

**CITY OF PORT ST. LUCIE  
PLANNING AND ZONING BOARD MEETING MINUTES  
OCTOBER 1, 2019**

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Beutel at 1:30 p.m., on October 1, 2019, 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:                Deborah Beutel, Chair  
   Melissa Stephenson, Vice Chair  
   Daniel Kurek, Secretary (Arrived 1:43 p.m.)  
   John Corzine  
   William "Bill" Peak  
   Alfreda Wooten  
   Roberta Briney, Alternate

Others Present:                 Anne Cox, Assistant Planning and Zoning Director  
   John Finizio, Principal Planner  
   Elizabeth Hertz, Deputy City Attorney  
   Bridget Kean, Senior Principal Planner  
   Jim MacMillan, Police Department  
   Daniel Robinson, Planner  
   Patti Tobin, Long-Range Planning Administrator  
   Calleigh N. Myers, Deputy City Clerk

**3.        DETERMINATION OF A QUORUM**

Chair Beutel confirmed that there was a quorum.

**4.        PLEDGE OF ALLEGIANCE**

Chair Beutel led the assembly in the Pledge of Allegiance.

**5.        APPROVAL OF MINUTES – AUGUST 6, 2019**

There being no corrections, the minutes were unanimously approved.

**6.        CONSENT AGENDA**

**A.        P19-097        SUNLIGHT COMMUNITY CHURCH – SITE PLAN**

**B. P19-108 GO TEAM INDUSTRIAL PARK, LOT 2 – SITE PLAN**

There being no discussion, Mr. Peak **moved** to approve the Consent Agenda. Vice Chair Stephenson **seconded** the motion, which **passed unanimously** by roll call vote.

**7. PUBLIC HEARINGS**

The Deputy City Attorney read the Quasi-Judicial Rules into the record. The Deputy City Clerk administered the Oath of Testimony to staff, the applicants, and members of the audience.

**A. NON QUASI-JUDICIAL**

**1. P19-086 CITY OF PORT ST. LUCIE – COMMUNITY CENTER –  
COMPREHENSIVE PLAN AMENDMENT/SMALL SCALE**

John Finizio, Planner, stated that P19-086 was a small-scale Comprehensive Plan Amendment to change the future land use designation of approximately 6.42 acres from the land use designations of CG (General Commercial) and CL/ROI (Limited Commercial/Residential, Office, Institutional) to I (Institutional). He explained that there was a total of six (6) parcels included in this request, the largest being the City of Port St. Lucie's Community Center site. The remaining five parcels were residential lots that are adjacent to the Community Center that have Belvedere Street frontage.

Mr. Finizio stated that the property was owned by the City, and the intention is to incorporate the five (5) adjacent lots into the Community Center Site Plan, and this Comprehensive Plan Amendment will help ensure that all these parcels have the same underlying land use. Adding this additional acreage will provide a benefit to the adjacent Community Center and will provide the Parks and Recreation Department additional office space. He stated that Staff is proposing the instructional land use to be compatible with Policy 1.1.4 .4 of the Comprehensive Plan, which states that the Institutional Land Use is designed to accommodate both public and private institutional sites such as schools, public buildings and libraries, government buildings and hospitals, etc. The site, even though it has a commercial land use and zoning designation, is the City's Community Center, which clearly falls under the Institutional land use.

Mr. Finizio stated that the 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 amendment based on the analysis and findings as noted in the staff report, with the following condition that a Unity of Title for all parcels be completed prior to submittal of a compliance form.

Mr. Corzine inquired as to if it was possible to limit the entrance from Belvedere to the Community Center, to which Mr. Finizio responded in the affirmative.

There being no discussion, Vice Chair Stephenson **moved** to approve P19-086, City of Port St. Lucie, Community Center, Comprehensive Plan Amendment/Small Scale, to the City Council. Mr. Peak **seconded** the motion, which **passed unanimously** by roll call vote.

**2. P19-103 ST. LUCIE LAND (VF II) – COMPREHENSIVE PLAN AMENDMENT/  
SMALL SCALE**

Patti Tobin, Long-Range Administrator, stated that the application was for a small-scale Comprehensive Plan Amendment to change the Future Land-Use designation for 2.90 acres from Commercial Highway, Commercial General, Residential, Office, Institutional to Commercial Service. She explained that the property was located on the southside of Becker Road between the Florida's Turnpike and SE Via Tesoro, just west of the existing shopping center.

Ms. Tobin stated that the Planning and Zoning Department 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 recommends approval of the proposed small-scale comprehensive plan amendment with the following condition that any proposed development would be required to meet the Citywide Design Standards for the Commercial General future land use designation, specifically sections IVA and IVB. All sides of the building shall be treated as required by this section.

Mr. Corzine commented that it was another storage facility in a prime retail space, and normally storage facilities were in CS areas, not right off a main road.

Dennis Murphy, Culpepper and Terpening, gave a brief presentation. **(Clerk's Note:** At this time, a PowerPoint presentation was shown.) Mr. Murphy stated that he understood Mr. Corzine's comment, but they believed that the project was compatible with the overall scheme of development for the property. Mr. Murphy explained that the building would coordinate with the architecture in Veranda Falls. He requested that his PowerPoint presentation be entered into the record for the quasi-judicial component.

There being no further discussion, Mr. Corzine **moved** to approve P19-103, St. Lucie Land (VF II), Comprehensive Plan Amendment/Small Scale, to the City Council. Mr. Peak **seconded** the motion, which **passed unanimously** by roll call vote.

**(Clerk's Note:** Item P19-098 was heard after Item P19-103, at the request of the Board.)

Vice Chair Stephenson **moved** to hear Item P19-098 after Item P19-103 . Mr. Corzine **seconded** the motion, which **passed unanimously** by roll call vote.

**B. QUASI-JUDICIAL**

**3. P19-098 PUBLIX SUPERMARKETS @ VERANO – SPECIAL EXCEPTION USE**

John Finizio, Planner stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting to enter into the record and explained that the request was to allow a retail convenience store with fuel pumps in the Verano Planned Unit Development (PUD) Zoning District per Exhibit 6 (1) (B) of the PUD document and Section 158.124 (C) (11) of the Zoning Code. The concept plan includes a one story 3,109 square foot convenience store with 16 fueling stations. He stated that the applicant was Kimley-Horn & Associates and that the property was located on the northeast corner of Crosstown Parkway and Commerce Center Drive. This site currently has a total of two (2) access points; one (1) on Crosstown Parkway, and one (1) on Commerce Centre Drive. As shown on the attached Concept Plan (Exhibit A), the development of the convenience store will provide another access point on Commerce Centre Drive, which will give the site a total of three (3) ingress and egress points.

Mr. Finizio stated that as part of the Site Plan Amendment, a Landscape Plan had been submitted and was currently under review by staff. The Landscape Plan did show additional landscaping, especially around the proposed building and along Commerce Center Drive. He explained that with the prior Publix development, the site did have an approved Landscape Plan with existing landscaping. Mr. Finizio stated that the applicant had submitted a Site Plan Amendment, P19-099 7-Eleven @ Verano, which included a new Landscape Plan that will meet the requirements outlined in the Landscape Code. Mr. Finizio stated that with the new Landscape Plan, adequate buffering and screening would be provided on this site.

Mr. Finizio explained that if the Board found that the Special Exception Use application was consistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may: Motion to recommend approval to the City Council; Motion to recommend approval to the City Council with conditions; or Motion to recommend denial to the City Council. He stated that if the Board found that the Special Exception Use application was inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City Code, then the Board may motion to recommend denial to the City Council.

Mr. Finizio stated that there were many emails objecting the project, but there were also emails in favor. He stated that the emails were included in the Staff Report, and any emails sent after submission were placed on the dais prior to the meeting. Mr. Finizio stated that on September 24<sup>th</sup>, the applicant hosted a neighborhood meeting to discuss the project with the surround neighbors. Some of the major items discussed included traffic, landscaping, and safety.

Chair Beutel asked the Board members if they had any ex-parte communications to disclose, to which they responded in the negative.

Mr. Corzine stated that if they could keep traffic off the circle, then there would be less objections. He stated that there would be added traffic from I-95 to access the gas station and explained the changes he's encountered over the years, regarding Crosstown Parkway. Mr. Finizio stated that a U-turn lane was discussed and that it was possible, but there were costs associated.

Josh Long, Gunster Law Firm, gave a brief presentation. (**Clerk's Note:** At this time, a PowerPoint presentation was shown.) Mr. Long stated that 7/11 embarked on a nationwide campaign to completely change their business model. Mr. Long stated that the building would coordinate with the adjacent Publix. He stated that they held a neighborhood meeting, and 15 individuals attended. Mr. Long stated that the commercial tract was designed to accommodate the commercial needs of the area, before any houses were built in Verano. He explained that there were no homes directly adjacent to the proposed site and that there were two major roadways. Mr. Long stated that they were providing an additional right-in and right-out, which would take some burden off the shopping center's existing exits and distribute the traffic. Mr. Long explained that there was a 50-foot landscape buffer, which included multiple layers of landscaping.

Secretary Kurek inquired as to where the closest gas station was located from the site, to which Brandon Wolfe, Corporate Real Estate Representative for 7/11, responded that the closest gas station was roughly 2 miles to the north and 2 miles to the south. Secretary Kurek asked if residents needed to drive on I-95 to get to the gas stations, to which Mr. Wolfe responded in the negative. Secretary Kurek stated that WaWa started the trend, and that 7/11 had to compete, as gas stations were now service stores, as well.

Max Krupo, 9956 SW Torriente Lane, spoke against Item P19-116 and requested that the emails provided be entered into the record.

Joyce Kennedy, 9516 SW Nuova Way, spoke against Item P19-116 and stated that the neighborhood meeting held on the 24<sup>th</sup> was never posted or circulated to other residents, not within the 700-foot radius. Ms. Kennedy respectfully requested that the Planning and Zoning Board table the item for 60-90 days, in order to have a true neighborhood meeting. She stated that within the last 48-hours their petition obtained 216 signatures. She also requested that 7/11 provide a Crime Analyses from the Port St. Lucie Police Department and the St. Lucie County Sheriff's Department of criminal trends directly associated with establishments who operate 24/7 within the immediate proximity of I-95.

Carolyn Chaplik, 17015 SW Sapri Way, spoke against Item P19-116 and stated that there was a problem with the egress from the property.

Peter Porten, 10283 SW Visconti Way, spoke against Item P19-116, and expressed his concerns regarding signage. Mr. Porten stated that his biggest concern was the hours of operation, as they did not need a neighborhood gas station open 24/7.

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Gloria Guzman, 9497 SW Nuova Way, spoke against Item P19-116, as there was serious potential for major health, safety, and security issues for the entire Verano Community.

Jeffrey Leiter, 17019 SW Sapri Way, spoke against Item P19-116, and stated that he was not notified about the neighborhood meeting. He stated that a uniformed Police Officer stopped him on his way into City Hall and informed him that the biggest concern for the Police Department was the high amount of crime associated with 24-hour convenience stores.

John Chaplik, 17015 SW Sapri Way, spoke against Item P19-116 and stated that there was a problem with the egress from the property. Mr. Chaplik stated that it was the wrong location for the proposed project.

Edward Epstein, 21026 SW Modena Way, spoke against Item P19-116, and inquired as to if the City wanted another gas station, as the vision for the City. Mr. Epstein stated that he would like to see local business owners encouraged to have a part in the community.

Joseph Chaunessy, Verano Resident, spoke against Item P19-116, and inquired as to if a Traffic Study was completed for the area.

Raymond Marchionni, 10025 SW Canossa Way, spoke against Item P19-116 and inquired as to if the project was a done deal.

Ethel R. Leiter, 17019 SW Sapri Way, spoke against Item P19-116, and inquired as to if the project was a done deal, to which Chair Beutel explained the procedure for Item P19-116.

Leonard Cusano, 22007 SW Tivolo Way, spoke against Item P19-116 and requested to table the item until there could be a proper public hearing.

Michael Carr, 9521 SW Nuova Way, spoke against Item P19-116, and agreed with all previous comments regarding traffic. He stated that he never received a notice for the neighborhood public meeting. He inquired as to the risks associated with the underground gas tanks and stated that it was a horrible use of the property.

Luis Gonzalez, 9581 SW Nuova Way, spoke against Item P19-116 and stated that he did not understand why the Board did not ask any questions. He inquired as to when the residents could ask questions about the project and suggested a change in the process. Mr. Gonzalez inquired as to if the surrounding bodies of water would be affected.

Secretary Kurek inquired as to if the application was a Special Exception for gas distribution or sales, to which Mr. Finizio responded that the application was for a convenience store with fuel pumps. Secretary Kurek inquired as to what could be built on the property without a Special Exception, to which Mr. Finizio responded that anything allowed in the General Commercial

Zoning District under permitted uses. (**Clerk's Note:** At this time, Mr. Finizio read the Code to the Planning and Zoning Board, along with the audience.) Secretary Kurek inquired as to if they could regulate the hours of operation, to which Mr. Finizio responded in the affirmative. Secretary Kurek explained that there were many safety procedures in-place for underground gas tanks, and he did not feel like that was a big concern.

Mr. Corzine stated that he spoke with Mr. Finizio regarding the traffic flow and asked Clyde Cuffy, Engineering Intern, to come up and speak. Mr. Cuffy stated that as a condition, they could ask the applicant to provide a turning land on Crosstown Parkway. Chair Beutel inquired as to how the residents could be kept safe in their golf carts on the traffic circle, to which Mr. Cuffy responded that per City Policy, golf carts were not allowed on the roadways. Vice Chair Stephenson inquired as to if the golf carts could drive on the roadway if they were street legal, to which Chair Beutel responded in the affirmative and stated that she had experience on that subject. Mr. Cuffy stated that they would need to research ways to keep the golf carts safe, as they were not allowed on the circle or sidewalks. Chair Beutel inquired as to what the projected plans were for the increased traffic flow, to which Mr. Cuffy responded that there were no plans to widen the circle. Chair Beutel stated that there was time being lost with First Responders due to traffic and asked if that was taken into consideration for the Traffic Study, to which Mr. Cuffy responded in the negative.

Secretary Kurek inquired as to if Mr. Long had any answers to the resident's questions, to which Mr. Long responded in the affirmative and stated that 7/11 was one of the largest retailers in the world. He explained that they had experience in similar situations and there were countless success stories regarding 7/11. Mr. Long stated that they would sit with the Traffic Engineer and discuss the traffic concerns. Secretary Kurek inquired as to what Mr. Long thought about not being open 24/7, to which Mr. Long responded that 24/7 was a requirement for 7/11, as that was part of their marketing for the 3<sup>rd</sup> shifters. Secretary Kurek inquired as to if they started the permit process for the gas tanks, to which Mr. Long responded in the affirmative. Chair Beutel stated that normally, you see 24-hour gas stations located next to Walmart or Walgreens, which were open 24-hours. Vice Chair Stephenson stated that 7/11 was utilizing 50% of a large property, which could be fully utilized by an Ihop. She explained that the green space being left alone could have been a large parking lot, which would be a greater eye sore.

There being no further discussion, Mr. Corzine **moved** to approve P19-098, II), Comprehensive Plan Amendment/Small Scale, to the City Council with conditions that the developer, Kimley-Horn & Associates, provide a west bound U-turn cut on Crosstown Parkway. Secretary Kurek **seconded** the motion, which **passed** by roll call vote, with Ms. Briney, Mr. Corzine, Mr. Peak, and Ms. Wooten voting in favor, and Chair Beutel, Vice Chair Stephenson, and Secretary Kurek voting against.

(**Clerk's Note:** At this time, the Agenda resumed in its original order.)

**A. NON QUASI-JUDICIAL**

**3. P19-116 CITY OF PORT ST. LUCIE – FUTURE LAND USE ELEMENT TEXT  
AMENDMENT – COMPREHENSIVE PLAN AMENDMENT – LARGE SCALE**

Ms. Tobin stated that the item was a City staff-initiated text amendment to the Future Land Use Element of the City's Comprehensive Plan related to residential densities in the land use sub-categories of the New Community Development (NCO) District Future Land Use designation. The specific policies were: Policy 1.2.2.4, Neighborhood/Village Commercial Areas; Policy 1.2.2.5, Town Center Area; Policy 1.2.2.6, Resort Areas; Policy 1.2.2.7, Mixed Use Areas; Policy 1.2.2.10, Employment Areas. Mr. Tobin explained that Objective 1.2.1 established the New Community Development District Future Land Use Designation to address the large-scale mixed-use projects that were originally envisioned west of 1-95. Currently, the following developments have an NCO future land use designation: Tradition; Western Grove; Southern Grove; Riverland; and Wilson Groves.

Mr. Tobin stated that the Planning and Zoning Department staff found the Amendments to the Comprehensive Plan consistent with the intent and direction of the City's Comprehensive Plan and the NCO Future Land Use Designation and recommended approval of the proposed amendments, based on the analysis and findings, as noted in the staff report.

There being no discussion, Mr. Corzine **moved** to recommend approval of P19-116, City of Port St. Lucie, Future Land Use Element Text Amendment, Comprehensive Plan Amendment, to the City Council. Vice Chair Stephenson **seconded** the motion, which **passed unanimously** by roll call vote.

**4. P19-102 LCS COMMUNICATIONS, LLC – ZONING TEXT AMENDMENT**

Ms. Tobin stated that the application was from LSC Communications, LLC, for a Zoning Text Amendment to Section 158.213, Wireless Communication Antennas and Towers. The proposed change included adding Planned Unit Developments (PUDs) to the list of Zoning Districts that could apply for a Special Exception Use for a wireless communication antenna or tower; allowing antennas or towers in PUDs with over 250 acres with an Institutional (I) Future Land Use Designation and limiting the height to 100-feet; and adding provisions that antennas or towers in PUDs meet certain architectural and aesthetic design requirements.

The Planning and Zoning Department staff found the amendment to the Zoning Code consistent with the intent and direction of the City's Comprehensive Plan and recommended approval of the proposed amendment based on the analysis and findings in the staff report.

Mr. Corzine inquired as to if a tower can be built within 250-feet of a residential area that was



not part of the PUD, to which Mr. Tobin responded that the Amendment was not allowing the towers in properties with a Future Land Use Designation of Residential. She stated that the request later in the Agenda included a request to change the Land Use to Institutional for a small piece of property.

Ele Zacharias, Dunay, Miskel, and Backman, LLP, gave a brief presentation and stated that no one has complained about the proposed text amendment because they do not have coverage in the area. Ms. Zacharias stated that they were proposing a clock tower, as it was more esthetically appealing. Mr. Corzine expressed his concerns regarding unhappy buyers finding out about the cell tower, to which Ms. Zacharias responded that all buyers in the development were aware of the proposed cell tower prior to purchasing. Mr. Corzine inquired as to if there would be community meeting, to which Ms. Zacharias responded that there would be a meeting in 2-weeks.

Angelica Bartone spoke against item P19-102 and stated that there was evidence that the radiation from the cell phone towers affected the health of humans and animals. She requested that the cell tower be relocated to a less populated area. Elizabeth Hertz, Deputy City Attorney, stated that the Telecommunications Act pre-empts the local government when considering environmental factors and health concerns in deciding the application.

There being no further discussion, Mr. Corzine **moved** to recommend approval of P19-102, LCS Communications, LLC., Zoning Text Amendment, to the City Council. Secretary Kurek **seconded** the motion, which **passed unanimously** by roll call vote.

**5. P19-147 LENNAR HOMES/LCS COMMUNICATIONS, LLC –  
COMPREHENSIVE PLAN AMENDMENT/SMALL SCALE**

Ms. Tobin stated that the application was for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation for .20 acres (8,710 square feet) from Low Density Residential (RL)/General Commercial (CG) to Institutional (I). The intent, in conjunction with the proposed LCS Communication, LLC Text Amendment (Item 7(A-4)/P19-102), was to allow cell towers by Special Exception Use in Planned Unit Developments (PUDs) provided the property has a Future Land Use Designation of Institutional (I).

Ms. Tobin stated that the Planning and Zoning Department found 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 recommended approval of the proposed Small-Scale Comprehensive Plan Amendment.

There being no further discussion, Vice Chair Stephenson **moved** to recommend approval of P19-147, Lennar Homes/LCS Communications, LLC., Comprehensive Plan Amendment/Small

Scale, to the City Council. Secretary Kurek **seconded** the motion, which **passed unanimously** by roll call vote.

**B. QUASI-JUDICIAL**

**1. P19-087 CITY OF PORT ST. LUCIE – COMMUNITY CENTER & BELVEDERE  
STREET LOTS – REZONING**

Chair Beutel asked the Board members if they had any ex-parte communications to disclose, to which they responded in the negative.

John Finizio, Planner stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting to enter into the record and explained that the request was a rezoning application for approximately 6.42 acres of land from CG (General Commercial) and RS- 2 (Single Family Residential) to I (Institutional). There was a total of six (6) lots included in the request, the largest housed the City of Port St. Lucie's Community Center. The other five parcels were residential lots that were directly adjacent to the Community Center and front onto Belvedere Street.

Mr. Finizio stated that the rezoning application from CG (General Commercial) and RS-2 (Single Family Residential) to I (Institutional) was not expected to have any adverse impact on the surrounding area. The five (5) residential lots are directly adjacent to the Community Center, and all the parcels would come under a Unity of Title and become a part of the Community Center Site Plan. He stated that one of the existing houses would serve as office space for the Parks and Recreation staff.

Mr. Finizio stated that in anticipation of this Rezoning Application, a Small-Scale Comprehensive plan has been submitted to change the future land use of all these properties to Institutional. P19-086 City of Port St. Lucie - Community Center Small Scale Comprehensive Plan was being reviewed concurrently with this rezoning application. This comprehensive plan amendment was required because the Future Land Use of the current Community Center parcel is General Commercial (CG) which was not compatible with the Institutional (I) Zoning Designation.

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 recommends approval.

Chair Beutel opened the Public Hearing. There being no discussion, Chair Beutel closed the Public Hearing.

There being no further discussion, Secretary Kurek **moved** to recommend approval of P19-087, City of Port St. Lucie, Community Center and Belvedere Street Lots, Rezoning, to the City Council. Vice Chair Stephenson **seconded** the motion, which **passed unanimously** by roll call vote.

**2. P19-104 ST. LUCIE LAND (VF II, LLC) – PUD AMENDMENT**

Chair Beutel asked the Board members if they had any ex-parte communications to disclose, to which they responded in the negative.

Ms. Tobin stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and to enter it into the record and explained that the application was for the Third Amendment to the St. Lucie Lands Planned-Unit Development, specifically to amend the Conceptual Plan for a 2.90-acre parcel by changing the designation from Commercial General (CG), Commercial Highway (CH) and Residential, Office, Institutional (ROI) to Commercial Services (CS). She explained that the application was related to P19-103 – St. Lucie Lands Comprehensive Plan Amendment. The Comprehensive Plan Amendment proposed to change the Future Land Use Designation of the 2.90-acre parcel from Residential, Office, Institutional (ROI), Commercial General (CG), and Commercial Highway (CH) to Commercial Service (CS).

Ms. Tobin stated that the Site Plan Review Committee reviewed the request at their meeting of August 14, 2019 and recommended approval. The Planning and Zoning Department found the request to be consistent with the direction and intent of the City's Comprehensive Plan, as mentioned above in the Land Use Consistency section and recommended approval.

Dennis Murphy, Culpepper and Terpening requested that his previous PowerPoint presentation be entered into the record for Item P19-104.

There being no further discussion, Mr. Corzine **moved** to recommend approval of P19-104, St. Lucie Land (VF II, LLC.), PUD Amendment, to the City Council. Secretary Kurek **seconded** the motion, which **passed unanimously** by roll call vote.

**3. P19-098 PUBLIX SUPERMARKETS @ VERANO – SPECIAL EXCEPTION USE**

(Clerk's Note: Item P19-098 was heard after Item P19-103, at the request of the Board.)

**4. P19-110 RIVERLAND/KENNEDY DRI, PARCEL 'C' – MPUD REZONING**

Chair Beutel asked the Board members if they had any ex-parte communications to disclose, to which they responded in the negative.

The Deputy City Clerk administered the Oath of Testimony to Daniel Robinson, who stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and to enter it into the record and explained that the application was a rezoning for Riverland/Kennedy DRI Parcel. He stated that the owner was Riverland/Kennedy II, LLC., and the property was located south of

Discovery Way and west of Community Boulevard. Mr. Robinson stated that the proposed MPUD would allow for 1,250 residential dwelling units. Development standards were included in the MPUD document for detached single family, attached villa, and townhouse dwelling units. He explained that the proposed permitted uses within the residential area included recreational uses and a community garden. Mr. Robinson stated that the property consisted of inactive citrus groves and agricultural reservoirs and that a clearing permit was required prior to issuance of any development permits. Mr. Robinson stated that the Site Plan Review Committee reviewed the request at their meeting of July 24, 2019 and recommended approval.

Kevin Rattray, GL Homes, gave a brief presentation and stated that Valencia "K" was located directly east of parcel "C". Mr. Rattray stated that the primary access would be North/South "B" and the secondary access would be Discovery Way. Mr. Rattray stated that Amendment "A" was approved by the City Council and they fulfilled the Mayor's request regarding the street trees.

Chair Beutel opened the Public Hearing. There being no discussion, Chair Beutel closed the Public Hearing.

There being no further discussion, Vice Chair Stephenson **moved** to recommend approval of P19-110, Riverland/Kennedy DRI, Parcel 'C', PUD Rezoning, to the City Council. Mr. Corzine **seconded** the motion, which **passed unanimously** by roll call vote.

**5. P19-126 ORELLANA PROPERTIES, INC. – REZONING**

Bridget Keen, Senior Planner stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and to enter it into the record and explained that the application was a Rezoning application to change the zoning designation of approximately 0.459 acres from Single Family Residential (RS-2) to Warehouse Industrial (WI). Ms. Keen stated that the property was located on the north side of Conant Avenue, east of Edgarce Street, west of Domina Road, and south of Cahaly Road. Ms. Keen stated that the Planning and Zoning Department staff found the request to be consistent with the direction and intent of Policy 1.1.4.13 of the City's Comprehensive Plan and recommended approval.

Chair Beutel inquired as to if Fountain Business Group, LLC., was involved in the project, to which Ms. Keen responded that she was unsure. Chair Beutel stated that a gentleman named Noel Perez, who claimed he owned the property and his realtor was Christine Skurka, tried to speak with her regarding the property.

Chair Beutel asked if the applicant was present, to which Ms. Keen responded in the negative and stated that they were notified. There being no further discussion, Vice Chair Stephenson **moved** to table P19-126, Orellana Properties, Inc., Rezoning, to the November 5<sup>th</sup> meeting due to the applicant not being present. Mr. Corzine **seconded** the motion, which **passed**

**unanimously** by roll call vote.

**6. P19-030 CGI ST. LUCIE LLC – SPECIAL EXCEPTION USE**

Ms. Keen stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and to enter it into the record and explained that the application was for a special exception use per Sections 158.255 to 158.262 of the Zoning Code. The request is to permit a wireless communication tower with a maximum height of 150 feet in a General Use Zoning District. Section 158.060 (C) (11) of the Zoning Code lists wireless communications antennas and towers as a Special Exception Use in the General Use Zoning District. The proposed location is the maintenance facility for the St. Lucie Trail Golf Club. A 25 foot by 80 foot (2,000 S.F.) rectangular area on the east side of the property is proposed for lease by CGI St. Lucie, LLC, owner, to RG Towers, LLC, for a monopole wireless communication tower with a maximum height of 150 feet. Section 158.213 (F)(I) of the Zoning Code establishes a maximum height of 300 feet for a wireless communications tower under GU zoning. Ms. Keen stated that the subject property received approval for a Special Exception Use for a golf course maintenance facility in a General Use Zoning District on August 29, 1988 (Resolution 88-R45). The Site Plan for the maintenance facility was approved by the City Council on October 10, 1988 (P88-080).

Ms. Keen stated that the maintenance facility was located at the end of S.W. Utility Drive and adjacent to the St. Lucie West Services District. Traffic on S.W. Utility Drive is primarily district employees and golf course maintenance crew. A traffic impact statement was prepared by Kimley-Horn and Associates that stated that the leased area for the unmanned wireless communications tower and compound would generate no more than four (4) semi-annual trips (2 in and 2 out) per carrier and would not impact the surrounding roadway. Ms. Keen stated that the driveway entrance into the maintenance facility was located on Tract B, St Lucie West Plat No. 15. An application for a Unity of Title to combine the maintenance facility parcel and Tract B, St Lucie West Plat No. 15, into one lot has been submitted to the City Attorney's Office. She explained that the driveway entrance along Tract B, St Lucie West Plat No. 15, is unimproved. As a condition of approval of the proposed resolution, the applicant would be required to provide a stabilized gravel driveway along Tract B from the edge of pavement at SW Utility Drive to the paved driveway at the maintenance facility as depicted on the proposed Site Plan Amendment.

Ms. Keen stated that if the Board found that the Special Exception Use application was consistent with the criteria as listed in Section 158.260 (A) through (L) of the City Code, then the Board may: Motion to recommend approval to the City Council or Motion to recommend approval to the City Council with conditions as recommended by staff. If the Board found that the Special Exception Use application was inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may: Motion to recommend denial to the City Council. She stated that should the Board need further

clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review at a future meeting.

Chair Beutel asked the Board members if they had any ex-parte communications to disclose, to which they responded in the negative.

Holly Valdez, RG Towers, LLC., gave a brief presentation and stated that it was rare to find a parcel with GU Zoning on both sides, and Open Space Recreational. She explained that they held an informational meeting and only 10 people attended. She stated that Ms. Keen covered most of the information and requested approval. Secretary Kurek inquired as to what carriers they served on their towers, to which Ms. Valdez responded that they serviced all the major carriers and public safety. Mr. Corzine inquired as to the closest tower to the site, to which Ms. Valdez responded that the closest tower was located at the Post Office, which was over a mile away.

Chair Beutel opened the Public Hearing.

Angelica Bartone spoke against Item P19-030 and stated that there was evidence that the radiation from the cell phone towers affected the health of humans and animals. She requested that the cell tower be relocated to a less populated area.

The Deputy City Clerk administered the Oath of Testimony to Joan Golebiewski, who spoke against Item P19-030, as she did not want to wake up and see a tower in her backyard.

Scott Richards, RG Towers, LLC., gave a presentation and stated that the cell towers were essential for children to communicate with their parents and explained that towers get overloaded, which caused demand for additional sites.

Chair Beutel inquired as to if the surrounding residents needed the cell tower, because she did not want to overload an area. She stated that she would be upset with a cell tower in her backyard and asked if they would be willing to make the tower more esthetically appealing. Mr. Richards stated that the area was assessed, as they had existing customers complaining about dropped calls.

There being no discussion, Chair Beutel closed the Public Hearing. Secretary Kurek **moved** to recommend approval of P19-030, CGI St. Lucie LLC, Special Exception Use, to the City Council. Mr. Peak **seconded** the motion, which **passed unanimously** by roll call vote.

**8. NEW BUSINESS**

**A. P19-031 CGI ST. LUCIE LLC (TOWER) – SITE PLAN**

Ms. Keen stated that the file was submitted to the City Clerk's Office 5 days prior to the

meeting and to enter it into the record and explained that the application was the associated Site Plan for the previous application. She explained that it was a minor Site Plan Amendment to the maintenance facility site to include the cell tower.

There being no further discussion, Secretary Kurek **moved** to recommend approval of P19-031, CGI St. Lucie LLC (Tower), Site Plan, to the City Council. Mr. Corzine **seconded** the motion, which **passed unanimously** by roll call vote.

**B. AMENDMENT TO THE PLANNING & ZONING BOARD BY-LAWS**

Teresa Lamar-Sarno, Interim Planning and Zoning Director explained that the Item was a follow-up from the last meeting, and that they would be updating their By-Laws to include that the Board would interview everyone, including alternates.

There being no further discussion, Secretary Kurek **moved** to approve the amendment to the Planning and Zoning Board By-Laws. Vice Chair Stephenson **seconded** the motion, which **passed unanimously** by roll call vote.

**9. OLD BUSINESS**

Teresa Lamar-Sarno, Interim Planning and Zoning Director explained that she was using a new template and requested the Board's feedback.

**10. PUBLIC TO BE HEARD**

No one signed up to speak under this item.

**11. ADJOURN**

There being no further business, the meeting adjourned at 5:38 p.m.

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Daniel Kurek, Secretary

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Calleigh N. Myers, Deputy City Clerk

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