



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

MINUTES
PLANNING AND ZONING BOARD MEETING
DECEMBER 7, 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.

Due to the Coronavirus (COVID-19) all City facilities are closed, including City Hall. The City Commission Meeting will be held pursuant to Governor's Executive Order 20-69, which was extended by Executive Order 20-112. To participate in this public hearing, please call the City Clerk's Office for meeting log-in information at 954-630-4300 or submit your public comment (no more than 250 words) to publiccomments@oaklandparkfl.gov.

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| ROLL CALL |
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Regular Members:

Board Member, Toby Lawrence
Board Member, Michael O'Byrn
Board Member, Robert Waters
Vice Chair, Caryl Stevens
Board Chair, Jack Doren
Alternate, Brian Weins, attended as a member of the public

Also Present:

Peter Schwarz, Assistant Director of
Community and Economic Development
Sean Swartz, City Attorney
Alex Dambach, Planning Supervisor
Melissa Alvarado, Recording Secretary

Absent

No Board Members were absent.

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| PLEDGE TO THE FLAG |
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| 1. APPROVAL OF MINUTES- September 21, 2020 |
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Member O'Byrn made a motion to approve the September 21, 2020 Planning and Zoning Board minutes. Vice Chair Stevens seconded the motion which prevailed unanimously.

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| 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. |
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The public had an opportunity to submit comments (no more than 250 words) to publiccomments@oaklandparkfl.gov until 5:00 p.m. on Monday, December 7, 2020.

There were no public comments for general City business.

ITEMS TO CONSIDER

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| 3. | Case #CD20-05RZ “Floranada Self Storage Rezoning” A public hearing to consider the application by Floranada Storage and Warehouse, Inc. for rezoning from I-1, Light Industrial District to B-3, Commercial – Industrial District with the allocation of 4.24 flexibility acres to be re-designated from Industrial to Commercial for the property located at 1100 Floranada Road. |
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Mr. Schwarz gave a presentation on the item.

Vice Chair Stevens expressed support for the rezoning as it would not increase traffic in the area.

Member Waters expressed support for the rezoning.

Chair Doren expressed support for the project, but had some inquiries regarding security and asked the applicant, Mr. Jay Deuschle, about designating a resident parking space provided in the secure compound of the facility. Mr. Deuschle explained that the request could be accommodated.

Chair Doren inquired about the fish-eye peep hole on the resident apartment. Mr. Deuschle stated that this would also be accommodated.

Chair Doren asked about the resident access to the security system. Mr. Deuschle explained that he and the manager currently have access to the security system and that the resident would also have access to view surveillance.

Chair Doren inquired if the unit would be limited to the caretaker or be rented out to a member of the general public. Mr. Deuschle explained that the unit would be exclusively for the manager on site.

Vice Chair Stevens made a motion to recommend approval of Case #CD20-05RZ Floranada Self Storage Rezoning. Member Waters seconded the motion which prevailed by the following vote:

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

NO: No board members voted in opposition to this agenda item

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| 4. | Case # CD19-14CU – “One Plant Conditional Use” A public hearing to consider the application by WN Properties and Investments, LLC (owner) requesting Conditional Use for a medical marijuana treatment center or dispensing facility at 499 East Oakland Park Boulevard. |
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Mr. Dambach gave a presentation on the agenda item.

Ms. Stephanie Toothaker, the applicant for the project also gave a presentation.

Chair Doren opened the item up to public comments.

As there were no public speakers to comment on this item, Mr. Schwarz read the submitted comments into the record:

- Mr. Paul Bernstein of Kin Properties expressed discontent with approval of the conditional use, but stated that if it is to be granted that strong compliance oversight and increased security requirements be adhered to.
- Mr. John Grzeszczak of Hammerhead Aquatics advised against approval of the project as he is building a club/swim school across the street from the proposed project location.
- Mr. Colby King, community organizer of Harlem McBride, expressed approval of the project and commended the applicant on community outreach efforts to provide the public with as much information as possible.

As this was the final public comment, Chair Doren closed the public hearing and turned the item over to the Board for deliberation.

Vice Chair Stevens asked if Mr. Schwarz could reread the comment from Mr. Grzeszczak.

Mr. Sean Swartz clarified that the statute provides that the proposed project cannot be within 500 feet of a public or private elementary school, middle school, or secondary school. He added that the swim school would not meet these criteria.

Mr. Schwarz explained that the code would not consider the project in violation of the aforementioned provision. He added that the swim school is not an existing business at this time

and that schools that come along after would not trigger the clause as the medical marijuana dispensing facility would be preexisting.

Member Waters inquired if there would be a medical doctor on site during operating hours. Ms. Stephanie Toothaker, the applicant, explained that prescriptions are not written on site but are managed through the state of Florida. She added that a medical marijuana card must be obtained through the criteria of the statute for prescriptions to be issued. In addition, Ms. Toothaker stated that all the recommendations in the City staff report have been reviewed and will be adhered to.

Member Waters asked about the treatment aspect of the facility. Ms. Toothaker explained that medical marijuana is managed through the State Department of Health and if someone is diagnosed with certain types of diseases, he or she may qualify for a medical marijuana card that must be properly issued through the State. She added that the State monitors the card and any prescriptions that are written.

Member O'Byrn inquired about the signage. Mr. Schwarz explained that the City requests there be no cannabis imagery in the signage and Ms. Toothaker stated that the request will be accommodated.

Chair Doren inquired if the applicant would agree to the following recommendations: meeting signage requests, not including drive through facilities, no cannabis imagery in signage, no doctors on site issuing prescriptions, and revision of the landscaping plan to include shade trees. Ms. Toothaker agreed that each of the recommendations would be accommodated by the One Plant team.

Chair Doren asked for more detail on the security plan. Ms. Toothaker explained that there will be a fully operational security system, video surveillance, 360-degree video surveillance, lighting from dusk until dawn, and no cannabis use allowed on site.

Member O'Byrn made a motion to recommend approval of Case # CD19-14CU – “One Plant Conditional Use” with all the DRC and staff recommendations as conditions. Vice Chair Stevens seconded the motion which prevailed by the following vote:

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

NO: No board members voted in opposition to this agenda item

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| 5. | Case # CD19-16CU – “Simple Wine Conditional Use” A public hearing to consider the application by Milk haz Gorgisheli requesting Conditional Use for alcoholic beverage sales at 3471 North Federal Highway, Suite 104. |
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Mr. Dambach gave a presentation on the agenda item.

Mr. Robert Roselli, a representative of Simple Wine, explained that the proposed project would be a wine store with occasional tastings.

As there were no public comments, Chair Doren closed the public hearing and opened the item up for Board deliberation.

Member O'Byrn asked for further clarification regarding the site being used as a meeting space. Mr. Roselli explained providing space for a meeting room was considered where wine would be offered as a tasting and patrons could purchase the wine after the meeting, but the intent is not solely to sell wine. He added that this functionality is still being considered so long as it meets the conditional use criteria.

Chair Doren asked if the intended use of the site described by Mr. Roselli would fit the conditional use criteria. Mr. Dambach explained that the proposed use was reviewed with the permitted use list for the district and having accessory activities to a retail use would be acceptable.

Vice Chair Stevens made a motion to recommend approval of Case # CD19-16CU – "Simple Wine Conditional Use". Member Waters seconded the motion which prevailed by the following vote:

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

NO: No board members voted in opposition to this agenda item

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| OTHER BUSINESS |
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Mr. Schwarz stated that the next regularly scheduled meeting will take place on Monday, January 11, 2021

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| ADJOURNMENT |
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There being no further business, the meeting was adjourned at 7:49 P.M.

CITY OF OAKLAND PARK, FLORIDA

JACK DOREN, CHAIR

ATTEST:

MELISSA ALVARADO, BOARD SECRETARY