

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

PLANNING AND ZONING BOARD MEETING

MINUTES

JANUARY 05, 2021 - 6:00 PM

The Planning and Zoning Board met on Tuesday, January 5, 2021 at the Municipal Complex and Virtually by utilizing Communication Media Technology (“CMT”), in accordance with Ch. 286, F.S., and the City of North Lauderdale Emergency Ordinance #20-11-1413.

1. **CALL TO ORDER BY CHAIRMAN** – Chair McKay called the meeting to order at 6:02 p.m.
2. **ROLL CALL** - Clerk took roll. There was a quorum.

Christine McKay, Chair
Dr. Enjoli R. Paul, EdD, Vice Chair
William Albright – absent (unexcused)
Barbara Thomas
Alfredo Marriaga
City Attorney Brian Sherman
City Clerk Elizabeth Garcia-Beckford

3. **APPROVAL OF MINUTES**
 - a. **December 01, 2020** - Board Member Thomas moved to approved the Minutes. Seconded by Vice Chair Dr. Paul. Minutes were approved unanimously.
4. **OLD BUSINESS** - None

QUASI-JUDICIAL ITEMS:

5. NEW BUSINESS_

QUASI-JUDICIAL ITEMS:

- a. **SPECIAL EXCEPTION USE: SEU 21 – 01**
NAME OF APPLICANT: Chen Zhi Ming,
PROJECT NAME: Jeju Island Spa, LLC.
PROJECT LOCATION: 5561 NORTH STATE ROAD 7, SUITE 12
PROJECT DESCRIPTION: Special exception use permit to allow a massage establishment as a primary use in accordance with Section 106-468 of the Master Business List in a Community Business (B-2) zoning district.

Attorney Sherman read and swore in anyone present to speak on item 5a. SEU 21-01. Clerk Garcia-Beckford provided instructions for public comment. Andrew Disbury, Community Development Specialist, presented information based on the back up memorandum regarding an application submitted by Chen Zhi Ming, owner of Jeju Island Spa, LLC. for a Special Exception Use Permit (SEU) to allow a massage establishment as a primary use in a B-2 Zoning District, in accordance with Section 106-468 of the City's Zoning Code entitled Master Business List. He advised that the bay previously operated on a similar use but has been vacant for years. Staff has reviewed the proposed request and criteria contained in Section 106-156 Special Exception Uses of the City Code, and determined that the application meets the criteria for allowing the massage establishment as a primary use. Mr. Disbury provided background information and reviewed the economic analysis, traffic and parking analysis information as provided in the backup memorandum. He also reviewed the six recommendations by Staff. The Applicant, Mr. Woody Mclane presented himself to the Planning and Zoning Board Members. He introduced himself as a real estate agent representing Mr. Chen Zhi Meng. He stated that the Applicant has a license issued by the Department of Health and the next step would be to apply for the business tax receipt with the City. Mr. Mclane explained that Mr. Chen Zhi Meng retained him after the person that he originally hired to complete the business license application could not be located. In the meantime, Mr. Chen Zhi Meng's establishment was cited for operating without a license. Mr. Mclane advised that Mr. Chen Zhi Meng speaks limited English. Mr. Mclane further advised that his daughter is present to interpret [in the Mandarin language]. City Clerk Garcia-Beckford provided information for public comment. Board Member Marriaga questioned the layout for the egress and ingress of the doors. Mr. Disbury advised that the layout is a similar layout used by the previous establishment. He does not anticipate any building permits needed in regards to the exterior of the building. Mr. Mclane clarified the hours of operation on the application submitted to the City on December 13, 2020, which states 9:00 a.m. to 10:00 p.m. and not the 10:00 a.m. to 10:20 p.m. hours of operation mentioned during Mr. Disbury's presentation. There was some discussion regarding the documents submitted to the City pertaining to the hours of operation. Attorney Sherman inquired with Mr. Mclane, if he is authorized as the representative of the applicant to concede that the hours of operation are from 9:00 a.m. to 10:00 p.m. Mr. Mclane responded that is correct. Chair McKay stated that a request to have the backup information updated would be included if the item moves forward to be presented to the City Commission. Mr. Disbury clarified that the SEU application process requires the SEU permit to be approved prior to the issuance of the business tax receipt. He stated the hours of operation may have been modified on the application which will be confirmed by City staff. Chair McKay questioned if the access to the bathroom meets fire code requirements and requirements for handicap accessible bathrooms. Mr. Mclane advised that an inspection should be conducted as part of the licensing approval process. There were no changes made since the prior tenant was approved. Mr. Disbury confirmed that there is an occupational use inspection process before the business tax receipt is issued. Chair McKay questioned the massage therapist license enclosed in the backup memorandum. Mr. Mclane confirmed that the massage therapist is licensed by the Florida Department of Health. City Clerk Garcia-Beckford provided information for public comment. **Public hearing was opened. No one from the public spoke. Public hearing was closed. There was no further discussion. Board Member Thomas moved to approve a favorable recommendation to the City Commission for SEU 21-01 permit to allow a massage establishment as a primary use in accordance with Section 106-468 of the Master Business List in a Community Business (B-2) zoning district with the seven (7) recommendations from City Staff, which includes the additional condition for the modification of the hours of operation as 9:00 a.m. to 10:00 p.m.** Attorney Sherman read the seven conditions into the record. Mr. Mclane accepted the seven (7) recommended conditions. He confirmed that he has the authority to bind the applicant to the conditions. **Seconded by Board Member Paul. Clerk took roll. MOTION PASSED.** The item is scheduled to be heard by the City Commission on January 26, 2021.

NON-QUASI-JUDICIAL ITEMS:

6. STAFF REPORT

- **Lighting at Memorial Garden and removal of utility box**

Mr. Disbury provided information regarding the lighting around the City pertaining to the outdoors as far as the

Wyland Wall, Memorial Garden and the other areas concerned. The City is still considering the type of lighting and vendors. He advised that there are four AT & T boxes. The box located East and closest to Kimberly Blvd will be removed. AT & T plans to condense the equipment which will take approximately 12 -18 months.

- **Flooding on Avon Lane-who's responsible for lowering canal**

Mr. Disbury advised that the City is dependent on the South Florida Water Management district to lower the canals. He provided an update on other items. The church [God of Compassion Assembly] was approved at the last City Commission Meeting on December 12, 2020. The Social Restaurant and Grill item will be presented to the City Commission on January 12, 2021.

7. GENERAL DISCUSSION

Board Member Thomas inquired on contacting the South Florida Water Management District (SFWMD) to lower the canals. Mr. Disbury explained that communication with the SFWMD is handled through the Public Works Department. Mr. Thomas inquired how to proceed with addressing flooding issues. Attorney Sherman explained that the South Florida Water Management District is one of five districts in the State which are authorized by the State legislature to control the management of water and they control the gates. The citizens can reach out directly to the South Florida Water Control District. It is not within the purview of the City to control the gates whereas it is an independent governmental authority that does so. The drainage districts anticipate the rain levels to lower the levels with limitations to the amount of water they can move at any given time within the federal guidelines for discharge into the ocean. There was some discussion on preventing vehicles from getting stuck due to flooding issues during rain events. Mr. Disbury advised that the severely flooded areas are blocked off by BSO and Public Works to ensure the safety of vehicles and motorists. Chair McKay commented regarding a presentation made by Chen Moore at a recent Commission Meeting. Mr. Disbury clarified that the meeting topic addressed citywide drainage. He advised that there is a surtax project for the Silver Lakes area to undertake drainage infrastructure.

City Clerk Garcia- Beckford inquired with Mr. Disbury if Board Member Albright's absence was excused or unexcused. Mr. Disbury advised that Board Member Albright's absence was unexcused although Board Member Albright communicated his intention to attend the meeting.

8. NEXT TENTATIVE MEETING – February 2, 2021 at 6 p.m.

9. ADJOURNMENT - There being no further discussion the meeting adjourned at 6:42 p.m.

Respectfully Submitted,
Elizabeth Garcia-Beckford, MMC
City Clerk