

DRAFT
PLANNING AND ZONING BOARD MEETING
THURSDAY, SEPTEMBER 27, 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	N (excused absence)
Leo Grachow (Alternate)	Y

Staff in Attendance:

Christy Dominguez
Cindy Bardales

Mr. Cooper called the meeting to order at 1:42 PM.

Approval of Minutes

~~Mr. Steinberg: stated minutes need to show on her attendance as present. She requested staff to add a "Y" to show she was present at the meeting.~~

~~————— MOTION: MS. STEINBERG MOVED TO APPROVE THE MINUTES OF THE JULY 25, 2012 PLANNING AND ZONING BOARD HEARING.~~

~~————— MR. COOPER: SECONDED THE MOTION.~~

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

NEW BUSINESS

1. ~~Applications # 42-12-DB, # 41-12-P and # 68-12-RD by HB 1000-18, LLC/Hallandale Beach Shops is requesting approval to build a 13,376 square foot one-story commercial center at the property located at 1011 West Hallandale Beach Boulevard.~~

~~————— The applications are as follows:~~

- ~~Application #42-12-DB requesting Major Development Review Approval pursuant to Section 32-782 of the Zoning and Land Development Code in order to construct a 13,376 square foot one-story commercial center.~~
- ~~Application #41-12-P requesting Plat Review Approval pursuant to Article 2, Division 2 of the Zoning and Land Development Code.~~
- ~~Application #68-12-RD requesting Redevelopment Area Modifications (RAM) from the following code provisions:~~
 - a) ~~Section 32-176(g)(5) relative to the maximum 15 feet front yard setback, minimum 25 feet rear yard setback; and the minimum 15 feet corner side yard setback required for properties within the Planned Redevelopment Overlay (PRD) District.~~
 - b) ~~Section 32-176(g)(4) requiring new commercial buildings to have facades that occupy at least 60 percent but not more than 80 percent of the width of the lot.~~
 - c) ~~Section 32-455(c)(1) relative to the minimum number of parking spaces required for commercial/retail uses.~~
 - d) ~~Section 32-457 relative to loading space requirements for retail uses.~~
 - e) ~~Section 32-384(f) relative to required perimeter and interior landscape areas.~~

~~Ms. Dominguez: gave a brief overview and stated the following application for the redevelopment of this site which was formally a service station and a year ago a Mc Donald Restaurant.~~

~~Ms. Dominguez: added, the applicant is proposing to construct a one-story 13,000 square foot retail center. She further stated the application going before the Boards approval would be the Major Development and Plat application. The associated application Redevelopment Area Modification Waiver (RAM) which the Board may take into consideration but does not require Planning and Zoning Board action.~~

~~Ms. Dominguez: further added this waiver consist of maximum yard setback allowed, which there are site constraints due to ground water contamination from the gas station use, the building front occupies 83% of the lot width instead of the maximum of 80%, parking required is 52% spaces and 46% spaces (11%) provided and landscaping island along SW 10 Street is 8 feet instead of 10 feet.~~

~~Ms. Dominguez: stated Staff reviewed the application and determined the code standards would redevelopment improvement effects and has no objections to those request. She added this project is a significant improvement to the area thus Staff recommendations approval of the Major Development and Plat application.~~

~~Mr. Cooper: asked didn't previous approved Ordinance change to allow Redevelopment Area Modification application go before the Planning and Zoning Board for approval.~~

~~Ms. Dominguez: clarified the (RAM) applications are subject to certain criteria of improvement to redevelopment area.~~

~~Mr. Fendell: asked if the project concerns with Plan Redevelopment District (PDD).
Ms. Dominguez: stated no.~~

~~Mr. Cooper: opened a public hearing.~~

~~Mr. Jose Saye Architect and Nicole Land Surveyor stated they have been working with Staff on project and agreed to all of Staff recommendation.~~

~~Mr. Grachow: asked if site was a previous gas station wouldn't it be required to a clean up.~~

~~Mr. Saye: clarified Broward County has indicated that the areas such as, contaminated area and were the wells located can not be a built on.~~

~~Mr. Grachow: stated he did not see on the survey were it shows the location of the wells.~~

~~Mr. Saye: approached the dais to review plans with Board members.~~

~~Mr. Grachow: asked if there is a possibility of wells to contaminate other property.~~

~~Mr. Saye: stated the county has not advised of the possibility. He added the contaminated area will be used as parking and adding a trellis, due to the limitation this would be an option or not do anything to the area.~~

~~Ms. Steinberg: asked if parking in the area will be safe for resident visiting the property?~~

~~Mr. Saye: Confirmed.~~

~~Mr. Fendell asked setback?~~

~~Ms. Dominguez: stated the applicant has included 15 feet of separation of the building from 11 feet which meet Code because of the constraint of the property.~~

~~Mr. Fendell: asked if the City Manager may approve application?~~

~~Ms. Dominguez: stated Administrative Variance and Redevelopment Area Modification application.~~

~~Mr. Grachow: stated the County recommendation the road vacation will bring traffic congestion and potential problems on 10 Street.~~

~~Mr. Saye: stated there will be an additional turning lane which residence may use to avoid the traffic at the intersection.~~

~~Mr. Cooper: pointed out the survey west end proposes an easement and a canal where the Plat survey omits these changes.~~

~~Nicole : stated the Plat will show changes once approved.~~

~~Mr. Cooper: asked if the utility easement required?~~

~~Ms. Dominguez: stated showed document for Florida Power and Light (FPL) advising they had no objection to have the easement removed.~~

~~Mr. Cooper: asked if the county would have to approve the canal.~~

~~Ms. Dominguez: stated their will have to prepare separate ordinance which need to be approved before the Building Division can issue any permits.~~

~~Mr. Cooper: asked if the canal will be built close to the contaminated area?~~

~~Ms. Dominguez: stated no.~~

~~Mr. Cooper: pointed out that the plans show (10) ten signage which means one of the tenant would be left out. He added the signs are also shown as being made of aluminum and steel which in time will cause corrosion.~~

~~Ms. Saye: state they were aware of the (10) ten signs and will look into the material being used for the signage.~~

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

~~MOTION: MR. GRACHOW MOVED TO APPROVE APPLICATION #42-12-DB REQUESTING MAJOR DEVELOPMENT REVIEW APPROVAL PURSUANT TO SECTION 32-782 OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO CONSTRUCT A 13,376 SQUARE FEET ONE-STORY COMMERCIAL CENTER.~~

~~MS. STEINBERG SECONDED THE MOTION.~~

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

~~MOTION: MR. GRACHOW MOVED TO APPROVE APPLICATION # 41-12-P REQUESTING PLAT REVIEW APPROVAL PURSUANT TO ARTICLE 2, DIVISION 2 OF THE ZONING AND LAND DEVELOPMENT CODE.~~

~~MS. STEINBERG SECONDED THE MOTION.~~

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

2. Application # 69-12-V by RK Sage Plaza, LLC requesting a variance from the Sign Code of the City of Hallandale Beach in order to place a wall sign on the north side of the building for a new tenant, Five Guys Restaurant, that is not over their storefront at the property located at 800 East Hallandale Beach Boulevard.

Ms. Dominguez: gave a brief overview and stated the variance request was presented to the City Commission on July of 1986, to approve twelve (12) electrical box signs for all tenants at the Sage Plaza Center measuring 12 square feet.

Ms. Dominguez: stated the new business owner, RK Associates, removed all (12) signs which did not meet Code at their own will and today is seeking approval to install only (1) sign 27 ½ square feet for prospective new tenant, Five Guys Restaurant which does not have store frontage on Hallandale Beach Boulevard and placed it on the north face of the building.

Ms. Dominguez: clarified the proposal presented is only for one (1) sign instead of twelve signs which are permitted per the variance granted in 1986. She recommended the Board approve the application and added Staff would prefer the approval of one channel letter sign instead of twelve (12) box signs which would diminish the esthetic of the Center.

Mr. Cooper: open the public hearing.

Andrew Zidar (17100 Collins Avenue, Sunny Isles Beach, FL 33160): stated he was representing RK Centers and gave a brief overview on how this property is the third shopping center purchased by RK Associates and how they are working on giving it a more mixed used business as their other shopping centers, Diplomat Centers and Publix Center.

Mr. Zidar: added as Staff mentioned, they were not fans of the 12 boxed signs which they removed in exchange they would like the one sign for the new tenant Five Guys.

Mr. Cooper: asked what type of business was Five Guys Restaurant?

Mr. Zidar: explained it will be a burger and fries restaurant.

Mr. Grachow: further asked where in the survey does it show the location of the restaurant?

Mr. Zidar: clarified the business would be in the space of the current insurance company and toner business that will be vacant at the end of the year. These two offices equal

2,000 square feet in empty space and would be combined for Five Guys Restaurant. He stated this business is nationally known and are usually seen in freestanding buildings.

Mr. Zidar: added the tenant have expressed their interest in coming to Hallandale Beach and have accepted this location. However, they fear cars driving through at 40-45 mph, would miss it without visibility.

Mr. Fendell: asked if Staff would agree other tenants would get upset to see sign for Five Guys versus the sign permitted at their business.

Mr. Zidar: interjected and explained this sign would benefit all the businesses in the center. Five Guys is a very popular restaurant and when people decide to dine at this location they will be able to see the diverse retail mixed use of businesses which they can also visit.

Mr. Grachow: asked if the tenants were notified about the proposed sign?

Ms. Dominguez: stated notice letters when out and a posting was place on the property and the unit 10 days prior to the meeting.

Ms. Steinberg: suggested a bigger monument should be built showing all of the tenant names. She added tenant would be very upset if they do not have the same visibility as Five Guys.

Mr. Zidar: stated they have rebuilt a monument sign for all tenants that was damaged from a hurricane on the corner of 8th Avenue. The monument sign was built at the maximum size, the names of the businesses have been added and the tenants are not charged. They have also included directory signs placed in the garden to direct everyone where the businesses are located.

Mr. Fendell: asked if Sage had complained?

Ms. Dominguez: stated Staff has not heard from Sage.

Mr. Cooper: clarified the application being presented was for approval of variance for a sign at Five Guys Restaurant, this application has nothing to do in relation to Sage. He added, his concern was the Sign Ordinance was amended to not allow the City to look like Las Vegas.

Mr. Cooper: commended the applicant on the redevelopment of the property. However, he believes that the sign being proposed detracts from the beauty of the renovation. He stated approval of this application will persuade other tenants to request to also change their signage.

Ms. Dominguez: stated the RK Center was the property owner and would be the only authorized to allow additional signage as may be permitted by the City.

Mr. Grachow: asked how they determine the approval for signage variances.

Ms. Dominguez: stated each application should be evaluated on a case-by- case basis. Such as in this case, as there is variance history for this center that it is different from other properties.

MOTION: MS. FENDELL MOVED TO DENY APPLICATION # 69-12-V BY RK SAGE PLAZA, LLC REQUESTING A VARIANCE FROM THE SIGN CODE OF THE CITY OF HALLANDALE BEACH IN ORDER TO PLACE A WALL SIGN ON THE NORTH SIDE OF THE BUILDING FOR A NEW TENANT, FIVE GUYS RESTAURANT, THAT IS NOT OVER THEIR STOREFRONT AT THE PROPERTY LOCATED AT 800 EAST HALLANDALE BEACH BOULEVARD.

MS. STEINBERG SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (3-1) FOR APPROVAL.
(MR. GRANCHOW, NO)

~~3. An Ordinance Of The Mayor and City Commission of The City of Hallandale Beach, Florida Amending Chapter 32, of The City of Hallandale Beach, Florida Code of Ordinances, Known as The City of Hallandale Beach Zoning and Land Development Code, Article IV, Development Standards by Amending Section 32-8 "Definitions" and by Creating Section 32-244 Entitled "Rooftop Photovoltaic Solar Systems"; Providing for Definitions; Providing for Permitted Uses; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing for an Effective Date.~~

~~Ms. Dominguez: stated the Building Division Staff is at the meeting to answer any further question the Board may have.~~

~~MOTION: MS. DILLARD MOTIONED TO APPROVE AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA AMENDING CHAPTER 32, OF THE CITY OF HALLANDALE BEACH, FLORIDA CODE OF ORDINANCES, KNOWN AS THE CITY OF HALLANDALE BEACH ZONING AND LAND DEVELOPMENT CODE, ARTICLE IV, DEVELOPMENT STANDARDS BY AMENDING SECTION 32-8 "DEFINITIONS" AND BY CREATING SECTION 32-244 ENTITLED "ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS"; PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITTED USES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.~~

~~MS. STEINBERG SECONDED THE MOTION.~~

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

SCHEDULING NEXT MEETING

November 28, 2012

DIRECTOR'S REPORT

Meeting adjourned at 3:03 P.M.

Christy Dominguez
Planning and Zoning Board Liaison