



Minutes of June 18, 2012

Meeting Called to order at 7:03 p.m.

1. ROLL CALL

P&Z Board Members

Table with 12 columns (MEMBERS, 6/18/12, 5/16/12, 2/27/12, 12/19/11, 11/21/11, 10/3/11, 9/19/11, 8/29/11, 7/18/11, 6/20/11, 5/16/11) and 12 rows of member attendance records.

* Reappointed ** Resigned *** New appointment

STAFF PRESENT: Matt Wood, Director
Jason Chockley, Planner

APPLICANTS: Jack Marshall, Regions Bank
Hope Calhoun, Esq. - Monterra
Jose Acosta, Chen Moore - Monterra
Jimmy Wright - Monterra

2. P&Z BOARD - MINUTES - WAIVE/APPROVE - May 16, 2012 MOTION TO WAIVE READING OF MINUTES OF 5/16/12: Motion to waive the reading of the minutes made by Mr. Roper and seconded by Mr. Valenti. All ayes on voice vote. APPROVE: Motion to approve made by Mr. Roper and seconded by Mr. Valenti. There were all ayes on voice vote. Motion was approved.

3. CORRESPONDENCE: None.

4. NEW BUSINESS:

A. REGIONS BANK CANOPY SITE PLAN AMENDMENT PETITION # SPA 5-1-12 - LOCATED AT 9100 GRIFFIN ROAD

Mr. Wood commented that this item is a Site Plan Amendment petition for the Regions Bank located in the Regions Bank Plaza (f.k.a. Transflorida Plaza). The Bank is requesting to construct a canopy over the existing drive-thru lanes and to add a new entrance element to the facade at the front entrance to the bank. The new canopy and entry feature will have coping and stucco designed and painted to match the existing siding of the plaza building. The features will include new Regions Bank wall signs that will be submitted for review and approval at a later date.

The canopy will not encroach into the required 75-foot front setback from Griffin Road so no variances are necessary to approve the request. New security lighting is being added in front of the ATM. No other amendments to buildings or land use are requested at this time.

Mr. Wood concluded that the Development Review Committee recommends approval of the site plan amendment.

Mr. Jack Marshall, PKA Architects representing Regions Bank, introduced himself and commented that he agreed with the Staff Report and had no other remarks.

MOTION: TO APPROVE REGIONS BANK CANOPY SITE PLAN AMENDMENT PETITION # SPA 5-1-12 – LOCATED AT 9100 GRIFFIN ROAD. MOTION MADE BY MS. STERN AND SECONDED BY MR. ROPER. There were all eyes on roll call. Motion approved.

4. B. MONTERRA MASTER PLAN/DESIGN GUIDELINES MODIFICATIONS

1. *PUBLIC HEARING – REZONING PETITION # Z 2-1-12

Mr. Wood commented that this item is a rezoning request for the Monterra development. Although the Planned Mixed Use Development (PMUD) zoning district designation is not proposed to be changed, because the Master Plan and Design Guidelines are a function of the zoning district, the changes technically are a rezoning.

The portion of the Monterra development from Pine Island Road east to University Drive changed ownership and the new developer changed the approved Master Plan and Design Guidelines with approval by City Commission in January 2010 and most recently in October 2011. The developer now proposes to make additional changes to the design guidelines and master plan. Although changes to the design guidelines apply to the entire development, changes would be most effective for the vicinity of pod 2g, and the adjacent commercial land use in Parcel C-2; but the changes would not alter the site plans for the remainder of the development.

The land use was established while it was unincorporated. The designation is irregular as it includes both commercial and residential at a specific density. The density was approved by Broward County at 3.663 units per acre for a total of 1,800 residential units with an additional 110 units to be available through flex rules. Under this request the units would remain the same at 1,652.

Mr. Wood mentioned there is an exhibit entitled “MODIFICATIONS TABLE FOR MONTERRA DESIGN GUIDELINES” in the backup material reflects a narrative description of the changes to the Monterra Design Guidelines associated with this request. The currently approved Monterra Master Plan reflects Commercial Parcel C-2 with more depth from University Drive and with commercial land use fronting the adjacent lake. Under this request and the accompanying Site Plan Amendment, the lakefront commercial land use is removed while the residential Pod 2g is being redesigned to maximize the number of lakefront lots. The net loss of commercial acreage for parcel C-2 is approximately 1 acre.

The overall changes to the Monterra development can be generally described in the following five categories of change. The letters below correspond with the letters depicted on the “MONTERRA MASTER PLAN MASTER MODIFICATIONS” exhibit in the backup material to this staff report:

- A. Commercial Parcels C-1 and C-2** – These parcels are reconfigured and acreage increases from 3.53 to 3.74 acres for Parcel C-1 and decreases from 20.76 to 19.79 acres for parcel C-2. The net decrease in overall commercial acreage is .78 acres.
- B. Pod 2g** - This parcel is reconfigured and the area increases from 8.26 to 9.96 acres. The lot sizes change from 34' wide to 50' wide lots.
- C. Lake reconfigurations** – Lake 17 size was reduced from 12.05 to 11.79 acres per the new configuration of Pod 2g. Lakes 6, 7, 8 and 9 changed to maintain lake maintenance easements out of the FPL Corridor Easement as per previously approved plans. Lake 8 changed due to modifications to Parcel C-1.
- D. NVAL on University Drive** – The Non-Vehicular Access Line (NVAL) with 50-foot access opening on University Drive was moved approximately 100 feet north of the Buckeye Pipeline easement to minimize conflict with the Central Broward Water Control District canal culvert.
- E. Fence line along lake edge at Tarama Avenue** – The previously approved 6' pilaster/picket fence along the lake edge of Commercial Parcel C-3 at Tarama Avenue was removed so as not to conceal the lake view.

Mr. Wood explained the deviation and remarked that the PMUD district allows an applicant to make specific requests for City Commission to approve variations. Specific deviations for buffers, parking, and landscaping were approved with the ordinance to rezone from A-1 to PMUD. The proposed changes would not involve any new deviations.

Mr. Wood then commented that 1.4.4 of the City's Comprehensive Plan states that City zoning as to permitted uses and densities must be in compliance with, or be more restrictive than, the requirements of the City Land Use Plan. The proposed PMUD zoning district and accompanying Master Plan are consistent with the Land Use Plan designations permitted by the County's and City's Future Land Use Maps. The densities proposed are consistent with the number of dwelling units permitted by the County's and City's Future Land Use Maps and compatible with the proposed commercial locations as reflected on the Master Plan are also consistent with the Land Use designations on the Future Land Use Maps. Accordingly, the request can be considered consistent with the Comprehensive Plan.

The proposed master plan changes and design guidelines may be considered compatible with surrounding properties. The requested changes do not affect the unit count in Pod 2g, which remains at 31 single family homes; rather the lot sizes are increased from 34' to 50' lots. The larger lots sizes may still be considered compatible with the commercial uses proposed for Parcel C-2 to the east along University Drive. Total Monterra units and density remains the same; therefore land use compatibility issues are not raised with this request.

The subject site has met all traffic concurrency regulations applicable to the site. Through the Land Use Plan Amendment and platting processes, the applicant worked closely with the Broward County Transportation Planning Division and the City to mitigate possible traffic impacts associated with the development. The approvals to date include a Traffic Concurrency Agreement and a Voluntary Regional Transportation Network Agreement resulting in funding to

be used toward road improvements associated with traffic impacts of the overall Monterra development.

Mr. Wood concluded that as the applicant has met the submission requirements for consideration of the rezoning petition to amend the master plan and design guidelines, the Planning and Zoning Board may recommend approval of the request subject to a finding that the applicant has adequately addressed the above-mentioned standards for approval.

Ms. Hope Calhoun, Esq., introduced herself as the representative for the applicant. She stated that most of the Board members have been through this process enough to know that this is not the site plan stage, but anytime they make modifications to the design guidelines they have to do that through a rezoning. As a testament to how great Cooper City is they are making some changes to the site plan to accommodate the people that want to live here. In order to effectuate those changes they had to make changes to the master plan. She then remarked that a few meetings back they came with a non-vehicular access line amendment along Stirling Road, which impacted Lake-8 and C-1. At that time they made some modifications to the lake and as a result of the modification to the acreage on C-1. Since that plan came before this Board, the applicant went to Central Broward Water Control District (CBWCD) and some modification to that proposed plan created some ripple effects and forced them to come back and make those changes to C-2 and Parcel 2-G. Parcels C-1 and C-2 are impacted as a result of the changes brought on by CBWCD and the change because of the modification to Parcel 2G. They have lost approximately an acre. When the Monterra Master Plan was originally presented to Cooper City Parcel C-1 was approximately 2.5 acres. When they came back with their modification in October, 2011, Parcel C-1 increased to 3.5 acres and now C-1 now exceeds 3.74 acres. Regarding Parcel C-2, when Touse came before the Board with the original plan C-2 was at 20.78 acres. Nothing changed when they came before you in 2011 and now they are proposing 19.79 acres. The total acreage between C-1 and C-2 between the changes is approximately 1 acre. Parcel 2G is the modification of the types of lots that will be provided; from 34 to 50 foot lots. The lake configuration changes largely because of the FP&L easement coming out of the lake maintenance easement and because of the changes made to C-1. The non-vehicular access line as you go through the permitting process things have to be modified in the field so they were making that change reflected in the Master Plan Design. Everyone wants to see a lake so the fence is being removed along Tarama so everyone can see it as they drive through. She requested approval.

Mr. Aronson opened the Public Hearing at 7:20 p.m. and seeing no one to speak he then closed the Public Hearing at 7:21 p.m.

MOTION: TO APPROVE MONTERRA MASTER PLAN/DESIGN GUIDELINES MODIFICATIONS REZONING PETITION # Z 2-1-12. MOTION MADE BY MR. KONHAUZER AND SECONDED BY MR. VALENTI FOR DISCUSSION.

Mr. Laufenberg commented that being a resident of Monterra, he remembered originally when they designed the land a selling point was the fact that this commercial property was on the land and explained they would have an event area and a restaurant on the water. There was a beautiful picture of a conceptual plan for the commercial area. He wanted to let the Board know

what the original idea was, although this was a great idea with having bigger lots and bigger homes and makes sense as to what they were doing, but wanted the Board to know what was originally proposed to the original residents.

MOTION: TO APPROVE MONTERRA MASTER PLAN/DESIGN GUIDELINES MODIFICATIONS REZONING PETITION # Z 2-1-12. MOTION MADE BY MR. KONHAUZER AND SECONDED BY MR. VALENTI FOR DISCUSSION. There were all ayes on roll call. Motion was approved.

B. MONTERRA POD 2G (VISTA DEL PRADO)

2. SITE PLAN AMENDMENT PETITION # SPA 3-1-12

Mr. Wood commented that this item is a Site Plan Amendment Petition for the Monterra Vista Del Prado Community (Pod 2G). The Site Plan Amendment is consistent with the zoning, Master Plan and Design Guidelines revisions (Rezoning Petition # Z 3-1-12) that have been submitted concurrently with this petition. There are no variances requested for this development.

The application is a request to reshape and modify the Vista Del Prado neighborhood (Pod 2g on the Master Plan) from 34' to 50' wide single family lots. The petition would reshape the boundaries of the project, the adjacent lake, and the boundary of the adjacent commercial parcel (C-2). The currently approved Monterra Master Plan reflects Parcel C-2 with more depth from University Drive and with more commercial land use fronting the adjacent lake. Under this request and the accompanying Master Plan Amendment, the residential Pod 2G is being redesigned to maximize the number of lakefront lots. The net loss of commercial acreage for parcel C-2 is approximately 1 acre.

There is one vehicular access point to the pod from Monterra Boulevard to the west. There are two terminal cul-de-sacs on either side of the subdivision with fenced emergency and pedestrian access from the eastern cul-de-sac to Solano Avenue. Brick paver sidewalks are proposed on both sides of the internal roadway.

A 30' landscaped buffer is proposed to separate the subdivision from the future commercial development in the adjacent Parcel C-2. The buffer will contain a proposed 8' high solid pilaster wall and a 3.5' landscaped berm. The plans are presented with approximately 2.1 acres of open space which exceeds the minimum amount of open space required. A chart is included to show the amount of open space and park area for this pod, all preceding pods, and the cumulative total of open space which exceeds the amount required.

Mr. Wood concluded that the site plan amendment has been reviewed by the DRC for conformance with the applicable district regulations of the proposed zoning, pre-annexation agreement, Master Plan and Design Guidelines which apply to the property, and have been determined to be in conformance with those standards subject to the conditions listed in the Staff Report.

Ms. Calhoun commented that they were not adding any units, but were modifying the already approved units and increasing the lot size due to market demand.

MOTION TO APPROVE: SUBJECT TO DRC COMMENTS MONTERRA POD 2G (VISTA DEL PRADO) - SITE PLAN AMENDMENT PETITION # SPA 3-1-12. MOTION MADE BY MR. ROPER AND SECONDED BY MR. KONHAUZER. There were all ayes on roll call vote. Motion was approved.

4 C. MONTERRA COMMERCIAL PARCEL C2 – PLAT AMENDMENT PETITION # PA 5-1-12

Mr. Wood commented that this is a requested Plat amendment petition for the Monterra development. The amendment involves changing the plat note restriction to accommodate a proposed reconfiguration of Parcel C-2 on the Monterra Plat and Master Plan. The request would accommodate the construction of the previously approved 31 single family residential units on Pod 2G of the Master Plan on a newly identified subparcel (proposed Parcel C-2A). The commercial square footage previously approved for Parcel C-2 would now be accommodated on the newly configured Parcel (C-2B). This request is being submitted concurrently with a zoning petition to modify the Monterra Master Plan and Design Guidelines accordingly.

Mr. Wood explained that the current note on the Plat is restricted to 149 single family detached units on Parcel A; 657 single family detached units, 294 townhouse units, 252 garden apartments on the remainder of Parcel B; 300 low income garden apartments (96 one-bedroom, 156 two-bedroom and 48 three-bedroom) on Parcel B-1 (see attached legal description); 36,000 square feet of government offices and 14,000 square feet of fire station on Parcel B-2; 23,000 square feet of commercial use on Parcel C-1; 162,000 square feet of commercial use and 70,000 square feet of office use on Parcel C-2; and 15,000 square feet of commercial use on Parcel C-3.

Mr. Wood then explained the proposed note on the Plat which is restricted to 149 single family detached units on Parcel A; 626 single family detached units, 294 townhouse units, 252 garden apartments on the remainder of Parcel B; 300 low income garden apartments (96 one-bedroom, 156 two-bedroom and 48 three-bedroom) on Parcel B-1 (see attached legal description); 36,000 square feet of government offices and 14,000 square feet of fire station on Parcel B-2; 23,000 square feet of commercial use on Parcel C-1; 31 single family detached units on Parcel C-2A (see attached legal description); 162,000 square feet of commercial use and 70,000 square feet of office use on Parcel C-2B (see attached legal description); and 15,000 square feet of commercial use on Parcel C-3.

This amendment does not change the number of residential units, the overall residential density, nor the commercial square footage approved on the plat.

Mr. Wood concluded that the Development Review Committee has reviewed the plat amendment and found it to be in conformance with applicable code and comprehensive plan requirements and the pre-annexation agreement. The DRC recommends approval of the Plat Amendment application subject to the following:

1. City Commission approval of the Rezoning/Master Plan/Design Guidelines Amendment Petition (#Z 3-1-12) submitted concurrently with this request.
2. Final approval and ultimate recordation of the plat amendment by Broward County.

Ms. Calhoun thanked the Board for approving the first two requests and this third requests continues to let them move forward with the development. They have re-configured Parcel 2G and they created a sub-parcel for platting purposes and legal description purposes.

MOTION: MONTERRA COMMERCIAL PARCEL C2 – PLAT AMENDMENT PETITION # PA 5-1-12. MOTION MADE BY MR. KONHAUZER AND SECONDED BY MR. ROPER. There were all ayes on roll call vote. Motion was approved.

5. OLD BUSINESS:

None.

6. GROWTH MANAGEMENT DIRECTOR'S REPORT:

Mr. Wood commented that the next regularly scheduled meeting would be Monday, July 2nd, 2012 and it appears there would be no petitions ready for that meeting. There are petitions still going through the approval process, but Staff would keep the Board posted.

7. BOARD MEMBERS' CONCERNS:

Ms. McCoy asked that when the bank came in to put in the canopy and why didn't they plan that canopy when they planned the roadway in there. Was the roadway subsidized by the taking of the land for Griffin Road?

Mr. Wood responded that was when the Certificate of Conformity came through years ago and he didn't think the bank was ready to do anything at that time.

Mr. Aronson thought that when the road was being taken they didn't think about anything else and they thought afterward they should have done it then.

Mr. Cutler asked when an applicant comes in and starts the process, are the meetings scheduled so it gives them enough time to make that next meeting or sometimes he sees that it is double time on something that is pretty simple. He commented that he only brought that up for people that are trying to develop and assuming there are no comments you would think we have scheduled enough that they could get it in for that next steps meeting in time and not wait another cycle of meetings, because they would keep being pushed back.

Mr. Wood explained that what drives the scheduling is that they have their minimum time frame from submittal to the P&Z meeting date. You start with your P&Z dates and back up that minimum number of days that are needed to get everything ready. Advertised petitions have to be submitted more in advance than non-advertised petitions. Sometimes the DRC doesn't line up.

Mr. Aronson commented that if you come before this Board and it is not approved, they can still go to the Commission meeting. When you are scheduled for this Board you are also scheduled for Commission.

Ms. McCoy remarked that if they don't get their submittals in on time....

Mr. Aronson again commented that once it gets to the P&Z Board, it also can go before the Commission.

Mr. Chockley commented that some Commission meetings are only once a month.

Mr. Wood remarked that sometimes the DRC will fall close to a deadline that comes up in one or two days and sometimes it doesn't. DRC's are held twice a month on Wednesdays and P&Z are twice a month on Mondays, so it depends on where that DRC falls in relation to the submittal deadline for P&Z.

Mr. Aronson pointed out that if one of the disciplines in DRC has a significant question they may have to move the P&Z hearing back and come back in 2 weeks.

Mr. Wood explained that the way it works with DRC is that they get their comments and then it goes back to the applicants to re-submit. Sometimes they take longer to re-submit.

Mr. Chockley pointed out there are also months that have 5 Mondays or 5 Wednesdays in it that can effect scheduling also.

Mr. Wood commented there were a lot of variables.

Mr. Aronson noticed they started working on Palm Ave. and wanted to know what the length of time for that project.

Mr. Chockley responded it is a year and reminded the Board that was all County run.

Mr. Valenti commented that he thought they did a nice job on re-doing the Regions shopping center. The Farm Store is a real eye sore and wanted to know if anyone has said what they might want to do.

Mr. Aronson remarked the Farm Store is under separate ownership.

Mr. Valenti responded yes, but they lost their lease.

Mr. Aronson commented that the shopping center is a condo center so you don't have an owner that controls the entire center.

Ms. Stern mentioned she heard Farm Stores had been evicted.

Mr. Chockley explained Farm Stores is a separate folio number.

Mr. Aronson thought the challenge for that Farm Store would be the kind of use could be made of that.

8. ADJOURNMENT:

The Meeting adjourned at 7:38 p.m.