Members responded in the negative.

Deputy City Attorney Carly Fabien reminded the Board of Section 704 of the Telecommunication Act of 1996, preempts Local Government Authority on “personal wireless service facilities” and governs Federal/State and Local review of siting of “personal wireless service” facilities, which include mobile services. She added that nothing limits the Local Government over decisions regarding the placement, construction modification of personal wireless service facilities; however, there was limitations such as a Local Government regulating the placement, construction, or modification of a personal wireless service based on direct or indirect environmental effects of radiofrequency emissions. Attorney Fabien explained that the Board may not decide with respect to the proposed SEU (Special Exception Use) based on any evidence relating to direct or indirect environmental or health concerns posed by radiofrequency emissions and should disregard any evidence proposed by any party to this proceeding relating to such matters when evaluating SEU criteria.

Bethany Grubbs, Planning and Zoning, previously sworn, provided an overview of P23-194, Southern Grove, Baron Shoppes Tradition, Cell Tower (PCW Holdings LLC), Special Exception Use Application. (Clerk’s Note: A PowerPoint Presentation was shown at this time.)

Board Member Norton inquired about the terminology used to define “interference” and asked about the requirement for the \$15,000 bond, to which Ms. Grubbs stated she would get back to the Board regarding the definition of “interference” and confirmed the bond amount was based on the tower height.

Board Member Spatara expressed concern about the maintenance of the property, he questioned whether quarterly maintenance would be enough. Tim Mowry, RedTail, previously sworn, represented the Applicant and provided the Board with a brief overview of the SEU application. (Clerk’s Note: A PowerPoint Presentation was shown at this time.)

Planner Grubbs gave the Board the explanation for the definition of “interference”.

Chair Reikenis opened the Public Hearing. There being no comment, he closed the Public Hearing.

There being no further comments, Board Member Spatara moved to recommend approval of P23-194, Southern Grove, Baron Shoppes Tradition, Cell Tower (PCW Holdings LLC), Special Exception Use Application, to the City Council. Board Member Norton seconded the motion, which passed unanimously by voice vote.

Attorney Fabien noted that it was public law 104.104 but was more so commonly cited as the Telecommunication Act of 1996, Section 704.

8.d P24-026 Freese, James - Rezoning

[2024-327](#)

Location: South of SW Gatlin Boulevard, on the west side of SW Casella Street.

Legal Description: Port St. Lucie Section 31, Block 1706, Lot 12

This is a request to rezone from Single Family Residential (RS-2) to Service Commercial (CS) zoning district.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board Members responded in the negative.

Bianca Lee, Planning and Zoning, previously sworn, provided the Board with an overview of P24-026, James Freese, Rezoning Application.

Board Member Norton asked if this was a part of the conversion area the City was working on, to which Planner Lee responded in the affirmative. He asked if there was need for cross access, to which Planner Lee stated there would be a Site Plan forthcoming.

The Applicant James Freese was present and provided a brief description of his request.

Chair Reikenis opened the Public Hearing. There being no comment, Chair Reikenis closed the Public Hearing.

There being no discussion, Board Member Norton moved to recommend approval of P24-026, James Freese, Rezoning, to the City Council. Board Member Pettibon seconded the motion, which passed unanimously by voice vote.

8.e P24-040 The Marketplace - Crunch Fitness - Special
Exception Use

[2024-432](#)

Location: Southeast of the intersection of U.S. Highway 1 and SE Jennings Road.

Legal Description: The Marketplace Lot D - Less First Replat in The Marketplace

The request is for approval of a Special Exception Use (SEU) to allow an enclosed assembly area over 3,000 square feet in the General Commercial (CG) zoning district per Section 158.124(C)(1) of the Code of Ordinances.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board Members responded in the negative.

Planner Grubbs, previously sworn, provided the Board with an overview of P24-040, The Marketplace, Crunch Fitness, Special Exception Use Application.

Tim Mowry, RedTail, previously sworn, represented the Applicant and provided the Board with a brief overview of the SEU Application.

Justin Pannucci, Vice President of Operations for Crunch Fitness, previously sworn, discussed their SEU Application.

Board Member Norton inquired about the hours of operation, to which Mr. Pannucci responded that they were normally Monday through Friday 5 a.m. to 11 p.m. and Saturday and Sunday 7 a.m. to 7 p.m. depending on the requirements or request of the community.

Board Member Norton asked if there was a difference between retention and detention ponds, to which Planner Grubbs indicated there was a difference. Board Member Norton added he would research the matter on his own.

Chair Reikenis opened the Public Hearing. There being no comment, Chair Reikenis closed the Public Hearing.

There being no further comment, Board Member Spatara moved to recommend approval of P24-040, The Marketplace, Crunch Fitness, Special Exception Use, to the City Council. Board Member Creese seconded the motion, which passed unanimously by voice vote.

8.f P22-311 Riverland/Kennedy DRI Parcel E - Master Planned
Unit Development (MPUD) Application

Location: The property is located north of Marshall Parkway, south of Discovery Way, east of Range Line Road, and west of N/S A.

Legal Description: The property is legally described as a parcel of land lying within Sections 18 and 19, Township 37 South, Range 39 East, St.

[2024-305](#)

Lucie County, Florida.

This is a request for a rezoning of 658.21 acres from St. Lucie County AG-5 to an MPUD to allow 2,061 age restricted dwelling units.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board Members responded in the negative.

Planner Robinson, previously sworn, provided the Board with an overview of P22-311, Riverland/Kennedy DRI Parcel E, Master Planned Unit Development (MPUD) Application. (Clerk's Note: A PowerPoint Presentation was shown at this time.)

Vice Chair Previte asked about the Project Description and noted there were various changes that did not coincide with City Code, to which Planner Robinson stated that would be up to the Board to approve tonight to allow these changes. Vice Chair Previte pointed out there were many requests different than what was allowed under the City's Code, to which Director Savage-Dunham indicated that MPUD and PUD main functions were for the Developers to explain the parameters that they would want to develop under. She added it was not uncommon for them to typically have a long list of deviations from the City's Code.

Board Member Norton asked if the parcel was a part of GL Homes Valencia area, to which Planner Robinson confirmed it was a part of Riverland. He inquired if it was consistent with what was being done at Valencia, to which Planner Robinson responded in the affirmative.

Board Member Norton and Board Member Creese discussed the number of units regarding the construction phases at Valencia.

Board Member Norton disclosed he lived in Valencia.

Azlina Goldstein, GL Homes, previously sworn and represented the Applicant. She discussed their request for P22-311, Riverland/Kennedy DRI Parcel E, Master Planned Unit Development (MPUD), Rezoning Application. (Clerk's Note: A PowerPoint Presentation was shown at this time.) She discussed the various roadway networks that their development would be obligated to build.

Board Member Norton inquired how the residents would enter the development without building Discovery Way until there was 33% build-out, to which Ms. Goldstein advised there would be a main entry through NSA road. She clarified that the main access into the project would be constructed. He asked if there would be construction access through Discovery Way, to which Ms. Goldstein advised there would be

emergency and temporary access points to facilitate construction prior to the first building permit being issued. Board Member Norton questioned if the homes would be apartments or homes for sale, to which Ms. Goldstein responded that there would be 261 combination homes of single family detached homes, paired villas and townhomes. He inquired if these homes would be sold or rented, to which she responded they would be up for sale. Board Member Norton asked about the paseo, to which Ms. Goldstein advised that the paseo ends at NSA road.

Kevin Ratterree, Vice President of GL Homes, advised that there would be an overpass that connects Parcel E to the paseo and confirmed that the paseo would not continue into Parcel E. He explained there would be a connection, an overpass, but there would not be a continuation of the paseo.

Board Member Creese asked if NSA was currently developed between Valencia Grove and Parcel E, to which Ms. Goldstein confirmed it was currently being constructed for Parcel D, Valencia Parc. She inquired if there was access from Discovery Way to NSA currently, to which Ms. Goldstein advised that was currently under construction.

Vice Chair Previte inquired what was the expected construction timeline for the continuation of Discovery to Rangeline, to which Ms. Goldstein advised that would be included in the Parcel E MPUD. He discussed the timeline for the build-out to Rangeline and expressed concern regarding the timeline of the construction of Community to Paar Road and connecting to Becker Road.

Chair Reikenis opened the Public Hearing. There being no comment, Chair Reikenis closed the Public Hearing.

Board Member Norton moved to recommend approval of P22-311, Riverland/Kennedy DRI Parcel E, Master Planned Unit Development (MPUD) Application, to the City Council. Board Member Pettibon seconded the motion. Under discussion, Board Member Norton inquired what trip triggered the widening of the roadway, to which Assistant Director Spriggs indicated that it would occur at 6,305 trips. She stated currently they were a bit over the 2,000-trip count. Board Member Norton asked if Police and Fire Rescue can provide coverage for this development, to which Planner Robinson added that was reviewed under the Site Plan Review Committee. Board Member Norton inquired what were the triggers to add signalization of Roadways, to which Assistant Director Spriggs added that they would look at the amount of trips within the intersections and then a signal warranted analysis would be conducted. She added that it was the

responsibility of the developers. He expressed concern for the future need of signalization at those intersections as the development continues to grow. There being no further discussion, the motion passed unanimously by voice vote.

9. New Business

There was nothing scheduled under this portion of the Agenda.

10. Old Business

Chair Reikenis discussed the change in voting structure at tonight's meeting based on the Board's feedback.

11. Public to be Heard

There were no comments from the public.

12. Adjourn

There being no further business, the meeting adjourned at 9:17 PM.

Eric Reikenis, Chair

Daisy Ruiz, Deputy City Clerk