

**MINUTES
BROWARD COUNTY PLANNING COUNCIL**

May 27, 2010

MEMBERS Levoyd Williams, Chair
PRESENT: Mayor Lamar Fisher, Vice Chair
Commissioner Angelo Castillo, Secretary
Commissioner Suzanne Boisvenue
Vice Mayor Claudette Bruck
Sara Case
Vice Mayor Anne Castro
E. Gerald Cooper
Scott J. Cooper
School Board Member Maureen Dinnen
Commissioner Bobby DuBose
Vice Mayor William Julian
Commissioner Lisa Mallozzi
Louis Reinstein
Broward County Commissioner Stacy Ritter
Mayor Michael Udine
Bett Willett

MEMBERS Dan Hobby
ABSENT: Les Stracher

ALSO Andrew Maurodis, Planning Council Attorney
PRESENT: Henry A. Sniezek, Planning Council Executive Director
Barbara Blake Boy, Planning Council staff
Leah Von Leu, Real-Time Reporter

(A sign in sheet reflecting those present is filed with the supplemental papers to the minutes of this meeting.)

A meeting of the Broward County Planning Council was held at 10:05 a.m., on Thursday, May 27, 2010, in Room 422 of the Broward County Governmental Center, Fort Lauderdale, Florida.

CALL TO ORDER

The Chair called the meeting to order.

PLEDGE OF ALLEGIANCE

The Chair led everyone in reciting the Pledge of Allegiance.

ROLL CALL

The Real-Time Reporter called the roll and the Chair declared a quorum was present to proceed with the meeting.

CONSENT AGENDA

C1 APPROVAL OF FINAL AGENDA FOR MAY 27, 2010

On motion of Commissioner Mallozzi, seconded by Vice Mayor Bruck and carried by a majority vote (Commissioner Boisvenue voted no), the Planning Council approved the Final Agenda for May 27, 2010.

C2 MAY 2010 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

C3 APPROVAL OF MINUTES OF APRIL 22, 2010

C4 EXCUSED ABSENCES

- Dan Hobby
- Les Stracher

Following the request of Mr. Scott Cooper to correct the name of his daughter to Brianna in the minutes of April 22, 2010, on motion of Commissioner Castillo, seconded by Mayor Fisher and carried by a majority vote (Commissioner Boisvenue voted no), the Planning Council approved C2 through C4.

REGULAR AGENDA

R1 COUNSEL'S REPORT

No report provided.

R2 EXECUTIVE DIRECTOR'S REPORT

Mr. Sniezek reported on the June/July schedule and stated it looks favorable for having the Group 1 Amendments return for a second hearing in June so that the July meeting could possibly be cancelled.

He also noted that if this day's meeting runs into the lunch hour, lunch will be provided in the back around noon.

(Vice Mayor Castro entered the meeting room at this time.)

R3 CORRESPONDENCE

None reported.

PUBLIC HEARING AGENDA

Following a statement by Mr. Maurodis, legal counsel for the Planning Council, PH 1 was noted as the only quasi-judicial hearing. **The Chair noted for the record that PH 1 was pulled by Commissioner Boisvenue for a question.**

PH 1 RECERTIFICATION PCR 10-9

Public Hearing on Recertification of the City of West Park Future Land Use Element - Map Amendment

(Commissioner Boisvenue pulled PH 1)

Upon inquiry regarding the open space requirement and whether it's being met or if it's deficient, Mr. Sniezek replied that it's an addition of 19 acres of park in West Park but that the City will remain deficient by 10 to 12 acres even after this is added.

Mr. Sniezek then referenced PH 2 and the certification of West Park which was recommended for approval with the understanding that if the City wanted to propose future amendments to the Broward County Land Use Plan for residential, that staff would not be supportive unless the entire parks requirement was addressed.

On motion of Commissioner Castillo, seconded by Mr. Gerald Cooper and carried by a majority vote (Commissioner Boisvenue voted no), the Planning Council approved PH 1.

(Mayor Udine entered the meeting room at this time.)

Following the Chair's request for pulls, Mr. Sniezek reported that the following were pulled by members of the audience: PH 5, PH 6, PH 7, PH 9, PH 10, PH 11, PH 12, PH 14, PH 15, PH 16, PH 17, and PH 19. The Chair noted that Ms. Willett pulled PH 8 and Commissioner Boisvenue pulled PH 13.

On motion of Vice Mayor Castro, seconded by Commissioner Castillo and carried by a majority vote (Commissioner Boisvenue voted no), the Planning Council approved PH 2, PH 3, PH 4, PH 18, and PH 20.

Following an inquiry regarding previous contacts made, Mr. Maurodis reported that the Land Use Amendments are not quasi-judicial and as a result, there is no requirement to disclose such contact.

The Chair noted that since all the members have read the staff recommendations previous to today's meeting, it was not necessary for staff to provide an overview before hearing the speakers who have signed up to speak.

PH 2 CERTIFICATION PCC 10-8

Public Hearing on Certification of the City of West Park Future Land Use Element - Text Amendment

(Previously approved.)

PH 3 RECERTIFICATION PCR 10-7

Public Hearing on Recertification of the City of Hollywood Future Land Use Element – Text Amendment

(Previously approved.)

PH 4 AMENDMENT TO THE BROWARD COUNTY TRAFFICWAYS PLAN – DANIA BEACH BOULEVARD – PCTW 10-1

Deletion of the 80-foot Dania Beach Boulevard Trafficway, consisting of the portion between Bryan Road and Federal Highway/U.S. 1; located in the City of Dania Beach.

(Previously approved.)

PH 5 AMENDMENT PC 10-22

First Public Hearing on Small Scale Amendment to the Broward County Land Use Plan – City of Hollywood

Subsequent the Chair's clarification that no discussion was desired, on motion of Commissioner Castillo, seconded by Mayor Udine and carried by a majority vote (Commissioner Boisvenue and Ms. Willett voted no), the Planning Council approved PH 5.

PH 6 AMENDMENT PC 10-25

First Public Hearing on Small Scale Amendment to the Broward County Land Use Plan – City of Hollywood

Mr. Sniezek reported that staff's analysis shows it will not impact public facilities and services and will actually result in a decrease in water, sewer and schools and that staff recommends approval.

School Board Member Dinnen stated she did not have an issue related to the School Board, however as a member of the Historical Commission,

noted that a problem with the archeologist has been worked out and inquired if there was documentation on that. Mr. Sniezek reported that an archeological survey will not be required per the Historical Commission's recent comments which have been filed.

Ms. Case commented on her concern regarding reduction in tree canopy, impervious surface, and water recharge capability and asked that discussion take place rather than approving any land use amendment that comes along, especially when there are a great number of them on the agenda such as on this day.

Mr. Sniezek stated that the County does have a Tree Preservation Ordinance and every amendment is reviewed regarding tree canopy. Upon inquiry regarding replacement of trees, he answered there is a replacement requirement for on site.

On motion of Commissioner Castillo, seconded by Mayor Fisher and carried by a majority vote (Commissioner Boisvenue voted no), the Planning Council approved PH 6.

PH 7 AMENDMENT PC 10-23

First Public Hearing on Small Scale Amendment to the Broward County Land Use Plan – City of Pompano Beach

The following people spoke on PH 7:

Linda Holke
Robert Stevens

Mr. Larry Schuster, Principal Planner, City of Pompano Beach, discussed the application to relocate the fire station and also the City's lift station which are currently on an adjoining piece of property in front of the pier. He added that they are being set further back so as to protect them from the storm surge during hurricanes, comply with the American Disabilities Act (ADA), and accommodate the female firefighters.

Further discussion ensued with Mr. Schuster and Mayor Fisher regarding the issue of the lift station being relocated and he explained that it's currently at 98% capacity and further assured Ms. Holke that the residents of Harbor House will find the offensive odor lessened or totally eliminated due to state-of-the-art technology with a new lift station.

Mr. Sniezek gave additional information regarding the land use classification and stated that research found that the existing fire station was built back in the 1950's which was before the County Land Use Plan

was adopted in 1977, and that after the fire station is relocated, that site will become a recreation open space related use.

On motion of Mayor Fisher, seconded by Commissioner Mallozzi and carried by a majority vote (Commissioner Boisvenue and Mr. Reinstein voted no), the Planning Council approved PH 7.

PH 8 AMENDMENT PC 10-24

First Public Hearing on Small Scale Amendment to the Broward County Land Use Plan – City of Pompano Beach

(Ms. Willett pulled PH 8.)

Upon inquiry whether this is work force housing, Mr. Sniezek replied that it's not proposed to be restricted specifically for that, however, he invited Mr. Richard Coker, on behalf of the applicant, to speak on this issue.

Mr. Coker reported that this project is anticipated to be in the work force housing range and Ms. Willett stated there should be a mini-park included. Mr. Coker stated that when it comes back for zoning, that issue will be addressed for the residents.

School Board Member Dinnen noted there were no School Board concerns at the current time, however referenced the final line under Attachment 4, where it stated if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan, or functional equivalent phase of development review, whichever comes first.

As such, School Board Member Dinnen stated there could be possible concurrency issues at a later time and didn't want any false impression that everything will stay the same as it is now.

Mr. Sniezek stated that the City exceeds the open space requirement regarding parks in the County Land Use Plan.

Upon inquiry, Mr. Sniezek addressed the current level of service for the area, noting some are level F, D, and C, and that net impact will be 27 peak hour trips which is under the threshold used for significance.

Upon inquiry regarding how many of the 93 units will be affordable housing, Mr. Coker noted that the City will address this issue when it returns for the rezoning of this project, but that there was no specific requirement. He added that they all fall within the low to moderate income housing range. Mr. Coker stated the prices will be in the low \$200's.

On motion of Mr. Reinstein, seconded by Mayor Udine and carried by a majority vote (Commissioner Boisvenue voted no), the Planning Council approved PH 8.

PH 9 AMENDMENT PCT 10-5

First Public Hearing on Amendment to the Broward County Land Use Plan Text

Mr. Sniezek stated staff is recommending approval with conditions and called the first speaker.

The following people spoke on PH 9:

Jenetta Tellian
Micheline Peacock

Commissioner Castillo made a point of order, stating that the Planning Council is only to review proposals in regard to the Land Use Plan and that people can present their comments to their local city officials.

Mr. Sniezek gave a background history regarding the Dania Beach Regional Activity Center and stated this application is asking for additional commercial use and employment center use.

Vice Mayor Castro stated she would speak with Ms. Tellian and Ms. Peacock regarding their concerns and asked that they call or meet with her.

Mr. Sniezek invited Mr. Bob Daniels, the Community Development Director, to speak and Mr. Daniels noted that the amendment is regarding the Regional Activity Center and that he would be happy to respond to any concerns individuals may have as well.

Following further discussion on plans to enhance the corridor, **on motion of Vice Mayor Castro, seconded by Commissioner Mallozzi and carried unanimously, the Planning Council approved PH 9.**

PH 10 A. AMENDMENT PCT 10-4

First Public Hearing on Amendment to the Broward County Land Use Plan Text

PH 10 B. AMENDMENT PC 10-9

First Public Hearing on Amendment to the Broward County Land Use Plan – City of Dania Beach

Mr. Sniezek stated that staff’s recommendation on this is for approval of the transmittal subject to the City adequately addressing the following: 1) traffic impacts that were identified, 2) no residential within the 65 DNL or higher noise contour, 3) mitigate any residential development within the 60 DNL noise contour, and 4) recognize the City’s commitment to affordable housing.

The following people spoke on PH 10 A & PH 10 B:

Rosemary Herbert
Donna Eades
Margaret Grate

Following the speakers’ comments, Commissioner DuBose made a point of clarification regarding the amount of public input that was provided. Vice Mayor Castro requested that the City Planning Consultant for the City of Dania Beach explain the extensive public participation in developing the master plan which was developed as a result of public input.

Upon the Chair’s inquiry regarding the effect on current residents if the south runway went through, discussion ensued with the City Planning Consultant who went on to discuss how the runway would provide the groundwork for mixed use redevelopment to occur, allowing for more flexibility and options to the residents.

On motion of Mr. Gerald Cooper, seconded by Vice Mayor Castro and carried by a majority vote (Commissioner Boisvenue voted no), the Planning Council approved PH 10 A and PH 10 B.

(Vice Mayor Castro left the meeting room around this time.)

PH 11 AMENDMENT PCT 10-6

First Public Hearing on Amendment to the Broward County Land Use Plan Text

The following people spoke on PH 11:

Council Member Bryan Caletka, Town of Davie, representing himself

Vice Mayor Susan Starkey, Town of Davie
Town Administrator Gary Shimun, Town of Davie

Discussion ensued on the following topics/issues:

- Staff's approval for PH 11
- Trailer park/number of single owner residents impacted
- Need for affordable housing
- Exit plan for trailer park residents/relocation issues
- Nova shuttle busses/free to ride
- Need for Planning Council to look at quality of life for residents
- Incentive for owner of land to change use if the dwelling units
Increase
- Inquiry regarding range of housing for different incomes/Town of
Davie serves all income needs

The Chair then called for a roll call vote.

Commissioner Boisvenue	No
Vice Mayor Bruck	Yes
Ms. Case	No
Commissioner Castillo	Yes
Vice Mayor Castro	Not Present
Mr. Gerald Cooper	Yes
Mr. Scott Cooper	No
School Board Member Dinnen	Yes
Commissioner DuBose	Yes
Mayor Fisher	Yes
Vice Mayor Julian	No
Commissioner Mallozzi	Yes
Mr. Reinstein	Yes
Commissioner Ritter	Yes
Mayor Udine	Yes
Ms. Willett	No
Mr. Williams, Chair	Yes

The Planning Council approved PH 11 by a majority vote.

PH 12 AMENDMENT PC 10-14

First Public Hearing on Amendment to the Broward County Land Use
Plan – Town of Davie

Mr. Sniezek gave a brief overview, explaining that this is an existing
apartment site with a proposal to redevelop to include 499 new

dwelling units. A mitigation plan by the applicant to address issues regarding the surrounding roadway network has been developed and staff has found that plan to be sufficient and recommends approval.

On motion of Mayor Udine, seconded by Commissioner Mallozzi and carried by a majority vote, (Commissioner Boisvenue, Ms. Case, and Ms. Willett voting no), the Planning Council approved PH 12.

PH 13 AMENDMENT PC 10-16

(Commissioner Boisvenue pulled PH 13.)

First Public Hearing on Amendment to the Broward County Land Use Plan – City of Deerfield Beach

Mr. Sniezek noted at this time that Mr. Dennis Mele, on behalf of the applicant, was available for questions. Hearing none, the Chair asked for a motion.

On motion of Mr. Reinstein, seconded by Mayor Fisher and carried by a majority vote (Commissioner Boisvenue and Ms. Willett voted no), the Planning Council approved PH 13.

PH 14 AMENDMENT PC 10-17

First Public Hearing on Amendment to the Broward County Land Use Plan – City of Deerfield Beach

Mr. Sniezek stated Mr. Dennis Mele, on behalf of the applicant, is available for questions and would be considered as one of the speakers.

Mr. Sniezek then gave an overview of the proposal, stating this is a 31 acre portion of approximately 74 acre existing executive golf course and that the proposal would change 31 acres into an industrial classification.

He added that staff is recommending approval because 1) there is a mitigation plan developed that would mitigate enough traffic to take it below the significance level, and 2) the applicant is offering to have a voluntary restriction placed over the remaining 43 acres and would be restricted to either a golf course or open space.

(Vice Mayor Castro returned to the meeting room at this time.)

Mr. Mele gave a PowerPoint presentation and discussed the following:

- Additional supporting correspondence provided
- Business use to be located near hotel use, commercial use, and industrial use
- Golf course to remain in place/next to residential
- Golf course to remain as 18-hole executive course
- 23 homes adjacent to site/signatures of 17 homeowners agreeing with application/3 vacant homes/3 people unable to reach
- New roadway (shown on map) that will connect with Fairway Drive
- Reason applicant is asking for industrial use
- Employment center/will create new jobs in the area
- Deerfield Beach has two industrial zoning categories - I, for warehouses, and PID, Planned Industrial District
- Proposal to mitigate traffic/500 foot right-turn lane from southbound Fairway Drive to westbound Hillsboro Boulevard
- Overwhelming support from residents who live close to golf course

The following people spoke on PH 14:

Robert Parton
 Russell Byrd
 Robert Mitchell
 Barbara Moriarty
 David Cohen

Additional discussion ensued on the following topics/issues:

- Commitment to handle hazardous chemicals related to golf course
- New technology to be used
- Golf course has been private club for past 50 years
- Will continue as 18-hole executive golf course
- If wetlands on site/permits will be obtained
- Mayor Keechl opposed to PH 14 per comments read aloud
- Opposition to golf course conversion/Mayor Keechl opposed per comments read aloud
- When land designation changed/value goes up
- Guarantee to keep 43 acres as golf course or other open space per restrictive covenant
- Economic survival of golf courses/11 golf courses have closed
- Deerfield Beach does not consider golf course as part of open space
- Cities are meeting parks requirement
- Broward County is compliant with open space requirement
- If not approved, current land use designation could allow developments such as bowling alleys, amusement parks, tennis academies, etc.
- If approved, preservation of open space or golf course
- Clarification of ownership structure and build out of industrial

- City Commission recommended approval
- Golf course model is not viable business model/expensive to maintain
- Will bring 836 jobs to Broward County
- Attack affordable housing from other side/make sure people have jobs

Following the lengthy discussion, on motion of Mayor Udine and seconded by Mr. Gerald Cooper, the Chair then called for a roll call vote.

Commissioner Boisvenue	No
Vice Mayor Bruck	Yes
Ms. Case	No
Commissioner Castillo	Yes
Vice Mayor Castro	No
Mr. Gerald Cooper	Yes
Mr. Scott Cooper	Yes
School Board Member Dinnen	Yes
Commissioner DuBose	Yes
Mayor Fisher	Yes
Vice Mayor Julian	No
Commissioner Mallozzi	Yes
Mr. Reinstein	Yes
Commissioner Ritter	No
Mayor Udine	Yes
Ms. Willett	No
Mr. Williams, Chair	Yes

The Planning Council approved PH 14 by a majority vote.

(The Chair recessed the meeting at 12:28 p.m. and reconvened at 12:42 p.m.)

(School Board Member Dinnen, Mr. Gerald Cooper, and Commissioner Ritter did not return after the break and are not part of the vote for PH 15, 16, 17, and 19.)

PH 15 A. AMENDMENT PCT 10-7

First Public Hearing on Amendment to the Broward County Land Use Plan Text

PH 15 B. AMENDMENT PC 10-10

First Public Hearing on Amendment to the Broward County Land Use Plan – City of Hollywood

Mr. Sniezek noted that the City staff is available for questions.

The following spoke on PH 15 A and PH 15 B:

John Koble
Tara Patton
Lisa Borgess
Robert Meddock
Maria Kane
Brian Sharpe

(Mayor Fisher left the meeting room around this time.)

Discussion then ensued with Mr. Jaye Epstein, Director of Planning and Development for the City of Hollywood on the following topics/issues:

- No effect on existing church use
- Change in land use to transit oriented corridor
- Inquiry regarding length of time to wait for FDOT decision
- Fair market value for worth of property
- Actual value at time of taking
- Widening of SR-7/putting in sewer/land use category all coming together
- No intention to change single family homes
- SR-7 Corridor does not currently allow for residential development
- Impact to property values
- Increase or decrease in height of development to address compatability
- Clarification of setback requirements
- Current land use as it is written today

On motion of Vice Mayor Castro, seconded by Commissioner Castillo and carried by a majority vote (Commissioner Boisvenue voted no and Mayor Udine and Mayor Fisher were not present for the vote), the Planning Council approved PH 15 A and PH 15 B.

PH 16 A. AMENDMENT PCT 10-8

First Public Hearing on Amendment to the Broward County Land Use Plan Text

PH 16 B. AMENDMENT PC 10-11

First Public Hearing on Amendment to the Broward County Land Use Plan – City of Pompano Beach

Mr. Snizek stated staff approval with the condition that participation between the applicant and the residents continue, prior to the Council's second public hearing.

Mr. Alan Koslow, on behalf of the owner of the race track responded to an inquiry regarding the historic preservation of the track, and noted that although the track will always be there, the building has deteriorated to the point where it must be demolished.

The Chair called the question. **On motion of Mayor Fisher, seconded by Commissioner Castillo, and carried unanimously (Commissioner DuBose was not present at the time of the vote), the Planning Council approved PH 16 A and PH 16 B.**

PH 17 A. AMENDMENT PCT 10-9

First Public Hearing on Amendment to the Broward County Land Use Plan Text

PH 17 B. AMENDMENT PC 10-12

First Public Hearing on Amendment to the Broward County Land Use Plan – City of Tamarac

Recognizing that there were no speakers, the Chair took a motion. **On motion of Commissioner Castillo, seconded by Commissioner Mallozzi and carried unanimously (with Mayor Udine not present at the time of the vote), the Planning Council approved PH 17 A and PH 17 B.**

PH 18 AMENDMENT PCT 10-20

First Public Hearing on Amendment to the Broward County Land Use Plan – Unincorporated Broward County

(Previously approved.)

PH 19 AMENDMENT PC 10-21

First Public Hearing on Amendment to the Broward County Land Use Plan – Unincorporated Broward County and the City of Parkland

Recognizing that there were no speakers, the Chair took a motion. **On motion of Commissioner Castillo, seconded by Commissioner Mallozzi and carried unanimously, the Planning Council approved PH 19.**

(Mayor Udine left the meeting room around this time.)

PH 20 A. AMENDMENT PCT 10-10

First Public Hearing on Amendment to the Broward County Land Use Plan Text

(Previously approved.)

PH 20 B. AMENDMENT PC 10-13

First Public Hearing on Amendment to the Broward County Land Use Plan – City of Wilton Manors

(Previously approved.)

OTHER BUSINESS

PLANNING COUNCIL MEMBER COMMENTS

There were no comments made at this time.

NEXT SCHEDULED PLANNING COUNCIL MEETING – JUNE 24, 2010

The next Planning Council meeting is scheduled for June 24, 2010, at 10:00 a.m., in Room 422 of the Broward County Governmental Center.

ADJOURNMENT

There being no further business to come before the Planning Council at this time, on motion made, seconded and unanimously carried, the meeting adjourned at 1:20 p.m.

(A copy of the audio recording of this meeting is available upon request by calling Document Control located in Room 336U, at (954) 357-7297.)