

FINAL
PLANNING AND ZONING BOARD (PZB) PUBLIC HEARING SUMMARY
WEDNESDAY, SEPTEMBER 25, 2013
CITY COMMISSION CHAMBERS,
HALLANDALE BEACH, FLORIDA

ATTENDANCE ROLL CALL:

2013 PZB Attendance

Board Members	1/30	2/27	3/27	4/24	5/22	6/26	7/24	8/28	9/25	10/23	11/22	12/19
Arnold Cooper- Chairman	P	P	P	P	CANCELLED	P	CANCELLED	CANCELLED	P			
Eudyce Steinberg- Vice Chairman	P	P	P	P		P			P			
Terri Dillard	P	P	P	P		P			P			
Seymour Fendell	P	A	P	P		P			A			
Leo Grachow	P	P	P	P		P			A			
Csaba Kulin		P	P	P		A			T			
Sheryl Natelson			A	P		T						
Sherea Atkins-Alternate				A		A			P			
Total Members Present	5	5	6	7		6			6			
Total Members Absent	0	1	1	1		2			2			

Present (P)
 Absent: (A)
 Tardy: (T)
 Unappointed

Staff in Attendance:

Althea P. Jefferson, AICP
 V. Lynn Whitfield, City Attorney
 Christy Dominguez
 Vanessa Leroy
 Nancy Garcia

APPROVAL OF MINUTES

Mr. Cooper: asked for a motion to approve the Planning and Zoning Board meeting minutes of JUNE 26, 2013.

MOTION: MS. STEINBERG MOVED TO APPROVE THE MINUTES OF THE JUNE 26, 2013 PLANNING AND ZONING BOARD HEARING.

MR.KULIN: SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (5-0).

~~Ms. Jefferson informed the Board the Ordinance for "Temporary Uses" has administratively been pulled from the agenda and postponed until December.~~

~~Mr. Cooper opened a public hearing to allow anyone in attendance to speak or have questions on the item.~~

~~1. An Ordinance of the Mayor and City Commission of The City of Hallandale Beach, Florida, Repealing Chapter 32, Zoning and Land Development Code, Division 20, "Temporary Uses" and Creating Division 20, "**Special Events**"; Providing for Definitions; Providing for Codification; Providing for Conflict; and providing for an effective date. (This is the result of Application #06-13-TC by the City of Hallandale Beach, Florida)~~

~~Ms. Whitfield: stated motion is not required for item to be postponed.~~

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

The City Attorney asked anyone in the audience giving a testimony on any application to take an oath.

Applicant: Daniel Abreu: (1411 S.W. 20th Street, Miami, Florida 33175)

Application #82-13-DB & #127-13-RD by Family Dollar requesting approval to construct an 8,242 square feet Family Dollar retail store at the property located at 633 Pembroke Road. (*Quasi-Judicial Hearing*).

The application includes:

1. Application #82-13-DB for Major Development Review approval in order to construct an 8,242 square feet **Family Dollar** retail store.
2. Application #127-13-RD requesting Redevelopment Area Modifications (RAM) from the following code provisions:
 - a) Section 32-173-(d)(2) relative to the minimum 15 feet front yard setback required for properties within the Pembroke Road Overlay District.
 - b) Section 32-384(e) relative to the minimum 10 feet wide landscaped buffer required around the perimeter of all vehicular use areas adjacent to public rights-of-way.
 - c) Section 32-384(f) requiring all rows of parking be terminated with an interior landscaped island of at least 7 feet in width for the full length of the parking space.

Ms. Dominguez gave a power point presentation and a overview of the application.

Ms. Dominguez: staff recommended approval of application to construct the 8,242 square feet commercial retail store. She clarified the application for Redevelopment Area Modification (RAM) does was not require action by the Board.

Mr. Cooper: opened the public hearing.

Arturo Fanjul, Architect (1172 S. Dixie St., Coral Gables, Florida, 33146): stated they have addressed and modified this project to meet City Code. He added they had a few constraints on the setbacks but have worked with staff.

Mr. Abreu: stated it was a pleasure working with staff on executing this project.

(Ms. Natelson arrived 1:40 P.M.)

Mason Brown: (627 N.W. 10th Court, Hallandale, Florida 33009) stated he was not against the project. He asked for clarification on whether there would be an 8 feet to 10 feet tall fence with landscaping facing the neighborhood. Would parking be permitted in this area?

Mr. Fanjul: clarified and demonstrated on the site plan where they propose to place a wall and shrubs along the sides of the property, which will not allow the public to park any vehicles in the neighborhood.

Mr. Cooper: closed the public hearing.

Ms. Steinberg: asked Mr. Brown if he was satisfied with the proposed wall?

Mr. Brown: Agreed.

Mr. Cooper: stated the site plan show an easement of 10 feet on Pembroke Road, which means the front wall of the building will be encroaching into the utility easements if the proposed 10 feet setback is approved. Are we allowed to encroach into the easement?

Christy Dominguez: clarified the road easement is 7 feet and the utility easement and the roadway easements may overlap.

Mr. Fanjul: approached the dais to review plans with the Board members and stated he will make the correction.

Discussion ensued.

MS.DILLARD MOVED TO APPROVE APPLICATION #82-13-DB BY FAMILY DOLLAR REQUESTING APPROVAL TO CONSTRUCT AN 8,242 SQUARE FEET FAMILY DOLLAR RETAIL STORE AT THE PROPERTY LOCATED AT 633 PEMBROKE ROAD. SUBJECT TO STAFF'S CONDITION THAT APPLICANT SHALL PROVIDE

PAYMENT OF APPROXIMATELY \$3,980.89 WATER IMPACT FEE, PAYMENT OF APPROXIMATELY \$5,357.30 SEWER IMPACT FEE AND PAYMENT OF APPROXIMATELY \$16,055.00 TRANSPORTATION MITIGATION COST. APPLICANT IS REQUIRED TO PROVIDE ROADWAY EASEMENT DEDICATIONS IN A FORM ACCEPTABLE TO THE CITY ATTORNEY AS FOLLOWS: A SEVEN (7) FEET ROADWAY EASEMENT ALONG PEMBROKE ROAD, A FIVE (5) FEET ROADWAY EASEMENT ALONG NW 6TH TERRACE AND A TEN (10) FEET ROADWAY EASEMENT ALONG NW 7TH AVENUE.

MS. STEINBERG: SECONDED THE MOTION.

MOTION CARRIED BY ROLL CALL VOTE (6-0).

- ~~3. Application #76-13-DB by **Pegasus** Florida Inc. % of Gulfstream Park Racing Association, requesting Major Development Review pursuant to Section 32-179 (g)(2) for Phase 3, Pegasus Park, in the existing Village at Gulfstream Park. This will include a 110 foot tall bronze Pegasus statue in a 5.32 acre park setting. The applicant is also requesting approval of proposed revisions to the Master Plan and Design Guidelines for the Village at Gulfstream Park to allow Pegasus Park. Phase 3 is proposed to be located in the northern portion of the Village at Gulfstream Park generally located at 901 South Federal Highway.~~

~~Ms. Whitfield: asked anyone in the audience giving a testimony on any of the applications on the agenda to take an oath.~~

~~Ms. Dominguez: gave a power point presentation providing the Board with background of Gulfstream Park on previous approved applications of Phase I of the project, consisting a total of 430,814 square feet in floor area and approval of Phase II of the project consisting of an additional 60,447 square feet in floor area at the in 2009. She gave an overview of the application before the Board and stated she was open for questions.~~

~~Mr. Cooper: stated the original master plan is being revised and asked staff if the reason for appearing in front of the Board is due to changes being made to their development plan. He asked if all changes need to be approved by the Board?~~

~~Ms. Dominguez: clarified that modification to the concept plan and the design guidelines will require a recommendation by the Board and City Commission approval.~~

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

~~Dennis Porter, Senior Vice President The Stronach Group (13 Prince Albert Ontario, Canada): stated he represents the owner, Village of Gulfstream Park.~~

~~Mr. Cooper: asked why the statue height needs to be 110 feet which is equivalent to a 12 story building?~~

~~Mr. Porter: stated it was the design of the structure.~~

~~Discussion ensued.~~

~~Mr. Cooper: asked staff if the statue meets the building code and setbacks?~~

~~Ms. Dominguez: stated the required setback per the proposed amended guidelines is a minimum of 125 feet and they are proposing 360 feet. The statue will be required to meet the Florida Building Code.~~

~~Ms. Steinberg: asked for clarification whether this would be a park within a park?~~

~~Mr. Porter: disagreed and stated this is not a separate park. He added it would be just another element of attraction to a destination.~~

~~Ms. Steinberg: asked if the applicant would be adding to what is being proposed?~~

~~Mr. Porter: clarified at the moment this project is only a statue.~~

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

~~MR. KULIN MOVED TO APPROVE APPLICATION #76-13-DB BY **PEGASUS** FLORIDA INC. % OF GULFSTREAM PARK RACING ASSOCIATION, REQUESTING MAJOR DEVELOPMENT REVIEW PURSUANT TO SECTION 32-179 (G)(2) FOR PHASE 3, PEGASUS PARK, IN THE EXISTING VILLAGE AT GULFSTREAM PARK. THIS WILL INCLUDE A 110 FEET TALL BRONZE PEGASUS STATUE IN A 5.32 ACRE PARK SETTING. THE APPLICANT IS ALSO REQUESTING APPROVAL OF PROPOSED REVISIONS TO THE MASTER PLAN AND DESIGN GUIDELINES FOR THE VILLAGE AT GULFSTREAM PARK TO ALLOW PEGASUS PARK. WITH THE CONDITIONS: THE CITY COMMISSION APPROVAL OF THE MASTER PLAN AND DESIGN GUIDELINES AS REVISED AND THE WALLS OF THE RESTROOM FACILITY BUILDING FOR PEGASUS PARK SHALL BE FINISHED IN STUCCO OR PLASTER AND THE ROOF IS TRUE BARREL TILE AS OTHER STRUCTURES IN THE VILLAGE AT GULFSTREAM PARK.~~

~~MS. STEINBERG: SECONDED THE MOTION.~~

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

- ~~4. Application # 101-13-P by B and H Fort Lauderdale Beach, LLC requesting approval of the "**2000 South Ocean Drive Plat**" in accordance with Article II, Division 2 of the Zoning and Land Development Code for the property located at 2000 S. Ocean Drive.~~

~~Ms. Dominguez gave a power point presentation and overview of the application.~~

~~Ms. Dominguez: stated staff is requesting approval of the subject plat application. She explained the property is unplatted which means: the land is not specifically delineated on a plat of record. City and County Codes require all land be platted and recorded in the Broward County Records before a building permit is approved for the construction of any principal building on a property. Approval of the plats being presented are subject to compliance with the local zoning and land development regulations.~~

~~Mr. Kulin: asked for clarification of the previous project (Regency Spa) and if any portion of the development agreement was active.~~

~~Ms. Whitfield: stated Regency Spa application is no longer in affect. She added this was a new application coming before the Board requesting to plat a piece of land that will later move to the City Commission and then the recommendation will be sent to the County. The applicant is not before the Board today addressing Regency Spa or Major Development. The Major Development application for this project will be presented at a later time.~~

~~Ms. Orshefsky, Attorney (Greenberg Traurig, P.A. 401 E. Las Olas Blvd. Ft. Lauderdale FL 33301): stated Broward County requires the correct land use and right-of-way dedication to the plat land. She added they are not addressing design of the project. That is to be addressed in the Major Development application which will come in a later date.~~

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

~~Rosalia Boulon: (1980 S. Ocean Drive, 2E, Hallandale) stated she was concerned about the proposed building. What can homeowners do to shrink the size of the project being proposed? She asked staff if the public stops the plat application, would it stall the process of the project giving them time to observe what is being proposed?~~

~~Ms. Whitfield: stated it would be an unplatted piece of land. Platting of the property does not determine what will be built at the site. The plat approval will only allow for something to be built at this property.~~

~~Bertica Robinson (2030 S. Ocean Drive, #1122, Hallandale Beach, FL 33009): stated the audience was aware of what was being approved but she still attended the meeting to do everything possible to delay the process of this project that will be affecting many of the existing residents.~~

~~Barbara Marchards (2030 S. Ocean Drive, #523, Hallandale Beach, FL 33009): asked the applicant for modesty to construct a building which will not disrupt the existing neighbors.~~

~~Lisa Mann: (2017 S. Ocean Drive, Hallandale Beach): asked if the street easement belongs to this property?~~

~~Ms. Dominguez: responded, no.~~

~~Alan Koslow, Attorney: (3111 Stirling Road, 33312) stated he was representing 2,800 residents at The Hemispheres Condominium. He added that the developer wants to accelerate the Plat without the Major Development application.~~

~~Mr. Koslow: further stated the 64 unit needs to be plat in order for them to pull any building permits. He added the existing lot is a swivel lot which is why he believes the plat application needs to be reviewed in conjunction with the site plans. He added the applicant is trying to expedite the process since Broward County takes a while for approval of plats.~~

~~Mr. Cooper: Agreed. The Plat application should be brought before the Board with the Major Development application. He also requested a recalculation of the net percentage to see if it conforms to the definition of net acreage and a review of easements to be shown on the plat.~~

~~MS. STEINBERG MOVED TO DENY APPLICATION # 101 13 P BY B AND H FORT LAUDERDALE BEACH, LLC REQUESTING APPROVAL OF THE "2000 SOUTH OCEAN DRIVE PLAT" IN ACCORDANCE WITH ARTICLE II, DIVISION 2 OF THE ZONING AND LAND DEVELOPMENT CODE FOR THE PROPERTY LOCATED AT 2000 S. OCEAN DRIVE.~~

~~MR. KULIN: SECONDED THE MOTION.~~

~~MOTION CARRIED BY ROLL CALL VOTE (5-1) FOR DENIAL (MS. NATELSON NO)~~

SCHEDULING NEXT MEETING

October 23, 2013

ADJOURNMENT

MOTION: MS. NATELSON MOVED TO ADJOURN THE MEETING.

MS. STEINBERG SECONDED THE MOTION.

MOTION CARRIED 6-0 FOR APPROVAL.

Meeting adjourned at 3:32 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 ajefferson@hallandalebeachfl.gov or can be mailed to 400 South Federal Highway, attn.: Althea P. Jefferson, Hallandale Beach, Florida 33009.