CITY OF NORTH LAUDERDALE

COMMISSION MEETING

TUESDAY, JANUARY 12, 2016

REGULAR MEETING – 6:00 p.m.

NORTH LAUDERDALE RECREATION FOUNDATION
Immediately following regular meeting

AGENDA

1. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Graziose

2. ROLL CALL

   Mayor Jack Brady
   Vice Mayor David G. Hilton
   Commissioner Jerry Graziose
   Commissioner Rich Moyle
   Commissioner Lorenzo Wood
   City Manager Ambreen Bhatty
   City Attorney Samuel S. Goren
   City Clerk Patricia Vancheri

3. APPROVAL OF MINUTES
   a. December 15, 2015

4. PRESENTATIONS

5. PUBLIC DISCUSSION
6. QUASI-JUDICIAL ITEMS

a. **SUBJECT:** SPECIAL EXCEPTION USE - SEU 15-04

NAME OF APPLICANT: Arelis Bonilla  
PROJECT NAME: Events by Arlis  
PROJECT LOCATION: 8062 W McNab Road 7 (Shoppes of McNab)  
PROJECT DESCRIPTION:  
Special exception use permit to allow an assembly hall with seating capacity over 100 according to Section 106-468 of the Master Business List and for a freestanding bar in accordance with Section 86-110 pertaining to restaurants and cafes in a Community Business (B-2) zoning district.

- All interested parties wishing to speak on this item are sworn in  
- Staff presentation (Tammy Reed-Holguin)  
- Public Hearing opened  
- Public comments  
- Public Hearing closed  
- Commission discussion  
- Commission motion and vote

**MOTION:** To approve the request for an SEU permit to operate a banquet hall subject to the ten (10) conditions outlined in staff memorandum.

b. **SUBJECT:** SPECIAL EXCEPTION USE - SEU 15-03

NAME OF APPLICANT: Shuai Chen  
PROJECT NAME: Oriental Acupressure and Spa Center Inc.  
PROJECT LOCATION: 3601 Commercial Blvd. Suite #3 (Commercial Point)  
PROJECT DESCRIPTION:  
Special Exception use to allow a massage establishment as a primary use in accordance with section 106-468 of the Master Business List in a General Business (B-3) zoning district.

- All interested parties wishing to speak on this item are sworn in  
- Staff presentation (Tammy Reed-Holguin)  
- Public Hearing opened  
- Public comments  
- Public Hearing closed  
- Commission discussion  
- Commission motion and vote

**MOTION:** To approve the request for an SEU permit to allow a massage establishment subject to the seven (7) conditions outlined in staff memorandum.
c. **SUBJECT:** SITE PLAN APPROVAL – SPR 15-01
   NAME OF APPLICANT: Off Lease Only, Inc.
   PROJECT NAME: Off Lease Only
   PROJECT LOCATION: 827 S State Road 7
   PROJECT DESCRIPTION:
   Preliminary site plan review to redevelop an existing commercial property, including the paving of 7.89 acres, new landscaping, building façade upgrades and customer parking lot improvements to operate a used car dealership in a General Business (B-3) zoning district.

   - All interested parties wishing to speak on this item are sworn in
   - Staff presentation (Tammy Reed-Holguin)
   - Public Hearing opened
   - Public comments
   - Public Hearing closed
   - Commission discussion
   - Commission motion and vote

   **MOTION:** To approve the preliminary site plan subject to the eleven (11) conditions outlined in staff memorandum.

d. **SUBJECT:** SITE PLAN APPROVAL - SEU 15-03
   NAME OF APPLICANT: Bowman Consulting, Inc.
   PROJECT NAME: Circle K
   PROJECT LOCATION: 1198 S State Road 7
   PROJECT DESCRIPTION:
   Preliminary site plan review to permit development of a Circle K gas station, a 5,881 square foot convenience store in a General Business, (B-3) Zoning District.

   - All interested parties wishing to speak on this item are sworn in
   - Staff presentation (Tammy Reed-Holguin)
   - Public Hearing opened
   - Public comments
   - Public Hearing closed
   - Commission discussion
   - Commission motion and vote

   **MOTION:** To approve the preliminary site plan subject to the thirteen (13) conditions outlined in staff memorandum.
7. ORDINANCES SECOND READING

a. Ordinance - Second Reading - Amendment to Chapter 106 “Zoning” Sections 106-158 Pertaining to SEU Application Process, Section 106-467 Regarding Community Facility (CF) Uses and Section 106-468 Master Business List to Include the Process

- Motion, second and vote to read the ordinance
- Attorney reads title
- Staff presentation (Tammy Reed-Holguin)
- Public Hearing opened
- Public discussion
- Public Hearing closed
- Commission motion and second to adopt
- Commission discussion
- Commission vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE IV “SPECIAL EXCEPTION USES”, SECTION 106-158 TO PROVIDE FOR REVISIONS TO THE APPLICATION PROCESS FOR SPECIAL EXCEPTION USES; AMENDING ARTICLE XV “BUSINESS DISTRICTS”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467, “SUPPLEMENTAL REGULATIONS” SUBSECTION 106-467(19), TO PROVIDE FOR ADDITIONAL SUPPLEMENTAL REGULATIONS GOVERNING NON-COMMERCIAL BUSINESS USES IN BUSINESS ZONING DISTRICTS TO LIMIT THE NUMBER OF NON-COMMERCIAL USES LOCATED WITHIN ANY ONE BUSINESS SHOPPING PLAZA; AMENDING ARTICLE XV, “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467 “SUPPLEMENTAL REGULATIONS” BY ENACTING A NEW SUBSECTION 106-467(22), TO PROVIDE FOR ADDITIONAL REGULATIONS RELATED TO THE PROCESSING OF APPLICATIONS FOR SCHOOLS SEEKING SPECIAL EXCEPTION USE APPROVAL; AMENDING ARTICLE XV “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-468, “MASTER BUSINESS LIST”, TO PROVIDE FOR THE INCLUSION OF THE PROCESS FOR CONSIDERATION OF SCHOOLS AS SPECIAL EXCEPTION USES IN BUSINESS ZONING DISTRICTS; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
b. **Ordinance - Second Reading - Amendment to Chapter 106 “Zoning, Article V “General Supplementary Regulation” Section 106-206 (c) entitled “Placement of Charitable Clothing Donation Bins”**

- Motion, second and vote to read the ordinance
- Attorney reads title
- Staff presentation (Tammy Reed-Holguin)
- Public Hearing opened
- Public discussion
- Public Hearing closed
- Commission motion and second to adopt
- Commission discussion
- Commission vote

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE V, ENTITLED “GENERAL SUPPLEMENTARY REGULATION” BY AMENDING SECTION 106-206 (C) ENTITLED “DONATION BINS”; and SECTION 106-206 (F) (4) “PLACEMENT OF CHARITABLE DONATION BINS PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

8. **CONSENT AGENDA**

- Remove items from consent agenda if desired
- Commission motion, second and vote to read
- Attorney reads consent agenda
- Commission motion, second and vote to adopt the consent agenda

a. **RESOLUTION – SWAV 15-04 - Sign Waiver request for Circle K**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE FREESTANDING SIGN FOR CIRCLE K TO BE LOCATED AT 1198 NORTH STATE ROAD 7, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF A FREESTANDING SIGN THAT DISPLAYS 30 INCH DIGITAL SIGN LETTERS, NUMBERS AND SYMBOLS WHEREAS A MAXIMUM OF 16 INCH HIGH LETTERS ARE ALLOWED BY SECTION 94-16 (B) (1) (d) WITHIN A COMMUNITY BUSINESS (B-3) ZONING DISTRICT.
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO SUBMIT AN APPLICATION FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF $89,340 TO PROVIDE FUNDING FOR THE PURCHASE OF VEHICLE EXTRICATION EQUIPMENT; PROVIDING FOR FINDINGS AND CONCLUSIONS WITH REGARD TO THE BENEFITS TO BE DERIVED BY ACCEPTING SUCH GRANT FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE .

9. OTHER BUSINESS

a. RESOLUTION – Supporting Creation of Coconut Creek High School Magnet Program

- Motion, second and vote to read
- Attorney reads title
- Staff presentation
- Commission motion and second to adopt
- Commission discussion
- Commission vote


b. RESOLUTION - Contract with Broward County Property Appraiser and Broward County for the Water & Sewer Assessment Program

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Susan Nabors)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE TO ENTER INTO AGREEMENTS WITH BROWARD COUNTY PROPERTY APPRAISER AND BROWARD COUNTY FOR
c. **SUBJECT - Solar Lighting – Hampton Pines Park and Champions Hall**

i. **RESOLUTION – Authorizing Purchase of Solar Lights at Hampton Pines Park**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $42,090.00 OUT OF THE PARKS AND RECREATION CAPITAL FUND 3117071-563100 FOR SOLAR LIGHTS AT HAMPTON PINES PARK; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

ii. **RESOLUTION – Authorizing Purchase of Solar Lights at Champions Hall**

- Motion, second and vote to read
- Attorney reads title
- Staff presentation (Mike Sargis)
- Commission motion and second to adopt
- Commission discussion
- Commission vote

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $11,100.00 OUT OF THE PARKS AND RECREATION DEPARTMENT FUND 0017071-546300 FOR SOLAR LIGHTS AT CHAMPIONS HALL; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.
10. REPORTS
   a. Update on MPO Grant (Tammy Reed-Holguin/George Krawczyk)

11. COMMISSION COMMENTS

12. CITY MANAGER COMMENTS
   a. Upcoming Events
      • Martin Luther King Jr. Day Ceremony – Friday, January 15 – 6:45 p.m. – Front Lawn of City Hall

13. CITY ATTORNEY COMMENTS

14. ADJOURNMENT

   CONVENE TO NORTH LAUDERDALE RECREATION FOUNDATION
The City Commission of the City of North Lauderdale met on Tuesday, December 15, 2015 at the Municipal Complex. The meeting convened at 6:00 p.m.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE** – Mayor Brady gave the invocation and led the pledge.

2. **ROLL CALL**

   Mayor Jack Brady  
   Vice Mayor David G. Hilton  
   Commissioner Jerry Graziose *(Present by Teleconference)*  
   Commissioner Rich Moyle  
   Commissioner Lorenzo Wood  
   City Manager Ambreen Bhatty  
   City Attorney Samuel S. Goren  
   City Clerk Patricia Vancheri

3. **APPROVAL OF MINUTES**

   a. **November 17, 2015** – Commissioner Wood moved to approve the Minutes as submitted. Seconded by Vice Mayor Hilton. **Minutes approved unanimously by voice vote.**

4. **PRESENTATIONS**

   a. **Certificate of Recognition – Shoppes of McNab, LLC**

   b. **Certificates of Recognition - City Logo Contest Participants**

   Mike Sargis, Parks and Recreation Director, commented that at the direction of the Commission a project was presented to students to develop a new City entryway logo and possibly a new tag line. The following students were acknowledged and presented a Certificate of Recognition for
their participation in submitting their artwork. Mr. Sargis also thanked the Principals of the Schools to assist the students in participating.

- Zachary Blake – Coral Glades High School
- Ashley Lupariello – Coral Glades High School
- Kori Zamora – Coral Glades High School
- Ariel Rohoman – J.P. Taravella High School
- Ashlee Collins – Northeast High School
- Edgar Ramirez – South Plantation High School
- Alexander Spencer – South Plantation High School

Of the participants, the winning design was presented by Zachary Blake, Coral Glades High School who won a prize of $500.00. City Manager Bhatty commented that all the students did a great job and the next step will be that the winning design will be presented to the Art Institute who will be working with Zachary Blake to define the design a little more to become the City’s entryway design. Commissioner Moyle’s tagline submission “Fun City, Heart of Broward” will also be included.

5. PUBLIC DISCUSSION – No one spoke.

6. QUASI-JUDICIAL ITEMS

   a. SUBJECT: SITE PLAN AMENDMENT SPR 15-07  
      NAME OF APPLICANT: Joe Verdone  
      PROJECT NAME: Catered Fit Food Service, LLC  
      PROJECT LOCATION: 5150 North State Road 7  
      PROJECT DESCRIPTION: Amending site plan SPR 04-02 to include a 6 foot high chain link fence with 3 gates around the property as well as a landscape buffer shielding the fence located at 5150 North State Road 7 known as “Catered Fit”

All interested parties wishing to speak on this item were duly sworn by City Attorney. Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She stated that this is a special exception use that the Commission previously approved in May to operate a catering service, as well as a whole sale select foods as a secondary use. Subsequent to that approval, the applicant installed a six foot fence in the front of their property, and they were advised that it would require a site plan amendment and a building permit, which has been applied for and is pending. Ms. Reed-Holguin indicated that because this is on an important corridor of the City, they were looking to have a more open, pedestrian friendly aesthetic along that corridor. The applicant explained, in their letter of intent, that there were some unique features of the business that they operate that needed a more secure site. Therefore, they are requesting that they be permitted to retain the six foot fence surrounding the property. They have opened up a rolling gate for customer access to the parking lot, as well as a pedestrian gate to the sidewalk. A landscape plan has also been requested to be submitted
by the applicant to more heavily landscape the front of the fence. Ms. Reed-Holguin also said they have been asked to re-vamp the landscape within the parking lot as a condition to approval of the request. She indicated that there are eight (8) conditions attached to the approval. Joe Verdone, Certified Planner with the law firm of Carlton Fields, Agent for the applicant, agreed to the eight (8) conditions recommended by staff. Public hearing opened. No public discussion. Commissioner Wood questioned why the applicant felt it was necessary to have a fence that high. Mr. Verdone responded that because it is a food processing facility, there are certain requirements to maintain a secure site to protect from cross-contamination, and there are a lot of windows on the building so the parking lot should be secured. He stated they have moved the fence back as much as possible and agreed to landscape in front of it.

Commissioner Moyle moved to approve the proposed site plan amendment subject to the eight (8) conditions listed in staff memorandum. Seconded by Commissioner Hilton. All in favor by voice vote. MOTION APPROVED UNANIMOUSLY.

7. CONSENT AGENDA

No items were pulled from consent. Vice Mayor Hilton moved to read. Seconded by Commissioner Wood. Attorney read:

   a. RESOLUTION – Agreement with Margate Fire Rescue for Automatic Aid of Fire Rescue Services

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE FIRE RESCUE AND MARGATE FIRE RESCUE FOR AUTOMATIC AID OF FIRE RESCUE SERVICES FOR AUTOMATIC AID AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 15-12-6248

   b. RESOLUTION - Clincon Team Sponsorship for 2016

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE BROWARD COUNTY HEALTHCARE COALITION FOR SPONSORSHIP FUNDS FOR THE 2016 NORTH LAUDERDALE FIRE RESCUE CLINCON COMPETITION TEAM AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 15-12-6249
Commissioner Moyle moved to approve the consent agenda as read. Seconded by Commissioner Wood. MOTION PASSED UNANIMOUSLY BY VOICE VOTE.

8. OTHER BUSINESS

a. ORDINANCE - First Reading - Amendment to Chapter 106 “Zoning” Sections 106-158 Pertaining to SEU Application Process, Section 106-467 Regarding Community Facility (CF) Uses and Section 106-468 Master Business List to Include the Process

Commissioner Wood moved to read. Seconded by Vice Mayor Hilton.

Attorney read:

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE IV “SPECIAL EXCEPTION USES”, SECTION 106-158 TO PROVIDE FOR REVISIONS TO THE APPLICATION PROCESS FOR SPECIAL EXCEPTION USES; AMENDING ARTICLE XV “BUSINESS DISTRICTS”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467, “SUPPLEMENTAL REGULATIONS” SUBSECTION 106-467(19), TO PROVIDE FOR ADDITIONAL SUPPLEMENTAL REGULATIONS GOVERNING NON-COMMERCIAL BUSINESS USES IN BUSINESS ZONING DISTRICTS TO LIMIT THE NUMBER OF NON-COMMERCIAL USES LOCATED WITHIN ANY ONE BUSINESS SHOPPING PLAZA; AMENDING ARTICLE XV, “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467 “SUPPLEMENTAL REGULATIONS” BY ENACTING A NEW SUBSECTION 106-467(22), TO PROVIDE FOR ADDITIONAL REGULATIONS RELATED TO THE PROCESSING OF APPLICATIONS FOR SCHOOLS SEEKING SPECIAL EXCEPTION USE APPROVAL; AMENDING ARTICLE XV “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-468, “MASTER BUSINESS LIST”, TO PROVIDE FOR THE INCLUSION OF THE PROCESS FOR CONSIDERATION OF SCHOOLS AS SPECIAL EXCEPTION USES IN BUSINESS ZONING DISTRICTS; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She indicated that a moratorium has been in place for the issuance of special exception use permits for community facilities that began on February 3, 2015, with a recommendation from the Planning & Zoning Board. Ms. Reed-Holguin presented a PowerPoint which outlined the time-line of the moratorium and the study that was undertaken during that time. She stated that on November 17, 2015, the Commission approved a second reading of the Ordinance that would extend the moratorium through December 30, 2015 so the study could be completed and some additional research could be done as requested by the Commission. A workshop was done on November 17th regarding some of the findings. Ms. Reed-Holguin
commented that the reason this study was undertaken was that there were some concerns with parking impacts and also with use of commercial space by non-commercial uses. The PowerPoint included some pictures of some concerns that were expressed by Code Officers. A copy of the PowerPoint is available in the City Clerk’s office. Ms. Reed-Holguin indicated that with the research that was conducted the City’s Code was reviewed; other municipalities were codes were reviewed to see what they had in place regarding separation distance requirements and zoning districts; the number and type of code violations was reviewed; parking situations were reviewed during the day, evenings and weekends and a survey was conducted of the businesses within the shopping plazas. The response rate of the surveys was 42% and the results were presented during the workshop. Ms. Reed-Holguin commented that their finding in terms of the research was that there has been over-parking in the plazas; documented code violations and fire safety concerns related to traffic and parking. They found support from the business community to limit the number of CF uses within the commercial properties. Most of the respondents to the surveys agreed that CF uses should be permitted, but also felt that there should be a maximum number of those types of uses within shopping plazas. 74 out of the 90 respondents said two should be the maximum; and of the 90, one-third said zero. Many reported problems with parking and blocking fire lanes. Ms. Reed-Holguin stated that based on the survey results and feedback from the Commission, the ordinance presented tonight for consideration proposes some amendments to the community facility use section of the Code. She presented a brief outline of what the ordinance includes with regard to recommendations and amendments, including recommendations pertaining to charter and private schools, as well as some procedural changes. Commissioner Wood moved to approve. Seconded by Vice Mayor Hilton. No Commission discussion. All in favor by voice vote.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING

b. ORDINANCE – First Reading - Amendment to Chapter 106 “Zoning, Article V “General Supplementary Regulation” Section 106-206 (c) entitled “Placement of Charitable Clothing Donation Bins”

Commissioner Wood moved to read. Seconded by Vice Mayor Hilton. Attorney read:

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE V, ENTITLED “GENERAL SUPPLEMENTARY REGULATION” BY AMENDING SECTION 106-206 (C) ENTITLED “DONATION BINS”; and SECTION 106-206 (F) (4) “PLACEMENT OF CHARITABLE DONATION BINS PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She commented that this was discussed briefly at the workshop that it had come to our attention that Broward County resource materials had identified small item donation
bins as being placed with the businesses. This is being brought to the Commission’s attention because an ordinance had been passed in October of 2014 relating to clothing donation bins that were located on the outside of businesses. Based on direction from Commission, staff looked at the Code and made changes that also applied to small donation bins specifically located inside. They would have to go through the same permit process as outside bins regarding where they would be located and the responsibility of the store to maintain them; they would only be for clothing. Staff recommends approval of the ordinance to address indoor donation bins. Vice Mayor Hilton moved to adopt. Seconded by Commissioner Wood. No Commission discussion. All in favor by voice vote.

ORDINANCE PASSED UNANIMOUSLY ON FIRST READING

c. RESOLUTION - Authorizing staff to apply for a grant through the Complete Streets and Other Localized Initiatives Program with the Broward Metropolitan Planning Organization (MPO)

Commissioner Moyle moved to read. Seconded by Vice Mayor Hilton. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPLY FOR AND TO FILE SUCH DOCUMENTS AS MAY BE REASONABLY REQUIRED TO APPLY FOR A COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM GRANT WITH THE BROWARD COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO); PROVIDING THAT THE CITY MANAGER SHALL BE AUTHORIZED TO EXECUTE GRANT AWARD AGREEMENTS AND TO TAKE ALL NECESSARY ACTIONS, INCLUDING, BUT NOT LIMITED TO EXTENSIONS OF TIME, LINE-ITEM BUDGET AMENDMENTS, AND PROGRAM MODIFICATIONS TO IMPLEMENT SAID PROGRAMS IF AND WHEN FUNDING IS APPROVED; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tammy Reed-Holguin, Community Development Director, presented the item based on the backup memorandum. She reported that four options were presented to the Commission for an application to present to the MPO and the Commission selected the greenway/park project at the intersection of SW 81st Avenue and Southgate Boulevard. Since that time, staff from Public Works, Parks and Recreation, and Community Development have met with a landscape architect to assist in how to develop that park. Tonight staff is requesting authorization to move forward with the application to the MPO for this project. Commissioner Moyle moved to adopt. Seconded by Commissioner Wood. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-12-6250 PASSED AND APPROVED UNANIMOUSLY

d. RESOLUTION - Intent Resolution – Water and Sewer Special Assessment
Commissioner Wood moved to read. Seconded by Vice Mayor Hilton. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, SETTING FORTH THE CITY’S INTENT TO USE THE UNIFORM METHOD FOR THE COLLECTION OF A NON-AD VALOREM SPECIAL ASSESSMENT TO BE LEVIED UPON REAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, TO FUND REPAIRS, ENHANCEMENTS, AND IMPROVEMENTS TO THE CITY’S WATER AND SEWER UTILITY SYSTEM; STATING A NEED FOR SUCH LEVY; PROVIDING THAT A COPY OF THIS RESOLUTION SHALL BE FORWARDED TO THE PROPERTY APPRAISER, TAX COLLECTOR, AND THE FLORIDA DEPARTMENT OF REVENUE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on the backup memorandum. She stated that the City is considering a new water and sewer assessment to begin with FY 2017, which starts October 1, 2016. The funds are needed for enhancements, repairs and improvements to the City’s water and sewer utility system. Ms. Nabors indicated the area of the City that would be subject to a special assessment and noted the areas that are not a part of the assessment. The assessment would be noticed and collected through the annual tax bill. A Notice of Intent Resolution must be adopted prior to January 1, 2016 in order to impose a new special assessment. Ms. Nabors indicated that adopting this resolution today does not commit the City to a special assessment, but it does allow us to impose it if we choose to for next fiscal year, and the method and amount would be brought back at a later date for consideration. Staff recommends Commission’s consideration and approval of this resolution. Commissioner Wood moved to approve. Seconded by Vice Mayor Hilton. No Commission discussion. All in favor by voice vote.

RESOLUTION NO. 15-12-6251 PASSED AND APPROVED UNANIMOUSLY

e. RESOLUTION – Amendment - Cash and Investment Management Advisory Agreement

Commissioner Wood moved to read. Seconded by Vice Mayor Hilton. Attorney read:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NO. 1 TO THE CASH AND INVESTMENT MANAGEMENT ADVISORY AGREEMENT BETWEEN THE CITY OF NORTH LAUDERDALE AND DAVIDSON FIXED INCOME MANAGEMENT, INC. FOR
INVESTMENT ADVISORY SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Susan Nabors, Finance Director, presented the item based on the backup memorandum. She indicated that this is for an amendment to an Agreement with Davidson Fixed Income. In reviewing their current rates, it was realized that the rates were very high and after negotiation, they agreed to lower the rates, saving the City approximately $18,000-$19,000, which is a 45% reduction of fees. **Vice Mayor Hilton moved to adopt. Seconded by Commissioner Moyle.** No Commission discussion. All in favor by voice vote.

**RESOLUTION NO. 15-12-6252 PASSED AND APPROVED UNANIMOUSLY**

9. REPORTS - None

10. COMMISSION COMMENTS

   a. Discussion and possible motion to attend the Areawide Council on Aging’s 36th Annual Board & Advisory Council Installation Dinner on January 21, 2016 by purchasing a table for ten and/or advertising not to exceed $1,000.00.

   **Commissioner Moyle moved to approve the purchase of a table for the ADRC Installation Dinner. Seconded by Commissioner Wood. All in favor by voice vote.**

Mayor Brady thanked the Parks and Recreation Department and other departments for the work on the Holiday Parade.

Mayor Brady also commented that he received a request from the Office of the Deputy Chief from the Pentagon and would like to participate in honoring the Viet Nam Vets. Consensus of the Commission was to have staff look into and implement the program.

Commissioner Moyle commented that City Hall looks great inside and out for the holidays.

Commissioner Wood also commented that the Parade was great and thanked all who made it happen. He also commented that there was no air conditioning in a Family Dollar in the City that Code should look into it because the conditions were unbearable.

Commissioner Graziose thanked those that attended the special meeting of the MPO on December 7th. City Manager commented that the meeting was very productive and they covered a lot of ground regarding the SW 81st and Southgate Blvd. park project. She reported that they are in touch with Broward County to submit an application by January 15th for approval on the signals. Mr. Shields and Mr. Krawczyk have been working with the County and will try to have it on the County Commission agenda. Ms. Bhatty suggested that the Commission reach out to Commissioner Ritter to seek assistance in placing this item on the agenda in January.
Commissioner Moyle mentioned that he did speak to Commissioner Holness and he would support the project. Commissioner Moyle also spoke to Mark Brown with the MPO who is also behind it as well. City Manager Bhatty commented the MPO is on board with the project and that a conceptual design should be ready to show the Commission by January 12th meeting.

11. **CITY MANAGER COMMENTS**

City Manager Bhatty also thanked all Departments for their work on the parade.

12. **CITY ATTORNEY COMMENTS**

Attorney Goren commented on the legislation update and bills that are of concern and stated that they will continue to monitor them. He also commented that the Ethics Code is in the process of being formally revised by the County Commission, and there were amendments proposed, some of which passed, but the base document did pass. Mr. Goren stated that his memo regarding this gives a broad discussion and description of what passed. There is no final ordinance at this time, but Mr. Goren explained a few highlights.

13. **ADJOURNMENT** – There being no further business, the meeting adjourned at 7:07 p.m.

Respectfully submitted,

Patricia Vancheri, City Clerk
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed-Holguin, Community Development Director
DATE: January 12, 2016
SUBJECT: SEU 15-04 Events by Arlis LLC
8062 W McNab Road 7 (Shoppes of McNab)

Special exception use permit to allow an assembly hall with seating capacity over 100 according to Section 106-468 of the Master Business List and for a freestanding bar in accordance with Section 86-110 pertaining to restaurants and cafes in a Community Business (B-2) zoning district.

APPLICANT: Arelis Bonilla

Arelis Bonilla, owner of Events by Arlis LLC, has applied for a Special Exception Use Permit (SEU) to operate a banquet hall with a capacity over 100 and to allow the sale of alcohol with meals when catered by the applicant at a freestanding bar in a B-2 Zoning District, in accordance with Section 106-468 and Section 86-110 (7), of the City’s Zoning Code entitled Master Business List and Restaurants and Cafes.

The applicant is proposing to operate the business in Shoppes of McNab located at 8062 W. McNab Road. The bay was formerly occupied by the Italian-American Club. The location will be used for hosting birthday parties, weddings, corporate events and fund raising events. The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

Background:
As part of the business, Events by Arlis, LLC, the applicant has applied for a local business tax receipt and will obtain a State license to serve alcoholic beverages. This particular bay (the old Italian American Club) in the shopping center has been vacant since 2009; therefore, a new business opening in this space must comply with all current zoning regulations. The zoning regulations pertaining to the operation of a freestanding bar have been amended since the closure of the previous business to allow a freestanding bar as an ancillary use with the approval of a SEU. Secondly, the assembly hall capacity exceeding 100 triggers the need for approval with an SEU.
As you may recall, in 2005 the City Commission approved modifications to the regulations of business/commercial uses permitted city-wide with regards to the sale of alcohol. These modifications were set forth to facilitate redevelopment by removing potential obstacles while retaining sections of the ordinances that protect the City and its residents. The amendment removed the requirement for a special exception use permit for the sale of beer and wine in a restaurant. However, an SEU is required if there is a free-standing bar within the facility. Secondly, an SEU is required for assembly halls with seating capacity over 100. This applicant meets both criteria for requiring an SEU permit.

Events by Arlis LLC is located within the City’s McNab Road Commercial Overlay Redevelopment District. Staff has reviewed the proposed request in light of the guidelines and criteria contained in both Section 106-468, Section 86-110 (7) and Article IV Special Exception Uses of the City Code, and determined that the application meets the criteria for allowing the sale of alcoholic beverages with meals at a freestanding bar and within an assembly hall with seating capacity over 100.

**Economic Analysis**
The economic impact would be beneficial to the City of North Lauderdale, since the bay has been vacant for more than 6 years. Furthermore, there is no other establishment in the City such as the one the applicant is proposing; therefore a banquet hall would be a welcome addition by increasing the viability of the City to offer a venue for the community to have events. The business would be located within the McNab Road Commercial Overlay corridor, which helps to further the City’s objectives to redeveloping the area.

**Traffic/ Parking Analysis**
Article VI, Section 106-223 (17) of the current City ordinance requires 124 parking spaces for this banquet hall. The shopping center has 408 parking spaces supporting 23 businesses. With the addition of the banquet hall, 515 parking spaces are required. The applicant states that their busiest hours of operation will be during the evening hours and on the weekends. After researching the site, it is found that there are 3 restaurants and 2 major merchants in the plaza with similar hours of operation that may create a parking issue for the business.

Therefore, staff advised the applicant that it is incumbent on them to demonstrate that there is adequate parking for the business and their ability to accommodate the anticipated effect on traffic generation, circulation and parking demands created by this use in order to consider the request for the Special Exception Use permit. The applicant has stated that they “may” provide valet parking for events with attendance anticipated to be over 100. Should the Commission wish to approve the request for an SEU, staff recommend that the provision of valet parking during events of this size be required as a condition of approval.

On December 1st, 2015 the Planning and Zoning Board met and unanimously approved the item with a 6-0 vote and agreed to the parking condition.

**RECOMMENDATION:**
The City Administration recommends consideration and approval of the request for an SEU permit to operate a banquet hall with seating capacity over 100 and to allow the use of a
freestanding bar. If the City Commission concurs with staff’s and Planning and Zoning Board’s recommendation, a motion is in order to the City Commission that the proposed SEU permit be granted subject to the following conditions:

1. That the applicant complies with all applicable codes of the City regarding the development and operation of a banquet hall as the primary use and the ancillary use of a freestanding bar with alcoholic beverages.
2. That the applicant adheres to the hours of operation stated in the letter of intent during which alcohol may be dispensed on premises per Section 86-103 of the City Code of Ordinances.
3. That all terms, conditions, and provisions imposed by the City Commission, Planning and Zoning Board, and staff, including all life, health, and safety Codes pertaining to this facility are met prior to commencing, and during operation.
4. Acknowledgement that other uses may be permitted in close proximity that may be objectionable to the sale of alcohol.
5. In the event that outside parking problems arise as a result of the operation of this establishment, such as noise, parking, traffic and/or other nuisances, the applicant makes all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial and residential area.
6. Applicant shall obtain proper approvals such as Certificate of Occupancy and Local Business Tax Receipt from the City.
7. Approval of the SEU is for the operation of banquet hall with the ancillary sale of alcohol with meals at a freestanding bar and in no way constitutes approval of the operation of nightclub which must meet other stringent criteria.
8. The applicant shall obtain the proper licensure for the sale of alcohol on premises through the State of Florida.
9. Valet parking must be provided for events with occupancy over 100.
10. Alcohol can only be served with a catered license event.
November 6, 2015

City of North Lauderdale
701 SW 71st Ave.
N. Lauderdale, FL 33068

Re: New Business Application

To whom it may concern:

I am writing this letter requesting the City Of North Lauderdale approval to open a new business located at 8062 W. Mc Nab Rd. in the Shoppes of Mc Nab Center. My intention is to establish a Banquet Hall / Event Center a place where people from the community can celebrate Weddings, Sweet 16's, Private Parties, Corporate and Fund Raising Events for schools and non-profits.

The location was a former social club, it has 6944 total sf. and is ideably suitable for my planned venue. The shopping center itself has sufficient parking spaces and additional parking spaces that are not being used in the rear perimeter of the building is available for the banquet hall itself with a private entrance (see new site plan of the shopping center and premises floor plan). We may be using a valet system to park vehicles in the rear of building during large events of over 100 guests. Also will request guests use rear parking area regularly.

Our hours of operation will be Mon-Sat 2pm-7pm for information and bookings by appointment only and confirmed events will be usually on Fri-Sun 4pm-12am. We will be serving alcohol after 7pm as part of the banquet packages under 13 CT License. There is currently a small bar area on the premises as per floor plan. We also will have available catered food services on premises. All licenses will be obtained regarding catering and liquor once permits for use are granted.

All of our activities will end at midnight, we also plan to use the services of the Broward Sheriff Office off duty officers for security when appropriate. Also we are requesting the maximum occupancy will be 150-185 people.
I have discussed all these details with the shopping center owner Mr. Ruben Lujo and he agrees that the new business will not alter the way in which the plaza operates. On the other hand the business that do remain open during my event hours of operation could possible increase their sales because of the flow that the banquet hall could bring. Also, our community will gain the services and new jobs that the banquet hall can provide not to mention the additional tax dollars for the City of N. Lauderdale.

Sincerely yours,

Arelis Bonilla

Date: November 6, 2015

Arelis Bonilla
Events By Arlis LLC
Date: June 19, 2015

Re: Frank Reyes
8062 West McNab Road

To: City of North Lauderdale

To Whom It May Concern,

Mr. Frank Reyes has been attempting to open a banquet hall at 8062 West McNab Road for quite some time. We understand that one of the issues preventing him from obtaining the necessary permits is parking. We are writing to let you know that the Shoppes of McNab shopping center does not have a parking issue. Even during the shopping center’s busiest times there is plenty of parking for all guests. Even with the proposed Banquet Hall, we do not foresee the center having any parking issues at all.

The banquet hall will be operating most of the time in the late afternoons and evenings. In fact, we anticipate that most of their events will occur when the majority of the other businesses in the center will be already closed, leaving ample parking space. Furthermore, the shopping center has parking available behind the building itself which will be available for guests using the Banquet Hall.

I have included a Parking Requirement Schedule, as well as a Site Plan, for the shopping center. On the Parking Requirement Schedule you can see that we have sufficient parking spaces for the center, while on the Site Plan you can see the parking available behind the shopping center.

If you need any further information regarding this matter, please don’t hesitate to contact me.

Sincerely,

Ruben Lugo
Shoppes of McNab, LLC
Managing Partner
954-726-8686, x23
TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: January 12, 2016

SUBJECT: SEU 15-03 Oriental Acupressure and Spa Center Inc.
3601 Commercial Blvd. Suite #3 (Commercial Point)

Special Exception use to allow a massage establishment as a primary use in accordance with section 106-468 of the Master Business List in a General Business (B-3) zoning district.

APPLICANT: Shuai Chen

Shuai Chen, owner of Oriental Acupressure and Spa Center Inc., has applied for a Special Exception Use Permit (SEU) to allow massage services and acupressure treatment as a primary use in a B-3 Zoning District, in accordance with Section 106-468 of the City’s Zoning Code entitled Master Business List. The applicant’s business tax receipt application is pending the approval of the SEU. The zoning regulations pertaining to the operation of a massage establishment must be licensed by the State of Florida and requires the approval of a SEU. The applicant is proposing to operate the business in Commercial Pointe located at 3601 Commercial Blvd (Suite 3). The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

Staff has reviewed the proposed request in light of the guidelines and criteria contained in Section 106-468 and Article IV Special Exception Uses of the City Code, and determined that the application meets the criteria for allowing the massage establishment as a primary use. This plaza appears to be able to accommodate any anticipated effect on access, traffic generation and road capacities caused by the use for which the special exception permit is being requested. The proposed use does not create any additional impact upon the capacity of utilities, or public services, and conforms with the goals, objectives, policies and land uses established by the City’s code of ordinances.

On December 1st 2015, the Planning and Zoning board met and approved the special exception use request with a vote of 6-0. There was discussion regarding the operation of such a facility and that it will operate only to the terms and conditions of the special exception use permit.
Economic Analysis
The economic impact would be beneficial to the City of North Lauderdale, since this particular bay in the shopping center has been vacant for more than six months. The business would help to further the City’s objectives to redeveloping the area.

Traffic/ Parking Analysis
This center was annexed by the City and built prior to annexation to provide parking based on Broward County codes. The center has 260 parking spaces. Based on the 1,830 total square feet of space occupied, the business would need 8 parking spaces as required by Article VI, Section 106-223 of the current City ordinance. The hours of operation for this establishment would be from 10:30am to 10:30pm Monday through Sunday.

RECOMMENDATION:
If the City Commission concurs with this request, a motion is in order to approve the proposed Special Exception Use Permit subject to the following conditions:

1. That the applicant complies with all applicable codes of the City regarding the development and operation of a massage establishment as the primary use.

2. The applicant documents continued licensure as a massage establishment by the State of Florida.

3. That the applicant adheres to the hours of operation stated in the letter of intent, and the hours of operation of the business plaza.

4. That all terms, conditions, and provisions imposed by the City Commission, Planning and Zoning Board, and staff, including all life, health, and safety Codes pertaining to this facility are met prior to commencing, and during operation.

5. In the event that outside parking problems arise as a result of the operation of this establishment, such as noise, parking, traffic and/or other nuisances, the applicant makes all improvements required to mitigate these nuisances so as not to negatively impact adjacent commercial and residential area.

6. Applicant shall obtain proper approvals such as Certificate of Occupancy and Local Business Tax Receipt from the City.

7. The applicant shall obtain the proper licensure through all other governmental agencies; including but not limited to, State of Florida license for a massage establishment prior to the issuance of the local business tax receipt and opening the business to customers.
Date: October 08, 2015

To: City of North Lauderdale  
   701 SW 71st Ave.  
   North Lauderdale, FL 33068

From: TMT Properties, Inc

Subject: Letter of Approval and Acknowledgment of Day Spa and Message in Plaza – Suite #3

Dear City of North Lauderdale,

This letter is to inform you that TMT Properties, Inc, the landlord and property manager at Commercial Point W Commercial Blvd), acknowledges that Asian Wellness Spa, Inc will be conducting day spa and message activities on site at Suite #3. This tenant is permitted by the landlord and property management to use the said premises for this purpose within the guidelines of the city zoning and business mandates.

Should you have any question, feel free to contact me directly at (954) 871-1687.

Sincerely,

Steve Boyette  
Operations Manager
October 8, 2015

To whom it may concern,

I have been work in acupressure and massage industry since 2012. I always want to open my own spa to service my own customers one day.

Based on my observation and marketing research, I believe the location at 3601 W Commercial Blvd, North Lauderdale, FL is good place to open a spa. I contacted the landlord who agreed to let me rent the place and renovate it to be a spa.

Then, I applied massage establishment license from Florida Health Department who inspected the place, reviewed my application and approved my massage establishment license (MM 34264). Also, I applied business tax receipt from Broward county as well.

We will open 7 days a week from 10:30 am to 10:30 pm.

I promise I will follow all rules and regulations of the city as well if I get approved from the city of North Lauderdale.

Thanks.

Shuai Chen
TO: Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: January 12, 2016
SUBJECT: Site Plan - SPR 15-01
827 S State Road 7 (Off Lease Only)

Preliminary site plan review to redevelop an existing commercial property, including the paving of 7.89 acres, new landscaping, building façade upgrades and customer parking lot improvements to operate a used car dealership in a General Business (B-3) zoning district.

APPLICANT: Off Lease Only, Inc.

Tonight we are requesting consideration of the preliminary site plan approval for Off Lease Only, located at 827 S. State Road 7. The company has purchased the old “Palm Pontiac” car dealership from Calvary Chapel who operated a thrift store and sublet to Palm Collision who performed auto repair and body work in the existing buildings. Off Lease Only will operate a pre-owned car dealership. They are proposing renovations to the property that include façade improvements, landscaping upgrades, parking lot improvements and paving of the adjacent and rear vacant lots for their inventory which require site plan approval.

Background:
Off Lease Only currently has four other locations in the Florida but this will be the first one in Broward County. They have already hired over 60 employees locally of the 110 new employees needed for this site. Their business model differs from typical car dealerships in that it relies on customers choosing the cars they are interested in from their on-line inventory and visiting the site once they have made a choice. The cars are brought to them in the showroom so there is no need to display the inventory along the highway. Only employees will access the cars in the secure lot.

In an effort to build a project consistent with the City’s plan for the 441/SR 7 Commercial Redevelopment Overlay District; the applicant has included several features to enhance the site and complement the existing area. The project will include a redesign of the existing parking lots that includes additional landscape islands to provide more landscape features. The applicant has been very cognizant of their residential neighbors to the west and south and will install heavy landscaping to buffer the view along with fencing to secure the property. There will be an onsite guard house to provide security and the Broward Sheriff’s office will provide off duty security at...
night. Keeping with the redevelopment of the State Road 7 corridor, the applicant will be adding palms along the north swale area with a mix of live oaks to complement the existing line of trees leading into our neighboring City of Margate.

The buildings currently on-site will be used for their showroom, sales offices, training rooms and corporate headquarters. The rear bays will be utilized to prepare their cars for sale by cleaning and making minor repairs. There will be a tenant, Dent Wizard, on site in the rear building. The main building has been repainted and new wall signage will be added. The applicant has stated that there will be no major overhauls or bodywork done on-site. The applicant is proposing to expand the use by paving the adjacent vacant lot which is approximately 7.89 acres. This area will park the 800-1000 cars that would be advertised on-line and available for purchase. They will also pave the rear lot to use as a staging area.

The specific extent of the anticipated use is explained in Attachment A, and made a part of this report.

On September 24, 2015 and November 5th, 2015 the Development Review Committee met and after considerable review and discussion by the committee, staff recommended approval of the preliminary and final site plan to the Planning and Zoning Board.

The Planning and Zoning board met on December 1st, 2015 and voted to recommend approval of the item to the City Commission.

**RECOMMENDATION:**

If the City Commission concurs with this request, a motion is in order for the approval of the preliminary site plan subject to the following conditions with direction for Administration and the applicant to continue work together to finalize the site plan:

1. The applicant shall comply with applicable City Codes and Florida Building Codes.
2. All terms, conditions and provisions imposed by the Planning and Zoning Board, City Commission, DRC and Staff including all life, health and safety Codes pertaining to this development shall be met prior to the issuance of building permits.
3. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
4. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
5. All conditions required by Code and/or set forth by the City engineer shall be met.
6. In the event that any problems arise, as a result of the operation of this establishment, such as noise, parking, traffic, and/or other nuisances, the applicant shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent areas.
7. Photometric Plan approval by staff is required.
8. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit detailed landscaping plans for landscaping permit.
9. Prior to the issuance of building permits, the applicant shall provide a written verification that all County impact fees associated with this project have been paid.

10. Prior to the issuance of the Certificate of Occupancy by the City Building Department, the applicant shall pay all applicable assessment and impact fees to the City.

11. If necessary, proper easements will be dedicated to the City of North Lauderdale.
Hand Delivered

City of North Lauderdale
701 SW 71st Ave.
North Lauderdale, FL 33068

Re: Off Lease Only Letter of Intent
827 State Road 7, North Lauderdale

November 18, 2015

Dear Sir/Madam:

Our corporation, Off Lease Only Inc., recently purchased fourteen acres along the State Road 7 Corridor. This property had historically been a new and used auto dealership, but most recently was owned by Calvary chapel which operated a thrift story, and rented out space to a used car dealership and body shop.

We are very excited to be in North Lauderdale, and have had a warm welcome from the community thus far. We wanted to provide a background on who we are, and what we hope to develop in your community.

Off Lease Only Inc. (hereinafter referred to as “Off Lease”) is currently one of the top two largest used car dealers in the country. We currently have four locations, two in Palm Beach County, one in Miami-Dade, and one in Orlando. Broward was a natural progression for us to respond to our Broward customers’ needs.

Currently each of our locations sells between 700-800 cars, with a total of 2800-3000 used cars per month. To give a reference point, the average independent used car dealership sells between 50-100 cars per month, and the average franchise new and used dealership may sell 300-400 cars.

Our business model is not typical of a car dealership, as we do not rely on drive by or happenstance customers. Our typical customer is the informed, educated consumer who has researched cars and dealerships ahead of time, usually online; our reputation, prices and service are unmatched in the industry. There are thousands of reviews online to confirm our position as it relates to customer service and a quick search on Auto Trader, Cars.com or any other car research website shows there is no
comparison on price. We’re not just a place to buy a car; we’re The Nation’s Used Car Destination.

As our customers primarily find us through the internet, we have no need to display our vehicles on the road’s edge. We do not utilize the typical “dealer” marketing, of balloons, flags or other roadside marketing. Our vehicles are typically kept behind landscaped fences which protect our inventory. Our customers do not need to walk our lot to look for their perfect car, instead our customers are encouraged choose the vehicles they are interested in from our website, the vehicles are then brought up to the building for our customers to inspect and drive.

We have already begun our hiring process, we anticipate to hire approximately about 80-110 employees for this location with salaries that range from minimum wage to over $300,000.00. So far we have hired approximately 62 new employees many of whom are from the surrounding areas. Our new hires range from our lot employees through to our Finance Managers. We also plan to house part of our corporate offices on the 2nd floor which will be the primary location for a number of our executive officers including our CEO, our Chief Financial Services Officer, and myself.

The below bullet points should give you a better idea of the proposed improvements, and how our new Broward location will operate:

- We plan to upgrade the existing buildings for showroom, offices, training room and other support uses. Repainting the dull brownish outside main building with a crisp steel gray, with purple (our signature color) accents.
- Upgrading the current customer parking by adding additional islands.
- Updating our landscaping, to maintain as many of the current native species, including a specimen Oak. Concentrating our efforts on beautifying the State Road 7 Frontage, and doubling up on our required trees along the south and west borders to provide privacy for our residential neighbors.
- Renewing the lighting to meet current City standards including lighting for the public sidewalk along State Road 7.
- New storm water management system for proposed pavement
- Off Lease Only is open for business Monday through Saturday 9AM – 9PM and 10AM – 8PM on Sunday. We accept vehicle deliveries (fresh inventory) Monday through Saturday 8AM - 9PM and Sunday 9AM – 8PM.

1776 Lake Worth Road, Lake Worth, Florida 33460
Phone: 561-222-2277 Fax: 561-296-7835
NEED A USED CAR?

- No inventory will be delivered on State Road 7, all trucks will be able to enter the property, on the central drive, and deliver the vehicles towards the back portion of the property.
- Typical days we are closed include New Year's Day, Thanksgiving Day and Christmas day. Locations usually close early the day before these days and early (6PM) on days such as Memorial Day, Fourth of July and Labor Day.
- Some light body repairs would be made onsite by a 3rd party vendor (Dent Wizard International) who would sublease the existing body repair facility and operate independently under their own permits and business tax receipt.
- Off Lease Only will complete minor mechanical maintenance and repairs onsite (brakes, oil changes, tires, etc.) in compliance with all local, state and federal law, as well as handle any hazardous contaminants in a responsible, environmentally friendly, law abiding manner. Heavier mechanical and body repairs are sublet to local repair shops.
- At the present time the intent is only to complete repairs on inventory vehicles and not vehicles belonging to the public. This may change in the future, however these repairs would be related to extended service contracts sold by Off Lease Only, not oil changes, tires, etc. in the vein of a Tire Kingdom or Meineke. Off Lease Only has a Florida Motor Vehicle Repair license at each location.

We have worked diligently with the City’s planners to design a site plan which conforms to local rules and the City’s vision for North Lauderdale. We look forward to being an active member of the community.

I trust that this is to your satisfaction.

Yours very truly,

Ejola Cook
Chief Legal Officer
Off Lease Only, Inc.

1776 Lake Worth Road, Lake Worth, Florida 33460
Phone: 561-222-2277  Fax: 561-296-7835
TO:  Mayor and City Commission
FROM: Ambreen Bhatti, City Manager
BY: Tammy Reed-Holguin, Community Development Director
DATE: January 12, 2016
SUBJECT: Site Plan SPR 15-03
1198 S State Road 7 (Circle K)

Preliminary site plan review to permit development of a Circle K gas station, a 5,881 square foot convenience store in a General Business, (B-3) Zoning District.

APPLICANT: Bowman Consulting, Inc.

Background:

The applicant, Bowman Consulting, Inc. on behalf of the property owner is proposing to build a Circle K on approximately 0.82 acres of land located on the east side of 441, north of S.W. 12th Street. The subject property is a combination of two formerly individually-owned lots located at 1198 S. SR 7 and 1190 S. SR 7. Miami Subs is located at 1198 S. SR 7 and will be demolished. Dandy Wheels is located at the south end of 1190 S. SR 7 behind the Miami Subs. It is also scheduled to be demolished to accommodate this new construction. A future site plan will be submitted for the redevelopment of the remainder of the former lot of 1190 S SR 7 which is currently a parking lot. The specific extent of the anticipated use is explained in Attachment A, and made a part of this report. The Commission is also considering a sign waiver for this project this evening.

The site has three exit and entry points; two on SW 12th Street and one onto 441. Fronting 441 will be the gas pumping stations and canopy and more towards the back of the site, a convenience store will be located. The convenience store will have a variety of products from ice, to hot and cold sandwiches as well as breakfast items. Written confirmation from Broward County Planning Council was provided that replatting is not required along with Broward County’s Development Management assurance that a plat modification is not needed. The applicant will pay County impact fees and must show proof of paying those fees prior to issuance of any building permits. Water and Sewer accommodations will be provided by the City of North Lauderdale as part of a franchise utility agreement with the North Lauderdale Water Control District and will be required to be brought up to current code and necessary standards for the use as well as tenant requirements. These services were provided by Margate to the previous owner; however, the City now has the capacity to provide these services and as part of the redevelopment was able to negotiate agreement from Margate to relinquish service to the site.

In an effort to build a project consistent with the City’s plan for the State Road 7 Overlay District; the applicant has included several features to enhance the store and complement the
existing development. The project will include landscape features, colored awnings, and a similar color pallet to the surrounding development. The glass storefront and beige architectural features as shown on the elevation blend into the existing 441 corridor features.

On September 8, 2015 the Development Review Committee met and after considerable review and discussion by the committee, staff recommended approval of the site plan to the Planning and Zoning Board.

On December 1st, staff presented the item to the Planning & Zoning Board. Mr. Larry Sazant, the owner of North Lauderdale Fuels located at 1200 S. SR 7 North Lauderdale, FL, 33068 spoke against the application mentioning the large site space, potential environmental impacts and traffic implications. His concerns were answered by the applicant to the satisfaction of the Board members.

The Planning and Zoning Board voted 6-0 to approve the item for recommendation to the City Commission with no additional conditions.

**RECOMMENDATION:**

The City Administration recommends City Commission approval of the preliminary site plan subject to the following conditions with direction for administration and the applicant to continue work together to finalize the site plan:

1. The applicant shall comply with applicable City Codes and Florida Building Codes.
2. All terms, conditions and provisions imposed by the Planning and Zoning Board, City Commission, DRC and Staff including all life, health and safety Codes pertaining to this development shall be met prior to the issuance of building permits.
3. The DRC, Planning and Zoning Board and City Commission reserve the right to impose any additional requirements deemed necessary during subsequent approval reviews.
4. Copies of all applicable permits and approvals by other regulatory agencies shall be provided to the City prior to issuance of building permits.
5. All conditions required by Code and/or set forth by the City engineer shall be met.
6. In the event that any problems arise, as a result of the operation of this establishment, such as noise, parking, traffic, and/or other nuisances, the applicant shall make all improvements required to mitigate these nuisances so as not to negatively impact adjacent areas.
7. Photometric Plan approval by staff is required.
8. The applicant shall comply with all provisions contained in Chapter 102 “Vegetation” of the City Code and shall submit detailed landscaping plans for landscaping permit.
9. Prior to the issuance of building permits, the applicant shall provide a written verification that all County impact fees associated with this project have been paid.
10. Prior to the issuance of the Certificate of Occupancy by the City Building Department, the applicant shall pay all applicable assessment and impact fees to the City.
11. If necessary, proper easements will be dedicated to the City of North Lauderdale.
12. All signage will require additional approval as no approvals were made a part of this report.
13. Prior to issuance of any building permit, proof subdivision of parcels must be submitted.
LETTER OF AUTHORIZATION

Date: 4/21/15

RE: North Lauderdale Circle K
Northeast Corner of Corner of State Road 7 and SW 12th Street

TO WHOM IT MAY CONCERN:

Please be advised by this correspondence that Circle K, PV-Nola, LLC, and Bowman Consulting are authorized to act as Agent/Applicant on behalf of Platina Property Investments, LLC for the purpose of making application submittals for permits and negotiating conditions for the above referenced project.

(Signature)

(Please have an authorized agent of the Owner list their name and address below their signature)

STATE OF Florida
COUNTY OF Dade

Sworn to and subscribed before me, the undersigned Notary Public, this 15th day of July, 2015.

Notary Public

Printed Name

MARLENE REYES
MY COMMISSION #FF095734
EXPIRES July 16, 2017
(407) 258-0150 FloridaNotaryService.com

401 East Las Olas Boulevard Suite 1400 Fort Lauderdale Florida 33301

bowmanconsulting.com
Letter of Intent
Proposed Circle K – North Lauderdale

Existing Conditions
The project consists of two (2) parcels located at 1198 S. State Road 7 in the City of North Lauderdale. The parcels are currently zoned B-3 (Community Business). One of the existing parcels is a Miami Subs, the other is a vacant auto dealership. The Miami Subs is serviced by the City of North Lauderdale water and sewer facilities. The vacant car lot is services by the City of Margate water and sewer facilities. The drainage system is part of the existing South Florida Water Management District General Permit Number 06-00864-S-02.

Proposed Improvements
The project proposes the construction of a five thousand, eight hundred and eighty one (5,881) square foot Circle K Store with twenty (20) fueling positions, parking area, landscaping, and pedestrian walkways to support the facility. The total project area is 3.65 acres. The proposed Circle K development will utilize 2.01 acres, while the additional 1.64 acres to the north of the Circle K development will be demolished and sodded for future development. Water and sewer services will be provided by the City of North Lauderdale via facilities in SW 12th Street. In general, the existing grading, drainage patterns and storm inlets will be maintained. The overall impervious area will be decreased by 12%, thus generating less storm water runoff than originally accounted for in General Permit 06-00864-S-02. The existing driveway access points on SR7 and SW 12th Street will be maintained for vehicular circulation in and out of the site. A right turn lane on SR7 has been requested by the Florida Department of Transportation and will be constructed as part of the Circle K development.
TO: Mayor and City Commission
FROM: Ambreen Bhatty, City Manager
BY: Tammy L. Reed-Holguin, Community Development Director
DATE: January 12, 2016
SUBJECT: Second Reading and Adoption:
Amendment to Chapter 106 “Zoning” Sections 106-158 Pertaining to SEU Application Process, Section 106-467 Regarding Community Facility (CF) Uses and Section 106-468 Master Business List to Include the Process

Tonight we are presenting an Ordinance for second reading and adoption that will amend Section 106-158 pertaining to the SEU application process, Section 106-467 regarding Community Facility Uses and Section 106-468 the Master Business List. This Ordinance was presented at the December 15th Commission meeting and approved on first reading.

BACKGROUND:
During their February 3, 2015 meeting, the Planning & Zoning Board recommended City Commission approval of an Ordinance adopting a moratorium on the issuance of building permits and local business tax receipts for Community Facility (CF) uses throughout the City. In accordance with the Planning & Zoning Board’s recommendation, the City Commission adopted Ordinance No. 15-02-1308 on February 24, 2015 affirming the City Manager’s Administrative Order to implement a moratorium on the approval of any applications or the issuance of any new licenses or permits for Community Facility (CF) uses within the City and authorizing the study of said uses within commercially-zoned properties. At the October 13, 2015 Commission meeting, staff made a presentation on findings and preliminary recommendations related to CF uses in commercial zoning districts. The Commission requested that the moratorium that was set to expire on October 31 be extended to allow more time for additional research. The moratorium was subsequently extended by Ordinance until December 30, 2015.

During this additional time, staff supplemented their previous research of the current City Code, code compliance issues, field observations of parking and safety situations and research of Codes within other municipalities by visiting all businesses within 24 shopping plazas in the City and conducting a survey regarding non-commercial uses in commercial districts. The survey was also mailed to all commercial property owners and managers. The results of this survey were compiled with the other types of data previously collected, including documentation on code violations, observations by professional staff of existing conditions and historical impacts, research on other codes within other cities and input from the Commission and the public. On November 17, 2015 staff made a second presentation during the Commission workshop. Findings of the study were presented and the Commission consensus was to prepare an
Ordinance for consideration based on those findings and to implement recommended procedural changes.

The proposed ordinance includes the following amendments;

1. Section 106-158 (2) g: Amend the SEU application process to require applicants who propose the use of vans or buses to transport clients to their site, to register their vehicles with the City.

2. Section 106-158 (2) h-k: Amend the SEU application process to require the submittal of a conceptual site plan showing the access and parking, and impact analyses for traffic, public facilities and economics.

3. Section 106-467: Amend the Supplemental Regulations limiting the number of non-business (CF) uses within one shopping center to no more than a total of two (2) non-business uses (CF) regardless of the amount of total building gross floor area occupied and providing for compliance over time by shopping centers currently with more than 2 CF uses.

4. Section 106-467 (22): Amend the Supplemental Regulations to detail the SEU application process for education, primary and secondary, charter, and private schools.

5. Section 106-468: The Master Business List will be amended to include the above conditions in 106-467 (22).

The proposed procedural changes include determining the occupancy load at the time of the SEU application and enforcing the parking more stringently and in accordance with the conditions of approval after issuance of the SEU.

The Planning and Zoning Board considered the proposed amendments to the Code at their December 1, 2015 meeting. After a staff presentation and comment by a member of the public, the Board found the amendments to be consistent with the City of North Lauderdale Comprehensive Land Use Plan and unanimously recommended the proposed ordinance for approval by the City Commission.

The City Commission approved the Ordinance on first reading on December 12th, 2015. Tonight we are presenting the Ordinance for second reading and adoption.

RECOMMENDATION

The City Administration recommends Commission’s adoption of the attached ordinance amending Chapter 106 “Zoning” Sections 106-158 pertaining to the SEU application process and Section 106-467 regarding Community Facility (CF) Uses and Section 106-468 Master Business List.
ORDINANCE NO. __________________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE IV “SPECIAL EXCEPTION USES”, SECTION 106-158 TO PROVIDE FOR REVISIONS TO THE APPLICATION PROCESS FOR SPECIAL EXCEPTION USES; AMENDING ARTICLE XV “BUSINESS DISTRICTS”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467, “SUPPLEMENTAL REGULATIONS” SUBSECTION 106-467(19), TO PROVIDE FOR ADDITIONAL SUPPLEMENTAL REGULATIONS GOVERNING NON-COMMERCIAL BUSINESS USES IN BUSINESS ZONING DISTRICTS TO LIMIT THE NUMBER OF NON-COMMERCIAL USES LOCATED WITHIN ANY ONE BUSINESS SHOPPING PLAZA; AMENDING ARTICLE XV, “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-467 “SUPPLEMENTAL REGULATIONS” BY ENACTING A NEW SUBSECTION 106-467(22), TO PROVIDE FOR ADDITIONAL REGULATIONS RELATED TO THE PROCESSING OF APPLICATIONS FOR SCHOOLS SEEKING SPECIAL EXCEPTION USE APPROVAL; AMENDING ARTICLE XV “BUSINESS DISTRICT”, DIVISION 2, “MASTER BUSINESS LIST”, SECTION 106-468, “MASTER BUSINESS LIST”, TO PROVIDE FOR THE INCLUSION OF THE PROCESS FOR CONSIDERATION OF SCHOOLS AS SPECIAL EXCEPTION USES IN BUSINESS ZONING DISTRICTS; PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Lauderdale wishes to preserve and promote a successful commercial base within the City; and

WHEREAS, City Commission finds that the successful redevelopment of the City is promoted through zoning ordinances and City ordinances within the City that support the preservation and expansion of the economy; and

WHEREAS, since 2003, the City has reviewed and amended its Land Development Regulations and Comprehensive Plan concerning Community Facilities (CF) uses in non-CF zoning districts in the City; and
WHEREAS, City Administration and staff have reviewed the amendments and found them to be consistent with the Goals, Objectives and Policies of the City’s Comprehensive Plan; and

WHEREAS, in 2008, the City reviewed Community Facilities (CF) uses in non-CF zoning districts, through zoning in progress pursuant to Section 106-61 of the City’s Code of Ordinances and subsequently amended the Code; and,

WHEREAS, observations by City Code Enforcement and City Fire officials of over-parking of vehicles in commercial plazas raised fire and safety concerns for the City Commission and at its January 13, 2015, meeting, the City Commission directed the City Manager to once again conduct a review of CF uses within the City; and,

WHEREAS, on January 16, 2015, the City Manager issued an Administrative Order, pursuant to Section 106-61 of the City’s Code, announcing zoning in progress relating to CF uses throughout the City; and,

WHEREAS, on February 24, 2015, the City Commission adopted Ordinance 15-02-1308 which implemented a moratorium on the approval of any applications or the issuance of any new licenses or permits for Community Facility (CF) uses within the City until August 1, 2015; and,

WHEREAS, on September 11, 2015, the City Commission adopted Ordinance 15-09-1317 which extended the moratorium on the approval of any applications or the issuance of any new licenses or permits for Community Facility (CF) uses within the City until October 30, 2015; and

WHEREAS, during the period of the moratorium staff reviewed documentation on code violations, observations by professional staff of existing conditions and historical impacts, and conducted research on other codes within other cities; and
WHEREAS, on November 17, 2015 the City Commission approved Ordinance 15-11-1321 extending the moratorium until December 30, 2015 to permit City staff to conduct additional research as requested by the City Commission; and,

WHEREAS, during this time, staff conducted a survey regarding non-business uses in commercial districts and continued research on codes and existing conditions in order to provide recommendations to the City Commission; and

WHEREAS, on November 17, 2015 the Administration presented a report to the City Commission, having completed their study, and recommended strengthening the City’s Ordinances pertaining to the use of commercial space for non-business (CF) uses; and

WHEREAS, on December 1, 2015, the proposed amendments were presented to the Planning and Zoning Board for consideration and after discussion were found to be consistent with the City’s Comprehensive Land Use Plan and were recommended for consideration of approval to the City Commission; and

WHEREAS, the review and approval of this Ordinance is consistent with the provisions of State law and the City’s Charter, Code of Ordinances and the City’s Comprehensive Land Use Plan; and

WHEREAS, the proposed regulations pertaining to non-business uses within commercial districts are found to be in the best interest of the health, safety and welfare of the residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF NORTH LAUDERDALE, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof.
Section 2. Chapter 106 “Zoning”, Article IV “Special Exception Uses”, Section 106-158 of the City of North Lauderdale’s Code of Ordinances, entitled “Application Process”, is hereby amended as follows:

Sec. 106-158. - Application process.

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• (2) The application for special exception use permit shall set forth the use desired with sufficient detail to reasonably apprise the administrative personnel, the membership of the planning and zoning board and the governing body of the nature, extent, scope and purpose of the proposed use. The application form shall require, at a minimum, the following:

***

g. The type of vehicles, which will utilize the site. If applicant proposes the use of buses or vans for transportation of visitors to or from their site, the applicants shall be required to register said vehicles through the City’s vehicle registration program and such requirement may be a condition of approval.

In addition, the applicant may be required to provide the following, as applicable:

h. A conceptual site plan showing proposed access and parking;

i. A traffic generation or traffic impact analysis;

j. Public facility impact analyses;

k. An economic impact analysis for non-business or non-industrial uses proposed in a commercial or industrial zoning district.

Section 3. Chapter 106 “Zoning” Article XV “Business Districts”, Division 2 “Master Business List”, Section 106-467 of the City of North Lauderdale’s Code of Ordinances, entitled “Supplemental Regulations”, is hereby amended as follows:

Sec. 106-467. Supplemental regulations.

The following are the supplemental regulations to the master business list which are designated by number on the list:

(1) Uses must be completely enclosed in a soundproof air-conditioned building.
(19) In commercial zoning districts the cumulative square footage of non-business uses shall be limited to 20 percent of the total building gross floor area. No more than a total of two (2) non-business uses (CF) may be located within one shopping center regardless of the amount of total building gross floor area occupied.

a. Properties which exceeded the 20 percent maximum in February 2003 and were grandfathered in, must amortize out non-business uses that exceed the 20 percent maximum, exempting the portion of the property that is both owned and operated by a non-business entity. These properties are now given a maximum of ten years from the effective date of this section to come into compliance.

b. As spaces that are currently occupied by non-business uses and which exceed the 20 percent maximum become vacant, only business uses may occupy the space, as listed in the master business license for that particular zoning district unless occupied by the real property owner.

c. Compliance by October 2018 shall be by either occupying the space as an owner/operator of a non-business use, or by a combination of owner/occupant and tenant of cumulative square footage of noncommercial uses not exceeding 20 percent of the total building gross floor area.

d. Properties which exceeded the maximum number of two (2) non-business uses (CF), regardless of the amount of total building gross floor area occupied in January 2016, must amortize out non-business uses (CF) that exceed the maximum of two non-business (CF) uses per property. As spaces that are currently occupied by non-business uses (CF) and which exceed the maximum of two become vacant, only business uses may occupy the space, as listed in the master business license for that particular zoning district unless occupied by the real property owner.

(22) Education, primary and secondary, charter, and private schools.

a. Application filing requirements. In addition to the filing requirements for special exception use applications, the following additional information shall be provided for any proposed charter or private primary and secondary school.

1. **Timing.** In order to allow sufficient time to secure required development order, building permit, and local business tax receipt, a special exception use application and fee must be filed with the Community Development Department at least nine (9) months before the start of the school year. This time requirement is not waivable.

2. **Charter/accreditation.** If a charter school, a copy of the School Board approved charter application and the charter agreement between the sponsor and the applicant shall be filed along with the application. If a private school, either a copy of approval from the applicable accrediting agency or a letter of acknowledgement that an application for accreditation has been filed.

3. **Organizational structure.** An organizational chart and explanation showing the hierarchical arrangement of lines of authority, communications, right and duties of the school organization.

4. **Affidavit.** A list of the governing board members/Board of Directors, Officers, Administrators and all individuals with a financial interest in the school that will interact with students, along
with affidavits from each stating whether or not that person was convicted of a crime within the last ten (10) years.

5. **Financial responsibility.** Evidence of financial responsibility.

6. **Prior history.** Evidence of any prior history of financial interest, ownership, management, or operation of a charter or private school, including its financial and educational success or failure.

7. **Prior jobs.** Evidence of past job and education experience showing that the Governing Board/Board of Directors, Officers, Administrators, its employees and any consultants (e.g., internal auditor, management company) are qualified to operate the school.

8. **Use.** Evidence of legal use of the property in question by applicant through a deed, contract or option to purchase or lease.

9. **Emergency management plan.** A conceptual site plan showing where the students would congregate in the event of an emergency. In addition, if a disaster should render the building uninhabitable, a plan showing how students would be accommodated elsewhere until the building is repaired and made habitable.

10. **Ingress/Egress.** A conceptual site plan showing the ingress and egress of pedestrians and all vehicles from the school site, and safety features necessary to protect the students on and within one thousand (1,000) lineal feet of the school site boundaries and a narrative explaining how student safety and off-premises private property rights will be assured at least thirty (30) minutes before and at least forty-five (45) minutes after the school hours of operation.

11. **Other.** Any other documentation or requirements that the Community Development Department, Fire Department or Building Official or other City Official deems relevant to the operation of such use or safety of the students or both.

**b. Site plan requirements.** A Certificate of Use shall not be issued until a site plan or site plan modification is approved consistent with these Land Development Regulations and consistent with the State Requirements for Educational Facilities (SREF) 2014 (or latest edition), as stated in the Florida Administrative Code. In addition, if the application is for a charter school, a copy of the site plan or site plan modification shall be provided to the School Board of Broward County, Florida staff for conformance with the applicable SREF.

**c. Off-site improvements.** If through the site plan or site plan modification process the City Engineer, Broward County or state transportation related agencies deem that off-site improvements are required, such as traffic signalization, signage, pedestrian and bicycle improvements, transit amenities, school crossings and zones, and turning lanes, such improvements and amenities must be constructed and approved before a Certificate of Use can be issued. At a minimum, the following factors shall be considered in determining the extent of the off-site improvements:

1. Whether the roadways provide adequate access and areas for safe bicycling and walking to the site; and
2. Whether median cuts, left and right turning lanes and storage lanes are available to facilitate access of buses, teachers, parents, students, and services; and
3. Whether school zone flasher installations are available in order to facilitate safe pedestrian access to the site; and
4. Whether the school site is connected to existing or planned residential developments by sidewalks, walkways, and crosswalks in order to facilitate safe pedestrian movement.

**d. Physical environment requirements.**
1. Safe Routes to School

(a) **Drop-off/pick-up area.** A student drop-off and pick-up area shall be depicted on the site plan, which area shall be consistent with the "Safe Routes to School Guide, Student Drop-off and Pick-up", which guide was developed by the Pedestrian and Bicycle Information Center.

(b) **School crossing guards.** Charter and private schools are required to and shall provide at their own expense school crossing guards required for the school that have been trained by certified instructors.

(c) **Plan for Vehicle Queuing.** A plan must be submitted clearly indicating the ingress and egress of vehicles to the site for drop off and pick up of students. The plan must insure that vehicle queuing will not block emergency vehicles, nor adversely affect neighboring properties, adjacent roadways or driveways.

2. Recreational facilities

(a) If the school proposes to use City facilities or parks to provide outdoor and recreational space, an agreement must be negotiated and entered into outlining the duties and responsibilities, location, times and maintenance. The City is under no obligation to enter into any such agreement.

(b) An annual impact fee for the use of the municipal facilities will be charged to the school in amount commensurate with the level of use of the facilities as determined by the municipality and payment will be made according to the MOU.

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**Section 4.** Chapter 106 “Zoning” Article XV “Business Districts”, Division 2 “Master Business List”, Section 106-468 of the City of North Lauderdale’s Code of Ordinances, entitled “Master Business List”, is hereby amended as follows:

Sec. 106-468. - Master business list.

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- The master business list is as follows:

<table>
<thead>
<tr>
<th>Business listings</th>
<th>Prohibited</th>
<th>B-1 Neighborhood</th>
<th>B-2 Commercial</th>
<th>B-3 Commercial</th>
<th>B-4 Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools, educational</td>
<td></td>
<td>*7, *19, 22</td>
<td></td>
<td>*7, *19, 22</td>
<td></td>
</tr>
<tr>
<td>Schools, trade, vocational</td>
<td></td>
<td>*1, *7, *19, 22</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Section 5. It is the intention of the City Commission of the City of North Lauderdale, Florida that the provisions of this ordinance shall become and be made a part of the City of North Lauderdale Code of Ordinances. The sections of this ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 7. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 8. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED on first reading by the City Commission of the City of North Lauderdale, Florida this 15th day of December, 2015.

PASSED and ADOPTED on second reading by the City Commission of the City of North Lauderdale, Florida this _____ day of ______________, 2016.

APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

__________________________________
PATRICIA VANCHERI, CITY CLERK
TO: Mayor and City Commission  
FROM: Ambreen Bhaty, City Manager  
BY: Tammy Reed-Holguin, Director of Community Development  
DATE: January 12, 2016  
SUBJECT: Second Reading and Adoption: Amendment to Chapter 106 “Zoning, Article V “General Supplementary Regulation” Section 106-206 (c) entitled “Placement of Charitable Clothing Donation Bins”

Tonight we are presenting an ordinance for second reading and adoption that will amend the Code to specifically address the location of charitable donation bins inside buildings unrelated to the business. The Ordinance was approved on first reading at the December 15th Commission meeting.

BACKGROUND:  
As the Commission may remember on October 28th, 2014 an ordinance was passed requiring permits, registration and inspection of “Charitable Clothing Donation Bins”. The ordinance prohibited the placement of any charitable donation bins other than clothing bins. Staff acknowledges that this existing ordinance does not address the placement of donation bins indoors, therefore, in order to remain consistent and address this new type and location of donation bins, staff has prepared changes to the existing ordinance to include indoor clothing donation bins.

The Ordinance adopted on October 28, 2014 outlines a permitting process for the placement of clothing donation bins for charitable purposes only. The permit must be renewed annually. The responsibility for the maintenance of the bins is placed upon the charitable organization and the property owner where the bin is located. The Ordinance also specifies the type of commercial property where each bin can be placed, controlling the number. The ordinance effectively reduced the number of outdoor donation bins, however it did not contemplate indoor bins.

Tonight we are presenting a minor amendment to the ordinance for consideration of adoption on second reading to address indoor donation bins before they proliferate and potentially generate some of the same type of maintenance concerns the outdoor bins previously caused.

RECOMMENDATION:  
The City Administration recommends approval and adoption on second reading of the attached ordinance amending Sections 106-3 “Definitions” and 106-206 “Charitable Clothing Bins” related to indoor donation bins.
ORDINANCE NO. ______________

AN ORDINANCE OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AMENDING CHAPTER 106 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ZONING”; SPECIFICALLY AMENDING ARTICLE V, ENTITLED “GENERAL SUPPLEMENTARY REGULATION” BY AMENDING SECTION 106-206 (C) ENTITLED “DONATION BINS”; and SECTION 106-206 (F) (4) “PLACEMENT OF CHARITABLE DONATION BINS PROVIDING FOR FINDINGS AND INTENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale, Florida (“City”) recognizes the need for charitable donation bins and philanthropic causes; and

WHEREAS, in the City limits the outdoor bins have been deemed a public nuisance, due to being found in unsuitable conditions; and

WHEREAS, there is a new trend to place small item donation bins inside establishments; and

WHEREAS, the City Commission has determined a need to address the placement of indoor donations bins in the City; and

WHEREAS, the purpose of this Ordinance is to provide for proper regulation, placement and documenting of these charitable donations bins located inside commercial establishments to ensure public safety mitigate nuisances caused by and allow for the placement of such bins.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

  Section 1: Chapter 106 of the City’s Code of Ordinances entitled “Zoning”; Specifically Section 3 “Definitions” is hereby amended to include the following:
Small Item Donation bin. A receptacle or container designed or intended for the collection and temporary storage of small items other than clothing.

Section 2: Chapter 106 of the City’s Code of Ordinances entitled “Zoning”; Specifically Section 206 ‘Charitable Clothing Bins” is hereby amended as follows:

(c) Donation bins. Donation bins for purposes other than the collection of clothing as outlined herein are prohibited this includes small item donation bins unrelated to the business.

Section 3: It is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City’s Code of Ordinances.

Section 4: That all ordinances and resolutions or parts of ordinances and resolutions in conflict herewith, be and the same are hereby repealed, to the extent of such conflict.

Section 5: That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

Section 6: That this Ordinance shall become effective immediately upon the date of adoption.


____________________________________
MAYOR JACK BRADY

ATTEST:

____________________________________
VICE MAYOR DAVID HILTON

____________________________________
PATRICIA VANCHERI, CITY CLERK

APPROVED AS TO FORM:

____________________________________
SAMUEL S. GOREN, CITY ATTORNEY
CITY OF NORTH LAUDERDALE
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Mayor and City Commission

FROM: Ambreen Bhatti, City Manager

BY: Tammy Reed-Holguin, Community Development Director

DATE: January 12th, 2016

SUBJECT: SWAV 15-04 Sign Waiver request for Circle K
1198 S. State Road 7

To allow a freestanding digital sign for display of gas prices with a 30 inch high digital numbers, letters and symbols, whereas a maximum of 16 inch high letters are allowed by section 94-16 (B) (1) (d) within a Community Business (B-3) Zoning District.

APPLICANT: Bowman Consulting Inc.

Background

Bowman Consulting, Inc. has submitted a site plan on behalf of their applicant, Circle K, for the construction of a convenience store and gas station at 1198 S. State Road 7. Tonight you considered their site plan. Along with their site plan request, a signage plan was submitted. Staff review noted that a sign waiver is needed for the letter size on the proposed freestanding sign and the request for the sign waiver is before you tonight.

The sign waiver request is to allow a freestanding sign with 30 inch digital high numbers, letters and symbols whereas a maximum of 16 inch high letters are allowed by section 94-16 (B) (1) (d). The applicant indicated that approval of this request would provide favorable exposure to their business along the 441/SR 7 corridor. The sign is setback approximately 50 feet from the center of 441. Since FDOT’s 25 foot required setback exists in front of the location, a smaller sign may not be as visible due to distance and existing vegetation. Consideration of approval of this sign must be conditioned on the applicant securing all applicable sign permits before installation as well as no other signs shall be erected on the subject site without further review and approval. The specific details of the request are contained in the attachments and made a part of this report.

Section 94-43 of the sign code makes a provision where the City recognizes that the commercial areas located adjacent to State Road 7 are established business areas serving a regional population base and that certain requirements of the sign code may not be applicable.
It is always staff’s objective to review any application in the best interest of business viability and success. Staff also has the responsibility to review the aesthetic impact of any signage along our roadways.

Given the size of the FDOT easement, the height of the proposed letters and the 50 foot existing setback, it is appropriate to consider this sign waiver request. The letter sizes being requested by the applicant are consistent with previous requests from businesses for letters 30 inches high. The Commission may remember it previously granted a freestanding sign waiver to allow the Gulf gas station on Southgate Boulevard 30 inch digital display letters based on similar conditions. As the applicant’s justification statement letter points out the CITGO gas station on 441 has 30 inch letter digital display signs as well approved by the Commission.

The Planning and Zoning board met on December 1st 2015 and unanimously approved to recommend approval of the sign waiver to the City Commission.

Taking into consideration the setback of the building, that the business is located within the City’s 441/SR 7 Mixed Use Redevelopment Overlay, that the signage is consistent with other businesses in the area and that the request will not create public welfare or injuries to other properties or improvements in vicinity, and it will benefit the business and its customers, staff recommends approval of the sign waiver request for larger letters, number and symbols.

**RECOMMENDATION:**
Should the City Commission concur with the applicant’s request, then a motion to approve a freestanding sign with 30 inch high digital display letters, numbers and symbols whereas a maximum of 16 inch high letters is allowed by Section 94-16 (B) (1) (d) within a Community Business (B-3) Zoning District is in order to approve the sign waiver subject to the following conditions:

- All applicable codes of the City regarding the installation of signs, conditions and provisions imposed by the City Commission, Planning and Zoning Board, and staff shall be met.
- No other signs shall be erected on the subject site without further review and approval and separate permitting.
RESOLUTION NO. __________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, APPROVING A SIGN WAIVER REQUEST FOR ONE FREESTANDING SIGN FOR CIRCLE K TO BELOCATED AT 1198 NORTH STATE ROAD 7, NORTH LAUDERDALE, FLORIDA, THEREBY PERMITTING THE INSTALLATION AND MAINTENANCE OF A FREESTANDING SIGN THAT DISPLAYS 30 INCH DIGITAL SIGN LETTERS, NUMBERS AND SYMBOLS WHEREAS A MAXIMUM OF 16 INCH HIGH LETTERS ARE ALLOWED BY SECTION 94-16 (B) (1) (d) WITHIN A COMMUNITY BUSINESS (B-3) ZONING DISTRICT.

WHEREAS, Section 94-43, of the City's Sign Code, allows the City Commission the option to waive the requirements of the sign code relating to commercial areas adjacent to Rock Island Road, Southgate Boulevard, State Road 7, McNab Road and S.W. 81st Avenue; and

WHEREAS, CIRCLE K is located at 1198 South State Road 7, North Lauderdale, Florida; and

WHEREAS, Circle K, feels that the provisions of the sign code for letter size on a freestanding is inadequate for their needs; and

WHEREAS, Circle K, is requesting a sign waiver to allow the installation and maintenance of a freestanding sign with 30 inch high digital numbers, letters and symbols display whereas a maximum of 16 inch high letters are allowed by section 94-16 (B) (1) (d) within a Community Business (B-3) zoning district; and

WHEREAS, the Planning and Zoning Board recommended approval of said request at their meeting on December 1st, 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: That the waiver of the sign code be and the same are hereby granted to Circle K to allow the installation and maintenance of a freestanding sign with 30 inch high digital numbers, letters and symbols display whereas a maximum of 16 inch high letters are allowed by section 94-16 (B) (1) (d) within a Community Business (B-3) Zoning District.

Section 2: That the waiver granted by this Resolution shall not excuse the applicant from compliance with each and every term, condition and provision of the City's Sign Code, the Code of Ordinances of the City of North Lauderdale, Florida, the conditions outlined in the staff’s memorandum for approval, as well as the obtainment of the necessary permits.
**Section 3:** That this Resolution shall take effect immediately upon adoption.

**PASSED** and **ADOPTED** by the City Commission of the City of North Lauderdale, Florida, this 12th day of January 2016.

APPROVED AS TO FORM:

______________________________
CITY ATTORNEY SAMUEL GOREN

______________________________
MAYOR JACK BRADY

______________________________
VICE MAYOR DAVID HILTON

ATTEST:

______________________________
CITY CLERK PATRICIA VANCHERI
Applicant: PV-NOLA, LLC
Proposed Circle K at 1198 & 1190 S. State Road 7
RE: Sign Waiver Request

The applicant is requesting relief from code section 94-16-(b)(1) to allow for 30” digital gas pricing letters to be displayed on the proposed pylon sign, in addition to the 49 square foot Circle K Signage. Section 94-43 of the sign code makes provisions where the City recognizes that the commercial areas located adjacent to State Road 7 are established business areas servicing a regional population base and that certain requirements of the sign code may not be applicable. The proposed pylon sign dimensions, included in the Civil Construction Drawings, are compatible with the surrounding area and uses. It should be noted that the existing Citgo immediately south of the subject property has digital gas pricing letters much larger than the allowable 16” standard, in addition to their Citgo signage. The applicant is requesting the same opportunity to advertise their gas prices as was granted to the Citgo.

Additionally, the proposed pylon sign is set back roughly 50’ from the inside travel lane of State Road 7, due to the existing drainage swale and vegetation within FDOT’s right-of-way. Larger letters will help overcome the distance and screening issues caused by the trees in the swale area.

Should you have any questions or require additional information, please do not hesitate to give me a call at 954-712-7482.

Sincerely,

Bill Pfeffer, PE | VP/Branch Manager
Bowman Consulting

401 E. Las Olas Blvd. Suite 1400, Ft. Lauderdale, FL 33301
Office: 954-712-7482 | mobile: 772.341.6223
bpfeffer@bowmanconsulting.com | bowmanconsulting.com
CITY OF NORTH LAUDERALE
FIRE RESCUE DEPARTMENT

TO: Mayor Brady and City Commission
FROM: Ambreen Bhattty, City Manager
BY: Rodney Turpel, Fire Chief
    David Sweet, Deputy Fire Chief
DATE: January 12, 2016
SUBJECT: Assistance to Firefighter Grant

The Federal Emergency Management Agency (FEMA) is currently accepting Assistance to Firefighter Grant applications. This competitive grant provides funds to Fire Departments across the nation to meet a wide variety of departmental needs that are difficult to fund through other budgetary means available. Being a competitive grant, FEMA has categorized certain equipment and projects as “high priority items” which are more likely to be funded. The Fire Administrative staff is requesting your approval tonight to submit a grant application in the amount of $89,340.00 to pay for Vehicle Extrication Equipment which is listed on FEMA’s “high priority items” list. The total projects cost is $89,340.00. The grant will pay for 90% of the total or $80,406.00 and the City’s responsibility will be a 10% match, or $8,934.00.

The Fire Administrative staff has recognized Vehicle Extrication Equipment as a high priority item needed for the North Lauderdale Fire Rescue Department and is seeking funding from the Assistance to Firefighter Grant. The current three sets of Vehicle Extrication Equipment that are carried on the Department’s three engine apparatus were purchased in 2004 through city wide funding (one system) and in 2008 through an Assistance to Firefighter Grant award (two systems). All of these three sets of Vehicle Extrication Equipment do not meet the current NFPA 1936 Standard on Powered Rescue Tools certification and has surpassed two NFPA 1936 cycles (2010 and 2015 editions). NFPA 1936 establishes the minimum-performance requirements for powered rescue tools and components. NFPA 1936 was designed to ensure the highest standard for comparing rescue tool systems and to guarantee the safety and quality of compliant systems under rigorous testing procedures. The funding requested will be sufficient to replace all three sets of Vehicle Extrication Equipment currently being used.

RECOMMENDATION

The City Administration recommends City Commission’s consideration and approval of the attached resolution authorizing the City Manager to take all necessary steps to submit the Assistance to Firefighter Grant application in the amount not to exceed $89,340.00 to fund Vehicle Extrication Equipment. The total projects cost is $89,340.00. The grant will pay for 90% of the total or $80,406.00 and the City’s responsibility will be a 10% match, or $8,934.00.
RESOLUTION NO.___________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO TAKE ALL STEPS NECESSARY TO SUBMIT AN APPLICATION FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT IN THE AMOUNT OF $89,340 TO PROVIDE FUNDING FOR THE PURCHASE OF VEHICLE EXTRICATION EQUIPMENT; PROVIDING FOR FINDINGS AND CONCLUSIONS WITH REGARD TO THE BENEFITS TO BE DERIVED BY ACCEPTING SUCH GRANT FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale strives to provide extemporary emergency response services to all citizens through its Fire Rescue Department; and

WHEREAS, Department officials have identified outstanding needs in terms of replacing obsolete vehicle extrication equipment; and

WHEREAS, these needs have been deemed “high priority” by FEMA for the purposes of the Assistance to Firefighters Grant; and

WHEREAS, the Department is prepared to submit a grant application in an amount not to exceed $89,340 which will cover 90% of the necessary costs; and

WHEREAS, the City Commission recognizes the City’s obligation to provide matching funds in the amount of $8,934 if the grant is funded; and

WHEREAS, funds in this amount are available from the Fire Department’s budget; and

WHEREAS, the City Commission finds that the receipt of an Assistance to Firefighters Grant will be in the best interest of the health, safety and welfare of the citizens and residents of the City of North Lauderdale.
NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of North Lauderdale, Florida, that:

Section 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. That the City Manager be and the same is hereby authorized and directed to apply to the Federal Emergency Management Agency for a grant to provide funding in the amount of $89,340 in order to fund the purchase of personal protective gear and fitness equipment, and facilitate the creation of a comprehensive wellness program for firefighters.

Section 3. That the CITY COMMISSION recognizes that in the event the grant is awarded, the City will be obligated to provide in-kind matching funds in the amount of $8,934.

Section 4. That the CITY COMMISSION finds and determines that it is in the best interest of the citizens and residents of the City of North Lauderdale, Florida, to accept said grant funds.

Section 5. The proper officers of City of North Lauderdale be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution.

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.
Section 7. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 8. That this resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the CITY COMMISSION of the City of North Lauderdale, Florida this 12th day of January, 2016.

APPROVED AS TO LEGAL FORM:

___________________________________
CITY ATTORNEY SAMUEL S. GOREN

___________________________________
MAYOR JACK BRADY

___________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

___________________________________
PATRICIA VANCHERI, CITY CLERK
RESOLUTION NO. ______________________


Whereas, Coconut Creek High School was built in 1972 and is the city’s first high school; and

Whereas, current Coconut Creek High School’s enrollment is 1600, only of which 29% are proficient in reading and just 43% are proficient in math and;

Whereas, the City of Coconut Creek believes in a strong educational foundation and Magnet programs expand educational choices for all students, promote diversity within our schools, set expectations for all students to improve academic achievement, prepare students for further education and the world of work, develop positive school climates with academic emphasis, provide real-life and hands-on experience and offer mentorships and internship opportunities and;

Whereas The Creek Technical Academy will be a vigorous program designed after the successful Atlantic Technical High School which will offer 27 CDE Program Choices, 27 CDE Choices for Dual Enrolled students, and 10 Career Technical Academy Programs with career clusters in Business Management and Administration, Health Sciences, Information Technology and Transportation and;

Whereas, The City of North Lauderdale fully supports the creation and implementation of The Creek Technical Academy Magnet Program, including the new Health Sciences Program beginning with Allied Health Assisting, EKG Technician, Health Unit Coordinator, and Veterinary Assistant in the Fall of 2016, followed by Emergency Medical Responder for future expansion.


APPROVED AS TO FORM:

__________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________
MAYOR JACK BRADY

__________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

__________________________________
CITY CLERK PATRICIA VANCHERI
On December 15, 2015 the Commission approved Resolution No. 15-12-6251 stating the City’s intent to impose a special assessment to fund repairs, enhancements, and improvements to the City’s Water and Sewer Utility System. The special assessment would begin in fiscal year 2017, starting October 1, 2016. As part of the implementation process, a contract must be entered into with both the Broward County Property Appraiser’s Office (BCPA) and Broward County in order to use the uniform collection method. This method will allow for the assessment to be part of the annual tax bill that is delivered to each property owner in November and for the collection of the assessment through the tax bill.

The cost of the service provided by BCPA is $0.50 per parcel, which is a cost effective solution as compared with individual mailing and collection by the City. In addition, the City has an added benefit of surety of collection with the assessment being part of the annual tax bill which is subject to tax liens and processed by the BCPA. There is no additional cost associated with the collection of the assessments through the Broward County.

RECOMMENDATION:

The City Administration recommends that the City Commission adopt the attached Resolution and authorize the City Manager to execute the contracts for services performed by the Broward County Property Appraiser’s Office and Broward County for the proposed water & sewer assessment. Copies of the Agreements are available for review in the City Clerk’s office.
RESOLUTION NO. ________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE TO ENTER INTO AGREEMENTS WITH BROWARD COUNTY PROPERTY APPRAISER AND BROWARD COUNTY FOR IMPLEMENTATION AND COLLECTION OF A WATER AND SEWER ASSESSMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Lauderdale wishes to take the steps necessary in order to implement a water & sewer assessment; and

WHEREAS, the City of North Lauderdale wishes to use the uniform collection method in order to collect the assessment; and

WHEREAS, the City Commission wishes to enter into an agreement with both Broward County Property Appraiser and Broward County in order to implement the water & sewer assessment which is found to be in the best interests of the citizens and residents of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. The City Commission of the City of North Lauderdale, Florida hereby authorizes and directs the City Manager to enter in an agreement by and between the City of North Lauderdale and Broward County Property Appraiser, and by and between the City of North Lauderdale and Broward County, to implement the water & sewer assessment. Copies of the agreements are available for review in the City Clerk’s office.
Section 3. All resolutions or parts of resolutions on in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 4. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 5. This Resolution shall become effective immediately upon its passage and adoption.


APPROVED AS TO LEGAL FORM:

__________________________________________
CITY ATTORNEY SAMUEL S. GOREN

__________________________________________
MAYOR JACK BRADY

__________________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

__________________________________________
PATRICIA VANCHERI, CITY CLERK
TO: Mayor and City Commission  
FROM: Ambreen Bhatti, City Manager  
BY: Michael Sargis, Parks and Recreation Director  
DATE: January 12, 2016  
SUBJECT: Solar Lighting – Hampton Pines Park and Champions Hall

As you may recall, the Parks and Recreation Department was awarded a Land Water Conservation Fund Grant from the Department of the Interior, totaling $400,000.00 including a 50% match from the City to make much needed improvements to the Hampton Pines Park.

The City planned to initiate the proposed improvements in various phases so the park remains open to the public during this improvement project. During the past year, the City installed a new fence around the lake, built a new boat dock, and started the expansion of asphalt trails.

The next phase of the project would be to install Solar Lighting (both Pole Lights and Bollard Lighting) both in the parking lot and the Park. After extensive research, the staff determined that there is only one vendor, who has a local representative and manufacture both solar pole and bollards lights. This manufacturer, First Light Technologies, is stationed in British Columbia, Canada and has supplied both pole and bollard lighting to numerous Parks and Recreation Departments around the world and their equipment is highly rated. The local sales office is known as Graybar and is located in Sunrise, Florida. In speaking with Graybar, the lights are available for a piggyback purchase off of the U.S. Communities Contract.

U.S. Communities was founded in 1996 as a partnership between the Association of School Business Officials, the National Association of Counties, the National League of Cities and the United States Conference of Mayors. U.S. Communities is the leading national government purchasing cooperative, providing world class government procurement resources and solutions to local and state government agencies, school districts, higher education institutions, and nonprofits looking for the best overall supplier of government pricing.

Based on the U.S. Communities pricing, Graybar has quoted the following prices per unit:

- Solar Powered LED Integrated Pole Lighting - $2,775.00 per unit
- Solar Powered LED Bollard Lighting - $1,195.00 per unit

The staff has determined the total need as the following:

- 10 Solar Powered LED Integrated Pole Lighting at a total cost of $27,750.00
- 12 Solar Powered LED Bollard at a total cost of $14,340.00

Additionally, we would like to purchase 4 Solar Powered LED Integrated Pole Lights for the parking lot at Champions Hall. The existing parking lot lights are not working and are in need of
repair. The cheapest and most economical solution is to remove the existing electric pole lights and replace them with new solar lights. The total cost of the 4 poles is $11,100.00 and funding is available in the Parks and Recreation General Fund Budget.

RECOMMENDATION:
The City Administration recommends Commission’s consideration and approval of the following two (2) resolutions:

1. Authorizing the City Manager or her designee to issue a Purchase Order to Graybar in an amount not to exceed $42,090.00 out of the Parks and Recreation Capital Fund 3117071-563100 for the Hampton Pines Park Solar Light Project.

2. Authorizing the City Manager or her designee to issue a Purchase Order to Graybar in an amount not to exceed $11,100.00 out of the Parks and Recreation Department General Fund Funding 0017071-546300 for Solar Lights Champions Hall.
RESOLUTION NO. _____________________

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $42,090.00 OUT OF THE PARKS AND RECREATION CAPITAL FUND 3117071-563100 FOR SOLAR LIGHTS AT HAMPTON PINES PARK; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: Bids were obtained from U.S. Communities Pricing

Section 2: That the City Manager or her designee, is authorized to enter into an agreement with GRAYBAR in amount not to exceed $42,090.00 for the Solar Lighting at Hampton Pines Park

Section 3: Funding is available in the Grant Fund 3117071-563100

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 12th day of January, 2016.

APPROVED AS TO FORM:

________________________________________
CITY ATTORNEY SAMUEL S. GOREN

________________________________________
MAYOR JACK BRADY

________________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

________________________________________
CITY CLERK PATRICIA VANCHERI
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA, AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $11,100.00 OUT OF THE PARKS AND RECREATION DEPARTMENT FUND 0017071-546300 FOR SOLAR LIGHTS AT CHAMPIONS HALL; PROVIDING FOR FUNDING; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH LAUDERDALE, FLORIDA:

Section 1: Bids were obtained from U.S. Communities Pricing

Section 2: That the City Manager or her designee, is authorized to enter into an agreement with GRAYBAR in amount not to exceed $11,100.00 for the Solar Lighting at Champions Hall

Section 3: Funding is available in the Parks and Recreation Department General Fund 0017071-546300

Section 4: That this Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED by the City Commission of the City of North Lauderdale, Florida this 12th day of January, 2016.

APPROVED AS TO FORM:

________________________________________
CITY ATTORNEY SAMUEL S. GOREN

________________________________________
MAYOR JACK BRADY

________________________________________
VICE MAYOR DAVID G. HILTON

ATTEST:

________________________________________
CITY CLERK PATRICIA VANCHERI
MEETING AGENDA

Tuesday, January 12, 2016
Immediately Following North Lauderdale City Commission Meeting

1. ROLL CALL
   President Jack Brady
   Treasurer David G. Hilton
   Secretary Lorenzo Wood
   Director Rich Moyle
   Director Jerry Graziose
   Executive Director Michael Sargis
   Foundation Attorney Samuel S. Goren
   Foundation Clerk Patricia Vancheri

2. APPROVAL OF MINUTES
   a. November 17, 2015

3. OLD BUSINESS
   a. Budget Report – Susan Nabors, Chief Financial Officer
   b. Report - Donation to City of North Lauderdale Parks and Recreation Department $4,000 for Holiday Camp Program
   c. Report – Food Drive

4. NEW BUSINESS
   a. Donation from North Lauderdale Fire
   b. Sponsorship Program

5. BOARD COMMENTS

6. ADJOURNMENT
The North Lauderdale Recreation Foundation met at the Municipal Complex on Tuesday, November 17, 2015. The meeting convened at 7:52 p.m.

1. **ROLL CALL** – Clerk called Roll. All present.

   President Jack Brady  
   Secretary Lorenzo Wood  
   Director Jerry Graziose  
   Foundation Attorney Samuel S. Goren  
   Treasurer David G. Hilton  
   Director Rich Moyle  
   Executive Director Michael Sargis  
   Foundation Clerk Patricia Vancheri

2. **APPROVAL OF MINUTES**

   a. **September 22, 2015** – Secretary Wood moved to approve the Minutes as submitted. Seconded by Treasurer Hilton. 
   Minutes approved unanimously by voice vote.

3. **OLD BUSINESS**

   Mike Sargis, Executive Director asked to hear Agenda Item 4(c) out of order for the purposes of appointing a new Chief Financial Officer. Secretary Wood moved to approve the appointment of Susan Nabors as the CFO of the NL Recreation Foundation. Seconded by Treasurer Hilton. All in favor by voice vote.

   a. **Budget Report** – Newly appointed CFO, Susan Nabors, distributed the Profit & Loss and the Balance Sheet for the end of FY 2015, as well as the statements for November, 2015. Ms. Nabors indicated that the Foundation has $106,587.26 in the bank. Copies of the statements are attached to these Minutes.

4. **NEW BUSINESS**

   Mike Sargis, Foundation Ex. Director, presented the following items for approval of expenditures:

   a. **Authorization for Treasurer Hilton to issue the following checks:**

      - Donation to City of North Lauderdale Parks and Recreation Department $4,000 for Holiday Camp Program Discount and Activities

   Treasurer Hilton moved to approve the donation in the amount of $4,000. Seconded by Secretary Wood. Motion approved unanimously by voice vote.

   - Reimbursement to City of North Lauderdale for $500 for Cribs as part of the SaferBy4 Program.

   Secretary Wood moved to approve $500 reimbursement to the City for the program. Seconded by Treasurer Hilton. Motion approved unanimously on a 4-0 vote. Director Graziose abstained from voting as he is President of a Homeowners Association and will file a Form 8b Voting Conflict form with the Clerk.
• **Donation to City’s Parks and Recreation Department of $5,625.00 for 25 tons of real snow @ $225 per ton for snow from Fort Lauderdale Ice for WinterFest Snow Piles**

Director Graziose moved to approve the purchase of snow. Seconded by Treasurer Hilton. **Motion approved unanimously by voice vote.**

• **Donation of $4,500 to City of North Lauderdale Parks and Recreation Department for a new RICOH Duplicator – to be used to print flyers**

Secretary Wood moved to approve. Seconded by Treasurer Hilton. **All in favor by voice vote.**

• **Authorize the Executive Director to make a Debit Card Purchase in an amount not to exceed $500 in support of the City of North Lauderdale’s Food Drive.**

Secretary Wood moved to approve. Seconded by Treasurer Hilton. **All in favor by voice vote.**

Mr. Sargis asked the Board for approval to allow the Treasurer to sign the checks for the above approved items. Secretary Wood moved to approve. Seconded by Director Graziose. **All in favor by voice vote.**

b. **Update on Sponsorship Program**

Mr. Sargis stated that sponsorship has been slow this year, but they are continuing to solicit sponsors to bring in a goal of $20,000 this year.

c. **Appointment of Susan Nabors, Chief Financial Officer - This item was heard under Old Business.**

Mr. Sargis also commented that they are in the process of completing an annual report to the State on the Foundation. There is a new requirement for the Board members to sign a conflict of interest form stating that the Board has no financial gain or interest in the activities of the Foundation. A motion is in order to approve this submittal. **Director Graziose moved to approve. Seconded by Secretary Wood. All in favor by voice vote.**

5. **BOARD COMMENTS**

Mayor Brady commented that he was being honored at the Panthers game on as a military Vet and invited those interested to go on Monday, January 23rd. Attorney Goren explained the gift requirements regarding the Broward County Ethics Code.

6. **ADJOURNMENT** – There being no further business the meeting adjourned at 8:12 p.m.

Respectfully submitted,

Patricia Vancheri, City Clerk

*Board of Directors*

*Michael Sargis, Executive Director  Jack Brady, President  Lorenzo Wood, Secretary  David Hilton, Treasurer*

*Board Members Rich Moyle and Jerry Graziose, Samuel S. Goren, Board Attorney*

*North Lauderdale Recreation Foundation is a 501 3C Registered Not for Profit Corporation*