

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: October 28, 2020

Second Reading Date: November 16, 2020

Presenter's Name and Title: Eric Silva, Director, on behalf of the Community Development Department

Prepared By: Frensky Magny, Planner II

Temp. Ord. Number: 1764

Item Description: **SECOND READING** of Temp. Ord. No. 1764, CONSIDERING APPLICATION NO. 2002604, REZONING A 2.10-ACRE PARCEL FROM B2, COMMUNITY BUSINESS, TO B3, HEAVY BUSINESS, GENERALLY LOCATED APPROXIMATELY 379 FEET WEST OF UNIVERSITY DRIVE AND 810 FEET SOUTH OF MIRAMAR PARKWAY; AND PROVIDING FOR AN EFFECTIVE DATE. (*Community Development Director Eric Silva*)

Consent ☐ Resolution ☐ Ordinance ☐ Quasi-Judicial ☒ Public Hearing ☐

Instructions for the Office of the City Clerk: None

Public Notice – As required by the Sec. _____ of the City Code and/or Sec. _____, Florida Statutes, public notice for this item was provided as follows: on _____ in a _____ ad in the _____; by the posting the property on 10/14/20 and/or by sending mailed notice to property owners within 1,000 feet of the property on 10/14/20 (fill in all that apply)

Special Voting Requirement – As required by Sec. _____ of the City Code and/or Sec. _____, Florida Statutes, approval of this item requires a _____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes ☐ No ☒

REMARKS: None

Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO 1764**
 - **Exhibit A: Survey and Legal Description**
- **Attachment(s)**
 - **Attachment 1: Location Map**
 - **Attachment 2: Development Review Committee Analysis**
 - **Attachment 3: Planning & Zoning Board Minutes, September 8, 2020**



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners

FROM: Vernon E. Hargray, City Manager 

BY: Eric Silva, Director of Community Development

DATE: November 10, 2020

RE: SECOND READING of Temp. Ord. No. 1764, considering Application No. 2002604, rezoning a 2.10-acre parcel from B2, Community Business, to B3, Heavy Business, generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway

RECOMMENDATION: The City Manager recommends approval of Temp. Ord. No. 1764, Rezoning Application No. 2002604, for the rezoning of a 2.10-acre parcel from Community Business (B2) to Heavy Business (B3).

ISSUE: Pursuant to Section 304 of the City's Land Development Code (the "LDC"), City Commission approval is required for the rezoning of properties within the City.

BACKGROUND: The applicant submitted a rezoning application per Land Development Code ("LDC") Section 304, where Warehouse/Storage/Rental Self-storage Facilities are permitted only through conditional use approval on B3, Heavy Business, zoned parcels. The proposed self-storage and retail development is located at the southwestern corner of Miramar Parkway and South University Drive, within the Miramar Parkway Plaza shopping center that includes a grocery supermarket, various retail establishments, and restaurants. The proposed site is currently vacant and is on the southernmost end abutting a canal and the Broward County Miramar Pinelands Park on the south and the Knolls single-family residential community to the west. Currently, the property has a B2, Community Business, zoning designation, but the applicant is proposing B3, Heavy Business, in order to apply for a conditional use approval for a self-storage facility. This use is not uncommon within the area as there is a self-storage facility just southeast of this property within an existing B3 zoning district. For the purposes of the attached staff report, an analysis of how B3, Heavy Business zoning, may impact surround developments based on the applicant's proposed use, permitted uses within the district, and bulk regulations, was conducted.

The Development Review Committee ("DRC") recommended approval of this application on August 12, 2020.

A Community Meeting was conducted virtually on August 31, 2020 and two residents from the same household attended. They expressed concerns about the existing landscape buffer and fence between their home and the shopping center, which directly abuts the shopping center property. They were informed that the applicant will be replacing the existing fence between these properties and installing a new landscape buffer consistent with the code. They expressed concerns about how the building was going to look, where vehicles were going to be coming from and how the self-storage customers were going to be loading and unloading their items to/from the storage units. The applicant presented architectural renderings and the proposed site plan. They explained that customers were going to be coming from the existing roadway at the south end of the property leading directly from University Drive, as well as from the existing roadway behind the center leading from Miramar Parkway, which already includes parking spaces along the western perimeter. They further clarified that loading was going to take place along the north and south façades only, and not from the western façade which is closest to the Knolls neighborhood. In addition, a resident called in before and during the Community Meeting, respectively, both of whom were concerned about additional traffic, but once they learned that it was a self-storage building that generates minimal traffic, they were satisfied with the response.

The Planning and Zoning Board recommended approval on September 8, 2020.

DISCUSSION: Per Land Development Code Section 403.2.3, the B3 zoning district is an ideal zoning district for the combination of retail and light industrial uses such as self-storage facilities. Although the B2 district permits retail, it does not allow for light industrial self-storage use which may be approved through a conditional use process.

ANALYSIS: When the applicant originally approached staff with their plans for an infill development of a single-use self-storage facility, staff recommended the project should be a mixture of uses including retail as the parcel is within an existing shopping center. In addition, staff noted that the existing parcel was zoned B2, Community Business which prohibited self-storage facilities. The applicant returned with a proposal that included retail aligning the existing shopping center and a self-storage facility in the rear. Staff recognizes the potential of additional retail within this shopping center but analyzed uses that were allowed between the B2 and B3 zoning districts. Many of the uses that were prohibited in B2 became conditional use or permitted by right in B3, including self-storage facilities, automotive sales, and colleges and universities. The applicant has voluntarily offered to record a declaration of restrictions in the Public Records of Broward County to restrict the uses on the subject property to those uses permitted in the B2 zoning district and self-storage as permitted in the B3 zoning district.

COMPREHENSIVE PLAN ELEMENT: There are several Policies within the Future Land Use Element that support this application:

- Policy 2.9 - Development within the City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.
- Policy 3.2 - Locate non-residential land uses so that access to those uses does not generate high traffic volumes on local streets through residential neighborhoods.
- Policy 3.3 - Locate commercial land uses and regional and community facilities, except for schools, close to major traffic corridors and mass transit routes and limit vehicular access to collector and arterial streets with sufficient capacity to accommodate the additional traffic volume without causing the road to fall below Level of Service "D".
- Policy 3.4 - Locate Industrial land uses so that they have direct access to and from major arterials.
- Policy 3.7 - Concentrate regional-scale commercial and industrial development in activity centers with direct access to the regional transportation network.
- Policy 9A.6 - Facilitate the development of vacant non-residential lots, less than or equal to two (2) acres in size and which are surrounded by developed parcels, by exempting such lots from the transportation concurrency requirements contained in the Land Development Code utilizing the de minimis impact rule or other means available. While ensuring consistency with the adopted Miramar Comprehensive Plan and Land Development Code, the City will also allow flexibility for the owners of applicable infill lots to build non-residential projects which are compatible with adjacent development and maximize property values to the extent possible.
- Policy 9A.7 - Development within the City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.
- Policy 9A.8 - The City will encourage and implement to the maximum extent feasible for those (re)development projects within the City use compact building design principles which preserve more open space, contain mixed use, support multi-modal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled building materials.

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9/17/20
10/20/20

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
MIRAMAR, FLORIDA, CONSIDERING APPLICATION NO.
2002604, REZONING A 2.10-ACRE PARCEL FROM B2,
COMMUNITY BUSINESS, TO B3, HEAVY BUSINESS,
GENERALLY LOCATED APPROXIMATELY 379 FEET WEST OF
UNIVERSITY DRIVE AND 810 FEET SOUTH OF MIRAMAR
PARKWAY; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Section 304 of the Land Development Code (“LDC”) provides for review and approval of changes to the official zoning map; and

WHEREAS, Miramar Storage Partners, LLC, a Florida corporation, has submitted Application No. 2002604, a complete application for rezoning a 2.10-acre parcel from B2, Business Community to B3, Heavy Business, on the property generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway; and

WHEREAS, Application No. 2002604 has been reviewed pursuant to the standards set forth at Section 304.7 of LDC; and

WHEREAS, pursuant to Section 304 of the LDC, a community meeting on Application No. 2002604 was held on August 31, 2020; and

WHEREAS, the Planning and Zoning Board conducted a virtual public hearing on this item on September 8, 2020 and recommended approval; and

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9/17/20
10/20/20

WHEREAS, the City Commission shall hold a second advertised public hearing pursuant to Section 304 of the LDC and Chapter 166, Florida Statutes; and

WHEREAS, the City Manager recommends approval of Application No. 2002604; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to approve Application No. 2002604.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Section 1: That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2: That it finds that Application No. 2002604 is in substantial compliance with the requirements of Section 304 of the City’s Land Development Code.

Section 3: That it approves Application No. 2002604, rezoning from B2, Community Business District to B3, Heavy Business District, for the property legally described in the attached Exhibit “A”.

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10/20/20

Section 4: That issuance of this approval by the City does not in any way create any right on the part of the owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the Owner/Developer fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

Section 5: Failure to Adhere to Ordinance. That failure to adhere to the approval terms and conditions contained in this Ordinance shall be considered a violation of this Ordinance and the City Code, and persons found violating this Resolution shall be subject to the penalties prescribed by the City Code, including but not limited to the revocation of any of the approval(s) granted in this Ordinance and any other approvals conditioned on this approval. The Owner/Developer understands and acknowledges that it must comply with all other applicable requirements of the City Code before it may commence construction or operation, and that the foregoing approval in this Ordinance may be revoked by the City at any time upon a determination that the Owner/Developer is in non-compliance with the City Code.

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10/20/20

Section 6: That this Ordinance shall take effect upon adoption on second reading.

PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Maxwell B. Chambers

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

Requested by Administration
Commissioner Winston F. Barnes
Vice Mayor Maxwell B. Chambers
Commissioner Yvette Colbourne
Commissioner Alexandra P. Davis
Mayor Wayne M. Messam

Voted

Ord. No. _____

EXHIBIT A

LEGAL DESCRIPTION:

The South 315 feet of the West 290 feet of Tract A, MIRAMAR MALL, according to the Plat thereof, as recorded in Plat Book 80, Page 22, of the Public Records of Broward County, Florida.

Containing 2.10 acres, more or less.

SKETCH OF BOUNDARY SURVEY ALTA / NSPS LAND TITLE SURVEY

SURVEYOR'S NOTES:
All distances as shown hereon are based on the US Survey foot.

The property described on this Sketch of ALTA/NSPS Land Title Survey is the same property as described in Exhibit "A" under Commitment Order File Number: 20005264, with a Commitment Date of January 10th, 2020 at 11:00 PM, issued by Old Republic National Title Insurance Company.

The accompany Survey was made on the ground from December 30th, 2019 to January 10th, 2020 and correctly shows the location of the existing improvements, above ground utilities, and other improvements situated on the above premises and that there are no visible encroachments on the subject property or upon adjacent land abutting said property.

At the time of Survey, The National Flood Insurance Rate Map for Florida, Community Panel No. 120048 (City of Miramar) 12011 C, 0726 H, FIRM Date 08/18/2014 and Revised with an effective date of 08/18/2014, published by the United States Department of Housing and Urban Development, delineates the herein described parcel of land to be situated outside the Special Flood Hazard Area designated by the Federal Emergency Management Agency (FEMA). Subject property lies within Flood Zone "X", areas determined to be outside the 0.2% annual chance floodplain.

All elevations as shown on this survey drawing are referred to the North American Vertical Datum, 1988 (NAVD).

BENCHMARKS USED:
- BCED BM 1046
ELEVATION: 6.120 NGVD 1929
STR: 28-51-41
"SQUARE" CUT IN 5' CONCRETE SIDEWALK, 45'(+OR-) NORTH OF CENTERLINE OF MIRAMAR PARKWAY AND 260' (+OR-)EAST OF CENTERLINE TARA ROAD.
B.M. FOUND 5-31-2000 NOTE: MARK IS ON FRONT EDGE OF SIDEWALK.

- BCED BM 1162
ELEVATION: 5.780 NGVD 1929
STR: 27-51-41
"SQUARE" CUT IN WEST SIDE OF CONCRETE SIDEWALK, 60' SOUTH OF CENTERLINE OF GRASS MEDIAN MIRAMAR PARKWAY, 5' NORTH OF NORTH EDGE OF AN ASPHALT DRIVE, 45' WEST OF CENTERLINE GRASS MEDIAN OF ISLAND DRIVE.
B.M. FOUND 5-31-2000 NOTE:MARK IS 6'S. OF TRAFFIC SIGNAL BOX, IN FRONT OF ADDRESS #3100.

The total area of the surveyed parcel as described herein contains 91,350.00 square feet or (2.10) acres more or less.

In some instances graphic representations have been exaggerated to more clearly illustrate the relationship between physical improvements and/or lot lines. In all cases dimensions shall control the location of the improvements over scaled positions.

The dimensions and directions shown hereon are in substantial agreement with the legal description and calculated values unless otherwise noted.

Survey done by occupation, physical evidence, the recovery of existing property corners, field measurements, calculations, adjacent plats and legal description provided to the surveyor and also from the Broward County Public Records/ Property Appraiser Office and no claims as to ownership are made or implied.

Adjacent properties were not investigated at the time of this Survey.

Obstructed property corners are witnessed by improvements.

There is no visible evidence of any kind of any earth moving or building construction within recent months.
Nor is there any observable evidence of the site being used as a solid waste dump, sump or sanitary landfill.

There is no observable evidence of recent street or sidewalk construction and or repairs within the Public Right of Way.

There are no additional changes in street right of way lines completed or proposed which have been made known to the Surveyor and are disclosed on the survey drawing.

Property is subject to restrictions, conditions, limitations, easements, and reservations of record and existing zoning ordinances.

There may be restrictions not shown on this survey that may affect the future development of this property. Such restrictions could be found in the Public Records or Building and Zoning Department of Broward County, Florida and the City of Miramar.

Only the easements provided to the surveyor and those shown on the recorded plat are noted or plotted hereon. This office has not performed any title search or any search within the Public or Private Records for easements.

Lands depicted hereon were surveyed per legal description provided by client and no claims as to ownership are made or implied.

Legal description subject to any dedications, limitations, reservations or easements of records; search of the Public Records not performed by this office. Code Restrictions not reflected on this survey.

Any notorious evidence of occupation and/or use of the described parcel for Right-of-Way, Ingress or Egress are shown on this survey drawing. However, this survey does not purport to reflect any recorded instruments for Right-of-Way other than shown on the recorded plat or stated in the legal description, as it appears on this drawing.

Only the visible above ground surface indications of the underground utilities have been located. There may be other underground utilities in addition to those evidenced by visible appurtenances as shown on this sketch. Underground utility references (if any) is based on limited information provided by the utility company or construction as-builts provided to the surveyor. Owner of his agent should verify all utility locations with the appropriate utility provider before using.

Any fencing, walls, entrance features and landscaping could be subject to a "Safe Sight Distance Triangle" rule.

Call 811 or visit www.sunshine811.com before digging.

The scope of this survey is to define the boundary lines as defined by the deed and referenced plats, and show all above ground improvements.

No encroachments were noted by this survey.

There are no party walls.

No underground footings were located and no subsurface investigation was performed at the time of survey.

This survey is intended for the use of the parties to whom this survey is certified to and for. Any reproduction is not an original. This surveyor retains an original to verify these dated contents for validity.

This survey was conducted for the purpose of a "Boundary Survey" only and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other entity. This survey does not reflect or determine ownership.

The accuracy obtained for all horizontal control measurements and office calculations of closed geometric figures, meets or exceeds the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers as contained in Chapter 5J-17.051(3)(b)15.b.ii of 1 foot in 10,000 feet for Commercial / High Risk Areas.

This sketch shown hereon in its graphic form is the record depiction of the surveyed lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital format. Each individual page indicates the scale that applies to that specific page. This survey consist of 2 pages. One page not valid without the others.

The location of the trees as shown on this survey drawing are compiled from such field surveys deemed necessary by Jorge L. Cabrera, PSM, therefore the resultant of said dimensions shown hereon could vary slightly within 1 to 2 feet more or less.

The Tree Table as shown hereon was prepared by certified Arborist Jeff Schimonski, information below:

President, Tropical Designs of Florida, Inc.
Member, American Society of Consulting Arborists
ISA Certified Arborist Municipal Specialist FL-1052AM
ISA Tree Risk Assessment Qualification
LIAF Florida Certified Landscape Inspector - 2016-0175
305-773-9406
Jeff@TropicalArboriculture.com
www.TropicalDesigns.com
www.MalaysiaFlora.com

SURVEY SITE



LOCATION MAP
NOT TO SCALE

The easements, encumbrances and restrictions evidenced by Recorded Documents and/or other title exceptions provided to the Surveyor and noted in Schedule B, Section II of the Old Republic National Title Insurance Company, Commitment Order File Number: 20005264, with a Commitment Date of January 10th, 2020 at 11:00 PM, are a matter of survey and have been plotted hereon or noted below:

Item 1) Not a Survey matter, not noted or plotted hereon.

Item 2) See Sketch of ALTA/NSPS Land Title Survey. No encroachments were noted by this survey.

Item 3) Not a Survey matter, not noted or plotted hereon.

Item 4) Not a Survey matter, not noted or plotted hereon.

Item 5) Only the easements provided to the surveyor and those shown on the recorded plat are noted or plotted hereon. This office has not performed any title search or any search within the Public or Private Records for easements.

Item 6) Not a Survey matter, not noted or plotted hereon.

Item 7) Not a Survey matter, not noted or plotted hereon.

Item 8) Property is subject to all matters contained on the Plat of MIRAMAR MALL, as recorded in Plat Book 80, Page 22 as amended by Official Records Book 5871, Page 770, Public Records of Broward County, Florida. All the easements affecting the subject parcel of land as shown in Plat Book 80, Page 22 are noted and plotted in this survey drawing. Plat also contains blanket conditions that cannot be plotted.

Item 9) Resolutions recorded in O.R. Book 9944, Page 753, O.R. Book 10471, Page 686, O.R. Book 12116, Page 425 and O.R. Book 13931, Page 924, Public Records of Broward County, Florida are not Survey related and contains no plottable matters.

Item 10) Ordinance recorded in O.R. Book 20183, Page 473, Public Records of Broward County, Florida is not Survey related and contains no plottable matters.

Item 11) Subject property lies within the lands as described in the reservations contained in Deed No. 2220 from the Board of Commissioners at Everglades Drainage District recorded in Deed Book 470, Page 302, as affected by the Non Use Commitment recorded in O.R. Book 10678, Page 896 and the Release of Reservations recorded in O.R. Book 10678, Page 898, Public Records of Broward County, Florida. These are blanket documents affecting the subject property. Not Survey related and contains no plottable matters.

Item 12) The Drainage Easement contained in the Warranty Deed recorded in O.R. Book 4248, Page 594, Public Records of Broward County, Florida is noted and plotted hereon.

Item 13) The subject property lies within the lands as described in the Easements to Florida Power & Light Company recorded in O.R. Book 8034, Page 360 (rerecorded in O.R. Book 7274, Page 198 and partially released by OR. Book 40733, Page 1736), and O.R. Book 13647, Page 470, Public Records of Broward County, Florida. The FPL Easements are noted and plotted hereon.

Item 14) The subject property lies within the lands as described in the Declaration of Cross Easements and Restrictions recorded in O.R. Book 30429, Page 339, as amended by OR. Book 30637, Page 98, Public Records of Broward County, Florida. These are blanket easements documents and restrictions affecting the subject property and contains no plottable matters.

Item 15) Not a Survey matter, not noted or plotted hereon.

Item 16) As noted on Commitment Order File Number: 20005264, with a Commitment Date of January 10th, 2020 at 11:00 PM issued by Old Republic National Title Insurance Company, riparian and littoral rights are not insured.

Item 17) As noted on Commitment Order File Number: 20005264, with a Commitment Date of January 10th, 2020 at 11:00 PM issued by Old Republic National Title Insurance Company, this policy does not insure any portion of the insured parcel lying waterward of the ordinary high water mark of Canal. The high water mark of Canal was not obtained at the time of Survey.

Item 18) Subject property is not submerged. There is a canal abutting the subject property along the South boundary line. Is not known to the surveyor if this property was at any time submerged. Subject property does not appear to be artificially filled.

All recording references noted hereon are referring to the Broward County Public Records, unless otherwise noted.

REFERENCE PROPERTY ADDRESS / Broward County Public Records/Property Appraiser Office
Vacant land
Miramar, FL 33025
*Final address to be determined by county officials.

REFERENCE FOLIO NUMBER / Broward County Public Records/Property Appraiser Office
5141 28 07 0040

LEGAL DESCRIPTION:
The South 315 feet of the West 290 feet of Tract A, MIRAMAR MALL, according to the Plat thereof, as recorded in Plat Book 80, Page 22, of the Public Records of Broward County, Florida.

SURVEYOR'S CERTIFICATE:
To: Miramar Storage Partners, LLC, a Florida limited liability company

This is to certify that this map or plat and the survey which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys", jointly established and adopted by ALTA and NSPS in 2016, and includes items 1, 2, 3, 4, 8, 13, 14, 16, 17, 18 and 20 of Table A thereof. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Florida, the Relative Positional Accuracy of this survey does not exceed that which is specified herein.

The 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys are effective February 23rd, 2016. As of that date, all previous versions of the Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys are superseded by these 2016 standards.

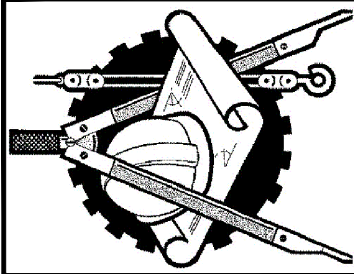
Adopted by the American Land Title Association and the National Society of Professional Surveyors on February 23rd, 2016.

This is also to certify to the herein named firm and/or persons, that in my professional opinion, this map or plat of the herein described property is true and correct as recently surveyed and platted under my direction. I further certify that this map or plat meets the Standards of Practice and the Minimum Technical Standard Requirements, adopted by the Board of Professional Surveyors and Mappers, pursuant to Chapter 472.027 Florida Statutes, as set forth in Chapter 5J-17, Florida Administrative Code, under Sections 5J-17.051 and 5J-17.052 and is a "BOUNDARY SURVEY" as defined in Section 5J-17.050.

JORGE L. CABRERA

Professional Surveyor & Mapper, # 6487
State of Florida

This drawing is the property of Jorge L. Cabrera Professional Surveyor & Mapper Reproductions of this drawing are not valid unless Signed and embossed with the surveyor's seal.



JORGE L. CABRERA

Professional Surveyor and Mapper
State of Florida

PLS/PSM License No: 6487

2852 S.W. 14th Place, Miami, Florida 33185

Phone: (305) 302-2522 Fax: (305) 207-9537

No.	Date	Description

Prepared for:

Miramar Storage Partners, LLC

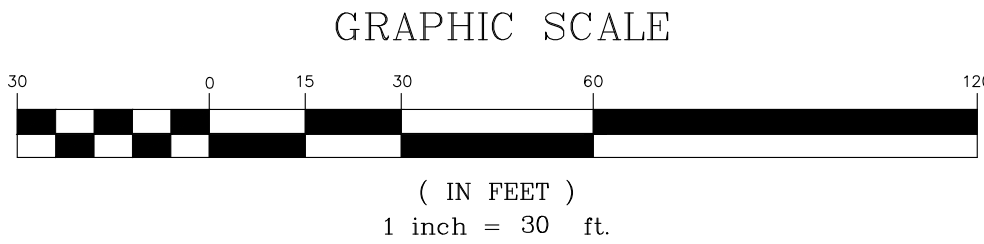
CHECKED BY:	JLC.
DRAWN BY:	ELF.
FIELD DATE:	01/08/2020
DATE:	01/22/2020
SCALE:	1" = 30'
JOB No.	19-5187

SHEET:

1

OF 2

SKETCH OF BOUNDARY SURVEY
ALTA / NSPS LAND TITLE SURVEY



TREE TABLE

Jeff Shimonski, Certified Arborist FL-1052AM S. University Drive, Miramar						
	Scientific name	Common name	DBH	H/Ct	Canopy	Condition Tks
1	Acacia auriculiformis	Earleaf acacia	24"	28'	35'	Poor
2	Acacia auriculiformis	Earleaf acacia	28"	45'	50'	Poor
3	Acacia auriculiformis	Earleaf acacia	20"	45'	45'	Poor
4	Sabal palmetto	Sabal palm	15"	18'	16'	Good
5	Sabal palmetto	Sabal palm	25"	18'	30'	Good 2 x
6	Sabal palmetto	Sabal palm	15"	16'	16'	Good
7	Sabal palmetto	Sabal palm	12"	24'	16'	Good
8	Sabal palmetto	Sabal palm	14"	14'	16'	Good
9	Sabal palmetto	Sabal palm	16"	13'	16'	Good
10	Sabal palmetto	Sabal palm	14"	8'	16'	Good
11	Sabal palmetto	Sabal palm	14"	8'	16'	Good
12	Sabal palmetto	Sabal palm	25"	13'	26'	Good 2 x
13	Sabal palmetto	Sabal palm	14"	7'	18'	Good
14	Sabal palmetto	Sabal palm	14"	14'	18'	Good
15	Sabal palmetto	Sabal palm	13"	15'	18'	Good
16	Sabal palmetto	Sabal palm	14"	5'	16'	Good
17	Sabal palmetto	Sabal palm	15"	12'	0	Dead
18	Sabal palmetto	Sabal palm	13"	13'	18'	Good
19	Sabal palmetto	Sabal palm	14"	12'	18'	Good

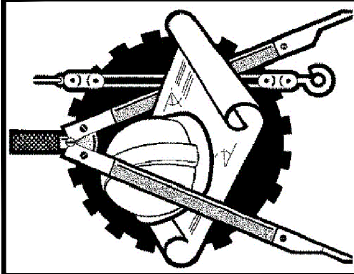
LEGEND
(C) = Calculated
CL = Center Line
CONC. = Concrete
CBS. = Concrete Block Stucco
Δ = Delta
F.F.E.L. = Finish Floor Elevation
F.I.P. = Found Iron Pipe
F.I.R. = Found Iron Rod
F.N. = Found Nail
F.N.&D. = Found Nail & Disc
I.D. = Identification
L = Length
(M) = Measured
O/L = On Line
P = Property Line
P.C. = Point of Curvature
P.B. = Plot Book
P.G. = Page
R = Radius
(R) = Record
R/W = Right of Way
U.E. = Utility Easement

SYMBOLS
CABLE TV
CATCH BASIN
WATER METER
CONCRETE POLE
WOOD POLE
LIGHT POLE
SANITARY MANHOLE
ELECTRIC BOX
SIGN
WATER VALVE
FIRE HYDRANT
BELLSOUTH RISER
ATT MANHOLE
DENOTE TREE & PALM
EXISTING ELEVATION
COVERED AREA
CHAIN LINK FENCE (C.L.F.)
OVERHEAD LINES
WOOD FENCE (W.F.)
CBS. WALL

JORGE L. CABRERA

Professional Surveyor & Mapper, # 6487
State of Florida

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JORGE L. CABRERA
Professional Surveyor and Mapper
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Description	
No.	Date

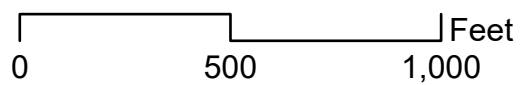
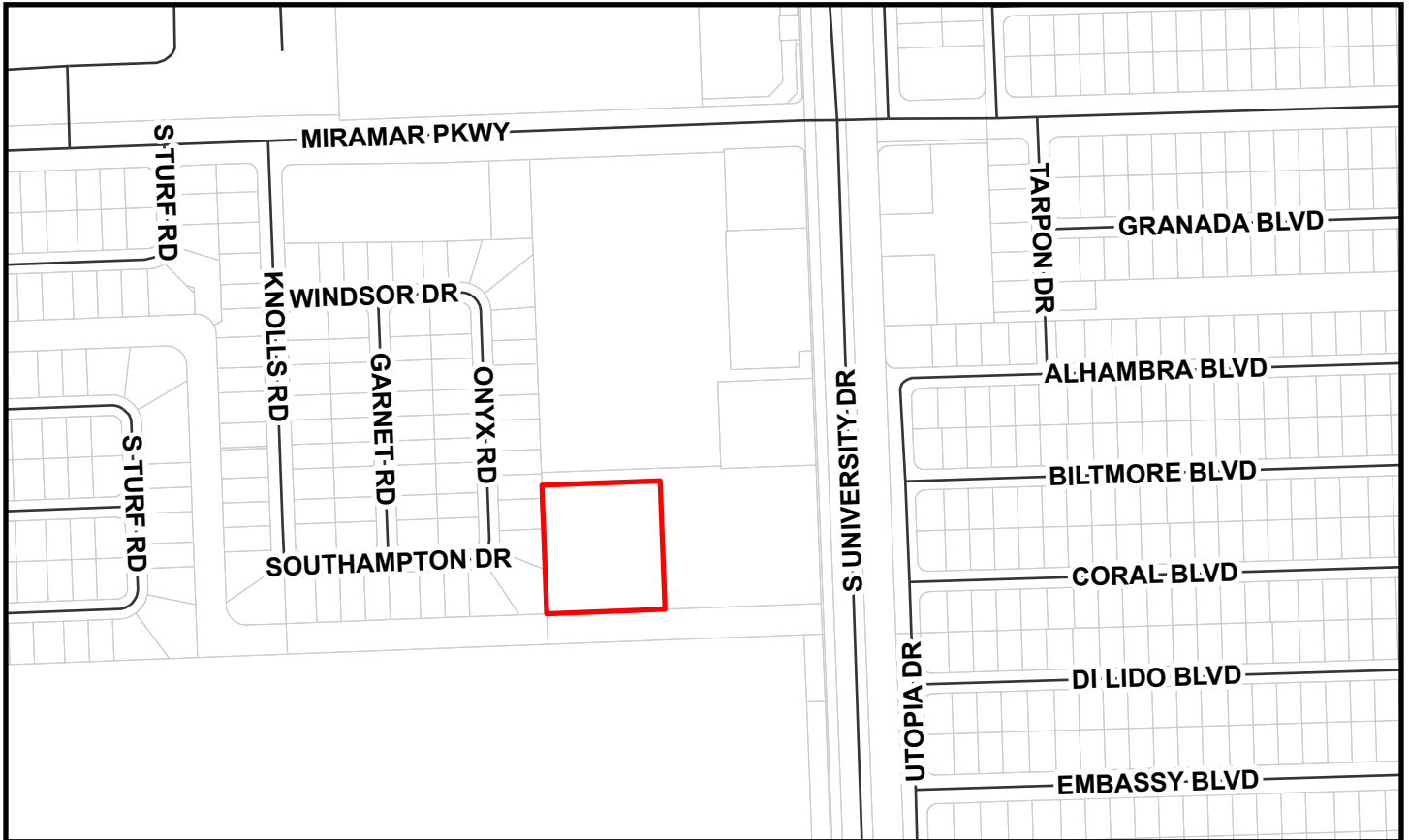
Prepared for:
Miramar Storage Partners, LLC

CHECKED BY: JLC.
DRAWN BY: ELF.
FIELD DATE: 01/08/2020
DATE: 01/22/2020
SCALE: 1" = 30'
JOB No. 19-5187

SHEET:
2 OF 2

Location Map/Aerial View
ZR 2002604

Attachment 1





City of Miramar
Community Development Department
Development Review Report - Rezoning

I. Project Summary

Project Name: Miramar Storage and Retail

Application: 2002604

Application Summary: The Applicant is proposing to rezone a 2,10-acre parcel from B2 to B3, to allow construction of a new three-story, 122,237 square-foot self-storage facility and one-story, 8,313 square-foot retail development generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway. The property is the last remaining, undeveloped parcel at this center.

Related Application(s): 2002605 – Conditional Use
2002606 – Site Plan
2002607 – CAB
2002608 – Escrow

Agent: Vince Rodriguez
The Feldman Companies
11601 Biscayne Blvd, Suite 311
Miami FL 33181
Phone: 786-972-7813
Email: vince@thefeldmancompanies.com

Owner: Miramar Plaza Partners, LLC
2627 NE 203 Street – Suite 202
Aventura, FL 33180
Phone: 786-972-7813

II.Planning Information

Site Address/Location: Onyx Road (Folio: 514128070040)

Land Use Plan Designation: Commercial

Existing Zoning District: Community Business, B2

Proposed Zoning District: Heavy Business, B3

Existing Use: Vacant

Proposed Uses of Property: Self-Storage and Retail

Adjacent properties:

	EXISTING USE	ZONING	LAND USE PLAN
North	Miramar Parkway Plaza	Community Business, B2	Commercial
East	Miramar Parkway Plaza	Community Business, B2	Commercial
South	Broward County Miramar Pinelands Park	Open Space, OS	Commercial
West	The Knolls	Residential Single Family 5, RS5	Low 5

Aerial View



IV) Background

The proposed self-storage and retail development is located at the southwestern corner of Miramar Parkway and South University Drive, within a shopping center that includes a grocery supermarket, several retail establishments, and restaurants. The proposed site is currently vacant and is on the southernmost end abutting a canal/County park on the south end and single family residential to the west. Currently, the property is B2, Community Business, zoning but the applicant is proposing B3, Heavy Business, to apply for a conditional use for a self-storage facility. This use is not uncommon within the area as there is a self-storage facility just southeast of this property within a B3 zoning district. For the purposes of this staff report, an analysis of how B3, heavy business zoning may impact surround developments based on the applicant's proposed use, permitted uses within the district, and bulk regulations.

V) Review Criteria

Section 304.7 of the City's Land Development Code contains the standards for reviewing proposed rezoning applications. The City shall find whether or not the criteria below are met.

- 1) *The proposed amendment is consistent with goals, objective, and policies of the city's comprehensive plan including population density such that the demand for water, sewers, streets, recreational areas and facilities, and other public facilities and services.*

Applicant's Response:

The proposed rezoning is consistent with goals, objectives, and policies of the City's Comprehensive Plan. Specifically, the rezoning request will contribute to infill redevelopment in accordance with Comprehensive Plan FLUE Objective 9 to "encourage redevelopment and infill development", and more specifically Policy 9A.6 to "encourage the development of vacant nonresidential lots, less than or equal to two acres in size and which are surrounded by developed parcels." Further, the Project will not increase the area's population density and will thus not significantly impact the demand for water, sewers, streets, recreational uses and facilities, and other public facilities and services. Given the foregoing, the proposed rezoning is consistent with goals, objective, and policies of the city's Comprehensive Plan.

Staff's Evaluation:

Staff agrees that the proposed Rezoning is consistent with the Comprehensive Plan and its Goals, Objectives and Policies. The applicant is proposing an increase in intensity on this parcel which holds a Commercial land use designation consistent with the rest of the platted property. Uses permitted within a B3, Heavy Business zoning district are permitted within the Commercial land use designation. Staff also concurs that the potential impacts to infrastructure with the proposed development are minimal, since it is a low traffic-generating, commercial use.

- 2) *The proposed zoning district is compatible with the surrounding area's zoning designation(s) and existing uses.*

Applicant's Response:

The proposed B-3 zoning district is compatible with the surrounding area's zoning designations and existing uses. The Property is surrounded by general commercial uses immediately to the north and east within the B-2 zoning district, and by a canal and recreation uses to the south. Together these uses provide the Property appropriate buffers to the residential uses nearby. The proposed self-storage and retail uses will seamlessly integrate with the adjacent commercial uses of the existing Shopping Center. With regard to the single-family residential use immediately to the west of the Property, the Project has been designed to provide substantial buffering to the adjacent residential neighborhood. A generous 61.5-foot setback from the western property line, abundant landscaping including 24 trees with a minimum of 12-foot height along the Property line, and a 6foot high wooden privacy fence with continuous hedging are provided. Based upon the above, the proposed zoning district and Project are compatible with the surrounding area's zoning designation and existing uses.

Staff's Evaluation:

While the B3, Heavy Business, zoning category allows for many of the uses permitted in the existing B2 zoning district, there are several more intense uses that need to be considered that are permitted by-right, including Automotive installation and repair, Automotive sales and rental, Police and Fire protection facilities, Production Studios, Pawn Shops, Colleges and Universities, Vocational, Cemeteries, Crematoriums and Mausoleums, and Light Manufacturing/Industrial uses. Staff has received a draft for a Declaration of Restrictions and has provided it to City Attorney for review.

- 3) *If applicable, the proposed change will contribute to redevelopment of an area in accordance with an approved redevelopment plan*

Applicant's Response:

The Property for which Petitioner seeks the rezoning is not located within an area of an approved redevelopment plan. As such, this criterion does not apply. However, the proposed Rezoning Application will contribute to infill redevelopment efforts in accordance with Comprehensive Plan FLUE Objective 9 to "encourage redevelopment and infill development", and more specifically Policy 9A.6 to "encourage the development of vacant nonresidential lots, less than or equal to two acres in size and which are surrounded by developed parcels."

Staff's Evaluation:

The proposed project is not within a redevelopment area or part of a redevelopment plan but will further objectives of revitalization in the eastern portion of the city.

- 4) *The proposed change would adversely affect traffic patterns or congestion.*

Applicant's Response:

The proposed rezoning would not adversely affect traffic patterns or congestion. The Project's predominant self-storage use has a generally low trip generation rate. Per the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition, mini warehouse (self-storage) (ITE Land Use Code 151) has an average PM Peak Hour trip generation rate of 0.17 per 1,000 square feet. This equates to 21 total daily PM peak hour trips. In addition, the proposed retail use is minor, consisting of seven tenant bays in 8,313 total square feet, and is planned to ultimately merge with the existing Shopping Center following construction. Per the 10th Edition ITE Trip Generation Manual, shopping centers (ITE Land Use Code 820) will generate an average of 3.81 daily PM peak hour trips per 1,000 square feet. This equates to 32 total daily PM peak hour trips. In sum, the Project's projected trip generation will be 53 total daily PM peak hour trips. Further, according to the results of the Traffic Impact Study (Exhibit "A"), the proposed Project will not have a significant impact on the adjacent roadway network. In fact, all studied intersections are expected to continue to operate at their same levels of service with the addition of the project traffic at build out in 2021. With the above foregoing, the proposed self-storage and retail uses would generate fewer trips than a development consisting of primarily retail use as expected in the existing B-2 zoning district.

Staff's Evaluation:

A traffic analysis has been conducted and determined that traffic patterns for *"the proposed project access points are expected to operate with not significant change. The existing roadway turning lanes storage length capacity is adequate to house the new additional trips."*

- 5) *Whether the proposed change would have an adverse environmental impact on the vicinity.*

Applicant's Response:

The proposed rezoning would have no direct adverse environmental impact on the vicinity. The Property is currently undeveloped, vacant land and does not contain any vegetation of any kind. The Project has been designed with ample landscaping, including 24 trees of a variety of species to provide canopy interception of stormwater, as well as a variety of palms, shrubs, ground covers and sod. In all, the Project will provide a net increase in the natural vegetation on the Property, and as such will assist in reduction of the stormwater runoff that is a consequence of any kind of development.

Staff's Evaluation:

Staff, in cooperation with the applicants, will be coordinating with County and environmental officials to determine impacts the rezoning and associated permitted uses would have on the environment. Furthermore, through the site plan review and permitting and construction processes, Staff and the applicants will work to mitigate environmental impacts during construction and once built.

- 6) *Whether the proposed change would adversely affect the health, safety, aesthetics, and welfare of the neighborhood or the city as a whole.*

Applicant's Response:

The proposed rezoning would not adversely affect the health, safety, aesthetics, and welfare of the neighborhood, or city as a whole. The Project is poised to expand and strengthen the economic base of the City by activating a blighted, vacant property, creating temporary jobs during the construction phase, and providing storage and retail opportunities to City's residents. Further, the proposed rezoning would facilitate the infill redevelopment of a blighted vacant parcel that is relatively isolated from the arterial roadways and as such will be screened from view by the Shopping Center along University Drive. Even though the use is largely screened, it still provides a needed use for the residents. As such, the proposed rezoning would not adversely impact the health, safety, aesthetics, and welfare of the neighborhood or City as whole.

Staff's Evaluation:

As the proposed use with the addition of a declaration of restrictions is a self-storage facility, Staff believes the impact is *de minimis*.

Staff Recommendation

Staff recommends approval.



MINUTES OF THE CITY OF MIRAMAR PLANNING AND ZONING BOARD MEETING

SEPTEMBER 8, 2020	6:30 P.M.
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A virtual meeting of the Planning and Zoning (P&Z) Board was called to order by Chairperson Thompson on Tuesday, September 8, 2020, at 6:34 p.m. All attendees appeared remotely.

I. ROLL CALL

The following members of the Planning and Zoning Board were present remotely:

Matthew Thompson, Chairperson
Nasif Alshaier, Vice Chairperson
Marcus Dixon (Late)
Wayne Lomax
Mary Lou Tighe
Vivian Walters, Jr. (Left 7:16 p.m.)
Annette Payne (Alternate)
Maxine Alima Singh (Alternate)

The following members of the Planning and Zoning Board were absent:

Saran Earle-Smith (Excused)
Francis Reid

A quorum was declared.

The following were present remotely:

Michael Alpert, Principal Planner
Nixon Lebrun, Senior Planner
Frensky Magny, Planner II
Deyman Rodriguez, Planner II
Saul Umana, Assistant Planner
Salmin Monoar, Planning Tech
City Attorney Pam Booker
Deanna Allamani, Clerk/Recording Secretary

II. PLEDGE OF ALLEGIANCE**III. APPROVAL OF MINUTES:**

- **Regular Meeting Minutes of August 11, 2020**

Vice Chairperson Alshaier indicated he felt unwell the day of the last meeting, so he sent an email after the fact to City staff indicating the reason for his nonparticipation.

Chairperson Thompson asked for a motion to approve the regular minutes of August 11, 2020, as presented, with an amendment changing Mr. Alshaier's absence at the subject meeting from unexcused to excused; on a motion by Member Dixon, seconded by Member Lomax, the following vote was recorded:

AYE: Chairperson Thompson, Vice Chairperson Alshaier, and Members Dixon, Lomax, Payne, Singh and Walters

NO: None

ABSENT FOR VOTE: Members Earle-Smith and Tighe

MOTION PASSED: 7-0

IV. QUASI-JUDICIAL PUBLIC HEARING:

City Attorney Booker reviewed the City of Miramar's quasi-judicial procedures, after which she collectively swore in all persons wishing to speak on items one and two.

1. **APPLICATION NO. 2002604**, THE APPLICANT IS REQUESTING A REZONING OF A VACANT, 2.10-ACRE LOT FROM B2 TO B3, IN ORDER TO ALLOW CONSTRUCTION OF A PROPOSED 3-STORY SELF-STORAGE FACILITY, GENERALLY LOCATED APPROXIMATELY 379 FEET WEST OF UNIVERSITY DRIVE AND 810 FEET SOUTH OF MIRAMAR PARKWAY.

Presenter: Frensky Magny, Planner II

Member Tighe indicated she was able to log back into the meeting but with audio only.

City Planner Frensky Magny reviewed the subject application, as detailed in the backup, highlighting the following:

- The subject project was called Miramar Storage & Retail
- This was a vacant 2.1-acre lot currently zoned B2/Community Business, and the applicant wished it rezoned to B3/Heavy Business
- The requested rezoning was compatible with the land use, as it was designated commercial, allowing for both B2 and B3 uses; the land was located within an

- existing shopping center, with which the retail they proposed would be aligned
- The existing shopping center was locally known as El Presidente shopping center, where El Presidente supermarket was the large anchor tenant for the plaza; there were other smaller, local tenants, and the subject parcel had been vacant for some time
 - To the west of the vacant parcel was a residential community, The Knolls; to the south of the vacant parcel abutting the canal was a Broward County park
 - The applicant received a recommendation of approval from the Development Review Committee (DRC) on August 12, 2020, for the subject application; the applicant's site plan was be considered by the DRC on September 9, 2020
 - A community meeting was held on August 31, 2020; regarding the rezoning, no real concerns were voiced; the community meeting was held to get input from the public regarding both the rezoning and conditional use, the second item on the present agenda
 - City Staff recommended the Board approve the proposed rezoning.

Vice Chairperson Alshaier asked how many members of the community attended the August 31 meeting.

Mr. Magny indicated one resident attended the community meeting, though a resident called in just prior to the meeting. Both residents expressed concerns about the proposed use generating nuisances, such as increased traffic and overflow lighting.

Vice Chairperson Alshaier wished to know if both the rezoning and the proposed use were presented and discussed at the community meeting.

Mr. Magny answered yes.

Member Walters questioned if the residential community was adequately noticed.

Mr. Magny affirmed residents were given ample notice for all public meetings concerning the subject project; that is, staff met the two-week standard, and members of the public were urged to attend virtually and/or submit questions and concerns via email before and during the meetings. Signs were physically posted along the roadways adjacent to the subject site altering passersby to the proposed development. City staff recommended, prior to the August 31 community meeting, the applicant reach out to the community, and he believed the applicant did so in July 2020.

Member Walters stated he was satisfied with the noticing, as members of the community were given the option to attend meetings virtually, and/or to correspond with City staff to communicate their input to the applicant and various board hearings on the matters concerning the proposed project.

Member Tighe asked for clarification between a B2 and B3 zoning.

Mr. Magny explained B2 zoning was more for retail uses, such as uses found in shopping

centers; B3 zoning was for heavier uses, some of which were not permitted by right, such as automotive parts sales. There were uses not permitted at all in B2, and though they were not permitted by right in B3, they could be approved via a conditional use, such as a self-storage facility.

Vice Chairperson Alshaier asked the applicant to elaborate on how they accomplished reaching out to the community, and what kind of feedback they received, and whether any of the feedback was documented.

Hope Calhoun, the applicant's representative, said the applicant sent out a letter early in the process, definitely before their first DRC meeting; the letter explained the applicant's proposed use, and it included her contact information (email, phone and fax numbers), for anyone wishing to contact the applicant. Additionally, the applicant, Mitch Feldman, went door to door in the surrounding neighborhood, knocking on doors to reach out to whoever was willing to speak with him about the pending applications, and he did speak with some residents.

Vice Chairperson Alshaier inquired as to whether the residents the applicant either tried to speak with or actually spoke with were given a flyer or some document with information on the proposed development.

Mitch Feldman, the applicant, replied he focused his outreach on the residential homes located to the west of the subject property; the persons he thought would be most impacted by the proposed use. There were five homes that would be most impacted, and he spoke with the residents of four of the five homes, showing them site plan, renderings, etc., how loading would be treated, the look of the back wall and landscaping, all of which would be presented to the Board under Agenda Item Two. He said the most significant issue residents voiced was with the existing fence behind their homes, which they said was almost collapsing, and he informed them he already agreed to install a new fence behind the residents' homes, which residents appeared happy to hear. He was unable to speak with the occupants of the northernmost house, but that resident attended the last meeting, and he had some questions, to which the applicant responded, and Mr. Feldman believed he was satisfied with the answers to his questions.

Vice Chairperson Alshaier assumed the replacement of the existing wall with a new one by the applicant was one of the staff conditions for approval.

Mr. Magny answered yes.

Member Dixon questioned if the storage facility would be visible from University Drive.

Mr. Feldman replied there would be a sort of "peek-a-boo" visibility, as it would be behind the existing shopping center with retail in front of the facility; thus, it would be visible, but it would not be in full view from the main roadways.

Member Dixon wondered if the "peek-a-boo" was due to the height of the storage building.

Mr. Feldman affirmed this to be the case; the facility would be a three-story building.

Member Dixon wished to know how the City determined whether there was a need for a particular use in an area of the City.

Ms. Calhoun responded, with regard to the subject application, the applicant wished the Board to primarily consider the rezoning of the property from B2 to B3, and the applicant provided to City staff a comprehensive response to the rezoning criteria they were required to meet for the rezoning to pass. Due to some of the uses permitted in the B3, and the concerns expressed opposing such uses in the subject area, the applicant volunteered to record a declaration of restricted covenant in connection with their project application, including the request for rezoning, that the subject property would only be used for self-storage. She said before any of her clients proceeded with a development, they always conducted market research to determine whether or not there was a need for the type of use they desired doing; this was done in the subject instance, so the applicant determined there was a need for self-storage services.

Chairperson Thompson opened the discussion to the public and received no indication that any member of the public in attendance wished to speak.

Chairperson Thompson asked for a motion to approve Application No. 2002604, as presented, along with a finding that the application was consistent with the City's Comprehensive Plan; a motion was made by Member Lomax, seconded by Member Walters; the following vote was recorded:

AYE: Chairperson Thompson, Vice Chairperson Alshaier, and Members Dixon, Lomax, Tighe and Walters

NO: None

ABSENT FOR VOTE: Member Earle-Smith

MOTION PASSED: 6-0

2. **APPLICATION NO. 2002605**, the applicant is requesting Conditional Use approval for the proposed 3-story Self-Storage facility, generally located approximately 379 feet west of University Drive and 810 feet south of Miramar Parkway.

Presenter: Frensky Magny, Planner II

Mr. Magny reviewed the subject application, as illustrated in the backup, highlighting the following:

- The focus of the subject application was on the self-storage component; the current land use for the subject site was commercial, including self-storage uses
- Proposed was a 122,000 square foot self-storage facility, with an 8,000 square

foot retail development along the frontage portion of the site; the retail component would be consistent with existing retail uses in the plaza.

- The Application was recommended for approval with conditions by the DRC on August 12, 2020; the feedback from members of the public present at the August 31, 2020, community meeting focused on the landscaping and fence abutting the residential use; both the landscaping and existing fence were in a dilapidated condition; residents wished to know more about the improvements the applicant would make on a site that was neglected for many years; the applicant told residents they agreed to install a new fence along the entire rear property line of the plaza that abutted the residential community to Miramar Parkway.
- Residents expressed concerns over where loading and unloading locations would be situated on the site, as they did not wish them to be to the western portion of the site that was closest to their homes; the public was informed the loading/unloading would take place to the north and south of the facility, making sure they were as far away from residential homes as possible.
- Regarding the concerns expressed about lights shining into residents' backyards; there would be no windows located on the storage building's western façade, so no interior lighting would shine from the building onto residential properties.
- Staff looked at the landscaping and the lighting photometrics to ensure there would be no residual lighting leaking onto adjacent residential properties, while maintaining sufficient lighting for security purposes within the property.
- After the Board considered the subject application, it would move on to the City Commission for a final determination, along with the rezoning application and other associated applications.
- Staff recommended approval with the conditions as stated in the backup.

Member Walters asked if the facility would have 24 hours/seven days a week access.

Ms. Calhoun remarked they anticipated the storage facility having specific hours of operation from 8:00 a.m. to 10:00 p.m., seven days a week.

Vice Chairperson Alshaier wished to see more renderings of the proposed storage facility.

Member Walters exited the meeting at 7:16 p.m.

Ms. Calhoun restated behind the vacant parcel and adjacent to the five single-family homes directly affected by the proposed facility, between the two sites, there was an existing fence, noting the fence should stretch the entire length, north to south, of the commercial parcel. Parts of the fence were in disrepair or completely missing, and in connection to the proposed development, the applicant agreed to replace the existing fence with a more uniform and attractive one. She said between the rear property line of the single-family homes and that of the applicant's property it was about 61 feet, so the applicant's site did not directly abut the homes. There would be no loading or parking to the west or rear of the storage building. She showed renderings that included the loading areas and parking to the north and south of the building, along with the new fencing and landscaping they would install; the eastern portion of the site would face University Drive,

where the retail components would be located with the existing retail in the plaza; the north elevation faced Miramar Parkway, and the south elevation faced the County park.

Chairperson Thompson asked if the roof of the retail would be used as storage space, or would it only be an open roof area for individual retail units.

Ms. Calhoun replied the latter.

Member Tighe sought clarification as to the type of fencing the applicant would install to the rear of the property.

Ms. Calhoun said the applicant would install a fence, not a wall.

Member Tighe questioned which entity would be responsible for maintaining the fence.

Ms. Calhoun remarked the applicant would be installing the fence, and she felt sure City staff would require the applicant to maintain the fence.

Member Tighe wished the entity responsible for maintaining the fence to be clearly stated to prevent, in later years, if the fence deteriorated or was damaged, such as in a hurricane, no entity taking responsibility for its repair. She assumed the owner and developer would be responsible for the maintenance of the landscaping installed, meaning maintenance and replacement where necessary.

Ms. Calhoun answered yes; they would be responsible for ongoing maintenance.

Principal Planner Michael Alpert said the applicant and the property owner would install the fence, and the portion of the fence and landscaping, about two acres, would be perpetually maintained by the applicant, with the rest perpetually maintained by the shopping center owner, including the replacement of fencing and landscaping.

Ms. Calhoun showed a video giving an aerial view of the site and proposed development, illustrating the site from the north, south, east and west viewpoints.

Member Tighe asked if security cameras would be installed on the exterior of the buildings.

Ms. Calhoun answered yes.

Member Tighe questioned if there would be a gated entrance to the facility.

Ms. Calhoun believed the applicant proposed no gates or fences.

Member Payne sought clarification as to the location of the parking.

Ms. Calhoun pointed out, though there would be drive-around circulation for the building, no parking would be provided at the western portion of the facility; that is, the area facing

residences.

Mr. Magny mentioned the applicant was building on a vacant parcel that would have access to an existing circulation on the commercial property; that is, the circulation around existing commercial buildings throughout the development.

Chairperson Thompson commented the existing circulation was required by the fire department, so fire trucks, etc. could access the buildings; such access was required at all developments and retail centers, per City code.

Member Dixon wished to confirm there would be no windows on the western face of the storage building, as Mr. Magny said there would no windows, hence, no residual lighting from inside the storage building, yet the rendering showed windows.

Mr. Magny believed the applicant proposed faux windows on the western face of the building.

Ms. Calhoun answered correct.

Chairperson Thompson stated, typically, storage facilities did not have windows that could allow light to shine inside, as they ran the risk of damaging the contents in the building. Windows were only installed as a display feature on the corner of the building.

Mr. Alpert added the loading areas were to the north and south of the facility, as was the lighting and parking. The lighting in the other areas of the building was minimal, with just enough to pass through the drive aisle to the rear of the building. He said City staff specifically worked with the applicant to minimize any lighting impact.

Chairperson Thompson questioned if the applicant was required to produce a photometric survey, with such close proximity of the facility to the residential area.

Mr. Magny answered yes; this was part of the site plan process the applicant was currently going through. From the last submittal by the applicant to the City, he recalled the applicant already met those requirements.

Chairperson Thompson wished to know the height and type of the new fence.

Ms. Calhoun said the new fence would be six feet high; it would be made of material more attractive than a chain-linked fence.

Chairperson Thompson wished to confirm the fence would be a form of precast fence, with posts in between the fence panels.

Ms. Calhoun affirmed this was the case.

Mr. Alpert added the fence would be opaque, with no visibility through the fence.

Chairperson Thompson asked if the fence would be painted.

Ms. Calhoun believed the fence would be white.

Member Singh asked if the storage facility would have access points on both Miramar Parkway and University Drive.

Ms. Calhoun replied the storage facility could be accessed from an existing access point on University Drive, and there was access into the plaza from Miramar Parkway.

City Attorney Booker desired the motion to include the applicant agreeing to satisfy the four staff conditions set forth in the backup, some of which were mentioned above.

Chairperson Thompson opened the discussion to the public and received no input.

Chairperson Thompson asked for a motion to approve Application No. 2002605, as presented with the four staff conditions for approval, and a finding that the application was consistent with the City's Comprehensive Plan; a motion was made by Member Lomax, seconded by Member Tighe; the following vote was recorded:

AYE: Chairperson Thompson, Vice Chairperson Alshaier, and Members Dixon, Lomax and Tighe

NO: None

ABSENT FOR VOTE: Members Earle-Smith and Walters

MOTION PASSED: 5-0

V. LOCAL PLANNING AGENCY PUBLIC HEARING: NONE

VI. COMMUNITY DEVELOPMENT DEPARTMENT REPORT: NONE

Mr. Alpert explained Member Earle-Smith contacted Chairperson Thompson and City staff about an impending personal health issue that would prevent her from attending Board meetings until January 2021. As the Board now had alternates, there should be few issues achieving a quorum for meetings. She asked the Board to approve her excused absence from meetings held in September, October, November and December.

Chairperson Thompson said the Board needed to vote to approve Member Earle-Smith present and future excused absences, as she requested.

Chairperson Thompson asked for a motion to approve the excused absences of Member Earle-Smith from the present Board meeting, as well as from meetings held in October, November and December 2020; a motion was made by Member Tighe, seconded by Vice Chairperson Alshaier; the following vote was recorded:

AYE: Chairperson Thompson, Vice Chairperson Alshaier, and Members Dixon, Payne, Singh and Tighe

NO: None

ABSENT FOR VOTE: Members Earle-Smith, Lomax and Walters

MOTION PASSED: 6-0

Mr. Alpert explained the goal for items on which the Board voted on to have seven members voting. At present, there were four regular members present, along with two alternates, so the two alternates should vote. If the seven regular Board members were present at a meeting, the alternates should still participate in the Board discussions, though they would not be asked to vote. He noted the next Board meeting was scheduled for Tuesday, October 13, 2020, at 6:30 p.m., and he anticipated the Board having a meeting on Tuesday, November 10, 2020. November 11, 2020, was Veterans Day, the Board could, if it desired, change the meeting date, though that holiday fell in the middle of the week, so there should be no need to reschedule. He said, at present, it was too early to determine if there would be a meeting in December.

Clerk/Recording Secretary Deanna Allamani thanked the Board for the pleasure of working with them, noting the present meeting would be her last, as she was retiring on October 12, 2020.

Mr. Alpert added Ms. Allamani worked with the City for eleven + years, and it was a pleasure working with her.

The Board wished Ms. Allamani a happy retirement, thanking her for her service.

VII. ADJOURNMENT

The meeting was adjourned at 7:48 p.m.

Matthew Thompson, Chairperson
MT/cp