

**DRAFT**

**PLANNING AND ZONING BOARD (PZB) PUBLIC HEARING SUMMARY  
WEDNESDAY, SEPTEMBER 28, 2016  
CITY HALL, COMMISSION CHAMBERS  
HALLANDALE BEACH, FLORIDA**

**ATTENDANCE ROLL CALL:****2016 PZB Attendance**

Board Members	1/28	2/24	3/1	3/23	4/27	5/25	6/8	6/22	7/27	8/31	9/28	10/26	11/30	12/28
Sheryl Natelson - Chair	A	A	P	P	P	CANCELLED	P	CANCELLED	P	CANCELLED	T			CANCELLED
Terri Dillard- Vice Chair	A	P	P	A	P		A		P		A			
Csaba Kulin	P	P	P	P	A		A		A					
Charles Wu	A	P	P	P	A		A		P		P			
Alexander Lewy	A	A	P	P	P		P		P		P			
Howard Garson	A	P	P	P	P		P		P		P			
Leslie Wynne	P	A	P	P	P		P							
Harriett Ginsberg- Alter	P	A	P	P	P		P		P		P			
<b>Total Members Present</b>	2	5	7	7	6		5		6					
<b>Total Members Absent</b>	6	3	1	1	2		3		1					

Present (P)

Absent: (A)

Tardy: (T)

 Un-appointed

 Special Meeting
**Staff in Attendance:**

Althea Jefferson

Christy Dominguez

Vanessa Leroy

Cindy Bardales

Joy Murray

Christopher Saunders

1  
2 **1. CALL TO ORDER**

3  
4 ~~Mr. Wu called the meeting to order at 6:42 P.M.~~

5  
6 **2. ROLL CALL**

7  
8 ~~Ms. Natelson and Ms. Dillard were absent.~~

9  
10 **3. PLEDGE OF ALLEGIANCE**

11  
12 ~~Ms. Natelson arrived at 6:43 P.M.~~

13  
14 **4. APPROVAL OF MINUTES**

15  
16 ~~MR. GARSON MOVED TO APPROVE THE MINUTES OF THE JUNE 22, 2016~~  
17 ~~PLANNING AND ZONING BOARD HEARING.~~

18  
19 ~~Mr. Wu: asked for changes to be made in lines 486 and 507 roll call vote to read as (2-~~  
20 ~~3) instead of (3-2).~~

21  
22 ~~MR. LEWY SECONDED THE MOTION.~~

23  
24 ~~MOTION PASSED BY A ROLL CALL VOTE (5-0).~~

25  
26 **5. NEW BUSINESS**

27  
28 ~~Ms. Natelson: asked for a motion by the Board to move item 5.C Code Amendment Grey~~  
29 ~~Hound Track second on the agenda.~~

30  
31 ~~**MS. DILLARD MOTIONED TO AMEND THE AGENDA ITEM 5.C, CODE AMENDMENT**~~  
32 ~~**RELATIVE TO THE GREYHOUND TRACK BE PLACED SECOND ON THE AGENDA.**~~

33  
34 ~~**MR. LEWY SECONDED THE MOTION.**~~

35  
36 ~~**MOTION PASSED BY A ROLL CALL VOTE (6-0).**~~

- 37  
38 1. Applications # LDC- 16-02977 and # Z-16-03243, Amending Chapter 32, Article III of  
39 the Zoning and Land Development Code, Figure 32-192(a) Central RAC Regulating  
40 Plan, rezoning property located at 720 South Federal Highway, and more particularly  
41 described in attached Exhibit "A", from Transit Core Subdistrict to RAC Corridor  
42 Subdistrict; and amending the City's Official Zoning Map to extend the RAC Corridor  
43 Transition Area to include same subject property; providing for conflict; providing for  
44 severability; providing for codification; and providing an effective date.

45  
46 **Swearing in of Witnesses (Assistant City Attorney)**  
47

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

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

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

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

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

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

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

Ms. Jefferson stated before starting her presentation she would like to point out that Application #V-16-03116, a variance request by the Archdiocese of Miami for the property located at 123 NW 6th Avenue was being pulled from the agenda at the request of the applicant; they have agreed to amend their building plans to meet Code.

2. *Application #V-16-03116, a variance request relative to Section 32-335(c)(1) submitted by Archdiocese of Miami for the property located at 123 NW 6th Avenue. The applicant is requesting variance approval in accordance with Section 32-965 of the City of Hallandale Beach Code of Ordinances, to erect a 6 foot high fence in the front yard, where a maximum height of 5 feet is permitted. (Item Pulled)*

Ms. Natelson acknowledged Application # V-16-03116 will not be heard, hereby pulled from the agenda.

Ms. Jefferson provided a PowerPoint presentation and gave a brief summary of the item.

Ms. Jefferson advised that the second page on the staff report was amended with corrections made to the parcel site data.

Ms. Janna Lhota, Attorney (515 East Las Olas Boulevard, Suite 1200 Fort Lauderdale, FL 33301) stated she was representing the applicant and agreed to conditions provided by staff.

Ms. Lhota: further stated that the applicant had no intent of changing the existing use of the property.

Denise Gagnon (45 Palm Drive Hallandale Beach, FL 33009): stated she has been a tenant 23 years and would like to know if she was being kicked out of the property?

Ms. Lhota: clarified and emphasized that the property is not being redeveloped or have any current proposed development at this time.

Ms. Natelson opened the Public Hearing.

Board Secretary (translated/Spanish) asked if anyone in the audience would like to speak or had questions regarding the item being presented.

There were no speakers.

Ms. Bernadette Levine (720 S. Federal Highway/19 Cactus Avenue): pointed out activity she had seen going on in the mobile park. She advised they need to start issuing background checks on people staying in these trailers. Owners of the mobile homes are renting out their mobile homes like they would a motel, on a day to day basis, which should not be allowed.

Ms. Levine: asked what the City is doing to regulate the vacation rentals? She suggested the City investigate how residing in these trailer.

Mr. Lewy: stated that the City is currently working on an ordinance regarding hotel rentals. He advised Ms. Levine address her complaints to the Code Enforcement Division and City Commissioners.

Ms. Natelson closed the Public Hearing.

**MR. LEWY MOTIONED BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED AMENDMENT TO THE OFFICIAL ZONING MAP TO INCLUDE A PORTION OF THE PROPERTY LOCATED AT 720 SOUTH FEDERAL HIGHWAY WITHIN THE RAC CORRIDOR TRANSITION AREA AND AMENDMENT OF CHAPTER 32, ARTICLE III OF THE ZONING AND LAND DEVELOPMENT CODE TO REZONE THE SAME PORTION OF THE PROPERTY FROM THE SUBDISTRICT TO RAC CORRIDOR SUBDISTRICT SUBJECT TO THE CONDITIONS PROVIDED BY CITY ADMINISTRATION**

MR. GARSON SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

~~Application# DB-16-2170 by HBC Medical Holding LLC requesting Major Development Plan approval pursuant to Section 32-382 of the Zoning and Land Development Code in order to construct the HBC Medical Center, a three (3) story 25,089 square feet medical building at the property located at 411 N. Dixie Highway.~~

**~~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.~~

**~~Polling of Ex Parte Communications (Board Secretary)~~**

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

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

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

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

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

~~Ms. Dominguez: provided a PowerPoint presentation and gave a brief summary of the item.~~

~~Ms. Natelson: asked if applicant agreed to all conditions?~~

~~Ms. Dominguez: stated yes.~~

~~Mr. Garson: asked what the Board would be voting on?~~

~~Ms. Dominguez: stated that the deficiencies referred to in the staff report would fall under the Redevelopment Area Modification (RAM) Application, which the Board will not be voting on. She added that the Board would be voting only on the Major Development Application.~~

~~Nicolae Popescu, Applicant (1920 E. Hallandale Beach Blvd., Suite 908): presented a rendering of the project which provided the streetscape being proposed. He pointed out~~

how they intent was to follow our City Design Guidelines, they are a bit short on landscaping but will provide 10 additional trees than required.

Mr. Wu: asked if landscaping would be provided on one side or both sides of the street?

Mr. Popescu: stated that staff recommendation was on one side of the street and the same requirement applies to the Fire Station and the adjacent property.

Ms. Natelson opened the Public Hearing.

Natasha Alcegueire (404 N.W. 2<sup>nd</sup> Avenue Hallandale Beach, FL 33009): asked if the City had looked into what would be the traffic impacts be for not only the project being presented but when the fire station is built?

Mr. Popescu: stated that a traffic study was conducted which provided information on how traffic will not be affected.

Dr. Tom Joule (409 N. Dixie Hwy. Hallandale Beach, FL 33009): stated that they were looking into opening a deli/restaurant next to the property being discussed and had Health Department concerns due to the dumpster location being adjacent to their outdoor courtyard.

Ms. Dominguez: stated that the Development Review Committee has discussed the dumpster enclosure being moved and the location proposed by Dr. Joule was not acceptable. It raised concerns for the Police and Sanitation Departments.

Mr. Lewy: pointed out that he was viewing Dr. Joule's property from Google Earth which looked like auto repair shop.

Dr. Joule: stated that the business has not opened currently.

Ms. Natelson closed the Public Hearing

**MR. GARSON MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED, HE MOVED TO RECOMMEND APPROVAL TO THE CITY COMMISSION OF APPLICATION 2016-02184-DB FOR MAJOR DEVELOPMENT REVIEW PURSUANT TO SECTION 32-782 OF THE HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE IN ORDER TO BUILD THE PROPOSED DEVELOPMENT AT 411 NORTH DIXIE HIGHWAY SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY ADMINISTRATION.**

**MR. LEWY SECONDED THE MOTION.**

**MOTION PASSED BY ROLL CALL VOTE (4-0).**

3. ~~Application # DB-16-2870, by Icebox Café RE, LLC requesting Major Development Plan approval pursuant to Section 32-382 of the Zoning and Land Development Code in order to construct the Icebox Culinary Center and Café, a 14,100-square foot one-story culinary center, greenhouse and restaurant at the property generally located at 219 NE 3<sup>rd</sup> Street.~~

**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.

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

Board Secretary polled the Planning and Zoning Board regarding Ex Parte Communications:

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

~~Mr. Lewy advised that he had Ex Parte Communications regarding this matter. He advised he discussed with applicant. He advised that he would base his decision solely on the testimony being presented.~~

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

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

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

Ms. Dominguez provided a Powerpoint presentation and gave a brief summary of the item.

Mr. Garson: asked if there would be providing any benches?

Ms. Dominguez: stated a wall seating area is proposed in the public plaza in lieu of benches along 3<sup>rd</sup> Street.

Robert Siegmann, Applicant (6861 S.W. 89<sup>th</sup> Terrace, Miami, FL 33156): introduced himself and advised that he currently operates Icebox Café at 913 S.W. 8<sup>th</sup> Avenue, and the project proposed would allow them to expand his business. He expanded on the amenities that would be provided in the project and the job opportunities it would bring to our community.

Ms. Janna Lhota, Attorney (515 East Las Olas Boulevard, Suite 1200 Fort Lauderdale, FL 33301) provided a powerpoint presentation on the design of the project. She explained the RAM waivers and site constraints of the property.

Ms. Lhota: advised that the applicant would consider a masonry wall instead of a wood fence provided that the civic and open space remains open.

Ms. Natelson opened the Public Hearing.

Theresa S. Rich (208-210 N.E. 4<sup>th</sup> Street Hallandale Beach, FL 33009): stated that the project being discussed abuts her property. She advised that the property being discussed is surrounded by residential properties.

Ms. Rich: stated that she and neighbors have signed a petition (Exhibit "A") requesting to include a condition requiring on 8 foot wall which would provide privacy, noise and safety to the residential properties surrounding the project.

Mr. Wu: stated that an 8 foot wall will not serve the purpose.

Ms. Dominguez: interjected and advised that 6 feet is the maximum height permitted by code.

Steven S. Sorensen, Developer's Consultant (555 N.E. 15<sup>TH</sup> Street, Suite 22, Miami, FL 33132): introduced himself and advised that would be planting an 8' foot hedge that would solve Ms. Rich's concerns.

Ms. Natelson closed the Public Hearing.

**MR. LEWY MOVED THAT BASED ON THE COMPETENT AND SUBSTANTIAL EVIDENCE PRESENTED, HE MOVED TO RECOMMEND APPROVAL TO THE CITY COMMISSION OF APPLICATION 2016-2870-DB AT 219 NE 3<sup>RD</sup> STREET FOR MAJOR DEVELOPMENT REVIEW PURSUANT TO SECTION 32-782 OF THE HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE SUBJECT TO THE CONDITIONS RECOMMENDED BY CITY ADMINISTRATION AND WITH THE FOLLOWING MODIFICATIONS:**

**A. REMOVE CONDITION # 7 REQUIRING 7 BENCHES BE INSTALLED IN THE PUBLIC PLAZA.**

**B. PROVIDE HEDGES ALONG THE MASONRY SEAT WALL IN THE PUBLIC PLAZA.**

MR. GARSON SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

4. An Ordinance of the Mayor and City Commission of the City of Hallandale Beach, Florida, Amending Chapter 32, Zoning and Land Development Code, Division 20,

~~“Temporary Uses”, increasing the annual frequency which the City may grant Temporary Use Permits for multifamily, commercial, and civic establishments from four times annually to six times annually, and increasing the frequency which the City may grant sidewalk sales permits from twice annually to three times annually; providing for codification; providing for conflict; providing for severability; and providing for an effective date.~~

~~Ms. Jefferson provided a presentation and gave a brief summary of the item.~~

~~Ms. Natelson opened the Public Hearing.~~

~~There were no speakers.~~

~~Ms. Natelson closed the Public Hearing.~~

~~**MR. WU MOVED THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED ORDINANCE AMENDING THE TEXT OF CHAPTER 32, DIVISION 20 OF THE ZONING AND LAND DEVELOPMENT CODE WHICH WILL LIMIT TEMPORARY USE PERMITS FOR SINGLE FAMILY RESIDENCES TO FOUR PER FISCAL YEAR; SIX PER FISCAL YEAR FOR MULT-FAMILY AND NON RESIDENTIAL USES; AND LIMIT PERMITS FOR SIDEWALK SALES TO EVERY FOUR MONTHS RATHER THAN EVERY SIX MONTHS.**~~

~~MR. GARSON SECONDED THE MOTION.~~

~~MOTION PASSED BY ROLL CALL VOTE (4-0).~~

~~5. An Ordinance of the Mayor and City Commission of the City of Hallandale Beach, Florida, Amending Chapter 32 Zoning and Land Development Code; Article 5, Development Review Procedures; Section 32-786, site plan review submission requirements, to add 3-D Renderings to the list of required items to be submitted for site plan review, and amending the Section to authorize the City Manager to review modifications of submissions; providing for conflict; providing for severability; providing for codification; and providing an effective date.~~

~~Ms. Jefferson provided a presentation and gave a brief summary of the item.~~

~~Mr. Garson: asked if this regulation would apply to existing project or previously approved?~~

~~Ms. Jefferson: stated it would apply to new projects.~~

~~Mr. Wu: suggested using word such as “3D isometric rendering” instead of 3D which is vague and misleading.~~

~~Mr. Wu: added that a time frame should be added to clarify to applicant what is their deadline.~~

Ms. Jefferson: agreed and advise she would amend ordinance to request.

Ms. Natelson opened the Public Hearing.

There were no speakers.

Ms. Natelson closed the Public Hearing.

**MR. WU MOVE THAT THE PLANNING AND ZONING BOARD RECOMMEND APPROVAL OF THE PROPOSED ORDINANCE AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE; ARTICLE 5, DEVELOPMENT REVIEW PROCEDURES; SECTION 32-786, SITE PLAN REVIEW SUBMISSION REQUIREMENTS, TO ADD 3-D RENDERINGS TO THE LIST OF REQUIRED ITEMS TO BE SUBMITTED FOR SITE PLAN REVIEW WITH THE FOLLOWING AMENDMENTS:**

**A. SPECIFICATION OF 3D ITEM TO INCLUDE ISOMETRIC RENDERING**

**B. INCLUDE A DEADLINE OF SUBMITTAL OF THE FINAL RENDERING TO THE PLANNING AND ZONING DIVISION**

MR. LEWY SECONDED THE MOTION.

MOTION PASSED BY ROLL CALL VOTE (4-0).

### **MANAGER'S REPORT**

A. Discuss 2017 Planning and Zoning Meeting Dates

B. Proposing Paperless Planning and Zoning Board Meeting Agendas

Ms. Jefferson stated that item A & B listed below the Manager's Report will be discussed further at the November Planning and Zoning Meeting, which will give the Board time to review dates being considered.

Mr. Wu: stated that he agreed with wanting to go paperless. However, he felt full plans give an overview of the project and it is easier to review a hardcopy instead of reviewing plans through a computer.

Ms. Jefferson: stated she would contact IT Department for possible FTP sites and would advise the outcome at our next meeting.

### **7. NEXT SCHEDULED MEETING**

November 30, 2016

**Meeting adjourned at 9:25 P.M.**

A 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, Attn: Althea P. Jefferson, Hallandale Beach, Florida 33009.