



PLANNING & ZONING ADVISORY BOARD

Minutes of January 16, 2013

Meeting Called to order at 7:32 p.m.

1. ROLL CALL

P&Z Board Members

MEMBERS	1/16/13	1/7/13	12/17/12	11/5/12	10/15/12	10/1/12	6/18/12	5/16/12	2/27/12	12/19/11	11/21/11
Marianne McCoy	A	A	P	P	P	A	P	P	P	A	P
Diane Sori	P	P	P	P	P	A	A	P	P	P	P
Charles Cutler	P	P	P	P	A	P	P	P	P	P	A***
Michelle Keirnan Stern	P	P	P	P	P	P	P	P	P	P	P
Craig Konhauzer V/Chair	P	A	P	P	P	P	P	P	P	P	P
Mark Aronson, Chair	P	P	P	P	P	P	P	P	P	P	P
David Nall	P	P	P	A	P	A	P	P	A	A	P
John Valenti	P	A	P	P	P	P	P	P	P	P	P
Bart Roper	P	P	P	P	P	P	P	P	P	P	P
Elliott Weiner	P	*** P	A	A	P	P	P	P	P	P***	

* Reappointed ** Resigned *** New appointment

STAFF PRESENT: Matt Wood, Director
Jason Chockley, Planner

APPLICANTS: Milton Lewinsky, Pinch-A-Penny, Inc.

2. P&Z BOARD - MINUTES - WAIVE/APPROVE – Minutes from 1/7/13 not available at this time.

3. CORRESPONDENCE:

Mr. Aronson mentioned the letter from Mayor Ross to Greg Laufenberg, thanking him for his service to the P&Z Board and wishing him well.

Mr. Wood commented that he had received a copy of a flyer from an e-mail from the Broward Section of the American Planning Association is hosting in conjunction with the Town of Lauderdale-by-the-Sea a Planning Officials Training Workshop on Friday, February 22, 2013 from 8:30 a.m. to 5:00 p.m. It is geared for Planning & Zoning Board members, and City Commissioners. It is \$50 per person and if anyone is interested, please let him know. He then remarked they would find the money to allow the Board members to attend this workshop. He then read the flyer for the Board members.

4. NEW BUSINESS:

A. TIMBERLAKE PLAZA – SIGN PACKAGE AMENDMENT PETITION # SI 12-1-12

Mr. Wood explained that this item is a Sign Package Amendment for the Timberlake Plaza whereby the owner desires to amend the approved sign package to allow any font style for lettering, in lieu of the Helvetica style limitation currently applying. Letter coloring will continue to be limited to red only.

The petition also adds a second color (white) to the already approved red color for the logos/trademarks allowed in the Plaza.

The request does not involve any variances or waivers from code requirements and the request as submitted is in conformance with code requirements.

Mr. Wood concluded that Staff finds that the petition meets the submittal requirements for this sign package amendment to be considered for approval. The Planning and Zoning Board is requested to discuss the petition and make a recommendation. Board input will be forwarded to the City Commission for action.

Mr. Milton Lewinsky, Pinch-A-Penny, Inc. introduced himself and explained they were requested to change the type of font. They cannot put their logo up because of the different kind of lettering in the plaza. The plaza agrees it is a really old package.

Ms. Sori commented they have let other variances go for other companies throughout the City that wanted to put up their logos so she recommended this be approved.

Mr. Aronson remarked they would be removing the requirement to remove the Helvetica type.

Mr. Wood mentioned that was a self imposed requirement and not a code requirement.

Mr. Aronson then commented that there would be no required type of lettering font.

Mr. Wood responded that was correct.

Mr. Aronson remarked that the center could then have a variety of fonts on their signs.

Mr. Wood responded that was correct.

Mr. Aronson asked if they generally require the centers to have a consistent font.

Mr. Chockley commented that they can choose to be above code and more restrictive than code. Colors are limited to 3, but centers can choose to be more restrictive, such as Timberlake only allows the color red and they only allow Helvetica font. They are choosing to remove the Helvetica and still limit to red lettering, and allow white for the logos.

Mr. Aronson referred to the photographs and asked if that was considered all white. He thought it looked like white outlined by red, but he didn't know what that was supposed to be.....

Mr. Chockley responded that they are interior illuminated so at night it is not as dark as it is during the day and the picture makes it look worse. If you drive by at night it makes it look redder in person.

Mr. Roper commented that it used to be at one time during the planning process that the petitioner agreed to a sign package for the entire center. At that time the center made it imperative that everyone use that type of sign. He asked if the shopping center has agreed to the changing of the letters.

Mr. Chockley responded yes they have agreed to these changes.

Mr. Roper expressed his concern that they would be opening “Pandora’s box” and they would be establishing a criteria that can be used anywhere within the City and the shopping centers they will be able to use anything that they want as far as font or what have you and that was his concern.

Mr. Chockley responded they did a survey of the sign packages currently approved and there is only 3 that specify a required font. The majority of the shopping centers in the City do not require a specific font. The code does not require a specific font.

Ms. Stern referred to the photo and the sign for Pinch-A-Penny and in the bottom left corner of the photo you can see their company logo sign that says Pinch-A-Penny and it has the 2 dots. That font and lettering looks exactly like their sign and questioned what they were changing to make their trademark if that sign looks just like the sign on their window.

Mr. Chockley responded that the Pinch-A-Penny sign on the wall is the Helvetica font. Their logo is supposed to be more of a bubble letter, so that is what will be changed out if this gets approved. They look very similar, but according to them their font is a bubble font.

Ms. Stern commented that the continuity of the lettering especially at night when they are all the same they look beautiful. The only sign that stands out in that plaza that you can’t even read is the Mosaic Café because the font is funky. She thought the lettering looking all even makes the shopping center look so much better. It is hard to read all the signs when everybody’s sign is different.

Mr. Konhauzer agreed with Ms. Stern aesthetically, but when you look at logos that companies have worked for years on for branding it makes sense for businesses to have consummate branding and so you can’t really do that and have it the same font and color and achieve that look. He then referred to Starbucks for instance, it is an internationally recognized font and color and logo and it’s also branded and he didn’t think it was up to the Board to make them go to a different color that would match a center rather than their business or their branding.

Mr. Cutler agreed with Mr. Konhauzer and referred to Dunkin Donuts and stated that companies pay big dollars to have branding. People who open up those businesses pay big dollars to open up those businesses and the sign is usually what attracts people to come in, so if they want to be business friendly within reason when it comes to signs they have to allow companies to differentiate themselves from the street or differentiate themselves somehow within reason and especially nationally trademarked companies to get their signage.

Ms. Stern commented that in the analysis it says to change the sign package to be any font and thought they were giving people too much leeway to say any font.

Mr. Aronson responded that that code doesn’t require you to specify a font in the sign package only the colors. They are asking for the removal of Helvetica font from their original plat or petition. Their request is to remove the requirement of only one font. You can say they can use any font, but so can any other shopping center. That’s what the code says and is not like they would be giving them broader ability for signage.

Mr. Chockley responded that was correct.

Ms. Sori commented that most San Serif signs lettering look very similar and most Serif lettering look very similar. It's either italic or bold. He is not going to stick up Old English font.

Mr. Konhauzer interjected that he could if he wanted to.

Ms. Sori agreed, but nobody was going to do that. He does have a locally recognized logo and they have allowed it for other companies that have come in and thought they would have to allow it now.

MOTION: TO APPROVE TIMBERLAKE PLAZA – SIGN PACKAGE AMENDMENT PETITION # SI 12-1-12. MOTION MADE BY MR. KONHAUZER AND SECONDED BY MS. SORI FOR DISUCSSION.

Mr. Roper commented that by approving this they would be allowing now anybody within the center to automatically change their font. It says to allow any font style for lettering. So they would be approving that this center could have any font style that they want on any building within the center.

Mr. Aronson interjected that was just like any center in the City.

Mr. Wood agreed and remarked that was consistent with code.

Mr. Aronson commented that would leave 3 centers in the City that have a limitation on font.

Mr. Cutler asked if that was self imposed, so any tenant that comes in would have to get permission from the landlord for that.

Mr. Chockley explained that any permit through a shopping center that is not a condo has to get landlord approval. If it really stands out in the landlord's eyes if someone came in with a brushed script, the landlord could say no that would not fit and we wouldn't allow that permit without that landlord's approval. The landlord still could deny something that doesn't aesthetically please them.

Mr. Aronson commented that before a tenant comes here they would have to go before the landlord first anyway.

MOTION: TO APPROVE TIMBERLAKE PLAZA – SIGN PACKAGE AMENDMENT PETITION # SI 12-1-12. MOTION MADE BY MR. KONHAUZER AND SECONDED BY MS. SORI FOR DISUCSSION. There were all eyes on roll call vote. Motion was approved.

5. OLD BUSINESS:

Mr. Cutler asked if there was any news regarding the preserve from the last discussion.

Mr. Aronson commented that the property was not within that defined area of the statute.

Mr. Chockley remarked that it hasn't gone on to Commission yet, but it was confirmed that it was not part.....

Mr. Wood interjected that property was a voluntary annexation and was separated from the overall "United Ranches" that went through the Legislative Bill and that Legislative Bill gave the residents the right to vote whether they wanted to go to Davie or Cooper City. That subject site with the proposed Mill Creek was not part of that vote. A review of the legal description the subject site was tracks 34 and 35 and they were specifically excluded from that legal description so there is no question that is not part of United Ranches.

6. GROWTH MANAGEMENT DIRECTOR'S REPORT:

Mr. Wood mentioned White Fly and commented that there was a serious outbreak with White Fly attacking our Ficus hedges a couple of years ago. Now there is a different White Fly called a Spiraling White Fly and is attacking Gumbo Limbo trees primarily and is moving on to Palm trees and the City Arborist told him that it's even attacking Black Olive trees. He remarked that he has a Gumbo Limbo tree that is being attacked in his yard. He explained that what happens is the larval stage produces through the excrement a black mold that gets all over the place. You have to pressure clean it to remove it. The point is that the City has started to receive complaints from property owners in Cooper City. He mentioned it was starting to affect Gumbo Limbos in Rock Creek as well as in Diamond Head.

Mr. Aronson asked if the complaints were on trees on City property.

Mr. Wood responded no and that was part of what.....

Mr. Konhauzer interjected how it was a City issue then.

Mr. Wood explained that it is not a City issue, but there is language in the Tree Preservation code that if it is considered an emergency situation that the City can work to help mitigate through the City Arborist recommending they may have to let people get a tree removal permit for some of the Gumbo Limbo trees, which would normally be a protected tree acknowledging the fact that it is rampant now.

Mr. Aronson commented that the issue for the City would be to liberally grant tree removal permits.

Mr. Wood responded that was correct and possibly to make some dollars available from the Tree Preservation Trust Fund if it is a community tree and not on private property, which might be the case with some of the trees in Diamond Head to make some funds available.

Mr. Konhauzer asked if this was something you have to wait for until it's attacked or is it used as a prophylactic kind of a spray that stops it.

Mr. Aronson commented there is no spray.

Mr. Wood explained that he sprayed his canopy and did the root treatments, but the root treatment is the best way. But that takes a whole season. The City Arborist also mentioned that soot gets on the trunk of the tree and literally doesn't allow it to photosynthesize and you have to use a pressure cleaner and pressure clean the tree to help it survive. The point is that the Code does allow the City to help mitigate and relax the code when it's considered an emergency. He thought there would be a report from the City Arborist and would bring that back to the Board. He explained that he told the City

Manager that he would make this known to the P&Z Board. The City does want to be proactive and flexible where we can be.

Mr. Roper remarked that wouldn't this be appropriate for the City Arborist to put out a letter explaining the different criteria that you can use to treat it and this is what you need to do or if you need to cut it down this is the requirement. A lot of people don't really understand what is going on. There are a lot of people that have the problem that don't know they have the problem. At least it would make everyone aware. If everyone in the City doesn't do it you won't get rid of it.

Mr. Wood responded that was a good idea and would pass it on.

Mr. Wood then commented that the next potential meeting would be on February 18th, which is a holiday, so if a petition is submitted an alternate date would be scheduled.

7. BOARD MEMBERS' CONCERNS:

None.

8. ADJOURNMENT:

The Meeting adjourned at 7:58 p.m.