

ATTACHMENT A

ATTACHMENT A

RESOLUTION NO. 02R-05-99

A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE PURCHASE IN THE AMOUNT OF \$4,300,000.00 FOR THE APPROXIMATE 13.13 ACRE SITE OF LAND LOCATED ON A PORTION OF GOVERNMENT LOT 4 IN THE S.W. ¼ OF SECTION 31, TOWNSHIP 49 SOUTH, RANGE 42 EAST, CITY OF LAUDERHILL, BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS THE FORMER K-MART SITE AT 1010 NORTH STATE ROAD 7/U.S. 441/N.W. 40TH AVENUE; PROVIDING FOR AN EFFECTIVE DATE

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

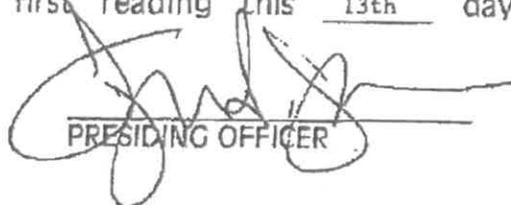
SECTION 1. The Purchase in the amount of \$4,300,000.00 for the approximate 13.13 site of land located on a portion of Government Lot 4 in the S.W. ¼ of Section 31, Township 49 South, Range 42 East, in the City of Lauderhill, Broward County, Florida, more commonly known as the former K-mart Site at 1010 North State Road 7/U.S. 441/N.W. 40th Avenue, a copy of which is attached hereto and incorporated herein, is hereby approved subject to review and approval by the City Attorney.

SECTION 2. The City Manager and all appropriate city officials are authorized to execute this Agreement and any other documents required to fulfill the terms of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its passage.

DATED this 13th day of May, 2002.

PASSED AND ADOPTED on first reading this 13th day of May, 2002.

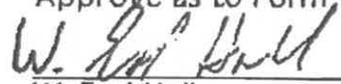

PRESIDING OFFICER

ATTEST:

CITY CLERK

ATTACHMENT A

MOTION	<u>Elfers</u>
SECOND	<u>Bates</u>
M. BATES	<u>Yes</u>
W. ELFERS	<u>Yes</u>
T. JONES	<u>Yes</u>
L. MIRSKY	<u>Yes</u>
R. KAPLAN	<u>Absent</u>

Approve as to Form

W. Earl Hall
City Attorney

ATTACHMENT B

ATTACHMENT B

ORDINANCE NO. 040-06-147.

AN ORDINANCE APPROVING THE LAND SALE AND DEVELOPMENT AGREEMENT BETWEEN AMERA BROWARD CENTRAL, INC. AND THE CITY OF LAUDERHILL; PROVIDING FOR AMERA BROWARD CENTRAL, INC. TO PURCHASE AND DEVELOP THE APPROXIMATE ± 13.1365 ACRE PARCEL OF REAL PROPERTY KNOWN AS THE K-MART SITE AS MORE SPECIFICALLY DEFINED IN THE ATTACHED LEGAL DESCRIPTION FOR THE AMOUNT OF THREE MILLION DOLLARS (\$3,000,000.00) SUBJECT TO RESTRICTIVE COVENANTS; PROVIDING FOR AMERA BROWARD CENTRAL, INC. TO PURCHASE AND DEVELOP THE APPROXIMATE ± 10.348 ACRE PARCEL OF REAL PROPERTY KNOWN AS THE MCARTHUR DAIRY SITE AS MORE SPECIFICALLY DEFINED IN THE ATTACHED LEGAL DESCRIPTION FOR THE AMOUNT OF TWO MILLION NINE HUNDRED THOUSAND DOLLARS (\$2,900,000.00) SUBJECT TO RESTRICTIVE COVENANTS; PROVIDING TERMS AND CONDITIONS FOR SALE AND PURCHASE; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

WHEREAS, the City Commission of the City of Lauderhill has determined that it is not in immediate need of the approximate ± 13.1365 acre parcel of real property known as the K-mart site, nor of the approximate ± 10.348 acre parcel of real property known as the McArthur Dairy site for any governmental purpose or development; and

WHEREAS, the City Commission has determined that the subject approximate ± 13.1365 acre parcel and approximate ± 10.348 acre parcel of real property are surplus property; and

WHEREAS, the City Commission has determined that it is appropriate and necessary to place restrictive covenants on the property that shall run with the land;

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

SECTION 1. The Land Sale and Development Agreement between Amera Broward Central, Inc. and the City of Lauderhill providing for Amera Broward Central, Inc. to purchase and develop the approximate ± 13.1365 acre parcel of real property known as the K-mart site as more specifically defined in the Legal Description for the amount of Three Million Dollars (\$3,000,000.00), and to purchase and develop the approximate ± 10.348 acre

ATTACHMENT B

parcel of real property known as the McArthur Dairy site as more specifically defined in the Legal Description for the amount of Two Million Nine Hundred Thousand Dollars (\$2,900,000.00), a copy of said Agreement and Exhibits which are attached hereto and incorporated herein, are hereby approved subject to those restrictive covenants that are enumerated in Attachment "1", which shall run with the land and which shall be duly recorded in the Official Public Records of Broward County.

SECTION 2. The City Manager and all appropriate city officials are authorized to execute this Agreement and any other documents required to fulfill the terms of this Ordinance.

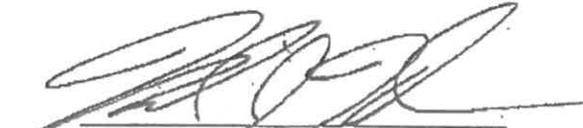
SECTION 3. That all Ordinances or parts of Ordinances, all Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 4. This Ordinance shall take effect immediately upon its passage.

Dated this 12th day of July, 2004.

Passed on first reading this 28th day of June, 2004.

Passed and adopted on second reading this 12th day of July, 2004.


PRESIDING OFFICER

ATTEST:


CITY CLERK

ATTACHMENT B

MOTION
SECOND

M. BATES
H. BERGER
D. HOLNESS
L. MIRSKY
R. KAPLAN

FIRST READING

Mirsky
Berger

Yes
Yes
Yes
Yes
Absent

SECOND READING

Holness
Bates

Yes
Yes
Yes
Yes
Yes

ATTACHMENT C

ATTACHMENT D

ATTACHMENT E

ATTACHMENT E

conditions in writing within the time set forth herein for such environmental survey, and thereafter, the parties agree to the following:

- (1) Environmental Conditions. If any environmental survey conducted to evidences the existence of negative environmental conditions, and it is determined that remediation, mitigation cure or the like must be undertaken as a result of the negative environmental conditions or that the correction of the environmental condition is necessary to obtain financing or title insurance without exception for environmental matters, the DEVELOPER shall so inform the CITY and the CITY shall have a period of thirty (30) days from the receipt of notice to (a) cure or remove such condition or commence to cure such condition. In the event that the actions required to be taken to cure will exceed thirty (30) days but will be less than one hundred eighty (180) days from the date of notice of the condition requiring cure, (such time to be estimated by a company licensed to cure such condition or other qualified consultant in the field of the objectionable environmental conditions, as agreed to by the Parties) DEVELOPER shall have the option of: (i) Closing, and accepting title to the Property as it then is with a credit to DEVELOPER at Closing of the amount necessary to cure the condition, (ii) extending the Closing Date to a date not more than one hundred eighty (180) days from notice of the condition requiring cure to afford CITY the opportunity to cure and CITY shall be obligated to expend funds to cure such condition (which funds shall not include attorneys fees or other internal City personnel charges, but shall specifically entail the expenditure of outside consultants or professional and/or payment of application fees or fines imposed by reason of such environmental condition); or (iii) terminating this Agreement and demanding a refund of the Purchase Deposit with interest thereon, and thereafter, CITY shall return the Purchase Deposit and interest, whereupon DEVELOPER and CITY shall be released from all further obligations to each other pursuant to this Agreement unless otherwise waived as provided herein.
- (D) Special District Ordinance. The passage of the Special District Ordinance substantially as set forth in Exhibit "E" attached hereto within the Planning Period. DEVELOPER shall have the option of waiving this condition and proceeding to Closing or, if not so waived, DEVELOPER shall have the option of terminating this

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Agreement, whereupon CITY shall return or release the Purchase Deposit with interest thereon, and thereupon DEVELOPER and CITY shall be released from any further obligations. It is acknowledged that execution of this Agreement by CITY is not an approval of the proposed Ordinance, it being understood that the form has been submitted by DEVELOPER to be considered and adopted by CITY as a condition precedent to closing.

- (E) Plat. The final and binding approval for recording a plat of the entire Redevelopment Property in accordance with the Development Plan. This condition may be waived as a condition of Closing by DEVELOPER should all other conditions for the issuance of a Development Order be met and all applicable governmental authorities allow the issuance of building permits pending final approval and recordation of the plat.

ARTICLE IV

EVIDENCE OF TITLE

Section 401. Evidence of Title. The CITY shall, within ten (10) calendar days after execution of this Agreement, deliver to the DEVELOPER at the CITY'S expense a complete abstract of title to the Redevelopment Property prepared by a reputable abstract firm purporting to be an accurate synopsis of the instruments affecting the title to the Redevelopment Property recorded in the Public Records to the Effective Date, showing in the CITY a marketable title in accordance with title standards adopted from time to time by the Florida Bar and subject only to the title exceptions listed in Schedule B - Section 2 of the title commitment to be obtained by DEVELOPER ("Permitted Exceptions") or other qualification set forth in this Agreement and those which shall be discharged by the CITY at or before Closing. DEVELOPER shall have thirty (30) days from the date of receiving said abstract of title to examine same. If title is found to be defective, the DEVELOPER shall, within said period, notify the CITY in writing, specifying any defects. If such defects render the title to the Redevelopment Property unmarketable, the CITY shall have sixty (60) days from receipt of such notice to cure the defects, and if after said period the CITY shall not have cured the defects, the DEVELOPER shall have the option of (1) accepting title as it then is, or (2) demanding a refund of the Purchase Deposit and interest thereon and thereupon, the DEVELOPER and the CITY shall be released from all further obligations under this Agreement. DEVELOPER may, subsequent to receipt of the Abstract, cause an update of title to be done prior to Closing. If title is then found to be defective, the DEVELOPER shall notify the CITY in writing, specifying the defects.

ATTACHMENT F

ATTACHMENT F

ORDINANCE NO. 050-08-172

AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, ARTICLE III., ZONING DISTRICTS, PART 5.0., BASE OR UNDERLYING ZONING DISTRICTS, SECTION 3.2., COMMERCIAL ZONING DISTRICTS; CREATING SUBSECTION 3.2.5., COMMERCIAL ENTERTAINMENT (CE) ZONING DISTRICT; CREATING PARAGRAPH 3.2.5.A., PURPOSE AND INTENT; CREATING PARAGRAPH 3.2.5.B., PERMITTED PRINCIPAL USES AND STRUCTURES; CREATING PARAGRAPH 3.2.5.C., ACCESSORY USES AND STRUCTURES; CREATING PARAGRAPH 3.2.5.D., SPECIAL EXCEPTION USES AND STRUCTURES; CREATING PARAGRAPH 3.2.5.E., REVIEW AND APPROVAL PROCESS; CREATING PARAGRAPH 3.2.5.F., DEVELOPMENT STANDARDS; CREATING PARAGRAPH 3.2.5.G., SUPPLEMENTAL DISTRICT REGULATIONS; CREATING PARAGRAPH 3.2.5.H., SPECIAL REGULATIONS; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

WHEREAS, the City Commission adopted its Comprehensive Plan as is required by the Local Government Comprehensive Planning and Land Development Regulation Act (Act), which Comprehensive Plan was subsequently determined to be in-compliance with said Act; and

WHEREAS, Section 163.3202, Florida Statutes, requires each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan; and

WHEREAS, on June 11th, 1990, the City Commission implement its adopted Comprehensive Plan as is required by Section 163.3202, Florida Statutes, by adopting the City of Lauderhill Land Development Regulations; and

WHEREAS, Paragraph 163.3202(2)(b), Florida Statutes, requires the land development regulations contain specific and detailed provisions necessary to regulate the use of land and water for those

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land use categories included in the land use element and ensure the compatibility of adjacent uses and provide for open spaces; and

WHEREAS, the Land Development Regulations include a Regional Park zoning district intended to promote economic development and a "sense of place" through the seamless integration of sports-related and cultural facilities and uses with abutting commercial developments while protecting abutting residential uses; and

WHEREAS, the Land Development Regulations do not contain a specialized commercial zoning district intended to promote economic development, a sense of place and a family-oriented environment through a mixture of commercial entertainment, commercial recreation and other complementary uses; and

WHEREAS, the Land Development Regulations do not contain a specialized commercial zoning district that plans and develops property as a whole subject to a unity of control; and

WHEREAS, the Land Development Regulations do not contain a specialized zoning district to complement and create synergies with any abutting Regional Park zoning district; and

WHEREAS, this Ordinance establishes the Commercial Entertainment (CE) zoning district, a specialized commercial zoning district intended to promote economic development, a sense of place and a family-oriented environment through a mixture of commercial entertainment, commercial recreation and other complementary uses, such development to be planned and developed as a whole subject to a unity of control, and that creates synergies with any abutting development within a Regional Park (PR) zoning district; and

WHEREAS, the Commercial Entertainment zoning district is intended to implement and be applied within the Commercial, Transit Oriented Corridor, Transit Oriented Development, and Local Activity Center Future Land Use designations; and

WHEREAS, at their duly noticed meeting and public hearing of August 23rd, 2005, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) entered the Development Review Report

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on the proposed Ordinance into the record, adopted the findings and conclusions supporting the Ordinance's adoption, and recommended the City Commission adopt the Ordinance and incorporate it into the Land Development Regulations; and

WHEREAS, at their duly noticed meeting and public hearing of September 12th, 2005 the City Commission considered the record, adopted findings and conclusions, and approved the proposed Ordinance on first reading; and

WHEREAS, at their duly noticed meeting and public hearing of September 26th, 2005 the City Commission on second reading adopted the Ordinance incorporating revisions to the Land Development Regulations.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. Commercial Entertainment zoning district. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.2.5., Commercial Entertainment zoning district, is created as set forth below.

3.2.5. Commercial Entertainment (CE) zoning district.

SECTION 2. Purpose and Intent. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.2.5., Commercial Entertainment zoning district, paragraph A., Purpose and Intent, is created as set forth below.

- A. Purpose and Intent. The primary purpose or intent of the Commercial Entertainment (CE) zoning district is to allow a mixture of commercial entertainment, commercial recreation and other complementary uses to be planned and developed as a whole (as a single operation or an approved series of operations) on one or more parcels joined by and subject to a unity of control. This zoning district is intended to provide greater flexibility than a conventional zoning district. This specialized commercial zoning district also is intended to implement and further the following purposes:

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1. To promote economic development, a "sense of place" and a family-oriented environment through a mixture of commercial entertainment, commercial recreation and other complementary uses and through the seamless integration of abutting public recreation and cultural arts facilities and uses;
2. To allow for a diversification of uses, structures and open spaces when not in conflict with existing land uses on abutting properties;
3. To reduce improvement costs through a more effective use of land and a smaller network of utilities and streets than is possible through the application of standards contained in conventional land-development regulations;
4. To provide the opportunity for application of innovative site planning concepts that results in the creation of an aesthetically pleasing environment for working and playing on properties of adequate size, shape and location;
5. To ensure that development will occur within the guidelines and intent of the city comprehensive plan; and
6. To reduce the number of vehicle trips on the surrounding roadway network through a mixture of compatible and complementary land uses and public transit, pedestrian and bicycle enhancing improvements.

The CE zoning district corresponds to the Commercial, Transit Oriented Corridor, Transit Oriented Development and Local Activity Center future land use designations in the Future Land Use Element of the Comprehensive Plan.

SECTION 3. Permitted principal uses and structures. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.2.5., Commercial Entertainment zoning district, paragraph B., Permitted principal uses and structures, is created as set forth below.

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- B. Permitted principal uses and structures. The following types of land uses and structures are allowed within the CE zoning district as a permitted use and structure:
1. Amphitheater or theatre use, with no more than 500 seats;
 2. Amusement or recreation center use, such as pinball, air hockey, electronic games, and similar coin, token or ticket operated games when an attendant is on duty;
 3. Athletic club, fitness center, health spa, massage and tanning salon, and other similar uses;
 4. Art gallery, museum, and similar cultural arts uses;
 5. Bars, microbrewery, taverns and similar alcoholic beverage establishment uses but excluding adult entertainment uses, bottle clubs and package stores;
 6. Billiard or pool hall or club use;
 7. Bowling alley;
 8. Business and professional office;
 9. Cultural arts, entertainment and sports training and instruction, such as dance, fine arts, music, theatre, sports and similar cultural, entertainment and recreation training and instructional uses;
 10. Dance hall;
 11. Dry cleaning and laundry pick-up stations but excluding laundromats;
 12. Financial Institutions, such as automated teller machines, banks, check cashing, credit union, currency exchange, money transfer and savings and loans but excluding drive-through facilities;

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13. Freestanding and mobile vendors, such as kiosks and pushcart type vehicles, notwithstanding Code of Ordinances Chapter 12, Article I, Sections 12-5 and 12-6;
14. Government offices, such as consular offices, fire and police substations but excluding general government offices;
15. Holiday sales;
16. Hotel, motel and similar facilities, subject to the standards and requirement in Article III., Part 5.0;
17. Live entertainment, indoor and outdoor;
18. Personal services, such as beauty parlor, catering, film development, mail and postage services, print and copying center but excluding fortune-telling, funeral home services, furniture repair, kennel, lawn and tree cutting services, tattoo and body-piercing studio and vehicular service uses;
19. Plaza, village greens and similar outdoor public areas;
20. Professional and amateur sports associations, clubs, teams and headquarters;
21. Public and civic meeting spaces;
22. Restaurant (indoor and outdoor seating and carry-out) and other dining and eating establishment uses, such as, bakery, café, cafeteria, concessions, delicatessen, dinner theatre, ice cream, playhouses and refreshment stands;
23. Retail sales (indoor and outdoor) and specialty uses but excluding auction house, consignment shop, convenience store, firearm and ammunition, flea market, furniture store, pawn shop, supermarket, thrift store, and vehicular and vehicular related uses;
24. Skating rink, such as roller skating and ice skating.

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SECTION 4. Accessory uses and structures. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.2.5., Commercial Entertainment zoning district, paragraph C., Accessory uses and structures, is created as set forth below.

- C. Accessory uses and structures. The following types of land uses and structures are allowed when part of, or accessory to, the principal land use:
1. Conference facilities which provide a complete range of activities, such as auditorium, exhibit hall, food preparation, meeting rooms and trade center, as accessory to a hotel use or business and professional office use;
 2. Dental and medical office as accessory to a business, government and professional office use but excluding clinics, counselling services, hospitals and veterinary-related uses;
 3. Fences and walls;
 4. Gazebo, street furniture and other amenities designed to enhance the entertainment and pedestrian experience;
 5. Landscaping and irrigation, sculptures, water falls and fountains, and other decorative features;
 6. Lighting;
 7. Maintenance and storage facilities incidental to the development project;
 8. Parking facilities, such as bicycle racks and shelters, parking lot and parking structure;
 9. Pedestrian transportation facilities and amenities, such as arcades, boardwalks, greenways, sidewalks and similar pathways;
 10. Public restrooms;

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11. Public transit facilities and amenities, such as benches, busbays, community bus terminal, kiosks, shelters, and telephones;
12. Refuse areas, such as compactor, dumpster, and recycling containers, enclosures and equipment;
13. Signs;
14. Storage of inventory within the same structure as where the sale of good occurs;
15. Swimming pool, including cabanas, deck and life guard stand;
16. Vehicular transportation facilities incidental to the development, such as accessways, driveways, and loading zones;
17. Utilities incidental to the use.

SECTION 5. Special exception uses and structures. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.2.2, Commercial Entertainment zoning district, paragraph D., Special exception uses and structures, is created as set forth below.

- D. Special exception uses and structures. The following types of land uses and structures are allowed as a special exception use within the CE district:
1. Amphitheater with 501 seats or more;
 2. Bingo parlor;
 3. Business training school and university but excluding religious training facility uses;
 4. Day care facility and nursery school but excluding primary and secondary schools;

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5. Fee simple residential dwelling units;
6. Limousine service;
7. Private club, lodge hall and fraternal organization;
8. Taxi stands, taxi terminals or taxi dispatch facility at which more than one taxi may be located at the same time; and
9. Telecommunication facility uses, such as antenna support structure, equipment buildings, and antenna.

SECTION 6. Review and approval process. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.2.2, Commercial Entertainment zoning district, paragraph E., Review and approval process, is created as set forth below.

E. Review and approval process.

1. A zoning district map amendment to the CE zoning district shall require a recommendation from the Planning and Zoning Board and approval by majority vote of the City Commission present at the hearing
2. The use of any land within the CE zoning district shall require site plan approval by the Planning and Zoning Board or site plan modification approval by the Development Review Committee consistent with Article IV., Development Review Requirements, Part 5.0., Development Plan/Site Plan Review.
3. A special exception use, including the allocation of residential units from the pool of available residential units, must be approved or approved with conditions by the City Commission consistent with Article IV., Development Review Requirements, Part 4.0., Special Exception Use.
4. In established structures, uses shall be allowed upon application to and approval by the Chief Building Official

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for a certificate of occupancy and the Finance Department for an occupational license.

5. Any lot or parcel that is not platted shall require preliminary plat approval by the Planning and Zoning Board, final plat approval by both the City Commission and the Board of County Commissioners of Broward County, Florida, and recording of the plat in the public records of Broward County, Florida.

SECTION 7. Development standards. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.2.2, Commercial Entertainment zoning district, paragraph F., Development standards, is created as set forth below.

F. Development standards. The development standards as set forth herein shall apply within the CE zoning district.

1. Minimum lot size. The minimum lot size shall be established as part of the site plan or site plan modification approval process.
2. Minimum lot street frontage. The minimum lot street frontage shall be established as part of the site plan or site plan modification approval process.
3. Maximum lot coverage. Up to 80 percent of the net size of the property may be covered with impervious surfaces.
4. Minimum setback standards. Building setback standards shall be established as part of the site plan or site plan modification approval process. Minimal setback standards shall be the rule provided that such setbacks facilitate public transit or pedestrian-oriented development
5. Building height. The minimum building height for any building fronting on an arterial roadway shall be two stories. The maximum building height shall be established as part of the site plan or site plan

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modification approval process. All buildings and structures, however, shall be designed so that it enhances the pedestrian experience.

6. Maximum building intensity. The maximum floor area ratio is 0.35 floor area ratio. If located within the State Road 7 Community Redevelopment Area, a floor area ratio of 1.0 is allowed. If located within the State Road 7 Community Redevelopment Area and substantial public transit and pedestrian amenities are provided, a floor area ratio up to 3.0 is allowed.

SECTION 8. Supplemental district regulations. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.1.1, Residential single-family zoning district, paragraph F., Supplemental district regulations, is created as set forth below.

G. Supplemental district regulations. The supplemental district regulations in Article III., Part 6.0., and the Schedules shall apply except as modified herein.

1. Special treatment between districts. Any nonresidential development with the CE zoning district shall be separated from abutting residential districts by an 8' high masonry wall with a minimum five feet wide landscaped strip on both sides of the wall as provided for in Article III., Part 6.0., Paragraph 6.4.1.B.
2. Access. Each development shall have access to a public street either directly or indirectly via an approach, private road, pedestrian way, court or other area dedicated to public or private use of common easement guaranteeing access. Permitted uses are not required to front on a dedicated road. The City shall be allowed access onto privately owned roads, easements and common open space to ensure the police and fire protection of the area, to meet emergency needs, to conduct city services, including code enforcement, and to generally ensure the health and safety of the residents of the development.

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3. Off-street parking standards and requirements. The off-street parking standards and requirements in Article III., Part 6.0., Section 6.5. shall apply except as modified below.
 - a. Required parking spaces. The site plan or site plan modification review process shall be used to determine the number and location of required parking spaces.
 - b. Location. Off-street parking shall be located to the rear or side of a building and on-street parking is encouraged.
 - c. In lieu parking fee. If it is impossible or inappropriate to provide the required number of on-site parking spaces, the City Commission may approve the payment of a fee in-lieu of providing such required parking. The fee is established at \$10,000.00 per parking space and all proceeds from such a fee shall be used for parking purposes. The in-lieu fee may be paid all at one time or in installments. Installment payments may be made over a nine year period in ten payments, the first payment which would be due upon execution of the installment agreement. The remaining nine payments would be due annually. Interest shall not be charged during the first three years. Beginning in year four of the payment schedule, a simple interest rate of five percent per annum will apply to the unpaid balance and be added to payments five through ten.
4. Off-street loading standards. The off-street loading standards and requirements in Article III., Part 6.0., Section 6.6. shall apply except as modified below.
 - a. Required loading spaces. The site plan or site plan modification review process shall be used to determine the number and location of required loading spaces.

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- b. Location. Loading and unloading shall be restricted to side and rear yards and shall be prohibited within the front setback area.
5. Sign standards and requirements. The sign standards and requirements shall be addressed through the site plan or site plan modification process.
6. Landscaping and Irrigation standards and requirements. The landscaping and irrigation standards and requirements in Schedule J and Article III., Part 6.0., Section 6.8. shall apply except as modified below.
 - a. Perimeter boundary. A landscaped and irrigated boundary shall be provided along the perimeter property line of each development within the CE zoning district. Parking structures, perimeter roadways, and other paving is not allowed within this peripheral greenbelt except for bicycle paths, sidewalks, greenway or access roads that provide ingress and egress for traffic and that are generally perpendicular to the greenbelt. The width of the greenbelt shall be:
 - 1) 15 feet minimum, when abutting commercial and industrial zoned property;
 - 2) 25 feet minimum, when abutting an arterial or collector road;
 - 3) 40 feet, when abutting property zoned residential district; and
 - 4) As determined by the site plan or site plan modification process for abutting property zoned Regional Park district or Community Facility district.
 - b. Other landscape areas. The landscape and irrigation standards and requirements for other areas shall be determined through the site plan or site plan modification process. The landscape and irrigation

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treatment for plazas, streets, paths, and service and parking areas shall be designed as an integral part of a coordinated landscape and street furniture design.

7. Lighting standards and requirements.

- a. Parking lots. All non-residential parking lots shall be provided with a minimum one foot candle of light on the parking and walking surface from dusk until thirty (30) minutes after the termination of each business day. A maximum to minimum foot candle level shall not exceed a ratio of twelve to one (12:1). The lighting system shall be designed, installed and maintained as not to create light spillover or trespass or glare to any adjacent property not being part of the site plan.
- b. Other areas. The light standards and requirements for other areas shall be determine through the site plan or site plan modification process.

8. Architectural design guidelines.

- a. The architectural design guidelines in Schedule P shall apply.
- b. Individual buildings shall be related to each other in design, masses, materials, placement and connections so as to provide a visually and physically integrated development. Treatment of the sides and rear of buildings shall be comparable in amenity and appearance to the treatment given in the front.

SECTION 9. Special regulations. Land Development Regulations Article III., Zoning Districts, Part 3.0., Base or underlying zoning districts, Subsection 3.1.1, Residential single-family zoning district, paragraph G., Special regulations, is created as set forth below.

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- H. Special regulations. The special regulations as set forth herein shall apply within the CE zoning district.
1. Minimum district size and street frontage standards. The minimum area that may be zoned CE district is 10 acres, inclusive of areas required for public dedication. CE zoned property shall have a minimum 200 linear feet of frontage on an arterial roadway.
 2. Addition of property to district. Notwithstanding the paragraph above, additional lands may be added to the CE district provided that the property proposed to be added to the district:
 - a. Abuts or is contiguous to property zoned CE district; and
 - b. Is under unified control.
 3. Underground utilities. All utilities, including telephone, television cable and electrical systems, within the boundaries of the CE district shall be installed underground. Primary facilities providing service to the site may be granted a waiver from the underground requirement. Appurtenances to the utility systems that are normally located above ground are exempted from the underground requirement; however, when located above ground they shall be screened in a manner approved by the Planning and Zoning Board or the Development Review Committee.
 4. Unified control. Any property proposed for inclusion within the CE zoning district shall be under unified control (an individual, partnership, joint venture or corporation; or group of individuals, partnerships, or corporation). Any zoning district map amendment, site plan, or site plan modification application shall include legal documents, acceptable to the City Attorney, which constitute evidence of unified control of the entire area within the CE zoning district. Further, the entity with unified control must be able to bind the entire area

ATTACHMENT F

within a proposed CE district to the terms, conditions, uses and site plan.

5. Common area maintenance. All common open space and public plazas shall conform to their intended use through deeds, covenants, or other arrangements, as approved by the City Attorney, that run with the land.
6. Gateway or entranceway feature.
 - a. A gateway or entranceway into a development is required. The gateway shall be compatible in size, shape, dimension, texture, construction materials, colors and design with the overall development.
 - b. Appropriate landscaping and irrigation shall be provided to enhance and maintain the gateway or entranceway feature.
7. Public transit, pedestrian and bicycle improvements. The Comprehensive Plan allows within the SR-7 Corridor a floor area ratio of 3.0 provided significant public transit improvements are provided. To qualify for a floor area ratio exceeding 1.0., the following public transit and pedestrian enhancing improvements must be provided.
 - a. Public transit improvements.
 - 1) Bus bay. As a means to address Broward County's transportation concurrency standards and requirements, a bus bay or bays meeting state, county or city standards and requirements shall be provided, where appropriate, as determined by the Broward County Mass Transit Division or the Planning and Zoning Department. Consistent with City off-street parking standards and requirements, the provision of a bus bay abutting the development allows for a 15 percent credit from the required number of off-street parking spaces.

ATTACHMENT F

2) Public transit stop amenities. If a public transit stop sign abuts the boundaries of a development within the CE zoning district, an illuminated public transit shelter, a bench, a trash receptacle, information kiosk and landscaping with irrigation abutting the sidewalk must be provided. The above-described public transit amenities shall be compatible with the design of the overall development.

a) If the public transit stop is proposed to be used for rapid bus transit, the illuminated shelter must provide for at least ten (10) seats and a pad for handicapped seating. A 10 percent parking credit shall be provided for such improvements.

b) If the proposed public transit stop is intended for regular public transit, the illuminated shelter must provide for at least five (5) seats and a pad for handicapped seating. A 5 percent parking credit shall be provided for such improvements.

Further, a minimum eight feet (8') wide covered and illuminated walkway must be provided connecting the public transit shelter to a covered entrance of a major building within the development.

3) Signage. As an incentive for the provision of a public transit shelter, bench and amenities, the public transit shelter may include a sign depicting the development or project name.

b. Pedestrian Improvements.

1) The minimum width of a sidewalk or pedestrian way within or fronting on a public

ATTACHMENT F

right-of-way for an arterial road shall be 12 feet.

- 2) A covered and illuminated walkway or arcade at least eight feet wide shall front on at least one side each local street. This requirement may be modified through the site plan or site plan modification process where landscaping and other appropriate treatments are used to protect the pedestrian from the elements.
 - 3) There shall be an adequate amount of pedestrian ways and landscape spaces to limit pedestrian use of vehicular ways, and to separate pedestrian ways and public transportation loading places from general vehicular circulation.
 - 4) The location and design of pedestrian ways should emphasize desirable views of new and existing on-site and off-site developments.
 - 5) Pedestrian friendly connections shall be provided, at appropriate locations, for the seamless integration of a development with recreation and cultural facilities on abutting property zoned Regional Park district. The site plan or site plan modification process shall be used to determine the extent (e.g., dimensions, size, type of construction, etc.) and location of the connection.
 - 6) Each development within a CE zoning district shall provide for at least one public plaza or common/village green and appropriate pedestrian amenities.
- c. Bicycle improvements. A bicycle rack, locker or shelter shall be provided at appropriate locations as determined through the site plan or site plan modification process.

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8. Days and hours of operation. It shall be prohibited for any establishment to be open on Monday through Saturday from 4:00 a.m. to 6:00 a.m. and on Sunday from 6:00 a.m. to 7:30 a.m. The days and hours of operation for outdoor live entertainment are Sunday through Thursday from 10:00 a.m. to 9:00 p.m. and on Friday, Saturday and legal holidays from 9:00 a.m. to midnight. The City Manager, through the special permit process, may extent the hours of operation for a specific event.
9. Alcoholic beverage sales and consumption within the district. These provisions shall supersede the general standards and requirements in Article III., Part 5.0. to the extent of any conflict.
 - a. Separation requirements. Within the CE zoning district, separation or minimum distance requirements between and among uses licensed by the state and City to sell alcoholic beverages either for consumption on or off premises shall not apply. In addition, the separation or distance requirements for uses licensed by the state and City to sell alcoholic beverages within the CE zoning district and establishments similarly licensed outside the district.
 - b. Portability. In accordance with state and City permitting and licensing requirements, alcoholic beverages sold for consumption on the premises by a vendor may be consumed, held, carried and transported in the original or substitute container, at any location within the district.
 - c. Outdoor sales. Those persons or entities within the district licensed under state beverage laws, may sell and serve beer, wine, and alcoholic beverages of any type regardless of alcohol content at any location within the district licensed for such sale and under the control of such license, including, but not limited to, sidewalk cafes, outdoor areas designated for food and beverage consumption or both adjacent to and operated in concert with a

ATTACHMENT F

business operated within enclosed premises, licensed freestanding structures including outdoor bars and kiosks selling food or beverages including alcoholic beverages and pushcart type vehicles, provided that all such operators of such outdoor facilities vending and serving alcoholic beverages shall be duly licensed by the state and allowed to operate pursuant to the City Code of Ordinances and the Land Development Regulations.

- d. Prohibited days and hours of operation. The sale of alcoholic beverages shall be prohibited on Monday through Saturday from 4:00 a.m. to 7:30 a.m., and on Sunday from 4:00 a.m. to noon.
10. Synergies with RP zoning district. Due to the 10 acre minimum size, the type and intensity of allowable uses, the flexibility of setback and other standards and requirements, developments within the CE zoning district shall create synergies with the uses on the abutting RP zoning district, to the maximum extent possible. The site plan or site plan modification process may be used to impose additional standards and requirements on the development in order to further such synergies.
 11. Other considerations.
 - a. Overhead doors shall be prohibited from facing the right-of-way of an arterial or collector roadway and are discouraged on local roads.
 - b. Roads, pedestrianways, and open space shall be designed and shall be properly related to buildings and appropriately landscaped.
 - c. If the development provides for freestanding structures, such as outdoor push-cart vehicles, canopies, and kiosks, for mobile vendors, such structures shall be depicted on the site plan or site plan modification. The site plan or site plan modification shall assure a sufficiently sized and

ATTACHMENT F

dimensioned area is available for such structures that do not conflict with pedestrian and vehicular flow.

SECTION 8. Findings and Conclusions. The Development Review Report prepared by the Planning and Zoning Department is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending Land Development Regulations.

SECTION 9. Conflict. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 10. Effective Date. This Ordinance shall take effect immediately upon its adoption.

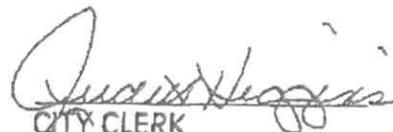
DATED this 12th day of September, 2005.

PASSED on first reading this 29th day of August, 2005.

PASSED AND ADOPTED on second reading this 12th day of September, 2005.


PRESIDING OFFICER

ATTEST:


CITY CLERK

ATTACHMENT F

	FIRST READING	SECOND READING
MOTION	<u>Mirsky</u>	<u>Mirsky</u>
SECOND	<u>Bates</u>	<u>Bates</u>
M. BATES	<u>Yes</u>	<u>Yes</u>
H BERGER	<u>Yes</u>	<u>Yes</u>
D. HOLNESS	<u>Yes</u>	<u>Yes</u>
L. MIRSKY	<u>Yes</u>	<u>Yes</u>
R. KAPLAN	<u>Yes</u>	<u>Yes</u>

ATTACHMENT G

ATTACHMENT G

ORDINANCE NO. 050-08-180

AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE ZONING DISTRICT MAP IDENTIFIED IN LAND DEVELOPMENT REGULATIONS, ARTICLE III., ZONING DISTRICTS, PART 2.0., DISTRICT REGULATIONS, SUBSECTION 2.2.1., ADOPTION OF ZONING DISTRICT MAP; CHANGING THE ZONING DISTRICT FROM GENERAL COMMERCIAL (C-3) TO COMMERCIAL ENTERTAINMENT (CE) THE ZONING DISTRICT FOR A 13.1365+ ACRE SITE LEGALLY DESCRIBED AS A PORTION OF SECTION 31, TOWNSHIP 49 SOUTH, RANGE 41 EAST, CITY OF LAUDERHILL, FLORIDA, AND MORE COMMONLY KNOWN AS THE FORMER K-MART PLAZA SITE ON US 441 AND SUNRISE BOULEVARD AND MORE PARTICULARLY DESCRIBED IN ATTACHMENT A; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

WHEREAS, the City Commission has adopted a Comprehensive Plan as is required by the Local Government Comprehensive Planning and Land Development Regulation Act (Act), which Comprehensive Plan was subsequently determined to be in-compliance with said Act; and

WHEREAS, Section 163.3202, Florida Statutes, requires each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan; and

WHEREAS, on June 11th, 1990, the City Commission Implement Its adopted Comprehensive Plan as is required by Section 163.3202, Florida Statutes, by adopting the City of Lauderhill Land Development Regulations; and

WHEREAS, the Future Land Use Map Series shows that the property subject to the zoning district map amendment is designated Commercial; and

WHEREAS, on October 13th, 1992, the City Commission enacted Ordinance No. 0920-185, which Ordinance adopted the Zoning District Map; and

WHEREAS, the Zoning District Map shows that the property subject to this zoning district map amendment is zoned General Commercial (C-3) districts, which district is consistent with its future land use designation; and

ATTACHMENT G

WHEREAS, this Ordinance granting a zoning district map amendment to Commercial Entertainment (CE) zoning district also is consistent with its future land use designation; and

WHEREAS, at their duly noticed meeting and public hearing of August 23rd, 2005, the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA), entered the Development Review Report on the proposed Ordinance into the record, adopted the findings and conclusions supporting the Ordinance's adoption, and recommended the City Commission adopt the Ordinance and incorporate it into the Land Development Regulations; and

WHEREAS, at their duly noticed meeting and public hearing of August 29th, 2005, the City Commission considered the record, adopted findings and conclusions, and approved the proposed Ordinance on first reading; and

WHEREAS, at their duly noticed meeting and public hearing of September 12th, 2005 the City Commission on second reading adopted the Ordinance incorporating revisions to the Land Development Regulations.

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

SECTION 1. Property Description. The property subject to this zoning district map amendment is a 13.1365 acre site legally described as a portion of Section 31, Township 49 South, Range 41 East, City of Lauderhill, Florida, more commonly known as the former K-mart Plaza site on US 441 and Sunrise Boulevard, and more particularly described in Attachment A.

SECTION 2. Zoning District Map Amendment. The zoning district for the real property described in Section 1 of this Ordinance is hereby changed from General Commercial (C-3) to Commercial Entertainment (CE). The Planning and Zoning Department is hereby directed to amend the official Zoning District Map identified in Land Development Regulations Article III., Zoning Districts, Part 2.0., District Regulations, Subsection 2.2.1., Adoption of Zoning District Map, accordingly.

SECTION 3. Findings and Conclusions. The Development Review Report prepared by the Planning and Zoning Department is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending the Land Development Regulations and Zoning District Map.

ATTACHMENT G

SECTION 4. Conflict. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and adoption.

DATED this 12th day of September, 2005.

↳ PASSED on first reading this 29 day of August, 2005.

PASSED AND ADOPTED on second reading this 12th day of September, 2005.


PRESIDING OFFICER

ATTEST:

CITY CLERK

	FIRST READING	SECOND READING
MOTION	<u>Bates</u>	<u>Bates</u>
SECOND	<u>Holness</u>	<u>Holness</u>
M. BATES	<u>Yes</u>	<u>Yes</u>
H. BERGER	<u>Yes</u>	<u>Yes</u>
D. HOLNESS	<u>Yes</u>	<u>Yes</u>
L. MIRSKY	<u>Yes</u>	<u>Yes</u>
R. KAPLAN	<u>Yes</u>	<u>Yes</u>

ATTACHMENT H

ATTACHMENT H

BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS

IN THE MATTER OF:

CARISHOCA PLAT
(023-MP-07)

ORDER

The Broward County Board of County Commissioners hereby approves the CARISHOCA PLAT, subject to Staff Comments, Findings and Staff Recommendations set forth within Agenda Item # 45, March 25, 2008.

The Board's order may be appealed by Petition for Writ of Certiorari to the Seventeenth Judicial Circuit within thirty (30) days of the date of rendition of this order as provided by the Florida Rules of Appellate Procedure.

Dated this 25th day of March, 2008


Mayor

Filed with the Clerk of the Board this 25th day of March, 2008



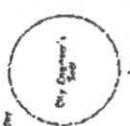
ATTACHMENT I

CFN # 108678260.
Page 1 of 3
Recorded 08/18/2009 at 01:51 PM

"CARIBHOCA PLANT"

A PORTION OF GOVERNMENT LOT 4, SECTION 31, TOWNSHIP 48 SOUTH, RANGE 68 EAST, CITY OF LAURELHURST, BROWARD COUNTY, FLORIDA TOWNSHIP 48 SOUTH

STATE OF FLORIDA
COUNTY OF BROWARD
I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the office of the County Clerk of Broward County, Florida, at the City of Fort Lauderdale, Florida, on this 18th day of August, 2009.



Witness my hand and the seal of said County at the City of Fort Lauderdale, Florida, on this 18th day of August, 2009.

County Clerk of Broward County, Florida

Notary Public

STATE OF FLORIDA
COUNTY OF BROWARD
I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the office of the County Clerk of Broward County, Florida, at the City of Fort Lauderdale, Florida, on this 18th day of August, 2009.

Witness my hand and the seal of said County at the City of Fort Lauderdale, Florida, on this 18th day of August, 2009.

County Clerk of Broward County, Florida

Notary Public

Notary Public

Notary Public



Notary Public

ATTACHMENT J

ATTACHMENT J



**THE CITY OF LAUDERHILL
COMMUNITY REDEVELOPMENT AGENCY (CRA)
BOARD MEETING MINUTES**

May 11, 2014

3:00 P.M.

A meeting of the City of Lauderhill CRA Board was called to order by Mayor Kaplan at 3:00 p.m. on May 11, 2014, at the City of Lauderhill Commission Chambers, 5581 West Oakland Park Blvd., Lauderhill, Florida, 33313, Suites 141-142. Upon call of the roll, the following members of the CRA Board were present:

Mayor Richard J. Kaplan
Vice Mayor Hayward J. Benson, Jr.
Commissioner M. Margaret Bates (Arrived 3:01 p.m.)
Commissioner Howard Berger
Commissioner Ken Thurston.

The following members of staff were also present:

City Manager Charles Faranda
Deputy City Manager Desorae Giles Smith
City Attorney Earl Hall
Assistant Finance Director/CRA Director Don Giancoli
City Clerk Andrea Anderson
Deputy City Clerk Indira Gosine

THE ONLY BUSINESS TO BE DISCUSSED WILL BE:

1. **RESOLUTION NO. 15R-CRA-01:** A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) AUTHORIZING AND APPROVING THE BROWARD REDEVELOPMENT PROGRAM GRANT APPLICATION IN THE AMOUNT OF \$1 MILLION TO BE USED FOR PUBLIC IMPROVEMENTS SUCH AS PARKING, LANDSCAPING, PUBLIC ART, OUTDOOR SEATING AND WALKWAYS ASSOCIATED WITH THE DEVELOPMENT OF THE OLD K-MART SITE ON THE NORTHEAST CORNER OF SUNRISE BOULEVARD AND STATE ROAD 7; FINDING THAT SUCH IMPROVEMENTS WOULD BE A BENEFICIAL USE OF PUBLIC DOLLARS IN SUPPORT OF ECONOMIC DEVELOPMENT OPPORTUNITIES AND THAT THE SITE WOULD HAVE A POSITIVE IMPACT ON THE COMMUNITY; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING TERMS AND CONDITIONS; PROVIDING THAT

ATTACHMENT J

NO MATCHING FUNDS ARE REQUIRED; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CRA DIRECTOR DONALD GIANCOLI)

Mayor Kaplan acknowledged the arrival of Commissioner Bates. He asked the Commission if they desired a presentation or did they have questions.

Vice Mayor Benson requested a presentation on the subject item, after which questions could be asked.

CRA Director Giancoli reviewed the proposed item, as detailed in the backup, noting the item was on the next Commission meeting for consideration and approval. The grant application was due the coming Wednesday, so he worked feverishly to draft the application and place the resolution on the Commission agenda. The City Commission needed to authorize the City Manager to sign a letter, and he needed the signed resolution and the letter by May 12, 2015, so on the morning of May 13, he could turn in the application. He explained what the Commission was voting on at both the CRA and Commission meeting were procedural matters that indicated the City Commission wished the application to go forward, but it had no bearing on the future in terms of what happened with the subject project. The Commission would have only two meetings before the grant application was due, and there was no obligation to accept the grant if it was awarded to the City. He indicated it was mathematically unlikely that the City would get the grant, as there were at least 12 agencies represented at the meeting, and he expected there would be even more applications, as there was a total of \$5 million to be awarded. One in three applications could be fully funded, or the decision might be to partially fund. Mr. Giancoli added that the process included a public presentation of the project during the coming summer months that would require him to give a presentation before the ranking committee, and the Broward County Commission had to vote on the matter. If, at some time in the fall, the developer or the City decided they no longer wished to go forward with the project, they could pull out of the execution of the inter local agreement (ILA) and ask for the application to be removed from the running. He went on to state Konover had a contract on the subject property, and the CRA meeting was a good forum for the City Commission to have some discussion with them, if desired, on the proposed project that could cause the Commission not to go forward.

Vice Mayor Benson wished to make sure he understood the nexus of the decisions the City Commission would be making at the CRA and Commission meetings. The proposal Konover had included contributions they would be willing to make to the City, and Mr. Giancoli's presentation validated and clarified the information given to the City Commission earlier. He had no problem with moving forward with the grant application, acknowledging the proposal Mr. Hyatt was recommending did not lock the City into what was being proposed.

Commissioner Bates sought clarification that the \$2 million mentioned that could come to the City consisted of \$1 million from Konover, and \$1 million from the County.

Mr. Giancoli affirmed this to be the case, as a 100 percent match was required, and the project could only be public infrastructure, not any private development. The plan was for the

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developer to donate 4.5 acres of land to the City, and the City could use that land valued at \$1 million to match the County's \$1 million; there could be no private development match.

Commissioner Bates wished to confirm the grant monies the City was applying for were leftover funds from prior years, asking if any new monies were being brought in.

Mr. Giancoli answered no. A meeting was scheduled for Thursday afternoon to which all the Broward municipalities' CRAs were invited, and the County would make a presentation on non-TIF CRAs, though from their perspective, they were more interested in TIF CRAs whose term would soon expire and what they would do. The history of the CRAs was that they had a finite lifespan, and some of the larger CRAs were close to expiring, and the County and some of CRAs had been going back and forth. He noted the larger TIF CRAs received a lot of money from the County, and the County's position as to whether or not to renew them was that they would prefer not renew them. The question was what alternate financing would they come up with, so at the County meeting the coming Thursday, there was likely to be a discussion on alternate funding sources. Ideally, for the City, as a non-TIF CRA, would be support the County holding back all TIF funds as they expired, and then putting a percentage into some type of grant or distribution and make those monies available as a funding source to all the CRAs. He said the City would then have a chance at that money.

Commissioner Bates supported moving forward with the grant application, but she was concerned that, in dealing with the County, there was always something attached. She asked if staff thought there might be some unforeseen requirement the City could anticipate and sought confirmation that the application was for a grant, not a reimbursable loan.

Mr. Giancoli clarified it was a reimbursement grant, and City Attorney Earl Hall and he spent lengthy periods of time going through the last two ILAs with the County, and nothing had been paid out, as construction was not yet complete. Thus, the project would have to be built, the City had to make the improvements for the City to be reimbursed on those funds, dollar for dollar. The only trigger was that the jobs were actually be created. For example, a Walmart Neighborhood Grocery Store would generate almost twice as many jobs needed to qualify under the reimbursement. He reiterated, the way the subject process would move forward, was have half the funds would be expended on things that were enhancements Konover would be doing anyway. It was likely some arrangement would be worked out, that the improvements Konover made would be dedicated to the City at the necessary time to apply for the reimbursement, so the City would not be at risk. Mr. Giancoli indicated the other half would be the public parking spaces, which the City presumably wanted and needed. Thus, both proposed developments would have been built anyway, and the job requirement was very low, relative to the number of jobs created. He realized there was never "no risk" situations when dealing with the County, but he believed there was no appreciable risk in the subject case.

Mayor Kaplan opened the discussion to the public and received no input. He asked representatives from Konover if they wished to speak.

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Mr. Giancoli thought it would be useful to Konover, as a group, to hear any additional questions on the project from the Commission, in light of the scope of the grant application, and the fact that they had a contract on a nearby piece of the property.

Mayor Kaplan asked if this was a quasi-judicial matter that would come before the Commission at a later date.

Mr. Giancoli stated the approvals the developer had to get from the City, included a zoning change, and a special exception for their drive thru.

City Attorney Hall believed the developer's team was asking to present their proposed project to the City Commission.

Vice Mayor Benson made a motion to Approve Resolution #15R-CRA-01, seconded by Commissioner Bates. The vote was as follows:

Commissioner Bates	Yes
Vice Mayor Benson	Yes
Commissioner Berger	Yes
Commissioner Thurston	Yes
Mayor Kaplan	Yes

2. NEW BUSINESS

Mr. Giancoli noted the developer had spoken individually with the members of the City Commission, so they could make a short presentation and take questions from the City Commission.

Blair Hyatt, executive vice president of Konover South, made a short presentation to the Commission on the proposed development. He thanked the Commission for meeting individually with the developers, as well as City staff for their guidance, acknowledging that the subject development was by no means 100 percent any member of the City Commission's dream, which the developer clearly understood. They thought the proposed development was a terrific compromise and a wonderful opportunity a responsible developer would propose. He believed if the Commission allowed the proposed development to go forward, the outcome would be of a high quality, similar to the two other developments they did in Lauderhill, both from a landscaping and building elevation standpoint. The property had been vacant for over 12 years, and numerous developers tried and failed to develop the site, generating no jobs, tax base, etc. He felt their site plan would give the City the opportunity to recognize part of its vision for the area, as it included a significant amount of landscaping, park and patio areas, and 350 parking spaces on a 4.5-acre lot. The parking component was incredibly important to the Performing Arts Center (PAC) that would house 1,250 seats, with 100 parking spaces on the PAC's site. Though hundreds of added parking spaces were available at the Regional Park, the distance from the PAC meant the City would have to provide a shuttle service for

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PAC patrons, adding further cost to the City. Mr. Hyatt used a PowerPoint presentation to review the proposed site plan, highlighting:

- Retention ponds would handle any drainage from the 350 parking spaces for the PAC
- The Walmart Neighborhood Market included a pharmacy, fresh fruits/vegetables, delicatessen, organic foods, etc. at their usual low prices
- Several pleasing features of the project included entry signage that was clearly visible to vehicular traffic traveling on Sunrise Boulevard and 441, as well as a concept fountain with a sign welcoming everyone to the City of Lauderhill
- The developer pledged to cooperate with art on two parcels, and they took pictures of concept art pieces they knew were important to the City
- Four-sided buildings for the two buildings located to the north side of the property, so the back of the buildings would look as good as the front
- They informed Walmart if they wished to locate their store at the subject site, their store had to be very special, and they already consented to do whatever was required, and he thought the result would be very pleasing
- The proposed landscaping along the 441 corridor would include a berm, a hedge, and clumps of trees all along the 441 corridor
- Walmart typically provided 80 to 100 jobs, 70 percent of which were full time and 30 percent part time, and they were moving away from minimum wage, raising the salaries of workers making \$10 an hour and under
- They could not promise the City sit-down restaurants, but they could promise that their organization did an excellent job of leasing space, and they would make a concerted effort to find an appropriate sit-down restaurant for the site
- They believed if the Commission approved the proposed site plan, it was likely to attract other development to the area
- The best part in the 50/50 compromise was the 4.5 acres they would be giving the City did not have to be developed into parking spaces, as this was land with which the City could do whatever it wanted
- Regardless of the development the City decided for the 4.5 acres, he suggested it should have onsite parking.

Commissioner Thurston recalled Mr. Hyatt mentioning in his discussions with individual members of the Commission there would be a service station.

Mr. Hyatt affirmed there would be a four-pump service station.

Commissioner Thurston asked if Walmart would be posting the yellow rollback signs at the gas station.

Mr. Hyatt indicated he too asked that of Walmart, and they indicated, though they strived to maintain low prices, the depth of the discounts were not like Costco or BJ's. All gas stations were competitive, often within a penny or two of each other.

Commissioner Thurston questioned if the developer could incorporate in their design

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something to prevent traffic backing up to Sunrise Boulevard or 441, as in three years the City would have no control over what Walmart would be doing. If their gas was three cents cheaper than other service stations, there could be a backup of a long line of traffic.

Mr. Hyatt replied the four-pump station could accommodate eight cars, and the site allowed eight more to stack onsite.

Commissioner Benson inquired if the City Commission agreed to endorse the developer's site plan, what was the developer's timetable for proceeding.

Mr. Hyatt stressed that their proposed development had been approved by the real estate committee at Walmart Headquarters, there was a letter of intent they had been sitting on, and there were still a few matters to negotiate. They could immediately begin the site plan approval process in Lauderhill to rezone from commercial entertainment to commercial general. He mentioned during one of the discussions with City administration, it was recommended that they only rezone the shopping center portion to the commercial general, and not rezone the 4.5 acres. Thus, they would be ready to proceed immediately.

Commissioner Bates recalled no mention of the service station pumps when she met with the developer, which she informed a female member of the developer's team now present at the meeting with Mr. Hyatt. It was not so much that she was against the service station, as she understood competition. However, there were two service stations at Sunrise Boulevard and NW 31st Avenue, and further along Sunrise Boulevard, there was another service station by the Swap Shop. The current proposal was putting another service station on the corner, and if one traveled north on 441, there were services stations at NW 12th street, NW 16th Street, and NW 19th Street. She questioned the need for another service station.

Mr. Hyatt apologized for not mentioning the service station in their presentation of the project to Commissioner Bates. He indicated there were numerous grocery stores, in many instances a mile apart from each other, and they needed to do a lot more business. Competition only helped the consumer. He was unable to speak to the existing service stations, whether they were old or new, or if they had attached convenience stores.

Commissioner Bates asked if the service stations would be to the front, side or back of the store.

Mr. Hyatt pointed out on map provided in the presentation where the pumps would be located on the property on 441 in an area that would be fully landscaped. Though he would not suggest it would not be seen when driving by, the developer was committed to install landscaping way above what City code required on the 441 corridor. He said this was something they could work out further on in the site plan and permitting processes.

Commissioner Bates reminded the developer that in their meeting, she spoke about the artist, Mark Fuller, who did the public art work on Palm Beach Gardens Boulevard. Though she was in favor of the development, she did not like the idea of the service station, and she preferred to see that on the site than nothing at all.

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Mayor Kaplan wished to know the parking requirements for the PAC, and how many parking spaces the Center presently had.

Mr. Giancoli believed there were about 100 parking spaces onsite.

City Attorney Hall affirmed there were few parking spaces onsite, and the compromise Mr. Hyatt referenced was during the negotiation of the ILA with the County, City staff was able to prevail upon them to allow parking within the Regional Park, which was not an ideal situation. Thus, the current agreement between the County and the City was to permit PAC patrons to park at the Regional Park and have shuttles transport them to the PAC.

Mr. Giancoli clarified that when he said 250 parking spaces, rather than 350 as stated by Mr. Hyatt, this was the number of spaces the County's grant would pay to pave, though there would be room for 100 more spaces.

Mayor Kaplan asked how many parking spaces the PAC truly needed.

Mr. Hahn (*inaudible – NOT close to the microphone to properly transcribe*)

Mayor Kaplan wondered if it were possible to create a parking garage with two floors, as it sounded as if more spaces were needed than surface parking alone could provide. The \$1 million could be applied to the garage, and a fee for parking charged to cover the cost, as this would give the PAC 700 plus the 125 spaces at the PAC. The second floor could be a half rather than full second floor to accommodate another 200 spaces.

Mr. Giancoli indicated a parking fee could not cover the cost of a parking garage, as it would not be used enough to generate the revenue needed. There were many permutations as to what might happen, and a two-story deck was something he looked into, as it was the least expensive way to proceed before getting into a full parking structure, and it was not necessarily something that had to be done in a first phase. The City could explore various ways to finance the second phase of the site development. Another option they discussed was the possibility of the Jamaican Cultural Center, the Tennis Association, or other options when the City had the land and began recruiting development. Ideally, he did not think it should all be used for parking only.

Vice Mayor Benson asked if Mr. Hyatt was familiar with a ruling that suggested when service stations were built, there had to be a display of gas prices somewhere on the property.

Mr. Hyatt answered yes.

Vice Mayor Benson wished to know if that would be applicable in the subject instance.

Mr. Hyatt affirmed it would. Generally, those signs were not very big and were surrounded by landscaping.

ATTACHMENT J

Vice Mayor Benson recalled during his individual conversations with the developer, he inquired about public art, asking Mr. Hyatt how he responded.

Mr. Hyatt recalled his response to Vice Mayor Benson was that they had set aside about \$40,000 or \$50,000 in their budget to put toward art, and they would either purchase the art or give the funds to the City to purchase art.

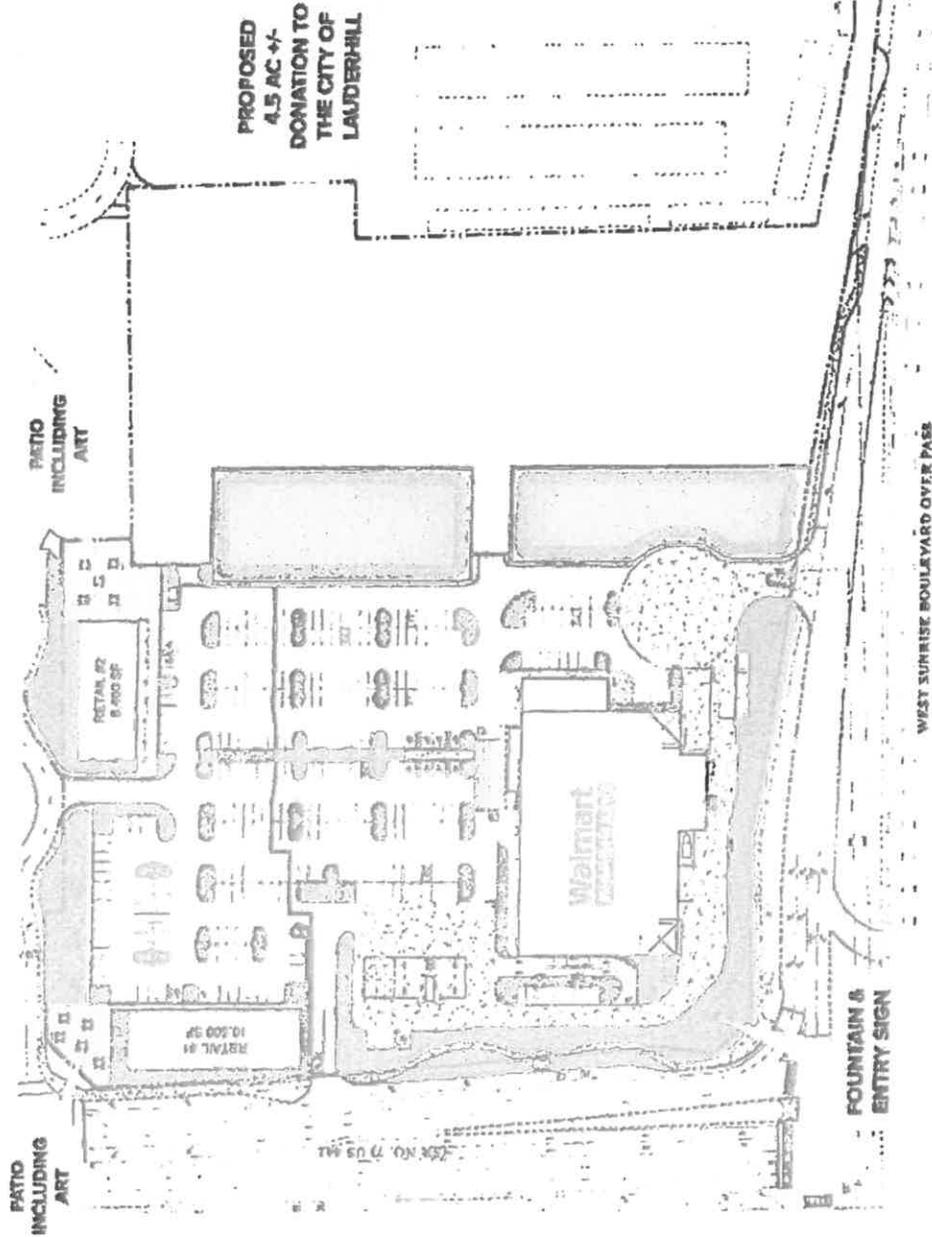
3. ADJOURNMENT:

The meeting was adjourned at 3:49 p.m.

ATTACHMENT K

PLAZA OF THE ARTS

ATTACHMENT K-1

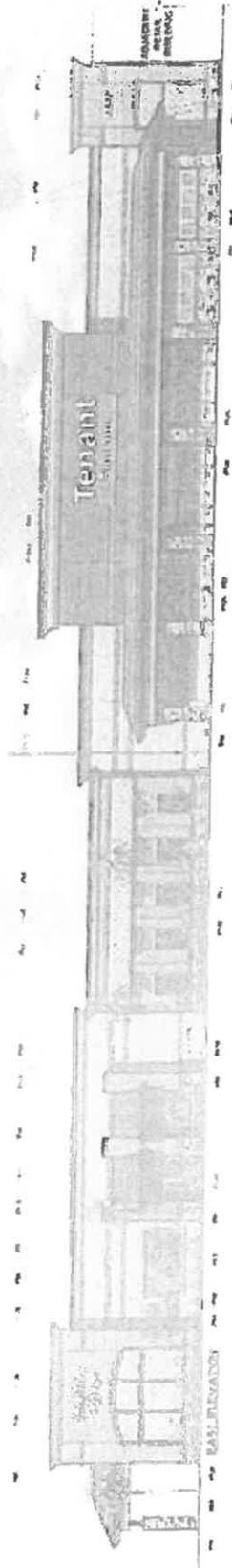


ATTACHMENT L

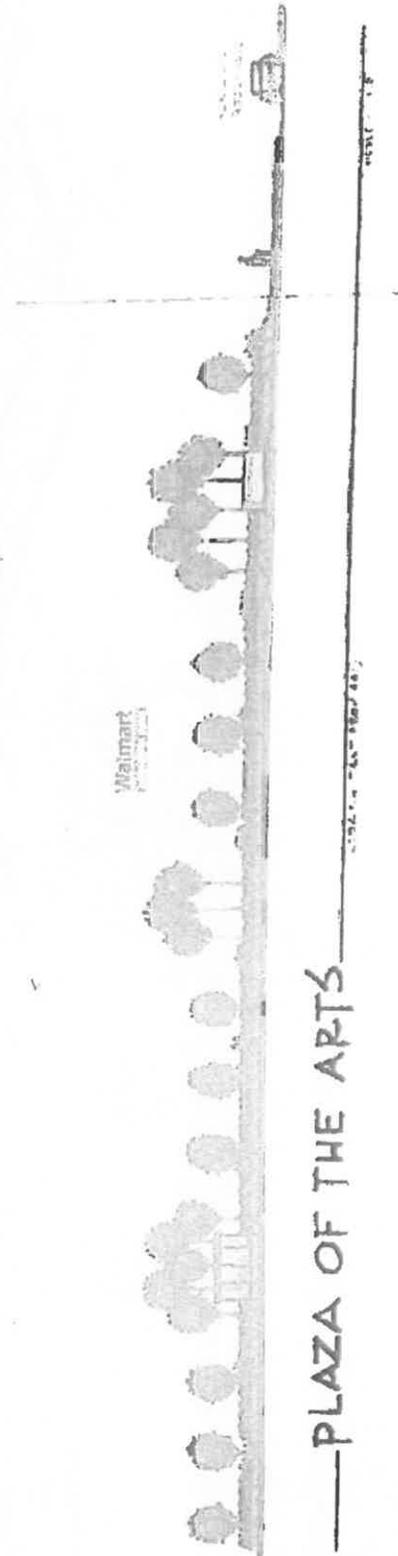
PLAZA OF THE ARTS

WALMART CONCEPT ELEVATION

ATTACHMENT L



ATTACHMENT L



ATTACHMENT M

I hereby certify that this is a true and correct copy of the minutes of the July 28, 2015 meeting of the Planning and Zoning Board

Melville Herron
Chairperson

**City of Lauderdale
Planning and Zoning Board
Regular March Meeting
Held
July 28, 2015
Commission Chambers
5581 West Oakland Park Blvd.
Lauderhill, Florida**

MINUTES

A. CALL TO ORDER

Chairman Melville B. Herron called the meeting to order at 7:30 p.m.

B. PLEDGE OF ALLEGIANCE

Chairman Melville B. Herron led those present in the Pledge of Allegiance.

C. ROLL CALL

Ms. Ozegovich called the roll and the following members were in attendance:

MEMBER	PRESENT	ABSENT
Chairman Melville B. Herron	X	
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch	X	
Dr. Leland K. Hall, Sr.		X
Mr. Win Hoffman	X	
Mr. Doug Crumpler	X	
Kenneth Lewis, Esq.	X	

ALSO PRESENT:

W. Earl Hall, City Attorney
Steve Tawes, Interim City Planner
Marilyn Ozegovich, Secretary to the Board
County Commissioner Dale Holness
City of Lauderhill Commissioner Howard Berger

D. PROOF OF PUBLICATION

MOTION by Vice-Chairman Yacinthe

To accept and file proof of publication.

SECOND by Mr. Hoffman.

The motion passed 6-0.

e. APPROVAL OF MINUTES

MOTION by Mr. Hoffman

To approve the minutes of June 23, 2015

SECOND by Mr. Lewis.

The motion passed 6-0.

F. CITY PLANNER'S REMARKS

Mr. Tawes introduced himself and briefly summarized his planning experience.

G. PUBLIC HEARING

1. An ordinance of the City Commission of Lauderhill, Florida amending the Land Development Regulations (LDR) by amending the standards and procedures applicable to houses of religious worship and other public assembly uses in all affected zoning districts, to conform to the federal religious land use and institutionalized persons act; providing for findings and

conclusions; providing for conflicts; providing for codification; and providing an effective date (sponsored by the City Manager).

Mr. Tawes read the title and gave a brief introduction to the proposed ordinance. He asked that Attorney Hall speak about the legal aspects of the proposed ordinance.

Mr. Hall said that there was no need for a formal presentation, that the proposed ordinance and backup was straight forward; its purpose was to bring the city's land use laws into compliance with the federal law.

Mr. Crumpler said that after reading the materials it seemed that this was a reaction to the chain of events that occurred when a second house of worship wanted to enter Corporate Park. He also asked if someone in a residential community could use their house for a church. He said that he could foresee problems with noise and parking.

Mr. Hall said that this wasn't a reaction so much as it was a desire upon the part of the City to bring their laws into compliance. He said that a person could use his home as a church but that this ordinance does not negate other City laws such as the ones which govern noise and parking.

Chairman Melville B. Herron opened the discussion to the Public.

Mr. Robert Sieu spoke on behalf of the owner of Corporate Park. He raised several points. He took issue with that part of the ordinance that said that the church's administrative offices had to be housed at the church. The second issue is that the proposed ordinance eliminated parking requirements for churches. He also spoke about the Fire regulations that governed fixed seating and how this affected the parking requirements for churches.

Mr. Lewis asked if Mr. Hall had discussed these issues with Mr. Sieu.

Mr. Hall said that Mr. Sieu had contacted him with the Fire department related issue too late in the day for him to research it and form an opinion for tonight.

Chairman Melville B. Herron asked Mr. Hall if he thought it necessary to table the item.

Mr. Hall said that it would not be necessary to table but that the item could be amended for the City Commission meeting.

Mr. Lewis requested that the Board be apprised of the results of his research and discussion on these two issues.

Chairman Melville B. Herron asked if there were any further questions. Hearing none he called for a motion and closed the discussion to the Public.

MOTION by Mr. Crumpler

To approve Item G.1.

SECOND by Vice-Chairman Yacinthe .

ROLL CALL VOTE

MEMBER	YES	NO
Chairman Melville B. Herron	X	
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch	X	
Mr. Win Hoffman	X	
Mr. Doug Crumpler	X	
Kenneth Lewis, Esq.	X	

The motion passed 6-0

2. An Ordinance of the Commission of the City of Lauderhill, Florida granting to Konover Acquisition Corporation a development order amending the Zoning District Map identified in Land Development Regulations (LDR) Article III., Zoning Districts, Part 2.0., District Regulations, Subsection 2.2.1., Adoption of Zoning District Map; changing from Commercial Entertainment (CE) to General Commercial (CG) the zoning district of a 5.33+ acre parcel legally described as a portion of Parcel "A", Carishoca Plat, according to the plat thereof, as recorded in Plat Book 178, Pages 161, 162, and 163, of the public records of Broward County, Florida, and more fully described in Exhibit 1; providing for findings and conclusions; providing for conflicts; providing for an effective date (Sponsored by Charles Faranda, Jr., City Manager).

Mr. Tawes read the title and gave a brief presentation on the proposed ordinance. He gave the Board a revised Page 5 of the report.

Chairman Melville B. Herron asked if there were any questions of staff.

Mr. Crumpler said that he did not agree with the “best efforts” verbiage of the report.

Mr. Lewis said that he did not agree with the lack of specificity of the developer’s obligations.

Chairman Melville B. Herron called upon to applicant to make his presentation.

Mr. Hall swore in those who would testify.

Mr. Steve Whery spoke on behalf of the applicant. He explained how this rezoning would meet the criteria contained in LDR, Article IV. The proposed development, including the Walmart Neighborhood Market, is suitable for the proposed General Commercial zoning district. He said that in the conceptual design they have tried to meet the Transit Oriented Corridor Guidelines such as fewer curb cuts, intense landscaping and bringing the building as close to SR 7 as possible. He said that he understood the City’s desire to fill the other spaces with restaurant /night club uses. He said that a tenant such as the Walmart Neighborhood Store was necessary, because this use would help attract people to the Plaza and perhaps support such uses. The current schedule of the PAC would not support these uses. He said that the rezoning of this vacant land within the CRA area would not devalue any other property. The rezoning would improve the gateway. He then spoke about how the CRA is trying to obtain a one million dollar grant. This rezoning would assist the CRA in obtaining that grant. He also spoke about Konover’s dedication of land to the City which would alleviate some of the parking shortage at the Performing Arts Center. He said that the applicant agrees with the staff report conclusion that the proposed development is consistent with the Comprehensive Plan. He said that the original vision for the site which included the Carishoca development is no longer relevant. The plan was conceived prior to the real estate market crisis and as a result, has remained vacant for so many years. A change to zoning is necessary to promote economic development. The Walmart Neighborhood Market would bring at least 50 jobs to the area, increase property values and provide amenities to the neighborhood. The MacArthur Dairy site was rezoned to RT15 and will be complimentary to the proposed rezoning and development. Mr. Whery then showed a Power Point presentation of other Konover South Projects, the proposed development and the Walmart Neighborhood Market.

Mr. Crumpler asked what will make this shopping plaza more attractive than the existing ones with vacancies. He noted that there was trouble keeping a restaurant in the Publix Plaza.

Ms. Lynch asked whether or not Walmart had surveyed the community?

Mr. Wilkins of Walmart described other techniques that they had employed to determine that a Neighborhood Market would suit this location.

Ms. Lynch said that in the future they should survey the community. She pointed out that she lives in the community and would like to have a voice in what she has to live with.

Mr. Wilkins reiterated that this is a neighborhood market not a supercenter, not a big box store.

Mr. Lewis noted that the developer really has no control over how long the Walmart Store would stay. He also asked what the average wage was at Walmart.

Mr. Whery replied that Konover has a 20 year lease with the Walmart Neighborhood Market.

Mr. Wilkins said that the empty Walmart Store was due to the fact that the demand was so great, they had to move to a larger space. He said that they made a commitment to have a \$9.00 per hour starting salary and he discussed the opportunity to grow within the company.

Mr. Lewis asked how flexible Walmart would be with conforming to design guidelines of a given city.

Mr. Wilkins said that would be "tough." People expect and look for the Walmart Logo.

Ms. Lynch asked what percentage of the jobs will be drawn from the community.

Mr. Wilkins said that they want to get the best possible persons for the jobs. He could not say how many persons would be hired from the community.

Ms. Lynch and Mr. Wilkins discussed the effect of the Neighborhood Market on smaller minority owned businesses.

The Board discussed the conceptual plan for the site and what was meant by "conceptual."

Chairman Melville B. Herron opened the discussion to the Public.

Mr. Andre Parke spoke on behalf of IMC Property Management (Lauderhill Mall). He entered into the record a letter dated July 27, 2015 addressed to Mr. Charles Faranda and a copy of Florida Statutes 163.3194 which says that all development orders be consistent with the Comprehensive Plan.

He said that the proposed development contains elements that are not consistent with the Transit Oriented Corridor. He argued that a “conceptual” site plan is no more than that and can be changed at any time – it cannot be relied upon like an approved site plan.

Mr. Whery rebutted that the proposed development was consistent with the Comprehensive Plan. He said that certain uses were discouraged, not prohibited.

Mr. Hall instructed the Board as to what they were allowed to consider when making a decision about the rezoning.

Chairman Melville B. Herron called for a motion. He closed the discussion to the Public.

MOTION by Mr. Crumpler

To approve Item G.2.

SECOND by Vice-Chairman Yacinthe.

ROLL CALL VOTE

MEMBER	YES	NO
Chairman Melville B. Herron		X
Vice-Chairman Yacinthe	X	
Ms. Ruth Roman Lynch		X
Mr. Win Hoffman		X
Mr. Doug Crumpler		X
Kenneth Lewis, Esq.		X

The motion failed 5-1

H. NEW BUSINESS:

1. Public comments on non-agenda items: None.
2. Planning and Zoning Board member remarks: None

I. UNFINISHED BUSINESS: NONE

J. NEXT MEETING DATE

The next regular meeting is scheduled for August 25, 2015 at City Hall.

K. ADJOURNMENT

The meeting was adjourned at approximately 9:35 P.M.

ATTACHMENT N



**REGULAR MEETING OF THE
COMMISSION OF THE
CITY OF LAUDERHILL, FLORIDA**

OCTOBER 26, 2015

The City Commission of the City of Lauderhill, Florida, met in a regular public session pursuant to the law and rules of said Commission on October 26, 2015, at 7:00 p.m. in the Commission Chambers at 5581 West Oakland Park Boulevard, Lauderhill, Florida.

Vice Mayor Benson called the meeting to order at 7:00 p.m.

Upon roll call, the following were determined to be present:

Mayor Richard J. Kaplan
Vice Mayor Hayward J. Benson, Jr.
Commissioner M. Margaret Bates
Commissioner Ken Thurston
Commissioner Howard Berger
City Manager Charles Faranda

Upon roll call, the following were determined to be absent:

Commissioner Ken Thurston - Excused

Also Present:

City Attorney W. Earl Hall
Deputy City Manager Desorae Giles-Smith
Police Chief Andrew Smalling
Assistant City Manager/Finance Director Kennie Hobbs
City Clerk Andrea M. Anderson

COMMUNICATIONS FROM THE PUBLIC (SHALL TERMINATE PRIOR TO 7:30 P.M.)

1. Joe Farrow
2. Reverend Robert Shaw
3. Keieshea P. Booker
4. Paul Francis
5. George Huntley
6. Miriam Gordon
7. Alfred Yancy

ADJOURNMENT (NO LATER THAN 7:30 PM)

Adjourned Communications from the Public: 7:30 p.m.

CALL TO ORDER OF THE REGULAR COMMISSION MEETING (TO BEGIN IMMEDIATELY AFTER THE COMMUNICATIONS FROM THE PUBLIC MEETING, BUT NO LATER THAN 7:30 P.M.)

ROLL CALL – 7:31 PM

Upon roll call, the following were determined to be present:

Mayor, Richard J. Kaplan
Vice Mayor, Hayward J. Benson, Jr.
Commissioner, M. Margaret Bates
Commissioner, Howard Berger
Commissioner, Ken Thurston
City Manager, Charles Faranda

Also Present: City Attorney, Earl Hall
Deputy City Manager, Desorae Giles-Smith
Interim Police Chief, Constance Stanley
Assistant City Manager/Finance Director, Kennie Hobbs
City Clerk, Andrea M. Anderson
Deputy City Clerk, Indira Gosine

PLEDGE OF ALLEGIANCE, FOLLOWED BY GOOD & WELFARE

Mayor Kaplan led the Pledge of Allegiance followed by a moment of silence for the passing of Corey Jones, a church musician from West Palm Gardens who was shot by a police officer; and the passing of James Crumpler, a former member of the Kiwanis of Central Broward and a homeowners association president.

Vice Mayor Benson made a motion to:

MOTION TO ACCEPT VERSION 2 OF THE REGULAR CITY COMMISSION AGENDA FOR OCTOBER 26, 2015

ADD LEGISLATION:

ITEM 20A. RESOLUTION NO. 15R-10-246: A RESOLUTION APPROVING PAYMENT OF THE 2015-2016 ANNUAL DUES TO THE BROWARD LEAGUE OF CITIES IN THE AMOUNT OF \$5,608.00; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 001-101-5410; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

REMOVE:

ITEM #11. RESOLUTION NO. 15R-10-236: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL AUTHORIZING THE AGREEMENT BETWEEN THE CITY OF LAUDERHILL AND BROWARD COUNTY FOR THE BROWARD CULTURAL COUNCIL CULTURAL INCENTIVE PROGRAM GRANT IN THE AMOUNT OF \$50,000.00 TO RENOVATE THE EXTERIOR OF THE LAUDERHILL ARTS CENTER LOCATED AT 5450 N.W. 19TH STREET; PROVIDING THAT THE CITY WILL PROVIDE MATCHING FUNDS IN THE AMOUNT OF \$50,000.00; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

on the agenda,

seconded by Commissioner Bates. The vote was as follows:

Commissioner Bates	Yes
Vice Mayor Benson	Yes
Commissioner Berger	Yes
Commission Thurston	Yes
Mayor Kaplan	Yes

IV. The following Ordinances were read by title only and Resolutions by resolution numbers only by the City Attorney for approval on the **Consent Agenda:**

V. APPROVAL OF MINUTES:

A. MINUTES OF THE REGULAR MEETING OF THE CITY COMMISSION, SEPTEMBER 21, 2015

ORDINANCES & PUBLIC HEARINGS --- FIRST READING: (AS ADVERTISED IN THE SUN-SENTINEL)

#1. ORDINANCE NO. 15O-10-146: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR) AND PERTAINING TO SELF-SERVICE STORAGE FACILITIES; AMENDING ARTICLE I., PART 1.0., SECTION 1.5., DEFINITIONS, GENERAL, BY REPEALING THE DEFINITION OF SELF-SERVICE STORAGE FACILITY; AMENDING LDR ARTICLE III., ZONING DISTRICTS, PART 5.0., SPECIAL REGULATIONS FOR SPECIFIC LAND USE CLASSIFICATIONS, SECTION 5.34., SELF-SERVICE STORAGE FACILITY USES, BY ADDING SUBSECTION 5.35.9 ON WHOLESALE AND RETAIL SALES AND SERVICES AND SUBSECTION 5.35.10 ON SELF-SERVICE STORAGE FACILITY USES WITHIN THE COMMUNITY COMMERCIAL ZONING DISTRICT AND MAKING MODIFICATIONS TO THE SECTION NAME, SUBSECTION 5.34.3 ON USES WITHIN UNITS AND SUBSECTION 5.34.4 ON DESIGN STANDARDS; AMENDING SCHEDULE A., LAND USE CLASSIFICATIONS, BY ADDING SELF-SERVICE STORAGE FACILITY AS A LAND USE AND PROVIDING A DEFINITION; AMENDING SCHEDULE B., ALLOWABLE USES, SECTION 2., USES ALLOWED IN NON-RESIDENTIAL DISTRICTS, BY ALLOWING WITHIN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT A SELF-SERVICE STORAGE FACILITY AS A PERMITTED USE; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES

FARANDA)

#2. ORDINANCE NO. 150-10-147: AN ORDINANCE AMENDING THE CITY OF LAUDERHILL CODE OF ORDINANCES, APPENDIX G, FRANCHISES, ARTICLE III, GARBAGE, REFUSE AND TRASH, AMENDING THE RATE SCHEDULE EFFECTIVE NOVEMBER 1, 2015; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

ORDINANCES & PUBLIC HEARINGS --- SECOND READING: (AS ADVERTISED IN THE SUN-SENTINEL)

#3. ORDINANCE NO. 150-09-145: AN ORDINANCE OF THE CITY OF LAUDERHILL, FLORIDA, AMENDING THE CITY OF LAUDERHILL CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, OFFICERS AND EMPLOYEES, DIVISION 3, RETIREMENT, PART 4, SENIOR MANAGEMENT PENSION PLAN AND TRUST FUND, SECTION 2-88.3, ADMINISTRATION OF THE RETIREMENT PLAN, PROVIDING THAT THE APPOINTED TRUSTEES AND ONE OF THE TRUSTEES ELECTED FROM AMONG THE MEMBERSHIP MAY BE A PLAN RETIREE AND TO EXTEND THE TERMS OF OFFICE OF CERTAIN MEMBERS OF THE BOARD OF TRUSTEES; AMENDING SECTION 2-88.10, DEATH BENEFITS, TO ALLOW MEMBERS TO SELECT ANY DEATH BENEFIT BENEFICIARY, AND REMOVING THE REMARRIAGE PENALTY; AMENDING SECTION 2-88.15, DEFERRED RETIREMENT OPTION PLAN, TO CORRECT CLERICAL ERROR; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

RESOLUTIONS:

#4. RESOLUTION NO. 15R-10-229: A RESOLUTION APPROVING AND ACCEPTING THE BILL OF SALE FROM VERIZON WIRELESS PERSONAL COMMUNICATIONS LP D/B/A VERIZON WIRELESS GRANTING TO THE CITY OF LAUDERHILL THE RIGHTS TO THE PORTION OF THE MASONRY WALL CONSTRUCTED WITHIN THE RIGHT-OF-WAY OWNED BY THE CITY OF LAUDERHILL LOCATED AT THE END OF N.W. 17TH STREET AT 1691 N.W. 31ST AVENUE, PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#6. RESOLUTION NO. 15R-10-231: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL WAIVING COMPETITIVE BIDDING REQUIREMENTS; APPROVING THE AWARD OF BID TO GOLD NUGGET D/B/A ARGO UNIFORM, CO. BASED UPON THE BIDS SOLICITED AND CONTRACT ENTERED INTO WITH THE TOWN OF DAVIE (UNIFORM BID 15-105) ON AN AS NEEDED BASIS FOR A TWO (2) YEAR TERM; PROVIDING FOR PAYMENT FROM THE APPROPRIATE BUDGET CODE NUMBERS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#7. RESOLUTION NO. 15R-10-232: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE DONATION OF MATCHING FUNDS IN THE AMOUNT OF \$18,772.00 TO THE AGING AND DISABILITY RESOURCE CENTER OF BROWARD COUNTY (ADRC); PROVIDING FOR PAYMENT IN THE AMOUNT OF \$18,772.00 FROM THE APPROPRIATE 2016 BUDGET CODE NUMBER 001-101-8110; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES

FARANDA)

#9. RESOLUTION NO. 15R-10-234: A RESOLUTION AWARDING THE BID (#2015-042) TO P.E. SERVICES LLC IN AN AMOUNT NOT TO EXCEED \$117,958.00 TO PROVIDE THE ACTUAL CONSTRUCTION OF THE ROUNDABOUT AND SPEED HUMPS ON N.W. 34TH AVENUE AND N.W. 5TH STREET WITHIN THE CITY OF LAUDERHILL; AWARDING THE BID TO J.R. BEHAR AND COMPANY, INC. TO COORDINATE THE INSPECTION OF THE ONGOING PROJECT AND PERMITS WITH BROWARD COUNTY IN AN AMOUNT NOT TO EXCEED \$30,000.00; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 450-925-06525; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#12. RESOLUTION NO. 15R-10-237: A RESOLUTION OF THE CITY OF LAUDERHILL GRANTING TO CROWN CASTLE SOUTH, L.L.C., AS AGENT FOR BELLSOUTH MOBILITY, L.L.C. ON BEHALF OF SPRINT, CONSENT TO MODIFY THE EXISTING EQUIPMENT ON THE TOWER WITHIN ITS EXISTING LEASED AREA LOCATED AT 2000 CITY HALL DRIVE, WITHIN THE PARAMETERS AND SPECIFICATIONS REQUIRED BY THE CITY AND SUBJECT TO ALL PERMITTING AND REVIEWS REQUIRED BY THE CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE LETTER OF CONSENT SUBJECT TO BEING REQUIRED TO MEET THE PARAMETERS AND SPECIFICATIONS OF THE CITY; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#13. RESOLUTION NO. 15R-10-238: A RESOLUTION APPROVING PAYMENT OF THE ANNUAL MEMBERSHIP DUES TO THE FLORIDA LEAGUE OF CITIES, INC. IN THE AMOUNT OF \$7,356.00 FOR THE PERIOD BEGINNING OCTOBER 1, 2015, AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 001-101-5410; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#15. RESOLUTION NO. 15R-10-240: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE CREATION OF THE NEW POSITION OF PROPERTY/EVIDENCE SUPERVISOR; APPROVING THE NEW JOB DESCRIPTION FOR PROPERTY/EVIDENCE SUPERVISOR; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#16. RESOLUTION NO. 15R-10-241: A RESOLUTION APPROVING MODIFICATIONS TO THE JOB DESCRIPTION FOR THE EXISTING POSITION OF NETWORK ADMINISTRATOR; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#17. RESOLUTION NO. 15R-10-242: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE CREATION OF THE NEW POSITION OF FACILITIES SUPERVISOR; APPROVING THE NEW JOB DESCRIPTION FOR FACILITIES SUPERVISOR; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#18. RESOLUTION NO. 15R-10-243: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL ACCEPTING THE DONATION OF \$2,500.00 IN GRANT FUNDS FROM TD BANK AS AN EVENT SPONSOR FOR THE JAZZ PICNIC IN THE PARK

CONCERT SERIES AND IN THE AMOUNT OF \$2,500.00 AS AN EVENT SPONSOR FOR THE LAUDERHILL LIONS FOOTBALL SEASON; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#19. RESOLUTION NO. 15R-10-244: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE INTERDEPARTMENTAL COOPERATION AGREEMENT MEMORANDUM OF UNDERSTANDING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY THE CITY MANAGER CHARLES FARANDA)

#20. RESOLUTION NO. 15R-10-245: A RESOLUTION OF THE CITY OF LAUDERHILL CITY COMMISSION APPROVING THE FLORIDA PACE NON-EXCLUSIVE INTERLOCAL SUBSCRIPTION AGREEMENT TO PROVIDE A LONG-TERM FINANCING MECHANISM FOR STRUCTURAL IMPROVEMENTS TO RESIDENTIAL AND COMMERCIAL PROPERTY OWNERS THAT ENCOURAGE RENEWABLE GENERATION, ENERGY EFFICIENCY AND WIND-RESISTANCE; PROVIDING FOR AN INITIAL THREE (3) YEAR TERM; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

#20A. RESOLUTION NO. 15R-10-246: A RESOLUTION APPROVING PAYMENT OF THE 2015-2016 ANNUAL DUES TO THE BROWARD LEAGUE OF CITIES IN THE AMOUNT OF \$5,608.00; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 001-101-5410; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Commissioner Bates made a motion to approve the Consent agenda, seconded by Vice Mayor Benson. The vote was as follows:

Commissioner Bates	Yes
Vice Mayor Benson	Yes
Commissioner Berger	Yes
Commissioner Thurston	Yes
Mayor Kaplan	Yes

VI. PROCLAMATIONS/COMMENDATIONS

- A. A PROCLAMATION DECLARING THE MONTH OF OCTOBER 2015 AS DOMESTIC VIOLENCE AWARENESS MONTH IN THE CITY OF LAUDERHILL

VII. SPECIAL PRESENTATIONS (5 MINUTES MAXIMUM)

NONE

VIII. GENERAL PRESENTATIONS

- A. A CERTIFICATE OF APPRECIATION PRESENTED TO MS. REVA REED FOR HER ASSISTANCE IN A CHILD ABDUCTION/AUTO THEFT CASE IN THE CITY OF LAUDERHILL

IX. ORDINANCES & PUBLIC HEARINGS - FIRST READING (NOT ON THE CONSENT AGENDA) (AS ADVERTISED IN THE SUN SENTINEL):

NONE

XI. ORDINANCES & PUBLIC HEARINGS - SECOND READING (NOT ON THE CONSENT AGENDA) (AS ADVERTISED IN THE SUN SENTINEL):

NONE

XII. RESOLUTIONS:

#5. RESOLUTION NO. 15R-10-230: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL SUPPORTING THE POSITION TO ELIMINATE THE POSITION OF LIEUTENANT GOVERNOR FOR THE STATE OF FLORIDA AS THE POSITION DOES NOT FILL AN OFFICIAL LEGISLATIVE ROLE; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY COMMISSIONER HOWARD BERGER)

Mayor Kaplan recognized that the duties of the State's lieutenant governor's position was not clearly defined, so it seemed the person holding the position did nothing unless something happened to the governor. He could not support the subject resolution, as he did not agree with just eliminating the position; he preferred to modify the position, so the lieutenant governor actually had specific responsibilities. Thus, he would support a provision to modify the responsibilities ascribed to the position of lieutenant governor, though he believed no one would be moving on the subject matter soon.

Commissioner Bates commented similarly to Mayor Kaplan, as she was unsure of the transfer of power in the event of the inability of the governor to serve, and she always understood that the lieutenant governor would step in and become governor. She asked what State action would be taken in the event that after assuming office, the lieutenant governor, too, was unable to serve as governor, wondering who would serve as governor, as the article included in the backup did not answer this question. Specifically, she knew the gentleman that was appointed as Lieutenant General about a year ago was currently running for the Senate, which meant his position would be vacant, so the question was who would take up the governor's position if Governor Scott was unable to serve.

Commissioner Berger assumed the matter needed a constitutional amendment, and if that were approved, the State Legislature would make the appointment.

Mayor Kaplan said the information he looked up online indicated the lieutenant governor had the ability to break a tie in the Senate, so he assumed the next person in line to serve as governor would be the speaker of the house.

Commissioner Bates preferred to wait for direction from the Florida Legislature before voting on the proposed resolution.

Commissioner Berger felt the issue of who would take over from the lieutenant governor if unable to serve as governor was a minor situation that could be arranged. He felt the editorial he read made a lot of commonsense, and that's why he put the subject matter on the Commission agenda, as there seemed little justification for a position that paid \$124,000 with an annual budget that could exceed \$1 million. It seemed a large sum of funds being dedicated to a role that was so ceremonial.

Vice Mayor Benson understood the frustration Commissioner Berger probably felt with regards to the position of lieutenant governor, but he did not agree that the elimination of the position was the better course of action. He felt that the Legislature should be encouraged to make some provisions for the lieutenant governor to become one who would earn the salary allocated to the position, as it appeared to him that the lieutenant governor position was a case of being left unattended. He asked Commissioner Berger if he would consider encouraging the Legislature to take the appropriate steps to give the lieutenant governor position credibility in the State of Florida. He agreed, as it presently stood, the position was not worthy of the salary it received, but he felt for the time the matter should be tabled, so staff could amend the language to make it fit advocating the restructuring of the position to give it more credibility.

Commissioner Berger made a motion to Table Resolution #15R-10-230, seconded by Commissioner Thurston. The vote was as follows:

Commissioner Bates	Yes
Vice Mayor Benson	Yes
Commissioner Berger	Yes
Commissioner Thurston	Yes
Mayor Kaplan	Yes

#10. RESOLUTION NO. 15R-10-235: A RESOLUTION APPROVING THE INCREASE IN THE AMOUNT OF DOWN PAYMENT ASSISTANCE OFFERED TO INCOME QUALIFIED VERY LOW, LOW, AND MODERATE INCOME FIRST TIME HOME BUYERS AT THE REQUEST OF THE LAUDERHILL HOUSING AUTHORITY BOARD OF COMMISSIONERS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Commissioner Thurston wished to hear City staff rationale as to why the proposed move was necessary, as he was of the opinion that the more people the City helped to get into homes, the better it was. If the City was giving \$20,000 toward home purchase, he questioned why that figure should be increased to \$45,000.

Finance Director Hobbs responded, even though there were 1,900 applicants/residents who were a part of the lottery, they had to fall within certain categories and, as staff went through the 1,900 applicants, the amount of money they were obtaining for mortgages was insufficient to complete the purchase. One of the issues discussed at the last Lauderhill Housing Authority (LHA) meeting was to see if the City Commission would consider giving an increased amount for down payment and closing cost assistance for the remaining homes to help fill the gap between the amount offered by the financing bank and the selling price of the units.

Commissioner Thurston agreed this was one way of solving the problem; another way would be to reduce the cost of the homes, asking how the LHA arrived at the selling price.

Mr. Hobbs concurred, stating at the aforementioned meeting, the LHA Board authorized staff to renegotiate the existing contract with the developer, as there were some items that the Board and staff were happy with as they related to some of the cost items. Two homes were completed, and the price for those homes was based on the proposals submitted over a year ago when an RFP was sent out for construction plus profit contract. As the LHA went through the construction of these two homes, the Board and staff were unhappy with the terms of the contract. They would be meeting with the Board attorney in the present week, and in the coming week they would meet with the contractor. He said the contractor had been put on notice as of the last Board meeting that the LHA would not be building any additional homes until they could renegotiate the existing contract. If the Board was dissatisfied with the renegotiation of that contract, then a new RFP would be issued.

Commissioner Thurston inquired as to the expiration date of the present contract.

Mr. Hobbs replied the present contract expired December 2015.

Commissioner Thurston asked if this meant the City could go with another developer.

Mr. Hobbs answered yes.

Commissioner Thurston expressed concern with being able to control the cost of the units.

Mr. Hobbs explained this was part of the issue they had with the existing contract, that the City had not responded in a manner to simply pay for whatever expenses the contractor claimed, rather the contractor was continuously asked to provide documentation and proof related to certain costs that were part of the contract. Hence the existing disagreement, as the City felt it should be paying a certain amount, and the contractor felt he should be paid the amount reflected at some point prior and, as part of the agreement, the LHA Board was the arbitrator in the situation. The decision the Board made regarding the two homes in question was that some of the costs could not be allowed that the contractor billed for, and the decision was made not to move forward with the existing contract on the remaining 14 homes. He said the Board directed staff to either renegotiate the existing contract prior to the December 2015 expiration, but failing a positive outcome, the remaining work would go out for RFP, and staff was already working on revising the RFP. Mr. Hobbs noted the contractor selected was not the low bidder, as the low bidder failed to receive the required votes, and the present contractor had the better-styled house that met more of the requirements/criteria set forth by the City Commission on design. He noted both the Board and City staff recognized they could probably get a product of similar quality for a lower price.

Commissioner Thurston observed the problem was the LHA Authority had to sell the two properties built by the present contractor.

Mr. Hobbs commented part of the issue was they had to exhaust the lottery list, so they could only allocate dollars based on certain income criteria, and once the list was exhausted, the homes could be sold to the general public. Thus, there were people who wanted to buy the homes, but they could not be sold until the lottery list was exhausted.

Commissioner Thurston reiterated being uncomfortable increasing the amount of the grants awarded, particularly when the reason for the increase was the due to the present contractor charging a high selling cost, and he believed it was possible to get lower selling costs in today's market. He asked if it was possible to restructure the agreement to increase the award to assist buyers of the two units in question, and go back out to bid with a different contractor to build the rest of the homes, and he opined it was likely the City would get a lower price.

Mr. Hobbs pointed out, even with the passing of the subject item, the City still had to amend its Local Housing Assistance Plan (LHAP). He was sure staff could reach out to the State and HUD to structure the amendment to only address the current homes, if this was the will of the Commission, or the Commission could make no amendment, and allow for the expiration of the 19 names on the lottery list. Thus, by December, everyone on the list would have been notified and given an opportunity to apply by November, so after the expiration date, the homes would be available for purchase by the general public on the open market. He explained that, as the LHA had not used grant dollars, they were not tied to just the very low-income buyers, and the units could be sold to anyone on the open market who could qualify for a mortgage. If the purchaser was a moderate to low income individual, they would still be eligible for some grant dollars based on the program in place without any amendments to the current grant structure.

Vice Mayor Benson desired clarification as to the lottery list policy, wondering why staff had not opened up the purchasing, since the expiration date was so close.

Mr. Hobbs restated the lottery list for the homes indicated in the RFP had to exhausted first, as the intent was to use NSP dollars, as well as some CDBG dollars for the down payment and construction of the homes. He stated as staff went through the list of 1,900 people and found people who could qualify for mortgages, but not for the full amount of the purchase price of the two homes in question. For those individuals that qualified for a mortgage, the LHA offered them the purchase of homes in its housing inventory that were not as expensive, and some persons chose to purchase them, while others decided they preferred to do nothing.

Vice Mayor Benson wished to know what would the passing of the subject resolution do for those persons on the lottery list who did not qualify, other than helping them, using grant dollars, to make up the difference.

Mr. Hobbs affirmed the passing of the proposed resolution would allow the persons on the lottery list who qualified to make up the difference. By the time the LHAP was amended, it was likely that the list would already have been exhausted.

Vice Mayor Benson preferred to defer to Mr. Hobbs, but the matter could be tabled for further discussion.

City Manager Faranda stated tabling the matter was an option until after the housing schedules were completed and the matter reconsidered.

Vice Mayor Benson made a motion to Table Resolution #15R-10-235, seconded by Commissioner Bates. The vote was as follows:

Commissioner Bates	Yes
Vice Mayor Benson	Yes
Commissioner Berger	Yes

Commissioner Thurston	Yes
Mayor Kaplan	Yes

#14. RESOLUTION NO. 15R-10-239: A RESOLUTION DESIGNATING A MUNICIPAL VOTING DELEGATE, AN ALTERNATE VOTING DELEGATE, AND A SECOND ALTERNATE VOTING DELEGATE TO ATTEND THE NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING HELD ON NOVEMBER 7, 2015; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY COMMISSION)

Mayor Kaplan received a Commission consensus to designate Commissioner Bates as the City's delegate at the National League of Cities Annual Business Meeting, designating Commissioner Thurston as the first alternate, and Vice Mayor Benson as the second alternate.

Mayor Kaplan opened the discussion to the public and received no input.

Vice Mayor Benson made a motion to Approve Resolution #15R-10-239, with the designations as stated above, seconded by Commissioner Thurston. The vote was as follows:

Commissioner Bates	Yes
Vice Mayor Benson	Yes
Commissioner Berger	Yes
Commissioner Thurston	Yes
Mayor Kaplan	Yes

XIII. QUASI-JUDICIAL MATTERS (IF NOT ON CONSENT AGENDA)

Mayor Kaplan swore in all persons wishing to speak on the following quasi-judicial item.

XIV. QUASI-JUDICIAL MATTERS, FIRST READING

#21. ORDINANCE NO. 150-08-130: AN ORDINANCE OF THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING TO KONOVER ACQUISITIONS CORPORATION A DEVELOPMENT ORDER AMENDING THE ZONING DISTRICT MAP IDENTIFIED IN LAND DEVELOPMENT REGULATIONS (LDR), ARTICLE III., ZONING DISTRICTS, PART 2.0., DISTRICT REGULATIONS, SUBSECTION 2.2.1., ADOPTION OF ZONING DISTRICT MAP; CHANGING FROM COMMERCIAL ENTERTAINMENT (CE) TO GENERAL COMMERCIAL (CG) THE ZONING DISTRICT OF A 5.33+ ACRE PARCEL LEGALLY DESCRIBED AS A PORTION OF PARCEL "A", CARISHOCA PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 161, 162, AND 163, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND MORE FULLY DESCRIBED IN EXHIBIT 1; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (REQUESTED BY CITY MANAGER CHARLES FARANDA)

Mayor Kaplan mentioned the subject item was tabled from a prior Commission meeting, and as it was a quasi-judicial item, the members of the Commission disclosed any ex parte contacts. He asked if in the interim since the last meeting there were any further disclosures, and he received none.

Dennis Mele, the applicant's representative, reviewed the proposed ordinance with a visual presentation, as detailed in the backup.

Mayor Kaplan opened the discussion to the public.

Tony Williams, Lauderhill resident and President of the St. George Homeowners' Association (HOA), spoke on behalf of his community and that of West Ken Lark, noting they had an opportunity to meet with the applicant's representatives. The community representatives opined that they realized the importance of acknowledging that even if a particularly type of development was presented as equitable and brand new, it might not be what was best for their community. They agreed the area was the gateway into the City, and they had little desire to see a Walmart facing them as they entered Lauderhill. The City could greatly improve the existing "Welcome to Lauderhill" sign that sat on the corner of the intersection of 441 and Sunrise Boulevard. Mr. Williams added that having Walmart at the subject location would not be good for the existing small neighborhood grocery businesses. The City had the ability to have the subject area developed into a recognizable area for the Lauderhill community with the current zoning for entertainment, and they urged the City Commission to stay within that criteria. He said the City Commission and staff should take the time to find uses that were a better fit for the area other than a Walmart. Thus, the surrounding communities were not in support of placing a Walmart at the subject site.

John Palmer, Lauderhill resident, echoed opposition to the proposed application for rezoning to allow a Walmart on the subject site, stating a hotel/motel would be a better use for the site, considering the proximity of the Central Regional Park, the Performing Arts Center (PAC), and the Swap Shop.

Mae Smith, Lauderhill resident, stated her opposition to the applicant's request for rezoning of the subject site, mentioning the City Planning & Zoning (P&Z) Board voted against the subject application, and they were dissatisfied with the level of community input the applicant provided. Changing the land use was not recommended, as if the Walmart closed, the zoned use left it open for another similar use to come in, which the community would be against, echoing concern over the impact such a change of use would have on local small businesses doing a similar trade. She commented the owners of the Lauderhill Mall stated they were willing to purchase the site and offer the same four acres to the City as Konover was offering. Ms. Smith indicated she would send the City Commission a copy of her comments, and urged them to listen to the feedback from the community at large.

Andre Park, representative of IMC Property Management, stated the pictures shown in the presentation were concepts and not site plans or building designs by which the developer was bound. He submitted what he felt were strong policy and legal issues, highlighting the following:

- There was no definitive statement as to the plan or structure the developer would present that would comply with the City's Comprehensive Plan
- The present land use was a sophisticated one, as it had site detail requirements within
- The developer made no attempt to address these specific site details in the conceptual plan
- The end of page 13 and page 14 of City staff's report demonstrated the applicant's position

- Konover South was a good developer, and it was likely they could meet the City's requirements, but they had not done so in the presentation of the proposed ordinance
- This was a development order, and the City Commission had to be sure, prior to voting, whether the applicant could meet City requirements
- He echoed concerns regarding the impact on local small businesses and the existing tenants of the Lauderhill Mall
- The Lauderhill Mall was the actual engine that would be driving the 441 corridor redevelopment, and allowing the subject application would hinder that process
- He urged the City Commission to respect the determination of the P&Z Board, and deny the subject application.

Lisa Timmons, Lauderhill resident, echoed opposition to the subject application and the reasons for that opposition. She thought a hotel use was a good fit for the area and hoped the City staff and Commission would get community input on the design of the improved sign welcoming people into Lauderhill.

Mayor Kaplan received no further input. He sought verification the \$1 million-grant from Broward County did not go to the property owner, but towards the development of the property, so if an entity developed the property in accordance to the County requirements, they could receive the \$1 million grant.

Assistant Finance Director Don Giancoli stated he had not read the document Mayor Kaplan was referring to, but he spoke with County staff prior to the vote on the item, as he wanted them to know the zoning was not yet in place. He understood from County staff that if a similar project had generated similar jobs at the subject site, they would still be eligible for the grant, but he could not speak definitively if the matter had to go back before the County Commission.

Commissioner Bates recalled receiving a letter from the Broward County Mayor's Office and County Commissioner Holness' office stating the City had been awarded the \$1 million, and it was not tied to the development of a particular property.

Mr. Giancoli affirmed the City was sent a letter from Broward County Administrator Bertha Henry confirming the grant.

Mayor Kaplan wished to set the record straight, stating the entire matter had been discussed after numerous, public, open meetings, as anything else would be a violation of the law, and every meeting was publicly noticed, and members of the public were present at those meetings. No decisions had been made, as it was an ongoing discussion between the applicant, staff, and other stakeholders in the development of the subject area. He remarked on needing a point of clarification on an issue that had nothing to do with the subject application, but in the event someone did, there were representations at times that the Lauderhill Mall wished to buy the subject property and develop it consistent with the CE zoning and the dedication of land. He wished to know whether or not this was a fact, asking for confirmation from the Lauderhill Mall representative present at the Commission meeting.

Mr. Parks stated it was true.

Mayor Kaplan asked City Attorney Hall to confirm that this fact was not a basis for consideration in the subject application.

City Attorney Hall replied correct.

Mr. Mele responded, on the issue of the grant, his point was that there still had to be a dedication of property to the City in order to use the County grant. On the issue of whether the Lauderhill Mall would purchase the property, the question was would they offer the amount of money that it would take for the seller to sell it to them. He was unsure from whence the comments about the property becoming abandoned stemmed, but the tenants they expected were very solid companies that worked with Konover, and with Walmart, it was unlikely that the property would be abandoned. On the issue of a hotel/motel as a better fit for the area, on one of the pictures in their presentation, they showed the property they would dedicate to the City had sufficient space on which a hotel could be located, including parking and a parking garage. They were not proposing the placement of a hotel on their property, as part of their rezoning application, they could not dictate a specific use. Mr. Mele recalled the discussion at the P&Z Board meeting, noting the Board might not have been on the right track, as there was a discussion about how locating a Walmart Neighborhood Market might hurt nearby like uses, and the advice given to the Board was that there were specific criteria for approval of a rezoning and the effect on competition on existing similar uses was not one such criterion. He said despite the Lauderhill Mall investing a considerable sum in renovating the mall and surrounding area, they had invested nothing in the improvement of the Winn Dixie, and he wondered if this was due to the Winn Dixie's planning to move out anyway. This was contrasted with Konover's investing \$4 million in improvements in the building in which a Winn Dixie was located in the Town of Davie, as the store intended to remain on the Konover property. He knew that the broker for Walmart was contacted by a representative of the Lauderhill Mall to find out if Walmart Neighborhood Market preferred to locate at the Lauderhill Mall rather than on the subject site; he wondered why the Lauderhill representative would do this if Winn Dixie intended to remain at the Mall. He mentioned the discussion about the applicant not meeting the charrette plan, stating the applicant decided when agenda item number one came up not to say anything, as it was not their policy or practice to object to other developer's plans. He asked how a self-storage use consistent with the charrette plan, as the City amended the code to allow self-storage in the CC district as a permitted use. In Lauderhill, before that code amendment was made, the only place self-storage was allowed was as a special exception use in CG, the most intense commercial district, and IL, the industrial district.

Mayor Kaplan mentioned it being asked previously about whether any member of the City Commission had seen a Walmart Neighborhood Store, and he wished to disclose that he drove by one in Tamarac unintentionally.

Commissioner Bates made a motion to Approve Ordinance #15O-08-130, seconded by Vice Mayor Benson. The vote was as follows:

Commissioner Bates	No
Vice Mayor Benson	No
Commissioner Berger	No
Commissioner Thurston	No
Mayor Kaplan	No

X. COMMUNICATIONS FROM THE PUBLIC OFFICIALS AT 9:00 P.M. OR IMMEDIATELY BEFORE ADJOURNMENT, WHICHEVER SHALL FIRST OCCUR:

ATTACHMENT O

FAILED 10/26/15

ORDINANCE NO. 150-08-130

AN ORDINANCE OF THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA GRANTING TO KSH SUNRISE 441, LLC A DEVELOPMENT ORDER AMENDING THE ZONING DISTRICT MAP IDENTIFIED IN LAND DEVELOPMENT REGULATIONS (LDR), ARTICLE III., ZONING DISTRICTS, PART 2.0., DISTRICT REGULATIONS, SUBSECTION 2.2.1., ADOPTION OF ZONING DISTRICT MAP; CHANGING FROM COMMERCIAL ENTERTAINMENT (CE) TO GENERAL COMMERCIAL (CG) THE ZONING DISTRICT OF A 5.33 + ACRE PARCEL LEGALLY DESCRIBED AS A PORTION OF PARCEL "A", CARISHOCA PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 161, 162, AND 163, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND MORE FULLY DESCRIBED IN EXHIBIT 1; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

WHEREAS, the City Commission has adopted a Comprehensive Plan as is required by the Local Government Comprehensive Planning and Land Development Regulation Act (Act), which Comprehensive Plan was subsequently determined to be in-compliance with said Act; and

WHEREAS, Section 163.3202, Florida Statutes, requires each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan; and

WHEREAS, on June 11th, 1990, the City Commission implement its adopted Comprehensive Plan as is required by Section 163.3202, Florida Statutes, by adopting the City of Lauderhill Land Development Regulations; and

WHEREAS, on June 1st, 2015, the Applicant, KSH Sunrise 441, LLC filed a Zoning District Map amendment to change 5.33 acres of land generally located on the northeast corner of North State Road 7 and West Sunrise Boulevard from Commercial Entertainment (CE) to General Commercial (CG) district; and

WHEREAS, the Future Land Use Map Series shows that the property subject to the Zoning District Map amendment is designated Transit Oriented Corridor; and

WHEREAS, both the Commercial Entertainment (CE) and General Commercial (CG) zoning districts are consistent with the Transit Oriented Corridor designation; and

WHEREAS, at their duly noticed meeting and public hearing of June 23rd, 2015 the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) entered the Development Review Report on the proposed Ordinance into the record, adopted the findings and conclusions supporting the Ordinance's adoption, and recommended the City Commission adopt the Ordinance and incorporate it into the Land Development Regulations; and

WHEREAS, at their duly noticed meeting and public hearing of June 30th, 2015 the City Commission on first reading entered the Development Review Report on the proposed Ordinance into the record, and adopted findings and conclusions; and

WHEREAS, at their duly noticed meeting and public hearing of July 13th, 2015 the City Commission on second reading adopted the Ordinance incorporating revisions to the Land Development Regulations.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. Property Description. The property subject to this Zoning District Map amendment is a 5.33 + acre parcel legally described as a portion of Parcel "A", Carishoca Plat, according to the plat thereof, as recorded in Plat Book 178, Pages 161, 162, and 163, of the public records of Broward County, Florida, and more fully described in Exhibit 1

SECTION 2. Zoning District Map Amendment. The zoning district for the real property described in Section 1 of this Ordinance is hereby changed from Commercial Entertainment (CE) to General Commercial (CG) district. The change in the base or underlying zoning district is shown in Exhibit 2. The Planning and Zoning staff is hereby directed to amend the official Zoning District Map identified in Land Development Regulations Article III., Zoning

Districts, Part 2.0., District Regulations, Subsection 2.2.1., Adoption of Zoning District Map, consistent with this Ordinance.

SECTION 3. Findings and Conclusions. The Development Review Report prepared by the Planning and Zoning staff is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending the Land Development Regulations' Zoning District Map.

SECTION 4. Conflict. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and adoption.

DATED this _____ day of _____, 2015.

PASSED on first reading this _____ day of _____, 2015.

PASSED AND ADOPTED on second reading this _____ day of _____, 2015.

PRESIDING OFFICER

ATTEST:

CITY CLERK

FIRST READING

SECOND READING

MOTION
SECOND

M. BATES
H. BENSON
H. BERGER
K. THURSTON
R. KAPLAN

ATTACHMENT P

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into on this 12 of February, 2019 by and between the City of Lauderhill and Lauderhill Marketplace LLC.

Recitals

WHEREAS, Lauderhill Marketplace LLC (Marketplace) owns approximately 14 acres located at the northeast corner of the intersection of SR 7 and Sunrise Boulevard, Lauderhill, FL; and

WHEREAS, on January 22, 2019, representatives of Marketplace presented a proposed site plan to City staff for the development of the 14 acre parcel; and

WHEREAS, the site plan presented by Marketplace includes a proposed gas station, convenience store and commercial development; and

WHEREAS, a gas station and convenience store are not allowable uses on the 14 acre parcel; and

WHEREAS, Marketplace desires to petition the City Commission to rezone a parcel to permit a gas station and convenience store; and

WHEREAS, Marketplace acknowledges, understands and agrees that Marketplace is proceeding at its own risk and is required to follow all city, county and state codes and regulations; and

Now therefore, it is agreed between the parties as follows:

1. Lauderhill Marketplace will file a petition to rezone 1.65 acres from Commercial Entertainment to General Commercial pursuant to the City of Lauderhill Land Development Code. The parcel that Marketplace desires to rezone is identified as the "RACETRAC OUT-PARCEL C" in the site plan attached hereto and incorporated by reference as Exhibit A.
2. The City does not make any representations, commitments or guarantees that the petition to rezone will be approved by the City Commission.
3. If the petition to rezone is approved, Lauderhill Marketplace intends to develop the 1.65 acres of the rezoned property with a gas station and convenience store as depicted on Exhibit A.
4. If approved for rezoning, the gas station and convenience store will be developed pursuant to the City's basic design guidelines and basic landscape requirements. Marketplace shall also landscape the entire perimeter of the 14 acre parcel consistent with the City's basic and minimum landscape requirements during construction of the gas station and convenience store. City shall have the right to upgrade the landscaping if it deems necessary or desirable at its own cost.
5. Lauderhill Marketplace will initially develop a portion of the remaining 6.85 acres adjacent to the gas station with a 20 thousand square feet commercial development



consistent with the existing Commercial Entertainment Zoning, basic design guidelines and basic landscape requirements, with the right to develop an additional 20,000 square feet on such land.

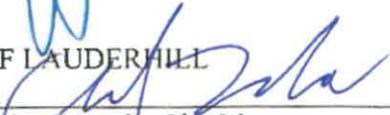
6. Lauderhill Marketplace will sell a 1.51 acre parcel to the City of Lauderhill as outlined in green and identified as "HOTEL OUT-PARCEL A" on Exhibit A. The parties will negotiate a purchase price based on good faith appraisals. The City payment for the parcel will be held in escrow until Marketplace obtains the building permits and commences construction on the initial 20 thousand square feet commercial development. However, the City reserves the exclusive right to close at any prior time it so desires.
7. At such time as the rezoning for the gas station and convenience store is approved by the City Commission and all required building permits have been issued, Lauderhill Marketplace will donate approximately 4.2 acres (as identified as the "CITY PARCEL" and outlined in blue on Exhibit A) to the City of Lauderhill, at no cost. The four acres shall border and abut the location of the Lauderhill Performing Arts Center and its use shall be restricted to vehicular parking and a public park. As a condition for such donation the parties will enter in a cross access and cross parking agreement acceptable to the parties and the City shall agree to construct, at its cost, a roadway for vehicular access from the access road to the performing arts center through and across the City Parcel to and connecting with the Lauderhill Marketplace property, the location of which to be on east boundary of the City Parcel.

IN WITNESS WHEREOF, this Memorandum of Understanding is executed by the authorized representatives of the parties as of the day and year first above written.

LAUDERHILL MARKETPLACE LLC

By: 
Yoram Izhak, Managing Member

CITY OF LAUDERHILL

By: 
Charles Faranda, City Manager

ATTACHMENT Q

RESOLUTION NO. 19R-02-28

A RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LAUDERHILL AND LAUDERHILL MARKETPLACE, LLC REGARDING THE DEVELOPMENT OF THE PROPERTY LOCATED AT THE NORTHEAST CORNER OF STATE ROAD 7 AND SUNRISE BOULEVARD; PROVIDING FOR TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. The Memorandum of Agreement between the City of Lauderhill and Lauderhill Marketplace, LLC regarding the development of the approximate 14 acre parcel of property located at the northeast corner of State Road 7 and Sunrise Boulevard, a copy of which is attached hereto and incorporated herein, is hereby approved.

SECTION 2. The City Manager and all appropriate city officials are authorized to execute this Agreement and any other documents required to fulfill the terms of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its passage.

DATED this 11 day of February, 2019.

PASSED AND ADOPTED on first reading this 11 day of February, 2019.



PRESIDING OFFICER

ATTEST:



CITY CLERK

MOTION	<u>Bates</u>
SECOND	<u>Campbell</u>
M. BATES	<u>Yes</u>
H. BERGER	<u>Yes</u>
R. CAMPBELL	<u>Yes</u>
D. GRANT	<u>Yes</u>
K. THURSTON	<u>Yes</u>

Approved as to Form


W. Earl Hall
City Attorney

ATTACHMENT R

RESOLUTION NO. 19R-02-39

A RESOLUTION APPROVING THE LETTER OF INTENT BETWEEN LAUDERHILL MARKETPLACE LLC AND THE CITY OF LAUDERHILL FOR THE CITY TO PURCHASE 1.7 ACRES OF LAND LOCATED AT N.W. 11TH PLACE AND NORTH SR 7, LAUDERHILL, FLORIDA; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

Section 1. The Letter of Intent between Lauderhill Marketplace LLC and the City of Lauderhill for the City to purchase 1.7 acres of land located at N.W. NW 11th Place and North SR 7, Lauderhill, Florida for the purchase price of \$928,092.67, subject to all terms and conditions, a copy of which is attached hereto and incorporated herein, is hereby approved, adopted and accepted.

Section 2. The City Manager, or his designee, is hereby authorized to execute the letter of intent and any and all necessary documents to effectuate the intent of this Resolution.

Section 3. This Resolution shall take effect immediately upon its passage.

DATED this _____ day of _____, 2019.

PASSED AND ADOPTED on first reading this _____ day of _____, 2019.

PRESIDING OFFICER

ATTEST:

CITY CLERK

MOTION _____
SECOND _____

M. BATES _____
H. BERGER _____
R. CAMPBELL _____
D. GRANT _____
K. THURSTON _____

Approved as to Form

W. Earl Hall
City Attorney

ATTACHMENT S



June 4, 2019

Stephen Tawes, RLA, ASLA
City of Lauderhill
5581 W Oakland Park Blvd.
Lauderhill, FL 33313

RE: **Rezoning Application**
Lauderhill Marketplace 1.87 acre

Dear Mr. Tawes:

On behalf of Lauderhill Marketplace, LLC property owner of the referenced parcel and in support of the proposed rezoning application for a portion of the property located at the northwest corner of State Road 7 and Sunrise Boulevard, Lauderhill, FL from the existing CE (Commercial Entertainment) zoning designation to a CG (General Commercial) designation. We include this letter as required to meet the Development Review Requirements, Article 4, Section 2.4 in order for the City to evaluate the proposed rezoning application.

As required by the referenced section, please review the six (6) parameters in the City code along with the below supporting facts to support the proposed application:

2.4.1. The character of the district and its peculiar suitability for particular uses.

The CG zoning district allows for the greatest flexibility of commercial uses. The proposed CG parcel would consist of a 1.87 acre portion of the overall 13.93 acre parcel presently owned by the property owner. The remaining 12.06 acres will remain CE which is intended to promote a mixture of commercial/entertainment driven uses. The proposed CG portion would allow for more balanced commercial site allowing an opportunity for the small portion to develop a more day to days uses that could be utilized by the surrounding community. In addition, a vast majority of the parcels along State Road 7 from Sunrise Boulevard to NW 26th Street are presently zoned CG. Granting of the proposed rezoning would be consistent with the corridor and character of the area. The proposed intent of the parcel that is proposed for the rezoning is to construct a convenience store/gas station with fueling stations. There proposed use would be consistent with the surrounding corridor along US 441.

2.4.2. Conversion of the value of buildings and encouraging the most appropriate use of land and water throughout the City.

The property is presently vacant. The property would eventually be developed in accordance with all City, County and State building and development guidelines. The proposed use for land is a convenience store and gas station with twenty (20) fueling pumps. The facility will meet the architectural guidelines in place at the time of permitting.

2.4.3. *The applicable portions of the adopted City comprehensive plan and programs such as land use, trafficways, recreation, schools, neighborhoods, drainage and housing, and so forth.*

The land use for the property will remain the same. The proposed trafficways will be in accordance with all City, County and State Requirements. The three access points to the property include (1) an existing right-in/right-out off of Sunrise Blvd, a proposed right-in/right-out off US 441 and a proposed right-in/right-out of the cul-da-sac west of the performing arts center. All drainage, utilities and general site design will be in accordance with all municipal requirements.

2.4.4. *The needs of the City for land areas for specific purposes to serve population and economic activities.*

The property location is a highly trafficked intersection just north of the corner of two primary roadways within the City (State Road 7 and Sunrise Boulevard). The intention of the parcel is to construct a fuel station that is allowed by special exception in the CG zoning category.

2.4.5. *Whether there have been substantial changes in the character or development of areas in or near an area under consideration for rezoning.*

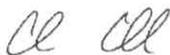
The City of Lauderhill recently approved "Le Parc" multifamily project which consists of 400 apartment units which is north of the property along 38th Avenue. In addition the proposed gas station facility, the balance of our property will be developed with retail/restaurant uses to synergize an entertainment area with the adjacent performing arts center.

2.4.6. *The facts and opinions presented to the Planning and Zoning Board through hearings.*

Presently, the planning and zoning board has not heard this item. This letter will be updated once the hearing has occurred.

Please feel free to contact me at 321-217-6247 if you have any questions.

Thank you,



Christopher Collins, P.E.
President

ATTACHMENT T

ORDINANCE NO. 19O-08-

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA, GRANTING A DEVELOPMENT ORDER TO LAUDERHILL MARKETPLACE, LLC AMENDING THE ZONING DISTRICT MAP IDENTIFIED IN LAND DEVELOPMENT REGULATIONS (LDR) ARTICLE III., ZONING DISTRICTS, PART 2.0., DISTRICT REGULATIONS, SUBSECTION 2.2.1., ADOPTION OF ZONING DISTRICT MAP; CHANGING FROM COMMERCIAL ENTERTAINMENT (CE) to GENERAL COMMERCIAL (CG) THE ZONING DISTRICT OF A ± 1.87 ACRE PARCEL LEGALLY DESCRIBED AS A PORTION OF PARCEL "A", CARISHOCA PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 161, 162, AND 163, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND MORE FULLY DESCRIBED IN EXHIBIT 1; MORE COMMONLY KNOWN AS A PORTION OF THE VACANT SITE GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH STATE ROAD 7 AND SUNRISE BOULEVARD, LAUERDHILL, FLORIDA; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission has adopted a Comprehensive Plan as is required by the Local Government Comprehensive Planning and Land Development Regulation Act (Act), which Comprehensive Plan was subsequently determined to be in-compliance with said Act; and

WHEREAS, Section 163.3202, Florida Statutes, requires each municipality to adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan; and

WHEREAS, on June 11th, 1990, the City Commission implement its adopted Comprehensive Plan as is required by Section 163.3202, Florida Statutes, by adopting the City of Lauderhill Land Development Regulations; and

WHEREAS, on June 4th, 2019 , the Applicant, Lauderhill Marketplace, LLC filed a Zoning District Map amendment to change ± 1.87 acres of land generally located on the northeast corner of North State Road 7 and West Sunrise Boulevard from Commercial Entertainment (CE) to General Commercial (CG) district; and

WHEREAS, the Future Land Use Map Series shows that the property subject to the Zoning District Map amendment is designated Transit Oriented Corridor; and

WHEREAS, both the Commercial Entertainment (CE) and General Commercial (CG) zoning districts are consistent with the Transit Oriented Corridor designation; and

WHEREAS, at their duly noticed meeting and public hearing of August 27, 2019 the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) entered the Development Review Report on the proposed Ordinance into the record, adopted the findings and conclusions supporting the Ordinance's adoption, and recommended the City Commission adopt the Ordinance and incorporate it into the Land Development Regulations; and

WHEREAS, at their duly noticed meeting and public hearing of September 12, 2019 the City Commission on first reading entered the Development Review Report on the proposed Ordinance into the record, and adopted findings and conclusions; and

WHEREAS, at their duly noticed meeting and public hearing of September 26, 2019 the City Commission on second reading adopted the Ordinance incorporating revisions to the Land Development Regulations;

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

SECTION 1. Property Description. The property subject to this Zoning District Map amendment is a ± 1.87 acre parcel legally described as a portion of Parcel "A", Carishoca Plat, according to the plat thereof, as recorded in Plat Book 178, Pages 161, 162, and 163, of the public records of Broward County, Florida, and more fully described in Exhibit 1

SECTION 2. Zoning District Map Amendment. The zoning district for the real property described in Section 1 of this Ordinance is hereby changed from Commercial Entertainment (CE) to General Commercial (CG) district. The change in the base or underlying zoning district is shown in Exhibit 2. The Planning and Zoning staff is hereby directed to amend the official Zoning District Map identified in Land Development Regulations Article III., Zoning Districts, Part 2.0., District Regulations, Subsection 2.2.1., Adoption of Zoning District Map, consistent with this Ordinance.

SECTION 3. Findings and Conclusions. The Development Review Report prepared by the Planning and Zoning staff is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending the Land Development Regulations' Zoning District Map.

SECTION 4. Conflict. All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and adoption.

DATED this _____ day of _____, 2019.

PASSED on first reading this _____ day of _____, 2019.

PASSED AND ADOPTED on second reading this _____ day of _____, 2019.

PRESIDING OFFICER

ATTEST:

CITY CLERK

FIRST READING

SECOND READING

MOTION
SECOND

M. BATES
H. BERGER
R. CAMPBELL
D. GRANT
K. THURSTON

ATTACHMENT U



NAME OF APPLICANT: Lauderhill Marketplace LLC APPLICATION No.: 19-Z-001

GENERAL LAND DEVELOPMENT ORDER APPLICATION

THIS GENERAL LAND DEVELOPMENT ORDER APPLICATION FORM MUST BE SUBMITTED AS PART OF ANY REQUEST TO UNDERTAKE THE LAND DEVELOPMENT ACTIVITIES LISTED BELOW. A SPECIFIC LAND DEVELOPMENT ORDER APPLICATION FORM MAY HAVE TO BE SUBMITTED IN CONJUNCTION WITH THIS FORM. OTHER SUBMITTAL ITEMS ARE INDICATED ON THE ACCOMPANYING INSTRUCTION PACKETS AND DEVELOPMENT BROCHURES. IT IS THE APPLICANT'S RESPONSIBILITY TO INSURE THAT APPLICATIONS ARE COMPLETE AND ACCURATE.

A. DEVELOPMENT ORDER REQUESTED

- PLAT
- REPLAT
- SITE DEVELOPMENT PLAN
- SITE PLAN MODIFICATION
- ZONING MAP AMENDMENT
- SPECIAL EXCEPTION USE
- VARIANCE
- GRAND OPENING INFLATABLE SIGN
- FUTURE LAND USE MAP AMENDMENT
- OTHER _____

IS THIS APPLICATION PART OF ANOTHER APPLICATION? YES NO

IF SO, WHAT APPLICATION? _____

B. PROPERTY DESCRIPTION

NEAREST CROSS STREETS: Sunrise Boulevard and US 441

SITE ADDRESS OR LOCATION: 1010 NW 40th Avenue

PROPERTY FOLIO NUMBER: 4942 31 00 0320

LEGAL DESCRIPTION ATTACHED YES NO

EXISTING IMPROVEMENTS: Vacant lot

GROSS ACRES: 1.87 Ac NET ACRES: 1.87 Ac

GENERAL LAND DEVELOPMENT ORDER APPLICATION

C. DEVELOPMENT DESCRIPTION

DEVELOPMENT NAME: Lauderhill Marketplace

PROPOSED DEVELOPMENT BY USE AND INTENSITY: Proposed Gas Station and Fuel Pumps

OFFICIAL ZONING DISTRICT MAP CLASSIFICATION:

Existing: CE Proposed: CG

FUTURE LAND USE MAP SERIES DESIGNATION:

Transit Oriented Corridor

DOES THIS DEVELOPMENT REQUIRE SIGNAGE? YES NO

EVIDENCE OF OWNERSHIP PROVIDED? YES NO

D. OWNER, APPLICANT AND OTHER INFORMATION

OWNER NAME: Lauderhill Marketplace LLC

OWNER STREET ADDRESS: 696 NE 125th Street

CITY, STATE & ZIP CODE: North Miami, FL 33161

TELEPHONE #: 321.217.6247 FAX #: _____

ELECTRONIC MAIL ADDRESS: ccollins@urbndesigngroup.com

APPLICANT NAME: Lauderhill Marketplace LLC

APPLICANT STREET ADDRESS: 696 NE 125th Street

CITY, STATE & ZIP CODE: North Miami, FL 33161

WORK PHONE #: _____ MOBILE PHONE #: 321.217.6247

FAX #: _____ EMAIL: ccollins@urbndesigngroup.com

GENERAL LAND DEVELOPMENT ORDER APPLICATION

OWNER AUTHORIZATION FOR APPLICANT PROVIDED? YES NO

BESIDES THE APPLICANT, WHO ELSE SHOULD BE PROVIDED COPIES OF WRITTEN CORRESPONDENCE?

OWNER ARCHITECT ATTORNEY
 ENGINEER OTHER (SPECIFY) _____

ARCHITECT NAME: _____

ARCHITECT STREET ADDRESS: _____

CITY, STATE & ZIP CODE: _____

BUSINESS PHONE #: _____ **MOBILE PHONE #:** _____

FAX #: _____ **EMAIL:** _____

ENGINEER NAME: Chris Collins

ENGINEER STREET ADDRESS: 696 NE 125th Street

CITY, STATE & ZIP CODE: North Miami, FL 33161

BUSINESS PHONE #: _____ **MOBILE PHONE #:** 321.217.6247

FAX #: _____ **EMAIL:** ccollins@urbndesigngroup.com

ATTORNEY NAME: _____

ATTORNEY STREET ADDRESS: _____

CITY, STATE & ZIP CODE: _____

BUSINESS PHONE #: _____ **MOBILE PHONE #:** _____

FAX #: _____ **EMAIL:** _____

AFFIDAVIT

I, Yoram Izhak, DO HEREBY SWEAR OR
AFFIRM THAT ALL OF THE INFORMATION IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE.

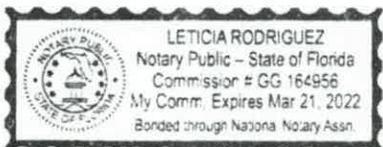
PRINT YOUR NAME: Yoram Izhak
SIGN YOUR NAME: [Signature]
DATE: 4-5-19

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY 5
OF April, 20 19, BY Yoram Izhak, WHO IS
PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED
AS IDENTIFICATION AND WHO DID TAKE AN OATH.

NOTARY PUBLIC

SIGN: [Signature]

PRINT: Leticia Rodriguez



STATE OF FLORIDA AT LARGE SEAL

MY COMMISSION EXPIRES:



June 4, 2019

Stephen Tawes, RLA, ASLA
City of Lauderhill
5581 W Oakland Park Blvd.
Lauderhill, FL 33313

RE: **Rezoning Application**
Lauderhill Marketplace 1.87 acre

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From: **Stephen Tawes** stawes@Lauderhill-fl.gov
 Subject: RE: City Rezoning Application
 Date: April 8, 2019 at 8:15 AM
 To: Chris Collins ccollins@urbandesigngroup.com
 Cc: **Shani Langrin** slangrin@lauderdale-fl.gov

Chris
 The fee is \$800 for the application
 \$90 for mailing
 Total \$890 to the City

Plus, you will need to provide two sets of mailing labels with the application and post the property.

Submit to Shani's attention

Thanks
 Steve

SIGN VARIANCE FILING FEE	001-321-032	682	\$300.00
SPECIAL EXCEPTION FEE	001-341-065	682	\$600.00
REZONING FILING FEE	001-341-065	682	\$800.00
ZONING CONFIRMATION	001-341-065	682	\$75.00
PLATTING	001-322-004	682	

Fees	
Site Development Plan Application Fee (To be calculated by Staff).....	<input type="text"/>
Cost of Mailing (minimum amount or actual cost of mailing, whichever is greater).....	90.00
Cost of Design Review: Any review wherein the city requires assistance by outside consultants, applicant shall pay consultant's fees.	
DEPOSIT.....	2,450.00

REAL ESTATE RESEARCH SERVICES

Alldata Real Estate Systems, Inc.
 290 NE 51st Street
 Ft. Lauderdale, FL
 (954) 772-1800

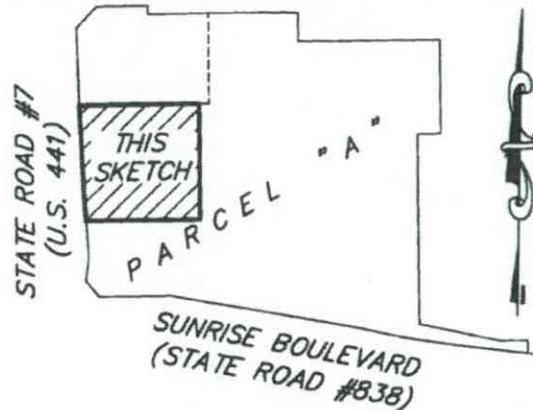
Cutro & Associates, Inc.
 1025 Yale Drive
 Hollywood, FL
 (954) 920-2205



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
 PHONE (954) 763-7611 * FAX (954) 763-7615

SKETCH AND DESCRIPTION
CARISHOCA PLAT
(P.B. 178, PG.'S 161-163, B.C.R.)
PARCEL 3
SHEET 1 OF 2 SHEETS



SITE LAYOUT
NOT TO SCALE

LEGAL DESCRIPTION:

A portion of Parcel "A", CARISHOCA PLAT, according to the plat thereof, as recorded in Plat Book 178, Pages 161, 162 and 163, of the public records of Broward County, Florida, more fully described as follows:

Commencing at the most North, Northwest corner of said Parcel "A"; thence South 42°59'14" West, on the Northwest line of said Parcel "A", a distance of 71.39 feet; thence South 02°56'35" East, on the West line of said Parcel "A", a distance of 145.74 feet; thence South 00°23'11" West, on said West line, a distance of 5.88 feet; thence South 04°03'18" East, on said West line, a distance of 37.94 feet to the Point of Beginning; thence continuing South 04°03'18" East, on said West line, a distance of 171.98 feet; thence South 04°55'51" East, on said West line, a distance of 109.57 feet; thence North 88°36'43" East, a distance of 281.95 feet; thence North 01°26'24" West, a distance of 281.16 feet; thence South 88°36'43" West, a distance of 296.47 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Lauderhill, Broward County, Florida and containing 81,457 square feet or 1.8700 acres more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 3rd day of April, 2019.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown refer to record plat (178-161 to 163, B.C.R.) assume the West line of Section 31, as North 01°26'24" West.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-4229

CHECKED BY: _____

REF. DWG.: 00-3-047

C: \JMMjr\2019\V4229 (OUT PARCEL)



McLAUGHLIN ENGINEERING COMPANY
LB#285

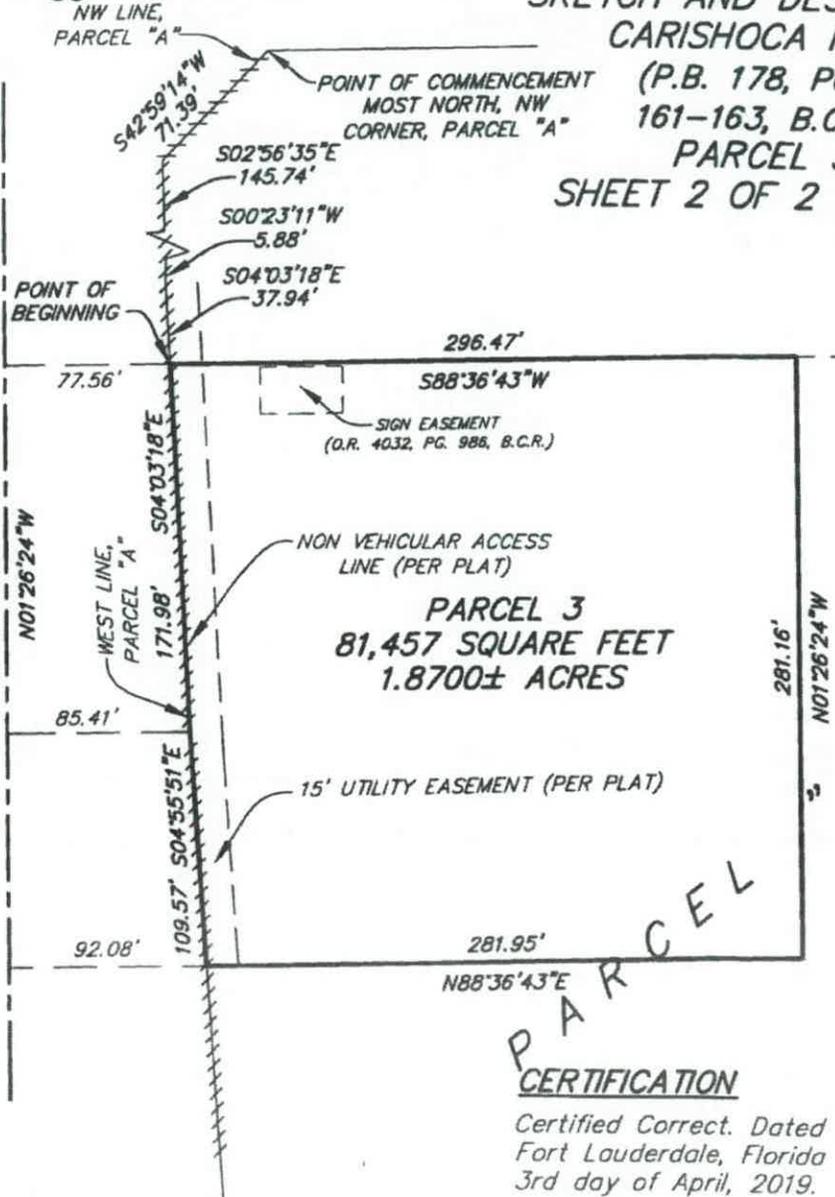
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SCALE 1" = 80'

SKETCH AND DESCRIPTION
CARISHOCA PLAT
 (P.B. 178, PG.'S
 161-163, B.C.R.)
PARCEL 3
SHEET 2 OF 2 SHEETS

STATE ROAD #7 (U.S. 441)
 R/W PER F.D.O.T. R/W MAP SECTION 86110-2510,
 SHEET 3 REVISED 10/27/97, SHEET 4 REVISED 4/13/00

WEST LINE, SECTION 31
 N01°26'24"W



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McLAUGHLIN ENGINEERING COMPANY

Jerald A. McLaughlin
 JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

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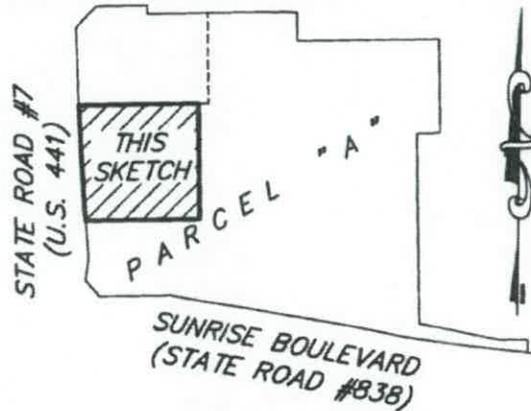


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SHEET 1 OF 2 SHEETS



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Said lands situate, lying and being in the City of Lauderdale, Broward County, Florida and containing 81,457 square feet or 1.8700 acres more or less.

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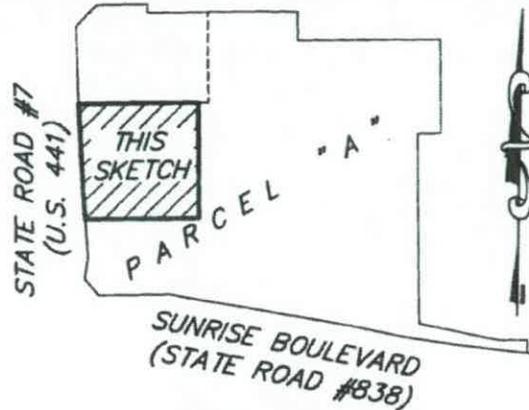
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- 5) Bearings shown refer to record plat (178-161 to 163, B.C.R.) assume the West line of Section 31, as North 01°26'24" West.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-4229

CHECKED BY: _____

REF. DWG.: 00-3-047

C: JMMjr/2019/V4229 (OUT PARCEL)



McLAUGHLIN ENGINEERING COMPANY
LB#285

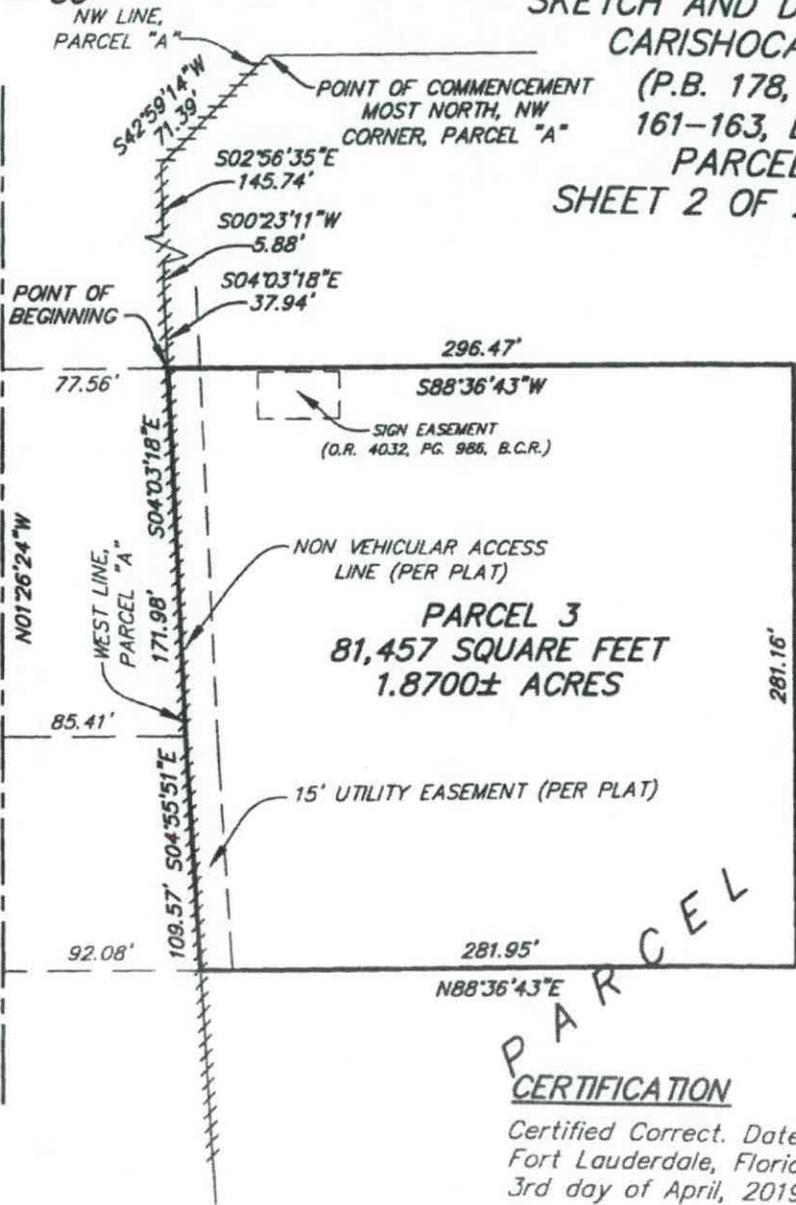
ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
 PHONE (954) 763-7611 * FAX (954) 763-7615

SCALE 1" = 80'

SKETCH AND DESCRIPTION
CARISHOCA PLAT
 (P.B. 178, PG.'S
 161-163, B.C.R.)
PARCEL 3
SHEET 2 OF 2 SHEETS

STATE ROAD #7 (U.S. 441)
 R/W PER F.D.O.T. R/W MAP SECTION 86110-2510,
 SHEET 3 REVISED 10/27/97, SHEET 4 REVISED 4/13/00

WEST LINE, SECTION 31
 N01°26'24"W



PARCEL 3
81,457 SQUARE FEET
1.8700± ACRES

CERTIFICATION

Certified Correct. Dated at
 Fort Lauderdale, Florida this
 3rd day of April, 2019.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

- NOTES:
- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements road reservations or rights-of-way of record by McLaughlin Engineering Company.
 - 2) Legal description prepared by McLaughlin Engineering Co.
 - 3) This drawing is not valid unless sealed with an embossed surveyors seal.
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FIELD BOOK NO. _____
 JOB ORDER NO. V-4229
 REF. DWG.: 00-3-047

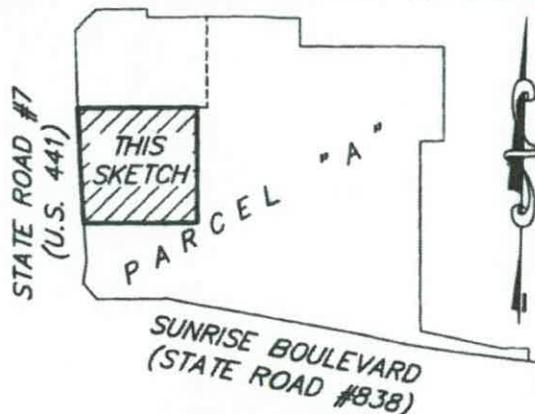
DRAWN BY: JMMj
 CHECKED BY: _____
 C: \JMMj\2019\V4229 (OUT PARCEL)



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING • SURVEYING • PLATTING • LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
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SKETCH AND DESCRIPTION
CARISHOCA PLAT
 (P.B. 178, PG.'S 161-163, B.C.R.)
PARCEL 3
SHEET 1 OF 2 SHEETS



SUNRISE BOULEVARD
(STATE ROAD #838)
SITE LAYOUT
NOT TO SCALE

LEGAL DESCRIPTION:

A portion of Parcel "A", CARISHOCA PLAT, according to the plat thereof, as recorded in Plat Book 178, Pages 161, 162 and 163, of the public records of Broward County, Florida, more fully described as follows:

Commencing at the most North, Northwest corner of said Parcel "A"; thence South 42°59'14" West, on the Northwest line of said Parcel "A", a distance of 71.39 feet; thence South 02°56'35" East, on the West line of said Parcel "A", a distance of 145.74 feet; thence South 00°23'11" West, on said West line, a distance of 5.88 feet; thence South 04°03'18" East, on said West line, a distance of 37.94 feet to the Point of Beginning; thence continuing South 04°03'18" East, on said West line, a distance of 171.98 feet; thence South 04°55'51" East, on said West line, a distance of 109.57 feet; thence North 88°36'43" East, a distance of 281.95 feet; thence North 01°26'24" West, a distance of 281.16 feet; thence South 88°36'43" West, a distance of 296.47 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Lauderhill, Broward County, Florida and containing 81,457 square feet or 1.8700 acres more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 3rd day of April, 2019.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
 State of Florida.

NOTES:

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FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-4229

CHECKED BY: _____

REF. DWG.: 00-3-047

C: \JMMjr\2019\V4229 (OUT PARCEL)



McLAUGHLIN ENGINEERING COMPANY
LB#285

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 PHONE (954) 763-7611 * FAX (954) 763-7615

SCALE 1" = 80'

SKETCH AND DESCRIPTION

CARISHOCA PLAT

(P.B. 178, PG.'S

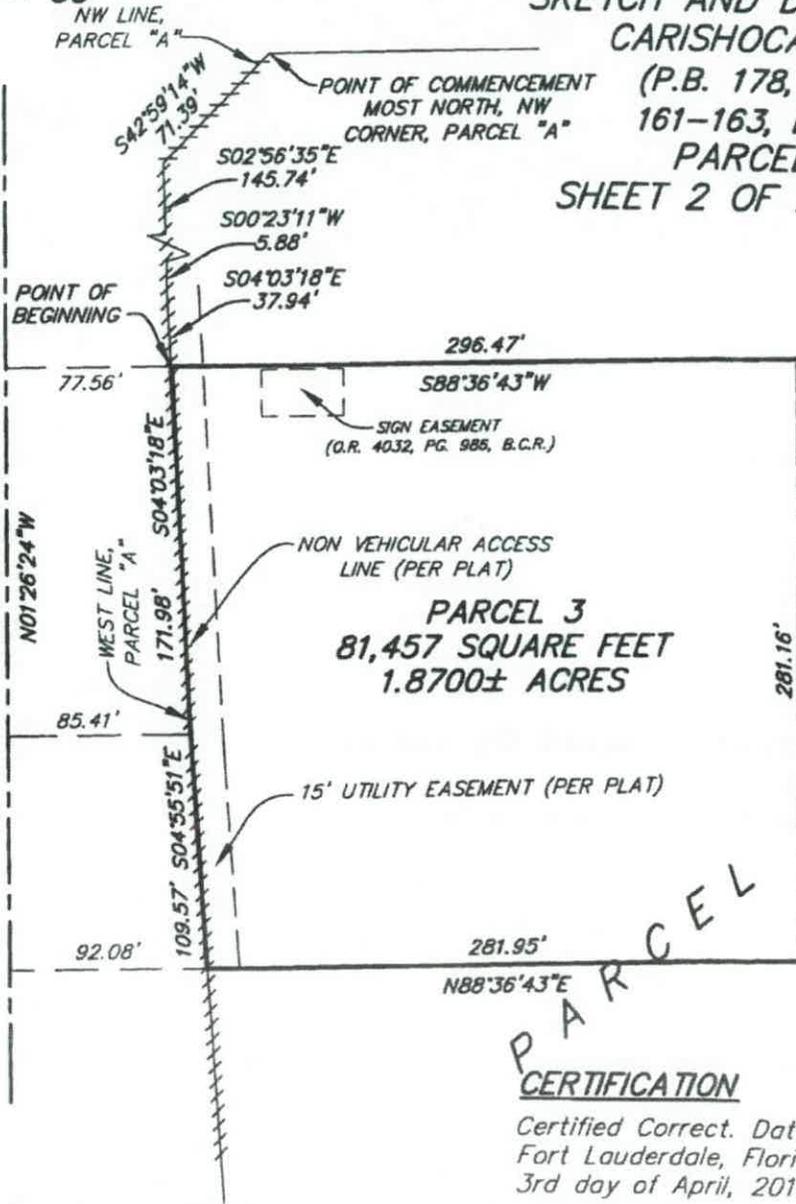
161-163, B.C.R.)

PARCEL 3

SHEET 2 OF 2 SHEETS

STATE ROAD #7 (U.S. 441)
 R/W PER F.D.O.T. R/W MAP SECTION 86110-2510,
 SHEET 3 REVISED 10/27/97, SHEET 4 REVISED 4/13/00

WEST LINE, SECTION 31
 N01°26'24"W



PARCEL 3
81,457 SQUARE FEET
1.8700± ACRES

CERTIFICATION

Certified Correct. Dated at
 Fort Lauderdale, Florida this
 3rd day of April, 2019.

McLAUGHLIN ENGINEERING COMPANY

Jerald A. McLaughlin
JERALD A. McLAUGHLIN
 Registered Land Surveyor No. 5269
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CHECKED BY: _____

REF. DWG.: 00-3-047

C: \JMMjr\2019\V4229 (OUT PARCEL)



edso

Conceptual Site Plan

City of Lauderdale, Florida



LEGEND

- 1. Mixed-Use Lifestyle Center
 - Open-air Retail Promenade
 - Restaurants/ Retail/ Studio Space
 - Pedestrian open space
 - 2. Hotel
 - 3. Hotel Drop-off
 - 4. Urban Street with Parallel Parking
 - 5A. North Parking Garage
 - 5B. South Parking Garage with Amenity Deck
 - 6. Surface Parking Lot
 - 7A. Race-trac Market
 - 7B. Race-trac Pumps
 - 8. Residential Tower
 - 9. Roof Garden
 - 10. Entry Signage
 - 11. Interactive Water Feature
 - 12. Service Drive
- | USE | DENSITY |
|-----------------|--|
| MIXED USE | 114,300 SF |
| RESIDENTIAL | 135,500 SF
135 UNITS |
| HOTEL | 292,200 SF
210 KEYS
280 PARKING SPACES |
| NORTH GARAGE | 6 STORIES = 525 SPACES |
| SOUTH GARAGE | 6 STORIES = 525 SPACES |
| SURFACE PARKING | 142 SPACES |
| GAS STATION | 31 SPACES |
| PARKING | |



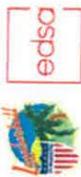
ATTACHMENT V



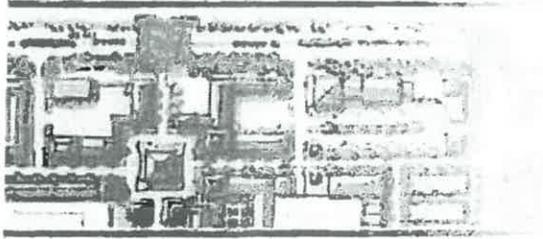
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SURFACE PARKING	142 SPACES
GAS STATION PARKING	31 SPACES



ATTACHMENT W



STATE ROAD 7

COMMUNITY
REDEVELOPMENT
AGENCY
November 14, 2005

EDSA

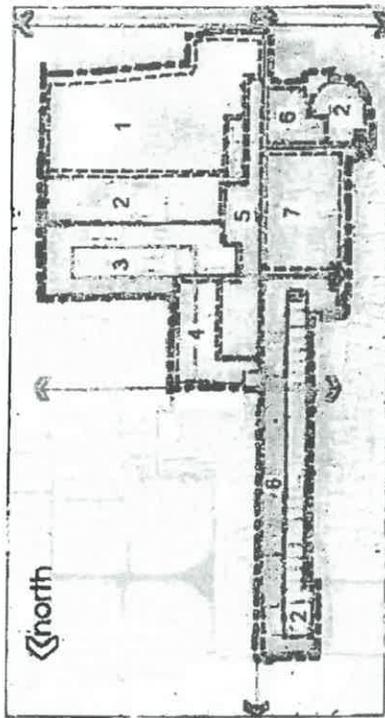
PREPARING THE REPORT
IN CONJUNCTION WITH
THE LAUDERHILL CRA
&
LAUDERHILL PLANNING
DEPARTMENT



DISTRICTS WITHIN THE STATE ROAD 7 REDEVELOPMENT AREA

DISTRICTS WITHIN THE STATE ROAD 7 REDEVELOPMENT AREA

The following map shows the development of the State Road 7 Redevelopment Area. The map is divided into eight numbered areas (1-8) which will also correspond to other planning documents. The map shows the location of the State Road 7 Redevelopment Area and the location of the State Road 7 Redevelopment Area. The map shows the location of the State Road 7 Redevelopment Area and the location of the State Road 7 Redevelopment Area.



1. Residential District
 2. Commercial District
 3. Recreation & Entertainment District
 4. Arts District
 5. Town Center
 6. Commercial To Residential District
 7. Commerce District

RECREATION & ENTERTAINMENT

Caribbean Marketplace

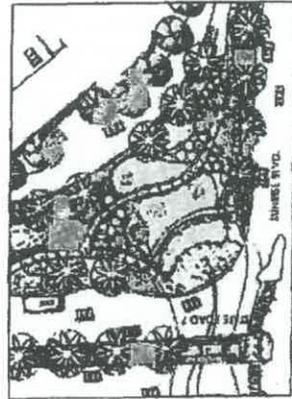
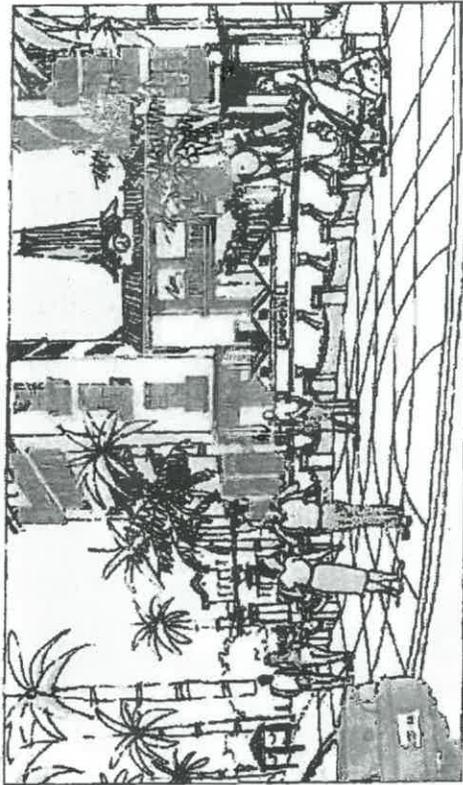
The Caribbean Marketplace is a new development located in the State Road 7 Redevelopment Area. It will be a large, multi-story building that will house a variety of shops, restaurants, and entertainment venues. The development is located in the State Road 7 Redevelopment Area and is a key component of the area's redevelopment plan.

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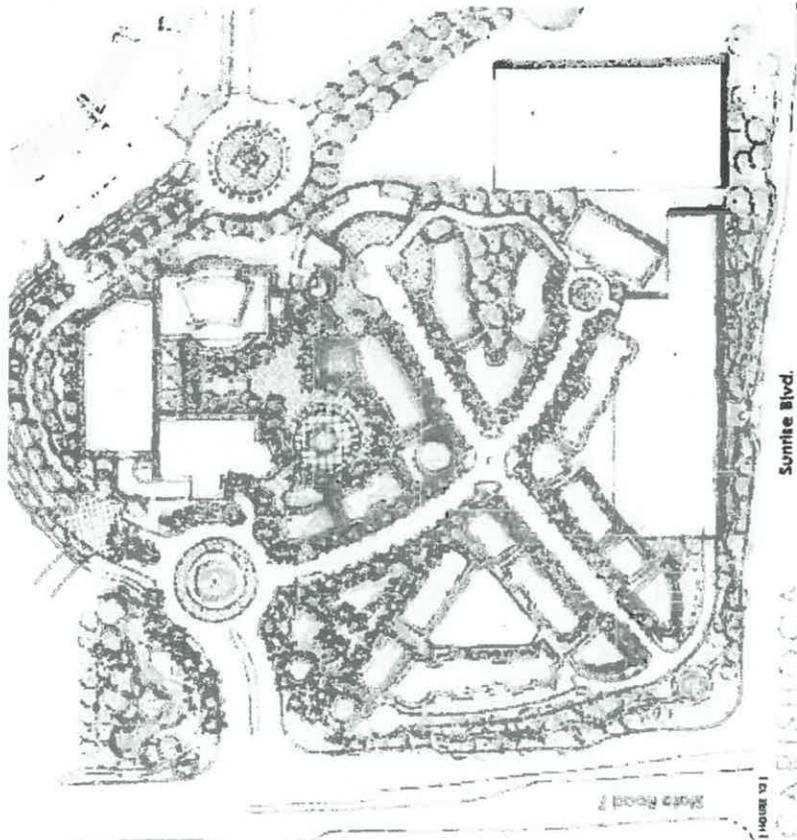
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CONCEPTUAL SITE PLAN AT CORNER OF SUNNYSIDE AND S. 7

The current conceptual plan could handle as much as 300,000 square feet of development, including retail, offices, residential, and civic uses. The current conceptual plan calls for a hotel pod in the southeast corner of the site and retail, restaurant and office buildings centered on the axis of the two major streets that cut through the site. The structures around the edge of the site are parking garages to accommodate both the amount of development in Sunnyside and overflow parking demand for the main event field when there is a major event.



The Citizen's Requests

Attachment W

Regarding The Corridor's Public Realm

- Maintain a six-lane section throughout the City (do not widen the corridor)
- Announce arrival to the City (signs, buildings, fountains, landscaping)
- Improve the corridor's overall physical appearance
- Create a new network and connections, adding a secondary North-South road parallel to SR 7
- Increase landscaping
- Incorporate pavers in crosswalks and median
- Add pedestrian scaled lighting
- Build wide sidewalks
- Build three to four story buildings with awnings and arcades adjacent to the wide sidewalks
- Buildings should have a vernacular architecture
- Create a grand Promenade to connect library and cultural center
- Reconstruct buildings in an orderly fashion, close to the street
- Improve traffic flow and capacity
- Build bus shelters equipped with, benches, trash cans, good signage and lighting that help define the community's identity
- Improve connectivity between businesses along the SR 7 Corridor
- Upgrade intersections of S.R 7 and: NW 16th St, NW 19th St., & NW 21st St.

The Citizen's Requests

Regarding The Corridor's Private Realm

- Redevelop the K-mart site to a marketplace that interacts with the new park
- Create a new entrance to the park and marketplace off of Sunrise Blvd.
- Redevelop the McArthur site in a form that enhances the corridor
- Add sports and other uses into the cricket stadium/park (soccer, football, passive park)
- Front the north edge of the park with a public street with residential buildings facing the park
- Connect the cricket stadium/ park to the Lauderhill mall
- Redevelop the Lauderhill Mall into an open, mixed-use, shopping area
- Incorporate restaurants, movie theatre and hotels to the redeveloped sites
- Build new housing to accommodate all incomes
- Preserve and improve the Industrial Park
- Replace obsolete buildings and gas stations with new structures that respond to the community's vision
- Add new buildings for display of cars on dealerships
- Build (relocate) the bus transfer station on NW 12th St.
- Build a post office in the area
- Build additional parks (neighborhood parks and plazas)
- Create an Arts District at the industrial park
- Build a handicapped-friendly city

ATTACHMENT X



CITY OF LAUDERHILL

COMPREHENSIVE PLAN

TRAFFIC CIRCULATION ELEMENT GOALS, OBJECTIVES & POLICIES

December 2017

GOAL

TO PROVIDE A SAFE AND EFFICIENT MOTORIZED AND NON-MOTORIZED CIRCULATION SYSTEM

OBJECTIVE 1.0

As part of all development orders, the acquisition or reservation of needed right-of-ways, shall be established.

POLICY 1.1

The City shall adopt an official Trafficways Map, identifying future right-of-ways required by the City, County and State, based upon the Traffic Circulation Element of this plan.

POLICY 1.2

The City shall adopt minimum set-back requirements to assure land reservation for the following roads, with the following setbacks:

ROAD NAME	SET-BACK FROM CENTER LINE
Commercial Blvd.	123 feet
Oakland Park Blvd.	170 feet
Sunrise Blvd.	150 feet
US 441 (SR7)	100 feet
Rock Island Road	78 feet
N.W. 44 Street	78 feet
Inverrary Blvd.	78 feet
University Drive	170 feet
Pine Island Road	78 feet

POLICY 1.3

The City shall adopt a mandatory dedication or fees in lieu of land, as a condition of development order or permit, on streets where additional right-of-way is needed, for the purpose of acquiring necessary right-of-way.

OBJECTIVE 2.0

The City shall maintain transportation level-of-service standards for the purpose of long-range transportation planning for Broward County transit and Strategic Intermodal System facilities.

POLICY 2.1

The level-of-service standard for Strategic Intermodal facilities is the Generalized Peak Hour Two Way level-of-service standards "D" established by the Florida Department of Transportation.

POLICY 2.2

Florida's Turnpike shall be widened from six (6) lanes to eight (8) lanes and the interchange at Sunrise Boulevard shall be modified to improve access by fiscal year 2012/2013.

POLICY 2.3

The level-of-service standard for Broward County's Central Transit Concurrency District is to achieve headways of 30 minutes or less on 80% of routes, establish at least one neighborhood transit center, and establish at least two additional community bus routes.

OBJECTIVE 3.0

The City shall require a Traffic Impact Study for the following locations, which have been identified as high accident frequency locations, prior to the issuance of a development order.

- US 441 (SR7)
- Oakland Park Boulevard
- University Drive

POLICY 3.1

The findings of the Traffic Impact Study must show that granting the development order will not:

- Lower the level of services
- Compound an existing high accident frequency location.

POLICY 3.2

The Police Department for the City shall prepare an annual accident frequency report for all arterials and collectors.

OBJECTIVE 4.0

The City shall annually update the Official Trafficways Map to reflect any changes approved by the Metropolitan Planning Organization, the Florida Department of Transportation and any appropriate resources planning and management plan prepared pursuant to Chapter 380, Florida Statutes, and approved by the Governor and Cabinet.

POLICY 4.1

The City Engineer shall review annually, prior to the anniversary date of the adoption of this plan, any update to the plan within Objective 3. These revisions shall be reflected on the Official Trafficways Map and readopted by the City.

OBJECTIVE 5.0

The City will continue to maintain a safe, convenient and efficient motorized and non-motorized transportation system.

POLICY 5.1

The City will adopt a peak hour level of service 'D' for all roadways except those designated as a STA. Oakland Park Boulevard and US 441 will be designated a peak hour level of service 'F'.

POLICY 5.2

By 1991, the City will conduct a non-vehicle circulation study; for the purpose of locating deficiencies in the system and at that time prepare an implementation plan for the correcting found deficiencies.

POLICY 5.3

As part of a development order the City shall assure that the site provides safe and convenient onsite traffic flow, considering needed motorized and non-motorized parking.

OBJECTIVE 6.0

The City shall coordinate the Traffic Circulation System with the Future Land Uses shown on the Future Land Use Map.

POLICY 6.1

Prior to the issuance of a development order, the City will review the consistency of the proposed development with the TRAFFIC CIRCULATION SYSTEM and FUTURE LAND USE MAP and for any adverse impacts.

OBJECTIVE 7.0

The projected traffic circulation demands through the year 1994 will be met by undertaking the following projects:

- Traffic light at NW 70 Ave and Inverrary Blvd.
- Pave Inverrary Blvd. from NW 44 St. to University Dr.
- Pave NW 44 St. from Rock Island Rd. to Inverrary Blvd.
- Pave NW 17 Ct. from NW 52 Ave to NW 55 Ave
- Pave NW 50 St. from University Dr. to Pine Island Rd.
- Pave NW 43 Ave from NW 12 St. to NW 16 St.
- Citywide resurfacing program

POLICY 7.1

The City will review all development orders for consistency with Objective 7.0 and impact on adopted level of service.

OBJECTIVE 8.0

The provisions of motorized and non-motorized vehicle parking and the provisions of bicycle and pedestrian ways will be regulated.

POLICY 8.1

The City will prohibit on-street parking on all arterials and collector roadways.

POLICY 8.2

The City will provide or require pedestrian ways for connecting residential areas with recreational areas, schools, shopping areas and mass transportation areas.

POLICY 8.3

The City shall establish standards for the provision of bicycle storage areas at multi-family residences, shopping areas and recreational areas.

POLICY 8.4

The City will review all development orders for their accommodation of bicycle and pedestrian needs.