

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

MEETING OF THE PLANNING AND ZONING BOARD

MINUTES

OCTOBER 1, 2019

The Planning and Zoning Board met on Tuesday, October 1, 2019 at the Municipal Complex.

1. **CALL TO ORDER BY CHAIRMAN**-Vice Chair McKay called the meeting to order at 6:33 p.m.
2. **ROLL CALL** – Clerk took roll. There was a quorum.

Christine McKay, Vice Chair
William Albright
Barbara Thomas
Dr. Enjoli R. Paul, EdD
Montfort Alexis - *Unexcused*
Alfredo Marriaga
Alex Ortiz (Alternate, Excused)
City Attorney Brian Sherman
Deputy City Clerk Elizabeth Garcia-Beckford

3. **APPROVAL OF MINUTES**

- a. **August 6, 2019** – Board Member Thomas moved to approve the Minutes. Seconded by Board Member Albright. Minutes were approved unanimously.

4. **OLD BUSINESS** – None.

5. **NEW BUSINESS**

QUASI-JUDICIAL ITEMS:

- a. **SPECIAL EXCEPTION USE: SEU 19-02**
NAME OF APPLICANT: Ying Zhen Wang
PROJECT NAME: Mr. and Mrs. Juicy Crab
PROJECT LOCATION: 7790 W. McNab Road
PROJECT DESCRIPTION: Special exception use request to allow a free standing bar within a restaurant in accordance with chapter 86-110 (7) and liquor sales in accordance with chapter 106 - 467 (9) of the City code within a general business (B-3) zoning district.

Vice Chair McKay introduced the item. Attorney Sherman swore in any witnesses present to testify under item 5a. and read the title of the item. Andrew Disbury, Community Development Director Specialist presented the item based on the back up memorandum. He provided an overview of the Special Exception Use (SEU) permit to allow a limited sale of beer, wine and liquor as an accessory to the restaurant function of the sale of meals within the B3 Zoning District, required under the city code of the master business list. In addition to the liquor license, a conditional use permit will need to be obtained with the city. Attorney Sherman clarified that the presented items should be heard individually with a separate motion for each item. Mr. Disbury explained that the free standing bar within the facility is defined as an area with a walk up bar with seating not connected to a dining table in accordance with city code Section 86-110(7) of the city's zoning code. He presented back ground information on the beverage licensing, economics, traffic and parking analysis as provided in the back up memorandum. Mr. Disbury stated that the Applicant meets all parking requirements for the site. Board Member Albright asked for clarification on the business operating hours and the description of limited sales of beer, wine and liquor. Mr. Disbury advised the operating hours are from 12 noon to 10 p.m. He explained the limited sales is defined in the city code as not to exceed the receipt total of food sold. Vice Chair McKay inquired if the Promenade Shoppes and the Arena Shoppes are owned by the same people. Mr. Disbury responded that the LLC are different in name but represented by the same individual. The Applicant, Sebastian Roiter, with Arena Capital Holdings, presented himself to the board members. No one from the public spoke on the item. There was some discussion on the language of the motion. **Board Member Thomas moved to make a recommendation to City Commission for consideration and approval to allow the limited sale of beer, wine and liquor with meals as an accessory use in a restaurant according to Section 106 - 467 (9) of the master business list within a general business (B-3) zoning district with the eight (8) conditions as to the premises as outlined by staff. Seconded by Board Member Albright. There was no further discussion. Clerk took roll. All YES. MOTION PASSED.**

Board Member Thomas moved to make a recommendation to City Commission for consideration and approval to allow a freestanding bar as an accessory use in a restaurant in accordance with Section 86-110(7), of the city's zoning code entitled Restaurants and Cafes within a B-3 Zoning District with the eight (8) conditions as outlined by staff. Seconded by Board Member Albright. Clerk took roll. All YES. MOTION PASSED.

NON QUASI-JUDICIAL ITEMS:

- b. SIGN WAIVER REQUEST: SWAV 19-07**
- | | |
|-----------------------------|--------------------------------|
| NAME OF APPLICANT: | Forever Signs Inc. |
| PROJECT NAME: | Elegant Beauty Supplies |
| PROJECT LOCATION: | 7296 W. McNab Rd. |
| PROJECT DESCRIPTION: | To allow: |
- **One main wall sign with the 31 inch high lettering "ELEGANT" whereas Section 94-16(C)(2)(c) of the City Code allows for 16 inch maximum letter height within a B-2 General Business district.**

Attorney Sherman read the title of the item. Andrew Disbury, Community Development Director Specialist presented the item based on the back up memorandum. He advised that the Applicant, Elegant Beauty Supplies, is taking over the bay that is vacant which was occupied by the Fallas department store in the Arena Shoppes. The Applicant is requesting a thirty one (31) inch high letter sign whereas the section of the sign code 94-16 (C)(2)(c) allows for the 16 inch maximum letter height. The request falls within the allowed square feet of 98 square feet. The wall signs are regulated by the amount of linear store front. In this case, there is 98 square feet of store front and their sign proposal is 98 square feet. The Applicant did comply with what is in line with the rest of the plaza at the 31 inch letter height. Mr. Disbury explained that the Applicant has two (2) monument signs at two (2) of the entrances of the plaza on Rock Island Road and McNab Road. This is a corner bay and the tenant is trying to maximize as much exposure due to the distance from the roadway and the vegetation. Mr. Disbury indicated that there is an overlay district on Rock Island Road which provides leeway with the code for the wall signs in accordance to city code Sec. 94-43. Staff is recommending a favorable recommendation to the City Commission. This item was originally going to be heard at the last scheduled meeting which was postponed due to Hurricane Dorian. The Applicant, Ceasar Sanchez, presented himself to the board members. No one from the public spoke on the item. There was no further discussion. **Board Member Thomas moved to make a recommendation to City Commission for consideration and approval for SWAV 19-07, for Elegant Beauty Supplies, to allow one main wall sign with the 31 inch high lettering “Elegant “whereas Section 94-16(C)(2)(c) of the City Code allows for 16 inch maximum letter height within a B-2 General Business district. Seconded by Board Member Albright. There was no further discussion. Clerk took roll. All YES. MOTION PASSED.**

Mr. Disbury stated that the items will be presented at the City Commission Meeting on October 8, 2019.

c. Discussion of the City’s Code of Ordinances Sec. 78-55. – Providing for Removal of Members and possible motion to recommend removal

Tammy Reed- Holguin, Community Development Director presented the item to the board members. She advised that Board Member Montfort Alexis has a total of four (4) unexcused absences. Ms. Reed-Holguin referenced the city code regarding three (3) unexcused absences by a board member that can result in removal from the board. She stated that Mr. Alexis was not present on May 7, June 4, August 6 and October 1 of 2019 nor did he call 24 hours in advance to advise of his absence. She expressed appreciation for the service of volunteers on the board. She indicated that there were at least two (2) Planning and Zoning Board meetings that could not be conducted due to lack of a quorum which places a burden on the Applicants and Board Members. Ms. Reed- Holguin expressed the difficulty in operating a board meeting as Applicants often travel long distances to attend meetings, pay for attorneys to represent them at the meetings, and the cost involved to re-advertise meetings. Ms. Reed-Holguin stated that the main concern is not being able to move forward on items for the Applicants and the delays in moving forward on projects. Board Member Thomas requested clarification on the city code regarding unexcused absences. Attorney Sherman confirmed the requirement for unexcused absences in the city code. **Board Member Thomas moved to recommend approval to the City Commission for the removal of Planning and Zoning Board member Montfort Alexis based on May 7th, June 4th, and August 6th, October 1st 2019 unexcused absences. Seconded by Board Member Albright.** There was some discussion regarding the option of appointing Board Member Montfort Alexis as an alternate which can only be recommended upon his request. Mr. Disbury confirmed attempts to reach Mr. Alexis for this meeting with no response. There was no further discussion. **Clerk took roll. All YES. MOTION PASSED.**

**d. NOMINATIONS FOR ELECTION OF CHAIR AND VICE CHAIR
(Sec. 78-57 of the City Code of Ordinances)**

Sec. 78-57. – Meetings, dates, procedures, records and quorum.

- (a) **An organizational meeting of the planning and zoning board shall be held on October 1st of each year, or as soon thereafter as practicable, for the purpose of electing officers for the ensuing year. A chairman and vice-chairman shall be elected for terms of one year by the board from its membership. A member may be re-elected for terms of one year by the board from its membership. A member may be re-elected as chairman or vice-chairman to serve no more than two consecutive one-year terms. At least one regular meeting of the board shall be held each month, and special meetings may be called by chairman or by any five regular members of the board.**

Attorney Sherman read the title of item. **Board Member Thomas moved to nominate Christine McKay as Chair for the Planning and Zoning Board. Seconded by Board Member Albright. There were no other nominations for the Chair position. Ms. McKay accepted the nomination. There was no further discussion. Clerk took roll. All YES. MOTION PASSED.**

Board Member Thomas moved to nominate Dr. Enjoli Paul as Vice Chair for the Planning and Zoning Board. Seconded by Board Member Albright. There were no other nominations. Dr. Paul accepted the nomination. There was no further discussion. Clerk took roll. All YES. MOTION PASSED.

6. DIRECTOR'S REPORT

Tammy Reed-Holguin, Community Development Director congratulated newly appointed Chair McKay and Vice Chair Paul. She thanked all board members for their participation and service on the Planning and Zoning Board. Mr. Reed Holguin advised that the two sign waiver items for Peter Piper and Spin Car Wash that were heard at the August Planning and Zoning Board Meeting were both approved at the City Commission Meeting in September.

7. GENERAL DISCUSSION

- **Call for board member applicants to fill vacancies**

Andrew Disbury, Community Development Specialist advised that there is currently one regular board member vacancy in District B and one alternate board member vacancy to fill on the Planning and Zoning Board. There was no other discussion.

8. NEXT TENTATIVE MEETING – November 5, 2019

9. ADJOURNMENT - There being no further discussion the meeting was adjourned at 7:12 p.m.