



## City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:		1 <sup>st</sup> Reading	2 <sup>nd</sup> Reading
<b>4/9/2025</b>	<b>25-094</b>	<input checked="" type="checkbox"/> <b>Resolution</b> <input type="checkbox"/> <b>Ordinance</b> <input type="checkbox"/> <b>Other</b>	Ordinance Reading	<b>NA</b>	<b>NA</b>
			Public Hearing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Advertising Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Quasi-Judicial:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:		
<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>		
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:		
<input type="checkbox"/> <b>Yes</b> <input checked="" type="checkbox"/> <b>No</b>	<b>N/A</b>	<b>Vanessa Leroy</b>	<b>Sustainable Development</b>		
Strategic Plan Focus Areas:					
<input type="checkbox"/> <b>Fiscal Stability</b>	<input type="checkbox"/> <b>Resident Services</b>	<input type="checkbox"/> <b>Public Safety</b>	<input type="checkbox"/> <b>Infrastructure &amp; Mobility</b>	<input checked="" type="checkbox"/> <b>Economic Development &amp; Affordable Housing</b>	
Implementation Timeline:					
Estimated Start Date: 4/9/2025			Estimated End Date: 4/9/2025		

**SHORT TITLE:**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING APPLICATION # DB-23-03510 FOR MAJOR DEVELOPMENT PLAN APPROVAL, APPLICATION # RD-23-03514 FOR REDEVELOPMENT AREA MODIFICATIONS (RAMS) AND APPLICATION # V-25-00875 FOR VARIANCES BY SAG DEVELOPMENT, LLC TO CONSTRUCT A MIXED-USE DEVELOPMENT INCLUDING 116 RESIDENTIAL UNITS AND APPROXIMATELY 7,500 SQUARE FEET OF COMMERCIAL SPACE AT THE PROPERTY LOCATED AT 219 PEMBROKE ROAD; REQUESTING RAMS RELATIVE TO PARKING REQUIREMENTS FOR CONTINUOUS FORWARD MOTION, AND RELATIVE TO THE CIVIC OPEN SPACE PROPORTION REQUIREMENTS; REQUESTING VARIANCES TO REDUCE THE REQUIRED FRONT SETBACK IN RD-12 ZONING DISTRICT, TO REDUCE THE REQUIRED REAR YARD SETBACK IN WEST RAC – PEMBROKE ROAD SUBDISTRICT, AND TO REDUCE REQUIREMENTS RELATIVE TO TRANSPARENCY OF**

**BUILDING FACADES AND MINIMUM LANDSCAPE  
REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**STAFF SUMMARY:**

**Summary:**

SAG Development, LLC is requesting Major Development Plan approval, Redevelopment Area Modifications (RAMs), and Variances for a mixed-use development, consisting of 116 residential units and approximately 7,500 sq. ft. of commercial space, located at 219 Pembroke Road.

The applications filed with the City are as follows:

1. Application No. DB-23-03510 for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code for a mixed-use development including the allocation of County Bonus Units.
2. Application No. RD-23-03514 requesting Redevelopment Area Modifications (RAMs) from the following code provisions:
  - a) Section 32-203(c)(2) to waive the requirement that parking spaces shall be designed in a way to permit vehicle entry and exit in one continuous forward motion without using a vacant space to turn around.
  - b) Section 32-202(a)(3) to waive the width and depth proportion requirement for civic open spaces.
3. Application No. V-25-00875 requesting Variances from the following code provisions:
  - a) Section 32-144(d), to reduce the required front yard setback in RD-12
  - b) Table 32-160.d, to reduce the required rear yard setback in West RAC – Pembroke Road subdistrict
  - c) Section 32-194 (d)(1), to reduce the required transparency of building facades.
  - d) Section 32-384 (a), to reduce the minimum landscape requirement.

The proposed resolution approving the above applications are presented for City Commission consideration.

**Background:**

The subject property, approximately 1.49 acres, consists of multiple vacant commercial and residential lots. It is designated with a mix of land uses: part of the property fronting Pembroke Road falls within the Regional Activity Center (RAC) designation, and the remainder located along NW 10<sup>th</sup> Street is designated as Low Medium Density Residential designation. Accordingly, the property is split between two zoning districts: West RAC – Pembroke Road Subdistrict and RD-12.



The Developer's Community Meeting was held on February 18, 2025. The attendees expressed concerns related to, but not limited to, traffic impacts, trash collection, affordability of units, use of local Hallandale businesses during construction, and appropriate buffering between existing residential uses.

At the February 26, 2025, Planning and Zoning Board meeting, the Board unanimously recommended approval of the Major Development Plan and Variances to the City Commission, with Staff's conditions adding that the quality of finishes and fixtures for affordable housing units shall be identical to the quality of finishes and fixtures for market rate units. The Planning and Zoning Board Agenda Cover Memo and Meeting Minutes are attached as Exhibits 2 and 3.

### **Current Situation:**

The Applicant proposes to demolish all existing structures on the subject site for the construction of a mixed-use development comprised of 116 residential units and approximately 7,500 sq. ft. of commercial space. The proposed development features an eight-story building along Pembroke Road that transitions down to two stories into the RD-12 district portion of the property.

### **Analysis**

#### **Development Details**

The Applicant's plans depict the following:

1. Eight commercial suites on the ground floor along Pembroke Road.

2. Plaza-type Civic Open Space, provided at approximately 7.7 percent, along Pembroke Road, designed with multiple seating areas, a water feature, pet cleanup station and trash receptacle. A RAM is requested to waive the portion requirements as it relates to width and depth for civic open spaces.
3. Residential unit types range from studios to two-bedroom units. The residential units will primarily be located in the portion of the structure along Pembroke Road, with 8-townhome type units provided within the RD-12 district along NW 10th Street.
4. Utilization of maximum height and density, and as required, the Applicant has provided 17 “moderate-income” affordable housing units, public art, civic open space, and streetscape improvements.
5. Residential amenities include a pool deck, short/long-term bicycle storage, and a multipurpose space.
6. Parking garage located at the center of the proposed building and is screened by active uses along Pembroke Road and NW 10<sup>th</sup> Street.
7. Access to the parking garage is provided along the side streets, NW 3<sup>rd</sup> Avenue and NW 2<sup>nd</sup> Avenue.
8. The garage features 179 parking spaces (174 spaces are required) with a mix of traditional and EV-ready and capable spaces. A RAM is requested to waive the requirement for vehicles to circulate the garage in one forward motion.
9. Clean contemporary design through the use of materials such as glass, metals, and smooth and textured stucco. The massing of the building is broken up using aluminum canopies and concrete eyebrows.
10. The design includes a variance to reduce the required transparency from 20 percent to 11 percent for the West and East facades within the West RAC – Pembroke Road subdistrict.
11. An array of native trees, palms, and shrubs. The overall subject property provides for a total of 7,692 sq. ft. of landscape area.
12. A variance to reduce the required landscape area for the RD-12 portion of the site from 30 percent to 15.82 percent
13. A variance to reduce the required front yard setback within the RD-12 zoning district from 20 feet to approximately 9.3 feet along NW 10th Street.
14. A variance to reduce the required rear setback within the West RAC – Pembroke Road subdistrict from 20 feet to 8 feet along the southwest property line.

### Comprehensive Plan Considerations

The property is designated as a Regional Activity Center and Low-Medium Density Residential on the City’s Future Land Use Map. The proposed uses are permitted under the respective land use categories. The proposed development will assist in furthering the goals, objectives, and policies of the City’s Comprehensive Plan as discussed in the Planning and Zoning Board Cover Memo. Currently, there are 625 units available in the pool of RAC units. The allocation of RAC units to this project, exclusive of units located within RD-12 and allocated through Broward County bonus units, is 68 units. This results in 557 remaining RAC units.

### **Applicable Codes and Ordinances**

#### Redevelopment Area Modification (RAM) Criteria

A portion of the subject property is within the West RAC – Pembroke Road subdistrict, which allows the City Commission to modify zoning and land development standards through the Redevelopment Area Modification (RAM) process in lieu of a variance as per Section 32-135. The following chart summarizes the requested Redevelopment Area Modification waivers:

Waiver	Required/Allowed	Proposed
Civic Open Space Proportion	Depth is no more than 2.5 times the width, and the width is no more than 5 times the depth	RAM to waive configuration
Continuous forward motion	Parking spaces shall be designed to permit entry and exit in one continuous forward motion without vacant space to turn around	RAM to waive requirement

Pursuant to Section 32-135 (a), the City Commission may grant redevelopment area modifications for specified development standards relating to any proposed project if it is determined that all the following criteria are met:

1. The code standards are determined to significantly inhibit neighborhood or structural improvement efforts.

*Although the project would be an improvement to existing conditions and is generally in line with the applicable regulations, strict adherence to applicable zoning standards would not inhibit redevelopment of the site.*

2. The modifications adequately provide for service areas and other development features for the project.

*The proposal ensures adequate access to service areas and other development features. The project is designed with proper accessibility, including ADA-compliant access from the civic open space on Pembroke Road, the lobby, and the parking garage levels to the lobby, elevator, and other facilities.*

3. The modification adequately provides service and emergency vehicles access.

*Appropriate reviewing departments have confirmed that the proposal provides adequate service and accessibility for sanitation, fire, and other service and emergency vehicles. The building's dumpster enclosure ensures adequate access by roll-out service for the City's sanitation trucks.*

4. The modifications adequately provide for visibility of access.

*The proposed modification does not affect visibility of access and as such would not inhibit visibility of access. The proposed development has been designed with adequate visibility for access to and from the subject property.*

Variance Criteria:

Pursuant to Section 32-965 of the Zoning and Land Development Code, a variance to the terms of the Zoning and Land Development Code that will not be contrary to the public interest where, due to special conditions, a literal enforcement of the provisions of the Zoning and Land Development Code will result in unnecessary and undue hardship may be granted by the City Commission in compliance with the requirements of the chapter. The following chart summarizes the requested variances:

Variance	Required/Allowed	Proposed	Deficiency
Rear Setback within West RAC- Pembroke Road	20 feet adjacent to residential	8 feet	12 feet
Front Setback within the RD-12	20 feet	9.3 feet	10.7 feet
Transparency requirement on East and west facades within the West RAC – Pembroke Road subdistrict.	20%	11%	9%
Landscape Area within RD-12	30%	15.82%	15%

The requested variances shall be reviewed with consideration given to the following criteria:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or building in the same zoning district.

*The split zoning of the property between two very distinctively different zoning districts presents unique challenges when developing the site as one cohesive and harmonious development, as it does not consider the various levels of intensity of development.*

2. The special conditions and circumstances do not result from the actions of the applicant.

*As the proposed development would be a result of demolition and new construction there are no existing physical site constraints that would limit the Applicant from compliance with the regulations, however, the split zoning of the property does provide for unique challenges in the building design triggering the necessity for the requested variances.*

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures in the same district.

*Granting the variance requested will not confer on the Applicant any special privilege for other properties within the West RAC – Pembroke Road subdistrict or RD-12 zoning district as it does not affect permitted uses or density and intensities within the respective districts.*

4. Literal interpretation of the provisions of this chapter would deprive the applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the applicant.

*The literal interpretation of the provisions would not cause an undue hardship for the Applicant.*

5. The variance granted is the minimum variance that will make possible reasonable use of the land, building or structure.

*The Applicant has requested the minimum variance needed to make reasonable use of the subject property.*

6. The grant of the variance will be in harmony with the general intent and purpose of this chapter.

*The granting of the variance would be in harmony with the general intent and purpose of this chapter as the Applicant has sought to propose alternative solutions to meet the intent of the regulations.*

7. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

*The requested variances would not be detrimental to the community. Additionally, it does not alter the permitted land use and remains compatible with the surrounding area.*

### Allocation of Bonus Units through Broward County Land Use Plan Policy 2.16.3

The Applicant is requesting to allocate an additional 28 units, whereas four of those units will be set aside as affordable units for the moderate-income group. This results in approximately 112 dwelling units per acre. Staff finds that the proposed allocation of a total of 28 bonus and affordable housing units is compatible with existing and future land uses and other land development regulations and that there are adequate public facilities and services in place to accommodate the units. As required, Staff conditions that prior to permit issuance, a restrictive covenant, in a form acceptable to the City be provided guaranteeing that the affordability of the bonus units for the affordable income groups described above be maintained for a period of at least thirty years and that affordable housing units shall be proportionately distributed amongst unit types and sizes throughout the building.

### Major Development Review Criteria

The Development Review Committee (DRC) issued technical comments to the Applicant during the review of the application. As such, revisions were made to the plans to address Staff's technical comments. Article V, Section 32-787 specifies the following criteria shall be utilized in the review and evaluation of applications for Major Development Review approval:

#### 1. Natural Environment

The property consists of one platted parcel with no structures on the property. A total of 79 trees are required for this project and are provided, including street trees along Pembroke Road, NW 2<sup>nd</sup> Avenue, NW 10 Street, and NW 3<sup>rd</sup> Avenue. The grounds will be landscaped with an array of shrubbery and canopy trees. Four trees/palms are to be protected in place on-site, while 17 trees/palms are to be relocated on-site.

#### 2. Open Space

Approximately 7,692 sq. ft. of landscape area is provided on the subject property. The applicant is requesting a variance related to the required landscape area required on the RD-12 portion of the sight. A civic open area of 7.5% minimum is required per Code. The applicant provides the

required civic open space and required furnishings; however, the Applicant is requesting a RAM to waive the width and depth proportion for Civic Open space.

### 3. Circulation and Parking

The entrance to the parking garage is accessible from NW 3<sup>rd</sup> Avenue and NW 2<sup>nd</sup> Avenue. The proposed parking garage provides 179 parking spaces that include EV-capable/ready spaces and exceeds the required 174 parking spaces. The Applicant has requested a RAM to waive the requirement that parking spaces shall be designed in a way to permits vehicle entry and exit in one continuous forward motion without using a vacant space to turn around.

### 4. Access Control

The garage will not be accessed controlled at the entrances of the garage. It will be accessed controlled in other areas of the garage for resident access only.

### 5. Public Transportation

The site is well-served by existing mass transit services. Broward County bus routes service Pembroke Road. In addition, the City's mini-bus route also serves the area.

### 6. Community Services

A trash room is located on the west and east side of the building to accommodate dumpsters, which will be rolled out on service days. The location is accessible for the City's sanitation vehicles. At staff's request, the applicant provided a loading and refuse area operational plan to manage hotel deliveries and refuse collection, ensuring safety and traffic flow. This plan was acceptable to the City's consultant.

### 7. Concurrency Evaluation

Staff has conducted a concurrency evaluation of the project relative to its impact on water, sewer, solid waste, drainage, recreation, schools, and transportation. Concurrency requirements have been met.

### 8. Buildings and Structures

The proposed mixed-use development has been designed to integrate well with its surroundings. The building's placement and architectural design contribute to both vertical and horizontal mixed-use aligning with the intent of the Pembroke Road subdistrict while harmoniously respecting the character of the residential neighborhood to the south on NW 10th Street.

The building stands at 8 stories along Pembroke Road, which is less intense than the 10 stories permitted in this area. This 8-story portion of the building is harmonious with its surroundings in terms of location, scale, and contemporary design, fitting well with the scale for buildings on Pembroke Road and compatible with the new mixed-use development nearby, The Ashworth, presently under construction to the east. To the south, the building transitions to 2-story townhomes lining the parking garage along NW 10th Street, ensuring compatibility with the low-medium density residential uses on the south side of 10th Street.

The proposed building height along Pembroke Road, although permitted within the Pembroke Road subdistrict, has been designed to minimize shadow effects on surrounding properties. The

applicant has taken measures to ensure the building's design does not impede the reasonable use of recreational facilities on nearby existing buildings.

**Why Action is Necessary:**

Pursuant to Section 32-160.d(d)(4) of the Zoning and Land Development Code, Commission consideration of Major Development applications is required when requesting more than the permitted base density or height.

Pursuant to Section 32-965 of the Zoning and Land Development Code, City Commission consideration of variances is required when associated with a Major Development.

Pursuant to Section 32-135 of the Zoning and Land Development Code, City Commission consideration of RAM is required.

Pursuant to Broward County Land Use Policy 2.16.3 City Commission, consideration is required for the allocation of bonus units when exceeding the allowable density in the applicable zoning district

**Cost Benefit:**

The estimated building permit fee for the Project is approximately \$523,000 based on the estimated construction cost of \$20 Million. The anticipated market value is \$38 Million. It is expected that the proposed development will generate approximately \$273,941 in real estate taxes to the City's CRA in the next year after obtaining a certificate of occupancy.

**STAFF RECOMMENDATIONS:**

Staff recommends that the City Commission consider the requests for Major Development Plan approval, RAMs, and variances with the following conditions for consideration:

1. Payment of the City's water impact fee as calculated at the time of building permit.
2. Payment of the City's sewer impact fee as calculated at the time of building permit.
3. Payment of the City's impact fees in the amount as calculated at the time of building permit.
4. Compliance with the Green Building requirements of the NGBS-Gold certification or another recognized green building agency as determined by the City.
5. The Applicant shall contract with the City for roll-out service by the Sanitation Division for servicing the dumpster/trash disposal.
6. Prior to the issuance of the building permit, a declaration of restrictive covenant, in a form acceptable to the city attorney, shall be recorded in the public records of Broward County, Florida, guaranteeing 17 affordable residential units for the moderate-income group (120% Average Median Income) in compliance with Policy 2.16.3 of the Broward County land use plan. The units shall maintain compliance with the regulations for affordable units in the City Code, as may be amended. These units must be maintained for a period of at least 30 years for rental housing and at least 30 years for owner-occupied housing and affordable housing units shall be proportionately distributed amongst unit types and sizes throughout the building.
7. Affordable units shall be available before or concurrently with bonus units and the quality

of finishes and fixtures for affordable housing units shall be identical to the quality of finishes and fixtures for market-rate units.

8. Residential units, including affordable housing units, shall be made available to City residents or employees for a period of 4 weeks following the City's published notice through the City's website as soon as units are available.
9. Prior to the issuance of the building permit, a Unity of Title, in a form acceptable to the city attorney, shall be recorded in the public records of Broward County, Florida.
10. Prior to the issuance of the building permit, the Applicant shall work with DSD to obtain approval for the final design of the proposed garage screening.
11. Prior to the issuance of the certificate of occupancy, Applicant shall work with DSD to obtain approval for the final design of the public art installation.
12. Prior to the issuance of the Building Permit, the Applicant shall provide the right-of-way dedication as illustrated on the plans along Pembroke Road in a form acceptable to the City Attorney.
13. Limited delivery hours and loading or moving operations shall be coordinated by building administration and shall not occur within the public right of way.

**ATTACHMENT(S):**

- Exhibit 1 – Proposed Resolution
- Exhibit 2 – February 26, 2025, Planning and Zoning Board Cover Memo
- Exhibit 3 – February 26, 2025, Planning and Zoning Board Minutes
- Exhibit 4 – Aerial & Zoning Map
- Exhibit 5 – Applicant's Letter and Plans
- Exhibit 6 – City Traffic Consultant Report
- Exhibit 7 – Presentation

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