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**PLANNING AND ZONING BOARD MEETING
WEDNESDAY, JANUARY 25, 2012
CITY COMMISSION CHAMBERS,
HALLANDALE BEACH, FLORIDA**

Members Present

Attendance

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

Staff in Attendance:

- Thomas J. Vageline
- Christy Dominguez
- Sarah Suarez
- Cindy Bardales
- Denisse Fernandez

Mr. Cooper called the meeting to order at 1:32 PM.

Approval of Minutes

~~Mr. Cooper: asked for a motion to approve the Planning and Zoning Board meeting minutes for November 30, 2011.~~

~~_____~~

~~_____ MOTION: MR. FENDELL MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 30, 2011 PLANNING AND ZONING BOARD HEARING.~~

~~_____ MS. STEINBERG SECONDED THE MOTION.~~

~~_____ MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.~~

48 **NEW BUSINESS**

49
50 ~~1. Application # 09-12-V by Ahmadiyya Movement in Islam Inc., requesting a variance~~
51 ~~from Section 32-153(d)(4)a. of the City's Code of Ordinances in order to construct a~~
52 ~~vehicle canopy in the front yard setback at the property located at 208 NW 7th Court.~~

53
54 ~~Mr. Cooper opened the public hearing.~~

55
56 ~~Hady Raja: (1701 SW 64 Court operator of the facility) stated this property is a place of~~
57 ~~worship they had applied for variance because they need a canopy for protection from~~
58 ~~the rain when people are entering the building. He added that the canopy will give a~~
59 ~~better appearance to the building.~~

60
61 ~~Alama Macishim (723 NW 3rd Avenue) stated she received the letter in the mail and~~
62 ~~had questions on where the canopy will be located since she lives behind the property.~~

63
64 ~~Mr. Raja: clarified they are replacing the existing canopy which is located on 7th Court in~~
65 ~~front of the building.~~

66
67 ~~Ms. Macishim: stated she has no issue with the canopy if placed in front of the building.~~

68
69 ~~Mr. Cooper: stated the application is to request for an even larger canopy.~~

70
71 ~~Mr. Cooper closed the public hearing.~~

72
73 ~~Mr. Fendell: stated they have received a list of code violations on the property which~~
74 ~~includes the fencing, banner signs, landscaping, etc.~~

75
76 ~~Mr. Raja: clarified that many code violations have been corrected.~~

77
78 ~~Mr. Cooper: asked if the property had any code violations outstanding?~~

79
80 ~~Ms. Dominguez: stated they were still outstanding violations since applicant did not~~
81 ~~called for a final inspection.~~

82
83 ~~Mr. Fendell: suggested the applicant return before the Board after all the code violations~~
84 ~~have been resolved.~~

85
86 ~~*Discussion ensued among Board members.*~~

87
88 ~~Ms. Steinberg: stated the applicant should have the property cleaned up, so she can~~
89 ~~have a better idea of how the canopy will beautify the property.~~

90
91 ~~Ms. Dominguez: suggested the Board vote on the item. Staff had included a list of~~
92 ~~conditions that must be met before being issuing any permit. A follow up courtesy~~
93 ~~inspection will be conducted to insure that all code violations have been fixed.~~

94

95 Ms. Atkins: interjected and advised the Board she also went by the property and found a
96 lot of debris.

97
98 MOTION: MS. STEINBERG MOVED TO DEFER THIS ITEM APPLICATION # 09-
99 12-V BY AHMADIYYA MOVEMENT IN ISLAM, REQUESTING A VARIANCE FROM
100 SECTION 32-153(D)(4)a. OF THE CITY'S CODE OF ORDINANCES IN ORDER TO
101 CONSTRUCT A VEHICLE CANOPY IN THE FRONT YARD SETBACK AT THE
102 PROPERTY LOCATED AT 208 NW 7 COURT TO THE FEBRUARY 22, 2012
103 MEETING.

104
105 MS. ATKINS SECONDED THE MOTION.

106
107 MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.

108
109 2. Application #13-12-V by George and Stacey Kimmel requesting a variance from
110 Section 32-925(7), Section 32-925(9) and Section 32-926(6) in order to maintain a
111 four-plex building at the property located at 206 SE 9th Court.

112
113 ——— The variances requested are as follows:

- 114
115 a) Section 32-925(7) of the City's Code of Ordinances regarding the
116 abandonment of a nonconforming use for a period of at least 180 consecutive
117 days;
118 b) Section 32-925(9) of the City's Code of Ordinances regarding the
119 discontinuance of a nonconforming use for a period of at least 180
120 consecutive days;
121 c) Section 32-926(6) of the City's Code of Ordinances regarding the
122 abandonment of a nonconforming structure for a period of 180 consecutive
123 days. ———

124
125 Mr. Cooper opened the public hearing.

126
127 Graham Penn (220 S. Biscayne Blvd., Miami, FL) advised he is the attorney
128 representing the applicant, Mr. & Ms. Kimmel.

129
130 Mr. Penn: asked to turn in additional letters from the immediate neighbors in support of
131 this application.

132
133 Mr. Cooper agreed and the letters would be placed as evidence.

134
135 Mr. Penn: pointed out this property is a 40-year old building which was originally built in
136 1972.

137
138 Mr. Penn: added the applicants bought the property on 2010 and were not aware the
139 City considered it abandoned. The applicant is requesting approval of the variance to
140 insure they can make use of the building they have brought back to life.

141

142 ~~Mr. Penn: clarified the abandonment took place prior to his client purchase of the~~
143 ~~property, therefore, they are not at fault. They have agreed to staff's conditions and he~~
144 ~~added approval of this application will be an improvement to the neighborhood.~~

145
146 ~~Mr. Cooper: asked if the applicant bought the building in abandoned conditions?~~

147
148 ~~Mr. Penn. stated the property was foreclosed on but the applicant did know the~~
149 ~~condition of the building. He added when applicant purchased the City advised him~~
150 ~~there was no code violation.~~

151
152 ~~Mr. Cooper: stated code violations were issued by a judge on this property were the~~
153 ~~fines paid?~~

154
155 ~~Ms. Dominguez: stated yes all fines have been mitigated.~~

156
157 ~~Mr. Fendell: asked the applicant if they were aware of all the issues they would face~~
158 ~~when purchasing this property. He added that based on the pictures provided to the~~
159 ~~Board there has been a great improvement.~~

160
161 ~~Mr. Cooper closed the public hearing.~~

162
163 ~~MOTION: MS. STEINBERG MOVED TO APPROVE APPLICATION #13-12-V BY~~
164 ~~GEORGE AND STACEY KIMMEL REQUESTING A VARIANCE FROM SECTION 32-~~
165 ~~925(7), SECTION 32-925(9) AND SECTION 32-926(6) IN ORDER TO MAINTAIN A~~
166 ~~FOUR PLEX BUILDING AT THE PROPERTY LOCATED AT 206 SE 9TH COURT.~~

167
168 ~~MS. ATKINS SECONDED THE MOTION.~~

169
170 ~~MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.~~

171
172 3. Applications #48-11-CU and #49-11-Z by PRH-2600 Hallandale Beach, LLC for a
173 Conditional Use Permit and assignment of the Planned Development Overlay (PDD)
174 District in order to build Beachwalk, a mixed use, 31-story 305 feet in height building,
175 with 84 residential units, 216 suites with 432 hotel keys, a 1,225 square feet
176 restaurant and associated parking garage on the property located at 2600 E.
177 Hallandale Beach Boulevard.

178
179 The applications are as follows:

180
181 a) Application # 48-11-CU requesting a Conditional Use Permit pursuant to
182 Section 32-176(d)(2) of the Zoning and Land Development Code in order to
183 allow the 84 residential units at the property.

184
185 b) Application # 49-11-Z requesting to assign the Planned Development Overlay
186 (PDD) District to the property.

187
188 Mr. Cooper opened the public hearing.

189
190 Debbie Orshefsky: stated she was representing the applicant and wanted to provide a
191 better understanding to the residents of what is being proposed. She continued by
192 presenting a slide show of the proposed project "Beachwalk" and what the site would
193 look like once built. The slide show contained the following information:

- 194
195 *Composite Plans on how the Millennium project would appear west of 26th Ave.*
196 *On-Site Parking area for Coastal Waterways neighbors.*
197 *Description of proposed 4-story landscaping "Chia" garage.*
198 *The walking radius from subject property to Wal-Mart or the beach.*
199 *Description of difference between uses of residential units and condo hotel*
200 *suites.*
201 *Landscaping Plans.*
202 *Description of entrance and exit from Diana Drive.*
203 *On-Site Circulation Plans.*
204 *Existing and Proposed Permitted Density- Land Use and Zoning.*

205
206 Ms. Orshefsky: stated the existing pathway to Wal-mart will be improved through
207 additional lighting and security.

208
209 Ms. Orshefsky: stated the applicant agreed to provide a shuttle bus which would be
210 available to residents in the City that will be from the subject property to north beach
211 and south beach. This will help with parking issues at the beach.

212
213 Ms. Orshefsky: added the existing proposal is going for 432 hotel keys, which she
214 believes will likely never reach the limit.

215
216 Ms. Orshefsky: stated hotel/ condo mixed uses for new development are needed and
217 the proposed project will benefit future economic development in the City.

218
219 Ms. Orshesky: further advised they are requesting vacation of right-of-way for a piece of
220 land that should have been vacated when the bridge was being built. The land is
221 needed to fit everything together.

222
223 Jim Williford/President of Coastal Waterways (2600 Diana Drive): stated he was
224 representing the Coastal Waterways and agreed project should be approved.

225
226 Mr. Williford: added the parking garage will extend over their part of the vacated right-of-
227 way to create additional parking spaces for their building. He added the applicant
228 agreed to install a gate at their property giving them new security.

229
230 Bill Julian (1102 N.E. 2 Court.): stated, as a former City Commissioner, he supports the
231 proposed development, which he believes would be a great fit and will enhance the
232 area.

233

234 Beatriz D'Hauwei (2500 Diana Dr.) stated she has concerns on amount of traffic this
235 project will bring to Diana Drive.

236
237 Ms. D'Hauwei: added how they currently see frequent drivers speeding on Diana Drive
238 and suggested the City consider placing a traffic light on 26th Avenue and Hallandale
239 Beach Boulevard. She further added that speed bumps should be added on Diana Drive
240 to reduce speed and prevent any accidents.

241
242 Csaba Kulin: (600 N.E. 14th Ave.) stated the Parking Ordinance has been amended
243 and this project does not meet City Code. He added the density of the project is less
244 than 2 acres which means 35 units would be permitted and the applicant is asking for a
245 density for 46 units per acre.

246
247 Ms. Orshefsky: responded by clarifying the Planning and Zoning Board is considering
248 two applications today: the (PDD) Planned Development Overlay District and
249 Conditional Use for residential and flex units. She added the applications for Major
250 Development Plan review and the Vacation of right- of-way are applications that need
251 approval by the City Commission.

252
253 Ms. Orshefsky: asked for approved of these applications for this parcel to be a mixed
254 use project.

255
256 Mr. Cooper: closed the public hearing.

257
258 Mr. Cooper: stated the plans given to the Board show all four applications and
259 modification to the Zoning Code.

260
261 Mr. Cooper: questioned the applicant's intentions when submitting four applications for
262 approval of a mixed use project on a lot of only 1.29 acres in size.

263
264 Mr. Cooper: added the Board is asked to approve two of the four applications
265 presented. The two applications which the Board would be considering would be the
266 Conditional Use Permit, allowing 84 residential units at the property and assignment of
267 the Planned Development Overlay, allowing more than 25 units per acre on the existing
268 1.29 acres.

269
270 Mr. Cooper: followed by asking why the Planning and Zoning Board decision on the
271 other two applications mentioned is not being considered. He added one of the
272 applications is requesting the City to vacate to the applicant, over ½ acre of S.E. 26TH
273 Avenue, and if approved more residential units could be approved.

274
275
276 Mr. Cooper: added the second application directed to the City Commission would be for
277 Major Development Plan Approval. He asked for clarification from staff since the
278 Planning and Zoning Board is also the Development Review Board, why is their vote not
279 considered?

280
281 Ms. Dominguez: advised that PDD applications do not go before the Planning and
282 Zoning Board but directly to City Commission.
283

284 Mr. Cooper: pointed out if it would be permitting a Mixed Use project, allowing the
285 applicant to build what would include a 31 story building, 305 feet tall, 84 residential
286 units, 432 hotel rooms, a 5 story garage and a 1,225 square feet restaurant on 1.8
287 acres which includes the ½ acre of vacated. S.E. 26TH Avenue. In addition, the density
288 proposed is 47 units per acre when the City requires 25 units per acre not to mention
289 they are seeking approval for extra Flex Units.
290

291 Mr. Cooper: stated the danger and unsafe conditions the project would provide if the
292 approval to modifications to several zoning standards and requirements were approved.
293 As a Civil Engineer, he is concerned about the intensity of the project if the City
294 Commission approves all four applications. Such as: dead-end parking, elimination of
295 wheel stops, tandem parking spaces, reduction in space size, reduction in number of
296 spaces provided, drive aisle width, unit size and traffic flow.
297

298 Mr. Cooper: stated his recommendation to the Board and the City Commission is to
299 deny this project due to size/height of the building not being compatible to the size of
300 the lot and the three story building adjacent to it.
301

302 Mr. Cooper: further stated the project would be detrimental to the resident's quality of
303 life in this area. He suggested the City purchase the site and built a waterfront park.
304

305 Mr. Fendell: agreed with the Chairman that the building needed to be reduced in size,
306 there were too many flex units being requested.
307

308 Mr. Fendell: stated he would like to take a look at the traffic studies, the flex units, and
309 agreed the density as has been summarized by Mr. Cooper, are also objections of his
310 own.
311

312 Ms. Steinberg: stated she did not like how the project would be combining residential
313 units with hotel units.
314

315 Ms. Dominguez: clarified that all Major Development projects with a PDD Overlay are
316 designed with more flexibility, therefore are not brought in front of the Planning and
317 Zoning Board.
318

319 Mr. Cooper: stated he thought it was wrong to bypass the Planning and Zoning Board.
320 He added the Board should be well aware of what they are voting for.
321

322 MOTION: MR. COOPER RECOMMENDED TO DENY APPLICATIONS #48-11-CU
323 AND #49-11-Z BY PRH-2600 HALLANDALE BEACH, LLC FOR A CONDITIONAL USE
324 PERMIT AND ASSIGNMENT OF THE PLANNED DEVELOPMENT OVERLAY (PDD)
325 DISTRICT IN ORDER TO BUILD BEACHWALK, A MIXED USE, 31-STORY 305 FEET

326 IN HEIGHT BUILDING, WITH 84 RESIDENTIAL UNITS, 216 SUITES WITH 432
327 HOTEL KEYS, A 1,225 SQUARE FEET RESTAURANT AND ASSOCIATED PARKING
328 GARAGE ON THE PROPERTY LOCATED AT 2600 E. HALLANDALE BEACH
329 BOULEVARD.

330
331 MS. STEINBERG SECONDED THE MOTION.

332
333 MOTION CARRIED BY ROLL CALL VOTE (4-0) FOR APPROVAL.

334
335
336 **SCHEDULING NEXT MEETING**

337
338 February 22, 2012

339
340 **DIRECTOR'S REPORT**

341
342 ~~Mr. Cooper: asked about the Golden Isles Overlay.~~

343
344 ~~Ms. Dominguez: stated the residents were informed that the City will not move forward~~
345 ~~with the Overlay due to the amount of residents against it.~~

346
347 Meeting adjourned at 3:15 P.M.

348
349 _____
350 Christy Dominguez
351 Planning and Zoning Board Liaison