

**CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT
701 SW 71st Avenue**

**SPECIAL MEETING OF THE
PLANNING AND ZONING BOARD**

MINUTES

APRIL 23, 2019

The North Lauderdale Planning and Zoning Board met at the Municipal Complex on Tuesday, April 23, 2019.

- 1. CALL TO ORDER BY CHAIRMAN** Vice Chair McKay called the meeting to order at 6:35 pm.
- 2. ROLL CALL**
Christine McKay, Vice Chair
William Albright
Alex Ortiz - *Excused*
Barbara Thomas
Dr. Enjoli R. Paul, EdD
Montfort Alexis
City Attorney Brian Sherman
City Clerk Patricia Vancheri
- 3. APPROVAL OF MINUTES**
 - a. March 5, 2019** – Board Member Thomas moved to approve the Minutes. Seconded by Board Member Albright. Minutes were approved unanimously.
 - b. April 2, 2019** – Board Member Thomas moved to approve the Minutes. Seconded by Board Member Albright. Minutes were approved unanimously.

City Clerk Vancheri noted that Board Member Ortiz requested to change to an alternate member position of the Planning and Zoning Board.

- 4. OLD BUSINESS** – None.
- 5. NEW BUSINESS**

The Applicant and anyone present intending to give testimony on any of the items on the Planning and Zoning Agenda were duly sworn by City Attorney Sherman.

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| a. SITE PLAN REVIEW: | SPR 19-02 |
| NAME OF APPLICANT: | Calvary Chapel Ft. Lauderdale |

PROJECT NAME: Shade Shelter
PROJECT LOCATION: 6177 Kimberly Blvd.
Folio # 4941 01 42 0010
PROJECT DESCRIPTION: Preliminary and final site plan review to allow a new shade shelter within a community facility (CF) zoning district.

Attorney Sherman read the item into the record. Andrew Disbury, Community Development Specialist presented the item based on the back up memorandum. He advised that the Applicant is proposing to construct a 320 square foot gazebo to provide shade, shelter and seating adjacent to their playground. Vice Chair McKay questioned the size of the pavilion as stated in the Applicants letter as 16 x 20 compared to the size shown on the site plan as 16 x 24. Mr. Disbury advised that he would need to obtain clarification on the size from the Applicant. The difference could be between the actual pad that the gazebo will be anchored to and the overhang of the gazebo itself. Vice Chair McKay inquired if this places the gazebo on another category size. Mr. Disbury responded no, it does not. There is plenty of green space from where the gazebo would end and the property line. Applicant Brian Quigley, Calvary Chapel, introduced himself and was present to answer any questions from the Planning and Zoning Board. *Public Hearing was opened. No one spoke from the public. Public Hearing was closed. There was no further discussion.* **Board Member Thomas moved to approve a recommendation to the City Commission for preliminary and final site plan review to allow a new shade shelter within a community facility (CF) zoning district for SPR 19-02 subject to the six (6) conditions as outlined by staff. Seconded by Board Member Albright. MOTION PASSED UNANIMOUSLY.**

- b. **SIGN WAIVER REQUEST:** SWAV 19-01
NAME OF APPLICANT: FPIP VIII LTD.
PROJECT NAME: WAWA
PROJECT LOCATION: 7105 W. McNab Road
PROJECT DESCRIPTION: To allow:
80 square feet of freestanding sign face area on the property where 40 square feet is allowed by code according to section 94-16 (b)(2)b within a Community Business (B-2) zoning district.
- Two freestanding monument signs totaling 80 square feet where one freestanding sign is allowed by code section 94-16 (b)(2)c within a Community Business (B-2) Zoning District.
- To allow for a maximum of 3 wall signs where 1 is allowed with letter height of 22 inches on the North, South and East elevations as supposed to 16 inch max letter height permitted by City code section 94 – 16 (c) within a Community Business (B-2) Zoning District.

Attorney Sherman read the item into the record. *Those persons present to give testimony on any of the items on the Planning and Zoning Agenda were duly sworn by City Attorney Sherman.* Andrew

Disbury, Community Development Specialist presented the item based on the back up memorandum. He advised that Wawa is requesting two free standing monument signs where the code would allow one. The code specifies 40 square feet total. Wawa is requested 80 square feet total. The Applicant is requesting three wall signs where one is allowed. They are within their square foot limit of 93 square feet. The wall signs are at 22 inches where 16 inches is allowed by code. Vice Chair McKay requested clarification on the third item referencing the size of the letters and the quantity of the signs in two (2) parts. Mr. Disbury advised that the third item has only one part; the 22 inches instead of the 16 inches. He explained that the "three signs where only one is allowed" is to clarify a quantity on the item for the public. Vice Chair McKay inquired if only one wall sign is allowed would that third item be another waiver request. Mr. Disbury stated that it is based on the total amount of square footage and not on the number of signs. He advised that the code allows for several signs as long as the total of those signs are within your linear frontage. Vice Chair McKay referenced the last paragraph on page two (2) of the packet that states "the Applicant is requesting three wall signs that total 51 square feet where only one wall sign is allowed by Code 94-16 C (1)(a)". She indicated that it seems like there are two (2) waivers for the sign; one for the size of the letter and one for the quantity of signs. Mr. Disbury advised that the intent of the code is to regulate the square footage and not the number of the signs. Vice Chair McKay inquired on page three (3) of the packet where the Applicant is requesting that "they be allowed three (3) wall signs although they do not face three major roadways as is normally the criteria". Mr. Disbury advised they look at the major roads to determine if the signs are warranted. The sign on the north elevation faces an interior access way and the decision to recommend the sign to the City Commission is left to the Planning & Zoning Board. Tammy Reed- Holguin, Community Development Director, confirmed that the code specifies the amount of square footage. She explained that the city has considered allowing more than one sign if the signs face the major road ways and if they fall within the maximum square footage allowed. In this case, two of the signs meet that criteria; one sign faces Rock Island Road and one sign faces McNab Road. The third sign is within the square footage and faces the interior towards the KFC but it is visible as you travel south along Rock Island Road which meets the criteria. There was some discussion on the specific language in code for Section 94-43 and revising the language. Attorney Sherman clarified that the Board can recommend any additional reasonable conditions that the City Commission can consider which they can or cannot accept. Chair McKay requested to be shown the locations of the signs. Mr. Disbury clarified the locations of the signs presented on the map provided in the back up material. Attorney Dwayne Dickerson, with Dunay, Miskel & Backman LLP., reiterated information presented by Mr. Disbury regarding the three (3) wall signs. He advised they have worked diligently with staff to make sure there is a balance with the needs of business while conforming to the city code. He stated that you are allowed to have the total square footage of signage based on the linear frontage of your building on the main thoroughfare. The building is 93 feet wide. They [Wawa] are allowed to have 93 square feet of total signage and they are only asking for approximately 51 square feet of wall signage. They look at multiple elements to determine proper signage such as the speed of the adjacent right of way, the volume of traffic, and access points to get people in and out safely. Attorney Dickerson explained the view of the signs and the concept of having large enough signs to see the prices for consumer protection and safety. He presented a larger schematic for the Board Members to review. He stated they [Wawa] are in line with what the code and staff requires. He referenced the recommendation from staff regarding "adequate exposure for business while not creating public welfare issues or injuries to other properties or improvements of the vicinity and it will benefit the business and its customers". He emphasized that Wawa is a multi-faceted business and the importance to have signage over each entry way. Vice Chair McKay inquired if there was elevation for each of the signs. Attorney Dickerson responded that there are three (3) elevations and he proceeded to review the elevations shown on plans that were previously submitted into the city records. Board Member Paul requested clarification on the 51 square feet total for all three (3) of the wall signs

and the proposed 80 square feet total signage. Mr. Dickerson explained that as the code reads, it looks at wall signage and other signs as separate from monument signs. Vice Chair McKay requested clarification on page two (2), where it states 51 square feet whereas on page three (3), it states they are proposing 66.49 square where 93 square feet is allowed for the wall signs. Attorney Dickerson explained for purposes of calculation that is what the total would be if the spanner sign was included. Vice Chair McKay stated that the current Walgreens sign is perhaps angled differently so why would you not use that same model. Attorney Dickerson explained that it is a different sign and this type of business requires a sign on each major right of way for safety purposes. Ms. McKay asked with regard to the monument sign on Rock Island Road, where does that fall in relation to the monument sign for the plaza as there is already a sign that says KFC and Wendy's - Hampton Plaza or something. Mr. Dickerson said he does not see it shown on their plan as these are different parcels; the Walgreens has a separate parcel from the KFC and the other parcels. Ms. McKay stated she is concerned that if they are on either side of a driveway per say, the Hamptons Plaza sign is going to block yours anyway. Mr. Dickerson advised that there is collaboration between the tenant Wawa and the underlying property owner Morgan Property Group to ensure everyone is accommodated and there are no safety issues. *Public Hearing opened. No one spoke from the public. Public Hearing was closed. Attorney Sherman read each item separately for board discussion and vote.* Board Members discussed the items. Vice Chair McKay expressed concerns with additional monument signs and commented that the gas station itself is large and visible. Board Member Albright commented that he understands that different gas stations are different sizes and the monument sign provides more visibility from all directions. Board Member Alexis commented that it is a question of marketing. Board Member Albright commented that the size of the gas station draws your attention but the signs provide you the information needed to make a decision. Vice Chair McKay suggested recommending one freestanding sign. *There was no further discussion.*

Board Member Thomas moved to make a recommendation to the City Commission with the conditions as outlined by staff to allow 80 square feet of freestanding sign face area where 40 square feet are allowed by code section 94-16 (b)(2)b within a Community Business (B-2) Zoning District. Seconded by Board Member Albright. MOTION PASSED 3-2, with Board Member Paul and Vice Chair McKay dissenting.

Board Member Thomas moved to make a recommendation to the City Commission, with the conditions as outlined by staff to allow two freestanding signs on a single parcel where one freestanding sign is allowed by code section 94-16 (b) (2) c within a Community Business (B-2) Zoning District. Seconded by Board Member Albright. Clerk took roll. MOTION PASSED 3-2, with Board Member Paul and Vice Chair McKay dissenting.

Board Member Thomas moved to make a recommendation to the City Commission, with the conditions as outlined by staff to allow two freestanding signs on a single parcel where one freestanding sign is allowed by code section 94-16 (b) (2) c within a Community Business (B-2) Zoning District. Seconded by Board Member Albright. Clerk took roll. MOTION PASSED 5-0. All were in favor.

c. SIGN WAIVER REQUEST:	SWAV 19-02
NAME OF APPLICANT:	ART SIGN CO.
PROJECT NAME:	LAUNDROMART
PROJECT LOCATION:	7962 W. McNab Rd.

PROJECT DESCRIPTION: To allow: One main wall sign with the 30 inch high lettering “l” “d” “t” and 22 inch high lettering elsewhere, whereas Section 94-16(C)(1)(c) of the City Code allows for 16 inch maximum letter height within a (B-3) regional business zoning district.

Attorney Sherman read the item into the record. *Those present who intended to give testimony on the item were duly sworn at the beginning of the meeting.* Andrew Disbury, Community Development Specialist, presented the item based on the back up memorandum. He advised this is for a new tenant in the Promenade Shops Plaza. He advised that the Applicant is requesting the signage due to the large setback off of McNab Road and the limited access into the plaza. The proposed sign area is within the 50 square feet allowed by code. Mr. Disbury reviewed the conditions. Applicant Denise Williams, with Art Sign Company introduced herself to the board members and was present to answer questions. Board Member Thomas commented on the color of the sign. Mr. Disbury advised there is no sign criterion imposed by the property owner on the property color or font for the sign. *Public Hearing opened. No one spoke. Public Hearing closed. There was no further discussion.*

Board Member Paul moved to make a recommendation to the City Commission, with the following recommendations by staff to approve to allow one main wall sign with the 30 inch high lettering “l” “d” “t” and 22 inch high lettering elsewhere, whereas Section 94-16(C)(1)(c) of the City Code allows for 16 inch maximum letter height within a B-3 general business district. Seconded by Board Member Albright. Clerk took roll. MOTION PASSED 5-0. All were in favor.

6. DIRECTOR’S REPORT

Tammy Reed Holguin, Community Development Director provided updated information regarding Wawa. She advised that Wawa withdrew one of their variance requests due to complying with city code by fully enclosing the outdoor seating area. The Wawa site plan was approved at the Commission Meeting on April 9, 2019. She advised that Wawa’s next step is to bring the project forward for permitting.

7. GENERAL DISCUSSION

Board Member Thomas noted that she was absent in March due to being hospitalized. There was some discussion on tracking board member attendance; excused absences are determined on a case by case basis and recorded in the Minutes.

8. NEXT TENTATIVE MEETING – May 7, 2019

9. ADJOURNMENT – There being no further discussion the meeting adjourned at 7:55 pm.

Respectfully submitted,

Patricia Vancheri, City Clerk

Transcribed by Deputy Clerk Elizabeth Garcia-Beckford