

**CITY OF PORT ST. LUCIE
PLANNING AND ZONING BOARD MEETING MINUTES**

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Beutel at 6:03 p.m., on September 5, 2023, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida.

1. CALL TO ORDER

2. ROLL CALL

Members Present:

Deborah Beutel, Chair

Alfreda Wooten, Vice Chair

Carol Taylor-Moore, Secretary

Peter Previte

Peter Spatara, Alternate (arrived at 6:15 p.m.)

Melody Creese, Alternate (appeared via Zoom)

Members Not Present:

Eric Reikenis

3. DETERMINATION OF A QUORUM

4. PLEDGE OF ALLEGIANCE

Chair Beutel led the assembly in the Pledge of Allegiance.

5. APPROVAL OF MINUTES – AUGUST 1, 2023

There being no corrections, Vice Chair Wooten **moved** to approve the minutes. Secretary Taylor-Moore **seconded** the motion, which **passed unanimously** by roll call vote.

6. CONSENT AGENDA

There was nothing to be heard under this item.

7. PUBLIC HEARINGS – NON-QUASI JUDICIAL

a. **P22-336**

There being no discussion, Vice Chair Wooten **moved** to table P22-336 Lulfs Grove – Comprehensive Plan Amendment – Large Scale to a future date to be determined. Mr. Previte **seconded** the motion which **passed unanimously** by roll call vote.

b. P23-142

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, presented to the Board and stated that this project was to amend figure 1-4 of the Future Land Use Element. She provided a project background and discussed the proposal of the project, stating that the amendment would adjust the alignment of certain roadways between SW Village Parkway and I-95 to accommodate revised development plans in the area. Ms. Kean concluded her presentation by discussing impacts and findings.

Dennis Murphy, Culpepper & Terpening, clarified that the only point where they would be crossing to the west side of the FPL right-of-way was at the extreme northern end of the roadway line. He noted that further details for this project would be presented during a later item.

Chair Beutel opened the Public Hearing and asked if there was any Public to speak on the item. There being none, Chair Beutel closed the Public Hearing. There being no discussion, Vice Chair Wooten **moved** to recommend approval of P23-142 Southern Grove – Comprehensive Plan Amendment – Large Scale to the City Council. Mr. Previte **seconded** the motion which **passed unanimously** by roll call vote.

8. PUBLIC HEARINGS – QUASI JUDICIAL

The Senior Deputy City Attorney read the Quasi-Judicial Rules into the record for Items 8a.) through 8l.) and the Deputy City Clerk swore in staff and applicants.

a. P22-278

There being no discussion, Mr. Previte **moved** to table P22-278 LTC Ranch (West) Residential - Planned Unit Development (PUD) Amendment to the October 3, 2023, Planning & Zoning meeting. Secretary Taylor-Moore **seconded** the motion which **passed unanimously** by roll call vote.

b. P22-326

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

(Clerk's Note: Mr. Spatara arrived at this time.)

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bethany Grubbs, Planner, stated that she was sworn in and 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 presented to the Board and stated that the project was for an amendment that would include drive-thrus as a permitted use, revise the parking requirement for multi-family dwelling units, revise the maximum permitted length of multi-family buildings from 200 ft. to 300 ft., and depicted the land use change from ROI to RGC. She noted that there were multiple property owners involved in this project, but the specific applicant would be St. Lucie Lands Property Owner's Association Inc. She stated that there were various land uses in the PUD and noted that the PUD was consistent with the direction and policies of the Comprehensive Plan.

(Clerk's Note: At this time, Mr. Spataro announced that he had not had ex-parte communications for this item.)

Dennis Murphy, Culpepper & Terpening, represented the applicant and briefly spoke to the Board. Chair Beutel opened the Public Hearing. There being no public to be heard, she closed the Public Hearing. There being no discussion, Mr. Previte **moved** to recommend approval of P22-326 St. Lucie Lands Planned Unit Development (PUD) Amendment No. 5 to the City Council. Vice Chair Wooten **seconded** the motion which **passed unanimously** by roll call vote.

c. P23-115

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

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bethany Grubbs, Planner, stated that she was sworn in and 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 presented to the Board and stated that the project was to request approval of the rezoning of approximately 5.8 acres from Planned Unit Development (PUD) to Professional (P) as permitted by the City's Zoning Code.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Dan Siemsen, 2GHO, stated that he was the agent for the applicant and that a Major Site Plan application would be submitted after rezoning approval for a 67,200 sq. ft. 2-story medical office building. He provided information on the history and the Becker Road Design Standards.

Mr. Previte inquired about the differences between PUD and Professional regarding why the applicant was requesting this, to which Mr. Siemsen replied that there were mixed use/commercial uses permitted in the PUD and the applicant wanted to remain as a medical office, and that there were other criteria within the PUD that did not make sense for this, so this request was a simpler and more cohesive way to go about it.

Chair Beutel opened the Public Hearing. Resident Wilfredo Torres briefly stated his opposition to this item.

Resident Laura White spoke in opposition of this item, stating that the residents in the area did not want Commercial development. She asked if they could reduce the scope so that the properties could be renamed as residential development.

Resident Albert Llapur spoke in opposition of this item, stating that he did not want to see a 2-story medical building and noted that there were kids in the area as it related to lack of safety.

Resident Mary Foell spoke in opposition to having a Wawa/gas stations built in the area because of the risk of having fuel near residential areas.

Resident Carol Drury spoke in opposition of this item, stating that she objected to having any Commercial building on Becker Rd.

Resident Maria Torres spoke in opposition of this item, stating that they wanted a safe, quiet neighborhood and that this project would increase traffic and pollution.

There being no further public to be heard, Chair Beutel closed the Public Hearing. Mr. Spatara inquired as to how much Commercial was currently in the area, to which Ms. Grubbs pulled up the map on the presentation to show this. Chair Beutel asked Ms. Grubbs to inform of the conversion dates for commercial, to which Ms. Grubbs clarified that the conversion area was established in the 1980s, and Becker Rd was added to the conversion in 2013. She stated that they were grandfathered in, but that if they chose to develop Commercial, they needed to abide by the conversion manual. She also informed that for Becker Rd, an extensive plan had been drawn out in 2018 for the design of the sites, and that the criteria would be reviewed when they come into Site Plan Review.

Chair Beutel asked Ms. Grubbs to discuss the difference between Limited Commercial Use and Professional, to which Ms. Grubbs stated that Limited Commercial Use was the underlying land use that sets the intensity, and the zoning was Professional which was set at a lower intensity use. She also stated that Becker Rd would eventually become 6-lanes.

Chair Beutel asked Mr. Siemsen to elaborate on the traffic study, to which Mr. Siemsen stated that they were not yet on that level for the Site Plan. Regarding the 6-lanes, Mary Savage-Dunham, Planning & Zoning Director, stated that it was currently 2 lanes, but as development increased, it would be widened to 4, potentially 6 depending on the traffic demand. She noted that Becker Rd was a major arterial road to the County.

Mr. Previte advised residents to look back at previous Council meetings, as well as attend current meetings as they have had numerous Becker Rd discussions, and he noted that a lot of the concerns had already been discussed. Chair Beutel advised that the property owner had the right

to develop and rezone, and that the current rezoning offer was better than where it currently was at and where it could be.

Dianne Spriggs, Public Works, clarified that Becker Rd was broken up into pieces so depending on which portion one may be discussing would determine whether it would be 4 lanes or 6 lanes. She stated that according to the Comprehensive Plan Map, it would be 4 lanes east of I-95 and 6 lanes west of I-95.

There being no further discussion, Mr. Previte **moved** to recommend approval of P23-115 AM Developments, LLC – Rezoning to the City Council. Vice Chair Wooten **seconded** the motion which **passed unanimously** by roll call vote.

d. P23-118

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

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bethany Grubbs, Planner, stated that she was sworn in and 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 presented to the Board and stated that the project was for approval of the rezoning of approximately 0.96 acres from Institutional (I) to Neighborhood Commercial (CN) to be consistent with the City's Comprehensive Plan, and that the proposed project use was consistent with the CN Zoning District.

Chair Beutel opened the Public Hearing. There being no public to be heard, she closed the Public Hearing. There being no discussion, Vice Chair Wooten **moved** to recommend approval of P23-118 City of Port St. Lucie – Rezoning to the City Council. Secretary Taylor-Moore **seconded** the motion which **passed unanimously** by roll call vote.

e. P23-123

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

(Clerk's Note: A PowerPoint presentation was shown at this time.) Cody Sisk, Planner, stated that he was sworn in and 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 presented to the Board and stated that the project was a request to rezone 1.01 acres of property from the Single Family Residential (RS-2) Zoning District to the General Commercial (CG) Zoning District. Alejandro Toro, EDC, appeared on behalf of the project.

Chair Beutel opened the Public Hearing. Resident David Reed inquired as to what business would be at this location, as well as how they would get into the lot due to the drainage canal. There being no further public to be heard, Chair Beutel closed the Public Hearing. She advised Mr. Reed that the item being heard before the Board was for rezoning only.

There being no further discussion, Vice Chair Wooten **moved** to recommend approval of P23-123 Bayshore Commons, LLC - Rezoning to the City Council. Secretary Taylor-Moore **seconded** the motion which **passed unanimously** by roll call vote.

f. P23-126

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

(Clerk's Note: A PowerPoint presentation was shown at this time.) Francis Forman, Planner, stated that he was sworn in and 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 presented to the Board and stated that the project was for a request to rezone 0.23 acres of property from Single-Family Residential (RS-2) to Service Commercial (CS) Zoning District. Mr. Spatara inquired if this would touch the cul-de-sac property, to which Mr. Forman responded in the negative. Applicant George Ruiz appeared before the Board and noted that there was no Residential property around the lot so it would not be a disturbance.

Chair Beutel opened the Public Hearing. There being no public to be heard, she closed the Public Hearing. There being no discussion, Mr. Previte **moved** to recommend approval of P23-126 Imperium Construction Co., LLC – Rezoning to the City Council. Vice Chair Wooten **seconded** the motion which **passed unanimously** by roll call vote.

g. P23-127 – Variance

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

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, stated that she was sworn in and 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 presented to the Board and stated that the project was for a variance of 10 ft. for the requirement of the property to prove a minimum 10 ft. wide perimeter landscape buffer along the inside of the western boundary line. She showcased the location map of the property and stated that access to the drainage ditch was needed, and that it was discovered that there was not enough land to add the landscape buffer. She also stated that they would propose taking the trees that were supposed to be planted in the

landscape buffer on the west side and instead planting them on the site, and then planting Cypress trees on the east side. Mr. Spatara asked if this would interfere with the flow of the canal, to which Ms. Kean responded in the negative, stating that this was the reason they would be avoiding the west side.

Charlie Cangianelli, ECS Florida, represented the owners and stated that it was impossible to put planting where they were supposed to go, so they would plant within the development to beautify the lot. Secretary Taylor-Moore inquired as to if the space between the development was the roadway, then the canal, to which Mr. Cangianelli replied that the property line was all the way to the east along with various other items such as the roadway and FPL. Secretary Taylor-Moore asked if it was the roadway next to the development, not the canal, to which both Mr. Previte and Mr. Cangianelli responded that it was the canal that was closest to the development. Chair Beutel inquired as to where the apartments were going to be located, to which Ms. Kean showcased this on the map.

Chair Beutel opened the Public Hearing. There being no public to be heard, she closed the Public Hearing. There being no discussion, Secretary Taylor-Moore **moved** to approve P23-127 America Walks – Variance. Vice Chair Wooten **seconded** the motion which **passed unanimously** by roll call vote.

h. P23-128 – Variance

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

(Clerk's Note: A PowerPoint presentation was shown at this time.) Francis Forman, Planner, stated that he was sworn in and 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 presented to the Board and stated that the project was to request a variance of 13 ft. from the rear setback requirement to allow for a 12 ft. rear setback where 25 ft. was required, which would provide for an addition to the existing single-family residence.

Applicant Nicholas Dwarika explained that this was to set up living quarters for his mother as they were now the caregivers. Chair Beutel then opened the Public Hearing and resident Laura White had inquired if this had been approved for any other households, stating that it could increase the number of people in Port St. Lucie if other homeowners did this. There being no further public to be heard, Chair Beutel closed the Public Hearing, and Mr. Dwarika clarified that his mother was already a Port St. Lucie resident and that no other people would be moving into the home.

Vice Chair Wooten asked if there would be anything affected in the rear of the home, to which Mr. Forman replied that there was a home, but it would not directly affect them, and that this would not be encroaching in the easement back there. Chair Beutel inquired as to if the

surrounding residents had received letters regarding this and if there were any objections, to which Mr. Forman confirmed that they had all received letters and there had been no objections. Mr. Previte stated his objection to the approval and regarding Ms. White's question, Chair Beutel noted that everything was handled case by case.

Mr. Previte made a motion to deny the variance, and Vice Chair Wooten continued discussion and stated that she had looked at other variances of this type and they had all been denied. She inquired as to if this could be moved as to not encroach on the 13 ft., to which Mr. Dwarika replied that they could make it less than 13 ft. if possible, and that the way the lot was now, if the current patio was added on to the 25 ft., it would make it 35 ft, and to the end of the property line was 40 ft., so it would allow 7 to 8 ft. to build an addition. Mr. Previte stated that they would have enough room to build off the back of house and build the addition to be the entire width of the house if they took out the patio, so a variance would not be needed, to which Mr. Dwarika advised that the intent was to keep a separate entrance to her portion of the home. Chair Beutel agreed with Mr. Previte's statements, and Ms. Creese asked for further clarification on staff findings for item # 5 on the staff report, to which Mr. Forman replied that it meant that, with the current design, this would be the minimum that this variance would allow for.

There being no further discussion, Mr. Previte **moved** to deny P23-128 Nicholas Dwarika – Variance. Ms. Creese **seconded** the motion which **passed unanimously** by roll call vote.

i. P23-141

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

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, stated that she was sworn in and 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 presented to the Board and stated that the project was an application for the 10th amendment to the Southern Grove DRI, which would amend Map H and Map H-2 (the Master Development Plans). It was noted that no changes were proposed to the DRI development order conditions of approval. She gave a history of the proposed project and noted that this would adjust the alignments of certain roadways, as well as other minor changes. She concluded the presentation by showing the impacts and findings. Dennis Murphy, Culpepper & Terpening, represented the applicant.

Chair Beutel opened the Public Hearing. There being no public to be heard, she closed the Public Hearing. There being no discussion, Vice Chair Wooten **moved** to recommend approval of P23-141 10th Southern Grove DRI - Map H Amendment to the City Council. Mr. Previte **seconded** the motion which **passed unanimously** by roll call vote.

9. NEW BUSINESS

a. PLANNING AND ZONING BOARD MEMBER OF THE SITE PLAN REVIEW COMMITTEE

Chair Beutel announced that due to the resignation of a Board member, a new Site Plan Review Committee representative would need to be named.

There being no further discussion, Vice Chair Wooten moved to table this item to the October 3, 2023, Planning & Zoning meeting. Mr. Previte seconded the motion, which passed unanimously by roll call vote.

10. OLD BUSINESS

There was nothing to be heard under this item.

11. PUBLIC TO BE HEARD

Resident Laura White reiterated her earlier comments from item 8c, to which Chair Beutel explained that there was a conversion area, and the right was reserved to convert that area from Residential to Commercial. She stated that Becker Rd was included in the conversion in 2013, and she encouraged residents to participate in the meetings. Ms. Savage-Dunham clarified that the property had already had a PUD Zoning which was for Retail and Commercial, and there was a Major Site Plan approved for 3 buildings that were pushed closer to the Residential uses, so the property was already designed and approved for non-residential use, but it had not been developed. She added that in order to acquire and develop this with the vision of the current Overlay Districts and Conversion Manual, they would need to do a rezoning or apply for another PUD. Mr. Previte advised of the various ways in which residents could receive the agendas and newsletters for meetings so that they could be informed about Becker Rd projects.

12. ADJOURN

There being no further business, the meeting adjourned at 7:53 p.m.

Carol Taylor-Moore, Secretary

Jasmin De Freese, Deputy City Clerk