



TOWN OF DAVIE
PLANNING & ZONING DIVISION

PLANNING AND ZONING BOARD MEETING MINUTES
MAY 10, 2022

ROLL CALL

Lisa Alvarez	Present
Robert Breslau	Present
Mike Crowley	Present
Ken DeArmas	Present
David Donzella, Vice Chair	Present
Donna Evans, Chair	Present
Casey Lee	Present

STAFF PRESENT

David Quigley, Planning & Zoning Manger
Matthew Coyle, Planner III
Navael Fontus, Planner I
Allan Weinthal, Town Attorney
Abidemi Ajayi, Assistant Town Engineer
Bill Tesauro, Landscape Consultant
Lorraine Robinson, Secretary

Chair Evans called the meeting to order at 6:30 p.m.

1. ROLL CALL

Roll was called and a quorum was established.

2. APPROVAL OF MINUTES

2.1 April 12, 2022 Meeting Minutes

Motion made by Mr. Crowley, seconded by Vice Chair Donzella, to approve the April 12, 2022 meeting minutes.

In a voice vote, the motion carried 7-0.

Mr. Weinthal stated there were no requests for quasi-judicial and therefore waived.

3. DEVELOPMENT APPLICATIONS (Quasi-Judicial)

UTOPIA ACRES

2350 Southwest 112 Avenue

3.1 Rezoning (ZB17-185) [Tabled from 2/8/22; Applicant requesting tabling to 6/7/22]

3.2 Plat (P17-184) [Tabled from 2/8/22; Applicant requesting tabling to 6/7/22]

3.3 Site Plan (SP17-186) [Tabled from 2/8/22; Applicant requesting tabling to 6/7/22]

Mr. Quigley notified the Board there was an error on the agenda and that the correct date for the June Planning & Zoning Board meeting is June 7, 2022.

Motion made by Vice Chair Donzella, seconded by Mr. DeArmas, to table ZB17-185, P17-184 and SP17-186 to 6/7/22.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – yes; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 7-0).

WESTON ROAD SHOPPING CENTER
4410-4484 Weston Road

3.4 Site Plan (SP21-361)

Mr. Fontus provided the staff report. The proposed site plan would allow façade and minor landscape amendments to the existing shopping center.

There were no questions for staff.

Larry Beame, Architect, RSP Architects; appeared on behalf of the applicant.

Vice Chair Donzella asked if the businesses would remain open during renovations; Mr. Beam confirmed it would.

Chair Evans opened and closed the public hearing as there was no one wishing to speak.

Motion made by Mr. DeArmas, seconded by Ms. Alvarez, to approve SP21-361.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – yes; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 7-0).

RIDGE PLAZA OUTPARCEL

Generally located south of State Road 84, approximately 200 feet west of Pine Island Road

3.5 Variance (V21-200)

3.6 Variance (V22-043)

3.7 Variance (V22-044)

3.8 Site Plan (SP21-199)

Mr. Coyle provided the staff report. The site plan request is proposing to develop the property with a 5,152 square foot, single-story commercial building with two tenant spaces. The first variance request would allow a 7.1-foot-wide landscape buffer along State Road 84 (Town Code normally requires a 30-foot landscape buffer). This landscape buffer would be between 7.1 feet and 12 feet wide. The second variance would allow a 12-foot front (north) minimum yard and a 10-foot side minimum yard (Town Code normally requires 25-foot front and side minimum yards). The third variance request would allow two rows of parking stalls with a terminal island on one end of the row only (Town Code normally requires a row of parking stalls to have a terminal island on both ends of the row).

Mr. Coyle read the staff recommendations into record.

Christina Bilenki, Dunay Miskel & Backman LLP; appeared on behalf of the applicant. She provided a presentation on the shopping center and the proposed development of the outparcel. Dr. Massimo Gramanzini has plans to relocate his Sunrise practice to this location.

Ms. Lee asked if the site should remain non-conforming. Mr. Coyle said for this site the plan was to bring the outparcel into conformity.

There was discussion on parking for the overall shopping center.

Mr. Crowley asked for an update on the roundabout. Ms. Bilenki stated that there was coordination with the Town Engineer.

A discussion ensued about responsibilities for dedications of right-of-way versus design and construction of the roundabout.

There was discussion on the landscape plans. Mike Grosswirth, Thomas Engineering, stated that he is working closely with the Town's landscape consultant and will work on alternative solutions for the silver buttonwood hedge.

Mr. Breslau said he supported this project.

There was discussion on the easements.

Chair Evans opened and closed the public hearing as there was no one wishing to speak.

Motion made by Mr. Breslau, seconded by Vice Chair Donzella, to approve V21-200.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – yes; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - no. (Motion carried 6-1).

Motion made by Mr. Breslau, seconded by Mr. Crowley, to approve V22-043.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – yes; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - no. (Motion carried 6-1).

Motion made by Mr. Breslau, seconded by Mr. DeArmas, to approve V22-044.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – yes; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - no. (Motion carried 6-1).

Motion made by Mr. Breslau, seconded by Mr. DeArmas, to approve SP21-199 with the following staff recommendations:

- 1. Prior to the issuance of a building permit for the commercial building, applicant shall provide a written approval from the sign permittee acknowledging the proposed trees within the view zone of the outdoor advertising sign.*
- 2. Prior to the issuance of an engineering permit for development of the site, the property owner shall dedicate necessary right-of-way to allow construction of a roundabout on Pine Ridge Drive between Ridge Plaza and Pine Island Plaza.*

And with Board recommendations:

- 1. Consider replacing silver buttonwood hedges with different material.*
- 2. Explore replacing Bahia sod with an alternative.*

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – yes; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 7-0).

RESERVE AT DAVIE

Generally located at the northeast corner of Orange Drive and Flamingo Road

3.9 Land Use Amendment (LA21-348)

3.10 Rezoning (ZB21-349)

3.11 Variance (V21-350)

3.12 Variance (V22-053)

3.13 Plat (P21-351)

3.14 Site Plan (SP21-352)

Mr. Coyle provided the staff reports. The land use amendment request is to change the land use designation from Commercial and Residential 1 DU/Acre to Irregular Residential 2.3 DU/Acre on the Town’s Comprehensive Plan. The applicant is also requesting “flex” units from the Town’s Unified Flex Zone. If the proposed use of the “flex” units is approved by Town Council, an amendment to the Broward County Land Use Plan will not be necessary. The request to rezone the subject property is from Agriculture (AG) District to Low Medium Dwelling (R-5) District. The first proposed variance would allow certain lots to provide a 10-foot side yard, even when such yard is adjacent to a street (Town Code would normally require each side of a lot adjacent to a street be considered a “front yard” and provide 25 feet). The second proposed variance would allow lots located on a street with a curved alignment to have a minimum lot frontage of 48.3 feet (Town Code normally requires a minimum lot frontage of 75 feet). This variance request would apply to the following 15 lots which have a minimum lot frontage between 48.3 and 67.9 feet: 9, 10, 11, 20, 21, 22, 28, 29, 30, 35, 36, 37, 59, 60. The proposed plat would allow 65 single-family lots, limits vehicular access to Flamingo Road but also provides access to Orange Drive for emergency vehicles, provides for a full Scenic Corridor buffer along Flamingo Road and the applicant has requested a waiver to provide a reduced buffer along Orange Drive and includes an equestrian trail easement. The site plan request is to develop a residential community with 65 single-family homes, associated amenities, and infrastructure.

There was discussion on the setbacks for zoning districts.

Mr. Breslau stated his understanding that there were two land uses on the parcel. Mr. Coyle stated that most of the property is designated commercial with a small portion designated as residential. Mr. Breslau asked if this was consistent with the land use plan and Mr. Coyle confirmed it was.

Ms. Lee indicated she had a long list of concerns with the site plan, the proposed waiver to the buffer along Orange Drive, the proposed density and consistency with the neighborhood.

Mr. DeArmas said for the years he was on the Planning and Zoning Board they adhered to the Town’s land use plan. He listed several concerns about amending the land use plan.

Mr. Breslau stated that in 2001, most of the property was designated commercial and surrounding communities were against this type of use. He said that those communities wanted this property to have single family homes with no commercial which is what this proposal is.

Scott Backman, Dunay Miskel & Backman LLP; appeared on behalf of the applicant. He provided a presentation. He pointed out that although it is currently used as a farm that the underlying land use is commercial. He has been in discussion with the neighboring community, Laurel Oaks. In those discussions with neighboring communities, they have tried to satisfy the request for residential instead of commercial use. Traffic will be reduced with this use. Irregular Residential is both a Town and County designation and ensures that any future development would be limited to 2.3 DU/Acre. He stated that the design of the scenic corridor along Orange Drive is consistent with neighboring communities.

Mr. DeArmas expressed concerns with a change to the land use plan with the impact on schools, fire, and police services. He asked what the average house price would be; the response was \$900,000 in today's housing market.

Mr. Backman stated that the proposed use will be a better solution with a residential community versus a commercial development.

Mr. Breslau stated that most of the nurseries along Flamingo have a land use designation of residential. He stated that this proposal removes the commercial use which neighboring properties have been against.

Mr. DeArmas discussed the density and land use patterns in the area and the need to ensure level of service.

Ms. Lee indicated that she liked the product but that it was too dense. She also provided a list of concerns about the site plan including landscaping, tree removal, sod and street tree selection.

Ms. Lee asked what kind of time the farmer leasing the land has been provided notice.

Mr. Backman said that his client was not the property owner and that is being negotiated with the current owner. He said at best it would be one more harvest.

Ms. Lee asked if they would consider reducing the number of units. Mr. Backman stated that they don't have the flexibility to do so due to the cost of the land purchase plus the development costs.

Vice Chair Donzella would like some mitigation to have the farmers placed somewhere so they can continue to provide food.

Mr. Backman indicated he could not speak for the owner on their plans for continuing the farm lease.

Mr. Breslau stated that the Town can support farming by making a portion of the taxes collected and designate to farming.

Chair Evans opened the public hearing.

Phillip Busey, resident, stated that he brought some visuals and sent an email concerning the farm on the property. Food production is a part of the Towns sustainability plan. He stated that this has been consistently farmed since 2011.

Eric Swalley, resident, stated he was vice chair on the Agricultural and Environmental Advisory Committee. He said that this would have an impact on water supply.

Martin West, resident of Laurel Oaks, stated that he appreciated the Boards commitment to protecting the communities in Davie. He said that during the public participation meetings, their concern was not having commercial and that they wanted homes with values consistent with surrounding neighborhoods to not reduce their value. He said that this will be developed over the next 10 years, and they want residential.

Cynthia Schaefer, resident, stated that the regenerative agriculture currently on the property doesn't use fertilizer and would like to turn communities into "Agrihoods" which mixes agricultural and residential neighborhoods.

Santiago Arroyo, Tree Amigos Growers, stated that food security was at the top of their list. They educate on sustainable farming. The existing farm if done correctly can feed 16% of the Towns population. He encouraged the Board to look out for farmers.

Jessie Bastos, resident, stated that comments from Board members resonated with her. She has concerns with the impacts on the school system. She said that there are plans for Leroy Collins Park to teach how to grow food and that it currently exists with the farm on the property.

Jason Long, Tree Amigos Growers, stated that his farm went through a similar situation in which he had to relocate his farm. They were feeding 100 families at that time. He would like to have a focus on food provision from the Town. Chair Evans responded that is the intention of the planned Davie Farm Park.

Shiren Rattigan, Colossal Academy Director, stated that she works with young people that are learning where their food comes from by visiting Macks Farm over the course of the last two years. She said they come from Fort Lauderdale because the only local farm is in Davie. She has concerns about food insecurity.

Chair Evans closed the public hearing.

Chair Evans discussed farming and equestrian activity in Davie, including the proposed Farm Park, and the quandary of wanting to remove the commercial without setting precedents for other zoning and land use changes.

Mr. DeArmas discussed Davie history and land use patterns.

Motion made by Vice Chair Donzella, seconded by Mr. DeArmas, to deny LA21-348.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – no; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 6-1).

Motion made by Mr. DeArmas, seconded by Ms. Alvarez, to deny ZB21-349.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – no; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 6-1).

Motion made by Ms. Alvarez, seconded by Mr. DeArmas, to deny V21-350.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – no; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 6-1).

Motion made by Mr. DeArmas, seconded by Ms. Alvarez, to deny V22-053.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – no; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 6-1).

Motion made by Mr. DeArmas, seconded by Ms. Alvarez, to deny P21-351.

In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – no; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes. (Motion carried 6-1).

Planning and Zoning Board
May 10, 2022

Motion made by Mr. DeArmas, seconded by Vice Chair Donzella, to deny SP21-352.
In a roll call vote, the vote was as follows: Chair Evans – yes; Vice Chair Donzella – yes; Ms. Alvarez – yes; Mr. Breslau – no; Mr. Crowley – yes; Mr. DeArmas – yes; Ms. Lee - yes.
(Motion carried 6-1).

6. NEW BUSINESS – N/A


7. COMMENTS AND/OR SUGGESTIONS – N/A

8. ADJOURNMENT

Hearing no further business, the meeting was adjourned at 9:06 p.m.

Date Approved:

6/7/22


Chair Donna Evans