

DRAFT

PLANNING AND ZONING BOARD (PZB) PUBLIC MEETING SUMMARY
WEDNESDAY, JANUARY 1, 2019
CITY HALL, COMMISSION CHAMBERS

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

Board Member Absent: Danny Kattan- *Excused*

Board Secretary: Cindy Bardales-Villanueva

City Attorney's Representative: Jennifer Merino

Staff Present: Keven Klopp, Christy Dominguez and Cindy Bardales-Villanueva

Meeting Start Time: 6:32 P.M.

Meeting Ending Time: 7:14 P.M.

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 | 11/26 | 12/26 |
|-----------------------------------|------|-----------|------|------|------|-----------|------|------|------|-------|-------|-----------|
| Charles Wu- <i>Chair</i> | A | CANCELLED | P | P | P | CANCELLED | P | P | P | P | P | CANCELLED |
| Howard Garson - <i>Vice Chair</i> | P | | P | P | P | | P | P | P | P | P | |
| Rick Levinson | | | P | P | P | | P | P | P | P | P | |
| Danny Kattan | | | | | | | P | A | P | P | P | |
| Sheryl Natelson | A | | | | | | | | | | | |
| Terri Dillard | P | | | | | | | | | | | |
| Alexander Lewy | P | | P | P | P | | | | | | | |
| Total Members Present | 3 | | 4 | 4 | 4 | | 4 | 3 | 4 | 4 | 4 | |
| Total Members Absent | 2 | | 0 | 0 | 0 | | 0 | 1 | 0 | 0 | 0 | |

2019 PZB ATTENDANCE

| BOARD MEMBERS | 1/30 | 2/27 | 3/27 | 4/24 | 5/22 | 6/26 | 7/24 | 8/28 | 9/25 | 10/23 | 11/26 | 12/26 |
|-----------------------------------|------|-----------|-----------|------|------|------|------|------|------|-------|-------|-------|
| Charles Wu- <i>Chair</i> | P | CANCELLED | CANCELLED | | | | | | | | | |
| Howard Garson - <i>Vice Chair</i> | P | | | | | | | | | | | |
| Rick Levinson | P | | | | | | | | | | | |
| Danny Kattan | E | | | | | | | | | | | |
| Diane Lyon Wead | | | | | | | | | | | | |
| Faith Fehr- <i>Alternate</i> | | | | | | | | | | | | |
| Bruce McNamara- <i>Alternate</i> | | | | | | | | | | | | |
| Total Members Present | | | | | | | | | | | | |
| Total Members Absent | | | | | | | | | | | | |

ATTENDANCE ROLL CALL:

Present (P)

Absent: (A)

Excused Absence (E)

Tardy: (T)

 Un-appointed

1 **1. CALL TO ORDER**

2
3 Mr. Wu called the meeting to order at 6:32 P.M.

4 **2. ROLL CALL**

5
6 Mr. Danny Kattan- *excused absence*

7
8 **3. PLEDGE OF ALLEGIANCE**

9
10 **4. APPROVAL OF MINUTES**

11 Line 73: Mr. Garson: pointed out typo "*stared*" needs to read "*stated*".

12 Line 33: Mr. Wu: unfinished sentence which read: "*The correct Planning*". The unfinished
13 sentence has been deleted.

14 MR. LEVINSON MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 26, 2018
15 PLANNING AND ZONING BOARD MEETING TO INCLUDE AMENDMENTS.

16 MR. GARSON SECONDED THE MOTION.

17 MOTION PASSED BY A ROLL CALL VOTE (3-0).

18 **5. NEW BUSINESS**

- 19
20 1. APPLICATIONS #DB-18-2099 AND #RD-18-2100 BY RUBEN EZEKIEL IN ORDER TO
21 CONSTRUCT A COMMERCIAL RETAIL CENTER AT THE PROPERTY LOCATED AT 613-625
22 WEST HALLANDALE BEACH BOULEVARD/ 616-620 S.W. 1ST STREET. (QUASI-JUDICIAL)

23
24 A. APPLICATION #DB-18-2099 FOR MAJOR DEVELOPMENT PLAN APPROVAL
25 PURSUANT SECTION 32-787 IN ORDER TO CONSTRUCT A 12,096 SQUARE FEET
26 COMMERCIAL CENTER.

27
28 B. APPLICATION #RD-18-2100 REQUESTING REDEVELOPMENT AREA
29 MODIFICATION (RAM) FROM SECTION 32-457 RELATIVE TO THE MINIMUM
30 LOADING SPACE REQUIREMENTS FOR RETAIL USES. (*PLANNING AND ZONING*
31 *BOARD ACTION IS NOT REQUIRED FOR THIS APPLICATION*)

32
33 **Polling of Ex Parte Communications (City Attorney)**

34
35 Ms. Dominguez provided a Power Point presentation and gave a summary of the item.

36
37 Mr. Joseph Kaller, Architect (Hollywood, FL): introduced his staff and Ruben Ezekiel, the property
38 owner of the project and expanded on the project's exterior façade. He recognized staff in their
39 collaboration and stated the project meets all City's requirements, except for their request of a parking
40 loading space. They proposed significant improvements to the property that will result in an
41 enhancement of the Hallandale Beach Boulevard Corridor.

42
43 Mr. Levinson: pointed out that the Applicant's Letter states the total parking count exceeds the Code
44 after already considering the loss of three parking spaces but is contradicted in the staff report which
45 states that the proposed project is 41 spaces and 41 spaces are provided.

46
47 Mr. Kaller: acknowledged the staff report is correct and the error is on the letter.
48
49

Mr. Wu: complemented the design and uniqueness of the project. He asked if the intention was not to have restaurant on the site?

Ms. Dominguez: stated that City's parking provisions would allow restaurants based on the seating amount of the establishment.

Mr. Wu: asked if electric car stations are City's code requirements?

Ms. Dominguez: stated that it was staff's recommendation to put an electric car station on site, but it is not required, and the applicant included it.

Mr. Wu: stated he agreed to placing the building close to the property line but had concerns with the (6) stores in the back which are lacking visibility. He asked if the applicant had a strategy for this design?

Mr. Kaller: stated that the initial plan was to build an "L" shape building but after further review with Development Review Committee (DRC) on ways to meet the code requirement, they felt the proposed plans would fit their design.

Mr. Wu: further commended the architect on the landscaping and including shade trees instead of using palm trees.

Mr. Kaller: recognized that the design was a group effort by City staff and themselves.

Mr. Wu: opened the public hearing.

No speakers.

Mr. Wu: closed the public hearing.

Mr. Garson: commended the design and the size of the project. He appreciated that traffic would not be an issue on 1st Street, unlike the previous larger scale project proposed on the site.

Mr. Wu: addressed a previous request to staff to amend the Zoning and Land Development Code which require Planning and Zoning Board consideration of new development with more than 4,000 feet in floor area.

Mr. Wu: further stated that the threshold on square footage is significantly low and applications, such as the one being presented that meet all City's Code, the intense public hearing process is unnecessary.

Mr. Wu: followed up by stating that the City needs to entrust City staff who are professional experts and its purpose is to protect the City's interest when reviewing small projects.

Mr. Wu: reiterated that all projects that have met the City's requirement should be allowed to move forward as administrative approval process, avoiding a hardship to developers coming in to only better our communities.

MR. GARSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE TO RECOMMEND APPROVAL OF THE MAJOR DEVELOPMENT PLAN SET FORTH IN APPLICATION #DB-18-2099 AND SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY ADMINISTRATION AND FINDING THAT IT IS IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS, ORDINANCES OR REGULATIONS.

102
103 **MR. LEVINSON SECONDED THE MOTION.**

104 **MOTION PASSED BY ROLL CALL VOTE (3-0).**

- 105 2. An Ordinance of the Mayor and City Commission of the City of Hallandale Beach, Florida,
106 Amending Chapter 32, "Zoning and Land Development Code; Providing Updates to
107 Requirements for Street Trees in the Redevelopment Overlay (RDO) Area to Enhance the
108 City's Tree Canopy; Providing for Codification; Providing for Conflict; Providing for
109 Severability; and Providing for an Effective Date.

110
111 Ms. Dominguez provided a Power Point presentation and gave a summary of the item.

112
113 Ms. Dominguez: follow-up by stating on the record that she received comments by the Chair
114 regarding the Ordinance. She read his email into the record and her responses were as follows:

- 115
116
 - *Mr. Wu: "Line 76, is canopy species defined elsewhere in the Code?"*

117 Ms. Dominguez: affirmed and stated that "canopy species" is defined under "Definitions" as: "the
118 upper portion of the tree consisting of limbs, branches and leaves". There is also a definition of
119 "shade tree" which is defined as "a single-trunk dicot or conifer tree usually with a single stem or
120 main trunk which naturally develop a distinct and elevated crown and provide at maturity a
121 minimum shade crown of crown of 15 feet in diameter". In addition, there is a definition of Palms
122 to make a distinction between canopy trees and palms.

- 123
 - *Mr. Wu: "Line 82 should refer to the visibility triangle regulation elsewhere."*

124
125 Ms. Dominguez: stated vision clearance requirements are in the general Landscaping regulations
126 (Section 32-385) to clarify, we could add, at Line 79, after the word *Waterwise* "and shall comply
127 with the vision clearance requirements of Section 32-385(i)."

- 128
129
 - *Mr. Wu: "Line 84, what if the first street tree is an existing palm species, this new language
130 will dictate the remaining block to be palms, which defeats the intent of the change."*

131
132 Ms. Dominguez: stated that language is within the same subsection requiring street trees to be
133 canopy species and palms only at corners, etc.. She suggested that for clarification, the word
134 "canopy" could be inserted at Line 84 before the word "species".

- 135
136
 - *Mr. Wu: "Section e, the issue is if the planting height can be reduced due to overhead
137 utilities, that tree will ultimately will grow into the utilities. We should just cite FPL planting
138 guidelines."*

139 Ms. Dominguez: pointed out that these are supplemental regulations for the RDO. All plantings are
140 subject to the general Landscape regulations (Section 32-385) which refers to the FPL Guidelines
141 under Plant Materials (Section 32-385 (d)(2)) so she believed it would not be necessary to repeat
142 in this section.

- 143
 - *Mr. Wu: "I think the minimum tree height can be adjusted based on the availability of the
144 species in the nursery market."*

145 Ms. Dominguez: stated that language can be included at Line 86 that the director could modify the
146 height "If the established species is not available in the required height."

Mr. Levinson: summarized Ms. Dominguez's presentation and stated that the Ordinance would be removing the existing overlay requirement of palm trees and require shaded trees along the Corridor.

Mr. Garson: asked if the planting on medians and side streets if Florida Department of Transportation (FDOT) is responsible.

Ms. Dominguez: affirmed.

Mr. Wu: stated that adding the word "not" at Line 69 of ordinance would make a complete difference to the proposed ordinance.

Ms. Dominguez: stated that is clear in the general landscape code, that street trees do not count in the minimum number of trees required and it was added in this ordinance as a correction.

MR. GARSON MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, "ZONING AND LAND DEVELOPMENT CODE; PROVIDING UPDATES TO REQUIREMENTS FOR STREET TREES IN THE REDEVELOPMENT OVERLAY (RDO) AREA TO ENHANCE THE CITY'S TREE CANOPY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MR. LEVINSON SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (3-0).

6. REMARKS BY THE CHAIR

Mr. Wu: followed by asking for a status on his request to convey to the City Commission to modify the ordinance to allow the Planning and Zoning Board to vote on Redevelopment Area Modifications (RAM).

Ms. Dominguez: stated that the item has been discussed but due to changes in administration his request had not moved forward but would soon.

7. LIAISON'S REPORT

Ms. Dominguez: briefed the Board on the Impact & In-Lieu Fees Workshop schedule for February 11, 2019 and that the Board was invited to attend.

The Planning and Zoning Board unanimously agreed to 2019 Planning and Zoning Board Meeting Calendar.

| 2019 | | | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|-------|-------|-------|
| 1/30 | 2/27 | 3/27 | 4/24 | 5/22 | 6/26 | 7/24 | 8/28 | 9/25 | 10/23 | 11/26 | 12/26 |

8. NEXT SCHEDULED MEETING

Wednesday, February 27, 2019

195
196 Mr. Wu: asked if Mr. Kattan had notified staff ahead of time, that he would not be available to attend
197 the meeting this evening?

198
199 Ms. Villanueva: confirmed that Mr. Kattan advised a month in advance that he would be out of town
200 at a conference.

201
202 Mr. Wu: asked to note on the record as Mr. Danny Kattan's absence as excused.
203

204 **MEETING ADJOURNED AT 7:14 P.M.**

205
206 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
207 Board meeting, summarized above, should be submitted to the Planning & Zoning Division at \or can be mailed to 400 South Federal Highway,
208 Hallandale Beach, Florida 33009