



TOWN OF DAVIE  
PLANNING & ZONING DIVISION

PLANNING AND ZONING BOARD MEETING MINUTES  
April 10, 2019

**1. ROLL CALL**

The meeting was called to order at 6:31 p.m. Board members present were Chair Donna Evans, Vice Chair Tom Jacob, Lisa Alvarez (arrived at 6:32), and Christopher Cory and Jodi Davidson (arrived at 6:36). Also present were Planning & Zoning Manager David Quigley, Deputy Planning & Zoning Manager David Abramson, Fire Marshall Robert Taylor, Board Attorney John Rayson, and Lorraine Robinson, Secretary.

**2. MOTION TO EXCUSE BOARD MEMBERS**

**Motion** made by Mr. Cory, seconded by Vice Chair Jacob to excuse Ms. Alvarez and Ms. Davidson. In a voice vote the motion passed unanimously. Both board members arrived a few minutes later.

**3. APPROVAL OF MINUTES**

**3.1 March 13, 2019 Meeting Minutes**

**Motion** made by **Vice Chair Jacob**, seconded by Mr. Cory, to approve the March 13, 2019 meeting minutes. In a voice vote, the motion passed unanimously 3-0 (with Ms. Alvarez and Ms. Davidson and absent).

**4. PUBLIC HEARING**

Quasi-Judicial

**4.1 Land Use Plan Amendment (LA18-230) Chick-fil-A**

**4.2 Rezoning (ZB18-231) Chick-fil-A**

Generally located on the east side of South University Drive, north of Stirling Road

Mr. Abramson provided a brief staff report. The land use plan amendment is to change the designation from Commerce Office to Commercial which would allow the development of a fast food restaurant. The rezoning is requested to change from Commerce Center (CC) to Community Business (B-2) District.

Ms. Christina Bilenki, Dunay, Miskel & Backman appeared on behalf of the Applicant and after opening and closing of the public hearing as there was no one objecting, agreed to waive quasi-judicial proceeding.

Ms. Bilenki provided a brief presentation showing the location and reasons for the request to rezone the parcel to allow for a fast food restaurant. She stated that the Commerce Office category is for commerce activities and offices in a campus like setting. While the commercial designation had similar uses, it provided additional business types.

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

Mr. Cory asked for an example in the Town of a commerce development with a campus like designation. Mr. Abramson responded that 595 Park of Commerce Center on State Road 84 was an example although it was larger in size.

Ms. Davidson wanted to remind the Board that Dunay, Miskel & Backman presented a similar change on Davie Road for a proposed PDQ and that it later turned out to be a Wendy's. She encouraged the Board to focus on the changes and not the name of the business name proposed. Vice Chair Jacob responded that a Wendy's worked out for the college target market in that area.

Vice Chair Jacob was concerned about traffic access initially compared to the Tower Shops location but after review of the site, he doesn't feel this will be an issue at this location.

**Motion** made by Vice Chair Jacob, seconded by Mr. Cory, to approve LA18-230.  
In a roll call vote, the motion passed 4-1 (with Ms. Davidson dissenting).

**Motion** made by Ms. Davidson, seconded by Vice Chair Jacob, to approve ZB18-231.  
In a roll call vote, the motion passed 4-1 (with Ms. Davidson dissenting).

## 5. PUBLIC HEARING

### 5.1 Land Development Code (Generators for Special Residential Facilities)

#### Townwide

Mr. Quigley stated that Florida Statutes requires each municipality to have a Local Planning Agency to review amendments to the comprehensive plan and any zoning ordinances that implement the comprehensive plan with recommendations to Council. The Planning and Zoning Board serves as the Local Planning Agency for the Town.

Robert Taylor, Fire Marshall stated this is an amendment to the zoning code for special residential facilities to have a standby generator with a one-year exemption. Many of the small facilities stated that they cannot afford the installation cost and asked if other options could be available to them. This amendment would require such facilities that do not have standby generators to provide a written Annual Emergency Relocation Plan that identifies where and how their residents would be relocated.

Vice Chair Jacob asked who determines the wattage requirement. Fire Marshall Taylor responded that would be determined by an electrical inspector based on size of facility. He added that State Statute determines the percentage of fuel to maintain.

Mr. Cory questioned the 48-hour deadline from the time a warning was issued if that was sufficient time. Fire Marshall Taylor responded that this was a recommendation from the Emergency Management Team.

Ms. Davidson commented that this amendment didn't include provisions for food and water especially for vulnerable populations. Fire Marshall Taylor responded that following the last hurricane that the Fire Department went door to door to these facilities to assure they had proper food and water. Ms. Davidson stated that Broward County EOC had this provision in their plan and would like the Town to do something similar.

Ms. Alvarez asked if there was a standardized checklist showing that everything is done in advance of a storm. Fire Marshall Taylor responded that there wasn't at this time but could be included in the packet that they require.

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

Planning and Zoning Board  
April 10, 2019

**Motion** made by Vice Chair Jacob, seconded by Mr. Cory, to recommend approval to Town Council to approve Land Development Code (Generators for Special Residential Facilities) with the following recommendation:

- To include food and water provisions for vulnerable populations be included in the plan.  
In a roll call vote, the motion passed unanimously 5-0.

**6. OLD BUSINESS** – none

**7. NEW BUSINESS**– none

**8. COMMENTS AND/OR SUGGESTIONS** – none

**9. ADJOURNMENT**

Hearing no further business, the meeting was adjourned at 6:56 p.m.

Date Approved: 5/8/19

  
Chair/Board Member