

**PLANNING AND ZONING BOARD MEETING  
WEDNESDAY, JUNE 24, 2009  
CULTURAL COMMUNITY CENTER,  
410 SE 3 STREET, HALLANDALE BEACH, FL 33009**

**Members Present**

**Attendance**

Michael Butler	N (excused)
Terri Dillard (Alternate)	Y
Seymour Fendell	Y
Sheryl Natelson	Y
Irwin Schneider	N (excused)
Eudyce Steinberg	Y
Armin Lovenvirth	Y
Arnold Cooper	Y

**Staff in Attendance:**

Richard Cannone  
Christy Dominguez  
Sarah Suarez  
Sheena James  
Cindy Bardales

Mr. Cooper called the meeting to order at 1:58PM

**Approval of Minutes**

~~Mr. Cooper: pointed out that page 8 and 11 of the summary minutes from the meeting held on April 22, 2009, did not mention when he closed the public hearing.~~

~~Mr. Fendell: stated that page 2 needs to be revised where he excludes himself from the hearing to reflect he was to be the present Chairman Board of Director for the Jewish Center.~~

~~————— MOTION: MS. STEINBERG MOTIONED TO APPROVE THE  
MINUTES OF THE APRIL 22, 2009 PLANNING AND ZONING  
BOARD WITH THE REQUESTED REVISION.~~

~~————— MS. NATELSON SECONDED THE MOTION~~

~~————— MOTION CARRIED BY ROLL CALL VOTE (6-0) FOR APPROVAL.~~

### **Old Business**

None

### **New Business**

1. Application #39-08-DB by JOEM Investments, LLC requesting Major Development Review Approval in order to construct a 9,750 square foot office building at 633 W. Hallandale Beach Blvd.

The application is as follows:

- 1) Application # 39-08-DB for a Major Development Plan Approval as provided by Article V Section 32-782 of the City's Zoning and Land Development Code.

*Due to technical difficulties with Comcast, this section of the meeting was not recorded. Summary minutes of the proceedings are as follows:*

Joseph Kaller (2417 Hollywood Boulevard): representing the applicant gave a summary presentation and provides these details:

- The proposal of a 4 story office building.
- The applicant and his partners are planning each to occupy a floor of the office building so it would not be noisy as the building would be occupied by an accountant and lawyer office.
- They will have normal office hours of operation for 8am to 5pm.
- There would be little traffic to the building.

Terri Dillard: objected to this application and her main concerns were:

- The area that they are proposing to build, a 4 story building, is surrounded by single family homes.
- The applicant is planning to add a back drive way that will cause a traffic impact to this area of the City.
- The Pollo Tropical and Walgreens are already causing major traffic in Hallandale Beach Boulevard and SW 1<sup>st</sup> Street and there is no traffic or accident analysis that has been taken to before proposing this project.
- The hours of operation of the proposed office building might not affect the school traffic however, the applicant is not thinking of what can happen in the future.

Ms. Dominguez: stated there was a traffic study conducted for the project which was reviewed and accepted by the City's Transportation Consultant, Michael Miller. Per the consultant, there would be minimum traffic impact to the area. The project would generate approximately 27 PM Peak hour trips. She further stated the application was reviewed for consistency with the City's Comprehensive Plan, City Master Plan and the Planned Redevelopment Overlay and was found to be consistent with adopted policies.

Mr. Cooper: stated since it is a commercial zoning district and he felt the project was a good size for the area.

Ms. Natelson: spoke in support of the project and agreed it was.

Ms. Steinberg: agreed and stated it was a good project for the area.

Mr. Cooper: felt that the type of office use was not going to generate a lot of traffic.

Mr. Cooper: Opened the public hearing

Ms. Dominguez: stated the City had received one letter in opposition of the project and provided the Board a copy of the letter mailed by Micky Biss on May 23, 2009.

Mr. Cooper: read the letter into the record.

Mr. Fendell: stated he believes the letter should not be discussed unless the person was present to inform them on why they believe we should not go forward with this project.

Richard Shan (Shanco Building Group 224 S. Dixie Hwy): asked if the project would be subject to the new mitigation impact fee.

Ms. Dominguez: affirmed that the project would be subject to the new fee.

Mr. Cooper: Closed the Public Hearing

MOTION: MR. LOVENVIRTH MOTIONED TO APPROVE APPLICATION # 39-08-DB BY JOEM INVESTMENTS, LLC REQUESTING MAJOR DEVELOPMENT PLAN APPROVAL AS PROVIDED BY ARTICLE V SECTION 32-782 OF THE CITY'S ZONING AND LAND DEVELOPMENT CODE.

MS. STEINBERG SECONDED THE MOTION

MOTION CARRIED BY ROLL CALL VOTE (5-1) FOR APPROVAL  
(MS. DILLARD-NO)

~~2. Application # 53-09-TC, an Ordinance by the City of Hallandale Beach, Florida amending Chapter 32, Article V, of the City of Hallandale Beach Code of Ordinances, "Traffic and Transportation Facilities" by Creating Division 23, "Traffic and Transportation Facilities" providing for conflicts; providing for severability; providing for an effective date.~~

~~Mr. Cooper: questioned the necessity of the ordinance.~~

~~Mr. Cannone: stated the ordinance had gone for First Reading before the City Commission. However, before the ordinance is approved for final adoption it must be presented to the Planning and Zoning Board.~~

~~Mr. Cannone: added that a new section of the Code was created on the Ordinance on line 37 to read Adequate Public Traffic and Transportation Facilities. He added that this section would provide an easier more accurate method in deciding on trip mitigating when negotiating Development Agreement.~~

~~Mr. Cannone: further stated that the City Engineer who was at the meeting and his department had been working closely on this matter, He added that they have reviewed the method for the agreement which would allow the City to improve and move forward in addressing all traffic issues.~~

~~Mr. Cooper: asked if the City was collecting the money that the developers are proclaiming to have donated in order to help improve traffic and traffic lights. If not, he pointed out that the donation should be collected to solve the problems the City continues to have with the traffic lights.~~

~~Mr. Cannone: agreed and stated that this ordinance would help not only assist in alleviate traffic problems but, they were also planning on a lighting synchronization system.~~

~~Mr. Cooper: commented that the traffic system in the City is terrible and worsen in rainy weather.~~

~~Mr. Cooper: pointed out Gulfstream Park had added a traffic light on SE 9<sup>th</sup> street that was useful when the track was running because it was busy and allowed cars to maneuver freely in/out. However, now that season is over and there were only gamblers, citizens have to sit and wait for the traffic light to change. He suggested that the traffic light be changed to blinking yellow/red.~~

~~Mr. Cooper: added that they also have green arrows to enter the track and no cars travel that street. He agreed this will be considered in this ordinance.~~

~~Mr. Cannone: stated that particular improvement was not a requirement when they built the retail portion of the development.~~

~~Mr. Cooper: asked if the City had the right to do something about it.~~

~~Mr. Cannone: stated that since US 1 was a State road the City does not have jurisdiction. Mr. Cannone deferred to Rick Labinsky for further clarification.~~

~~Rick Labinsky (City Engineer for Hallandale Beach): stated that he would contact the County to see if the traffic signal operation on that intersection could be alternated between seasons since it is their responsibility to control the signaling of the lights.~~

~~Ms. Steinberg: pointed out that when the shopping center is built completely there will be a lot of in/out going traffic and the alternative proposed should be considered.~~

~~Ms. Natelson: stated that the traffic light was built for the future use that center is going to have restaurant and shopping center that will be used year around.~~

~~Mr. Cooper: commented the shopping center would not be opening till a year from now and meanwhile the residents were suffering.~~

~~Mr. Cooper: Opened the public hearing~~

~~Dave Smith (22 Coconut Avenue) commented that he was unable to attend the Transportation Master Plan meeting that took place on June 9, 2009. He added that the City did a poor job alerting the public about the meeting. They advertised the meeting on sandwich boards with small fonts making it impossible to see from inside your car.~~

~~Mr. Smith: added that he had attended the meeting for Hallandale Square/Oasis and they had spoken about how they were trying to build SE 2<sup>nd</sup> street.~~

~~Mr. Cooper: interrupted and asked Mr. Smith to please speak only about the item being presented and if he had any objection he could take it to the City Commission as the Planning and Zoning Meeting is not the appropriate forum.~~

~~Mr. Cooper: Closed the Public Hearing~~

~~Ms. Natelson: interrupted during roll call and asked Mr. Smith not to photograph the Board during the meeting as it was very distracting.~~

~~Mr. Cooper: asked Mr. Smith not to attend any of Planning and Zoning Meeting as long as he is chairman if he intends in disrupting the meeting the way he did. He added that Mr. Smith/anyone attending the meetings are asked only to speak about the application being presented in front of the Board.~~

MOTION: ~~MS. NATELSON MOTIONED TO APPROVE APPLICATION # 53-09-TC, AN ORDINANCE BY THE CITY OF HALLANDALE BEACH, FLORIDA AMENDING CHAPTER 32, ARTICLE V, OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES, "TRAFFIC AND TRANSPORTATION FACILITIES" BY CREATING DIVISION 23, "TRAFFIC AND TRANSPORTATION FACILITIES" PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.~~

~~MR. LOVENVIRTH SECOND THE MOTION~~

~~MOTION CARRIED BY ROLL CALL VOTE (6-0) FOR APPROVAL~~

~~Mr. Cooper: requested staff to update the Board on previous Planning and Zoning items.~~

~~Mr. Cannone: stated that the City Commission approved the Ordinance on Site Development Maintenance on Second Reading and they also adopted an amendment in respect to regulations in the treatment of animal and pet stores.~~

~~Mr. Cooper: asked if the Ben Gamla Charter School meeting was rescheduled?~~

~~Mr. Cannone: stated that the meeting concerning that application had not been rescheduled.~~

~~Ms. Dominguez: stated that the application was being put on hold at the request of the applicant and never moved on to City Commission.~~

~~Mr. Cooper: asked to discuss the old business item on starting times for Planning and Zoning meeting.~~

~~Mr. Fendell: stated he had no problem attending the meetings in the morning/evening he is fine on whatever the Board decided.~~

~~Ms. Natelson: stated that she would prefer that the meeting be done in the evening as it would be easier for her since she works during the afternoons.~~

~~Mr. Cooper: stated that he would have a conflict since he has to attend his condominium association board meeting which is on the same day of the Planning and Zoning Board hearing in the evening which would mean he would not be able to attend the meetings and would have to resign.~~

~~Mr. Lovenvirth: stated that he also would have a problem with the meeting being scheduled in the evening given that he is involved with many citywide activities that require him to attend evening meetings.~~

~~Ms. Steinberg: stated that she as well is involved in during the evening and would prefer to keep the meetings in the daytime.~~

~~Ms. Dillard: stated that she did not have a problem having the meeting in the morning or evening whatever the board decides she will be fine with it.~~

~~Mr. Cooper: pointed out that there was two member of the Board missing and prefer to have a vote when the full board is present and they can speak for themselves.~~

~~Mr. Cannone: stated that this item would be added to the next agenda as a request from the Board so everyone is informed and given an opportunity to vote.~~

~~Mr. Cooper: suggested that when the staff calls to confirm attendance for the meeting they mention the item that is being presented so they make it their business to attend.~~

~~Mr. Fendell: stated that the staff should be given the opportunity to vote for this item as well.~~

~~Mr. Cannone: stated that the department is open to whatever time the board decides.~~

~~Ms. Natelson: commented that it was not her intention to stop a person from exercising their freedom of speech. However, it is unfortunate that people come to the meeting to disrupt, distract or even embarrassing the Board. She added that people should not come with complaint about other Boards, City Commission or any other aspect of City government, it was not this Board's business to address these issues.~~

~~It was the consent of the Board to place this item on the next agenda for action.~~

~~Mr. Cooper: proceeded with adjournment of the meeting.~~

Meeting adjourned at 2:54 PM

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Christy Dominguez  
Planning and Zoning Board Liaison