



City of Hallandale Beach

PLANNING AND ZONING BOARD

400 S. Federal Highway
Hallandale Beach, FL 33009
www.cohb.org

Chair, Kuei Kang (Charles) Wu
Vice-Chair, Howard Garson
Boardmember Danny Kattan
Boardmember Terri Dillard
Boardmember Rick Levinson

Liaison, Christy Dominguez
Liaison Dept. Director, Vanessa Leroy

Meeting Minutes

Thursday, October 06, 2022

6:00 PM

Commission Chambers

1. CALL TO ORDER

The Planning and Zoning Board Meeting was called to Order by Chair Charles Wu at 6:10 p.m.

2. ROLL CALL

Present:

*Chair, Kuei Kang (Charles) Wu
Vice-Chair, Howard Garson
Board member, Terri Dillard
Board member, Rick Levinson
Board member, Danny Katan*

Staff

*Board Liaison: Christy Dominguez
Board Secretary: Laura Mass
Supporting Staff Steven Williams,
City Attorney's Representative: Elizabeth S. Loconte, Assistant City Attorney*

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

- A. Draft of the Meeting Minutes August 31, 2022

Mr. Garson: requested that his comments made at the previous meeting be reflected in these minutes.

MR. LEVINSON MOVED TO APPROVE THE MINUTES OF THE AUGUST 31, 2022, PLANNING AND ZONING BOARD MEETING AND INCLUDE AMENDMENTS MADE BY MR. GARSON.

MS. GARSON SECONDED THE MOTION.

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

5. BOARD/COMMITTEE BUSINESS

- A. Application # CU-22-00551 by Higher Ground, Inc. requesting a Conditional Use Permit pursuant to Section 32-144(c)(1) of the Hallandale Beach Code of Ordinances in order to convert the existing church buildings into the Guidepost Montessori School complex and operate a portion of the school within the RAC Neighborhood Zoning District. The property is located at 214 East Hallandale Beach Boulevard.

Polling of Ex-Parte Communications (Board Secretary)

Board Secretary read the quasi-judicial statement into the record on the items listed on the agenda and polled the Planning and Zoning Board regarding ex-parte communications.

Mr. Levinson confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.

Mr. Garson confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.

Mr. Kattan confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.

Ms. Dillard confirmed and disclosed all ex-parte communication and confirmed her decision would be based solely on the testimony presented at the meeting.

Mr. Wu confirmed and disclosed all ex-parte communication and confirmed his decision would be based solely on the testimony presented at the meeting.

Swearing in of Witnesses (Board Secretary)

Board Secretary swore in City staff, the applicant, and any other members of the audience who would give testimony during the evening's proceeding.

Mr. Wu read the script into the record.

Ms. Dominguez, Planning and Zoning Manager, provided a PowerPoint presentation and overview of the item.

Mr. Levinson: had a question regarding the second condition, which mentions the agreement between staff and the applicant concerning fulfilling the operational plan. If not, it should be added to that condition that the city would make any final determination.

Ms. Dominguez: replied, as mentioned in the condition, the applicant must comply with the Operational Plan. The applicant could request modifications which would be subject to approval by the staff.

Mr. Levinson: Inquired about the condition related to monitoring for 60 days at the time of drop-off/pick-up. He asked on what basis would 60 days be considered 60 days a sufficient period to determine the hiring of an off-duty police officer during those hours. He further added to consider extending the review time.

Mrs. Domínguez: informed that as it happened in the past, typically, during the first 60 days, issues may arise.

Mr. Wu: suggested adding the FDOT requirements mentioned on the staff report to the approval conditions. Such as the installation of diverters.

Mr. Wu: added that the report to the City Commission should include that it is not unknown that there used to be a non-conforming use school in this church in the past.

Mr. Wu: asked to clarify the maximum number of students allowed as mentioned in condition #3.

Mr. Rod Feiner, the Applicant Representative: later confirmed that the correct number was 253 students.

Mr. Levinson: expressed his concern regarding traffic flow on Hallandale Beach Blvd.

Mr. Michael Miller, the City Traffic Consultant: explained that 2nd Terrace would be the only place parents could queue from the south or the north. He added that parents would be advised to come from the north and cue from Hallandale Beach Blvd across the front of the property, do the drop-off, and exit the site. He added that, unlike other schools, the Montessori school has a different operation plan from the traditional schools, offering various options for drop-offs and pick-ups.

Mr. Miller: also added that a change was made to the initial plan regarding the parking and queuing areas. They were moved to the south as far as possible from Hallandale Beach Boulevard, along with the construction of a sidewalk, which FDOT experts also analyzed.

Mr. Levinson: asked for another option other than queuing on Hallandale Beach Boulevard.

Mr. Miller: responded that the school wants to encourage parents not to congest and disrupt the neighborhood area.

Mr. Wu: inquired about the diverters required by FDOT.

Mr. Garson: commented that parents might try to come from the south area to avoid traffic, which would create a conflict for the residents of that area. He asked how this issue would be addressed.

Mr. Miller: responded that the local streets have a low volume traffic.

Ms. Dillard: asked if the project would have play areas.

Ms. Dominguez: confirmed, yes.

Mr. Wu: inquired about the condition that requires 20 ft widening of the street, which he does not consider ideal because only the frontage of the property would be enlarged, but the rest would remain the same, which is wide enough already.

Mr. Miller: stated that the roadway would be expanded as this area redevelops.

Mr. Kattan: stated that projects such as this school could be attractive and thus speed up this redevelopment process.

Mr. Feiner: introduced himself and addressed some of the questions regarding the first condition; he stated that it would be stipulated that staff can revoke the CO if no agreement is reached. Concerning the road widening, he commented that this is something that the city traffic consultant, the project consultant, and FDOT agreed on, and that this would be the best option to facilitate two-lane traffic.

Mr. Wu: closed the floor to public participation.

Ms. Alma Reza, Higher Ground Staff: made a company PowerPoint presentation and further explained the Guidepost Montessori program.

Mr. Levinson: asked why they wanted to open this school less than half a mile away from another Montessori school.

Ms. Reza: stated that, unlike other Montessori schools that only focus on preschool, this school will also offer elementary.

Mr. Kattan: asked if this would be a for-profit school?

Ms. Reza: confirmed, yes and further added that they rely on tuitions.

Mr. Levinson: asked if they would offer scholarships?

Ms. Reza: confirmed, yes, and advised that they will offer different levels of financial support focused on the need of the families.

Mr. Kattan: asked if residents of Hallandale Beach would have priority for registration.

Mr. Feiner: confirmed, yes.

Mr. Feiner went back to PowerPoint presentation.

Mr. Karl Peterson, Applicant's Traffic Consultant: explained further details of the queuing process and wrapped up the presentation.

Mr. Levinson: expressed his concern about traffic backing up on Hallandale Beach Blvd.

Mr. Peterson: stated that after the study carried out to obtain the approval of the state, in which both FDOT and Broward County were involved, this concern was raised, and it was concluded that the initial plan should be redesigned to have the queuing area furthest south of Hallandale Beach Boulevard.

Mr. Levinson: asked if a school zone will be required.

The applicant, Mr. Feiner: stated that is not required by State law.

Ms. Dominguez: stated that a school zone study was requested by staff to Broward County, which determined that it was not necessary.

Mr. Wu: opened the floor to public participation.

Ms. Pamela Niemiec, (Hallandale Beach, FL): expressed her concern regarding traffic, garbage area and noise disturbance. She stated that a petition will be submitted.

Pastor Matt Jacobs, (Hallandale Beach, FL): expressed his support for this project and for the work that the school is going to carry out.

Mr. Feiner: stated his commitment to notify area residents and meeting with them to address their concerns.

Mr. Garson: explained that he supports this project but does not ignore his concern about the traffic problem it could cause.

Mr. Wu: closed the floor to public participation.

MR. GARSON MOVED TO RECOMMEND APPROVAL OF THE APPLICATION # CU-22-00551 BY HIGHER GROUND, INC. REQUESTING A CONDITIONAL USE PERMIT PURSUANT TO SECTION 32-144(C)(1) OF THE HALLANDALE BEACH CODE OF ORDINANCES IN ORDER TO CONVERT THE EXISTING CHURCH BUILDINGS INTO THE GUIDEPOST MONTESSORI SCHOOL COMPLEX AND OPERATE A PORTION OF THE SCHOOL WITHIN THE RAC NEIGHBORHOOD ZONING DISTRICT. THE PROPERTY IS LOCATED AT 214 EAST HALLANDALE BEACH BOULEVARD SUBJECT TO THE FOLLOWING CONDITIONS:

1. The approved school must remain in compliance with the Operational Plan. Should noncompliance occur then the Director of the Sustainable Development Department (DSD) shall provide the approved school notice of non-compliance and school shall comply with the Operational Plan in a timely basis. Should compliance with the Operational Plan not be possible then the approved school shall work with the DSD to amend the Operational Plan in a manner which is reasonably acceptable to the DSD and the approved school.
2. The City will monitor any adverse traffic effects from the school operation for the first 60 days, in which case, the City shall provide notice and may require the hiring of off-duty police officer(s) at applicant's expense during peak drop-off and pick-up times, until such time traffic impacts are addressed. At any time if the School Operation Plan presents a problem, staff shall work with the applicant for modifications to the School Operational Plan. The staff may revoke the Certificate of Use in case of noncompliance with the Operational Plan or failure of agreement of an amendment to the Operational Plan.
3. The school shall be limited to a maximum of 253 students. The restriction on the number of students with stipulated conditions thereof shall be stated in a recorded agreement in a form acceptable to the City Attorney.
4. Applicant shall provide a 12.5 feet right-of-way dedication for SE 2nd Terrace prior to the issuance of the building permit for the project.
5. The applicant shall be responsible for the widening of the roadway and installation of sidewalks and other off-site improvements as depicted on the plans.
6. Signage for the school shall be in compliance with Section 32-606 of the City's Land Development Code.

7. Approval shall be limited to only this applicant / Montessori type school and is not assignable to others without the City's knowledge and prior written consent. The City shall reserve the right to re-examine future land uses and require a new Operational Plan if a different type of school is proposed.
8. The SE 2 terrace connection on the south side of East Hallandale Beach Blvd. shall be channelized to physically prohibit left turning movements to and front SE 2nd terrace per FDOT's condition.
9. The school shall provide an affidavit to DSD the staff on the anniversary of the Certificate of use attesting the student count on an annual basis.
10. The school shall provide registration priority for Hallandale Beach residents.

MS. DILLARD SECONDED THE MOTION.

MOTION PASSED BY A ROLL CALL VOTE (4-1) (Mr. Levinson-No)

Mr. Levinson: explained that he did not vote for the project, as he is concerned about traffic flow.

- B. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE; AMENDING DIVISION 3. – FORM-BASED ZONING DISTRICTS; SUBDIVISION I. – CENTRAL RAC DISTRICT; AMENDING SECTION 32-193. – ALLOWABLE USES RELATIVE TO CENTRAL RAC SUBDISTRICTS; AMENDING SECTION 32-199. – FASHION/ART/DESIGN SUBDISTRICT STANDARDS RELATIVE TO PARKING REQUIREMENTS AND DESIGN FOR EXISTING AND NEW DEVELOPMENT; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Dominguez: Planning and Zoning Manager, provided a PowerPoint presentation and overview of the item.

Mr. Kattan: inquired about incentives for Mixed-use projects.

Ms. Dominguez: stated that mixed use is permitted in the FADD District. The Ordinance would prohibit only single-family homes and duplex structures.

Mr. Wu: inquired about non-conforming uses existing in the area since this code change will not allow single-family homes and Duplexes.

Ms. Dominguez: informed that there are four existing single-family homes on the east side of NE 2nd Avenue.

Mr. Wu: asked if the affected property owners were notified about the non-conforming use.

Ms. Dominguez: confirmed, yes.

Mr. Wu: suggested staff contact property owners and explain the code change in more detail.

Mr. Wu: asked if there is an existing public parking lot in the area that could mitigate the proposed parking reductions.

Ms. Dominguez: replied, yes.

Mr. Wu: advised that it is important to include in the report for City Commission that the CRA Department supports this code change.

Mr. Wu: opened the floor to public participation.

No Public Speakers.

Mr. Wu: closed the floor to public participation.

MR. LEVINSON MOVED TO RECOMMEND APPROVAL OF ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE, AMENDING DIVISION 3. – FORM-BASED ZONING DISTRICTS; SUBDIVISION I. – CENTRAL RAC DISTRICT; AMENDING SECTION 32-193. – ALLOWABLE USES RELATIVE TO CENTRAL RAC SUBDISTRICTS; AMENDING SECTION 32-199. – FASHION/ART/DESIGN SUBDISTRICT STANDARDS RELATIVE TO PARKING REQUIREMENTS AND DESIGN FOR EXISTING AND NEW DEVELOPMENT; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

MR. GARSON SECONDED THE MOTION.

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

- C. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE CITY OF HALLANDALE BEACH COMPREHENSIVE PLAN TO INCORPORATE THE SAFE NEIGHBORHOOD DISTRICT PLANS OF THE GOLDEN ISLES SAFE NEIGHBORHOOD DISTRICT AND THE THREE ISLANDS SAFE NEIGHBORHOOD DISTRICT; PROVIDING FOR ADOPTION AND TRANSMITTAL OF THIS COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CITY OF HALLANDALE BEACH COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Dominguez, Planning and Zoning Manager provided a PowerPoint presentation and overview of the item.

Mr. Wu: asked the Board members present to disclose their participation, if any, in the Golden Isles and Three Islands Safe Neighborhood Committee committees.

Mr. Garson: stated that he is the Vice-Chair of the Three Islands Safe Neighborhood District Committee.

Mr. Levinson: stated that he is the Chair of the Golden Islands Safe Neighborhood District Committee.

Mr. Kattan: stated that he is a board member of the Golden Islands Safe Neighborhood District Committee.

Elizabeth S. Loconte, Assistant City Attorney: stated that the participation of these board members in the two different committees would not affect the decision made at this meeting.

Mr. Garson: pointed up a discrepancy concerning Three Islands District regarding the Location and Boundaries section mentioned on the report. The written description notes that the entrance to the district is approximately in the 700 block of Three Islands Blvd. However, he would consider that the correct location would be in the 300 block of Three Islands Blvd.

Ms. Dominguez: answered that any amendment or correction could be presented to the Board of Directors Meeting for consideration to be held on October 19, 2022.

Ms. Dominguez: further added that the actual Neighborhood Plans would not be incorporated or adopted into the Comprehensive Plan, they are only referenced in the proposed policy.

Mr. Wu: commented regarding the Golden Isles district; there was a considerable decrease in the population by 27% in the past ten years. He expressed that this could represent a red flag and asked if this might be related to demolitions.

Mr. Kattan: suggested that this could be attributed to properties that have been sold and are currently being used for vacation rentals, such as Airbnb.

Mr. Wu: commented that there is an approved Traffic Calming Master Plan for Three Islands, but it is not referenced in the report. He also asked if this was the first time that these plans were prepared.

Mr. Garson: confirmed that in fact there is a Traffic Calming Plan that was approved by the Three Islands Safe Neighborhood District Board.

Ms. Dominguez: stated that this is the first time a policy referring to the two Safe Neighborhoods is incorporated into the Comprehensive Plan.

Mr. Wu: asked if this Traffic Calming Master Plan, which has already been prepared and approved, could be included at the time of review and adoption of the plans.

Mr. Levinson: stated that if these plans are not in place and if an improvement plan update is not adopted, safe neighborhood districts would cease to exist.

Ms. Dominguez: explained that the item before the Board for action this evening is an amendment to the Future Land Use Element referring to the Safe Neighborhood District Plans and not adopting them.

Ms. Dominguez: further added that according to the statutes, the plans are required to be updated and can be amended. At this point, the reports are a draft; thus, changes could be made until the Board of Directors adopts them at the City Commission meeting on October 19th.

Mr. Wu: had an inquiry regarding the report's Proposed City Capital Improvement Project section; he asked if the City would fund the Traffic Calming Project.

Mr. Williams, Assistant Director: explained that the projects cited in that section of the report referred to Public Works Projects and advised that the City Consultant will be able to make any clarifications of these plans at the City Commission on October 19th.

Mr. Wu: opened the floor to public participation.

No Public Speakers.

Mr. Wu: closed the floor to public participation.

MR. KATTAN MOVED TO RECOMMEND APPROVAL OF AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE CITY OF HALLANDALE BEACH COMPREHENSIVE PLAN TO INCORPORATE THE SAFE NEIGHBORHOOD DISTRICT PLANS OF THE GOLDEN ISLES SAFE NEIGHBORHOOD DISTRICT AND THE THREE ISLANDS SAFE NEIGHBORHOOD DISTRICT; PROVIDING FOR ADOPTION AND TRANSMITTAL OF THIS COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CITY OF HALLANDALE BEACH COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

MR. LEVINSON SECONDED THE MOTION.

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

6. REMARKS BY THE CHAIR

Mr. Wu: requested to add the attendance sheet of the board as a separate document.

7. LIAISON'S REPORT

Ms. Dominguez: provided a verbal report and reminded the Board Members that the Board's Annual Report would be presented to the City Commission on October 17, 2022.

8. SCHEDULING OF NEXT MEETING

Wednesday, October 26, 2022

9. ADJOURNED

There being no further business to discuss before the Planning and Zoning Board, the meeting adjourned without objection at 9:07 p.m.

RECORDED: RESPECTFULLY SUBMITTED:

Chair, Charles Wu

ATTEST:

Christy Dominguez, Liaison

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 Board meeting, summarized above, should be submitted to the Planning & Zoning Division at or can be mailed to 400 South Federal Highway, Hallandale Beach, Florida 33009.

DRAFT