

**FINAL**

**PLANNING AND ZONING BOARD (PZB) PUBLIC MEETING SUMMARY**  
**WEDNESDAY, SEPTEMBER 26, 2018**  
**CITY HALL, COMMISSION CHAMBERS**

**Board Member Present:** Charles Wu, Chair; Howard Garson, Vice Chair; Danny Kattan and Rick Levinson

**Board Member Absent:**

**Board Secretary:** Joy Murray

**City Attorney's Representative:** Jane Graham

**Staff Present:** Keven Klopp, Christy Dominguez, Vanessa Leroy, and Joy Murray

**Meeting Start Time:** 6:35 P.M.

**Meeting Ending Time:** 8:30 P.M.

**2017 PZB ATTENDANCE**

**ATTENDANCE ROLL CALL:**

BOARD MEMBERS	1/25	2/22	3/22	4/12	5/24	6/28	7/26	8/23	9/27	10/25	11/29	12/21
Sheryl Natelson - <i>Chair</i>	CANCELLED	A	CANCELLED	P	P	P	CANCELLED	T	CANCELLED	T	CANCELLED	A
Terri Dillard- <i>Vice Chair</i>		A		P	A	P		P		P		A
Charles Wu		P		P	P	A		P		P		P
Alexander Lewy		P		P	P	P		A		P		P
Howard Garson		P		P	P	P		P		P		P
Harriett Ginsberg- Alter		P										
<b>Total Members Present</b>		4		5	4	4		4		5		3
<b>Total Members Absent</b>		2		0	1	1		1		0		2

**2018 PZB ATTENDANCE**

**ATTENDANCE ROLL CALL:**

BOARD MEMBERS	1/24	2/28	3/28	4/25	5/23	6/27	7/25	8/22	9/26	10/24	11/28	12/26
Charles Wu- <i>Chair</i>	A	CANCELLED	P	P	P	CANCELLED	P	P	P			
Howard Garson - <i>Vice Chair</i>	P		P	P	P		P	P	P			
Rick Levinson			P	P	P		P	P	P			
Danny Kattan							P	A	P			
Sheryl Natelson	A											
Terri Dillard	P											
Alexander Lewy	P		P	P	P							
<b>Total Members Present</b>	3		4	4	4		4	3	4			
<b>Total Members Absent</b>	2		0	0	0		0	1	0			

Present (P)

Absent: (A)

Tardy: (T)

 Un-appointed  
 Special Meeting

1 **1. CALL TO ORDER**

2 Mr. Wu called the meeting to order at 6:35 P.M.

3 **2. ROLL CALL**

4  
5 **3. PLEDGE OF ALLEGIANCE**

6  
7 **4. APPROVAL OF MINUTES**

8 MR. GARSON TO AMEND THAT LINE 117 SPECIFY THE BLOCKS OF NE 1<sup>ST</sup> STREET, 10<sup>TH</sup>  
9 AVENUE AND 3<sup>RD</sup> AVENUE AS DISCUSSED.

10 MR. WU: ASKED TO CAPITALIZE ABBREVIATION FOR EAR TO ALL CAPITAL LETTERS.

11 MR. LEVINSON MOVED TO APPROVE THE MINUTES OF THE AUGUST 22, 2018 PLANNING  
12 AND ZONING BOARD MEETING TO INCLUDE AMENDMENTS.

13 MR. GARSON SECONDED THE MOTION.

14 MOTION PASSED BY A ROLL CALL VOTE (4-0).

15 **5. NEW BUSINESS**

16  
17 1. EIGHTH AVENUE COMMONS, LLC REQUESTING APPROVAL OF A FUTURE LAND USE  
18 PLAN AMENDMENT, REZONINGS, REPLATTING AND MAJOR DEVELOPMENT REVIEW  
19 IN ORDER TO BUILD A 6-STORY RESIDENTIAL DEVELOPMENT WITH 200 MULTI-  
20 FAMILY RESIDENTIAL UNITS, AN ACCESSORY CLUBHOUSE WITH 1,024 SQUARE  
21 FEET AND ASSOCIATED PARKING. THE PROJECT IS PROPOSED AT A VACANT LOT  
22 APPROXIMATELY 4.35 ACRES IN SIZE LOCATED AT 200 NW 8TH AVENUE.

23  
24 THE APPLICATIONS TO BE CONSIDERED ARE AS FOLLOWS:

- 25 a) APPLICATION #PA-18-0974, FOR A LOCAL FUTURE LAND USE PLAN  
26 AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE PROPERTY  
27 FROM RESIDENTIAL, LOW- DENSITY TO RESIDENTIAL, HIGH DENSITY-2 ON  
28 THE CITY'S FUTURE LAND USE MAP.  
29 b) APPLICATION #Z-17-2319 REZONING THE SUBJECT PROPERTY FROM RS-6,  
30 RESIDENTIAL SINGLE-FAMILY DISTRICT TO RM-HD-2, RESIDENTIAL, MULTI-  
31 FAMILY (HIGH DENSITY-2) DISTRICT.  
32 c) APPLICATION #PDO-17-2317 APPLYING PDO (PLANNED DEVELOPMENT)  
33 OVERLAY DISTRICT TO THE PROPERTY.  
34 d) APPLICATION #P-17-0608 TO REPLAT THE SUBJECT PROPERTY.  
35 e) APPLICATION #DB-17-2311 FOR MAJOR DEVELOPMENT REVIEW APPROVAL  
36 TO BUILD THE PROJECT AS PROVIDED BY SECTION 32-382 OF THE ZONING  
37 AND LAND DEVELOPMENT CODE.

38  
39 **Polling of Ex Parte Communications (Board Secretary)**

40  
41 *Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He advised*  
42 *he would base his decision solely on the testimony being presented.*  
43  
44

45 *Mr. Levinson advised that he had no Ex-Parte Communications regarding this matter. He advised*  
46 *he would base his decision solely on the testimony being presented.*

47  
48 *Mr. Kattan advised that he had no Ex-Parte Communications regarding this matter but wanted to*  
49 *advise he was friends with someone in the applicant's team. He advised he would base his*  
50 *decision solely on the testimony being presented.*

51  
52 *Mr. Wu advised that he had no Ex-Parte Communications regarding this matter. He advised he*  
53 *would base his decision solely on the testimony being presented.*

54  
55 **Swearing in of Witnesses (Assistant City Attorney)**  
56

57 Ms. Dominguez provided a Power Point presentation and gave a summary of the item.

58 Mr. Kattan: asked if the City decides to assign 92 flex units, are were not charging anything?

59 Mr. Kattan: advised that if the City's intent was taking 92 flex units from reserve and consolidate  
60 toward a project at zero cost would result to 10% of the City's inventory and would not leave any  
61 units for future projects.

62 Ms. Dominguez: clarified that the City can not charge for assigning of flex units and allocation of  
63 units is at the discretion of the City Commission based on the merits of the project and availability  
64 of units.

65 Mr. Wu: added that assigning of the flex units policy put in place meant for elected officials to  
66 decide and the process is shared county wide.

67 Mr. Kattan: asked what was the affordability of the project?

68 Ms. Dominguez: stated this project is not an affordable project based on Broward County's  
69 definition of Affordable Housing as proposed.

70 Mr. Kattan: stated the Broward County School SCAD letter shows only 50 students being  
71 impacted which seems like a low count.

72 Ms. Dominguez: stated that the number calculated by the School Board.

73 Mr. Wu: further added that he agreed that the number students seem low but was confident that  
74 the total was correct based on how school districts perform annual studies to determine  
75 demographic projections.

76 Mr. Levinson: asked what was staff's recommendation on the deficiency of 30% of landscaping  
77 to City's the requirement of 50%?

78 Ms. Dominguez: stated that the City has granted a reduction of landscaping deficiency in the past.  
79 Although, she could not recall any with such significance.

80 Ms. Dominguez: added that the applicant was advised of the deficiency and agreed to move  
81 forward with the request. She stated that applicant has the option to mitigate, which he has, and  
82 proposed the alternative of adding landscaping to the rooftop.

83 Mr. Wu: further added that the site plan is a balanced act which requires, meeting all components  
84 which also include parking, height etc. to accomplish meeting the project's threshold.

85 Mr. Garson: stated that Exhibit "3"- Applicant's Letter, needs to be corrected where read "Forest  
86 Park" which should read "Foster Park" instead.

87 Mr. Garson: asked how would rezoning the project impact the property to the south?

88 Ms. Dominguez: clarified that the property to the south was non-conforming commercial use.

89 Mr. Wu: asked if Community Redevelopment Agency (CRA) dollars are provided towards the  
90 project?

91 Ms. Dominguez: stated no, they are not requesting CRA Funding.

92 Mr. Wu: asked if respect to the flex units does it have to go along with the land use plan  
93 amendment can that be approved by City Commission on second reading or can it proceed  
94 without?

95 Ms. Dominguez: stated that since Broward County Land Use Plan Amendment is based on  
96 Broward County approval and this process is timely.

97 Ms. Dominguez: added that second reading would not be required since it would be considered  
98 a condition to the Broward County Land Use Plan Amendment. Therefore, Commission action  
99 will be effective upon the Broward County approval.

100 Mr. Garson: asked whose idea was it to make 3<sup>rd</sup> Street a through street?

101 Ms. Dominguez: stated that City anticipates improvements adjoining right-of-way which has  
102 triggered the discussion at this point.

103 Mr. Garson: further stated it was a horrible idea to allow 3<sup>rd</sup> Street to become a passthrough,  
104 which would prompt anyone who is attempting to avoid going through Hallandale Beach  
105 Boulevard and Pembroke Road and result to driving through the residential areas.

106 Mr. Garson: suggested alternative by include a dog park or a roundabout on the street coming  
107 from 8<sup>th</sup> Avenue that would avoid unintended consequences.

108 Darrel Harris, Vice- President- Urban Farmer Inc: introduced his staff and himself. He recognized  
109 City's Staff and the support provided to allow them to execute a project better than they first  
110 anticipated.

111 Mr. Harris: provided a summary and presentation which included their mission and focus on  
112 communities and their effort to provide workforce housing which would house teachers, fire  
113 fighters and nurses. He also provided information on the waivers requested, façade and design  
114 of the units and building being proposed.

115 Mr. Wu: pointed out the two-lane entrance way which proposed plans provide potential conflict.  
116 He suggested the applicant revisit plans and suggested converting into a one way turn.

117 Mr. Kattan: asked if they were proposing the add artificial or real landscaping on the rooftop.

118 Mr. Harris: advised that they are still reviewing on what type of material to use on the rooftop.

119 Mr. Levison: further asked if applicant were to decide on artificial would they met LEED  
120 compliance?

121 Mr. Harris: stated yes and advised have included other LEED components throughout the project  
122 that would allow them to meet their LEED requirements.

123 Mr. Wu: stated that their elevation plans show that the elevator stops on the 6<sup>th</sup> Floor and does  
124 not reach the rooftop.

125 Mr. Harris: stated that the elevator is intended to stop at the rooftop and will revisit plans.

126 Mr. Garson: suggested keeping the rooftop green that would apply to the LEED component, but  
127 it would also reduce the electricity usage for unit below. He further encouraged rain water  
128 harvesting which would advocate green and maintain the project cost efficient.

129 Mr. Harris: agreed and added that their goal is to far exceed their LEED Certification.

130 Mr. Kattan: asked what was the number of air conditions requirement? He stated that his focus  
131 was keeping the project affordable and suggested looking at the numbers of air condition being  
132 proposed that would not only lower the cost of the rent but also utilities.

133 Mr. Wu: stated the requirement for the number of air conditions is based on the Florida Building  
134 Code which in review during the building permit process.

135 Mr. Garson: asked if each unit would have assign parking spaces?

136 Mr. Harris: stated that some unit would have assign spaces and some would not.

137 Mr. Garson: further suggested limiting the number of cars for each unit which will avoid a lot of  
138 parking issues in the future.

139 Mr. Garson: asked why the Traffic Study did not take in account Pembroke Road and 8<sup>th</sup> Street it  
140 stopped at Foster Road?

141 Ms. Stephanie Kinlen, Traffic Consultant, Kimley Horn & Associates: stated that she took into  
142 account study streets indicated by the City's Traffic Consultant, Michael Miller.

143 Discussion ensued.

144 Mr. Levinson: stated his concerns was the landscaping deficiency and ensuring that the trees that  
145 are being proposed mature enough.

146 Mr. Wu: recommended that the specified height of trees to be 12' to 14' high minimum.

147 Mr. Kattan: stated he had concerns the City issuing 92 flex units but in exchange of workforce  
148 housing and not some regulation in place that would not allow to increase the unit price should  
149 there be any impact in the economy.

150 Mr. Kattan: suggested that legal staff look into regulation that would not allow rent to increase.

151 Mr. Harris: stated they expect a cost of \$40 million.

152 Mr. Kattan: suggested placing water meter for each unit which would increase the value of the  
153 building in the future but also lower the cost of rent but also utilities for the tenet.

154 Discussion ensued.

155 Mr. Wu: stated the all the two-bedroom unit have one-bathroom which provide a workforce price  
156 point. However, he recommends that all two-bedroom units not be the same.

157 Mr. Wu: suggested the following changes:

- 158 1) Make balconies be 5 feet in depth;
- 159 2) Revisit stacking issues inside the property; and

160 3) Swap 3 Gumbo Limbo to 2 Live Oaks.

161  
162 Mr. Wu: stated that for the roof top to be concerned an open space the applicant considers  
163 providing lighting, cameras and security. If not, it would not be used and would not be considered  
164 open space.

165  
166 Ms. Harris: acknowledged.

167 Mr. Wu: opened the public hearing.

168 No speakers.

169 Mr. Wu: closed the public hearing.

170  
171 **EIGHTH AVENUE COMMONS, LLC REQUESTING APPROVAL OF A FUTURE LAND USE**  
172 **PLAN AMENDMENT, REZONINGS, REPLATTING AND MAJOR DEVELOPMENT REVIEW IN**  
173 **ORDER TO BUILD A 6-STORY RESIDENTIAL DEVELOPMENT WITH 200 MULTI-FAMILY**  
174 **RESIDENTIAL UNITS, AN ACCESSORY CLUBHOUSE WITH 1,024 SQUARE FEET AND**  
175 **ASSOCIATED PARKING. THE PROJECT IS PROPOSED AT A VACANT LOT**  
176 **APPROXIMATELY 4.35 ACRES IN SIZE LOCATED AT 200 NW 8TH AVENUE.**

177  
178 **THE APPLICATIONS TO BE CONSIDERED ARE AS FOLLOWS:**

179  
180 **A. MR. LEVINSON MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND**  
181 **APPROVAL OF APPLICATION #PA-18-0974, FOR A LOCAL FUTURE LAND USE**  
182 **PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE**  
183 **PROPERTY FROM RESIDENTIAL, LOW- DENSITY TO RESIDENTIAL, HIGH**  
184 **DENSITY-2 ON THE CITY'S FUTURE LAND USE MAP.**

185  
186 **MR. GARSON SECONDED THE MOTION.**

187 **MOTION PASSED BY ROLL CALL VOTE (4-0).**

188 **B. MR. GARSON MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND**  
189 **APPROVAL OF APPLICATION #Z-17-2319 REZONING THE SUBJECT PROPERTY**  
190 **FROM RS-6, RESIDENTIAL SINGLE-FAMILY DISTRICT TO RM-HD-2, RESIDENTIAL,**  
191 **MULTI-FAMILY (HIGH DENSITY-2) DISTRICT.**

192  
193 **MR. LEVINSON SECONDED THE MOTION.**

194 **MOTION PASSED BY ROLL CALL VOTE (4-0).**

195 **C. MR. KATTAN MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND**  
196 **APPROVAL OF APPLICATION #PDO-17-2317 APPLYING PDO (PLANNED**  
197 **DEVELOPMENT) OVERLAY DISTRICT TO THE PROPERTY.**

198  
199 **MR. GARSON SECONDED THE MOTION.**

200 **MOTION PASSED BY ROLL CALL VOTE (4-0).**

201

202

D. MR. GARSON MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF APPLICATION #P-17-0608 TO REPLAT THE SUBJECT PROPERTY.

MR. KATTAN SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

E. MR. LEVINSON MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF APPLICATION #DB-17-2311 FOR MAJOR DEVELOPMENT REVIEW APPROVAL TO BUILD THE PROJECT AS PROVIDED BY SECTION 32-382 OF THE ZONING AND LAND DEVELOPMENT CODE SUBJECT TO THE CONDITIONS RECOMMENDED BY THE CITY ADMINISTRATION AND THE FOLLOWING MODIFICATIONS:

- 1) TREES SHALL BE 12' TO 14' HIGH AT THE TIME OF PLANTING;
- 2) PROVIDE AN ELEVATOR ACCESSIBLE TO THE ROOF;
- 3) PROVIDE MORE OPEN SPACE AT GROUND LEVEL;
- 4) PROVIDE ROOFTOP LIGHTING AND SECURITY;
- 5) IMPROVE TRAFFIC FLOW WITHIN THE PROPERTY; CONSIDER MAKING GUEST PARKING ACCESSIBLE FROM NW 2<sup>ND</sup> AND 3<sup>RD</sup> STREET WITH ENTRY FROM THE SOUTH AND EXIT FROM THE NORTH; AND
- 6) SENSITIVITY TO AFFORDABILITY FOR TENANTS.

MR. GARSON SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

#### 6. REMARKS BY THE CHAIR

Mr. Wu: asked if any Board Member had any calendar conflicts with the following meeting:  
**October 24, 2018** (*No Objection*)  
**November 25, 2018** (*No Objection*)  
**December 26, 2018** (*Mr. Kattan will not be able to attend.*)

#### 7. LIAISON'S REPORT

Ms. Dominguez: reported on the following items:

**August 15, 2018**, City Commission Meeting the Commission approved the following code

- EAR Based Amendment (Second Reading)
- Cargo Containers (First Reading)
- Development Agreements Amendment Process (First Reading)
- Marijuana Dispensary Distance Separation.

#### 8. NEXT SCHEDULED MEETING

October 24, 2018

**MEETING ADJOURNED AT 8:30 P.M.**

A Recording of this meeting can be made available to any member of the public upon request. Requests to hear a taping of the Planning and Zoning Board meeting, summarized above, should be submitted to the Planning & Zoning Division at or can be mailed to 400 South Federal Highway, Hallandale Beach, Florida 33009