

City of Port St. Lucie
Commercial and Residential Developers Stakeholders Group
September 7, 2023
SPECIAL MEETING SUMMARY

The virtual stakeholder meeting was opened at 1:00 p.m. The meeting was facilitated and minuted by Thomas Lanahan, Executive Director, and Stephanie Heidt, Economic Development and Intergovernmental Programs Director, of the Treasure Coast Regional Planning Council.

The following stakeholders were in attendance:*

Alexander Akel	Jay Wickham
Antonio Balestrieri	Jeff A (Zoom ID)
Austin Burr	Joe Sabater
Azlina Siegel	Kelly Cranford
Bethany Grubbs	Kevin Matyjaszek
Brennan Dwyer	Kinan Husainy
Brion Yancy	Laney Southerly
Clyde Cuffy	Deputy Chief Paul Langel
Chris Frederick	Michelle Holler
Colt Schwerdt	Michael D'Amelio
Dan Sorrow	Mike Fogarty
Dante Fraiegari	Michael Peter
Darren Weimer	Ramsey Akel
Dave Morgan	Ryan Courson
David Graham	Scott Morton
DayanP (Zoom ID)	Shaun MacKenzie
Deb Frazier	Stephanie Heidt
Derek Fenech	Councilwoman Stephanie Morgan
Diana Spriggs	Steve Brickley
Donna Rhoden	Steven Garrett
Elijah Wooten	Tom Lanahan
Frank Covelli	Tony Palumbo
Garrett Dinsmoro	Tracy Valure
Greg Pettibon	Vindra Khan
Horacio Moncada	Captain Wayne Boyer

Mr. Lanahan, Executive Director of the Treasure Coast Regional Planning Council, indicated that the meeting would focus on the single topic of the City proposed code changes to require secondary access points for residential developments.

Mr. Colt Schwerdt, Assistant Director of Public Works and City Engineer, provided an overview of the proposed Vehicular Access Standards for Residential Subdivisions. He explained that this was first discussed at the City's 2023 Winter Workshop where the City Council directed staff to review existing standards in other jurisdictions and bring forward dwelling unit threshold recommendations for requiring secondary access points for new housing developments. This was first presented to the City Council on June 26, 2023.

* Attendee names matched from Invitation List with Zoom Meeting ID

Subsequently, a first reading of the proposed ordinance was presented to the City Council at its August 28, 2023 meeting.

Mr. Schwerdt stated that the intent of the proposed amendments to the code is to ensure residents have appropriate access and traffic facilities to efficiently and safely serve developments within the City. He noted that the St. Lucie County Fire District provided a letter of support for the proposed amendments. He indicated that existing City Codes for subdivision access, sidewalks, and bike paths call for access points to serve subdivisions but do not have specific thresholds for additional access points and require the construction of or contribution toward off-site road improvement as necessary. He provided examples of standards used in the City of Orlando, Alachua County, and the City of Palm Coast. He also provided access requirements of the SLC Fire District, which are determined by the Fire Marshal and reviewed during the Site Plan Review process.

Mr. Schwerdt provided the following summary of the proposed City Access Requirements:

- 1 to 99 units: Sites must provide a minimum of two access points. One access may operate as emergency only and may utilize a stabilized, pervious surface approved by the City Engineer and Fire Marshal.
 - Installation of secondary access point shall be completed prior to 50 percent of building permit issuance.
- 100 or more units: Sites must provide a minimum of 2 access points with impervious surfaces suitable for all users.
 - Installation of secondary access point shall be completed prior to the 75th building permit issuance.
- Common Requirements of Both Thresholds:
 - Secondary access point shall be located on a different public roadway than the primary access and on different side of the development where feasible.
 - When the public roadway is not yet constructed, installation of the secondary access point shall include construction of the public roadway up to the secondary access point at a minimum.

Mr. Schwerdt also reviewed the following feedback received by the City from the development community:

Mattamy Homes

- Stabilized Fire access appears to make sense
- Not needed and should be per Traffic Engineers study
- 800 to 1000 units: Not specific on emergency or suitable for all
- Concern with the cost for secondary access with 100 units.

Green Pointe

- 200 to 599 units: for 1 permanent access suitable for all and 1 emergency access
 - Installation of secondary access point at 200 building permits issued
- 600 or more units: for 2 permanent access points suitable for all
 - Installation of secondary access point at 600 building permits issued, and emergency access provided at 200 building permits

- Concern with SPRC language leaving too much room for ambiguity and should be supported by the traffic study.
- Question on does “where feasible” apply to different public roadways and different sides of the development
- Concern with construction of public road up to secondary access. Would like this to be 100% mobility fee creditable.

Cotleur & Hearing

- Concern with SPRC language leaving too much authority to require additional access.
 - Would like this language removed, including removal as determined by a traffic study.
 - Would like to add consistent with Florida Building Code or St. Lucie County Fire District Standard
- 1 to 299 units: for 1 permanent access suitable for all and 1 emergency access
 - Would like the removal of construction of public roadway up to secondary access
 - Would like expansion of the “where feasible” to include only when parcel abuts the secondary roadway. If not feasible access should meet FDOT separation requirements.
- 300 or more units: for 2 permanent access points suitable for all
 - Secondary access installed prior to 50 percent of building permit issuance
 - Same additional request and removals as 1 to 299 units.
- Would like to include language regarding these requirements should not be applied to require expedited construction of roadways as set forth in vested development orders.

Riverland/Kennedy II

- Agree that standards should be codified, but do not agree with current proposal
- Concerns with SPRC required additional access point language. Would like it removed.
- 1 to 99 units: for 1 permanent access suitable for all and 1 emergency access
 - No requested changes to proposed thresholds.
- 100 or more units: for 2 permanent access points suitable for all
 - No objection to secondary access requirement
 - Would like secondary access installation suitable for all at 50 percent of building permit issuance.
 - Suggested a temporary emergency access be provided prior to first non-model certificate of occupancy issuance and shall remain in place until permanent secondary is installed.

Lucido & Associates

- Emergency access and secondary access should not be treated the same.
 - Emergency access should be provided in the first phase of the development. Permanent access with median divided entrances can act as an emergency access

- Would like significant data and input from the Fire District for experiences with responding to emergency calls, lengths of roads within communities, should the surface be paved or stabilized, other factors that effect response times, etc.
- Would like removal of construction of public road up to secondary access
- Recommended thresholds:
 - All thresholds should establish a percentage of variance, possibly 10 percent. No requested changes to proposed thresholds.
 - 1 to 249 units: for 1 permanent access suitable for all and 1 emergency access
 - 250 to 500 units: for 2 permanent access points suitable for all
 - 501 to 999 units: for 2 permanent access points suitable for all and 1 emergency access
 - 1,000 units or more: for 3 permanent access points suitable for all

Akel Homes

- Feels 3 access points for 1,000 units it too expensive for residents and HOAs to support and maintain.
- Feels 3 access points is better suited around 1,500 units.
- Would like the removal of construction of public roadway up to secondary access. And should not be used to accelerate roadways or alter existing development orders

Lennar

- Not in support of the proposed changes.
- Added cost to construct and maintain additional entrances or require additional roadways will increase the cost of housing to the end user in both initial construction and maintenance. And would make the properties less developable.
- Believe the proposed change would not be in the best interest of the City and Development Community.

Mr. Lanahan noted that Mr. Palumbo with Mattamy Homes had inquired in the Chat meeting function if all the research was done looking for a stringent code. Mr. Schwerdt indicated that he was not looking for stringent codes, only for codes that could be applied within the City of Port St. Lucie. Mr. Palumbo stated that the researched communities are places where builders do not want to build. If the proposed codes had been in place when planning Mattamy's three Developments of Regional Impact (DRIs), they could have planned and all the additional roadwork that will need to be done to adhere to new code will cost approximately \$25 million. He stated that any existing DRI with requirements in place should be excluded from the new requirements.

Mr. Palumbo stated that if this is an issue of life and safety, he would like to see some statistics and examples of incidents when not having the secondary access point has become a safety issue. He stated that he wants to see decisions made that are driven by traffic flow and not the number of units. He stated that the threshold of 100 units is a ridiculously small number. He asked if anything said in today's meeting will be taken into consideration by the City Council. Mr. Schwerdt indicated that the development community's feedback and opinions will be provided to the City Council. Mr. Lanahan confirmed that a summary of this meeting will be provided to City staff by Tuesday, September 12th. Mr. Palumbo stated that they were told there would be a workshop, stating this meeting is a poor

excuse for a workshop. He stated that he would recommend there be a workshop with traffic engineers, the developers, and elected officials.

Mr. Burr with GreenPointe Holdings agreed that there needs to be a workshop. Mr. Schwerdt noted the staff's directive was to have this meeting and bring back information to the City Council. Mr. Sorrow stated that he feels this is being rushed and that this two-hour block of time, which he feels is just being done to check a box, will not generate proper feedback.

Mr. Lanahan noted that in the Chat Shaun MacKenzie with MacKenzie Engineering, Inc. asked how the City sees these changes in code affecting existing neighborhoods and existing apartment complexes. Mr. Schwerdt answered that it will be looked at on a case-by-case basis.

Mr. Pettibon with Lennar stated that they currently have two neighborhoods, one in the City and one in the County, where a second access point is impossible due to their location, such as across from the railroad, which would make them undevelopable under the proposed new code requirements. He indicated that he realizes this sounds like the big, deep-pocketed developers being cheap, but this will take away from their already minimal profit margin. He suggested the proposed change be given more thought.

Mr. Lanahan asked if the City will work within the framework and rules of the existing DRIs. Mr. Schwerdt noted that the DRIs just require access points at major intersections a mile apart.

Mr. Morton with Kolter Homes noted that a DRI may have multiple points of access. He asked how they would look at this. Mr. Schwerdt indicated it will be assessed at the MPUD and PUD levels.

Mr. Palumbo noted that within the Tradition developments, 50-70% of the residents have not driven before coming here, so adding access points will likely create more accidents. He stated that with the major access points now required, they are better able to control traffic. He stated that this will force developers to build roadways way ahead of demand. He indicated that if it was known that they needed the second access points they would have designed the developments differently.

Mr. Lanahan noted that in the Chat Mr. Akel with Akel Homes had typed *"This is nothing more than city wants to circumvent the Development orders to expedite roads construction. What kind of guaranty that is not the case?"* Mr. Akel stated that his concern is that this is really all about the western annexation area. He stated that this does not make financial sense and this will kill large development in the City moving forward. He asked the City to show the justification for the proposed requirements and have a workshop. He indicated that this will be litigated in the courts if there are changes to the development orders that are in place. He noted that his residents want the safety of having security, but if it is required at more access points, it will be cost prohibitive for the residents.

Mr. Lanahan noted that Husainy Kinan with Kimley-Horn Associates posted the following information in the Chat feature: *From FHWA "An overabundance of driveways also increases the rate of car crashes. An examination of crash data in seven states indicated found a strong linear relationship between the number of crashes and the number of*

driveways." Mr. Kinan stated that this seems like it is being rushed through. He noted that the Florida Department of Transportation has spent a lot of money to develop guidebooks on access management. He stated that he does not know how this will help with traffic circulation, access, or safety. He stated that the design professionals in the community need to be engaged as well.

Councilwoman Morgan joined the meeting in progress and expressed her frustration that she was not notified of the call, so was not able to hear all the comments. She stated that serving as Chair of the Fire District Board her utmost concern is the residents and the ability to have proper access in cases of emergency. She stated that falls under the jurisdiction of the Fire District and not the City. She asked Deputy Chief Paul Langel and Captain Wayne Boyer, the Fire Marshal, to expand on the St. Lucie Fire District's current requirements.

Captain Boyer noted that the current code is vague and does not give specific triggers. He stated they evaluate a site plan from the 10,000 foot level, looking at the circulation within the development and the access points to make the best decision on what emergency access points are needed. Chief Langel stated that it is under the Fire Marshal's purview to require additional access points if they are needed. He stated that the fire codes they operate under are vague because they look at varied situations and logistics that need to be taken into consideration at each site. He stated that they are only concerned with the emergency access points as spelled out in the Site Plan Review Committee (SPRC) process and evaluate things such as the size of the development, its geographic location, and any traffic studies that have been done. He indicated that they are indifferent to anything that would make a code more stringent by a different entity. He stated that they would be happy to attend a workshop and provide more information to the City and the development community.

Ms. Spriggs, Regulatory Division Director, Public Works for the City of Port St. Lucie, asked, both verbally and in Chat, what the timing is for interaction of the development design and the fire department review. Mr. Sorrow noted that the Captain and Chief are very involved throughout the entire SPRC process and have been very easy to work with because this should not be a one-size-fits-all approach. He stated that this needs to be looked at on an individual basis to figure out solutions in annexation areas and smaller areas that are land-locked with no secondary access opportunities.

Ryan Courson with GL homes stated that the bigger concern for him is the timing over the number of units. He noted that in the examples provided from around the state there are no building permit thresholds and asked where the City's proposed numbers are derived. He stated that the numbers do not take into account the scale of the development and perhaps the timing should be based on percentage rather than number of units built. He noted that they do provide temporary emergency access during construction. Mr. Schwerdt stated that they are currently trying to get feedback on what makes sense for the timing. He noted that the original version had a hard number of units, but the City is considering using percentages and is requesting feedback on what should be used.

Horacio Mancada with Akel Homes noted that there was clear consensus that this proposal should be postponed until stakeholder feedback could be obtained. Mr. Schwerdt noted that this was tabled from the September 11th City Council meeting to the September 25th meeting to hold this workshop. Mr. Lanahan agreed that it would be beneficial to have a real sit down

with engineering and others to make sure all concerns are addressed. He indicated that this could be an opportunity to look at some specific developments to determine what the effects of these rules will be. He stated that the standards may need to be more flexible to obtain the best results. This will also allow the City time to determine if they are capturing what they want to address. Mr. Lanahan stated that what he is hearing from the discussion is the desire to work together to avoid landmines and not create problems that will prevent accomplishing good results.

Ms. Spriggs stated that from strictly an emergency access concern, the City wants to plan ahead to ensure that residents will be able to get in and out of their development during an emergency situation. She stated that because there is no set code for the site plan reviewer, it is difficult to ask for something from the developer that makes sense if there is nothing to point to in the regulations. She stated that being upfront will avoid arguments.

Mr. Palumbo noted that he has still not heard the true driver of needing the new code. He stated that he pays his planners and engineers a lot of money to plan communities and at some point common sense should prevail. He stated that if the City can say that the Fire District has had multiple incidents where they were not able to get to an accident or resident, or the citizens are storming City Hall requesting more access points, then that would be something to consider. He stated that the only effect he sees is that the developers are going to be required to build roads and secondary access points long before they will be needed.

Councilwoman Morgan thanked everyone for their attendance and participation. She stated that she would like to know from staff if there have been any issues with Fire/Rescue trucks not being able to access a development because there was no secondary access point. She stated that she was concerned about Kings Isle because she was informed they only had one access point. However, she was later corrected that there are three or four emergency access points. She stated it is also important to ensure that homeowners are able to evacuate safely during an emergency. Chief Langel stated that from the Fire District standpoint they are only concerned with emergency access, not an access that would be used for public access to mitigate during an emergency. Captain Boyer stated that if for some reason there is an emergency at the primary entrance, then the community could use the emergency access.

Mr. Lanahan asked if there were any more comments. Seeing none, Elijah Wooten, Economic Development Administrator for the City of Port St. Lucie, noted that the community had asked for a workshop and it was the directive from the City Management to postpone the date for the second reading of the proposed code changes from September 11 to September 25 in order to have this meeting. He stated that the recording of this meeting will be made available today, with a summary provided next week. Mr. Lanahan noted that he is available to facilitate a workshop if necessary.

Councilwoman Morgan asked for a list of everyone who was invited to this meeting.

Mr. Schwerdt expressed his appreciation for everyone attending on such short notice and he looks forward to working together to make this work.

The meeting was adjourned at 2:30 pm.