

**City of Lauderdale
 Planning and Zoning Board
 Regular January Meeting
 Held
 April 26, 2016
 Commission Chambers
 5581 West Oakland Park Blvd.
 Lauderdale, Florida**

I hereby certify that this is a true and correct copy of the minutes of the April 26, 2016 meeting of the Planning and Zoning Board

 Melville Herron
 Chairperson

MINUTES

A. CALL TO ORDER

Chairman Melville B.Herron called the meeting to order at 7:30 p.m.

B. PLEDGE OF ALLEGIANCE

Chairman Melville B.Herron led those present in the Pledge of Allegiance.

C. ROLL CALL

Ms. Ozegovich called the roll and the following members were in attendance:

MEMBER	PRESENT	ABSENT
Chairman Melville B.Herron	X	
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch	X	
Dr. Leland K. Hall, Sr.	X	
Mr. Win Hoffman	X	
Mr. Doug Crumpler	X*	
Kenneth Lewis, Esq.	X	

*Arrived 7:45P.M., Departed 8:20 P.M.

ALSO PRESENT:

W. Earl Hall, City Attorney
Stephen Tawes, City Planner
Marilyn Ozegovich, Secretary to the Board

D. PROOF OF PUBLICATION

MOTION by Mr. Hoffman

To accept and file proof of publication.

SECOND by Dr. Hall

The motion passed 6-0.

E. APPROVAL OF MINUTES: JANUARY 19 AND MARCH 29, 2016

MOTION by Mr. Hoffman

To postpone approval of the January 19, 2016 minutes until the next meeting.

SECOND by Vice-Chairman Yacinthe.

The motion passed 6-0.

F. CITY PLANNER'S REMARKS

Mr. Tawes said that he had no remarks.

G. PUBLIC HEARING

City Attorney W. Earl Hall swore in those who would testify.

- 1. 16-MR-003 A PLUS MINI STORAGE @LAUDERHILL MALL
A SITE PLAN MODIFICATION APPLICATION FILED BY RAUL NUNEZ,
ON BEHALF OF THE LESSEE, A PLUS MINI STORAGE @
LAUDERHILL MALL, LLC. MAKE CHANGES TO THE APPROVED SITE
PLAN INCLUDING BUT NOT LIMITED TO CHANGES TO THE FAÇADE,
LANDSCAPING, PARKING CONFIGURATION ,LIGHTING AND THE
CONSTRUCTION OF A DUMPSTER ENCLOSURE FOR AN EXISTING
BUILDING LOCATED ON A 2.30 ± ACRE SITE IN THE COMMUNITY
COMMERCIAL (CC) ZONING DISTRICT, LEGALLY DESCRIBED AS AN**

UNPLATTED PORTION OF THE EAST ½ OF SECTION 36, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY PROPERTY APPRAISER FOLIO NUMBER 4941 36 00 0090, THE FORMER LOCATION OF THE JORDAN MARSH DEPARTMENT STORE, COMMONLY DESCRIBED AS 1403 N SR 7, LAUDERHILL, FLORIDA.

Mr. Tawes read the title.

Mr. Mike Nunez and Architect Pedro Ramos represented the applicant.

Chairman Melville B.Herron asked if there were any questions of staff.

Mr. Lewis asked Staff to add commas to Section 5.34.9 on Page 12 of the development review report so that it reads as follows:

There shall be no wholesale or retail sales of goods or services, except for items sold by operator of the self- service storage facility to be used for packing, and security of the tenants, or as provided by state law.

Chairman Melville B.Herron asked if there were any further questions of staff. Hearing none, he opened and closed the discussion to the Public and called for a motion.

MOTION by Vice-Chairman Yacinthe

To approve Item G.1. with the conditions recommended by staff.

SECOND by Dr. Hall.

ROLL CALL VOTE

MEMBER	YES	NO
Chairman Melville B.Herron	X	
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch	X	
Dr. Leland K. Hall, Sr.	X	
Mr. Win Hoffman	X	
Mr. Lewis	X	

The motion passed 6-0

2. **15-SP-003 BUS TRANSFER FACILITY @ LAUDERHILL MALL**
A SITE DEVELOPMENT PLAN APPLICATION FILED BY BROWARD COUNTY TRANSIT TO CONSTRUCT A BUS TRANSFER FACILITY ON A 1.94 ± PORTION OF A 43.69+/- ACRE UNPLATTED SITE IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT, LEGALLY DESCRIBED AS A PORTION OF LAND WITHIN TOWNSHIP 49 SOUTH, RANGE 42 EAST, SECTION 36 TOGETHER WITH A 1.05 ACRE SITE LEGALLY DESCRIBED AS FLAIR SUBDIVISION NO. 3, BLOCK 28, LOTS 1 THRU 6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 51, PAGE 39 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, COMMONLY DESCRIBED AS THE LAUDERHILL MALL LOCATED ON N SR 7 BETWEEN NW 12TH STREET AND NW 16TH STREET , LAUDERHILL, FLORIDA.

Mr. Tawes read the title.

Mr. Kurt Petgrave represented the applicant.

Chairman Melville B. Herron asked if there were any questions of staff.

Ms. Lynch commented on the Basis for Design 's description of the design Of the Bus Transfer Facility as "Afro-Caribbean." She commented that "Afro" was a hairstyle and not a culture. She would like the "Afro" references changed to "African."

Chairman Melville B. Herron discussed his concerns for the cleaning of the structure and the material to be used in the water collection pipe system. He expressed concern that the galvanized pipe would corrode and suggested that brass be used instead.

Mr. Tawes said that the County would maintain the facility and the canopy structure on a regular basis.

Mr. Petgrave of Broward County Transit discussed the piping materials. He said that brass or PVC could be used. The use of brass could cause an electrical problem due to the aluminum composition of the canopy. After discussion with Chairman Herron, it was agreed that PVC pipe would be used.

Chairman Melville B. Herron opened and closed the discussion to the Public. He called for a motion.

MOTION by Ms. Ruth Roman Lynch

To approve staff's recommendations for Item G.2.

SECOND by Mr. Crumpler.

ROLL CALL VOTE

MEMBER	YES	NO
Chairman Melville B. Herron	X	
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch	X	
Dr. Leland K. Hall, Sr.	X	
Mr. Win Hoffman	X	
Mr. Lewis	X	
Mr. Douglas Crumpler	X	

The motion passed 7-0

3. 15-SP-002 CRICKET CLUB

A SITE DEVELOPMENT PLAN APPLICATION FILED BY ALAN J. BENENSON ON BEHALF OF CRICKET CLUB LAUDERHILL, LLC. , FOR THE DEVELOPMENT OF 156 TOWNHOUSE UNITS WITH AMENITIES ON A 10.35 ACRE SITE IN THE RESIDENTIAL TOWNHOUSE AT 15 UNITS PER ACRE (RT-15) ZONING DISTRICT, LEGALLY DESCRIBED AS A PORTION OF THE SOUTH 68.12 FEET OF THE NORTH ONE-HALF (N ½) OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 36, TOWNSHIP 49 SOUTH, RANGE 41 EAST; PORTIONS OF LOTS 1 AND 2, BLOCK 1, LOTS 1 THROUGH 11 INCLUSIVE, BLOCK 10, AND PORTIONS OF GEORGIA STREET AND MIAMI AVENUE, "LAUDERDALE ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 43, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF "A REVISED PLAT OF A PART OF LAUDERDALE ESTATES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 32, PAGE 33 OF SAID PUBLIC RECORDS, TOGETHER WITH LOTS 7 THROUGH 17 INCLUSIVE, BLOCK 26 AND NORTHWEST 41ST WAY, "FLAIR SUBDIVISION NO. 3", ACCORDING TO THE PLAT

THEREOF, AS RECORDED IN PLAT BOOK 51, PAGE 39. OF SAID PUBLIC RECORDS, AND MORE COMMONLY KNOWN AS THE FORMER MCARTHUR DAIRY SITE IN LAUDERHILL, FLORIDA.

Mr. Tawes read the title.

Attorney Keith Poliakoff and **Mr. Alan J. Beneson** represented the applicant.

Chairman Melville B. Herron asked if there were any questions.

Ms. Ruth Roman Lynch asked about the impact on the surrounding community and expressed concern that there should be minority participation in the construction of the development.

Mr. Tawes addressed the impacts to surrounding communities.

Attorney Keith Poliakoff assured Ms. Lynch that there would be and that the developer works with Broward County standards and encourages minority participation. He also stipulated that the developer would add shutters to the rear of buildings buildings whose back faced SR7.

Mr. Crumpler confirmed that the development would be surrounded by a fence and wall. He also inquired about concurrency.

Mr. Tawes said that requirements for concurrency must be met by time of permitting.

Chairman Melville B. Herron opened and closed the discussion to the Public. He called for a motion.

MOTION by Mr. Crumpler

To accept staff's recommendations for Item G.3.

SECOND by Dr. Hall.

ROLL CALL VOTE

MEMBER	YES	NO
Chairman Melville B. Herron	X	
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch	X	

Dr. Leland K. Hall, Sr.	X	
Mr. Win Hoffman	X	
Mr. Lewis	X	
Mr. Douglas Crumpler	X	

The motion passed 7-0

- 4. AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR) ARTICLE III., ZONING DISTRICTS, PART 5.0., SPECIAL REGULATIONS FOR SPECIFIC LAND USE CLASSIFICATIONS, SECTION 5.36.1, SPECIAL RESIDENTIAL FACILITY USES SEPARATION REQUIREMENTS, TO CHANGE THE WAY THE SEPARATION STANDARD IS MEASURED FOR CATEGORY 3 USES IN THE COMMUNITY FACILITIES ZONING DISTRICT; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)**

Mr. Tawes read the title and gave a brief history of the project. He explained that the project had previously received both special exception and site plan approval. Since that time, the approvals had expired and in the interim the method for calculating distance between special residential facilities had changed.

Ms. Pamela Kane, attorney represented the applicant, MJM Associates and the Synagogue of Inverrary Chabad. Ms. Kane gave a brief history of the property and previous related applications. She explained that due to the economic crisis, the previously approved application did not come to fruition. She called several witness to testify – Mr. Martin Hamburg who gave information about the proposed facility and its programs, and explained how such a facility fulfilled needs that other Category 3 ALF’s in the community did not and how this facility would benefit the community; Mr. Juan Ortega, traffic engineer who disputed the traffic report used by staff; Rabbi Aron Lieberman who spoke about the role of the Chabad in the community and the need for Aishel House . A local real estate agent spoke and disputed staff’s finding that property values would decrease. Ms. Kane presented arguments that changing the method of measurement would not affect any other property and established that the “tail” of the Forest Trace property was unbuildable and therefore this proposed change would not preclude them from expanding on this portion of their property in the future.

Mr. Hoffman questioned Mr. Hamburg regarding the quality of living/care as compared to other local facilities. He also asked what the monthly rate would be.

Mr. Hamburg stated that the monthly rate would be between \$2800.00 and \$5400.00 depending on personal add-ons and the level of care required by the resident. He also stated that there would be 24 hour security and that there would be medical staff on premises. The facility would employ approximately 82 full time staff. The Synagogue would oversee the kitchen and cultural activities.

Dr. Hall discussed with Mr. Hamburg how this facility would fit in and reflect the diversity of the Inverrary community.

Mr. Lewis questioned Mr. Ortega as to why his findings differed from staff's findings.

Mr. Ortega said that staff used outdated data and a different location. He also said that according to the report the th number of trips is far less than what is allowed by the plat.

Chairman Melville B. Herron opened the discussion to the Public. Several residents spoke in favor of the proposed amendment.

Chairman Melville B. Herron called for a motion.

Attorney Hall discussed the wording of the motion with the Board and noted that since Mr. Crumpler had to leave he would not have a vote for this matter.

MOTION by Mr. Hoffman

To accept staff's recommendations for Item G.4.

SECOND by Dr. Hall.

ROLL CALL VOTE

MEMBER	YES	NO
Chairman Melville B. Herron		X
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch	X	

Dr. Leland K. Hall, Sr.		X
Mr. Win Hoffman	X	
Mr. Lewis		X

The motion tied 3-3

H. NEW BUSINESS:

1. Public comments on non-agenda items: None.
2. Planning and Zoning Board member remarks:

I. UNFINISHED BUSINESS: NONE

J. NEXT MEETING DATE: The next meeting would be May 31, 2016.

K. ADJOURNMENT

The meeting was adjourned at approximately 10:00 P.M.