

**LOCAL PLANNING AGENCY  
FEBRUARY 8, 2006**

**1. ROLL CALL**

The meeting was called to order at 9:25 p.m. Board members present were Chair Mike Bender, Vice-Chair Scott McLaughlin, Marlon Luis, John Stevens and Mimi Turin. Also present were Town Attorney Monroe Kiar, Deputy Planning and Zoning Manager Marcie Nolan, Planner Ingrid Allen, and Board Secretary Janet Gale recording the meeting.

**2. APPROVAL OF MINUTES:** January 11, 2006

Chair Bender asked that a correction be made on page three, paragraph two – that it reflect his concern that “all the property owners’ rights were protected from eminent domain” along that corridor, not only the residents. Ms. Gale indicated she would make the correction as Chair Bender was certain of his remarks.

Vice-Chair McLaughlin made a motion, seconded by Mr. Stevens, to approve with the correction to add “property owners”. In a voice vote, all voted in favor. **Motion carried 5-0**

**3. PUBLIC HEARING**

*Land Use Plan Amendment*

- 3.1 AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL APPLICATION LA 11-1-05, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" TO "RESIDENTIAL 16 DU/AC"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. LA 11-1-05, Herity Realty Group, LLC/Bank of America, generally located south of Stirling Road on the eastside of Davie Road Extension (from Commercial to Residential 16 DU/AC)

Hope Calhoun and Leigh Kerr, representing the petitioner, were present. Ms. Allen read the planning report.

Chair Bender asked if this item needed a supermajority vote. Mr. Kiar responded that the Town Council was required to have a super majority vote to carry this item.

Chair Bender asked if the City of Hollywood had approved this item. Ms. Allen responded “not as yet”. Ms. Nolan elaborated and advised that the Town was working with a representative from the Hollywood on an agreement which was in draft form before this item was scheduled for review at that city’s Commission meeting.

Using a site plan, Ms. Calhoun better explained the intent of the project. She provided historical information and explained that neighboring residents in Hollywood had been opposed to the construction of a Publix Supermarket and, therefore, the site had been reconfigured to accommodate townhouses.

Mr. Stevens asked what the intentions were for providing affordable housing. He believed that if the Town was to approve 16 dwelling units-per-acre, it would be a great location for affordable housing.

Ms. Calhoun responded that there were no plans for affordable housing units at the moment; however, she believed that they would work with staff to see if there was any opportunity for it.

Mr. Stevens asked about the price range of the townhouses. Ms. Calhoun did not have that information.

Ms. Turin asked Ms. Calhoun for clarification on which portion of the project was located within the Town’s boundaries and which portion was located in Hollywood. Ms. Calhoun provided the information.

Mr. Stevens asked Mr. Kiar if the Agency was allowed to approve this item subject to having the petitioner agree that a certain percentage of the units would be affordable housing. Mr. Kiar responded that the Agency could add that contingency to its recommendation.

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Ms. Calhoun remarked that it had been staff's proposal in the planning report to develop affordable housing and she had every intention of doing that.

Ms. Nolan reminded Agency members that in the Evaluation and Appraisal Report, the goal was for 20% to be affordable housing.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Chair Bender commented negatively on the formula that was used to calculate student ratios. His second problem regarded taking commercial property off the tax rolls. Chair Bender indicated that if he were guaranteed that a large portion of this project was used for affordable housing, he would view it differently; however, he was not in favor of taking the commercial use off the tax roll for residential, particularly at the proposed density.

Vice-Chair McLaughlin believed that this was a suitable project for a blighted area and that it may spur future redevelopment. He indicated that as a proponent of affordable housing, he would like to see more than 20% of this project devoted to that cause. Vice-Chair McLaughlin stated that there would still be a tax base received from residential and although it would not be as much as for commercial, it would be better than what was there now with it being vacant. He advised that his decision would be contingent upon approvals from Hollywood for this site. Ms. Nolan indicated that when this item went to Broward County, it would need approvals from both municipalities.

Mr. Stevens agreed with Chair Bender in that it was a great location for commercial property as it was and he did not want to see it taken off the tax rolls unless some nice affordable housing was provided in return. He asked that it be put into the record tonight by the petitioner that there would be a certain percentage of affordable housing.

Ms. Calhoun reiterated that she would continue to discuss the proposal on affordable housing; however, she could not make any commitments.

Mr. Stevens made a motion, seconded by Chair Bender, to deny. In a roll call vote, the vote was as follows: Chair Bender - yes; Vice-Chair McLaughlin - no; Mr. Luis - no; Mr. Stevens - yes; Ms. Turin - yes. **(Motion carried 3-2)**

- 3.2 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL REPORT FOR THE TOWN OF DAVIE COMPREHENSIVE PLAN; STATING THE INTENT OF THE TOWN COUNCIL TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE REPORT; AND APPROVING TRANSMITTAL OF THE REPORT TO THE DEPARTMENT OF COMMUNITY AFFAIRS IN ACCORDANCE WITH SECTION 163.3191, FLORIDA STATUTES.

Ms. Allen apprised the Agency of the two year process and what was involved in producing this document.

Vice-Chair McLaughlin advised that he had received the document on Friday and that since there was a lot of information to absorb, he requested more time to absorb the information.

Ms. Nolan advised that there were only eight changes made to the document which did not involve policies.

Chair Bender asked Ms. Nolan if it would be a problem if the item were tabled. Ms. Nolan asked that the document be read so there could be a good discussion at the next meeting.

Mr. Kiar asked about Table II.E.1 (page 51) and if there was an implication that SW 136 Avenue was intended to be widened. Ms. Nolan clarified that it was not intended to be widened. Vice-Chair McLaughlin specified that SW 34th Court was the east-west road off SW 136 Avenue.

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Chair Bender noticed a mistake in Table II.E.1 and another in Table II.E.2. The mistakes were noted by Ms. Allen. Ms. Nolan stated that the different locations would be clarified.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Mr. Stevens made a motion, seconded by Vice-Chair McLaughlin, to table to February 22, 2006. In a voice vote, all voted in favor. **Motion carried 5-0**

**4. OLD BUSINESS**

There was no old business discussed.

**5. NEW BUSINESS**

There was no new business discussed.

**6. COMMENTS AND/OR SUGGESTIONS**

There were no comments and/or suggestions made.

**7. ADJOURNMENT**

There being no further business and no objections, the meeting was adjourned at 10:00 p.m.

Date Approved: \_\_\_\_\_

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Chair/Agency Member