



City Hall Commission Chambers
3650 NE 12 Avenue
Oakland Park, Florida 33334

MINUTES
PLANNING AND ZONING BOARD MEETING
JANUARY 13, 2020, 6:30 P.M.

The regular meeting of the Planning and Zoning Board of the City of Oakland Park, Florida was called to order at 6:30 p.m.

ROLL CALL

Present:

Chair Jack Doren
Vice Chair Caryl Stevens
Toby Lawrence
Michael O'Byrn
Robert Waters

Absent:

Celia Hall, alternate

Also Present:

Brad Ostroff, Acting Director of Community
and Economic Development
Peter Schwarz, Assistant Director, Engineering
and Community Development
Alex Dambach, Planning Supervisor
Sean Swartz, City Attorney
Board Secretary Melissa Alvarado
Lorraine Belle, Senior Planner
Jamie Opperlee, Recording Secretary,
Prototype Inc.

PLEDGE TO THE FLAG

APPROVAL OF MINUTES

1. Minutes - December 9, 2019

Board Member Waters moved to approve the minutes of December 9, 2019. Vice Chair Stevens seconded the motion, which prevailed by the following vote:

YES: Board Member Lawrence, Board Member O'Byrn, Vice Chair Stevens, Board Member Waters, Chair Doren

2. Public Comments

At this time any person will be allowed to speak on any matter that pertains to City business for a length of time not to exceed four minutes per person.

None

ITEMS TO CONSIDER

3. **Case # CD19-28DMUD "Design Moves Wine Bar Use Approval": An application by Larrissa Casteluber of Design Moves, requesting Use Approval for a bar use to be located at 3520 NE 12th Avenue in the Downtown Mixed Use District, Park Place subarea.**

Mr. Dambach provided the staff report.

Larissa Casteluber, applicant, remarked on the high turnover downtown.

Public Hearing

Neysa Herrera – 3240 Lakeshore Drive, Deerfield Beach - She said she had worked with Ms. Casteluber and noted she was a true community partner with the city and other local businesses. Ms. Herrera believed this would further the vision of the Culinary Arts District and increase traffic to support other businesses.

David Bowles, building owner - He said Ms. Casteluber had been a great tenant and the wine bar would be a great addition to the downtown area.

Ryan Abrams - 251 South Bel Air Drive, Plantation – He was confident Ms. Casteluber would succeed and felt this would be a great addition to the area.

Stefanie Garcia - 533 NE 3 Ave., Fort Lauderdale - She said she was active in the local social community and felt this type of business would bring diversity to the area.

Diua Name - 2430 NE 13 Ave. – She said she was the owner of La Mexicana Taco Bar in Wilton Manors, said Ms. Casteluber was a very effective marketer. She supported this request.

Vice Chair Stevens felt this was a great idea.

Board Member O’Byrn asked if it would be possible to add an outdoor seating area in the future. Mr. Schwarz said the current plans did not include outdoor seating and there was no room to expand now.

Board Member Lawrence asked the hours of operation and Ms. Casteluber stated the hours would be from Noon until 10 p.m. every day. If the wine bar did very well, she said they would need to move the marketing business elsewhere.

Board Member Waters asked about the number of visitor to Ms. Casteluber’s business during the day and she replied that they only saw two clients per day maximum in person.

Board Member O'Byrn was concerned about potential parking conflicts in the future. Ms. Casteluber stated the parking met city requirements right now. Mr. Dambach explained how the new parking regulations affected parking at this property.

Board Member Waters asked about separation from the residential area behind the building and Mr. Dambach stated the rear alley provided access to the parking area and there was no room for a hedge or wall. He noted that this building was intended for culinary and arts uses.

Chair Doren noted that the wine bar could stay open until midnight and Mr. Schwarz confirmed this.

Mr. Schwarz informed the board that the DRC comments had all been addressed.

Vice Chair Stevens moved to recommend approval of the use for a bar. Board Member O'Byrn seconded the motion, which prevailed by the following vote:

YES: Board Member Lawrence, Board Member O'Byrn, Vice Chair Stevens, Board Member Waters, Chair Doren

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| <p>4. Case # CD19-18T "Group Housing for People with Disabilities Text Amendment": An amendment to the City's Land Development Code providing new regulations for Community Residences and Recovery Communities with specific amendments to Section 24-29, Section 24-30, Section 24-31, Section 24-32, Section 24-33, Section 24-34, Section 24-41, Section 24-44, Section 24-51.1, Section 24-51.2, Section 24-51.3, Section 24-51.4, and Section 24-51.5 of Article III; Section 24-54, Section 24-55, Section 24-56, and Section 24-57 of Article IV; Section 24-71 of Article V; Section 24-80 of Article VI; Section 24-165 of Article XII; Section 24-207 of Article XV; Section 24-245 of Article XVIII; and Section 24-258 and Section 24-265 of Article XX of the City's Land Development Code.</p> |
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Mr. Schwarz provided the staff report. Staff recommended the Board recommend approval of the proposed ordinance amendments.

Public Hearing - No speakers

Vice Chair Stevens asked if BSO had been involved in the decision-making process and Mr. Schwarz confirmed they had. The study and ordinance had been reviewed by the City Attorney's office, BSO and city staff. Vice Chair Stevens asked who kept track of the facilities and Mr. Ostroff said per ADA rules, a license was not mandatory but through these amendments, the city was requiring a license. Mr. Dambach confirmed for Chair Doren that yearly inspections were part of the ordinance.

Mr. Schwarz stated the city could not notify the neighborhood about the residences because this was against the Fair Housing Act and the Americans with Disabilities Act (ADA).

Vice Chair Stevens asked if there would be a dedicated phone number for complaints and Mr. Swartz said a resident should phone whatever city or BSO phone number was appropriate for the particular complaint.

Mr. Schwarz informed Chair Doren that the city would maintain a confidential database of the residences.

Mr. Dambach stated there were currently six or seven of these residences in the city and they would have nine months from when the ordinance changes were enacted to comply.

Regarding parking, Mr. Ostroff reviewed the requirements and stated the owners of the residences would be informed beforehand about the parking requirements for each type of residence.

Mr. O'Byrn asked if repeat violators would be subject to stiff penalties and Mr. Ostroff said the city had recently passed enhanced penalties for repeat and continuing code violations. If the homes did not obtain a city permit and/or certificate of use, staff would work with the City Attorney's office to determine the best course of action.

Chair Doren remarked on how professional the report was and commended staff on their work. He believed this would help maintain community standards and serve the residents of the homes.

Chair Doren went through the changes and remarked on sections that were confusing, grammatically questionable, or contained typographical errors

Mr. Schwarz clarified for Vice Chair Stevens that only people in recovery were protected by the Americans with Disabilities Act. Anyone actively using drugs or alcohol was no longer protected.

Board Member O'Byrn moved to recommend approval of the ordinance amendments, with the review of Chair Doren's suggestions. Vice Chair Stevens seconded the motion, which prevailed by the following vote:

YES: Board Member Lawrence, Board Member O'Byrn, Vice Chair Stevens, Board Member Waters, Chair Doren

Mr. Schwarz agreed to review Chair Doren's suggestions before the changes were submitted to the city commission.

OTHER BUSINESS

Mr. Schwarz introduced new Senior Planner Lorrainia Belle.

The next meeting was scheduled for February 10.

ADJOURNMENT

The meeting was adjourned at: 7:56 p.m.

CITY OF OAKLAND PARK, FLORIDA

JACK DOREN, CHAIR

ATTEST:

MELLISA ALAVARADO, BOARD SECRETARY