

City of Port St. Lucie
Planning and Zoning Board
Meeting Minutes - Final

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

Deborah Beutel, Chair, Term 2 Expires 6/21/25
Alfreda Wooten, Vice Chair, Term 1 Expires 5/28/23
Carol Taylor-Moore, Secretary, Term 1 Expires 9/27/25
Peter Previte, At-Large, Term 1 Expires 7/12/25
Joseph Piechocki, At-Large, Term 1 Expires 7/12/25
Roberta Briney, At-Large, Term 1 Expires 7/12/25

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

Tuesday, August 2, 2022

6:00 PM

Council Chambers, City Hall

Request to Table Item 8i

1. Meeting Called to Order

A Regular & Virtual Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Beutel at 6:00 p.m., on August 2, 2022, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida and via Zoom.

2. Roll Call

Members Present: Deborah Beutel, Chair
 Alfreda Wooten, Vice Chair
 Carol Taylor-Moore, Secretary
 Peter Previte
 Joseph Piechocki

Members Not Present: Roberta Briney

Non-Voting Members

Present: Marty Sanders, St. Lucie County School Board

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

5.a Approval of Minutes - July 5, 2022

[2022-651](#)

Vice Chair Wooten moved to approve the Consent Agenda. Secretary Taylor-Moore seconded the motion which passed unanimously by roll call vote.

6. Consent Agenda

There was nothing scheduled under this item.

7. Public Hearings - Non Quasi-Judicial

There was nothing scheduled under this item.

8. Public Hearing - Quasi-Judicial

The Senior Deputy City Attorney read the Quasi-Judicial Rules into the record for Items 8 a.) through p.) and the Deputy City Clerk swore in staff and the applicants. The Senior Deputy City Attorney explained that the applicants and planners were limited to 20 minute presentations and Public To Be Heard was limited to three minutes but time limits were at the discretion of the Board.

**8.a P14-095-A1 Midway Business Park Master Sign Program
Amendment**

[2022-645](#)

Location: South of Midway Road and just east of Interstate 95

Legal Description: Parcels of land lying within Sections 1, 2, and 11,
Township 36 South, Range 39 East, St. Lucie County, Florida.

This is a request from Trea Midway Road LLC to amend the Master Sign Program for Midway Business Center. The proposed amendment to the program is to provide updated criteria that will allow opportunity for new and amended signage for existing and future parcel owners within the Midway Business Park area.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Daniel Robinson, Planner I, explained that the proposed amendment to the program was to provide updated criteria that would allow opportunity for new & amended signage for existing and future parcel owners within the Midway Business Park area. He gave a summary of the Midway Business Park Master Sign Program which was approved by the City Council in 2014. He showed pictures of the current & proposed signs with locations. He stated that staff found the proposed amendment to be consistent with the City's Land Development Regulation and the City's Comprehensive Plan, as well as the requirements of Section 155.03(H) but placed a condition on the item so that the proposed Business Interstate Identification monument sign be removed from the document.

(Clerk's Note: A PowerPoint was shown at this time.) William Sargent, Kimley Horn & Associates, stated that he had been sworn in & gave the history of the property, showed the existing signage and the proposed updates. He informed the Board that they had added a Business Interstate Identification since the property would rely, significantly, on visibility. He stated that the location had a unique easement location and a long exit ramp which offered a limited window for a driver to stop at the site. He added that a View Study indicated that 30-feet would not be visible from the highway.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Piechocki moved to recommend approval of P14-095-A1, Midway Business Park Master Sign Program Amendment, to the City Council, with the staff condition of removing the Proposed Business Interstate Identification Monument sign. Mr. Sargent requested that if height was a determining factor, they be allowed to move forward with the condition that the sign be limited to 30-foot, to which Chair Beutel indicated that a motion was on the floor and the Board had to move forward. Secretary Wooten seconded the motion, which passed unanimously by roll call vote

8.b P20-017 Fairouz & Samira Guerrouj - Variance

[2022-650](#)

Location: The property is located on the east side of Bayshore Boulevard, NE of the intersection of Bayshore and Carter Avenue.

Legal Description: Port St. Lucie Section 28, Block 219, Lot 14

This is a request to grant a variance to permit the installation of fence gates within the required breaks of the twenty (20) foot fence segments within a property frontage and permit a portion of the fence to exceed the maximum height by 1' 2" at an overall height of 5' 2". City Code Section 158.216(H) states, fencing may be utilized as landscaped treatment in that area extending from the front building line to the front property line provided that no property is enclosed, and a two-foot break is required for each twenty feet in length and no portion of the fence exceed four (4) feet in height.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Stephen Mayer, Planner III, stated that he had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He explained that request was to permit the installation of fence gates within the required breaks

of the 20-foot fence segments and permit a portion of the fence to exceed four feet in height for a property located on the east side of Bayshore Boulevard at the intersection of Bayshore Boulevard and Carter Avenue. He showed an aerial & pictures and explained the Future Land Use & the Zoning. He stated that a portion of the fence was raised to 5'2" and showed a gate between the "breaks" of the fence. Chair Beutel inquired if there were any permits on the property, to which Mr. Mayer replied that the fence did not have a permit for the gates and the 5'2" section.

(Clerk's Note: Packets were distributed to the Board.) Christian Schoepp, Schoepp Law, informed the Board that the applicants were not requesting a variance on the fence, as the fence was built with a permit, they were requesting a variance related to the deterrence rail fences. He added that the applicants were from France and only resided at the property for a part time of the year (the time only allowed by tourist visas.) He said that the applicants have dealt with the issue and the City for seven years. He stated that the property, a corner lot, was located on a main artery road which was easily accessible to car & foot traffic and has been vandalized in the past; documents and crime reports were included in the packet. He added that the applicants had taken every other remedy prior to filing the variance and the only effective remedy has been the crime deterrent rails. He said that the picket rails are barely noticeable and access to the property for public safety remained. He informed the Board that several neighbors were in attendance at the meeting and he had also supplied a petition in the document which proved that the neighbors did not have an issue with the variance. Samira Guerrouj requested that the variance be granted to afford them safety and comfort. Fairouz Guerrouj stated that the neighbors did not have issues with the variance and gave examples of how the home had been vandalized and trespassed on.

Mr. Piechocki inquired if the original building permit listed the dimensions, to which Attorney Schoepp responded in the affirmative and added that the height of the fence was not part of the variance. Mr. Previte inquired if the pickets deterred crime, to which Attorney Schoepp responded in the affirmative. Mr. Previte asked why two foot gaps were needed, to which Mr. Mayer replied that landscaping should be placed there so that a full fence is not along the property line. Mr. Previte stated that he was inclined to allow the variance since there were documented incidents of crime which stopped after the pickets were installed. Chair Beutel voiced that some of the crime reports were

from contractors and/or the applicants not turning off water when they left the country. She stated that the Chief of Police or the Building Department should be present for variances and was open to tabling the item.

Chair Beutel opened the Public Hearing. Rachel Knaggs, Port St. Lucie Code Compliance Officer, stated that she had been sworn in and added that the fencing was a nuisance because it was difficult for Police and Fire to enter the property and felt that trespassers could hide behind the fence. She stated that the first fence was a decorative fence and no permit would be given for that. Mr. Piechocki inquired as to how long there were issues with the property, to which Ms. Knaggs replied that Code had cases on the property for numerous years. Secretary Wooten inquired if there were any issues with Utilities access to the property, to which Ms. Knaggs replied that she was unsure since she was not in that department. Chair Beutel inquired if there were liens on the property to which Ms. Knaggs responded in the affirmative. Attorney Schoeep replied that the Appeals Court remanded that the cases be heard in front of the Special Magistrate again and they were awaiting a new hearing date; the liens were revoked.

There being no more public to speak, Chair Beutel closed the Public Hearing. Mr. Piechocki stated that he had agreed with Mr. Previte's previous comment and moved to approve P20-017, Fairouz & Samira Guerrouj – Variance. Mr. Previte seconded the motion, which passed unanimously by roll call vote.

8.c P21-285 Town Place PUD - Rezoning

[2022-655](#)

Location: The property is located at the southeast corner of the intersection of US Highway 1 and Savannah Club Boulevard.

Legal Description: Parcel 1: That part of Lot 16, Block 3, St. Lucie Gardens, Section 26 and parcel 2: That portion of Lot 15, Block 3 and Lots 9 and 10, Block 4 of the Plat of St. Lucie Gardens.

This is a request from Michael Houston of HJA Design Studio, LLC as agent on behalf of Owner, PSL Townplace Partners, LLC, to rezone and modify the exiting PUD (Planned Unit Development) of approximately 18.51 acres of property, known as Town Place PUD.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Mayer stated that he had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be

entered into the record. He explained that the request was proposing to rezone the property to Planned Unit Development, he added that it already contained an established PUD but was refreshing it. He informed the Board that the applicants were rewriting the content of the existing PUD document and that all prior site plans associated with the PUD had expired. He stated that the density proposed was 14.26 dwelling units per acre and the allowed density was 15 dwelling units per acre. He showed a location map, an aerial and the proposed Master Concept Plan. He explained the Future Land Use, the Zoning & the Traffic Study and added that the Site Plan Review Committee had recommended approval.

(Clerk's Note: A PowerPoint was shown at this time.) Tod Troxell, HJA Design Studio, stated that the property was located off of Savannah Club Boulevard and U.S. Highway 1. He stated that they had a neighborhood meeting and received positive feedback. He showed a Context Map, an aerial and the Proposed Master Plan. He explained the amenities that will be located within the community and the commercial plaza with public art. Mr. Previte inquired if the commercial area was visible from the parking lot, to which Mr. Troxell replied that they were double sided. Chair Beutel inquired as to how pedestrians will enter the building from the parking lot, to which Mr. Troxler replied that there was a cut through in the buildings and there were also back doors. Mr. Previte explained that someone could enter from the parking lot, walk through the restaurant and then exit the other door. Chair Beutel inquired if the community was all ages and if there was a bus stop, to which Marty Sanders, St. Lucie County School Board, replied that it was reviewed by the School District and they would service it off of Savannah Club Boulevard. Richard Lundy, Rich Properties, stated that there was ample room for the school buses and added that they could add a little enclosure for the children. Secretary Taylor- Moore inquired if a traffic study was completed, to which Mr. Lundy responded in the affirmative and added that there were no issues. Mr. Mayer agreed and added that only the right hand turn was recommended in the traffic study.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Piechocki moved to recommend approval of P21-285, Town Place PUD – Rezoning, to the City Council. Mr. Previte seconded the motion which passed unanimously by roll call vote.

Location: South of the Discovery Way (E/W 1) right-of-way, south of Riverland Parcel C, and west of Riverland Boulevard

Legal Description: Portions of Sections 19 and 20, Township 37 South, Range 39 East, St. Lucie County, Florida

This is a request to rezone 457 acres from the St. Lucie County AG-5 zoning designation to a Master Planned Unit Development (MPUD).

The proposed MPUD will allow for 1,362 age-restricted residential dwelling units.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Robinson explained that the item was proposing to rezone the Master Planned Unit Development for Riverland/Kennedy DRI Parcel D which was located south of Discovery Way & west of Riverland Boulevard. He explained the Land Use & the Zoning and showed an aerial. He stated that the rezoning would allow for 1,362 age-restricted residential dwelling units. He informed the Board that the Traffic Study was reviewed and approved by staff. Mr. Previte inquired if the traffic impact would be triggered to which Mr. Robinson replied that it would eventually, but not with A, B, C & D.

(Clerk's Note: A PowerPoint was shown at this time.) Azlina Goldstein, stated that the request was to permit an age-restricted residential development. She showed multiple location maps and explained the neighboring properties. She explained that the dwelling units would consist of single-family, paired villas and townhomes with two access points. She explained the trip report which was prepared by Simmons & White and stated that it did not trigger any additional roadway improvements until either 2,000 dwelling units are permitted or there are 2,023 PM Peak Hour trips. She explained the advancement of roads within Parcel D.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Sanders stated that age-restricted communities did not place any impact on the school district. He added that they did have a school site in the south end of Verano.

Mr. Piechocki moved to recommend approval of P21-234, Riverland/Kennedy DRI Parcel D MPUD – Rezoning, to the City Council. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.e P22-131 John M. & Arlene Wangle - Variance [2022-467](#)

Location: 140 SE Rio Angelica

Legal Description: Tesoro Plat No. 4, Lot 107

This is a request to grant a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure.

Board Member Previte moved to approve agenda item 2022-467. Board Member Wooten seconded the motion. The City Clerk restated the motion as follows: to approve 2022-467. Planning and Zoning Board The motion passed unanimously by roll call vote.

8.f P22-217 Equity One (Florida Portfolio), LLC - Rezoning [2022-654](#)

Location: The property is located at the NW corner of the intersection of SW Becker Road and SW Port St. Lucie Boulevard.

Legal Description: Parcels A and B of Nau Ranch; Lot 8, Block 2285, Port St. Lucie Section 33; Lot 29, Block 2284, Port St. Lucie Section 33; and a portion of Tract M of Port St. Lucie Section 33.

Request: This is a request to rezone 15.446 acres from a Planned Unit Development (PUD) zoning designation to the General Commercial (CG) zoning designation.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki replied that he spoke with the planner and the applicant, but the rest of the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Holly Price, Planner III, stated that she had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting. She explained that the applicant was requesting approval to rezone 15.446 acres from Planned Unit Development (PUD) to General Commercial (CG) and added that the previously approved PUD zoning for this property expired and was no longer valid; the property needs to be rezoned so it may be developed. She showed the location map & an aerial and explained the Future Land Use as well as the Zoning. She stated that the proposal was consistent and compatible with the Comprehensive Plan and the Future Land Use classification.

(Clerk's Note: A PowerPoint was shown at this time.) Dan Sorrow, Cotleur & Hearing, requested that the PowerPoint be added into the record for Items 8 f.) and 8 g.). He explained that the proposal was a housekeeping item to return the property to General Commercial. He stated that a Special Exception Use was also needed for the fuel pumps, explained the ingress/egress for the property and explained how the property was meeting the Special Exception Use criteria for the Becker Road Overlay District. He showed the elevations of the building

and stated that the required sidewalk under the Becker Road Overlay District was seven feet but Public Works added a condition to create a 10-foot sidewalk. He voiced that an eight foot sidewalk with added landscape was a better option and requested a recommendation from the Planning & Zoning Board on the sidewalk. He added that the Site Plan Review Committee had recommended approval for both this item and 8 g.). Mr. Previte inquired if the current sidewalk was being removed, to which Mr. Sorrow responded in the affirmative and added that they were adding a turn lane and were adding landscaping for the proposed meandering sidewalk.

Chair Beutel opened the Public Hearing. Shannon Taliaferro stated she had been sworn in and inquired if there would be an excess lot on Wabash Street since she was concerned for safety. Chair Beutel closed the Public Hearing. Mr. Sorrow stated that the excess lot was from the previous ownership but they would be using it for pedestrian access and was open to placing a condition of no commercial use on the lot. Mr. Previte inquired if the lot next to the access lot was owned, to which Mr. Sorrow responded in the affirmative and added that it was preapproved for residential use. Chair Beutel inquired about a fence, to which Mr. Sorrow replied that they would have to meet buffer requirements. He confirmed that there would not be any buildings or commercial uses on that parcel but reminded the Board that the lot was not the project before the Board. Mr. Previte and Mr. Piechocki voiced that they would be inclined to approve the item with an eight foot sidewalk, to which Senior Deputy City Attorney Hertz reminded the Board that Item 8 f.),, did not contain the sidewalk portion.

Mr. Previte moved to recommend approval of P22-217, Equity One (Florida Portfolio), LLC – Rezoning, to the City Council. Mr. Piechocki seconded the motion, which passed unanimously by roll call vote.

8.g P22-142 Equity One Florida Portfolio - 7-Eleven Becker Road
 - Special Exception Use

[2022-653](#)

Location: The property is located at NW corner of SW Becker Road and SW Port St. Lucie Boulevard.

Legal Description: A portion of Tract M, Port St. Lucie Section 33.

This is a request for a special exception use to allow a proposed 7-11 Convenience Store and Fueling Station at the NW corner of SW Becker Road and SW Port St. Lucie Boulevard.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki replied that he spoke with the planner and the applicant, but the rest of the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price explained that the item was proposing to allow a fueling station, 8 fueling pumps & a convenience store. She showed a location map along with the Becker Road Overlay District map, an aerial, the elevations, the Conceptual Site Plan & explained the Zoning, and the Land Use. She stated that the Traffic Analysis was submitted and the applicant was proposing a right turn lane along Becker Road, therefore there were no stacking concerns. She informed the Board that the Site Plan Review Committee had recommended approval with the condition that a 10-foot multiuse sidewalk or the existing 10-foot-wide multiuse sidewalks shall remain located within the Becker Road and Port St. Lucie Boulevard rights-of-way & a seven foot wide multiuse sidewalk shall be located within the frontage buffer. She explained that the reason was because staff did not want to go down in size and capacity since there was an existing 10-foot sidewalk.

Chair Beutel inquired as to what difference there was in an eight foot or ten foot sidewalk, to which Diana Spriggs, Regulatory Public Works Division Director, replied that the existing sidewalks were 10 feet wide, which would be removed, and staff wanted to keep the same capacity as bicycles would use the sidewalk. Chair Beutel inquired if there was a standard that requested eight feet, to which Ms. Spriggs replied that the City's standard was eight feet and required bike lanes in certain but were trying to move toward multiuse 10-foot sidewalks.

Mr. Sanders voiced that people are less likely to use the first feet of a sidewalk next to the curb but now that the sidewalk was not against the back of the curb could they go with less footage, to which Ms. Spriggs replied that there wasn't a study but added that it could potentially work. Mr. Sanders stated that eight feet was a good compromise to which Chair Beutel agreed.

Chair Beutel opened the Public Hearing. The Deputy City Clerk administered the Oath of Testimony to Melissa Veal who stated that she was concerned over the 24-hour usage of the 7/11 and was also concerned over environmental issues. Chair Beutel closed the Public Hearing.

Mr. Piechocki moved to recommend approval of P22-142, Equity One Florida Portfolio - 7-Eleven Becker Road - Special Exception Use with an eight foot sidewalk, to the City Council. Mr. Previte seconded the

motion, which passed unanimously by roll call vote.

8.h P22-176 Legacy Park North @ Southern Grove MPUD -

[2022-657](#)

Rezoning

Location: The property is generally located west of Interstate 95, east of south SW Village Parkway, and between Paar Drive and the Marshall Parkway right-of-way.

Legal description: A portion of Southern Grove Plat No. 38, Tract B

The request is for approval of a MPUD zoning regulation book and concept plan for Legacy Park North @ Southern Grove MPUD.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk’s Note: A PowerPoint was shown at this time.) Bridget Kean, Senior Planner, stated that she had been sworn in & stated that the file was submitted to the City Clerk’s Office 5 days prior to the meeting and requested that it be entered into the record. She explained that the City’s Governmental Finance Corporation was proposing to rezone approximately 345.5 acres of land from the zoning designation of SLC AG-5 to the City of Port St. Lucie MPUD (Master Planned Unit Development) for a project known as Legacy Park North at Southern Grove MPUD, which was located in Southern Grove DRI. She showed the location map, map H & an aerial and she explained the Future Land Use, the Zoning & the surrounding uses. She listed the entitlements for the Legacy Park North MPUD and showed a Conceptual Plan. She informed the Board that staff had recommended approval.

Zack Mouw, Culpepper & Terpening, stated that he had been sworn in and did not have a PowerPoint at this time.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Vice Chair Wooten moved to recommend approval of P22-176, Legacy Park North @ Southern Grove MPUD – Rezoning, to the City Council. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.i P22-178 Up On Top Volleyball - Variance

[2022-545](#)

Location: The property is located at the southeast corner of NW East Torino Parkway and NW Rabbit Run.

Legal Description: Winterlakes Tract F Replat, Tract F1.

This request is to grant a variance to the Citywide Design Standards Section 5.4.1.1 to eliminate the requirement that buildings with flat roofs have peaked or pitched roof elements along 25% of the front and sides.

Board Member Previte moved to approve agenda item 2022-545. Board Member Wooten seconded the motion. The City Clerk restated the motion as follows: to approve 2022-545. Planning and Zoning Board The motion passed unanimously by roll call vote.

8.j P22-215 Verano Development of Regional Impact (DRI) -
Map H Amendment

[2022-662](#)

Location: The property is located west of Interstate 95, north of Crosstown Parkway, and southeast of Glades Cut-off Road.

Legal Description: A parcel of land lying in Sections 26, 28, 29, 33, 34 and 35, Township 36 South, Range 39 East, St. Lucie County, Florida.

This is a request to amend the Verano DRI Map H, Preliminary Master Plan to relocate the St. Lucie County school site, reconfigure the shape of the City park site, and remove references to access to Glades Cut-off Road and Peacock property.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki replied that he spoke with the planner and the applicant, but the rest of the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price explained that the item was proposing to amend Verano DRI Map H Preliminary Master Plan to shift location of County school site to the west adjacent to City park site, reconfigure the shape of City park site and to remove references to access to Glades Cut-off Road and to the Peacock property. She showed the current Map H Master Plan, the location map, an aerial & explained the Future Land Use and Zoning. She gave the history of the Verano DRI; at the January Planning & Zoning meeting the Board recommended approval of Verano Pod H PUD with the condition that Verano, Liberty Tire, and Allied Universal work together to make a good faith effort to meet and work together to identify common ground in terms of the buffers, berm, any safety issues that can be documented by the appropriate Environmental Protection Agency, whether that be state or federal, provide data before they go to City Council. She added that there had been concerns over environmental and safety issues. She explained that with the modification the City park site does provide a buffer to the industrial sites and that the applicant has indicated that they will be providing a 50-foot-wide buffer with a 6-foot-high landscape berm along the entire length of the property adjacent to Range Line Road which staff recommended to be added as a requirement of the Verano DRI. The school site has been relocated from the corner of Crosstown Parkway and North-South A Road to be adjacent to the City park site since the park site is more accessible to the students & because with a driveway

connecting to the site from North-South A Road, greater stacking is provided for school buses by the longer driveway. She stated that the driveway access was added as a requirement to the Verano DRI. She said that Public Works reviewed the traffic analysis and had found that no significant traffic impact was proposed based on Map H Amendment. She added that staff had recommended approval with the following conditions, prior to sending application to City Council for approval, revise the Map H Preliminary Master Plan to designate an 80-foot-wide access area for a driveway and sidewalks from North-South A Road to the County school site and prior to sending application to the City Council for approval, revise Map H Preliminary Master Plan to indicate that a 50-foot-wide landscape buffer with a 6-foot-high berm will be located along the entire side of the property fronting along east side Range Line Road and the County felt that a landscaped berm shall also extend along the side adjacent to the 500-foot-wide FPL easement and the lake area north of the City park site.

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Sorrow stated that City staff wanted the reconfiguration of the park and school site and the rezoning was the reason that this item was on the agenda. He showed the original Map H which also had an issue with 19-R26 and explained that the park site was always against Rangeline Road and the school site was located next to North-South A. He stated that Map H amendment corrected the old Map H and moves the school site to the School District's recommended location & moves the park since it would be a benefit to both the park and the school to be next to each other. He felt that Map H was not the appropriate place to put conditions on the project since it was used as a visionary tool and felt that it should be under the PUD. He stated that the PUD Zoning document showed a buffer with the FPL easement and an open space. He requested that the Board recommended approval with the conditions: Prior to sending application to City Council for approval, revise the POD H PUD to designate an 80-foot-wide access area for a driveway and sidewalks from North-South A Road to the County school site & prior to sending application to City Council for approval, revise POD H PUD to indicate that a 50-foot-wide landscape buffer with a berm will be located along the entire side of the property fronting along east side Range Line Road. A landscaped berm shall also extend along the side adjacent to the 500-foot-wide FPL easement and the proposed lake area north of the City park site. See Figure 6.

Chair Beutel opened the Public Hearing. Christian Tiblier, Liberty Tire Recycling, stated that he had been sworn in and added that a 50-foot buffer east of the FPL easement, an 8-foot berm with landscaping and no access from Rangeline Road were discussed with Verano and satisfied most of Liberty Tires's residential concerns, but the primary concern was still the commercial use that was directly adjacent from the access to Liberty Tire's property directly west. Liberty Tire felt that the commercial property indicated on Map H was an inappropriate location for a conflicting use due to heavy truck traffic. He stated that Map H as proposed did not have any indication that there were buffering screening as discussed in the staff report.

Ron Noble, Allied Universal, stated that he had been sworn in and added that discussions regarding buffering and screening issues were making progress and clarified that the buffer should be an eight foot berm even though Allied felt that a 10-foot berm was necessary. He requested a greater setback from the chemical plant to the cul-de-sac. He stated that the original Map H included a park site that went the entire length of Rangeline Road which provided a minimum, eight hundred foot wide buffer in addition to the easement; he recapped page 5 of the staff report. He said that Allied has been in the location for years and did not feel it was safe to have a chemical plant in such close location to residential units. He said that Kolter removing half or one cul-de-sac of homes would provide a safer, larger buffer. He informed the Board that he did not have the Board's requested information on the basis as to why Allied wanted a 1,500 setback but entered into record a document prepared by the Chlorine Institute. Mr. Piechocki stated that the Board requested the information in January and was only handed a 200-page document which was problematic. He inquired as to what the top safety concerns were, to which Mr. Nobel replied that due to the volume of stored chlorine at Allied "it contemplates in those calculations, an uncontrolled release of some form of industrial weather force majeure accident, that results in an uncontrolled release of that material based on different distance criteria, wind criteria, prevailing atmosphere chlorine gas sinks it then comes up with these various release scenarios and how that impacts offsite properties, to reduce threats to offsite property specifically residential properties, it then comes up with a dilution factor that renders a more safe, less lethal, chlorine release based on a setback and distance separation requirement from the source of the release to residential dwellers".

The Deputy City Clerk administered the Oath of Testimony to Bill Perry,

Gunster & Scott Morton, Kolter, who stated that they had agreed to construct an eight foot buffer with landscaping and agreed not to seek access to Rangeline Road from the commercial site as requested by Liberty Tire. He said that he did not agree with Mr. Noble's setback comments since the berm was extended and there was also retention ponds & he showed the measurements. He requested that the Planning & Zoning Board recommended approval so that the PUD and Map H could be on the same City Council agenda. Chair Beutel inquired if Mr. Perry reviewed the chlorine information supplied by Mr. Noble, to which Mr. Perry replied that he had been provided a copy and added that variables were needed to conduct the calculations and none of it was provided. He stated that the Board had also requested State and Federal Law regulations on distance which had not been provided. Mr. Piechocki inquired about the commercial site, to which Mr. Perry replied that the commercial site was located across from Liberty Tire, which was not dangerous. He added that commercial sites were usually next to industrial sites to be used as a buffer against residential areas.

Mr. Sanders stated that any disruptions to where people live should be taken into consideration. There being no one else to speak, Chair Beutel closed the Public Hearing. Mr. Sanders stated that they had been working with the developer on this site for years and had moved the school site a few times. He said that having the school and the park close to each other would allow for the sharing of resources. He said that schools in the area were at or above capacity and were planning ahead for growth. He said that the school actually did not need to be rezoned but they had decided to work with the City on rezoning it for a better process. Chair Beutel stated that the Board members were not safety or environmental experts and felt that the reconfiguration of the school and park made sense. Mr. Piechocki moved to recommended approval of P22-215, Verano Development of Regional Impact (DRI) - Map H Amendment, to the City Council. Mr. Previte seconded the motion, which passed unanimously by roll call vote.

(Clerk's Note: The Planning & Zoning Board reconsidered the first motion which was passed unanimously by roll call vote to recommend approval with no conditions.)

Secretary Taylor-Moore moved to recommend approval of P22-215, Verano Development of Regional Impact (DRI) - Map H Amendment, to the City Council, with staff's conditions except under #2, use an eight foot berm and not six foot. Secretary Wooten seconded the motion,

which passed unanimously by roll call vote.

Mr. Sanders stated that Kolter had to provide the 80-foot roadway to North-South A.

(Clerk's Note: The Planning & Zoning Board reconsidered the first motion which was passed unanimously by roll call vote to recommend approval with no conditions.)

Secretary Taylor-Moore moved to recommend approval of P22-215, Verano Development of Regional Impact (DRI) - Map H Amendment, to the City Council, with staff's conditions except under #2, use an eight foot berm and not six foot. Secretary Wooten seconded the motion, which passed unanimously by roll call vote.

8.k P22-182 St. Lucie County School at Verano - Rezoning

[2022-552](#)

Location: The property is located west of the NS A road right-of-way and north of the Crosstown Parkway right-of-way.

Legal description: A parcel of land lying in a portion of Section 6, Township 37 South, Range 39 East, St. Lucie County, Florida.

This is a request to rezone 49.11 acres of property from St Lucie County Agricultural 1 unit per 5 acres (SLC AG-5) to Institutional (I) for the purposes of building a school.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Mayer stated that he had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He explained that the applicant was proposing to rezone the school that was just discussed. He showed the location map & an aerial and explained the Future Land Use as well as the Zoning. He added that staff did recommend approval.

Mr. Sorrow agreed with staff's recommendation and stated that he was available for any questions.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Previte moved to recommend approval of P22-182, St. Lucie County School at Verano – Rezoning, to the City Council. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote

(Clerk’s Note: At this time the Board reconsidered the motion under 8 j.)

8.i P22-191 Club Pure @ The Marketplace - Special Exception [2022-649](#)

Use

Location: The property is located at 10330 South US Highway 1, south of Jennings Road and east of South US Highway 1.

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

This is a request to allow a school in the General Commercial (CG) zoning district per Section 158.124(C)(7) of the Zoning Code.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk’s Note: A PowerPoint was shown at this time.) Bethany Grubbs, Planner II, stated that she had been sworn in & stated that the file was submitted to the City Clerk’s Office 5 days prior to the meeting and requested that it be entered into the record. She explained that the request was proposing to allow an elementary school (K-5) in a Commercial General Zoning District. She stated that the property consisted of 10280, 10292 and 10330 South US Highway 1 and tonight’s proposal only dealt with 10330. She showed an aerial, the floor/expansion plan and explained the Land Use and Zoning. She stated that the applicant would be removing 16 parking spaces to expand the playground and would also be removing the chain link fence to provide a vinyl fence. She said that the traffic impact statement was submitted and approved by staff. She added that there was sufficient parking and sufficient stacking for drop off/pick up; she explained the Traffic Management plan.

Nicholas Khoury, stated that the school had been in the center for seven & a half years. He added that it has been great working with the parents and the City.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Previte moved to recommend approval of P22-191, Club Pure @ The Marketplace - Special Exception Use, to the City Council. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.m P22-198 Wawa Convenience Store & Gas Station - Variance [2022-658](#)

Location: The property is located at the southwest corner of the intersection of SW Becker Road and SW Port St. Lucie Boulevard.

Legal Description: A portion of Tract L, Port St Lucie Section 33.

Request: To grant a variance to Section 158.222(B)(4) - Driveway

Spacing from Intersections. The applicant is requesting a variance to allow a shared access driveway from Becker Road within the functional area of the intersection of Becker Road and Port St. Lucie Boulevard.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki stated that he spoke with Ms. Price, the rest of the Board responded in the negative. Chair Beutel stated that e-mails were received which would be added into the file.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price stated that she had been sworn in and explained that the request was to grant a variance to allow a driveway to connect from Becker Road to the subject site which was 257-feet west of the intersection of Port St. Lucie Boulevard and Becker Road, located in the functional area of the intersection. She showed a location map, an aerial, a proposed Site Plan, a Future Land Use map and a Zoning map. She explained that Public Works did not support having a driveway to the property from Becker Road and the proposed access was located in the functional area of influence of the intersection at Becker Road and Port St. Lucie Boulevard & added that Public Works limits the distances of driveways from intersections on many streets throughout the city. She said that the proposed driveway was also located in a turn lane for traffic heading southbound on Port St. Lucie Boulevard. She explained that if there was no access from Becker Road to the subject site, motorists would need to access the site from the side streets and added that residents on Yacoult Drive had voiced opposition to the side streets being used.

(Clerk's Note: A PowerPoint was shown at this time.) Brad Currie, Engineering, Design, and Construction (EDC), stated that he had been sworn in and explained that there were two different variances that he was requesting; one was a spacing requirement and the second was to allow the driveway in the turning lane. He showed location maps and the Site Plan. He broke down the driveway separations; the request was to approve a 6.95-foot variance to the proposed driveway separation to Yacolt Drive. He showed pictures of other developments within the City that did not meet the driveway separation or had driveways located in turn lanes. He explained that if Becker Road access was denied, drivers would have to access the property through Yacolt Drive which the applicant and the neighbors did not want.

Chair Beutel opened the Public Hearing. Matt Minnich stated that he had been sworn in and agreed with Mr. Currie's presentation. He stated

that the Mayor and City Council did not want access on residential streets.

Cody Streveler stated that he had been sworn in and added that no traffic should be routed onto Yacolt Drive as residential safety was a priority.

Amanda Minnich stated that she had been sworn in added that she agreed with Mr. Currie's presentation since she did not want access on residential streets. There being no one else to speak, Chair Beutel closed the Public Hearing. Mr. Previte and Mr. Currie clarified how motorists can make a left to enter the property as opposed to making a U-Turn. The Board and Mr. Currie discussed the options that motorists could take to enter the property.

Mr. Piechocki moved to approve P22-198, Wawa Convenience Store & Gas Station – Variance. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.n P22-201 Soma Medical Center - Variance

[2022-647](#)

Location: The property is located on the west side of Bayshore Boulevard, north of Dwyer Avenue, and south of Duxbury Avenue.

Legal Description: Port St Lucie Section 28, Block 234, Lots 16, 17, 18 and 19.

This is a request to grant a variance to the Citywide Design Standards, Appendix A, Approved Colors Table to allow proposed building colors to exceed the maximum percentage allowed by the Citywide Design Standards. The applicant is requesting a variance of 35.59% for "Honorable Blue" (SW6811) on the front façade and a variance of 13.61% for "Direct Green" (SW6924) on the two side facades.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative. Chair Beutel stated that e-mails were received which would be added into the file.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price explained that the request was to allow proposed building colors to exceed the maximum percentage allowed by the Citywide Design Standards. She said that the Design Standards allowed "Honorable Blue" to be used for up to 5% of a building façade and allowed "Direct Green" to be used for up to 2% of a building façade but the applicant was requesting to use "Honorable Blue" on 40.59% of the front façade & to use "Direct Green" on 15.61% of each of the side façades. She informed the Board that the Citywide Design Standards did allow for design relief or an administrative variance by staff but the percentage of

the proposed color exceeds the percentage allowed by design relief. She showed a location map, an aerial, a Future Land Use Map, a Zoning Map, a proposed Site Plan, and the proposed elevations. She informed the Board that the proposed colors were permitted but they are limited in terms of the percentage that may be used & added that brand colors were permitted for signs but the Design Standards did not address brand colors for buildings. (Clerk's Note: Ms. Price handed out Appendix A of the City's Design Standards.) Chair Beutel inquired as to why approved colors had a percentage limit, to which Ms. Price replied that staff wanted to limit strong colors for full portions of buildings. Mr. Previte inquired if there was an approved color, with a high percentage, that would match the proposed color, to which Ms. Price replied that it would be a lighter color. Mr. Previte stated that the applicant could choose a different color since there were many to choose from & was opposed to approving the variance. Mr. Piechocki inquired if it was a chain, to which Ms. Price replied that it was not a National chain but they did have a few locations.

Fernando Prieto, Team Architecture, stated that he had been sworn in and informed the Board that Soma Medical had over 20 clinics located within south & central Florida, meaning that they had established identity with their patients such as the color scheme of the building. He said that other buildings along Bayshore Boulevard had exceed percentages. He showed pictures of the West Palm Beach Soma Medical locations. Chair Beutel inquired as to how many other locations had the same color & percentages, to which Mr. Prieto replied that all free standing locations had the proposed colors and the locations within strip mall centers abided by the strip center regulations. Anna Cologne, Team Architecture, explained that the other 20 locations in south Florida did not have any issues with the colors. Mr. Previte inquired if they could use a similar blue color that is not restricted by percentage, to which Mr. Prieto and Ms. Cologne responded in the negative. Mr. Prieto stated that the lighter colors had higher percentages and the darker colors were lower percentages to be use mostly on trims, etc. Mr. Previte stated that this would be the first location in the area and questioned why the colors had to match the other locations down south or in Orlando. Mr. Piechocki inquired how branding would effect this case, to which Ms. Price replied that branding was not a justification for colors on a building. Chair Beutel inquired if they would work with staff to decide on new colors, to which Mr. Prieto responded in the affirmative but added that he would like cooperation since there were other buildings on Bayshore Boulevard

with dark colors used in a high percentage.

Chair Beutel opened the Public Hearing. The Deputy City Clerk administered the Oath of Testimony to David Reid who stated that he lived directly across the street from the building and felt that the colors were too much.

Mr. Previte moved to deny P22-201, Soma Medical Center – Variance. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.o P22-214 City of Port St. Lucie - Southern Grove - Rezoning

[2022-646](#)

Location: The property is generally located on the west side SW Village Parkway, immediately south of the E/W 2 road right-of-way and north of Marshall Parkway.

Legal Description: A portion of Parcel 25B, Southern Grove Plat No. 13
This is a request to rezone approximately 27.49 acres of land from St. Lucie County AG-5 - Agricultural and 2.40 acres of land from City of Port St. Lucie MPUD to City of Port St. Lucie General Use Zoning (GU).

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Kean explained that the item was a City initiated application which was proposing to rezone approximately 29.89 acres of land, located within the Southern Grove DRI, from the zoning designations of SLC AG-5 and City of Port St. Lucie MPUD to City of Port St. Lucie General Use. She added that it was designated for a future school & park site. She showed a location map and explained the Future Land Use, the surrounding uses, the current Zoning and the proposed Zoning.

(Clerk's Note: A PowerPoint was shown at this time.) Steve Garrett, Lucido & Associates, stated that he had been sworn in and explained that the park site would be called Stars & Stripes in the Park, which was dedicated to honoring Veterans. He explained that there would be large sculptures and large seating/lawn areas.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Piechocki moved to recommend approval of P22-214, City of Port St. Lucie - Southern Grove – Rezoning, to the City Council. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.p P22-179 Tabernacle of Praise for All Nations - Landscape

[2022-644](#)

Modification

Location: South of Rowley Way and north of Community Blvd.

Legal Description: Parcel 35, Tradition Plat No. 25

This is a request to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip per Section 154.12 (F) of the Landscape and Land Clearing Code.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Bianca Lee, Planning Technician, confirmed that she had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting. (Clerk's Note: At this time, there were technical difficulties.) Anne Cox, Assistant Director of Planning & Zoning, confirmed that she had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She explained that the item was a landscape modification for a property which was proposing to construct a church and a daycare. She added that the site did abut residential property along the north side, on Rowley Way, which under code, required a landscape wall. She stated that the applicant was proposing to use the landscaping in lieu of a six foot architectural wall. Ms. Cox informed the Board that there was a change made to the code which would allow the Board to approve or deny the item, just like a variance. She showed a Location Map, aerial views, and the proposed Site Plan & Landscaping Plan. She showed the wall that was in existence along the residential area. She stated that the proposed landscaping was four feet but could grow up to six feet in height to provide additional buffering. Chair Beutel inquired if it met landscaping requirements, to which Ms. Cox responded in the affirmative.

(Clerk's Note: A PowerPoint was shown at this time.) George Botner informed the Board that there was an existing wall along Rowley Way which provided substantial buffering as well as two rows of street trees in addition to an eight foot hedge and additional landscaping.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Secretary Taylor-Moore moved to approve P22-179, Tabernacle of Praise for All Nations - Landscape Modification. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

9. New Business

- 9.a** Review of O.L. Peacock Sr. Park Improvements Proposed Florida Recreation Development Assistance Program (FRDAP) Grant

[2022-656](#)

(Clerk’s Note: This item was heard after Item 5.)

(Clerk’s Note: A PowerPoint was shown at this time.) Kelly Boatwright, Parks & Recreation Senior Project Manager, explained where the park site was and the Master Planning procedures that took place. She clarified that the site had three phases and explained each and added that if awarded the grant staff could bring in some Phase 2 amenities under Phase 1.

Vice Chair Wooten moved to recommended approval of the O.L. Peacock Sr. Park Improvements Proposed Florida Recreation Development Assistance Program (FRDAP) Grant to the City Council. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

The Board requested that large documents be given to them in advance of the meeting. Mary Savage-Dunham introduced herself to the Board as the new Director of the Planning & Zoning Department & stated that she was excited to work with the Board.

10. Old Business

There was nothing heard under this item.

11. Public to be Heard

There was nothing heard under this item.

12. Adjourn

There being no further business, the meeting adjourned at 11:05 p.m.

Carol Taylor-Moore, Secretary

Shanna Donleavy, Deputy City Clerk