

DRAFT

**PLANNING AND ZONING BOARD (PZB) PUBLIC MEETING SUMMARY
WEDNESDAY, APRIL 28, 2021
ZOOM VIRTUAL CONFERENCE MEETING/CULTURAL CENTER**

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

Board Secretary: Joy Murray, Acting Board Secretary

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

City Staff Present: Joy Murray, Christy Dominguez, Cindy Bardales-Villanueva

2020 PZB ATTENDANCE

ATTENDANCE ROLL CALL:

FULL TIME 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	CANCELLED	CANCELLED	P
Howard Garson - <i>Vice Chair</i>	P				P	P		P				
Danny Kattan	P				P	P		P				
Diane Lyon Wead	P				P	P		P				
Terri Dillard					P	P		P				
Rick Levinson	P											
Total Members Present	5				5	5		5	5			5
Total Members Absent	0				0	0		0	0			0
ALTERNATE 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
Faith Fehr- <i>Alternate</i>	P				P	P		P	P			
Bruce McNamara- <i>Alternate</i>	P				P	P		A	A			

2021 PZB ATTENDANCE

ATTENDANCE ROLL CALL:

FULL TIME BOARD MEMBERS	1/27	2/24	3/24	4/28	5/26	6/23	7/28	8/25	9/22	10/27	11/24	12/21	
Charles Wu- <i>Chair</i>	CANCELLED	P	CANCELLED	P									
Howard Garson - <i>Vice Chair</i>		P		P									
Danny Kattan		P		P									
Terri Dillard		P		E									
Rick Levinson		P		P									
Total Members Present		5		4									
Total Members Absent		0		1									
ALTERNATE BOARD MEMBERS	1/29	2/24	3/24										
Faith Fehr- <i>Alternate</i>	-	P	-	-									
Bruce McNamara- <i>Alternate</i>	-	P	-	-									

Present (P) Absent: (A)

Excused Absence (E) Tardy: (T)

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1. CALL TO ORDER

Mr. Wu called the meeting to order at 6:24 PM

2. ROLL CALL

3. APPROVAL OF MINUTES

A. Draft Minutes for December 23, 2020

MR. LEVINSON MOVED TO APPROVE THE MINUTES OF THE DECEMBER 23, 2020 PLANNING AND ZONING BOARD MEETING WITH CORRECTIONS.

MS. DILLARD SECONDED THE MOTION.

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

4. PUBLIC PARTICIPATION

Mr. Wu: entertained a motion to suspend quasi-judicial formalities and recited the following guidelines for quasi-judicial hearing:

We will now be hearing a request for application # DB-20-2058 from Solaris Apartments, LTD. This matter will be treated as quasi-judicial and there are certain guidelines that we must follow during this hearing. Due to the COVID-19 pandemic and pursuant to the declared state of emergency, this quasi-judicial hearing is being held, in part, remotely on the digital Zoom platform. I'd like to entertain a motion to suspend quasi-judicial formalities requiring physical attendance (other than the requirement of a quorum of the Commission/Board), order of presentations, and to approve proceeding as a hybrid meeting.

MR. GARSON MOVED TO SUSPEND QUASI-JUDICIAL FORMALITIES REQUIRING PHYSICAL ATTENDANCE (OTHER THAN THE REQUIREMENT OF QUORUM OF THE COMMISSION/BOARD), ORDER OF PRESENTATIONS, AND TO APPROVE PROCEEDING AS A HYBRID MEETING.

MR. LEVINSON SECONDED THE MOTION.

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

Ms. Loconte: outlined the process and rules for conducting a quasi-judicial hearing.

5. PUBLIC HEARING

Solaris Apartments, LTD. is requesting Major Development Plan approval, pursuant to Section 32-382 of the Zoning and Land Development Code to build Solaris, a 78-unit multi-family building at the property located at 118 SE 7th Street/700 Old Federal Highway.

The applications filed with the City are as follows:

- 1. Application #DB-20-2058 for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code in order to construct the 78-unit residential development.

53 *(Planning and Zoning Board action is not required for redevelopment area waiver or right-of-way*
54 *applications).*

55 2. Application #RD-20-2070 requesting Redevelopment Area Modifications (RAMs) from the
56 following code provisions:

57
58 a) Section 32-196(b)(1) requiring a minimum of 75 percent of the linear width of the lot
59 along a primary street in the Central RAC (Regional Activity Center) District shall be
60 occupied by the primary facade of a building.

61
62 b) Section 32-203(a) relative to the minimum number of parking spaces for multi-family
63 residential uses in the Central RAC District.

64
65 c) Section 32-201(a)(3) relative to the maximum allowable setback encroachment for
66 bracketed balcony building frontage type in the Central RAC District.

67
68 d) Section 32-453(i)(4) relative to access to off-street parking corridors in excess 4
69 spaces in a row.

70
71 3. Application #RV-20-2071 requesting a road vacation pursuant to Chapter 25, Section 25-
72 103 of the Hallandale Beach Code of Ordinances for that portion of the SE 2nd Street right-
73 of-way between SE 7th Street and SE 8th Street lying between the 2 ownership parcels of
74 the project site in order to create one buildable parcel.

75
76 **Polling of Ex Parte Communications (Board Secretary)**

77
78 *Mr. Wu advised that he had no Ex-Parte Communications regarding this matter. He advised he*
79 *would base his decision solely on the testimony being presented.*

80
81 *Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He advised*
82 *he would base his decision solely on the testimony being presented.*

83
84 *Mr. Kattan advised that he had no Ex-Parte Communications regarding this matter. He advised*
85 *she would base his decision solely on the testimony being presented.*

86
87 *Mr. Levinson advised that he had no Ex-Parte Communications regarding this matter. He*
88 *advised she would base his decision solely on the testimony being presented.*

89
90 **Swearing in of Witnesses (Chair)**

91
92 Ms. Dominguez provided a PowerPoint presentation and gave a summary of the item.

93
94 Mr. Keith Poliakoff, Attorney (Fort Lauderdale, FL) applicant introduced himself, the development
95 team for the proposed project which include Cornerstone Group, the owner/developer. Mr. Josh
96 Tonnesen provided renderings of previously built development from Cornerstone in Broward County.

97
98 Mr. Poliakoff: pointed out how Cornerstone Group had built over 15,000 affordable housing units
99 throughout the State of Florida and over 1,000 workforce units.

100 Mr. Poliakoff: stated that the applicant had successfully obtained and developed over \$1.3 billion
101 and local and state subsidies and tax-exempt bonds. He added that they are one of the leaders in
102 the industry and anywhere Broward County and South Florida have developed.

103
104 Mr. Poliakoff: further stated that the applicant does agree to staff recommendations but respectfully
105 requested that the condition of approval number nine be eliminated *9) The applicant shall contribute*
106 *\$63,000 to the City's Parking Fund as a result of the 6-parking space deficiency prior to the certificate*
107 *of occupancy, temporary or otherwise for the project.*

108 Mr. Poliakoff: explained that they are required to pay the cost for impact fees and cannot afford to
109 pay an additional \$63,000 to waive six parking spots. He pointed out how they proposed an excess
110 of 24 parking spots that are not being counted towards the development.

111
112 Mr. Poliakoff: pointed out that they were short of funds to get the project completed and the additional
113 cost would put an additional hardship to try and develop in Hallandale Beach.

114
115 Mr. Kattan: asked if they were underwriting rent for a two-bedroom/ one-bathroom or as a two-
116 bedroom/ two-bedroom.

117
118 Mr. Poliakoff: explained a breakdown of rent-based medium-income areas which are state
119 requirements and were directly addressed in the PowerPoint presentation.

120
121 Mr. Kattan: congratulated the applicant on the proposed project. He acknowledged how hard it is to
122 build it in South Florida and as a real estate investor developer he understood how a project such
123 as theirs are driven and built by the labor of love as opposed to anything else. He congratulated
124 them on the amazing project.

125
126 Mr. Garson: asked if units are determined based on different income, what would happen if they
127 cannot find household families at an income level, what happened?

128
129 Mr. Poliakoff: stated that those types of scenarios rarely happen because most of these
130 developments have a waiting list, with a lot of families searching for housing in Hallandale Beach
131 and South Florida.

132
133 Mr. Poliakoff: further added they are required to follow Florida's mandated requirements, which
134 meant that if there were faced with a case in which they did not have any applicants that met the
135 income level. They would not rent out the unit and will hold off until they receive an applicant that did
136 meet the income categories.

137
138 Mr. Garson: stated he had a concern with the park along the south Old Federal Highway and 7th
139 Street. He foresees pedestrians to cut through the parking lot and not utilize the full sidewalk
140 proposed which wraps right around the building entrance.

141
142 Mr. Poliakoff: clarified that the parking spots he identified are extra parking spots for the public. The
143 condominium residents will be parking within the fenced parking lot.

144
145 Mr. Levinson: asked if the impact report was accurate where it indicates three full-time students for
146 478-unit development?

147
148 Mr. Poliakoff: stated that that calculation is provided on the SCAD letter issued by the Broward
149 County School Board.

150
151

152
153 Mr. Levinson: asked what he meant when he stated that they had a gap to fill and was hopeful that
154 the City can assist to fill it.
155
156 Mr. Poliakoff: clarified that City's Community Redevelopment Agency has committed a million dollars
157 and Broward County has committed over \$2.5 million at this time.
158
159 Mr. Wu: asked if the civic open space would be owned by the cooperation of affordable housing?
160
161 Mr. Poliakoff: confirmed yes. He added that the civic space is for the use of the residents and the
162 residents of the City of Hallandale Beach and will be fully open to the public.
163
164 Mr. Wu: recommended a condition be added to the motion that a public access easement be signed
165 to that effect and recorded to avoid any future fencing around the area and guarantee public access.
166
167 Mr. Poliakoff: agreed to sign any documentation needed by the City.
168
169 Mr. Wu: asked the applicant if they agreed to maintain this public open space?
170
171 Mr. Poliakoff agreed.
172
173 Mr. Wu: asked if adding 10 handicap spaces was a part of an affordable housing component,
174 whereas only 5 spaces were required?
175
176 Mr. Thompson: explained that it was a requirement from the Florida Housing Finance Corporation.
177
178 Mr. Wu: asked how deep were the balconies?
179
180 Mr. Pablo Bordo, Architect: stated that the balconies were five feet and two inches deep.
181
182 Mr. Wu: further stated that the balconies would be decent in size.
183
184 Mr. Wu: asked if several benches were being proposed on 7th Street and all Federal Highway.
185
186 Mr. Poliakoff: stated yes.
187
188 Mr. Wu: stated that he was excited about the project and acknowledged how challenging it is to
189 invest in affordable housing and this project will be 100% affordable housing. He added that the
190 applicant along with the City's partnership has taken in a prime piece of property across from a
191 regional park and you made a wonderful investment to bring forward affordable housing to the
192 area.
193
194 Mr. Wu: congratulated the architect of the project on the design of the project. He stated that many
195 people think about affordable housing and associate it with substandard design. However, the
196 proposed units will have sufficient closet, bedrooms, and balconies space. He believes that the
197 project will provide a five-star living lifestyle for affordable housing prices.
198
199 Mr. Wu: further pointed out how the Civic Open Space is a requirement of the form-based code
200 and appreciated how the open space was positioned in the property increasing connection to the
201 regional park, which would not only be an asset to the project but residents nearby who have kids,
202 and the project's respected neighbors.
203

204 Mr. Wu: further added that this is an affordable housing project and every penny counts to make
205 this to the affordable housing project. Therefore, he would eliminate the condition requiring parking
206 funds to contribute to the project.

207
208 Mr. Wu: requested that the maker of the motion include a condition to read as follows: A public
209 access easement shall be recorded and public records for the public civic space as delineated on
210 the site plan. The Civic Open Space shall be maintained by the applicant, successors, or assignees
211 in perpetuity.

212
213 Mr. Wu: noted on the record that he had a concern with the access point on Federal Highway
214 which can potentially result in conflict and bottleneaking in that area. He understood that the
215 location was due to Fire Department's request. He would have preferred they kept the earlier
216 iteration of your site plan.

217
218 Mr. Poliakoff: clarified that the location of the access point was relocated due to the Fire Department's
219 concern about whether they have to pick up someone in the back of the property.

220
221 Mr. Wu: asked staff and the applicant to revisit the location of the access point and added that if an
222 individual had to be a picked-up in the back of the property, the Fire Department would send an EMS
223 vehicle not a fire truck.

224
225 Mr. Wu: Open the Public Hearing.

226
227 No Speakers

228
229 Mr. Wu Closed the Public Hearing.

230
231 Ms. Dominguez: stated that a public access easement is not required because it is in the City's
232 code that Civic Open Spaces cannot be fenced and needs to remain open and accessible to the
233 public and completely open to the sky.

234
235 Mr. Poliakoff: added that the fencing and gate opening was put in place to address concern from the
236 Police Department. He explained that the fencing would provide a little bit of extra security since
237 there were benches and other amenities around the area. The fencing would ensure that everyone
238 is being funneled in and out from defined locations.

239
240 Ms. Dominguez reiterated fencing the civic open space was brought up during DRC by the Police
241 department but it was pointed out that it is not allowed by Code and the fencing was removed
242 from the plans to meet Code.

243
244 Mr. Wu: requested to keep the condition of a public access easement as a recommendation.

245
246 **MR. LEVINSON MOVED THAT THE PLANNING AND ZONING BOARD APPROVE WITH**
247 **CONDITIONS APPLICATIONS BY SOLARIS APARTMENTS, LTD., REQUESTING MAJOR**
248 **DEVELOPMENT PLAN APPROVAL, PURSUANT TO 32-782 OF THE ZONING AND LAND**
249 **DEVELOPMENT CODE IN ORDER TO CONSTRUCT A 78-UNIT RESIDENTIAL**
250 **DEVELOPMENT SUBJECT TO FOLLOWING:**

251
252 **OMITTING CONDITION 9) WHICH READ AS FOLLOW:**

253
254 **THE APPLICANT SHALL CONTRIBUTE \$63,000 TO THE CITY'S PARKING FUND AS A**
255 **RESULT OF THE 6-PARKING SPACE DEFICIENCY PRIOR TO THE CERTIFICATE OF**

256 **OCCUPANCY, TEMPORARY OR OTHERWISE FOR THE PROJECT, AND INCLUDE THE**
257 **FOLLOWING:**

258
259 **A PUBLIC ACCESS EASEMENT SHALL BE RECORDED AND PUBLIC RECORDS FOR**
260 **THE PUBLIC, CIVIC SPACE AS DELINEATED ON THE SITE PLAN. THE CIVIC OPEN**
261 **SPACE SHALL BE MAINTAINED BY THE APPLICANT, SUCCESSORS, AND/OR**
262 **ASSIGNEES IN PERPETUITY.**

263 Ms. Dominguez: asked that part of the motion include that the execution of the restrictive covenant
264 restricting the property to affordable housing for a minimum of 30 years.

266 **MR. LEVINSON ACCEPTED AMENDING THE MOTION TO INCLUDE CONDITION:**

267 **EXECUTION OF A RESTRICTIVE COVENANT RESTRICTING THE PROPERTY BE PUT**
268 **IN PLACE FOR AFFORDABLE HOUSING FOR A MINIMUM OF 30 YEARS.**

269 **MR. GARSON SECONDED THE MOTION.**

270
271 **MOTION APPROVED BY A ROLL CALL VOTE (4-0)**

272
273 **6. REMARKS BY THE CHAIR**

274
275 Mr. Wu: stated that he had no comments.

276
277 **7. LIAISON'S REPORT**

278
279 Ms. Dominguez: advised the Board that the *Hallandale Beach Boulevard-Form Base Code*
280 *Amendment* was approved on Second Reading and *Impact Fees Ordinance* was also approved on
281 First Reading by the City Commission.

282
283 **8. NEXT SCHEDULED MEETING**

284
285 A. Wednesday, May 26, 2021, at 6:00 PM

286 **MEETING ADJOURNED AT 7:47 P.M.**

287
288 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
289 Board meeting, summarized above, should be submitted to the Planning & Zoning Division at \or can be mailed to 400 South Federal Highway,
290 Hallandale Beach, Florida 33009
291