

DRAFT

**PLANNING AND ZONING BOARD MEETING
WEDNESDAY AUGUST 25, 2010
CITY COMMISSION CHAMBERS,
HALLANDALE BEACH, FLORIDA**

Members Present

Attendance

Michael Butler	N (excused absence)
Terri Dillard (Alternate)	N (excused absence)
Seymour Fendell	Y
Sheryl Natelson	Y
Irwin Schneider	N (excused absence)
John Hardwick	Y
Eudyce Steinberg (Vice-Chair)	Y
Arnold Cooper (Chair)	Y

Staff in Attendance:

- Richard Cannone
- Christy Dominguez
- Sarah Suarez
- Georgiana Terrientes

Mr. Cooper called the meeting to order at 1:30 PM

Approval of Minutes

~~Mr. Cooper: Asked the Board if he had approval of the minutes from July 28, 2010.~~

~~Mr. Cooper: Corrected line 30 of the July 28, 2010 minutes and stated he would like to see the word Chair next to his name and Vice-Chair next to Ms. Steinberg's name.~~

~~_____ MOTION: MS. STEINBERG MOTIONED TO APPROVE THE MINUTES OF THE JULY 28, 2010 PLANNING AND ZONING BOARD HEARING AS AMENDED.~~

~~_____ MS. NATELSON SECONDED THE MOTION.~~

~~_____ MOTION CARRIED BY ROLL CALL VOTE (5-0) FOR APPROVAL.~~

New Business

- 1) Application #62-10-CL BY Costas Kambouropoulos requesting a Nightclub License Pursuant to Section 5-9 of the City's Code of Ordinance to serve alcoholic beverages until 4:00 A.M at the Upper Deck Restaurant and Sports Bar located at 906 E. Hallandale Beach Blvd.

Mr. Cooper: Opened the Public Hearing.

52 Mr. Phillip Kambouropoulos: Spoke on behalf of Upper Deck restaurant and
53 Sports Bar.

54

55 Mr. Kambouropoulos: Stated they are trying to extend their license from 2 A.M to
56 4 A.M to promote another late night food option for all the citizens of Hallandale
57 and beyond. He explained there are no other restaurants open that late other
58 than Flashback. They are not extending their license for a nightclub license
59 purpose or late night music. They are only a restaurant and they will not have
60 any outside promoters.

61

62 Mr. Cooper: Asked if this will be for 7 days a week.

63

64 Mr. Kambouropoulos: Responded, yes.

65

66 Mr. Cooper: Stated there are some code violations listed by the City and asked if
67 the applicant intends to correct them.

68

69 Mr. Kambouropoulos: Stated yes.

70

71 Ms. Steinberg: Asked if there was any need to have an off duty police at the
72 Upper Deck.

73

74 Mr. Kambouropoulos: Responded they have not had any major incidents and
75 they believe police officers are not necessary due to the fact they will not operate
76 as a nightclub.

77

78 Mr. Hardwick: Asked if there are any safety precautions the applicant is taken to
79 make sure the community is safe.

80

81 Mr. Kambouropoulos: Stated they went from 8 cameras to 30 cameras on the
82 premises and they operate 360 degree on the parking lot and the restaurant.

83

84 Mr. Hardwick: Asked if these cameras will be able to pick up what is going on at
85 Gulfstream.

86

87 Mr. Kambouropoulos: Responded there are some angles that will pick up
88 Hallandale Beach Boulevard, Sage business area and the entrance at
89 Gulfstream Park.

90

91 Mr. Cooper: Asked staff if the police approval is based on hiring off duty police
92 officers.

93

94 Ms. Dominguez: Stated it's generally based on hiring off duty police officers on
95 the nights the applicant stays open past 2 A.M.

96

97 Mr. Cooper: Stated all the lounges that have requested extended hours had
98 agreed to have off duty police officers.

99

100 Mr. Kambouropoulos: Stated they will not operate as a nightclub, therefore, he
101 doesn't see the need of having any off duty police officers.
102

103 Mr. Cooper: Stated this is something the applicant will have to address with the
104 police department.
105

106 Mr. Fendell: Stated he would like to suggest they get the police officers as every
107 other nightclub that stays open until 4 A.M had agreed to hire off duty police
108 officers because liquor will be served.
109

110 Ms. Dominguez: Stated the police department provided an incident report and
111 the need of having off duty police officers is up to the Police Department.
112

113 Mr. Kambouropoulos: Stated Flannigan's and Oceans Eleven stay open until 6
114 A.M. selling liquor and do not have off duty officers at the premises.
115

116 Mr. Cooper: Stated the letter from the police department does not require off duty
117 police officers.
118

119 Ms. Natelson: Asked the difference between restaurants as opposed to nightclub.
120

121 Mr. Cannone: Responded the difference is that nightclubs have live music and
122 draws large crowds of people.
123

124 Ms. Steinberg: Asked Ms. Dominguez if it will be appropriate to approve this
125 application based on the approval of the police department.
126

127 Ms. Dominguez: Responded, yes.
128

129 Mr. Cooper: Stated the applicant submitted a plan showing a layout dated 6
130 years ago by William Patterson and it has the name of Blue Fish/Red Fish
131 Restaurant. He asked why the City accepted the application with a different
132 name other than the proper name.
133

134 Ms. Dominguez: Stated this is the most current site plan and when the applicant
135 first opened the restaurant, he did it under the name Blue/Fish Red Fish
136 Restaurant. The plans however, still reflect existing conditions. The name was
137 changed along the way to Upper Deck.
138

139 Mr. Kambouropoulos: Stated that the layout is extremely similar and there are no
140 structural changes.
141

142 Mr. Cooper: Stated the City is wrong by accepting 6 year old plans without
143 knowing if the new restaurant has the same seating.
144

145 Ms. Dominguez: Responded the City does not make the applicant re-draw the
146 plans if they reflect existing conditions.
147

148 Mr. Cooper: Asked if Upper Deck needs to get approval from Hotel/Restaurant
149 Commission.

150

151 Mr. Cannone: Stated the applicant already has their approval.

152

153 Mr. Cooper: Asked if the plans were accepted by the City.

154

155 Mr. Cannone: Stated an updated plan is not a requirement. It was only provided
156 as background information as the existing facility has no modifications.

157

158 Mr. Fendell: Asked why Ocean's Eleven and some other restaurants open until 4
159 A.M. and do not require off duty police officers.

160

161 Mr. Cooper: Stated that needs to be verified with the police department.

162

163 Mr. Cannone: Stated if the Board wishes, he will gather information on which
164 restaurants have off duty police officers with the extended hours. He explained a
165 nightclub is defined in the City Code as anything opened past 2 A.M.

166

167 Mr. Fendell: Stated the key word is liquor will be served and customers can drink
168 as much liquor at a nightclub as they would at a restaurant. Therefore, this
169 establishment should have off duty police officers.

170

171 Mr. Cooper: Closed the Public Hearing.

172

173 MOTION: MS. NATELSON MOTIONED TO APPROVE APPLICATION
174 #62-10-CL BY COSTAS KAMBOUROPOULOS REQUESTING A
175 NIGHTCLUB LICENSE PURSUANT TO SECTION 5-9 OF THE CITY'S
176 CODE OF ORDINANCES TO SERVE ALCOHOLIC BEVERAGES AND
177 FOOD AT THE UPPER DECK RESTAURANT AND SPORTS BAR
178 LOCATED AT 906 E. HALLANDALE BEACH BLVD UNTIL 4:00 A.M
179 SUBJECT TO THE FOLOWING CONDITIONS OUTLINED BY STAFF,
180 (1) OBTAIN A PERMIT FOR THE BANNER SIGN (2) RESEAL
181 AND RESTRIPE THE PARKING LOT (3) REPAIR AND REPAINT
182 WHEEL STOPS AND CURBING IF NEEDED (4) REMOVE THE BOAT,
183 BOAT TRAILER, AND STORAGE TRAILER OFF THE PROPERTY (5)
184 NO PROMOTER'S EVENTS AND (6) TO COORDINATE WITH THE
185 POLICE TO HIRE OFF DUTY OFFICERS IF THE APPLICANT IS
186 HAVING AN EVENT THAT REQUIRES CROWD CONTROL.

187

188 Mr. Cooper: Wanted to include a shared parking agreement with Sage Plaza in the
189 motion.

190

191 Ms. Dominguez: Stated it was not necessary as the applicant already has a parking
192 agreement with Sage Plaza which runs with the land.

193

194 Mr. Cannone: Stated no promoter's event will solve the issue of not having off duty
195 officers at the Upper Deck after 2 A.M.

196

197 Ms. Steinberg: Stated as far as the Police Department is concerned, they do not have
198 any objection.

199 Mr. Cannone: Stated these types of applications are renewed yearly. If there are any
200 concerns they can address it then. Also, if there are any problems, the City can take
201 action at any time based on the Code.

202
203 MS. STEINBERG SECONDED THE MOTION.

204
205 MOTION CARRIED BY ROLL CALL VOTE (5-0) FOR APPROVAL.

206
207 2) ~~Application #64-10-CL by Carlos Tellez requesting a Nightclub License~~
208 ~~pursuant to Section 5-9 of the City's Code of Ordinances to serve alcoholic~~
209 ~~beverages at Santos Nightclub until 6:00 A.M. at the Village at Gulfstream Park~~
210 ~~located at 601 Silks Run, Suite 2499.~~

211
212 Mr. Cooper: Opened the Public Hearing.

213
214 Mr. Louis J. Terminello: Stated he represents Mr. Carlos Tellez.

215
216 Mr. Terminello: ~~Stated they are currently operating on a temporary special events~~
217 ~~permit. They have off duty officers and would like to ask the Board members to~~
218 ~~follow the staff recommendation to approve the request to stay open until 6 A.M.~~

219
220 Mr. Cooper: Closed the Public Hearing.

221
222 Mr. Hardwick: ~~Stated he met with Mr. Tellez and asked about his concerns with~~
223 ~~the community and his view once the club is established. Mr. Tellez stated that~~
224 ~~once he is established, he will get more involved with the City.~~

225
226 Mr. Cooper: ~~Stated the Police Department does not have any objection on the~~
227 ~~closing time being 6 A.M. The police staff spoke to the applicant who advised the~~
228 ~~hiring of off duty police officers on the nights the club remains opened past 2~~
229 ~~A.M.~~

230
231 Mr. Fendell: ~~Asked how many establishments are in the City and asked if there~~
232 ~~were enough off duty police officers to cover these establishments.~~

233
234 Ms. Dominguez: ~~Responded there are about 10 establishments in the City with~~
235 ~~late hour licenses and she does not know how many off duty police officers are~~
236 ~~involved. She further commented the Police Chief recommended off duty police~~
237 ~~officers in addition to private security personnel. It does not have to be~~
238 ~~Hallandale Beach police officers; it could be police from any municipality as long~~
239 ~~as they are uniformed police.~~

240
241 MOTION: MS. STEINBERG MOTIONED TO APPROVE APPLICATION
242 #64-10-CL BY CARLOS TELLEZ DOING BUSINESS AS SANTOS
243 NIGHTCLUB SUBJECT TO THE APPLICANT HIRING OFF DUTY
244 POLICE OFFICERS AS REQUIRED BY THE POLICE DEPARTMENT.

245
246 MS. NATELSON SECONDED THE MOTION.

247
248 MOTION CARRIED BY ROLL CALL VOTE (5-0) FOR APPROVAL.

249
250 3. ~~Application #65-10-Z- An Ordinance of the City of Hallandale Beach, FL~~
251 ~~approving a change of zoning for the proposed project referred to as~~
252 ~~"Palms Gateway" the property legally described as lots 2, 4, 6, 8, 10, and~~
253 ~~12 from "B-G", Business General to "B-L", Business Limited and lots 7, 9,~~
254 ~~11 from "RD-12", Residential Two Family to "B-L", Business Limited all in~~
255 ~~Block "E", George M. Phippens Subdivision and generally located at 500~~
256 ~~N. Dixie Highway. (To be heard in conjunction with related application~~
257 ~~#66-10-Z, item #4).~~

258
259 4. ~~Application #66-10-Z- An Ordinance of the City of Hallandale Beach, FL~~
260 ~~applying the Planned Development Overlay District to the "Palms~~
261 ~~Gateway" parcel the property legally described as lots 2, 4, 6 Block "F"~~
262 ~~and all of Block "E" George M. Phippens Subdivision generally located at~~
263 ~~500 N. Dixie Highway and 501-509 NW 1st Avenue. (To be heard in~~
264 ~~conjunction with related application #65-10-Z, item #3).~~

265

266 Mr. Cooper: Opened the Public Hearing.

267

268 Mr. Cannone: ~~Stated as indicated on the report, this is the City owned property located~~
269 ~~on Dixie Highway and Foster Road. In 2008, the City issued an RFQ for this property to~~
270 ~~redevelopment it as a mixed use development and in 2009 the City Commission~~
271 ~~awarded it to Carlisle Development Group. As Mr. Cooper indicated, there are a number~~
272 ~~of different zonings on the property.~~

273 ~~One of them is BG, Business General, which allows for the most intense uses.~~

274 ~~The City is proposing to change to BL, Business Limited, that allows for more~~
275 ~~neighborhood type uses. The City does not have a site plan at this time, but it will be a~~
276 ~~mixed use development. The City will narrow down the uses. The first step is to work on~~
277 ~~the zoning because of the different classifications. The City is proposing to consolidate~~
278 ~~into Business Limited with the Planned Development District (PDD) Overlay. Once the~~
279 ~~zoning is in place, it will come back for the development approval process. Mr. Cannone~~
280 ~~further stated the Regional Activity Center is going through the approval process which~~
281 ~~permits mixed use to be developed along Foster Road.~~

282

283 Mr. Cooper: ~~Stated according to the report, the City has a contractor that was awarded~~
284 ~~about a year ago.~~

285

286 Mr. Cannone: ~~Stated part of the RFQ is that the City will get all land entitlement issues~~
287 ~~in place. Once the City gets the zoning, changed we will be able to determine what can~~
288 ~~actually be built and how it can be built. The City will go back to the Community with a~~
289 ~~concept plan and work with the community to develop a site plan.~~

290

291 Mr. Cooper: ~~Asked if the County needs to be involved.~~

292

293 Mr. Cannone: ~~Stated the Land Use Plan amendment for the Regional Activity Center~~
294 ~~was approved by the Planning Council on the First and Second Reading. The County~~
295 ~~Commission approved the First Reading and it will go back for Second Reading on~~
296 ~~September 14, 2010.~~

297

298 Mr. Fendell: ~~Asked who Carlisle is.~~

299

300 Mr. Cannone: Responded Carlisle Development is an affordable housing developer out
301 of Miami, who was awarded the RFQ by the City Commission back in 2009. He stated
302 there are two steps. The first is to get the land use so they can actually develop
303 residential along Foster Road. The second step is the rezoning so the City can obtain
304 the rules on how it can be developed. The third is to go out into the community and have
305 meetings towards the first part of September to discuss the details of the project. He
306 stated it will be a mixed use development with some retail offices and affordable
307 housing.

308
309 Mr. Hardwick: Asked what the City's prospective vision of these applications is and what
310 are some of the visions that will take place on the corridor.

311
312 Mr. Cannone: Responded the project was conceived with the Palms Community
313 Coalition. The City initially was looking into redevelopment along Foster Park. The
314 community at that point wanted to shift and look at the Gateway project with RFP put in
315 place by the City. There has been a lot of discussion regarding rental or for sale housing.
316 The initial proposal was for a rental project. There are a number of units coming
317 available in the Northwest, many of which are multi family units for sale. The City has
318 Carver Heights which was purchased through the NFP and 56 units in Highland Park
319 Village that will be for sale.

320
321 Mr. Cannone: Stated the City's intent is to bring a real quality development that citizens
322 can afford.

323
324 Mr. Cooper: Opened the Public Hearing once again.

325
326 Ms. Mary Thompson: Stated that she is hearing mixed messages. She agreed with the
327 change of bringing commercial development which hopefully will create some jobs but
328 she does not agree with the other part to bring additional rental housing. The City has
329 two affordable housing projects, Chaves Lake and Harbor Cove. There is no need to
330 have more affordable housing. The community does not need to be known as the last
331 drop off place. She asked what type of structure is going to be built for the housing part.

332
333 Mr. Cannone: Stated the City will have another discussion with the community to look
334 into rental versus for sale as the City presently has 72 units for sale or coming up in the
335 next 18 months. As far as unit type, it will be a mix of multi family and townhouse units.
336 The City is trying to keep everything internal so it will not have parking lots facing the
337 streets.

338
339 Ms. Thompson: Asked if the City owns the property that was once owned by the railroad.

340
341 Mr. Cannone: Responded, no.

342
343 Mr. Hardwick: Stated that he is working with Mr. Cannone and staff to develop
344 something in the area. The City is working with the community and highly encourages
345 the community to voice their opinion to get something moving forward on the Foster
346 Road corridor.

347
348 Ms. Thompson: Suggested the City consider having condominiums or rental units with
349 the option to buy as a different concept altogether.

350
351 Mr. Cooper: Closed the Public Hearing.

352 MOTION: ~~MS. NATELSON MOTIONED TO APPROVE~~
353 ~~APPLICATION #65-10-Z- AN ORDINANCE OF THE CITY OF~~
354 ~~HALLANDALE BEACH, FLORIDA APPROVING A CHANGE OF~~
355 ~~ZONING FOR THE PROPOSED PROJECT REFERRED TO AS~~
356 ~~"PALMS GATEWAY" THE PROPERTY LEGALLY DESCRIBED AS~~
357 ~~LOTS 2, 4, 6, 8, 10, AND 12 FROM "B-G", BUSINESS GENERAL~~
358 ~~TO "B-L", BUSINESS LIMITED AND LOTS 7, 9, 11 FROM "RD-12",~~
359 ~~RESIDENTIAL TWO FAMILY TO "B-L", BUSINESS LIMITED ALL~~
360 ~~IN BLOCK "E", GEORGE M. PHIPPENS SUBDIVISION AND~~
361 ~~GENERALLY LOCATED AT 500 N. DIXIE HIGHWAY; AND,~~

362
363 ~~APPLICATION #66-10-Z- AN ORDINANCE OF THE CITY OF~~
364 ~~HALLANDALE BEACH, FLORIDA APPLYING THE PLANNED~~
365 ~~DEVELOPMENT OVERLAY DISTRICT TO THE "PALMS~~
366 ~~GATEWAY" PARCEL THE PROPERTY LEGALLY DESCRIBED~~
367 ~~AS LOTS 2, 4, 6 BLOCK "F" AND ALL OF BLOCK "E" GEORGE M.~~
368 ~~PHIPPENS SUBDIVISION GENERALLY LOCATED AT 500 N.~~
369 ~~DIXIE HIGHWAY AND 501-509 NW 1ST AVENUE.~~

370
371 ~~MR. HARDWICK SECONDED THE MOTION.~~

372
373 ~~MOTION CARRIED BY ROLL CALL VOTE (5-0) FOR APPROVAL.~~

374
375 ~~Mr. Cannone: Stated there is no direction update as there was no City Commission~~
376 ~~meeting in August.~~

377
378
379
380 Meeting adjourned at 2:39 PM

381
382
383
384 _____
385 Christy Dominguez
386 Planning and Zoning Board Liaison

387