



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

MINUTES
PLANNING AND ZONING BOARD MEETING
MARCH 8, 2021, 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.

ROLL CALL

Regular Members:

Board Member, Toby Lawrence
Board Member, Robert Waters
Vice Chair, Caryl Stevens
Alternate, Brian Weins participated as a voting member of the Board

Also Present:

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

Absent

Board Member, Michael O'Byrn
Board Chair, Jack Doren

PLEDGE TO THE FLAG

1. APPROVAL OF MINUTES- January 11, 2021

Member Waters made a motion to approve the January 11, 2021 meeting minutes. Member Lawrence seconded the motion which prevailed unanimously.

2. APPROVAL OF MINUTES- February 8, 20201
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Member Waters made a motion to approve the February 8, 2021 meeting minutes. Member Lawrence seconded the motion which prevailed unanimously.

3. 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.

The public had an opportunity to submit comments (no more than 250 words) to publiccomments@oaklandparkfl.gov until 5:00 p.m. on Monday, March 8, 2021.

There were no public comments for general City business.

ITEMS TO CONSIDER

4. <u>Case # CD20-22T – “Urban League NUPD Land Development Code Text Amendment”</u>

A public hearing to consider the application by Charles Millar on behalf of the Urban League of Broward County requesting a text amendment to Article IV, Planned Development Districts, Section 24-57, of the Land Development Code to amend various requirements of the New Urban Planned District including parking, dwelling unit size, permitted uses, and locational requirements.
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Member Waters inquired about the acreage of the area and about the building on the a site the Urban League intends to develop.

Mr. Sidney Calloway, the applicant, stated that the acreage is 5.6 acres and the building on site is an adjacent property.

Mr. Waters commented in the list of permitted uses for this particular property that offices were not permitted but work-live units are and asked if this would present a conflict.

Mr. Schwarz stated this would not be a conflict as these are completely different uses with different definitions by City code.

Mr. Waters noted that on the plans there was a reduction of landscaping from 20% to 15% but the ordinance says 20%. He wanted to ensure that the landscaping plans would remain at 20%.

Mr. Calloway explained that City staff and the applicant decided that the 20% landscaping would remain.

Member Lawrence asked if any future development plans would come to the Planning and Zoning Board.

Mr. Schwarz stated that if the project moves forward it would come to the Planning and Zoning Board for review of the Comprehensive Plan Amendment to Land Use Plan Map, a rezoning request to the new proposed urban plan district, and platting. He concurred that the project would have to come back to the Planning and Zoning Board and City Commission.

Member Lawrence asked for additional information on the district of the future development project.

Mr. Schwarz explained that the project site is a category that a property could be rezoned to. He added that the Urban League property is zoned R-1 residential and in the future could request to this designation. Mr. Schwarz added that this could be utilized in other areas of the City where compact, smart growth, new urban redevelopment etc. are contemplated.

Member Lawrence requested additional information on the Urban League of Broward County.

Mr. Calloway explained that the Urban League is a community driven, not-for-profit organization that has been in Broward County for approximately 45 years. He added that the Urban League is an affiliate of the National Urban League which focuses on a range of issues such as affordable housing in communities, economic development, education, and health.

Member Weinz asked for clarification on the new urban planning district and permitted locations in the City.

Mr. Schwarz stated that the opportunity to utilize this zoning district through the rezoning process could currently only be applied in the Community Redevelopment Areas outside of the Downtown. He added that after review it could be utilized through a full rezoning process where deemed appropriate.

Member Weinz expressed a concern about guest parking.

Mr. Dambach explained that the parking requirement is met but there is opportunity for the developer to provide parking above the requirement to include guest parking.

Member Weinz expressed concern regarding the proposal of 20% of use to be 400 square feet.

Mr. Schwarz explained that this is the proposed text for micro units. He added that it would be at the discretion of the City Commission to consider the provision and stated they can approve up to 20% of use to be between the range of 400 square feet and 700 square feet.

Member Lawrence asked if the text amendment is granted if future developers seeking to establish new urban planning districts would need to come before the Board.

Mr. Schwarz explained that the proposed is just a change to the text of the Land Development Code for this district and that any proposed use of this district would be required to apply for a rezoning which would require Development Review Committee review, Planning and Zoning Board review, and City Commission readings.

Acting Chair Stevens opened the item up for public comments.

Chuck Millar of Kimely Horn, a member of the consultant team, thanked City staff for their hard work and efforts on this project.

Member Waters made a motion to recommend approval Case # CD20-22T – “Urban League NUPD Land Development Code Text Amendment”.

Member Lawrence seconded the motion which prevailed by the following vote:

YES: Board Member Lawrence, Board Member Waters, and Acting Chair Stevens

NO: Member Weinz

5.	<u>Case #CD20-15CPT “OP3D Land Use Plan Amendment”</u> A public hearing to consider amending the City of Oakland Park Comprehensive Plan Text and Future Land Use Map for the property generally bound by NE 41 Street (extended), on the east by NE 12 Terrace and NE 13 Avenue, on the south by the North Fork of the Middle River (excluding the Pointe of Middle River development), and on the west by NE 6 Avenue (south of Oakland Park Boulevard) and along the west parcel lines of certain parcels approximately 150 feet west of NE 10 Avenue (north of Oakland Park Boulevard).
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Member Schwarz gave a presentation on this agenda item.

Member Weinz inquired about the easement along the river.

Mr. Schwarz stated that the Comprehensive Plan is the City’s long-range planning document contemplated to look 25- 40 years into the future. He added that with the inclusion of the policy into the Comprehensive Plan the City has a goal for the future and as the properties redevelop the property owners would be need to consider providing the easement.

Member Weinz expressed concerns regarding the rezoning and asked why the Point of Middle River was not included.

Mr. Schwarz explained that the Point of Middle River is a new development and the City does not anticipate it being redeveloped in the planning horizon because it is so new. He added that it is developed as the Downtown anticipates development to occur and there was no reason to include it in the Downtown expansion.

Member Weinz asked for clarification on the number of dwelling units.

Mr. Schwarz stated that the Downtown within its current boundary permits up to 1,800 units. He added in the area south of Oakland Park Boulevard there are 420 units or in the expanded area along Northeast 10th Avenue which are all also permitted in the Comprehensive Plan. There are 1,800 units permitted in the Downtown and 420 dwelling units permitted outside the current Downtown in the expanded area for a total of 2,220 permitted dwelling units. Mr. Schwarz added that over the new area of 234.5 acres where the new Downtown is proposed to be, a proposal of 500 dwelling units be dispersed through the area to be available for redevelopment and or allocation.

Member Waters asked for clarification on the landscaping.

Mr. Schwarz explained that the proposed policy is long-range and the goal is to increase park acreage in the Downtown and once implemented the City would be compelled to provide more park acres as development occurs in the Downtown.

Acting Chair Stevens opened the item to the public. There were no public comments on this agenda item.

Member Waters made a motion to recommend approval Case #CD20-15CPT “OP3D Land Use Plan Amendment”

Member Lawrence seconded the motion which prevailed by the following vote:

YES: Board Member Lawrence, Board Member Waters, and Acting Chair Stevens

NO: Member Weinz

6.	<u>Case # CD20-25CU – “Trulieve Conditional Use”</u> A public hearing to consider the application by Moonlite Properties, LLC (Owner) requesting Conditional Use for a medical marijuana treatment center or dispensing facility at 301 West Oakland Park Boulevard.
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Mr. Dambach gave a presentation on the agenda item.

Acting Chair Stevens opened the item for public comments.

Mr. Robert Lynn, a resident of Oakland Park, expressed discontent with the project.

Mr. Ron Burr, a resident of Wilton Manors near the proposed project site, expressed discontent with the project.

Mr. Schwarz read the written comments into the record.

Mr. Joe Petri, a resident of Oakland Park, expressed opposition to the proposed project.

Ms. Melissa Piccininni, a former business owner in Oakland Park, advised the City to send the public hearing notices to the current owner. Mr. Schwarz commented that staff sent the notice to the new property owner.

Mr. Tim Neal, a resident of Oakland Park, expressed discontent with the project.

Mr. Kevin Kenninson, a resident of Oakland Park, expressed discontent with the project.

Dr. Arachnid, expressed discontent with the project.

Mr. Jeff Barnes, a resident of Oakland Park, expressed full support for the proposed project.

Acting Chair Stevens asked Mr. Daniel Sparks, the applicant for the project, how he would respond to the public concerns.

Mr. Sparks stated that medical marijuana treatment centers (MMTCs) and dispensing facilities in the State of Florida are some of the most secure retail facilities. He added that there is close-circuit television surveillance watching the facility 24 hours a day with one placed every 100 square feet. In addition, he added that every interior and exterior of every facility is constantly monitored. Mr. Sparks added that Trulieve has a positive impact on the community as it operates similar to pharmacies as they provide medicines to patients that need it.

Member Lawrence inquired if there was another facility on Oakland Park Boulevard that was approved by the Planning and Zoning Board.

Mr. Schwarz responded that the Board has heard one other application for a different facility that is still pending, Grow Healthy, on East Oakland Park Boulevard has not yet been approved by the City Commission. Mr. Schwarz added that another dispensary was approved elsewhere in the city on Commercial Boulevard but has not yet opened.

Member Lawrence asked about intensity requirements as they pertain to the proximity of such facilities.

Mr. Schwarz explained there are no intensity requirements or distance separation requirements between such facilities because the establishments are Conditional Use and each Conditional Use is assessed on a case-by-case basis.

Member Lawrence commented on how the crime at the adjacent hotel adversely impacts public opinion of the establishment of the dispensary.

Member Waters commented that the plans to improve the site would elevate the neighborhood, however, with the public response and adverse effects of the hotel it would be difficult to support the project.

Acting Chair Stevens commented that the plans building renewal were outstanding but understands and sympathizes with the neighborhood sentiments.

Member Waters made a motion to recommend that the Commission denies the approval of Case # CD20-25CU – “Trulieve Conditional Use”

Member Weinz seconded the motion which prevailed by the following vote:

YES: Board Member Lawrence, Board Member Waters, Member Weinz, and Acting Chair Stevens

NO: No voting members voted in opposition of the motion

OTHER BUSINESS

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:06 P.M.

CITY OF OAKLAND PARK, FLORIDA

CARYL STEVENS, ACTING CHAIR

ATTEST:

MELISSA ALVARADO, BOARD SECRETARY