

# **City of Port St. Lucie**

## **Planning and Zoning Board**

### **Meeting Minutes**

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  
Saadat Syed, Alternate, Term 1, Expires 1/1/2027

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**Tuesday, February 6, 2024**

**6:00 PM**

**Council Chambers, City Hall**

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**\*Request to Withdraw Item 8A\***

**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 February 6, 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

Others Present:

Rose Futch, Alternate Member  
Mary Savage-Dunham, Director, Planning and Zoning  
Russell Ward, Deputy City Attorney  
Traci Mehl, Deputy City Clerk

**3. Determination of a Quorum**

Chair Reikenis determined there was a quorum.

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**4. Pledge of Allegiance**

Chair Reikenis led the assembly in the Pledge of Allegiance.

At this time, the Deputy City Clerk administered the Oath of Office to Alternate Board Member Rose Futch.

**5. Approval of Minutes**

**5.a** Approval of Minutes - November 28, 2023 Special Meeting & January 2, 2024 Meeting

[2024-108](#)

Board Member Creese moved to approve the minutes of the November 28, 2023, Special Meeting and January 2, 2024, Regular Meeting, with the request to add Jim Norton to the members listed on the cover sheet.

Board Member Spatara seconded the motion, which passed unanimously by voice vote.

**6. Consent Agenda**

There was no Consent Agenda to approve.

**7. Public Hearings - Non Quasi-Judicial**

There was nothing scheduled under this item.

**8. Public Hearing - Quasi-Judicial**

Deputy City Attorney Russell Ward explained the Quasi-Judicial rules and procedures for the items under Section 8 of the Agenda. The Deputy City Clerk swore in those individuals who intended to speak on the Quasi-Judicial items.

**8.a** P23-130 Chick-Fil-A @ SLW - Variance

[2023-1021](#)

Location: 1611 NW St. Lucie West Boulevard.

Legal Description: Parcel I: Lot 1, St. Lucie West Plat No. 194, According to The Map or Plat Thereof, As Recorded in Plat Book 73, Pages 19 And 20, of The Public Records of St. Lucie County, Florida.

Parcel II: Together With Those Certain Non-Exclusive Easements Contained in That Certain Access Easement Agreement by And Between Bank of America, National Association and RG SLW, LLC, Recorded in Official Records Book 4136, Page 1291, of The Public Records of St. Lucie County, Florida.

This is a request to grant a variance of a reduction in the required parking spaces to allow for an addition of a second lane to the existing queuing drive-through lane.

Chair Reikenis indicated this item was withdrawn from the Agenda.

**8.b** P23-176 - Economy Self Storage, Inc. - Variance

[2024-112](#)

Location: 1915 SW Hayworth Avenue

Legal Description: Port St Lucie Section 31, Block 1705, Lot 14

This is a request to grant a variance for a reduction in minimum

frontage to allow an 80 -foot wide road frontage.

Chair Reikenis stated this item was requested to be tabled by the applicant.

There being no discussion, Vice Chair Previte moved to table Item 8.b, P23-176 - Economy Self Storage, Inc. - Variance, to the Planning and Zoning Board Meeting of March 5, 2024. Board Member Spatara seconded the motion, which passed unanimously by voice vote.

**8.c** P23-196 Bush, Kevin D. & Nicole M. - Variance

2023-1150

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

Legal Description: Port St Lucie Section 31, Block 1706, Lot 15.

This is a request for a variance of 10.27 feet to allow a 14.73-foot setback from the rear property line for an existing multi-story building.

Chair Reikenis stated this item was requested to be tabled to a date uncertain.

There being no discussion, Vice Chair Previte moved to table Item 8.c, P23-196 Bush, Kevin D. & Nicole M. - Variance, to a date uncertain. Board Member Creese seconded the motion, which passed unanimously by voice vote.

**8.d** P24-004 St. Lucie Lands - Florida Coastal Surgical Hospital -

2024-111

Landscape Modification

Location: The south side of the intersection of SE Becker Road and SE Veranda Place, in the SE quadrant of the Florida Turnpike-Becker Road interchange.

Legal Description: Veranda Plat No. 8, Tract 1

This is a request to provide landscaping in lieu of an architectural buffer wall on the south and southeastern sides of the site per Section 154.12 of the City of Port St. Lucie Code of Ordinances.

Chair Reikenis inquired if there were any ex parte communications, to which the members each indicated they had none to report.

Bethany Grubbs, Planning and Zoning, stated she has been sworn in and the official file has been transmitted to the City Clerk at least five days prior to this meeting. She presented a PowerPoint presentation on this application for a landscape modification, which is a request to forego the required six foot high masonry wall when institutional and commercial uses are abutting open space and residential tracts. Planner Grubbs noted this request was in association with the proposed Tenet Health Hospital and medical office building. She indicated the applicant is Dennis Murphy and the property owner is Florida Coast Medical and Surgical Center. Planner

Grubbs showed the location of the subject property, site plan, and landscape plan. She stated staff is proposing plantings at four feet in height.

Planner Grubbs responded to the Board's questions and comments regarding notifications being sent to the residents within 750 feet, plantings being maintained at six feet with one tree planted every 30 linear feet, and prior precedent. She indicated a future residential developer would be able to construct a six foot wall and that conditions could be added to the landscape modification by the Board.

Dennis Murphy, Culpepper & Terpening, stated he was sworn in and representing the Community of Caring Hospital group seeking the landscape variance. He indicated the request is for relief from putting in a solid wall along their south and east property lines and planting enhanced landscaping in its place. Mr. Murphy explained this project is part of the larger St. Lucie land PUD or Veranda Falls, which is a very visual and high quality community, and discussed the proposed interconnectivity. He addressed Mr. Norton's question regarding the berm near the canal and stated it would be removed or modified. Mr. Murphy also discussed the proposed hospital, medical office buildings, and helipad.

Chair Reikenis opened Public to be Heard. There being no comments, he closed Public to be Heard.

There being no further discussion, Board Member Doughney moved to approve Item 8.d, P24-004 St. Lucie Lands - Florida Coastal Surgical Hospital, as presented. Board Member Norton seconded the motion, which passed unanimously by roll call vote.

## 9. New Business

### 9.a Review of Sunshine Law

[2024-096](#)

The Legal Department will discuss Sunshine Law Provisions

Carly Fabien, Deputy City Attorney, provided a PowerPoint presentation on the Sunshine Law, Public Records, and Robert's Rules of Order. She presented a brief overview of a public meeting, noticing a meeting, minutes, and failure to comply. She also discussed quasi-judicial matters and how they relate to the Sunshine Law as well as ex parte communications.

Deputy City Attorney Fabien reviewed Public Records and discussed types of materials, official city business, content and intent, who must comply, public records requests, confidential versus exempt, failure to comply, etc. In addition, Deputy City Attorney Fabien discussed Robert's Rules of

Order, role of the Chair, debate decorum, meeting motions, and meeting quorum.

Board Member Norton requested that the Chair vote last, in case there is a tie. Deputy City Attorney Ward explained the Chair's vote is no different than any other member, and there is no legal requirement for the Chair to vote in a particular order or for the Board to utilize the vote rotation.

Deputy City Attorney Fabien spoke to using the yea/nay or voice vote versus the roll call vote. Chair Reikenis confirmed the members must vote, unless abstaining from an item on the agenda. Deputy City Attorney Ward indicated the voting conflict statute states it must be based on a current relationship in order to be a conflict, in response to a question from the Board regarding a prior employer. Deputy City Attorney Fabien stated she would like to discuss the suggestion of the Chair voting last with the City Clerk.

Vice Chair Previte stated he believed it was up to the Chair whether to utilize the voice vote or roll call vote, and his preference is for the Chair to use the roll call vote when there is not a unanimous voice vote. Deputy City Attorney Fabien indicated she supported the roll call vote, as it ensures everyone has voted.

Vice Chair Previte inquired if the member should state the reason for their conflict. Deputy City Attorney Ward stated the member should state the reason and complete Form 8-B. Deputy City Attorney Fabien encouraged the members to contact the Legal Department with any questions regarding conflicts or any other matters.

Deputy City Attorney Fabien stated the members must be present for a quorum. She explained each Board can determine whether they will allow members to attend via Zoom, but they will not be counted towards the quorum. Mary Savage-Dunham, Director, Planning and Zoning, noted that for this Board, four members are required for a quorum, four votes are required for regular items, and five votes are required for variances. The Board and staff discussed voting via Zoom and the use of alternates. Chair Reikenis determined that as a policy for this Board, the members are expected to physically attend the meetings and provide ample notice if they are unable to attend. He stated Zoom would be limited to emergency situations only.

Deputy City Attorneys Fabien and Ward as well as Ms. Savage-Dunham, responded to additional questions and comments from the Board regarding the Sunshine Law, ex parte communications for quasi-judicial hearings, invites to social events, conflict of interest, personal email,

meeting notes, etc.

Deputy City Attorney Fabien stated she and Deputy City Attorney Ward would follow-up and respond to the questions pertaining to conflict of interest and alternate members, process for public records requests via Board members, voice vote versus roll call vote, former spouses and conflict of interest, Chair voting last, and voting via Zoom.

**9.b** Selection of Site Plan Review Committee Member

2024-109

Ms. Savage-Dunham indicated that one member of the Planning and Zoning Board is appointed to serve on the Site Plan Review Committee as a voting member and suggested selecting another member to serve as a backup.

Board Member Creese volunteered to serve as the Planning and Zoning Board representative on the Site Plan Review Committee. Board Member Doughney offered to serve as a backup to Ms. Creese.

Board Member Norton moved to approve the selection of Melody Creese as the Site Plan Review Committee member and John Doughney as the alternate. Vice Chair Previte seconded the motion, which passed unanimously by roll call vote.

10. Old Business

Chair Reikenis inquired if the members have started using their City email accounts. Ms. Savage-Dunham indicated the City emails have been setup and the IT Department is available if anyone needs assistance.

11. Public to be Heard

Chair Reikenis opened Public to be Heard. There being no comments, he closed Public to be Heard.

At this time, Vice Chair Previte spoke to the Citizen Summit and urged the citizens to attend City meetings and events to make their concerns and desires known.

12. Adjourn

There being no further business, the meeting adjourned at 7:50 PM.

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Eric Reikenis, Chair

Traci Mehl, Deputy City Clerk