

DRAFT
PLANNING AND ZONING BOARD (PZB) PUBLIC HEARING SUMMARY
WEDNESDAY, APRIL 23, 2014
CITY HALL, CONFERENCE ROOM 257,
HALLANDALE BEACH, FLORIDA

ATTENDANCE ROLL CALL:**2014 PZB Attendance**

Board Members	1/22	2/26	3/26	4/23	5/28	6/25	7/23	8/27	9/24	10/22	11/19	12/18
Sheryl Natelson - Chairman	T	T	T	P								
VACANT- Vice Chairman												
Terri Dillard	P	A	P	P								
Leo Grachow	P	P	P	A								
Csaba Kulin	P	P	P	P								
Sherea Atkins-Alternate	P	A	P	P								
Charles Wu				P								
Seymour Fendell- Honorary	A	A	A	A								
Total Members Present	6	5	5	5								
Total Members Absent	1	3	2	2								

*Present (P)**Absent: (A)**Tardy: (T)* *Unappointed***Staff in Attendance:**

Althea P. Jefferson, AICP
Richard J. Dewitt III, Assistant City Attorney
Christy Dominguez
Vanessa Leroy
Cindy Bardales

3. APPROVAL OF MINUTES

~~MOTION: MS. DILLARD MOVED TO APPROVE THE MINTUES OF THE FEBRUARY 26, 2014 PLANNING AND ZONING BOARD HEARING.~~

~~MR. GRACHOW SECONDED THE MOTION.~~

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

4. OLD BUSINESS

A. Election of Chairman

~~Discussion ensued.~~

~~Ms. Natelson: stated she would like to run for chair of the Board.~~

~~Mr. Kulin: made a motion to nominate Mr. Charles Wu, based on his knowledge as Director of Development Services.~~

~~Ms. Dillard: made a motion to nominate Ms. Sheryl Natelson as Chairman of the Board.~~

~~Ms. Natelson: asked if anyone second the motion to nominate Mr. Charles Wu as Chairman of the Board.~~

~~Ms. Atkins: expressed how she believes in the people and would like to have a Chairperson that would have consideration and respect the opinion of the other Board members.~~

~~Ms. Natelson: asked if there was a second motion to appoint Mr. Charles Wu, Chairman of the Planning and Zoning Board.~~

~~MOTION FAILED, as there was no second.~~

~~Ms. Dillard: made a motion to nominate Ms. Natelson as chairman of the Planning and Zoning Board.~~

~~Mr. Wu: made a second motion to appoint Ms. Natelson as Chairman of the Planning and Zoning Board.~~

~~MOTION CARRIED BY ROLL CALL VOTE (4-1). MR. KULIN-NO~~

B. Establishment of PZB Meeting Time

~~Ms. Jefferson: briefed the Board with the Ordinance approved on April 2, 2014 by the City Commission, which change the meeting time for the Planning and Zoning Board to any time after 5:30PM.~~

~~MR. KULIN MADE A MOTION TO ESTABLISH THE MEETING FOR THE PLANNING AND ZONING BOARD HEARING AT 6:30 PM EVERY FOURTH WEDNESDAY OF THE MONTH.~~

~~MS. DILLARD SECONDED THE MOTION.~~

~~ROLL CALL: APPROVED BY A VOTE OF (5-0)~~

5. NEW BUSINESS

- A. Application # 87-14-Z by Mega Developers, LLC, requesting a change in zoning of for the property located at 106 SE 9th Court. Applicant is requesting to change zoning from Business General (B-G) District to Residential Multi-Family Medium Density (RM-18) District in accordance with Article VIII, Section 32-963 of the Zoning and Land Development Code. The decision will be made by the Commission and formal action will be made by adoption of an ordinance, which is titled below:**

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, REZONING A PORTION OF THE PROPERTY LOCATED AT 106 SE 9TH COURT, HALLANDALE BEACH, FLORIDA 33009 FROM A BUSINESS GENERAL (BG) ZONING DISTRICT, TO A RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY (RM-18) ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

Mr. Dewitt, Assistant City Attorney asked anyone in the audience giving a testimony on the application to take an oath.

Ms. Leroy gave an overview presentation of the project.

Renee Smith (17027 W. Dixie Hwy. Aventura, FL 33160): introduced herself and advised this site has been vacant and approving this project will not only benefit the City but provide housing units for families to the area. She added this site will have adequate space for a four unit lot and would provide adequate parking.

Mr. Wu: asked if this item required a Community Meeting and if so, what was the outcome?

Ms. Smith: clarified that they was not required a Community Meeting. However, an extensive mailing list was sent out to notify residents of the public hearing.

Mr. Kulin: asked how approval of the rezoning of this 30 feet lot property would cause limitations to building anything on the other two subject properties mentioned in this application?

Ms. Smith: Agreed. Not approving this application would not permit for more homes to be built for families.

Ms. Leroy; further stated the applicant was before the Board to request rezoning and has submitted a Minor Development application which is currently in process with Staff. She also indicated the hearing today was strictly to discuss the rezoning.

Ms. Natelson opened a public hearing.

Ms. Natelson closed the public hearing.

MR.KULIN MOTIONED TO APPROVE APPLICATION # 87-14-Z BY MEGA DEVELOPERS, LLC, REQUESTING A CHANGE IN ZONING FOR THE PROPERTY LOCATED AT 106 SE 9TH COURT. APPLICANT IS REQUESTING TO CHANGE ZONING FROM BUSINESS GENERAL (B-G) DISTRICT TO RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY (RM-18) DISTRICT IN ACCORDANCE WITH ARTICLE VIII, SECTION 32-963 OF THE ZONING AND LAND DEVELOPMENT CODE. THE DECISION WILL BE MADE BY THE COMMISSION AND FORMAL ACTION WILL BE MADE BY ADOPTION OF AN ORDINANCE, WHICH IS TITLED BELOW:

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, REZONING A PORTION OF THE PROPERTY LOCATED AT 106 SE 9TH COURT, HALLANDALE BEACH, FLORIDA FROM A BUSINESS GENERAL (B-G) ZONING DISTRICT, TO A RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY (RM-18) ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

MR. WU SECONDED THE MOTION AND ADDED RECOMMENDATION BASED UPON THE TESTIMONY PRESENTED ALONG WITH THE APPLICATION SUBMITTED, WHICH CONSTITUTES COMPETENT, SUBSTANTIAL EVIDENCE THAT THE STANDARDS IN SECTIONS 32-605(D)(1)(A) AND 32-695 HAVE BEEN MET.

MR. KULIN AGREED TO INCLUDING LANGUAGE ADDED BY MR. WU.

MOTION TO APPROVE APPLICATION (5-0).

~~B. Application # 54-12-DB by CVS 10078 FL, LLC for Major Development Review approval pursuant to Section 32-782 of the Hallandale Beach Code of Ordinances in order to build the proposed CVS Pharmacy.~~

~~Mr. Richard Dewitt, Assistant City Attorney, asked anyone in the audience giving a testimony on the application to take an oath.~~

~~Ms. Dominguez: gave a brief overview of the CVS Pharmacy project.~~

~~Mr. Paul Tremblay, Representative (5789 N.W. 151 Street, Miami Lakes, FL 33014): stated since July 2012 their staff has been working very hard to bring CVS Pharmacy to the City of Hallandale Beach. He further added that allowing a CVS Pharmacy at this site will not only benefit the increasing population of residents in Three Islands; it would also be more accessible to beachgoers.~~

~~Mr. Tremblay: added they have reached out to over eight Board and Associations including Venetian, Olympic, Towers of Ocean View and The Three Island Boards/Association and all were in favor of their project.~~

~~Mr. Tremblay: stated they are seeking waiver from the City which would only be requesting the building to be moved from the front to the back of the site. He added this project is proposing a low intensity use, pharmacy accessible to residents 24 hours and bring in jobs for a staff of 30 employees not including those responsible for the maintenance of building.~~

~~Mr. Tremblay: indicated that the access points of entrance and exit are the same as the previous used of this property.~~

~~Mr. Jerry Proctor, Attorney (1415 Brickell Avenue) pointed out this site was a former bank location and in 2006, the European Club, a high-rise project, was approved by the City Commission. He added although City Code encourages the use of such intense density and more vertical building.~~

~~Mr. Proctor: stated CVS Pharmacy project would be a more positive approach and a gateway to Three Island Boulevard. He added surrounding property residence would have more access to their pharmacy store as oppose to the existing pharmacy on Hallandale Beach Boulevard.~~

~~Mr. Proctor: stated they are seeking waivers for setback due to City code requirement to bring the store front close to the property line.~~

~~Mr. Proctor: acknowledged staff concerns on setback which they have taken in consideration, however, believed would not work in convenience with their customers.~~

~~Mr. Proctor: provided the Board with past City Commission discussion (September 4, 2001) in where the City Manager addressed the overlay district and configuration of lots. The City Manager agreed that not all buildings in a developed area will fit up front and would have to take in consideration the configuration of the property.~~

~~Mr. Proctor went over the waiver chart provided in staff report.~~

~~Ms. Natelson opened a public hearing.~~

~~Ms. Louise Massey (300 Three Islands, Unit 207, Hallandale Beach, FL): congestion on Hallandale Beach Boulevard due to PNC Bank, Beachwalk; additional 24 hour pharmacy will benefit residents closer to Walgreens in HBB.~~

~~Ms. Sarina Cook (300 Three Islands Blvd. Unit 207, Hallandale Beach, FL): approval of two low-rise banks and the present development is a low-rise building and would not understand why this project would be rejected.~~

~~Mr. Morris Cook (300 Three Islands Blvd. Unit 207 Hallandale Beach, FL): asked to read a letter from by him regarding the CVS Pharmacy Project (Exhibit A) as well as a letter from Mr. Eliseo, President Anchor Bay Club Condominium Board and Chairman,~~

~~of the Three Islands Safe Neighborhood District (Exhibit B).~~

~~Mr. Keith London (613 Oleander Drive Hallandale Beach, FL): stated the rendering shown by the applicant showed sufficient landscaping and did not see how twenty five extra parking space would be a problem.~~

~~Mr. London: added this property has been vacant for many years and appreciate staff working close with the applicant to bring a more modern and aesthetic CVS Pharmacy to our City, but the process has been very extensive and believes it is time they move on to City Commission.~~

~~Ms. Leslie Wynne (911 N.E. 27th Ave., Hallandale Beach, FL): stated she had spoken to many residents and nobody was in favor of a high-rise building being built on this lot.~~

~~Ms. Natelson closed the public hearing.~~

~~Mr. Howard Shimer: interjected and asked if he could speak.~~

~~Ms. Natelson reopened the public hearing.~~

~~Mr. Howard Shimer (106 SE 9th Court, Hallandale Beach, FL): asked the Board to take the public opinion seriously and not build another high-rise building.~~

~~Ms. Natelson closed the public hearing.~~

~~Mr. Kulin: asked the applicant whether they agreed to conditions 5 and 6 of the Staff Report.~~

~~Mr. Proctor acknowledged that staff is seeking a more unique modern look to their project and are open to suggestions. However, would like to omit condition 5 and 6, which requests the applicant to enhance the building elevation and materials to be similar to the Pembroke Road store to the satisfaction of the Development Review Committee.~~

~~Ms. Natelson asked staff why they are requesting a vertical building.~~

~~Ms. Dominguez clarified that staff is asking for the project to have more pedestrian walking accessibility and standard of the PRD as opposed to a parking lot up front.~~

~~Ms. Dominguez added that the applicant fell short in the intent to follow the Citywide Master Plan having the building closer to the street or center the building to give a space for the drive through circulation.~~

~~Mr. Tremblay: stated they currently have sufficient circulation with the building on the corner.~~

~~Ms. Atkins: asked how much is the applicant willing to work with staff to meet the setback requirements?~~

~~Mr. Tremblay: stated they had concerns moving the building forward will cause dead-end parking.~~

~~Mr. Wu: stated he had concerns on the traffic from Hallandale Beach Boulevard would circulate to prevent the stacking of cars entering the Walmart along with drainage issues by the bus stop.~~

~~Mr. Chris Collins, CPH Engineering (1992 SW 1st Street Miami, FL 33135): stated the traffic study shows that peak hour the maximum generated is seven cars heading towards the residential area.~~

~~Mr. Wu: followed up by stating that the traffic will not work. He added his main concern was the left turns to Three Islands Boulevard.~~

~~Mr. Wu: asked if the applicant will be providing a bus shelter.~~

~~Ms. Dominguez: stated the easements are provided; and installing a bus shelter will be incorporated in the Development Agreement, which is currently being negotiated.~~

~~MR. KULIN MADE A MOTION TO APPROVE APPLICATION # 54-12-DB BY CVS 10078 FL, LLC FOR MAJOR DEVELOPMENT REVIEW APPROVAL PURSUANT TO SECTION 32-782 OF THE HALLANDALE BEACH CODE OF ORDINANCES IN ORDER TO BUILD THE PROPOSED CVS PHARMACY. REMOVE CONDITION NUMBER 5 TO ELIMINATE OR REDUCE THE NUMBER OF EXCESS PARKING FROM THE SURPLUS OF 28 SPACES AND INCREASE GREEN AREA AS DETERMINED BY THE CITY COMMISSION AND NUMBER 6 TO FURTHER ENHANCEMENT OF THE BUILDING ELEVATION AND MATERIALS TO BE SIMILAR TO THE PEMBROKE ROAD STORE TO THE SATISFACTION OF THE DEVELOPMENT REVIEW COMMITTEE.~~

~~MOTION FAILED AS THERE WAS NO SECOND.~~

~~MS. DILLARD MOVED TO APPROVE TO APPLICATION # 54-12-DB BY CVS 10078 FL, LLC FOR MAJOR DEVELOPMENT REVIEW APPROVAL PURSUANT TO SECTION 32-782 OF THE HALLANDALE BEACH CODE OF ORDINANCES IN ORDER TO BUILD THE PROPOSED CVS PHARMACY. SUBJECT TO THE FOLLOWING CONDITIONS:~~

- ~~1. PAYMENT OF APPROXIMATELY \$ 6,930.65 WATER IMPACT FEE.~~
- ~~2. PAYMENT OF APPROXIMATELY \$ 9,574.30 SEWER IMPACT FEE.~~
- ~~3. PAYMENT OF APPROXIMATELY \$ 99,082.00 TRANSPORTATION MITIGATION COST.~~

- ~~4. PROVIDE A 10 FEET BY 32 FEET BUS SHELTER EASEMENT ON EAST HALLANDALE BEACH BOULEVARD AND A 10 FEET BY 20 FEET EASEMENT ON THREE ISLANDS BOULEVARD~~
- ~~5. ELIMINATE OR REDUCE THE NUMBER OF EXCESS PARKING FROM THE SURPLUS OF 28 SPACES AND INCREASE GREEN AREA AS DETERMINED BY THE CITY COMMISSION.~~
- ~~6. FURTHER ENHANCEMENT OF THE BUILDING ELEVATION AND MATERIALS TO BE SIMILAR TO THE PEMBROKE ROAD STORE TO THE SATISFACTION OF THE DEVELOPMENT REVIEW COMMITTEE.~~
- ~~7. APPROVAL AND EXECUTION OF THE REQUIRED DEVELOPMENT AGREEMENT BY THE APPLICANT AND THE CITY STIPULATING AGREED CONDITIONS.~~

~~MR. KULIN SECONDED THE MOTION.~~

~~MS. NATELSON: SUGGESTED APPLICANT SHOULD WORK FURTHER WITH STAFF BEFORE THIS APPLICATION MOVES FORWARD.~~

~~ROLL CALL: APPROVED BY A VOTE OF (3-2) MR. WU AND MS. NATELSON - NO~~

6. SCHEDULING OF NEXT MEETING

~~A. May 28, 2014 at 6:30 P.M.~~

Meeting adjourned at 4:02 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.~~