



PLANNING & ZONING ADVISORY BOARD

Draft

Minutes of May 20, 2024

Meeting Called to order at 7:00 P.M.

1. ROLL CALL

P&Z Board Members

MEMBERS	5/20/24	2/29/24	11/6/23	7/10/23	4/03/23	2/06/23	10/17/22	8/15/22	7/25/22	5/02/22
Jimmy Goulet	P	A	P	P	P	A	A	P	P	P
David Rouse	P	A	P	P	P	P	P	P	P	P
Jim Federici	P	P	P	P	P	P	P	P	P	P
Kelly Brown	P	P	P	A	P	P	P	P	A	P
Alex Weisberg	P	P	P	P	P	P	P	A	P	P
William Barkins	P	P	P	P	P	A	P	P	A	P
James Curran	P	P	P	P	P	P	P	P	P	P
Natalie Mor	P	P	A	A	P	P				
Robin Morganstine	P	P	P	P	P	P				
Michelle Stern	P	P	P	A	P	P				

* New appointment

STAFF PRESENT: Jason Chockley, Assistant Director of Community Development

2. P&Z BOARD - MINUTES - WAIVE/APPROVE MINUTES OF 2/29/2024:

Motion to waive the reading of the minutes made by James Curran and seconded by Robin Morganstine. All ayes on voice vote. **MOTION WAS APPROVED.** Motion to approve the minutes made by Kelly Brown and seconded by William Barkins. All ayes on voice vote. **MOTION WAS APPROVED.**

3. PUBLIC COMMENTS:

None

4. NEW BUSINESS:

A) Rogenski Residence

1. Variance #V 4-1-2024

Chairman Rouse turned the item 4A1 over to Mr. Chockley.

Mr. Chockley said this is a variance petition, petition number V 4-1-2024, and it is for a driveway variance. The zoning district is R1C Single Family District. The request is a deviation from code section 25-5E-1-A for the driveway standards. About two years ago, under this code section we created the allowance for a conversion of a garage into a carport or living space. That provision requires three twelve-by-twenty parking dimensions be present on-site. This variance is a request to allow a nine foot parking space versus the code required twelve. The applicants currently have an eighteen foot by forty foot driveway. It is stamped concrete that they did a couple of years ago, so it wasn't just an existing asphalt driveway and they're requesting to have that current driveway meet the code requirement instead of ripping it up and re-

doing a new driveway. Another item that they're using for justification statement is there is a mature tree. I think it's on the survey. It's about two feet from the edge of the new driveway. Even a widened driveway would require the removal of that tree. They are trying to keep that tree present. They're also trying to minimize the amount of impervious surface area on the property which obviously helps with flooding concern. Attached as a copy of the floor plan showing how the room would be enclosed. A physical site distinction that this property has is it is back forty feet from the edge of property, from the inside edge of the sidewalk. Most homes throughout the City are only at twenty-five. So with this forty foot they actually can go two cars front to back. And in your backup you have a copy of photos showing that there are four cars, some of them full size, that they currently can park on the site. So this driveway exceeds the requirement of a minimum of three present on the property. The complete justification statement is included in the backup along with pictures and if the Board has any other questions specific to it, I'll be happy to answer it.

Chairman Rouse turned it over to the petitioner for any information they might like to add.

Ms. Value introduced herself as Barbara Value. She said I am Jennifer Rogenski's mother. She is presently out of the country so I am representing her. She said I think that that pretty much covered it. From the picture you should see that we can adequately put four full-size vehicles on the property. We have a pickup truck and three SUVs that all sit comfortably there.

Chairman Rouse turned it over to the Board for any questions they might have.

Chairman Rouse said I've got a couple of questions. This seems like a very approvable project in my opinion, but establishing a precedence and uniqueness of this, I think there are some characteristics to this besides the size of the driveway that are relevant. The length of the driveway is relevant. The tree is relevant and things like that. I want to be careful that we are not approving all of the potential driveway sizes.

Mr. Chockley said as the Board knows, each variance stands on its own merits and this does have some distinctions and uniqueness plus the homeowner who's willing to keep the mature tree. A lot of people we see, even for regular driveways that want to widen, they're like, just get rid of the tree. I'd rather not have them rip up the pavers or cause any conflict. Most people would rather cut down the tree, which obviously we'd want to keep as many trees as possible. Just for background on this item, back in August of 2022, we actually had a code change related to this section to update this requirement to match the commercial parking space of nine by eighteen. At that meeting, the Board was split as far as a recommendation, so it did not move forward to City Commission. We've had multiple people come in for those enclosures where they've had to widen, not necessarily always happy. Some people were fine with it because they had an older asphalt driveway to begin with. We do have two other homeowners who are carefully watching this one to see what the result is because they're wanting to also do an enclosure and not having to go to a full twenty-four feet into it. So I don't know if seeing more applications come in, the Commission or the Board may want to revisit that code change again to allow the nine by eighteen which is the requirement for a commercial parking space. That is for information and background. That decision is up to the Board and Commission.

Chairman Rouse opened the public hearing at 7:09 PM.

Chairman Rouse closed the public hearing at 7:10 PM.

MOTION: TO APPROVE ROGENSKI RESIDENCE VARIANCE # V 4-1-24 MADE BY JAMES CURRAN AND SECONDED BY JIM FEDERICI. THERE WERE ALL AYES ON THE ROLL CALL VOTE. MOTION WAS APPROVED.

5. COMMUNITY DEVELOPMENT REPORT:

Chairman Rouse turned it over to Mr. Chockley to inform what petitions they have upcoming.

Mr. Chockley said we do have multiple items coming down the pipeline if you will. The first one will probably be a July 1 meeting, which is a normal scheduled meeting. The La Palma project came back in. If you'll remember, this one was scheduled about two months ago and then at the last minute they withdrew the petition to do more outreach in the neighborhood. It is requesting four units on a five acre parcel in the Preservation Board neighborhood. They canceled both meetings. As usual we'll bring it to the Preservation Board before P & Z, but I think they're looking at the July 1 date. I will confirm with that once we've talked to the Preservation Board and have their date set. So they will be first. The FP&L substation went to DRC two weeks ago. They're probably going to re-submit in the next week or two and it'll probably line up for some time in July. The Griffin Square projects, which are just to the west of the farm store, they finally got, I don't know if you guys remember it was a couple of years ago. One of the projects went before the Board, the other one did not because they were kind of joined at the hip as far as access off Griffin Road. Their other big snag was they were proposing underground storage tanks to have water filtrate instead of raising the site like eight feet. That had a lot of heartburn through Central Broward Water Control District, but they finally got that design approved. They're going to elect to bring both items together at P&Z. One will be a re-recommendation, but after three years I've recommended that they get that updated. Again, those dates aren't set, but they're probably also looking around a July timeframe. And then the third project that's waiting to be submitted but should go through DRC rather quickly, is the Sun Credit Union kind of diagonal across from the high school. They came in a couple of years ago, they got full approval with the rezoning and the plat, but we do have an expiration in code that they let lapse and they missed a state allowance to extend that site plan by like three months. They won't have to re-do the rezoning. They won't have to do re-do the plat, but they will have to renew the site plan. So I expect that to move rather quickly through. They haven't made their formal submittal to DRC, but once they do it'll probably be one meeting. The July first is expected. For the other ones, I will keep you posted as they progress.

6. BOARD MEMBER CONCERNS:

Chairman Rouse turned it over to the Board for any concerns they might have.

Mr. Federici said he had a question about the dates for meetings, specifically about the day of the week. We had that one meeting on a Thursday. You explained why, but when I do certain things, I try to keep Monday open unless I'm out town for the whole week. Now I don't know how everybody else feels about it. Commission meetings are Tuesday; we're Monday. Certain other boards are whatever days. He asked if we are going to be moving around off of Mondays anymore.

Mr. Chockley said no. Whenever we have something very unique, which the last circumstance was, we will always poll the Board to see if they're open to it.

Mr. Federici asked what was so unique about that situation.

Mr. Chockley said they were needing to make county deadline requirements. Also, anything that's in the preservation area, we like to send it to the Preservation Board to see how the immediately affected neighborhood feels about the petition before bringing it to P&Z and not put you guys in a spot where you may think it's a great idea but the neighborhood thinks it's a horrible idea. Historically you guys have always wanted to know where the neighborhood stood to see what kind of public input before bringing it to P&Z. That is not a code requirement, but historically that's always been done that way. And that has some merit to why it's been done that way and with the way the dates fell between holidays because our original scheduled meeting that they could have made did fall on the holiday. So it was between the holiday schedule where they were at with the Preservation Board and where they needed to be at City Commission. Ultimately that meeting did get canceled.

Mr. Federici said I think you do a great job. I just want some clarity. He said my other question was tonight when I read this, if I read it correctly, that in enclosing that little carport, the goal was they had to have at least three parking spaces.

Mr. Chockley said code requires two exterior parking spaces for a single family units and one covered. Code requires three total with the elimination of the covered one. If they are requesting an administrative review of that enclosure, they have to make up for that parking spot, for example widening their driveway. Their other option is they apply for a variance for not meeting the third parking space being an exterior and then at that point it would be a variance petition through P&Z and City Commission. We can approve it administratively without going through that long process as long as they make up for that spot. That's how we changed code a couple of years ago.

Mr. Federici said that particular lot was deep enough and they had four which is the point I was making. There was four vehicles parked there in the existing driveway. So I'm missing something number one. Number two, if you look at this small lot, if you make them widen, there's not much green space in front of that house.

Mr. Chockley said you're not missing anything. Their variance was to allow a nine by twenty foot deep parking space. Our code has the dimension for a parking space of twelve by twenty like I stated. So in order to have two cars side by side, you need to be twenty-four. That's why we brought the nine by eighteen to the board a couple years ago because nine by eighteen clearly works for all the commercial properties but yet our residential we require twelve. So their existing driveway parks four but not in code's eyes. Code says twelve by twenty is the car therefore twenty-four wide to be two cars side by side and forty deep to be two cars front to back with a change in code to nine by eighteen the new driveway would be eighteen by thirty-six would give you four.

Mr. Curran said it will be a gorgeous house once she gets done.

Ms. Brown said she wanted to talk about something we hadn't discussed in a while. We talked previously about, and I know it is county purview, a left turn signal on 106th Avenue and Stirling Road. I know the county has to do that because it is a county light and it has to do with traffic study and all of that. Since last we spoke about it, we've CO'd a few additional neighborhoods and the mosque is there.

She asked if we have to go back to the county and ask about that or if that was something they do automatically.

Mr. Chockley said we will be going back. If you remember when Kingfisher went through, as a condition of approval, Kingfisher Reserve had to do a study and submit it to the county once they finished their CO's. They did that and the county said it didn't meet the warrants. The other condition was that if they ruled that the county did not, they had to cut us the check for what it would have cost to put in the left turn signal if the county had said yes. So they did come in with that \$38,000 or \$39,000 check to the City to meet that requirement. The next threshold that would probably be worthy of a new analysis would be when Nur-ul-Islam, which got approval for their mosque and school expansion, starts to get CO'd because that's going to put more trips on the road. Right now there's nothing new on 106th that would really get us to that next threshold because that was after Kingfisher was CO'd that they submitted that report and the county still said it wasn't enough.

Ms. Brown asked, if the county says it doesn't necessitate the turn signal, if there is discretion to the City to say we will take the check or we will take the option for a turn signal or if we have to just simply accept the check because we can't compel the county to put a turn signal in.

Mr. Chockley said correct; we cannot. Now, residents could push a life safety aspect because lights do get put in where they're not necessarily warranted for it to be automatic. There is a warrant that has to do with either trips or a total number of fatal or severe accidents before the county says okay we have to put this in now.

Ms. Brown said with the Chabad and Embassy Lakes right there, there is a lot of foot traffic crossing on that side.

Mr. Chockley said correct.

Ms. Brown said this is an additional consideration necessitating a left turn signal there. This should be an included consideration for a left.

Mr. Chockley said I don't think that foot traffic is considered. In their warrant analysis, it's trips or number of severe or fatal accidents within a timeframe.

Ms. Brown said right, that seems like an after-the-fact.

Mr. Chockley said I understand.

Ms. Brown said that's really unfortunate.

Mr. Chockley said we've had multiple Kingfisher residents kind of push that issue.

Dr. Barkins said we had a meeting in Embassy Lakes with these guys from the county and common sense is not something they want to deal with. When we brought up common sense, it was like a foreign idea.

Ms. Brown said it's purely numbers situation.

Dr. Barkins said they don't care.

Mr. Chockley said once the mosque goes live, we'll probably get there but right now the numbers aren't there.

Mr. Curran asked if Embassy Lakes was counted on those trips for left-hand turn as well.

Mr. Chockley said yes.

Mr. Curran asked to confirm that we still did not meet the threshold.

Mr. Chockley said no. We did not.

Mr. Curran said then they must be doing this [traffic study] right at midnight.

Mr. Chockley said it was a professional traffic study submitted to the county.

Dr. Barkins said I totally agree with the crosswalks and that goes all the way back to twenty-five years ago.

Ms. Morganstine asked if someone had to die before somebody does something.

Ms. Brown said I was just curious if it automatically goes when something gets CO'd. So the answer is yes.

Mr. Chockley said yes, when Kingfisher finished they met their requirement. And next will be the mosque.

Mr. Federici said this is unbelievable how stupid it is. We have our public safety buildings there. We have all of our Optimist Club, 1500 homes in Embassy and all of our recreational facilities. They came with Steve Geller at Embassy Lakes and they had the nerve to tell us they don't have the numbers. They brought these guys but none of us showed us the traffic study. I've been coming out of there some afternoons and I can't even get out of there.

Mr. Curran said it takes two lights to get through.

Mr. Federici said there are so many cars. It's unbelievable. He asked what time did they do the traffic study. The light is almost thirty years old. They've never changed the light at that intersection. I got that from DOT from another guy there that he slipped and told me.

Mr. Curran said Hiatus has got to be that old too.

Mr. Federici said in all honesty, and I told Steve Geller, I think we're like step-children to the county. If we were Davie, if we were Pembroke Pines, it would be a different story. They don't give a care about Cooper City. I don't get it.

Mr. Curran asked how much the price for the light would be and how we would send that to Commission.

Mr. Chockley said it was about \$39,000 but it's not up to us to approve. It's not our road. It's county. The county has to put it in. We can say we'll pay for it, but if the county's unwilling to put it in because it's not meeting the threshold, we don't [have that option].

Ms. Morganstine asked if Cooper City would ever meet the threshold.

Mr. Chockley said I think when the mosque comes in for that school expansion, that's going to add multiple trips that would want to get out that way. That would probably meet the threshold.

Mr. Curran said they are fifteen deep at 106th when that school's going out. I've seen them come out and go down and turn around and get back into one because they can't stop.

Mr. Chockley said I'm not saying that the cars aren't there and the perception of they see it stacked, but when that report was in, it was still not meeting the threshold.

Ms. Morganstine said the threshold should be smaller.

Mr. Chockley said I don't disagree.

Mr. Federici said our district county commissioner lives in Embassy Lakes. And you know what I said to him that night? I don't mean, but when I asked you don't get up until 10 o'clock in the morning probably because, he says, oh I have no problems with that light.

Ms. Morganstine said he doesn't have to turn left, he goes right.

7. ADJOURNMENT:

Meeting adjourned at 7:25 PM.