



**TOWN OF SURFSIDE
PLANNING AND ZONING BOARD
AND
DESIGN REVIEW BOARD
MEETING
July 18, 2016
6:00 PM**

Town Hall Commission Chambers – 9293 Harding Ave., 2nd Floor
Surfside, Florida 33154

PLANNING AND ZONING BOARD

**MINUTES
July 18, 2016
6:00 PM**

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 6:07 pm.

2. ROLL CALL

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Lindsay Lecour, Vice Chair Judith Frankel, Board Member Brian Roller, and Board Member Richard Iacobacci. Board Member Peter Glynn was absent. Commissioner Daniel Gielchinsky attended as liaison. Chair Lecour welcomed new Board Member Richard Iacobacci. Mr. Iacobacci introduced himself and gave some background.

3. APPROVAL OF MINUTES: May 25, 2016

Vice Chair Frankel made a motion to approve with the correction of the spelling to Brian Roller. The motion received a second from Board Member Roller and all voted in favor with Board Member Glynn absent.

Liaison Gielchinsky gave an update on the Commission level so both parties can work in unison.

4. QUASI-JUDICIAL APPLICATION:

A. 9300-9380 COLLINS AVENUE

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SITE PLAN TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED ON THE WEST SIDE OF COLLINS AVENUE BETWEEN 93RD STREET AND 94 STREET WITH THE ADDRESSES OF 9300-9380 COLLINS AVENUE FOR 68 TOWNHOUSE UNITS WITH CONDITIONS OF APPROVAL; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Nissa Benjamin read the title of the resolution.

Chair Lecour read the process and rulings of a quasi-judicial hearing.

Recording Clerk Benjamin confirmed that compliance with advertising notice requirements have been met. Attorney Miller asked the Board if anyone had ex-parte communications with the Applicant or any objector. All answered no. Recording Clerk Benjamin swore in the people who wished to speak on the item.

Town Planner Sarah Sinatra had a visual presentation. Staff is recommending approval and wanted for the record regarding growth impact, that originally it was scheduled for 100 units and they are putting in 68 units but the square footage has increased from 81,000 sq. feet to 304,444 sq. feet. Chair Lecour wanted to clarify that the units are 2, 3, 4, and 5 bedroom suites.

Neisen Kasdin representing the applicant gave a brief overview of the plan with visuals. He also spoke of the proffers of \$100,500 they are giving to the City. The architect for this project continued with the visuals and gave a more detailed presentation.

Chair Lecour opened the public hearing.

Public Speakers:

-Denyse Fowley who lives behind the proposed project said the plans are very nice but has concerns about the impact it will have regarding intrusion on her property such as debris, dust, mold, etc. and what are their plans to protect her home. She wants to know where the cranes are going to be and where will their trash be stored. She also asks for clear communication with the developers with names and phone numbers. Mr. Kasdin responded to Ms. Fowley and said she had standard concerns and they will provide her with names so she may have direct contact with them. He stated they will come up with a plan and also said that the Town has a ruling that neighboring properties are not adversely affected. Board Member Iacobacci asked if there is damage to a home owner's property who will be responsible for the repair.

Mr. Kasdin said if there was damage due to construction and the cost of repair was reasonable his client would probably pay. However, not knowing the cost he would have to speak to his client. Ms. Fowley would like seismic activity monitored in a better way.

-Pamela O'Hagan whose property also abuts to the proposed project agrees with Ms. Fowley and has the same concerns. She believes a very high fence would help protect property and also would like more information regarding traffic. She hopes they will be able to have the sea breeze from the ocean and it is not totally blocked. On another

subject, she also mentioned she was sorry to see the renters in the affordable housing go and hopes the Town takes it into consideration when they have their discussions with the Developers.. Mr. Kasdin said he would meet with property owners and address their concerns. The proposed building is continuous and there would be no air gaps. Fences and traffic was also addressed by the architect and Mr. Kasdin.

-Barbara Cohen was concerned about the number of bedrooms in the units and the impact it may have on Ruth Broad School. Mr. Kasdin believes most of the units will be sold to Orthodox Jews and their children most likely will not be attending the public school but before the units are sold they do not know how many families will have young children.

-Jerry Kahn wanted to know if seismic meters will be put on their properties and monitored, as he has had damage before due to construction and was not compensated for it. Mr. Kasdin said this project is only three stories and much smaller than others that have been constructed. Mr. Kahn strongly suggested to the Board that they put in a condition that meters are put up with an IP address to monitor as he has been through this before and does not trust developers. Mr. Kasdin said the architect has informed him that they will put up seismic meters on their property (construction site) only as that is standard procedure.

-Marta Olchyk recommended that the residents involved take legal advice and get everything in writing as to what is being said. She also said, regardless of what they say it will not be easy to contact the project manager, contractor or anyone else. In her building they are having problems as all the glass blocks have to be replaced due to damage from neighboring construction which the developers deny and they now have the additional expense of hiring an attorney as the town does not offer any help.

-Miguel Fernandez agrees totally with Ms. Olchyk.

No one else wishing to speak Chair Lecour closed the public hearing.

Board Member Roller made a motion to continue with the recommendation of the Design and Review Board. The motion received a second from Board Member Frankel and all voted in favor with Board Member Glynn absent.

This portion of the meeting adjourned at 7:12 p.m. and the item was then continued for discussion at the Design Review Board Meeting.

The meeting resumed at 9:31 p.m. continuing with the Quasi-Judicial application.

Public Speaker Denyse Fowley had a question about the glass parapet and Board Member Iacobacci said Miami-Dade has the strictest hurricane code in the country and she did not have to be concerned with that. She also asked the size of the condensers and the noise output and the elevation of the building. The rendering of the project does not show her home or her neighbors and it should as the glass will reflect onto their homes and create more heat. The applicant said they could do another rendering showing both homes. She thanked the Board for listening to their concerns. She also mentioned pre-testing for environmental control. Chair Lecour suggested she reach out to Building Official Ross Prieto who is very knowledgeable on the subject.

Before the motion was made, Planner Sinatra restated the conditions from the DRB.

Board Member Roller made a motion to recommend to the Town Commission with the recommendations. The motion received a second from Vice Chair Frankel and all voted in favor with Board Member Glynn absent.

5. ORDINANCE: SHEDS

TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 "ZONING"; SEC. 90-19.

"SINGLE-FAMILY AND TWO FAMILY DEVELOPMENT REVIEW PROCESS"; SPECIFICALLY AMENDING SECTION 90-19.7 EXEMPTING SHEDS FROM PLANNING AND ZONING BOARD AND DESIGN REVIEW BOARD REVIEW AND PROVIDING THE DESIGN GUIDELINES SHALL BE FOLLOWED; AMENDING "SECTION 90-54 "ACCESSORY BUILDINGS AND STRUCTURES IN THE H30A AND H30B DISTRICTS" SPECIFICALLY AMENDING SECTION 90-54.7 RELATED TO SHEDS AND LANDSCAPE REQUIREMENTS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Recording Clerk Nissa Benjamin read the title of the ordinance.

Town Planner Sinatra presented the item.

Board Member Iacobacci made a motion to recommend to the Town Commission. The motion received a second from Vice Chair Frankel and all voted in favor with Board Member Glynn absent.

6. DISCUSSION ITEMS

1. Sustainability Sub-committee

Planner Sinatra presented the item and the sub-committee's function.

The Board discussed meeting times and days and who would be in attendance.

Board Member Roller made a motion to nominate Board Member Peter Glynn as liaison to the Sustainability Sub-Committee should he accept. The motion received a second from Board Member Iacobacci and all voted in favor with Board Member Glynn absent.

2. Future Agenda Items

Workforce Housing

Impact Fees

Air Flow – corridor analysis

Flat Roof vs. Pitched Roof

Sea Level Rise

Neighbor notice of demolition

7. ADJOURNMENT.

There being no further business to come before the Planning and Zoning Board the meeting adjourned at 10:05 p.m.

Accepted this 25th day of August, 2016


Chair Lindsay Lecour

Attest:


Sandra Novoa, MMC
Town Clerk

DESIGN REVIEW BOARD

1. CALL TO ORDER

Chair Lindsay Lecour called the meeting to order at 7:12 pm.

2. ROLL CALL

Recording Clerk Nissa Benjamin called the roll with the following members present: Chair Lindsay Lecour, Board Member Jorge Gutierrez, Vice Chair Judith Frankel, Board Member Brian Roller, and Board Member Richard Iacobacci. Board Member Peter Glynn was absent. Commissioner Daniel Gielchinsky attended as liaison.

Board Member Roller made a motion to move Item 5 Quasi-Judicial Application up on the agenda. The motion received a second from Vice Chair Frankel and all voted in favor with Board Member Glynn absent.

3. APPROVAL OF MINUTES: May 25, 2016

Board Member Jorge Gutierrez made a motion to approve with the correction of the spelling to Brian Roller. The motion received a second from Board Member Roller and all voted in favor with Board Member Glynn absent.

4. DESIGN REVIEW BOARD APPLICATIONS:

A. Request of the Owner of Property located at 9441 Bay Drive.

The applicant is requesting to legalize an existing garage conversion.

Town Planner Sarah Sinatra presented the item and staff is recommending approval.

Board Member Roller made a motion to approve. The motion received a second from Vice Chair Frankel and all voted in favor with Board Member Glynn absent

B. Request of the Owner of Property located at 9040 Dickens Avenue.

The applicant is proposing to add a 612 square foot addition to the rear of the existing single family house.

Town Planner Sarah Sinatra presented the item and staff is recommending approval.

Board Member Iacobacci made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor with Board Member Glynn absent

C. Request of the Owner of Property located at 9233 Byron Avenue.

The applicant is requesting to legalize an existing garage conversion.

Town Planner Sarah Sinatra presented the item and staff is recommending approval.

Board Member Gutierrez made a motion to approve with the following condition:

-Landscaping is provided out front of converted garage.

The motion received a second from Board Member Roller and all voted in favor with Board Member Glynn absent

D. Request of the Owner of Property located at 9549 Carlyle Avenue.

The property is located at 9549 Carlyle Avenue, within the H30B zoning district. The applicant was granted approval for the construction of a new two story- single-family residence at the September 24, 2015 Planning and Zoning Board meeting and subsequent façade modifications at the January 28, 2016 meeting. The applicant is now proposing a roof top deck.

Town Planner Sarah Sinatra presented the item and staff is recommending approval.

Board Member Iacobacci was not in favor of the design. The Board had some discussion on the item. Chair Lecour opened the item to public comment, being none Chair Lecour closed the public comment.

Board Member Gutierrez made a motion to approve. The motion received a second from Vice Chair Frankel. The motion carried 4/1 with Board Member Iacobacci voting in opposition and with Board Member Glynn absent.

E. Request of the Owner of Property located at 8874 Dickens Avenue.

The applicant is requesting a six-foot high picket style fence along the north property line to enclose the backyard of the corner property.

Town Planner Sarah Sinatra presented the item and staff is recommending approval with conditions. The applicant spoke about the item and gave further details.

Board Member Gutierrez made a motion to approve with the following condition:

-Applicant provides plans that the fence doesn't exceed 50% of the property.

The motion received a second from Board Member Iacobacci and all voted in favor with Board Member Glynn absent.

F. Request of the Owner of Property located at 9425 Bay Drive.

The applicant is proposing to completely renovate the existing home. The renovations include a garage conversion, new roof, trellis and doors and windows.

Town Planner Sarah Sinatra presented the item and staff is recommending approval. Chair Lecour had some design questions. The architect for the project spoke and gave further information.

Board Member Iacobacci made a motion to approve. The motion received a second from Board Member Gutierrez and all voted in favor with Board Member Glynn absent.

G. Request of the Owner of Property located at 300 Surfside Blvd.

The applicant is requesting to legalize an existing garage conversion. It appears the garage was converted prior to 2007 and therefore prior to the code requirements mandating landscaping in front of the replaced garage door. In this case, the applicant has provided French doors replacing the garage door.

This item has been removed from the agenda.

5. QUASI-JUDICIAL APPLICATION:

A. 9300-9380 COLLINS AVENUE

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, PLANNING AND ZONING BOARD; RECOMMENDING APPROVAL OF A SITE PLAN TO PERMIT THE DEVELOPMENT OF PROPERTY LOCATED ON THE WEST SIDE OF COLLINS AVENUE BETWEEN 93RD STREET AND 94 STREET WITH THE ADDRESSES OF 9300-9380 COLLINS AVENUE FOR 68 TOWNHOUSE UNITS WITH CONDITIONS OF APPROVAL; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Chair Lecour reminded everyone that the rules and process of a Quasi-Judicial hearing stated in the Planning and Zoning Meeting apply here also.

Recording Clerk Nissa Benjamin read the title of the resolution.

Chair Lecour asked the Board if anyone had ex-parte communications with the Applicant or any objector. All answered no.

Chair Lecour asked if anyone wishing to speak to please stand and be sworn in. There were no public speakers who had not spoken at the previous meeting.

No one wishing to speak Chair Lecour closed the public hearing.

Board Member Iacobacci had a question regarding the condensers, mechanical system. The architect responded with a visual of their placement. Board Member Iacobacci had concerns about the noise for neighbors as well as visually seeing them. The architect said they would create no more noise than any single family home condenser and said the units will be mostly covered by a stairwell. Board Member Iacobacci was not totally convinced. He also mentioned damages that may incur during construction to a neighboring home and responsibility and ways to protect the town's citizens and would like to see that taken care of and insurances in place

Vice Chair Frankel said the maximum is three floors and asked for an explanation as she counts 4 floors; there is floor 1, floor 2, mezzanine, floor 3 and then technically, the roof. Town Planner Sinatra explained the code requirements and the applicant has met them. Rooftop landscaping was mentioned and Planner Sinatra explained the town's position on this. Vice Chair Frankel said she felt the historic building near it will be drowned out. There was some discussion about the design, fencing, color palate, garage and the lobby.

Mr. Kasdin suggested there be further study of the color and the detailing of the historic structure which would have to be approved by the County Historic Preservation Board.

Board Member Roller understands the seismic meters being placed on the construction site but since it is a relatively large area with many homes and it would depend on where the meters are placed to accurately reflect any impact on homes. The architect said the meters could be placed in areas next to homeowner's property and did not see this as a problem. He stated if that is what the Board has determined it is up to the contractor to follow and monitor it. Chair Lecour would like the properties across the street from the project to be included.

Commissioner Gielchinsky exited at 7:30 p.m.

Board Member Iacobacci spoke about the town becoming a wall which does not allow the wind flow to go through and thought years ago we had protection from this happening. Planner Sinatra responded and gave an overview of the corridor analysis which was done. The architect said the problem with creating breaks result in actually constructing two buildings instead of one.

Board Member Roller understands the concerns of Board Member Iacobacci and also has concerns that buildings being constructed are becoming significantly wider and does not understand how smaller lots have been sold to create larger lots and how we got there. He did like the design and idea that the proposal was designed for underground parking for its residents as parking lots have become a big issue for the town. Mr. Kasdin said they did speak to the town about integrating a municipal parking lot but the town opted to go with 91st Street.

Board Member Gutierrez asked what was being proposed on Harding and the architect said it will be green space with walkways to the building but will be fenced in as it is private property. Trash pick-up and fences was also addressed. Member Gutierrez suggested the site plan be updated as the ones they have are not very clear on some issues. He also feels the length of the building is much too long.

The number of parking spaces per unit was discussed and Planner Sinatra said they meet all requirements. Mr. Kasdin spoke about the site triangle and landscape buffer. The Board would like the historic structure façade to be more visible. The sidewalks and shade tree concept was something the city would like. Chair Lecour had suggestions regarding windows and to revisit the color pallets.

Chair Lecour shares the thought of more children and how it will affect our schools and especially our parks which are small and very crowded with children. She asked if the applicant would be willing to give an additional proffer toward our parks. Mr. Kasdin said with the proffer they have made they are agreeable to have some of it used for a park. Member Roller suggested the underground parking they propose be extended to the municipal lot and use the upper part for perhaps a green space. Town Manager Olmedillo gave an overview of previous meetings regarding the various parking lot sites that were

suggested. Chair Lecour would still like the applicant to consider an additional proffer as the amenities of the town will be used by the new residents.

In summation Chair Lecour had the following conditions: (1) to meet with neighbors and come to a reasonable compromise on their concerns; (2) the prominence of the historic façade and making it more prominent both with the paint contrast and the site triangles or curving of the fencing in front; (3) the articulation in terms of color of the entire expanse so the paint color on the stucco they would like to see more contrast; (4) move the shade trees so they actually shade the sidewalk in the noon day sun; (5) the impact on our parks and community facilities. Board Member Roller added if there was a possibility exploring more air gaps. Chair Lecour would like to add air flow to a future agenda.

Mr. Kasdin said they are willing to revise their proffer of which \$70,000 is for two police cars. As to the other \$30,500 they would propose to put that into either the community center and/or parks and match that same amount and increase it by another \$30,500. Chair Lecour asked for the Board's thoughts. Town Manager Olmedillo explained that the town does not have impact fees and suggestions are made as to what are the town's needs and their proffer is voluntary. The Board is appreciative of the additional offer but essentially feels the proffer is low but will accept it. Chair Lecour would like to add the issue of impact fees to future agendas. Mr. Kasdin said the application should not be based on the amount of a proffer as that would not be a supportable action.


Town Planner went over the conditions for better clarification and language for the resolution including the revised proffer.

Board Member Gutierrez made a motion to present the resolution to the Planning and Zoning Board with the recommendations. The motion received a second from Vice Chair Frankel and all voted in favor with Board Member Glynn absent.

6. ADJOURNMENT.

There being no further business to come before the Design Review Board the meeting adjourned at 9:31 p.m.

Accepted this 25th day of August, 2016


Chair Lindsay Lecour

Attest:


Sandra Novoa, MMC
Town Clerk