

FINAL
PLANNING AND ZONING BOARD (PZB) PUBLIC HEARING SUMMARY
TUESDAY, DECEMBER 15, 2015
CITY HALL, COMMISSION CHAMBERS
HALLANDALE BEACH, FLORIDA

ATTENDANCE ROLL CALL:

2015 PZB Attendance

Board Members	1/21	2/25	3/25	4/22	5/27	6/24	7/22	8/26	9/17	10/28	11/17	12/15
Sheryl Natelson - Chair	CANCELLED	P	T	P	P	CANCELLED	CANCELLED	P	CANCELLED	CANCELLED	CANCELLED	P
Terri Dillard- Vice Chair		P	P	T	P			P				
Csaba Kulin		P	P	P	P			A				
Charles Wu		P	P	P	P			P				
Alexander Lewy		A	P	T	T			P				
Howard Garson		P	P	P	P			P				
Leslie Wynne			A	P	P			P				
Harriett Ginsberg-Alternate		P	T	P	P			P				
Total Members Present		6	7	8	8			7				8
Total Members Absent		1	1	0	0			1				0

Present (P)

Absent: (A)

Tardy: (T)

 Un-appointed

Staff in Attendance:

Christopher Saunders

Keven Klopp

Christy Dominguez

Vanessa Leroy

Cindy Bardales

1 **1. CALL TO ORDER**

2
3 The Board Chair called the meeting to order at 6:38 P.M.

4
5 **2. ROLL CALL**

6
7 **3. APPROVAL OF MINUTES**

8
9 Mr. Wu: asked for changes to be made in rows number 41 and 134 from the word “he”
10 to read “she”, on line 62 should read “were” instead of “we“ and line 64 remove the word
11 “if” to read more clearly.

12
13 MR. LEWY MOVED TO APPROVE THE MINUTES OF THE AUGUST 26, 2016
14 PLANNING AND ZONING BOARD HEARING WITH CORRECTIONS.

15
16 MS. DILLARD SECONDED THE MOTION.

17
18 MOTION CARRIED BY ROLL CALL VOTE (7-0).

19
20
21 Ms. Natelson: stated she would be rearranging the agenda since two of the items have
22 not only speakers lined up to speak; but, are also accompanied by legal councils.

- 23 A. Diplomat Golf Course
24 B. Gulfstream Park Plat
25 C. Nana’s Pride Plat
26 D. *Presentation-* Discussion regarding Non-compliant and Unpermitted Conversion
27 Amnesty Program (NUCAP)
28 E. Gal Hamami

29
30 **4. NEW BUSINESS**

- 31
32 1. Applications # 91-15-DB, #106-15-CU, #107-15-Z, #165-15-Z, #171-15-Z and
33 #182-15-V by Diplomat Golf Course Ventures, LLC for
34 redevelopment/expansion of the Diplomat Hotel and Country Club located at
35 500-501 Diplomat Parkway. (Quasi-Judical)

36
37 The Project consists of a request to expand the existing Hotel and Country Club to
38 include three hotel towers with a total of 938 new hotel rooms (keys) and approximately
39 70,960 square feet of proposed accessory hotel uses excluding the existing 60 room
40 hotel, meeting, conference rooms and spa. A 30 story residential tower with 250 units is
41 also proposed. The existing tennis center will be relocated to the central North end of
42 the golf course and a dock master and 4 single family homes added to the marina
43 parcel.

44
45 The applications are as follows:

46

- 47 a) #91-15-DB for Major Development Review approval pursuant to Section 32-782 of
 48 the Zoning and Land Development Code in order to construct a mixed use
 49 development consisting of 250 multi-family residential units, 938 new hotel
 50 rooms/keys, 70,960 square feet of accessory uses, accessory parking, and 4 single-
 51 family homes;
- 52 b) #106-15-CU for a Conditional Use Permit to allow the residential use in the Central
 53 City Business (CCB) District.
- 54 c) #165-15-Z requesting a change in zoning of 5 acres from Commercial Recreation-
 55 Passive (CR-P) District to Central City Business District (CCB) District;
- 56 d) #171-15-Z Rezoning of 0.59 acres of the marina from CR-P to Residential Single-
 57 Family (RS-7) District.
- 58 e) #107-15-Z applying the Planned Development Overlay (PDO) Zoning District to the
 59 entire Diplomat property;
- 60 f) #182-15-V requesting a variance from Section 32-159 (e) of the Zoning and Land
 61 Development Code, in order to allow the golf course maintenance building in the
 62 CCB District.

63
 64 **Polling of Ex Parte Communications (Board Secretary)**

65
 66 Board Secretary polled the Planning and Zoning Board regarding Ex-Parte
 67 Communications:

68
 69 *Ms. Natelson advised that she had no Ex-Parte Communications regarding this matter.
 70 She advised she would base her decision solely on the testimony being presented.*

71
 72 *Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter.
 73 She advised she would base her decision solely on the testimony being presented.*

74
 75 *Mr. Kulin advised that he had Ex-Parte Communications regarding this matter by
 76 speaking with individuals and attending a meeting concerning the item. He advised he
 77 would base his decision solely on the testimony being presented.*

78
 79 *Mr. Lewy advised that he had Ex-Parte Communications regarding this matter. He
 80 spoke to the applicant and city's residents. He advised he would base his decision
 81 solely on the testimony being presented.*

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

85
 86 *Ms. Wynne advised that she had Ex-Parte Communications regarding this matter. She
 87 attended the community meeting regarding the item. She advised she would base her
 88 decision solely on the testimony being presented.*

89
 90 *Mr. Garson advised that he had Ex-Parte Communications regarding this matter. He
 91 advised he attended the community meeting and spoke to city residents. He advised he
 92 would base his decision solely on the testimony being presented.*

93
94
95 *Ms. Ginsberg advised that she had no Ex-Parte Communications regarding this matter.*
96

97 **Swearing in of Witnesses (Assistant City Attorney)**
98

99 The Oath was administered by the Assistant City Attorney to all staff and public
100 attendees that would be speaking on the case.
101

102 Ms. Dominguez: gave a brief summary of the item and introduced Mr. Jeff Katims, from
103 the Mellgren Group, who has worked along with staff in the review of the application.
104

105 Mr. Jeff Katims (3350 NW 53rd Street, Suite 101): provided a Power Point presentation.
106

107 Debbie Orshefsky (515 E. Las Olas Blvd. Suite 1200 Fort Lauderdale, FL 33301): stated
108 she was representing the applicant. She gave a power point presentation focusing on
109 the vision for the site and history.
110

111 Mike Meyers, Applicant: followed the presentation by describing how the property would
112 be an icon for the City. He explained how renovating this golf course would bring in full
113 amenities to City residents, which would include a golf course, tennis courts, restaurant
114 and club house spa.
115

116 Beatriz Hernandez, Architect: further provided details of the expanded on the proposal,
117 Marina and single family homes modifications to existing buildings and monument signs.
118

119 Joe Gibbons, Community Outreach Representative (300 Three Island Blvd.): stated he
120 had made contact with the residents of Atlantic Shores and Diplomat Parkway. He
121 advised that Diplomat has been reaching out to the youth in Hallandale High School and
122 teaching them about golf and tennis, which would allow them to engage in the sport,
123 and welcomed residents to the golf course.
124

125 Mr. Garson stated he had concerns with approving the rezoning of the property and in
126 the future the property owner requesting to change the use of the property.
127

128 Ms. Dominguez: clarified the Planned Development Overlay (PDO) does not deviate
129 from the uses allowed on the property. She further confirmed that uses cannot be
130 changed.
131

132 Mr. Garson: suggested staff and applicant reconsider the following:
133

- 134
- 135 ▪ Condominiums along Diplomat Golf Course and Three Island Blvd being affected
136 by the construction; help alleviate parking issues by providing them with
137 alternative guest parking.
 - 137 ▪ Suggested applicant consider solar panels, as opposed to generators.
 - 138 ▪ Most hotels four-star rated hotels require (8) employees per (10) room.

- 139 ▪ Applicant should be penalized if they don't meet the requirement set by the city to
- 140 employ 10% of the jobs to city residents.
- 141 ▪ Scholarships and internship for Hallandale Beach students.

142
143 Ms. Orshefsky: provided clarification, and stated Mr. Garson's concerns would be
144 addressed in the construction management plan, which they would be working with staff
145 to finalize prior to construction for the entire project. She added they were also looking
146 into providing a hotline during the construction phase through which the residents can
147 contact the applicant directly and address any concerns, which would allow them to
148 address any issues in a timely manner.

149
150 Ms. Orshefsky: further stated that all other concerns mentioned by Mr. Garson would
151 also be considered with the City Manager's Office during the Development Agreement
152 process.

153
154 Mr. Kulin: provided the Board with pictures (Exhibit A). He added that of the (3) pictures,
155 one picture shows a view of the golf course from years ago and the other two are
156 pictures demonstrating the view from 14th Avenue.

157
158 Mr. Kulin: asked if applicant would be able to provide a picture of the area shown in his
159 document of what the view would be after the construction is completed.

160
161 Mr. Meyers: stated that his request is not something they would be able to agree to at
162 this moment but will look into it.

163
164 Mr. Wu: asked staff how many stories was the DUO Condominium?

165
166 Ms. Dominguez: confirmed 26 stories.

167
168 Mr. Wu asked for clarification on the difference between condominium hotel and hotel.

169
170 Ms. Orshefsky: clarified condo hotels is the same as hotel in the City of Hallandale
171 Beach Code. The difference comes in the manner of ownership. She explained "One
172 may own the entire hotel" or "I One may own a unit within a condo hotel".

173
174 Ms. Orshefsky: further stated condo hotel ownership is the same as fee simple
175 ownership. Also, in condo- hotels you buy the unit and the furniture.

176
177 Mr. Wu: stated he has concerns about the layout of the proposed single family units. He
178 asked how standard tandem spaces work for the condos?

179
180 Mr. Wu: further asked how the applicant would deal with parking when their proposal is
181 confirming it would generate up to 600 job positions; however, only providing 1300
182 parking spaces.

183

184 Ms. Orshefsky: stated that they are proposing 24/7 multiple shifts and believe they
185 would have enough parking.

186
187 Mr. Wu: advised the applicant to provide staff with the phases of the project, should they
188 have any and the time frame they predict completion.

189
190 Ms. Orshefsky: stated all the details will be addressed in the Development Agreement.

191
192 Mr. Lewy: agreed with Mr. Wu's comments and suggested traffic signal improvements
193 on US1 and removing traffic lights on NE 8th Avenue, which would speed up traffic.

194
195 Ms. Wynne: stated the zoning for the property should stay as is. She added that not
196 allowing to rezone would preserve the golf course and not allow the applicant to come
197 back at a later time requesting to build more towers.

198
199 Ms. Orshefsky: clarified the declaration of legal arrangement is to be discussed with the
200 City Attorney's office and the uses of the property will remain the same.

201
202 Ms. Wynne: further added that applicant should provide a walk path on 14th Avenue.

203
204 Ms. Orshefsky: clarified that there is no access-way on 14th Avenue the property is
205 privately owned.

206
207 Mr. Wu: stated his concern with the east-bound traffic from Walmart; will have a lot of
208 traffic and affect Diplomat Parkway and Three Islands.

209
210 Ms. Natelson opened the Public Hearing.

211
212 Joseph Kaplan (2401 S. Ocean Drive # 603 Hollywood, FL 33019): stated he was
213 against redevelopment/expansion of the Diplomat Hotel and Country Club. He pointed
214 out how the proposed hotel would include three towers which would have total of 938
215 new hotel rooms.

216
217 Mr. Kaplan: further added the City needed to preserve the integrity of the neighborhood.

218
219 Ed Pickett (204 SW 4th Avenue): stated he had been living in the City for the past 73
220 years. He advised that Broward County has issued a Study that confirmed that
221 Hallandale Beach Boulevard and Pembroke Road were the worst roads.

222
223 Firat Adriansen (1755 E. Hallandale Beach Blvd.) stated he was not against the
224 development but required improvement and security. He suggested that as a four star
225 hotel they should look into Platinum LEED Certification and the City should be looking
226 into requiring a \$40 million Performance Bond.

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228 Itachak Bak (1100 NE 8th Street): stated he had attended the Community Meeting for
229 the item and stated his concerns on the traffic and on EMS response to the residents.

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Barney Weinkle (1835 E. Hallandale Beach Blvd.): stated he was a 50 year resident and stated he reviewed the previous applications, and the plan of the new developer makes sense. He added that development on this property is inevitable. The golf course needs to be redeveloped or the property will decline and property values will also decline.

Mary Mass (1800 S. Ocean Drive Apt. 4106): stated she was very happy to hear about the improvements to the Diplomat Golf Course. She added during the past 10 years she has seen great improvements in the City and property values have increased.

Bruno Girard (2500 Parkview Drive Apt. 1408): stated he had concerns on the number of towers and units being built in the proposed project and the effect it will bring on traffic.

Author Rochlin (2300 Diana Drive Apt. 303): stated the need to look at the City overall when approving this project.

Jenny Cheretis (701 Diplomat Parkway): stated she had concerns with the 200 building being built next to her single-family home and asked the applicant to consider more distance from the high-rise building to the residential area.

Matthew Krol (1800 S. Ocean Drive, Apt.3109): stated this project will help our community and the City should approve such a great opportunity to renovate the golf course.

John Monagla (1040 SW 10th Street): stated he was in favor of the project that would bring quality of life.

Barbara Breir (700 Diplomat Parkway, Apt 303): stated she is against the project and suffered through the redevelopment done in the golf course before.

Steve Wishnack (200 Diplomat Parkway, Apt 224): stated the City needs to look out for the golf course and not allow it to deteriorate, and allow it to be a destination resort which is what it should be to our community.

Ms. Natelson closed the Public Hearing.

MR. KULIN: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND DENIAL OF THE PROPOSED REZONING TO THE CITY COMMISSION FOR APPLICATION #107-15-Z (PDO APPLICATION) SUBJECT TO THE GOLF COURSE REMAINING IN PERPETUITY AND HOTEL AND CONDOMINIUM REMAIN AS ACCESSORY USE.

MS. WYNNE: SECONDED THE MOTION.

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MOTION FAILED BY ROLL CALL VOTE (2-5). *Ms. Wynne & Mr. Kulin- Yes*

MR. GARSON: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE TO RECOMMEND APPROVAL TO THE CITY COMMISSION OF APPLICATION 91-15-DB FOR MAJOR DEVELOPMENT REVIEW APPROVAL PURSUANT TO SECTION 32-782 OF THE HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE IN ORDER TO BUILD THE PROPOSED DEVELOPMENT IN DIPLOMAT GOLF COURSE SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY ADMINISTRATION AND THE TERMS OF THE DEVELOPMENT AGREEMENT AS MAY BE FINALIZED AND APPROVED BY THE CITY COMMISSION SUBJECT TO CITY AND DEVELOPER PREPARING AN AGREEMENT THAT WILL MAINTAIN USE OF A GOLF COURSE LEGALLY PRACTICAL.

MR. LEWY: SECONDED THE MOTION AND AMENDED THE MOTION TO INCLUDE STAFF MEET WITH APPLICANT AND ALL THEIR CONCERNS ARE ADRESSED; INCREASING STANDARD GREEN CERTIFICATION AND CONSIDERATION OF CITIZENS AND TRAFFIC CONCERNS TO BE DISCUSSED.

MR. WU: REQUESTED TO AMEND MOTION TO INCLUDE REDUCING HEIGHT OF THE RESORT BUILDINGS AND REDUCE THE HEIGHT 2-5 STORIES LESS THAN PROPOSED FOR BUILDING CLOSEST TO THE RESIDENCES.

MOTION PASSED BY ROLL CALL VOTE (5-2). *MS. WYNNE & MR. KULIN- NO*

MR. LEWY: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL TO THE CITY COMMISSION OF THE CONDITIONAL USE PERMIT AS SET FORTH IN APPLICATION 106-15-CU, SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY ADMINISTRATION AND SUBJECT TO THE TERMS OF THE DEVELOPMENT AGREEMENT AS MAY BE FINALIZED AND APPROVED BY THE CITY COMMISSION SUBJECT TO ALL MODIFICATIONS MADE IN PREVIOUS MOTIONS.

MR. GARSON: SECONDED THE MOTION.

MOTION PASSED CARRIED BY ROLL CALL VOTE (5-2). *MS. WYNNE & MR. KULIN- YES*

MR. KULIN: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED REZONING TO THE CITY COMMISSION FOR APPLICATION #165-15-Z

321 **SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY**
322 **ADMINISTRATION AND WITH THE FOLLOWING MODIFICATIONS:**

- 323 **1. TOWER 100 BE LIMITED TO HEIGHT OF 200 FEET**
324 **2. REMOVAL OF THE EXISTING ARECA PALMS ALONG THE WESTERN**
325 **BORDER OF DIPLOMAT GOLF COURSE ALONG THE NE 14TH**
326 **AVENUE PROPERTIES.**
327 **3. REPLACING THE EXISTING CHAIN-LINKED FENCE ALONG THE**
328 **WESTERN BORDER OF THE DIPLOMAT GOLF COURSE ALONG THE**
329 **NE 14TH AVENUE PROPERTIES WITH WROUGHT IRON FENCE**
330 **SIMILAR TO EXISTING ON THE EASTERN BORDER OF THE GOLF**
331 **COURSE ALONG DIPLOMAT PARKWAY SOUTH OF THE MAIN**
332 **DRIVEWAY TO THE PROPERTY.**

333
334 MS. WYNNE: SECONDED THE MOTION.

335
336 MOTION PASSED CARRIED BY ROLL CALL VOTE (7-0).

337
338 **MR. WU: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL**
339 **EVIDENCE PRESENTED TODAY I MOVE THAT THE PLANNING AND**
340 **ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED**
341 **REZONING TO THE CITY COMMISSION FOR APPLICATION #171-15-Z**
342 **SUBJECT TO CONDITON RECOMMENDED BY CITY ADMINISTRATION**
343 **REDUCING THE NUMBER OF PARCELS FROM 4 TO 3 FOR RESIDENTIAL**
344 **BUILDINGS.**

345
346 MR. LEWY SECONDED THE MOTION.

347 MOTION PASSED BY ROLL CALL VOTE (7-0).

348
349 MR. KULIN: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL
350 EVIDENCE PRESENTED TODAY I MOVE THAT THE PLANNING AND ZONING
351 BOARD RECOMMEND DENIAL OF THE PROPOSED REZONING TO THE CITY
352 COMMISSION FOR APPLICATION #107-15-Z.

353
354 MS. WYNNE SECONDED THE MOTION.

355
356 MOTION FAILED BY ROLL CALL VOTE (2-5). *MS. WYNNE & MR. KULIN- YES*

357
358 MR. LEWY: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL
359 EVIDENCE PRESENTED TODAY I MOVE THAT THE PLANNING AND ZONING
360 BOARD RECOMMEND APPROVAL OF THE PROPOSED REZONING TO THE CITY
361 COMMISSION FOR APPLICATION #107-15-Z SUBJECT TO THE CONDITIONS
362 RECOMMENDED BY CITY ADMINISTRATION AND SUBJECT TO THE TERMS OF
363 THE DEVELOPMENT AGREEMENT AS MAY BE FINALIZED AND APPROVED BY

364 THE CITY COMMISSION SUBJECT TO ALL MODIFICATIONS MADE IN PREVIOUS
365 MOTIONS.

366 MR. WU: SECONDED THE MOTION AND AMENDED THE MOTION TO INCLUDE
367 MAINTAINING VISABILITY FOR DIPLOMAT PARKWAY.

368
369 MR. KULIN: REQUESTED TO AMEND MOTION TO INCLUDE DIPLOMAT GOLF
370 COURSE REMAIN IN PERPETUITY AND HOTEL AND CONDOMINIUM REMAIN AS
371 ACCESSORY USE.

372
373 MR. LEWY: DENIED AMENDING MOTION TO INCLUDE MR. KULIN
374 RECOMMENTATION DUE TO APPLICANT AND STAFF IN AGREEMENT THAT THE
375 GOLF COURSE REMAINING AS THE SAME USE.

376
377 MR. GARSON: SUBSTANTIAL PENALTIES BE PUT IN PLACE IF APPLICANT DO
378 NOT MEET GOALS PUT IN PLACE BY STAFF SUCH AS, PERCENTAGE OF JOBS
379 BEING OFFERED TO CITY RESIDENTS

380
381 **MR. LEWY: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL**
382 **EVIDENCE PRESENTED TODAY I MOVE THAT THE PLANNING AND**
383 **ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED**
384 **REZONING TO THE CITY COMMISSION FOR APPLICATION #107-15-Z**
385 **SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY**
386 **ADMINISTRATION AND SUBJECT TO THE TERMS OF THE DEVELOPMENT**
387 **AGREEMENT AS MAY BE FINALIZED AND APPROVED BY THE CITY**
388 **COMMISSION SUBJECT TO ALL MODIFICATIONS LISTED AND**
389 **DISCUSSED IN PREVIOUS MOTIONS TO INCLUDE STAFF, PLANNING AND**
390 **ZONING BOARD'S COMMENTARIES AND CITIZEN'S CONCERNS.**

391 MR. GARSON SECONDED THE MOTION.

392
393 MOTION PASSED CARRIED BY ROLL CALL VOTE (6-1). -MR. KULIN- NO

394
395 MR. WU MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE
396 PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD
397 RECOMMEND APPROVAL OF THE PROPOSED VARIANCE TO THE CITY
398 COMMISSION FOR APPLICATION #182-15-V.

399 MR. LEWY SECONDED THE MOTION.

400
401 MR. KULIN REQUESTED DISCUSSION.

402
403 MR. LEWY MOTIONED TO CALL THE QUESTION.

404
405 MR. GARSON SECONDED THE MOTION.

406

407 MOTION FAILED BY ROLL CALL VOTE (3-4). -MR. KULIN, MS.DILLARD& MS.
408 WYNNE-NO

409
410 **MR. WU MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL**
411 **EVIDENCE PRESENTED TODAY, I MOVE THAT THE PLANNING AND**
412 **ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED**
413 **VARIANCE TO THE CITY COMMISSION FOR APPLICATION #182-15-V.**

414 MR. LEWY SECONDED THE MOTION.

415
416 MOTION PASSED CARRIED BY ROLL CALL VOTE (6-1). -MR. KULIN- NO

417
418 4. Application #163-15-P by Gulfstream Park Racing Association, Inc and
419 Gulfstream Park Tower, LLC, requesting approval of the "Gulfstream Park"
420 Plat in accordance with Article II, Division 2 of the Zoning and Land
421 Development Code for property located at 901 South Federal Highway.
422 (*Quasi-Judicial*)

423
424 **Polling of Ex Parte Communications (Board Secretary)**

425
426 Board Secretary polled the Planning and Zoning Board regarding Ex-Parte
427 Communications:

428
429 *Ms. Natelson advised that she had no Ex-Parte Communications regarding this matter.*
430 *She advised she would base her decision solely on the testimony being presented.*

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

434
435 *Mr. Kulin advised that he had no Ex-Parte Communications regarding this matter. He*
436 *advised he would base his decision solely on the testimony being presented.*

437
438 *Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He*
439 *advised he would base his decision solely on the testimony being presented.*

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441 *Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter.*
442 *She advised she would base her decision solely on the testimony being presented.*

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444 *Ms. Wynne advised that she had no Ex-Parte Communications regarding this matter.*
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447 *Mr. Lewy advised that he had no Ex-Parte Communications regarding this matter. He*
448 *advised he would base his decision solely on the testimony being presented.*

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450 *Ms. Ginsberg advised that she had no Ex-Parte Communications regarding this matter.*
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Swearing in of Witnesses (Assistant City Attorney)

The Oath was administered by the Assistant City Attorney to all staff and public attendees that would be speaking on the case.

Ms. Dominguez: gave a brief summary and power point presentation on the Gulfstream Park Plat.

Mr. Wu: asked if the property has been platted before?

Ms. Dominguez: stated that the applicant is expanding the plat previously approved for the original plat only included the DRI portion of the property.

Ed Stacker, Applicant (1500 North Federal Highway, Suite 200 Fort Lauderdale, FL 33304) introduced himself and provided a history on the property.

Mr. Stacker: added they agreed to all of staff conditions but would like to point out that they do not agree to the recommendation from staff requesting a 5 foot dedication along the northern plat boundary.

Discussion ensued.

Mr. Kulin: asked how the 5 foot dedication benefits the Village at Gulfstream.

Mr. Stacker: stated Hibiscus is accessible with 2-way traffic but dead ends at Chateau. He disagrees because the additional 5 feet should come from the north side.

Ms. Dominguez: stated the 45 feet existing right-of-way was dedicated from the north of property. Also, the City Comprehensive Plan requires 50 foot right of way for the local streets.

Ms. Natelson: opened the Public Hearing.

There were no speakers.

Ms. Natelson closed the Public Hearing.

MR. LEWY: MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF APPLICATION #163-15-P BY GULFSTREAM PARK RACING ASSOCIATION, INC. AND GULFSTREAM PARK TOWER, LLC, REQUESTING APPROVAL OF THE "GULFSTREAM PARK" PLAT IN ACCORDANCE WITH ARTICLE II, DIVISION 2 OF THE

496 **ZONING AND LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT**
497 **901 SOUTH FEDERAL HIGHWAY.**

498
499 MS. DILLARD SECONDED THE MOTION.

500
501 MOTION PASSED CARRIED BY ROLL CALL VOTE (7-0).

- 502
503 5. Application #150-15-P by Nana’s Pre School & Daycare, LLC, requesting
504 approval of the “Nana’s Pride” Plat in accordance with Article II, Division 2
505 of the Zoning and Land Development Code for property located at 512 NE
506 1st Court. (*Quasi-Judicial*)

507
508 **Polling of Ex Parte Communications (Board Secretary)**

509
510 Board Secretary polled the Planning and Zoning Board regarding Ex-Parte
511 Communications:

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518
519 *Mr. Kulin advised that he had no Ex-Parte Communications regarding this matter. He*
520 *advised he would base his decision solely on the testimony being presented.*

521
522 *Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He*
523 *advised he would base his decision solely on the testimony being presented.*

524
525 *Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter.*
526 *She advised she would base her decision solely on the testimony being presented.*

527
528 *Ms. Wynne advised that she had no Ex-Parte Communications regarding this matter.*
529 *She advised she would base her decision solely on the testimony being presented.*

530
531 *Mr. Lewy advised that he had no Ex-Parte Communications regarding this matter. He*
532 *advised he would base his decision solely on the testimony being presented.*

533
534 *Ms. Ginsberg advised that she had no Ex-Parte Communications regarding this matter.*
535 *She advised she would base her decision solely on the testimony being presented.*

536
537 **Swearing in of Witnesses (Assistant City Attorney)**

538
539 The Oath was administered by the Assistant City Attorney to all staff and public
540 attendees that would be speaking on the case.

541

542 Ms. Dominguez: gave a brief summary and power point presentation on the Nana's
543 Pride Plat.

544
545 Jane Storm, Applicant (5381 Nob Hill Road Sunrise, FL 33351): Applicant stated they
546 agreed to all staff's recommendations.

547
548 Ms. Natelson: opened the Public Hearing.

549
550 There were no speakers.

551
552 Ms. Natelson closed the Public Hearing.

553
554 **MR. WU: MOTIONED BASED ON THE COMPETENT AND**
555 **SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE**
556 **PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF**
557 **APPLICATION #150-15-P BY NANA'S PRE SCHOOL & DAYCARE,**
558 **LLC, REQUESTING APPROVAL OF THE "NANA'S PRIDE" PLAT IN**
559 **ACCORDANCE WITH ARTICLE II, DIVISION 2 OF THE ZONING AND**
560 **LAND DEVELOPMENT CODE FOR PROPERTY LOCATED AT 512 NE**
561 **1ST COURT.**

562
563 MR. GARSON SECONDED THE MOTION.

564
565 MOTION PASSED CARRIED BY ROLL CALL VOTE (7-0).

566
567 **5. PRESENTATION**

568
569 Discussion regarding Non-compliant and Unpermitted Conversion
570 Amnesty Program (NUCAP)

571
572 Mr. Klopp: gave a brief summary and power point presentation on Non-compliant and
573 Unpermitted Conversion Amnesty Program.

574
575 Mr. Wu: stated staff should have policy discussion about fairness in allowing new
576 owners to get Community Redevelopment Agency (CRA) funding to rectify non-
577 conforming situations, while other neighbors were held to conform to City code.

578
579 6. Application # Z-2015-0187, by Gal Hamami, requesting to rezone the
580 property, located at 601 SW 6th Ave, from Residential single-family (RS-6)
581 Zoning District to a Residential two-family (duplex) (RD-12) Zoning District.
582 (*Quasi-Judicial*)

583
584 **Polling of Ex Parte Communications (Board Secretary)**

585
586

587 *Ms. Natelson advised that she had no Ex-Parte Communications regarding this matter.*
588 *She advised she would base her decision solely on the testimony being presented.*

589
590 *Mr. Wu advised that he had no Ex-Parte Communications regarding this matter. He*
591 *advised he would base his decision solely on the testimony being presented.*

592
593 *Mr. Kulin advised that he had no Ex-Parte Communications regarding this matter. He*
594 *advised he would base his decision solely on the testimony being presented.*

595
596 *Mr. Garson advised that he had no Ex-Parte Communications regarding this matter. He*
597 *advised he would base his decision solely on the testimony being presented.*

598
599 *Ms. Dillard advised that she had no Ex-Parte Communications regarding this matter.*
600 *She advised she would base her decision solely on the testimony being presented.*

601
602 *Ms. Wynne advised that she had no Ex-Parte Communications regarding this matter.*
603 *She advised she would base her decision solely on the testimony being presented.*

604
605 *Mr. Lewy advised that he had no Ex-Parte Communications regarding this matter. He*
606 *advised he would base his decision solely on the testimony being presented.*

607
608 *Ms. Ginsberg advised that she had no Ex-Parte Communications regarding this matter.*
609 *She advised she would base her decision solely on the testimony being presented.*

610
611 **Swearing in of Witnesses (Assistant City Attorney)**

612
613 The Oath was administered by the Assistant City Attorney to all staff and public
614 attendees that would be speaking on the case.

615
616 Ms. Leroy: gave a brief summary and power point presentation on the rezoning
617 application by Gal Hamami.

618
619 Mr. Garson: asked what precedents will be set if this item is approved.

620
621 Ms. Leroy: stated the use of the property is currently an illegal duplex conversion.
622 Approving the existing item would allow the property owner to maintain the use legally.
623 Other residents with a similar situation would be able to apply for the same outcome.

624
625 Discussion ensued.

626
627 Gal Hamami, Applicant (421 SW 3rd Street Hallandale Beach, FL 33009): stated he
628 recently purchased the property In February 2015. He added once he purchased the
629 property, he was informed of three outstanding code violations, which he has corrected
630 with the City.

631

632 Mr. Hamami: pointed out how the property currently has three water meters and the City
633 is advising him he should not have three meters on the property since it is currently
634 zoned as a duplex.

635

636 Mr. Lewy: asked the applicant if he checked before purchasing the property whether or
637 not it had any existing violations?

638

639 Mr. Hamami: stated when he purchased the property, they had tenants living in the
640 duplex. He further stated he had hired an agent; however, only found out about the
641 violations after the fact.

642

643 Discussion ensued.

644

645 Ms. Natelson opened the Public Hearing.

646

647 Ms. Sandra Brown (644 SW 7th Avenue Hallandale Beach, FL 33009): stated she was in
648 opposition to rezoning the property and addressed her concerns:

649

- 649 ▪ Duplex decreases property values.
- 650 ▪ Duplex tenants do not keep up with the maintenance.
- 651 ▪ Increase the load of electricity.
- 652 ▪ Increase cars volume and traffic in single- family residential areas.

653

654 Ms. Natelson closed the Public Hearing.

655

656 Mr. Hamami: stated he understood Ms. Brown's concerns but clarified that he
657 purchased the property for his elder parents and himself.

658

659 Mr. Lewy: stated he is not in favor of rezoning the property. He pointed out how many
660 sections in the City from single- family to duplex.

661

662 Mr. Lewy: suggested configuring the home as in-law.

663

664 Ms. Leroy: clarified if the homes was configured, it will still not meet code, since it would
665 be considered two units.

666

667 Mr. Wu: stated there is no need to rezone this property. He added rezoning the property
668 would allow a maximum of 3 units to 6 units, which flex units would also need to be
669 available.

670

671 Mr. Wu stated his disapproval of the application for the following reasons:

672

- 672 1. The proposed rezoning is inconsistent with the City's Comprehensive Plan by
673 creating a non-conforming zoning for the Land Use,
- 674 2. It will double the permitted density as to allow 6 residential units instead of 3,
- 675 3. The number of residential Flex units needed to finalize the rezoning is not
676 currently available in Flex Zone 94,

- 677 4. The requested zoning district is jumping 2 steps by skipping RS-7 zoning district,
678 5. The duplex structure does not meet the minimum floor area for duplex, and
679 6. The property does not meet current parking requirements.
680

681
682 **MR. WU MOTIONED BASED ON THE COMPETENT AND**
683 **SUBSTANTIAL EVIDENCE PRESENTED TODAY, I MOVE THAT THE**
684 **PLANNING AND ZONING BOARD RECOMMEND DENIAL OF**
685 **APPLICATION # Z-2015-0187, BY GAL HAMAMI, REQUESTING TO**
686 **REZONE THE PROPERTY, LOCATED AT 601 SW 6TH AVE, FROM**
687 **RESIDENTIAL SINGLE-FAMILY (RS-6) ZONING DISTRICT TO A**
688 **RESIDENTIAL TWO-FAMILY (DUPLEX) (RD-12) ZONING DISTRICT.**
689

690 MR. LEWY: SECONDED THE MOTION.
691

692 MOTION PASSED BY ROLL CALL VOTE (4-3). *MS. NATELSON, MS.*
693 *DILLARD AND MR. GARSON- NO*
694

695 **MR.GARSON MOVED TO RECOMMEND STAFF REVIEW AND MOVE**
696 **FORWARD WITH NON-COMPLIANT AND UNPERMITTED**
697 **CONVERSION AMNESTY PROGRAM (NUCAP).**
698

699 MS. DILLARD SECONDED THE MOTION.
700

701 MOTION PASSED BY ROLL CALL VOTE (5-2). *MR. WU & MR. LEWY-*
702 *NO*
703

704 Mr. Wu: suggested giving more time to staff to review NUCAP program further. He
705 recommended staff continue their review but not ready to move forward at this time.
706

707 **6. REMARKS AS REQUESTED BY THE CHAIR**
708

709 Ms. Natelson expressed her gratitude to the City and the City Commission for their sympathy
710 through the loss of her father.
711

712 **7. NEXT SCHEDULED MEETING**
713

714 **A. Thursday, January 28, 2016**
715

716 **Meeting adjourned at 11:48 P.M.**
717

718 A Recording of this meeting can be made available to any member of the public upon request. Requests to hear a taping
719 of the Planning and Zoning Board meeting, summarized above, should be submitted to the Planning & Zoning Division at
720 ajefferson@hallandalebeachfl.gov or can be mailed to 400 South Federal Highway, Attn. Althea P. Jefferson, Hallandale
721 Beach, Florida 33009.