

**DRAFT**

**PLANNING AND ZONING BOARD (PZB) PUBLIC MEETING SUMMARY  
WEDNESDAY, SEPTEMBER 23, 2020  
ZOOM VIRTUAL CONFERENCE MEETING**

**Board Member Present:** Charles Wu, Chair; Howard Garson, Vice Chair, Danny Kattan, Terri Dillard and Diane Lyon Wead

**Board Secretary:** Cindy Bardales-Villanueva

**City Attorney's Representative:** Elizabeth S. Loconte, Assistant City Attorney

**Staff Present:** Vanessa Leroy, Christy Dominguez, Cindy Bardales-Villanueva

**2019 PZB ATTENDANCE**

**ATTENDANCE ROLL CALL:**

BOARD MEMBERS	1/30	2/27	3/27	4/24	5/29	6/26	7/24	8/28	9/25	10/23	11/26	12/26
Charles Wu- <i>Chair</i>	P	CANCELLED	CANCELLED	P	CANCELLED	P	CANCELLED	P	CANCELLED	P	P	CANCELLED
Howard Garson - <i>Vice Chair</i>	P			P		P		P		P	E	
Rick Levinson	P			P		E		P		P	P	
Danny Kattan	E			P		P		P		P	P	
Diane Lyon Wead				P		P		P		P	P	
Faith Fehr- <i>Alternate</i>				PA		S		A		PA	A	
Bruce McNamara- <i>Alternate</i>				PA		PA		S		PA	A	
<b>Total Members Present</b>	3			7		6		5		7	5	
<b>Total Members Absent</b>	1			0		1		2		0	3	

**2020 PZB ATTENDANCE**

**ATTENDANCE ROLL CALL:**

BOARD MEMBERS	1/29	2/26	3/25	4/22	5/27	6/24	7/22	8/26	9/23	10/28	11/25	12/23
Charles Wu- <i>Chair</i>	P	CANCELLED	CANCELLED	CANCELLED	P	P	CANCELLED	P	P			
Howard Garson - <i>Vice Chair</i>	P				P	P		P	P			
Danny Kattan	P				P	P		P	P			
Diane Lyon Wead	P				P	P		P	P			
Terri Dillard					P	P		P	P			
Faith Fehr- <i>Alternate</i>	PA				PA	PA		PA	PA			
Bruce McNamara- <i>Alternate</i>	PA				PA	PA		PA	PA			
Rick Levinson	P											
<b>Total Members Present</b>	7				6	6		6	6			
<b>Total Members Absent</b>	0				1	1		1	1			

Present (**P**) Present Alternate Member (**PA**)

Absent: (**A**)

Alternate Member Substituting during a Full-Time Members Absence (**S**)

Excused Absence (**E**)

Tardy: (**T**)

 Un-appointed

1 **1. CALL TO ORDER**

2  
3 Mr. Wu called the meeting to order at 6:37 P.M.

4 **2. ROLL CALL**

5  
6 **3. APPROVAL OF MINUTES**

7  
8 A. Draft Minutes for June 24, 2020

9  
10 **MR. GARSON MOVED TO APPROVE THE MINUTES OF THE JUNE 24, 2020 PLANNING  
11 AND ZONING BOARD MEETING.**

12  
13 **MS. DILLARD SECONDED THE MOTION.**

14  
15 **MOTION PASSED BY A ROLL CALL VOTE (5-0).**

16  
17 **4. PUBLIC PARTICIPATION**

18 Watch Meeting on the City's Website: <https://cohb.org/HBTV>

19 Watch Meeting on Comcast Cable Channel 78

20 Written Comments: email a written message to [planningandzoningdivision@hallandalebeachfl.gov](mailto:planningandzoningdivision@hallandalebeachfl.gov)

21 once the agenda is published no later than 3 p.m. on Wednesday, August 19, 2020. Written  
22 comments will be distributed to the Board but will not be read during the meeting.

23 Any document the Applicant or member of the public wishes to be admitted into evidence shall be  
24 provided to the Planning and Zoning Division in electronic format no later than 12:00 PM, 5 business  
25 days prior to the virtual hearing. Written comments will be distributed to the Board but will not be  
26 read during the meeting.

27 In-Person: The Hallandale Beach Cultural Center, located at 410 SE 3<sup>rd</sup> Street, Hallandale Beach,  
28 Florida, will be opened to the public to watch and provide public participation to this virtual meeting.

29  
30 **5. PUBLIC HEARING**

31  
32 A. APPLICATION #CU-20-00557 BY THE HALLANDALE BEACH COMMUNITY  
33 REDEVELOPMENT AGENCY (HBCRA), FOR A CONDITIONAL USE PERMIT AS  
34 PROVIDED BY SECTION 32-199 (D) (2) (B) OF THE HALLANDALE BEACH CODE OF  
35 ORDINANCES IN ORDER TO CONSTRUCT AN INTERIM PARKING FACILITY IN THE  
36 CENTRAL RAC/ FADD SUBDISTRICT AT THE PROPERTY LOCATED AT 203 NE 3RD  
37 STREET.

38  
39 Ms. Dominguez: provided a PowerPoint presentation and gave a summary of the item.

40  
41 Mr. Garson: asked why the proposal was to remove the permeable pavements after five years  
42 and then we go to a solid pavement. However, he asked if the structure could remain permeable  
43 pavement if they do not keep a parking garage structure.

44 Mr. Garson: suggested adding language that if in five years the code is change permeable  
45 pavement would be permitted.

46  
47 Ms. Dominguez: agreed and stated that the language can be clarify as a condition.  
48

49 Ms. Wead: asked why the city wanted to build a parking lot and was it due to a shortage in the  
50 district? She further asked who would be paying for the project?

51  
52 Dr. Jeremy Earl, Interim City Manager and HBCRA Executive Director, stated that there is a  
53 need for parking in the area. Especially for those restaurants that we have incentivized to move  
54 into the Fashion Art and Design District area.

55  
56 Dr. Earl: advised that there are currently projects under construction, which will need additional  
57 parking so the CRA will be utilizing this proposed lot to construct a temporary parking lot for a  
58 period of five years.

59  
60 Mr. Wu: stated that five years would go by fast, he asked Dr. Earl if he felt comfortable with five  
61 years?

62  
63 Dr. Earl: stated that the initial plan was to have the parking remain for five years and they were  
64 aware of the delay to the project due to the pandemic. However, he felt that in terms of the  
65 timeline five years would be sufficient.

66  
67 Dr. Earl: further stated that all CRA assets after five years including this parking lot would be  
68 reverted to the City of Hallandale Beach anyway.

69  
70 Mr. Kattan: predicted that six years from now we probably have autonomous vehicles dropping  
71 people which would be a better option.

72  
73 Mr. Kattan: agreed with Mr. Wu that they extend the time of the proposed project as needed.

74  
75 Mr. Wu: asked if there would be a gate or an arm at the entryway?

76  
77 Ms. Dominguez: stated no.

78  
79 Mr. Wu: stated that the handicap spaces on the northwest corner is not place closer to the south  
80 east or southwest corner.

81  
82 Dr. Earl: stated that the parking spaces he is referring to are parking spaces that will be  
83 designated for Tesla and non-Tesla charging stations.

84  
85 Dr. Earl: further added that the site has potential to add mechanical parking if needed and  
86 potential valet parking if we find it easier to move guesting visiting the area.

87  
88 Mr. Wu: asked if the parking will be a pay by phone system?

89  
90 Mr. Earl: stated yes.

91  
92 Ms. Dillard: asked it the site was a high area for flooding?  
93

94 Dr. Earl: clarified that the site does not have flooding issues and having permeable pavement  
95 would help with any potential flooding issues.  
96

97 Dr. Earl: further added that a bioswale was also added on the west and south side of the property  
98 to help mitigate flooding challenges in the city.  
99

100 Ms. Dillard: asked if the lighting in the area will be improved?

101  
102 Ms. Tammy Cook, Engineer Consultant (Calvin Giordano & Associates): clarified that a  
103 photometric analysis was done on the lighting to ensure there is enough lighting in the area.

104 Mr. Wu: Opened the Public Hearing.

105  
106 No speakers.

107  
108 Mr. Wu: Closed the Public Hearing.

109  
110 Mr. Wu: stated that based on the discussion and recommendation from the Board the motion  
111 will include the following conditions:

112  
113 1) The timeframe of approval be extended for a period of 6 years rather than the 5-year  
114 requested by the applicant.

115  
116 2) The Board further recommended that if after 6 years the proposed permeable parking  
117 lot surface becomes an acceptable material, the parking lot could remain as is.  
118

119 Mr. Wu: further stated that the motion was made based on the competent and substantial evidence  
120 presented, the staff report, and the testimony made in this hearing.

121  
122 Mr. Wu: asked Assistant City Attorney if the language would suffice?  
123

124 Ms. Loconte: stated yes.  
125

126 **MS. DILLARD MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE**  
127 **PRESENTED TODAY, STAFF REPORT AND TESTIMONY MADE AT THE MEETING, THE**  
128 **PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF APPLICATION #CU-20-**  
129 **00557 BY THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY (HBCRA),**  
130 **FOR A CONDITIONAL USE PERMIT AS PROVIDED BY SECTION 32-199 (D) (2) (B) OF THE**  
131 **HALLANDALE BEACH CODE OF ORDINANCES IN ORDER TO CONSTRUCT AN INTERIM**  
132 **PARKING FACILITY IN THE CENTRAL RAC/ FADD SUBDISTRICT AT THE PROPERTY**  
133 **LOCATED AT 203 NE 3RD STREET SUBJECT TO THE FOLLOWING CONDITIONS:**

134  
135 **1) THE TIMEFRAME OF APPROVAL BE EXTENDED FOR A PERIOD OF 6 YEARS**  
136 **RATHER THAN THE 5-YEAR REQUESTED BY THE APPLICANT.**

137  
138 **2) THE BOARD FURTHER RECOMMENDED THAT IF AFTER 6 YEARS THE PROPOSED**  
139 **PERMEABLE PARKING LOT SURFACE BECOMES AN ACCEPTABLE MATERIAL, THE**  
140 **PARKING LOT COULD REMAIN AS IS.**

141  
142  
143 **MR. GARSON SECONDED THE MOTION.**

144  
145 **MOTION PASSED BY A ROLL CALL VOTE (5-0).**  
146  
147 ~~B. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE~~  
148 ~~BEACH, FLORIDA, AMENDING CHAPTER 32, "ZONING AND LAND DEVELOPMENT~~  
149 ~~CODE", ARTICLE V, "DEVELOPMENT REVIEW PROCEDURES"; PROVIDING FOR "IMPACT~~  
150 ~~FEES" REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR~~  
151 ~~CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.~~  
152  
153 ~~Ms. Dominguez: introduced Ms. Nilgün Kamp, Director of Public Finance & Infrastructure Planning at~~  
154 ~~Tindale Oliver, who also collaborated on drafting the Ordinance.~~  
155  
156 ~~Ms. Dominguez and Ms. Kamp: provided a PowerPoint presentation and gave a summary of the item.~~  
157  
158 ~~Mr. Wu asked if there will be a study performed every three years in order to update the fees.~~  
159  
160 ~~Ms. Kamp: stated yes. She clarified that a technical study is performed and typically they are updated~~  
161 ~~every three to five years.~~  
162  
163 ~~Ms. Kamp: further stated that the study is done in order to comply with requirements for most recent~~  
164 ~~and localized data to be reflected in the fees.~~  
165  
166 ~~Mr. Wu: stated that 3 years was to short of a timeframe for staff to mobilize and try to get this together.~~  
167  
168 ~~Mr. Wu: asked if the language on timeframe was included in the proposed ordinance? If so, he would~~  
169 ~~like to propose five years or longer.~~  
170  
171 ~~Ms. Kamp: stated yes.~~  
172  
173 ~~Mr. Wu: asked for Ms. Kamp's opinion on allowing staff the discretion to increase the fees based on~~  
174 ~~the index of engineering inflation.~~  
175  
176 ~~Ms. Kamp: agreed with the Chair's approach and stated that during normal times when we were are~~  
177 ~~not facing a boom and recession the index is commonly used.~~  
178  
179 ~~Ms. Kamp: added that the index tends to be conservative because it reflects the engineering news~~  
180 ~~record for buildings and the main component can be adjusted through property appraisers, which~~  
181 ~~finally results to control increases between the updates.~~  
182  
183 ~~Ms. Kamp: further added that the approach would be good for both the development community in~~  
184 ~~where they would know the increases and kind of softens the change. At the same time, it would~~  
185 ~~provide direction to the City as far as the revenue loss.~~  
186  
187 ~~Mr. Wu: pointed out to the City Attorney that there would be an inflationary consideration at the~~  
188 ~~discretion of the City Manager as part of the ordinance placed.~~  
189  
190 ~~Mr. Wu: asked if the proposed ordinance addressed a service fee?~~  
191  
192 ~~Mr. Wu: suggested including a service fee so any impact fee would include a service fee that in turn~~  
193 ~~would fund the next impact fee study.~~  
194

195 ~~Mr. Wu: further added that including the service fee would help when it is time comes for an update~~  
196 ~~and avoid from having to scramble around in the budget to fund a study that could be self-funded.~~

197

198 ~~Ms. Kamp and Ms. Dominguez: acknowledged and agreed.~~

199

200 ~~Mr. Wu: proposed that the cutoff when the proposed impact fee would apply to an application or~~  
201 ~~building permit be by the expiration date of 90 days from the adoption of the ordinance.~~

202

203 ~~Mr. Wu: stated that including a cutoff will protect all the applications currently in the pipelines and~~  
204 ~~ensures that they fall under the old impact fees. He added that 90 day of the adoption day would~~  
205 ~~trigger the new impact fees.~~

206

207 ~~Mr. Wu: asked if parkland impact fee is only applicable to land?~~

208

209 ~~Ms. Kamp: stated no. She clarified that the fees were applicable to parkland and recreational facilities.~~

210

211 ~~Mr. Wu: asked if the fees collected could be used to add or upgrade recreational facilities.~~

212

213 ~~Ms. Kamp: stated no. She clarified that fees cannot be used for any replacement or maintenance.~~

214

215 ~~Mr. Wu: asked if the fees could be used by police to buy additional vehicles?~~

216

217 ~~Ms. Kamp: stated that police could be used for additional vehicles if they are hiring new officers.~~  
218 ~~However, they cannot use the fee to replace old used cars.~~

219

220 ~~Mr. Wu: asked if road impact fees are only applicable to local roads?~~

221

222 ~~Ms. Kamp: stated no. She stated it can be city, county, or state roads that are classified as collector~~  
223 ~~roads or above, which is not considered a residential road thus, impact fees would not apply to local~~  
224 ~~roads.~~

225

226 ~~Mr. Wu: asked if residential impact fees would apply if a single family house is demolished and a~~  
227 ~~mansion is built to the lot line. Would they be required to pay impact fees?~~

228

229 ~~Ms. Kamp: responded no, they would. There are jurisdictions that tier their fees, such as in three~~  
230 ~~categories.~~

231

232 ~~Mr. Wu: recommended that the language informing how fees can be utilized be clear on the proposed~~  
233 ~~ordinance.~~

234

235 ~~Mr. Wu: asked what was the typical discount given to affordable housing?~~

236

237 ~~Ms. Kamp: stated that legislation act was passed in 2019. However, she did not know of anyone~~  
238 ~~implementing and believed is a policy decision.~~

239

240 ~~Mr. Wu: stated he had concerns with the discrepancy of housing coming in the City. He stated that we~~  
241 ~~currently have multimillion dollar homes in the waterfront, workforce housing and affordable housing~~  
242 ~~in the core of the remaining of the City.~~

243

244 ~~Mr. Wu: pointed out that single family homes would be overburdened by a tremendous amount of~~  
245 ~~impact fees. In opposition, multi-family homes are not triggering such a huge amount of impact fee.~~

246  
247 ~~Mr. Wu: stated projects brought before by the Community Redevelopment Agency (CRA) should not~~  
248 ~~have this additional burden of trying to make the affordable housing, less affordable by tagging one of~~  
249 ~~these impact fees.~~

250  
251 ~~Ms. Kamp: stated that the affordable housing discount goes all the way through 120% of median~~  
252 ~~income and 120% is considered workforce housing.~~

253  
254 ~~Ms. Kamp: further added that based on their study most of the city's future affordable housing will be~~  
255 ~~multi-family and it can be determined by the few vacant lots left in the city. She stated that the city's~~  
256 ~~future projects would be redevelopment and addition of multi-family projects that would provide the~~  
257 ~~affordable housing.~~

258  
259 ~~Mr. Wu: stated that there are a lot of scattered lots that the CRA is trying to get infill and those are the~~  
260 ~~single-family homes we want to encourage.~~

261  
262 ~~Ms. Wead: asked how are the multi-family home impact fee calculated?~~

263  
264 ~~Ms. Kamp: stated that the impact fees are calculated per unit at \$4,300. Therefore, if you are proposing~~  
265 ~~to build 30 units, it would be calculated to 30 times, 4300.~~

266  
267 ~~Ms. Wead: asked if during the study the calculation for the service for fire and police were determined~~  
268 ~~based on the new services being handled by Broward Sheriff Offices which are a higher cost than~~  
269 ~~previously.~~

270  
271 ~~Ms. Kamp: stated yes. She added that they we took into account their agreement with the BSO, but~~  
272 ~~again, this was only the capital facilities and what those expenses relate much more to operating.~~

273  
274 ~~**MR. GARSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE**~~  
275 ~~**PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND**~~  
276 ~~**APPROVAL OF AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF**~~  
277 ~~**HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, "ZONING AND LAND**~~  
278 ~~**DEVELOPMENT CODE", ARTICLE V, "DEVELOPMENT REVIEW PROCEDURES"; PROVIDING**~~  
279 ~~**FOR "IMPACT FEES" REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR**~~  
280 ~~**CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**~~

281 ~~**MS. DILLARD SECONDED THE MOTION.**~~

282  
283 ~~**MOTION PASSED BY A ROLL CALL VOTE (5-0).**~~

284  
285  
286  
287 ~~APPLICATION #V-19-2953 BY CREIGHTON CONSTRUCTION & MANAGEMENT, LLC.,~~  
288 ~~REQUESTING VARIANCES IN ORDER TO CONSTRUCT A ONE STORY 3,926 SQUARE~~  
289 ~~FEET, 7 ELEVEN STORE/SERVICE STATION WITH RETAIL SALES, GAS SALES AND A~~  
290 ~~DRIVE THROUGH CAR WASH. THE PROJECT SITE IS LOCATED AT 900-970 PEMBROKE~~  
291 ~~ROAD. THE APPLICATION REQUEST IS FOR VARIANCES FROM THE FOLLOWING CODE~~  
292 ~~PROVISIONS:~~

293  
294 ~~1) SECTION 32-160.A RELATIVE TO THE MINIMUM DISTANCE SEPARATION OF AT LEAST~~  
295 ~~1,500 FEET FROM ANOTHER SERVICE STATION WITH ACCESSORY GAS SALES FOR~~

296 PROPERTIES WITHIN THE WEST RAC (REGIONAL ACTIVITY CENTER)/PEMBROKE ROAD  
297 SUBDISTRICT.

298  
299 2) SECTION 32-160.D REQUIRING NEW COMMERCIAL BUILDINGS FACADES IN THE  
300 WEST RAC/PEMBROKE ROAD SUBDISTRICT SHALL OCCUPY AT LEAST 60 PERCENT  
301 BUILDING FRONTAGE OF THE STREET FRONTAGE.

302  
303  
304 ~~I MOVE TO RECOMMEND DENIAL OF APPLICATION #V-19-2953 BY CREIGHTON~~  
305 ~~CONSTRUCTION & MANAGEMENT, LLC, REQUESTING VARIANCES IN ORDER TO~~  
306 ~~CONSTRUCT A ONE STORY 3,926 SQUARE FEET, 7 ELEVEN STORE/SERVICE STATION~~  
307 ~~WITH RETAIL SALES, GAS SALES AND A DRIVE THROUGH CAR WASH LOCATED AT 900-~~  
308 ~~970 PEMBROKE ROAD WITH REGARD TO:~~

309  
310 1) ~~THE SECTION 32-160, REQUEST RELATING TO THE REQUIREMENT OF THE~~  
311 ~~MINIMUM DISTANCE SEPARATION OF AT LEAST 1,500 FEET FROM ANOTHER~~  
312 ~~SERVICE STATION WITH ACCESSORY GAS SALES FOR PROPERTIES WITHIN THE~~  
313 ~~WEST RAC (REGIONAL ACTIVITY CENTER)/PEMBROKE ROAD SUBDISTRICT.~~

314  
315  
316 ~~MS. DILLARD SECONDED THE MOTION.~~

317  
318 ~~MOTION PASSED BY A ROLL CALL~~

319  
320  
321 ~~I MOVE TO RECOMMEND DENIAL THE APPLICATION #V-19-2953 BY CREIGHTON~~  
322 ~~CONSTRUCTION & MANAGEMENT, LLC, REQUESTING VARIANCES IN ORDER TO~~  
323 ~~CONSTRUCT A ONE STORY 3,926 SQUARE FEET, 7 ELEVEN STORE/SERVICE STATION~~  
324 ~~WITH RETAIL SALES, GAS SALES AND A DRIVE THROUGH CAR WASH LOCATED AT 900-~~  
325 ~~970 PEMBROKE ROAD WITH REGARD TO:~~

326  
327  
328 2) ~~THE SECTION 32-160.D, REQUEST RELATING TO THE REQUIREMENT THAT NEW~~  
329 ~~COMMERCIAL BUILDINGS FACADES IN THE WEST RAC/PEMBROKE ROAD~~  
330 ~~SUBDISTRICT OCCUPY AT LEAST 60 PERCENT BUILDING FRONTAGE OF THE STREET~~  
331 ~~FRONTAGE.~~

332  
333 ~~MS. DILLARD SECONDED THE MOTION.~~

334  
335 ~~MOTION PASSED BY A ROLL CALL VOTE (5-0).~~

336  
337  
338 ~~6. REMARKS BY THE CHAIR~~

339  
340  
341 ~~7. LIAISON'S REPORT~~

342  
343  
344 ~~8. NEXT SCHEDULED MEETING~~

345  
346 ~~A. Wednesday, July 22, October 28, 2020, at 6:00 PM~~



347 **MEETING ADJOURNED AT 6:57 P.M.**

348  
349 ~~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~~  
350 ~~Board meeting, summarized above, should be submitted to the Planning & Zoning Division at or can be mailed to 400 South Federal Highway, Hallandale~~  
351 ~~Beach, Florida 33009~~  
352