



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:	1 st Reading	2 nd Reading	
5/20/2026	26-153	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	N/A	N/A
			Public Hearing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Advertising Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Quasi-Judicial:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):		Funding Source:	Project Number:	
N/A	N/A		N/A	N/A	
Contract Required:	P.O. Required:	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Vanessa Leroy	Sustainable Development	
Strategic Plan Focus Areas:					
<input type="checkbox"/> Fiscal Stability	<input type="checkbox"/> Resident Services	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Infrastructure & Mobility	<input checked="" type="checkbox"/> Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: 5/20/2026			Estimated End Date: 5/20/2026		

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING APPLICATIONS #DB-25-06032, #CU-25-06035 AND #V-25-06039 BY 837 PEMBROKE, LLC, REQUESTING MAJOR DEVELOPMENT PLAN APPROVAL, A CONDITIONAL USE PERMIT AND VARIANCES TO BUILD PEMBROKE PLAZA, A 1-STORY COMMERCIAL RETAIL BUILDING OF APPROXIMATELY 7,500 SQUARE FEET ON A 25,644 SQUARE FOOT LOT, WITH A TOTAL BUILDING AREA ENCOMPASSING APPROXIMATELY 5,195 SQUARE FEET OF RETAIL SPACE AND A 2,305 SQUARE FEET DRIVE-THROUGH COMPONENT, LOCATED AT 837 PEMBROKE ROAD; REQUESTING VARIANCES RELATIVE TO PERIMETER AND INTERIOR LANDSCAPING; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

Daniel Shamosh (the “Applicant”) is requesting approval of a Major Development Plan, a Conditional Use Permit, and variances to construct Pembroke Plaza, a one-story commercial retail building totaling approximately 7,500 square feet on a 25,644 square-foot lot. The proposed development consists of approximately 5,195 square feet of retail space and a 2,305 square-foot drive-through component.

The applications filed with the City are as follows:

1. Application # DB-25-06032 for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code to construct the proposed commercial project.
2. Application # CU-25-06035 for a Conditional Use Permit pursuant to Section 32-964 to permit the drive-through component of the development.
3. Application # V-25-06039 requesting Variances from the following code provisions:
 - a) Sec. 32-384(e) – Perimeter Landscaping, to allow a 2-foot landscaped buffer strip, in lieu of the required 5-foot minimum buffer.
 - b) Sec. 32-384(f) – Interior landscaping, to allow 5-foot landscaped islands at the end of a parking row, in lieu of the 7-foot minimum.

Background:

On May 12, 2026, the Planning and Zoning Board heard the Major Development, Conditional Use and Variance applications.

The Board recommended approval by a vote of 5 to 0 of application # DB-25-06032 for Major Development Review approval to construct the proposed commercial development, subject to staff conditions, adding a condition for City Commission consideration requiring the installation of a physical barrier to prohibit left turns onto 9th Avenue, permitting right turns only.

After Board discussion, the applicant voluntarily proffered not to install monument signs and will continue to work with staff regarding the ramp located near the intersection of Pembroke Road and 9th Avenue.

The Board recommended approval by a vote of 5 to 0 of Application # CU-25-06035 for a Conditional Use Permit to permit the drive-through component of the development, subject to staff conditions, adding a condition that if the proposed drive-through component is utilized for a restaurant drive-thru use, operations shall be prohibited between the hours of 10:00 p.m. and 6:00 a.m. daily.

The Board recommended approval by a vote of 5 to 0 of Application # V-25-06039 requesting Variances to allow the reduced landscape buffer and interior landscaped islands.

Current Situation:

Development Details

- Site: 25,593 square feet (0.57 acres net); currently vacant
- Building: One-story, approximately 20 feet in height (below the maximum permitted height of three stories by right, up to ten stories with approvals)
- Uses:
 - Two (2) retail units totaling 5,195 square feet
 - One (1) drive-through facility totaling 2,305 square feet
- Parking & Mobility:
 - 22 parking spaces provided (22 required)
 - Bicycle parking: 1 short-term space provided (2 required); 1 long-term space provided (1 required)
 - Two (2)-foot right-of-way dedication along Pembroke Road
 - 12-foot-4-inch pedestrian walkway (compliant)
- Landscape & Trees:
 - 10.2% landscaping provided (10% required)
 - No civic space required
 - Three (3) trees to be removed with required mitigation
 - 24 trees provided (18 required)
- Sustainability:
 - Required to meet the Enhanced Level of the City's Green Building Standards

Hallandale Beach Comprehensive Plan

The property is designated Regional Activity Center (RAC) on the City's Future Land Use Map. The proposed commercial use by the applicant is permitted under the land use category.

The proposed development will assist in furthering goals, objectives, and policies of the City's Comprehensive Plan as detailed in the attached Planning and Zoning Board Cover Memo.

Applicable Codes and Ordinances

1. The proposed commercial building is permitted in the present zoning of the property, West Regional Activity Center – Pembroke Road subdistrict.
2. The proposed drive-through component is permitted within this zoning district conditionally. The applicant is requesting a Conditional Use permit as part of this application.
3. The applicant requests variances from the requirements set forth in items 3(a) through 3(b) below. The following chart summarizes the requested variances under Application #V-25-06039.

VARIANCES	REQUIRED/ALLOWED	PROPOSED	DEFICIENCY
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a) Sec. 32-384(e) – Perimeter Landscaping	5-foot minimum landscaped buffer	2.0 feet to the property line	3.0 feet from the property line
b) Sec. 32-384(f) – Interior landscaping	7-foot minimum landscaped island width in parking lots	5-foot landscaped islands	2-feet

4. Pursuant to Section 32-203, Table 32-203(a), the minimum number of parking spaces required for the proposed retail, restaurant, and other commercial uses is one space per 300 SF. The required for this proposed project is 22 spaces after the recently adopted Ordinance #2025-005 and 22 spaces are provided, therefore, the proposed development meets Code. The Applicant has provided a total of 22 off-street parking spaces.

Major Development Review Criteria

Article V, Section 32-787 specifies the following criteria shall be utilized in the review and evaluation of applications for Major Development Review approval:

1. Natural Environment (and existing conditions)

The property consists of four vacant platted lots.

2. Open Space

Approximately 10.2% of the property will be landscaped, which complies with the minimum 10% required by Code.

Seventeen (17) on-site trees are required, and twenty-four (24) trees are provided. Six (6) street trees are required, and six (6) trees are provided. The grounds will be landscaped with shrubbery and trees, such as Silver Buttonwoods, Live Oaks, Simpsons Stompers, and Pigeon Plums, complying with the required number and height of trees. Pigeon Plums are also proposed to be installed as street trees along Pembroke Road.

3. Circulation and Parking

The parking required for the proposed use is 22 spaces, and 22 spaces are provided in a surface lot that utilizes a one-way traffic design.

4. Access Control

Access to the site is via a one-way driveway from Pembroke Road that will serve the commercial space and drive-through. Exit from the location is from NW 9th Avenue, which is restricted to northbound traffic only.

5. Public Transportation

The site is well served by existing mass transit services. Broward County bus routes service Pembroke Road, east, northeast, and west of the proposed project. In addition, the City’s Cloud Bus Route 4 also serves the area.

6. Community Services

The location has been determined to be accessible for the City's sanitation vehicles, which will service the location from the dumpster enclosure area accessible from W Pembroke Road.

The applicant is proposing the required ten-foot pedestrian path/sidewalk along W Pembroke Road. A new 5-foot sidewalk is proposed along NW 9th Avenue, as required.

7. Concurrency Evaluation

Staff has conducted a concurrency evaluation of the project relative to its impact on water, sewer, solid waste, drainage, recreation, and transportation. Staff has determined that concurrency requirements have been met.

The developer has submitted an Impact Evaluation Report as required by Section 32-788 that addresses each issue. The following is a summary of the expected impacts to the various public utilities for reference.

Groundwater Quality - This project will be designed in accordance with County, State, and Federal provisions for the protection of groundwater quality. This will include provisions required for water quality treatment, including on-site retention for the greater of one-inch (1") of runoff from the total project area or two and a half inches (2 ½") times the percent impervious as required by Broward County Chapter 27. In addition, the Federal NPDES guidelines will be incorporated in the design for the elimination of pollutant discharges during construction. The stormwater system proposed is a series of exfiltration trenches and pollution retardant devices in the catch basins with underground stormwater storage tanks.

Potable Water - According to the criteria in the Impact Evaluation Report, the development will generate the need for approximately 3,585 gallons of potable water per day (GPD). The City Water Plant's current capacity is 9 MGD. The City's current demand is about 6 MGD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$17,387.25 for water impact fees as required by Section 30-247 through Section 30-260 of the Code of Ordinances.

Wastewater – The City has a Large User Agreement with the City of Hollywood and several other communities for wastewater treatment. The wastewater demand for the project is 3,3585 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$ 24,485.55 for sewer impact fees.

The noted water and wastewater impact fees are estimates and are payable per Section 30-253 when the building permit is issued or when a request for capacity is made.

Community Facilities - The project is not expected to have any negative impact on the City's Community facilities.

School Facilities - This project contains no dwelling units; therefore, there are no impacts on school facilities.

Transportation System – A Traffic Study providing an analysis of the impact of the development as it relates to current and projected roadway usage and design capacities was conducted as required by the City’s Comprehensive Plan Transportation Element for projects generating 100 daily trips or more. The anticipated trip generation for this development is 461 external daily trips. The development will generate 19 new AM Peak Hour Trips and 32 new PM Peak Hour Trips. The City’s Transportation and Mobility (TAM) Department reviewed the Traffic Study. The Department commented that while the proposed redevelopment project will generate new trips and some impact to the roadway system, the subject site will not cause spillback onto the public right-of-way from its drive-through and concluded the additional new traffic from the development will not significantly impact or diminish the LOS.

Pursuant to the Broward County Trafficway Plan, Pembroke Road is required to be a minimum of 94 feet right-of-way. The existing right-of-way along Pembroke Road Street is 45 feet from the centerline. A 2-foot right-of-way dedication to meet the minimum of 47 feet from the center line on Pembroke Road is required.

The applicant has provided for the required street dedication discussed above on the proposed site plan.

8. Buildings and Structures

The proposed commercial and drive-through-use building has been designed to integrate with its surroundings and meets the intent of the Pembroke Road Subdistrict. The building’s placement, massing, and architectural character align with the district’s goals for urban form and transit-oriented development.

The project includes an 1-story building, which is permitted in this area and meets the minimum building height of 20 feet. The structure is compatible in scale, style, color, and texture with other commercial uses along Pembroke Road, including the commercial component to the Ashworth development to the east.

9. Energy Conservation/Green Building

This project must meet the City’s Green Building minimum standards at the Enhanced Level. The developer will be required to submit green building prerequisites and worksheets of the site and building design to the City before the building permit for the project is issued. The developer has agreed to meet the City’s Green Building requirements.

Impact Fees – Pursuant to Chapter 31, Section 31-6, of the Hallandale Beach Code of Ordinances, this Project, consisting of 5196 square feet of commercial space, and a 2305 square-foot drive through facility, is subject to the following fees:

Commercial Retail – 5,196 SF:

Fire Rescue	\$3,491.04
Law Enforcement	\$2,135.15

Parks & Recreation	N/A
Multi-Modal	\$10,665.34

Fast Food Restaurant w/Drive-Thru – 2,305 SF:

Fire Rescue	\$6,716.77
Law Enforcement	\$4,114.43
Parks & Recreation	N/A
Multi-Modal	\$72,764.24

TOTAL: \$99,886.96

Conditional Use Criteria

Pursuant to Section 32-964 of the Zoning and Land Development Code, applications for conditional uses shall be reviewed with consideration given to the following:

1. That the use is compatible with the existing natural environment and other properties within the neighborhood.

The proposed drive-through includes active façades, landscaping, and pedestrian connections that provide compatibility with the surrounding properties. The proposed development will enhance the aesthetic of the urban corridor along Pembroke Road.

2. That the use will create no substantial detrimental effects on property values in the neighborhood.

The proposed project will not adversely affect surrounding property values. The existing vacant property will have enhanced landscaping, pedestrian connections, and an active commercial space that will bring a positive change to the area.

3. That there are adequate public facilities such as schools, roads, parks and utilities within the service areas involved.

The site is supported by adequate public facilities and infrastructure, and the proposed project is not projected to cause any strain on city resources. The project will not place additional burdens on existing public resources.

4. That there will be adequate provisions for the traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

The design provides adequate queuing for the drive-through, preventing any build-up of cars along Pembroke Road. The property will have a wide pedestrian accessway along Pembroke Road and have adequate access to the rear parking.

5. That there will be adequate drainage systems to service the use with particular attention to the necessity for on-site retention systems to alleviate drainage and pollution problems.

The project will implement on-site stormwater management and retention systems in compliance with all drainage requirements. The design intends to contain stormwater on site and are not projected to negatively affect adjacent properties.

- 6. That there are adequate setbacks, buffering and general amenities in order to control any adverse effects of noise, light, dust and other nuisances.

The plans propose landscaped screening elements, including an 8'-0" green wall perimeter, that will minimize potential impacts from activities on the residential properties to the south.

- 7. That the land area is sufficient, appropriate and adequate for the use and for any reasonably anticipated expansion of the use.

The subject property provides sufficient land area for the proposed retail use and drive-through facility. Any future expansion would need to be reviewed under the Land Development Code to ensure adequate land area for increased footprint or building expansion.

- 8. Any other conditions as may be stipulated and made a requirement in granting any application for conditional use, when it is considered necessary to further the intent and general welfare, including, but not limited to:
 - Limitations on the hours of business operations.
 - Limitations on the number of occupants of any building at any one time.

Staff has reviewed the proposed retail and drive-through uses and does not find that restrictions on hours of operation are warranted for this project. The proposed uses are consistent with the surrounding area and are not anticipated to adversely impact adjacent properties based on operating hours. The maximum occupant load for the building shall be established by the Fire Marshal in accordance with applicable codes.

Variance Criteria

Pursuant to Section 32-925 (b) of the Zoning and Land Development Code, in order to authorize any variances to the terms of this chapter, the following criteria must be met:

- 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not generally applicable to other lands, structures, or buildings in the same zoning district.

The applicant proposes to construct a 7,500 square foot commercial building with a drive-thru facility. The proposal does not meet the minimum requirements for landscaped buffers, and the width of landscaped islands in the parking lot.

The applicant requests these variances due to site-specific constraints, including the required drive-through configuration, right-of-way dedication, and parking circulation. The full buffer width along the south property line cannot be accommodated without adversely impacting required parking and safe vehicular circulation.

2. The special conditions and circumstances do not result from the actions of the applicant.

The Broward County Trafficways Plan designates Pembroke Road as an arterial road with a required minimum of 94-foot right-of-way. To accommodate this standard, the Applicant is required to dedicate 2 feet of the property to widen the right-of-way. This required dedication affects the property's ability to meet the required landscaping buffer between the vehicle use area and the property boundaries, and the landscaped island width, while still providing adequate pedestrian paths, parking, sanitation, vehicle navigation, and general traffic circulation. The right-of way dedication does not result from actions taken by the Applicant.

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district.

The Applicant meets the minimum landscaped area. While the Applicant's proposed reduced landscaped island widths and landscaped buffer do not comply with the Code, the Applicant has attempted to align as closely as possible to the intent of the Code. For example, the applicant has opted to replace some paved areas, and wheel stops to accommodate a 2-foot-wide landscaped buffer between the drive-thru access and the parking spaces.

4. Literal interpretation of the provisions of this chapter would deprive the applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the applicant.

The literal interpretation of the provisions of this chapter would cause undue hardship for the Applicant, as the 2-foot required dedication, and 10-foot minimum sidewalk width has created constraints as it pertains to the width and depth of the subject property. The requested variances aim to assist the applicant in creating a viable site for development.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

The applicant has requested the minimum variances needed to make reasonable use of the subject property to align with their needs. The applicant has explored multiple iterations of the proposed site plan to reduce or eliminate requested variances to meet their minimum needs.

6. The grant of the variance will be in harmony with the general intent and purpose of this chapter.

The grant of the variances would be in harmony with the general intent as the variances are the minimum necessary for the applicant to make use of the property as proposed. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Why Action is Necessary:

Pursuant to Section 32-160.d(d)(4) of the Zoning and Land Development Code, Commission consideration of Major Development applications is required.

The proposal is requesting a Conditional Use Permit and a variance. Pursuant to Section 32-160, Section 32-964, and 32-965 of the Zoning and Land Development Code, City Commission consideration and action are required for applications requesting conditional use or variances.

Cost Benefit:

The estimated building permit fee for the project is approximately \$23,000, based on the estimated construction cost of \$1 million. The estimated market value is \$3.5 million. It is expected that the proposed development will generate approximately \$25,846 in ad valorem revenue, of which the City would receive \$1,228 and \$23,325 to the City's CRA the next year after obtaining a certificate of occupancy.

STAFF RECOMMENDATIONS:

Conditional Use Application – #CU-25-06035

The subject property is located within the West Regional Activity Center (RAC) zoning district, which is intended to support redevelopment into a vibrant mixed-use environment, and the proposed use is consistent with the intent of the RAC district, the City's Comprehensive Plan, and the overall vision for the Regional Activity Center land use designation. While staff generally does not encourage drive-through facilities within the RAC district, the proposed design addresses typical concerns, as the drive-through component is located internally to the site, is not visible from the primary street frontage, and does not detract from the building's presence along the primary street or the overall character of the corridor.

Variance Application – #V-25-06039

The applicant has revised the plans in response to staff and DRC comments. While minor variances related to landscaped parking islands and buffer requirements remain, all technical issues have been satisfactorily addressed, and no significant concerns remain.

Major Development Application – #DB-25-02932

The project site is located within the West RAC along Pembroke Road, an area planned to encourage and promote well-planned, suitable, and appropriate mixed-use developments along the Pembroke Road corridor. The proposal is consistent with the applicable zoning district, Comprehensive Plan, and long-range planning objectives. The project is expected to support economic activity, encourage reinvestment, and advance the City's vision for a vibrant mixed-use corridor.

In furtherance of the Comprehensive Plan, Zoning and Land Development Code, and other applicable City regulations, and based on the findings contained herein, Staff recommends that the City Commission approve the requests, subject to the following conditions:

1. Payment of the City's water impact fee in the amount of \$17,387.25.
2. Payment of the City's sewer impact fee in the amount of \$24,485.55.
3. Payment of other City Impact fees in the amount of \$99,886.96
4. Installation of sidewalks and landscaping improvements along Pembroke Road, as shown on the plans.
5. One (1) electric vehicle charging station shall be provided as reflected in the plans, and two (2) parking spaces shall be EV-capable.
6. Compliance with the Green Building requirements at the Enhanced level.
7. The Applicant shall contract with the City for roll-out service by the Sanitation Division for servicing the dumpster/trash disposal.
8. Prior to the issuance of the building permit, a Unity of Title, in a form acceptable to the city attorney, shall be recorded in the public records of Broward County, Florida.
9. Prior to the issuance of the Building Permit, the Applicant shall provide a 2-foot right-of-way dedication as illustrated on plans along Pembroke Road in a form acceptable to the City Attorney.
10. No monument signs shall be permitted on the subject property.
11. If the proposed drive-through component is utilized for a restaurant drive-through use, the drive-through operation shall not be open to the public, and no orders shall be taken or fulfilled, between the hours of 10:00 p.m. and 6:00 a.m. daily.
12. The applicant shall coordinate with City staff regarding the design, location, and operation of the ramp located near the intersection of Pembroke Road and NW 9th Avenue. If modifications to the ramp location or configuration are determined to be infeasible, the applicant shall install signage, subject to staff review and approval, identifying the location and access point of the ramp.

PROPOSED ACTION:

The City Commission considers the attached Resolution.

ATTACHMENT(S):

- Exhibit 1 – Proposed Resolution
- Exhibit 2 – May 12, 2026, Planning and Zoning Board Cover Memo
- Exhibit 3 – Aerial Map
- Exhibit 4 – Location Map
- Exhibit 5 – Applicant's Letters and Backup
- Exhibit 6 – City Traffic Report
- Exhibit 7 – Presentation
- Exhibit 8 - May 12, 2026, Planning and Zoning Board Minutes

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