



City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Applicant:	Atlantic Village 4, LLC.	Meeting Date:	August 31, 2022				
Project Name:	Atlantic Village 4	Property Address:	800-814 N. Federal Hwy				
Application #s:	DB-21-4094 Z-21-4095 RD 21-4096	Application Type:	Major Development, Rezoning and Redevelopment Area Modifications (RAMs)				
Planning District:	Northeast	Quasi-Judicial: <i>(Enter X in box)</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> <tr> <td style="text-align: center;">X</td> <td></td> </tr> </table>	YES	NO	X	
YES	NO						
X							
Parcel Size:	0.51 Acre	Public Hearing: <i>(Enter X in box)</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> <tr> <td style="text-align: center;">X</td> <td></td> </tr> </table>	YES	NO	X	
YES	NO						
X							
Existing Zoning:	Central Regional Activity Center (RAC) District / Transitional Mixed-Use Subdistrict						
Proposed Zoning:	Central Regional Activity Center (RAC) District / RAC Corridor Subdistrict						
Existing Use:	Vacant lot (formerly the site of Carini's and Ocean's Eleven Restaurants)						
Proposed Use:	Office building with 105,152 square feet in floor area						
Comprehensive Plan Future Land Use Designation:	Regional Activity Center (RAC) Land Use						
Surrounding Zoning:		Surrounding Land Use:					
North: Central Regional Activity Center (RAC) District/Transitional Mixed-Use Subdistrict South: Central Regional Activity Center (RAC) District/Transitional Mixed-Use Subdistrict East: Central Regional Activity Center (RAC) District/RAC Neighborhood Subdistrict West: Central Regional Activity Center (RAC) District/RAC Corridor Subdistrict		North – Commercial across Atlantic Shores Blvd. East - Multi-Family Apartments and commercial building West - Commercial South - Commercial					
Staff Recommendation:		Strategic Plan Priority Area:					
<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny		<input checked="" type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal					
Sponsor Name:	Vanessa Leroy, Director Sustainable Development Department	Prepared By:	Christy Dominguez, Planning and Zoning Manager				

Request

The applicant, Atlantic Village 4, LLC, is requesting Major Development Plan approval, Rezoning and Redevelopment Area Modifications (RAMs), in order to build Phase 4 of the Atlantic Village development.

STAFF SUMMARY:

Background

The applicant is requesting Major Development Plan approval, Rezoning and Redevelopment Area Modifications (RAMs), in order to construct the Atlantic Village 4 Office Building, a 12-story office building with ground floor retail space with a total of 105,152 square feet in gross floor area. The property is located at 800-814 North Federal Highway

The applications filed with the City are as follows:

1. Application #Z-21-4095 for rezoning/zoning map amendment to change the designation of the property located at 800-814 North Federal Highway from Central RAC (Regional Activity Center)/ Transitional - Mixed Use Subdistrict to Central RAC/ RAC Corridor Subdistrict.
2. Application #RD-21-4096 requesting Redevelopment Area Modifications (RAMs) from the following code provisions: *(Planning and Zoning Board action is not required for redevelopment area waiver applications)*.
 - a. Table 32-195(a)(A) RAC Corridor Dimensional Requirements, Building Placement, to modify the setback on Atlantic Shores Boulevard from the minimum required of 10 feet to provide 3-inches, and the setback on North Federal Highway from the minimum required of 15 feet to provide 13'-1".
 - b. Table 32-195(a)(A) RAC Corridor Dimensional Requirements, Building Placement, to modify the Secondary Street Setback from the required minimum of 10 feet to provide 8 inches on NE 8th Street.
 - c. Table 32-195(a)(B) RAC Corridor, Building Placement, to modify the minimum setback of the building above the 5th story from 20 feet to zero feet on NE 8th Street; 1 inch on Federal Hwy; and 3 inches on Atlantic Shores Blvd.
 - d. Table 32-195(a)(E) RAC Corridor Building Placement, to modify the minimum rear setback required of the building from 10 feet to 3 feet.
 - e. Table 32-195(a)(F) RAC Corridor, Building Placement, to modify the minimum rear setback required above the 5th floor from 30 feet to 3 feet.
 - f. Table 32-195(a) RAC Corridor, Civic Open Space, requiring a 7.5% civic open space for projects exceeding base height (10 stories) to provide no Civic Open Space.
 - g. Section 32-203 (e) requiring one loading zone 12 ft. x 30 ft. for buildings greater than 20,000 sf. to 150,000 s.f.
3. Application #DB-21-4094 for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code in order to construct the proposed commercial development with a total of 105,152 square feet in gross floor area.

Related Actions

In addition to Major Development Plan approval and rezoning, the applicant is requesting Redevelopment Area Modifications (RAMs). Section 32-135(a) allows the City Commission to modify any specified development standard relating to any proposed project through the RAM process in lieu of a variance. RAMs are approved by the City Commission if it is determined that all the criteria of Article III Section 32-135(a) of the Code have been met.

RAMs are not subject to the variance criteria of Article VIII, Section 32-965 and do not require Planning and Zoning Board action. However, the analysis for the RAM application is included in this report for the Board's informational purposes and any comments or recommendations.

Analysis

Development Details

The applicant's plans depict the following:

1. A parcel of 22,948 square feet gross area (0.53 acres) and on North Federal Highway (west border), and between NE 8th Street (south border) and Atlantic Shores Boulevard (north border). After the required 3 feet right-of-way dedication along Federal Highway, the parcel would be reduced to 22,423 square feet gross area (0.51 acres).
2. There were 2 existing one-story buildings that have since been demolished- Carinis and Ocean's Eleven restaurants.
3. A 12-story building with general commercial on the ground floor and a parking garage topped by office use. *(After rezoning to RAC Corridor subdistrict the maximum base height allowed is 10 stories and the maximum height allowed is 15 stories)*. A portion of the 12th floor of the building is 25 feet in height which exceeds the maximum height of 12 feet allowed per floor pursuant to code section 32-194; thus, the building counts as 13 stories.
4. The proposed building consists of 7,745 square feet of retail and restaurant space (ground floor), 4,672 square feet of common/service area (ground floor), 125,602 square feet garage space (ground floor to the seventh floor) and 92,735 square feet of office space (floors eight to twelve).
5. The project has a proposed lot coverage of 94.45% *(95% maximum lot coverage)*.
6. A building setback 13 feet-1 inch along North Federal Highway after required dedication; 15 feet is the minimum required setback.
7. A building setback of 3 inches along Atlantic Shores Blvd (Primary Street); 10 feet is the minimum required setback.
8. A building setback of 8 inches along NE 8th Street; *(10 feet is the minimum required)*
9. Side building setbacks above the 5th story of zero feet along NE 8th Street; 3 feet 1 inch along North Federal Highway and 3-inch setback along Atlantic Shores Blvd; *(20 feet is the minimum required)*
10. A building setback of 3 feet along the rear property line; *(10 feet is the minimum required)*.
11. Rear building setback above the 5th story of 3 feet along the rear property line. *(30 feet is the minimum required setback)*.
12. A building frontage along North Federal Highway of 93.21%. *(75% minimum building frontage required on primary streets)*. 7-floor parking garage with 298 spaces. *(331 off-street parking is required - 33 spaces- a 10% reduction)*.

13. Fourteen of the parking spaces on-site will have electric charging stations (dual ports at every parking level).
14. Two bicycle racks for the parking of 14 bicycles on the ground floor of the parking garage and an long term bicycle storage room for 7 bicycles – a total of 21 bicycle spaces are provided *(16 spaces is the minimum required: 8-short term and 8-long term)*.
15. There are 7 ADA parking spaces required and provided.
16. No loading zone is provided. *(One (12' x 30') loading zone required)*.
17. 5.55% (1,274 square feet) of the site will be landscaped *(5% is the minimum required)*.
18. No civic open space is proposed. *(a 1,682 s.f. civic open space is required due to the project exceeding base height)*.
19. A public plaza is proposed on the City parcel adjacent to the public right -of way of Atlantic Shores Boulevard. Two public parking spaces proposed in this City parcel.
20. A new 8 feet-wide sidewalk along NE 8th Street is proposed *(the minimum is 8 feet along such street)*.
21. The site has a few existing trees and palms. 2 existing Live Oaks will be transplanted off site within Hallandale Beach, at Atlantic Village 3 project.
22. A total of 38 site trees (site and street) are provided. *(15 on-site trees is required and 16 are provided; 22 street trees are required and 22 are provided)*.
23. 59% of the provided trees are native *(50% is the minimum required)*.
24. 100% of the provided trees are drought tolerant species *(50% is the minimum required)*.

Comprehensive Plan Considerations

The property is designated Regional Activity Center on the City's Future Land Use Map. The commercial use proposed by the applicant is permitted under the land use category. The proposed development will assist in furthering the goals, objectives, and policies of the City's Comprehensive Plan as discussed below under Rezoning/Zoning Map Text Amendment review criteria.

Applicable Codes and Ordinances

1. The proposed commercial use is permitted based on the present Central RAC Zoning District/ RAC Corridor Subdistrict.
2. The maximum height allowed in the RAC Corridor is 15 stories for properties less than 3 acres. The base height in RAC Corridor subdistrict is 10 stories and the proposed building counts as 13 stories according to section 32-194. Pursuant to Section 32-195 (c), projects with height over the base must:
 - a) Provide civic open space of 7.5% of the site.
 - b) Provide street/streetscape improvements consistent with the city's complete streets efforts, on both sides of adjacent rights-of-way.
 - c) On secondary streets fully conceal parking levels at the sidewalk level for a depth of at least 20 feet by a story containing active uses, such as residential, office, or retail.

The Developer complies with the criteria (b) and (c) above. However, the required civic space is not provided, and a waiver is requested.

3. The applicant requests the requirements discussed below in items 3(a) through 3(g) be waived by the City Commission pursuant to Section 32-135(a). The following chart summarizes the requested Redevelopment Area Modification waivers under Application# RD 21-4096 as further discussed below:

WAIVERS OR DEFICIENCIES	REQUIRED/ALLOWED	PROPOSED	DEFICIENCY
a) Primary Street Setback - Federal Highway - Atlantic Shores Blvd	Min. 10 feet to Max. 15 feet	13 feet 3 inches	2 feet 9 feet 9 inches
b) Secondary Street Setback NE 8 th Street	Min. 10 feet	0 feet 8 inches	9 feet 4 inches
c) Street Setback above 5 th Floor	Min. 20 feet	0 feet (NE 8 th ST 0 feet 1 inch (N. Federal Hwy.); and, 3 inches (Atlantic Shores Blvd.).	19 feet 9 inches to 20 feet
d) Rear Setback	Min. 10 feet	3 feet	7 feet
e) Rear Setback Above the 5 th Story	Min. 30 feet	3 feet	27 feet
f) Civic Open Space	Exceeding Base Height 7.5%	0%	100%
g) Loading Zone (12 feet x 30 feet)	1 loading zone	None	1 loading zone

a. Table 32-195(a) requires a minimum yard setback on all sides and requires setback stepbacks above the 5th story and up. The proposed building will be setback significantly less on all sides than required, with deficiencies ranging from 70% for the rear setback to 100% for the street setback above the 5th story; a waiver is required and requested as noted on the above chart items (a) through (e).

b. Section 32-196(a) requires projects which exceed the base height of 10 stories to provide a 7.5% civic open area. The applicant is not providing the required civic area of 7.5% even though exceeding the base height and building to 13 stories, thus, a waiver is required and requested.

c. Section 32-203(e)(1) requires an off-street loading zone be provided a minimum of 12 feet by 30 feet for this size development which shall be located in a specifically designated loading area adjacent to drive aisles, walkways, or attached/detached from building. The proposed project does not have loading zone.

In summary, the applicant is requesting Redevelopment Area Modification waivers from certain Central RAC code requirements discussed above in items 3(a) through 3(g) pursuant to Section 32-135(a) which permits the City Commission to waive these site development standards.

Rezoning/ Zoning Map Text Amendment Review Criteria

According to Section 32-205 (2) of the Zoning and Land Development Code, the boundaries of the Central RAC zoning district and the boundaries of the subdistricts may be expanded or contracted by the City Commission by amending the regulating plan in section 32-192. Changes to the boundaries are made as an amendment to the zoning and land development code instead

of the rezoning process. An analysis of the application follows utilizing the rezoning/plan amendment criteria of Section 32-963 for purposes of considering the consistency of the proposed RAC regulating plan amendment with Comprehensive Plan policies and intent of the RAC:

- 1) The relationship of the proposed amendment to the purposes and objectives of the City's Comprehensive Land Use Plan, when adopted, with appropriate consideration as to whether or not the proposed changes will further the purpose of this and other codes, regulations, and actions designed to implement said plan.

The applicant proposes to change the zoning designation of the proposed Atlantic Village 4 site from Central RAC/Transitional Mixed-Use to Central RAC/RAC Corridor Subdistrict.

The proposed rezoning is consistent with and further the following Comprehensive Plan policies:

Future Land Use Element

GOAL 1: To provide a coordinated and compatible mix of land uses which encourages a high quality of life meeting the social, economic, and physical needs of the present and future population of Hallandale Beach while insuring reasonable environmental protection and timely and efficient provision of services.

OBJECTIVE 1.1: Levels of Service: The City shall continue to condition approval of development applications upon maintaining the provision of services at the Levels of Service (LOS) which meet or exceed levels specified in this Comprehensive Plan.

POLICY 1.1.1: The City shall maintain, within the Comprehensive Plan Elements, Level of Service standards for City facilities which will meet the existing and future needs of Hallandale Beach population and the standards established by Chapter 163 F.S., and Rule 9J-5 F.A.C.

POLICY 1.1.2: Any development order or permit shall be approved only when adequate public services and facilities are in place or will be provided to support the development at Levels of Service adopted by this Plan.

POLICY 1.1.3: The City will require a development impact analysis to be submitted for developments that contain ten (10) residential dwelling units or more, or developments containing four thousand (4,000) square feet of non-residential gross floor area or more. The applicant or his agents will be responsible for preparing the impact analysis which shall evaluate the overall effect of a proposed development on its surrounding neighborhood and the overall community.

POLICY 1.1.5: The City shall maintain criteria and procedures, which obligate developments causing expansions or extensions of City services to contribute a proportionate share of the cost of provision of these supporting services and related facilities.

POLICY 1.1.6: The City of Hallandale Beach will provide sanitary sewer, solid waste, drainage, and potable water facilities and services to correct deficiencies and to meet existing and project demands identified in this Plan.

POLICY 1.2.1: Upon completion of the Citywide Master Plan, the City will reevaluate the various City neighborhoods, corridors, districts, and small area redevelopment plans for appropriate action which may include revising existing plans or developing new plans that promote land use.

POLICY 1.2.4: North Federal Highway: The City shall continue to utilize the City's Zoning Code, Land Development Regulations, Citywide Master Plan and the Design Guidelines Manual in review of development and redevelopment within the North Federal Highway Corridor.

POLICY 1.2.11: The City shall reduce land use conflicts through prohibiting incompatible commercial uses in residential neighborhoods, through enforcement of the Hallandale Beach Zoning District requirements. Commercial development shall be limited primarily to the perimeter areas of Hallandale Beach's planning districts (as delineated in this Element). Well-planned mixed-use projects and appropriate neighborhood commercial uses in defined neighborhood commercial nodes are encouraged where they will improve an area or serve as neighborhood centers. However, commercial uses within residential areas shall not be considered incompatible if, through proper screening, buffering, design and access control, there are no significant noises, odors, fumes, vibrations, or other negative impacts beyond the site boundaries, and provided the use is either tied to a neighborhood commercial node, or a peripheral commercial corridor or area.

OBJECTIVE 1.9: Regional Activity Center Land Use: Consider a Regional Activity Center (RAC) land use category within the city to encourage attractive and functional mixed living, working, shopping, educational and recreational activities.

POLICY 1.9.1: The City shall use the Regional Activity Center designation as a means to carry out recommended land use policies within a unified planning district based on an adopted master or redevelopment plan.

POLICY 1.9.2: Non-motorized transportation, as well as mass transit, shall be encouraged to serve a Regional Activity Center to reduce reliance upon automobile travel.

POLICY 1.9.3: To facilitate public transit access, integrated transportation systems should be encouraged to serve a Regional Activity Center.

POLICY 1.9.4: To enhance pedestrian movement and safety, the separation of pedestrian and vehicular traffic should be encouraged within a Regional Activity Center.

POLICY 1.9.5: Redevelopment activities should be encouraged within a Regional Activity Center.

POLICY 1.9.8: Parkland and/or open space that is open to the public must be included as a functional component within a proposed Regional Activity Center.

POLICY 1.9.9: The City shall adopt design standards within the land development regulations ensuring compatibility between existing and planned land uses within and adjacent to the Regional Activity Center.

POLICY 1.9.10: Pursuant to an interlocal agreement between the City and Broward County, the City shall monitor development activity and enforce the permitted land use densities and intensities within the Regional Activity Center.

POLICY 1.9.11: In order to ensure that all properties can be developed within the overall density and intensity limitations of the Regional Activity Center, the City shall establish and implement a development tracking system.

POLICY 1.10.8: The City of Hallandale Beach shall continue to evaluate development proposals with respect to previous area requirements specified in the Land Development Code.

POLICY 1.10.11: The City shall continue to protect its natural resources and maintain its environmental quality through the provision of land use regulations that are consistent with the policies of this Comprehensive Plan.

POLICY 1.11.2: The City shall continue to require building construction elevations consistent with minimum federal flood insurance regulations.

OBJECTIVE 1.12: Land Use Consistency: The City shall manage growth and development through the continued administration, and enforcement of the Hallandale Beach Zoning and Land Development Code which shall ensure that future land uses remain consistent with this Plan.

POLICY 1.12.1: As part of the development review and approval process, the City shall continue to implement a system of Comprehensive Plan compliance review for all development and approval petitions.

POLICY 1.12.2: The City shall continue to ensure that the provisions of the Hallandale Beach Zoning and Land Development code include all necessary site plan requirements to further the intent of this Comprehensive Plan. These requirements shall include but not be limited to adequate drainage and stormwater management, landscaping and open space requirements, signage regulations, subdivision regulations, safe and convenient on-site traffic flow, vehicle parking, and consistency of land use with Plan designations.

POLICY 1.12.4: The City shall maintain innovative land development regulations that encourage mixed-use developments and incorporate site design planning techniques that will enhance the quality of large-scale developments or redevelopment areas.

POLICY 1.12.5: The City shall continue to require adequate pervious areas to improve aquifer recharge and look for alternative ways to increase stormwater recapture.

POLICY 1.13.2: The Hallandale Beach Zoning and Land Development Code provisions which contain design standards relative to landscaping, setbacks, and other site controls, shall continue to be strictly enforced to meet the intent of the Goal, Objectives, and Policies of the Future Land Use Element of the Plan.

POLICY 1.13.3: The City should continue to commit resources to the Community Redevelopment Area where neighborhood improvements are needed.

POLICY 1.14.1: The City shall determine the status and capabilities of existing and proposed facilities (including water, wastewater, solid waste, traffic, stormwater, and recreation/open space) to accommodate current, new, and redevelopment demands, and any projects necessary to maintain adopted levels of service. These projects will be added to the five-year Capital Improvements Plan.

POLICY 1.14.2: The Development Services Department shall evaluate impacts resulting from new developments to ensure that adequate facilities are either in place or planned so that Level of Service standards are not reduced.

POLICY 1.14.3: The City shall adopt a level of service standards and shall be used as the basis for determining the availability of facility capacity.

OBJECTIVE 1.15: Transportation: The City shall not issue a development order or permit which results in a reduction in the level of service on any portion of the City roadway system below the adopted level of service unless the development is located within an urban infill or redevelopment area and satisfies objectives and policies relating thereto and mitigation is provided (Note: the entire City is located within an urban infill area).

POLICY 1.15.1: The City shall through the implementation of the Broward County Trafficways Plan and the minimum City right-of-way standard of fifty (50) feet, secure right-of-way dedications at time of development review to ensure that adequate right-of-way is provided to serve existing and future development.

POLICY 1.15.3: The City shall encourage developments that promote safe and efficient on and off-site transportation improvements.

OBJECTIVE 1:18: Urban Infill and Redevelopment: Establish criteria which encourage development of urban infill and urban redevelopment area(s) to promote economic development, increase housing opportunities, and maximize the use of existing public facilities and services.

POLICY 1:18:1: Increase economic development and employment opportunities within urban infill and urban redevelopment area(s).

POLICY 1:18:4: Designated urban infill and urban redevelopment area(s) shall be excepted from transportation facilities concurrency requirements consistent with Chapter 163 Florida Statutes; however, the application will be subject to providing a traffic analysis consistent with the Transportation Element and potential improvements to minimize impacts.

POLICY 1:18:5: Notwithstanding the above, all development is subject to Broward County Transportation Concurrency Management Area (TCMA) Level of Service criteria and the payment of Transit Impact Fees as determined by Broward County prior to the issuance of permits.

POLICY 1:18:6: Integrated transportation systems, mass transit facilities, bikeways, and pedestrian corridors should be encouraged to serve urban infill and urban re-development area(s) to reduce reliance upon automobile travel.

POLICY 1:18:7: The Hallandale Beach Comprehensive Plan and LDRs shall establish standards and monitoring procedures for the expansion of mass transit, pedestrian travel, and other forms of non-automobile travel within urban infill and urban redevelopment area(s).

OBJECTIVE 1.19: Crime Prevention: The City shall review all major developments for their use of Crime Prevention Through Environmental Design (CPTED) principles and standards.

POLICY 1.19.1: The City shall maintain a CPTED review policy and procedure in the form of administrative policy or land development regulations. The policy shall require a plan review by the Development Services and Police Departments, at a minimum.

OBJECTIVE 1.20: The City shall continue to implement its energy-efficient "grid" Future Land Use Plan and discourage urban sprawl accounting for existing and future energy power generation and transmission systems.

POLICY 1.20.2: The City shall continue to enforce the provisions of the most recent edition of the Florida Building Code, particularly the updated Energy Code (adopted 3/09) to achieve higher energy efficiency in buildings.

POLICY 1.20.3: The City shall require the use of low water use plumbing fixtures in new construction and continue to encourage the use of low water use plumbing fixtures in building renovations through periodic give-away toilet retrofit programs and encourage energy-efficient electrical systems, such as retrofitting lighting fixtures in City buildings.

POLICY 1.20.8: The City shall continue to maintain, upgrade and complete missing segments of its pedestrian and bikeway networks connecting development to transportation systems, schools, public facilities, and commercial areas.

- 2) The proposed change would or would not be contrary to the established land use pattern.
Consistent. The proposed change would not be contrary to established land use patterns. The property to be rezoned is located on North Federal Highway which is developed with commercial uses along the Corridor. The Big Easy Casino and other commercial uses are located to the north. The properties to the west on North Federal Highway are zoned RAC Corridor. The subject property is also surrounded by commercial and multi-family uses to the east and south.
- 3) The proposed change would or would not create an isolated district unrelated to adjacent and nearby districts.
Consistent. The proposed change would not create an isolated district. The North Federal Highway area to be rezoned is across RAC Corridor subdistrict, the most intense subdistrict in the RAC. The area is surrounded by a mixed of uses, including multi-family residential, and commercial uses.
- 4) The proposed change would or would not alter the population density pattern and thereby have an adverse impact upon public facilities such as school, utilities, and streets.
Consistent. The proposed change would not have an adverse impact or change the density pattern. The proposed development is not residential but a commercial retail and office use. Further, in connection with the Major Development application, the applicant completed an impact analysis of streets, traffic and utilities that were reviewed by the City and found the development will not adversely impact public facilities.
- 5) Existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.
Consistent. The proposed rezoning is not illogical in relation to existing zoning and conditions in the area and the project's geographical location. It is logical to allow RAC Corridor Subdistrict along the west and north sides of Federal Highway, a major arterial Corridor, and existing commercial and multi-family development east of the adjacent alley.
- 6) Changed or changing conditions make the passage of the proposed amendment necessary.
Consistent. The existing zoning designation of the parcel has not provided for redevelopment of available land in the area. Specifically, this change will spur redevelopment consistent with the existing use pattern of Federal Highway. There is a need for larger scale development in the area near to where transit services are provided, such as the Federal Highway Corridor.
- 7) Substantial reasons exist why the property cannot be used in accordance with the adopted land use plan and/or the existing zoning.
Consistent. The existing zoning of Transitional Mixed use subdistrict limiting development to 3 story restricts the property from being developed in a manner consistent with new redevelopment efforts along North Federal Highway and the Federal Highway Corridor.
- 8) Whether or not the change is out of scale with the needs of the neighborhood.
Consistent. The proposed change is not out of scale with the needs of the neighborhood. Rather, the proposal will have a positive effect on the property and encourage urban infill redevelopment compatible with the area.

The proposed rezoning will allow for a mix of commercial uses, retail and office space and amenities, that will promote the public interest and enhance area residents' and the City's needs. Also, the subject property is located within the City's CRA and the proposed project will help revitalize the area.

Redevelopment Area Modification (RAM) Waiver Criteria

The property is located within the Central RAC; thus, the provisions of Section 32-135 apply to the property which allows the City Commission to modify zoning and land development standards through the Redevelopment Area Modification (RAM) process in lieu of a variance.

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.

Inconsistent. The applicant proposes to construct a 12-story (counts as 13 stories per Section 32-194) commercial development. There are site constraints to accommodate the development as proposed. The subject property has 208 feet along North Federal Highway, however, it has 105 feet in depth which limits the development area above the 5th floor in order to meet the 50 feet (20 feet front/30 feet) setbacks required above the 5th floor for properties zoned RAC Corridor. The project would be an improvement over previous existing conditions and is generally in line with the applicable regulations except building setback requirements. However, strict adherence to the 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.

Consistent. The proposal provides adequate access to service areas and other development features. The project is designed with proper accessibility to parking areas. ADA accessible access from Atlantic Shores Boulevard and the parking garage levels is provided to the lobby, elevator, and other facilities.

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

Consistent. Appropriate reviewing departments have confirmed the proposal provides adequate access for accessibility for sanitation, fire, and other service and emergency vehicles. The building's dumpster enclosure would be located in a trash room accessible from Atlantic Shores Boulevard and NE 8th Street through an existing alley on the east boundary of the property, providing adequate access for servicing by the City's sanitation trucks. The modifications adequately provide for service and emergency vehicle access.

4. The modifications adequately provide for visibility of access.

Consistent. The project has been designed with adequate visibility for access to and from the project. In addition, the required 25 feet visibility triangle at the corner of North Federal Highway and both NE 8th Street and Atlantic Shores Boulevard is provided, as well as the required visibility at the project's entrance driveway from N.E. 8th Street.

Major Development Review Criteria

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 two platted parcels with no structures on the property; previously there were two 1-story commercial (restaurants) buildings on each lot which were demolished. There are 2 Oak trees on the property which are planned be removed with a separate tree removal/replacement permit and transplanted off-site within Hallandale Beach at Atlantic Village 3 project.

Fifteen (15) trees are required, and 16 trees are provided on-site. The grounds will be landscaped with shrubbery and canopy trees, such as Pigeon Plum, Dahoon Holly, Japanese Blueberry Tree, and Natchez Crape Myrtle. An additional 22 trees (Pigeon Plum, Japanese Blueberry Tree, and Natchez Crape Myrtle) are also proposed to be installed as street trees.

2. Open Space

Approximately 5.55% of the property will be landscaped, which exceeds the minimum 5% required by Code. A civic open area of 7.5% minimum is required per Code. The applicant has requested a waiver from the requirement, and none is provided.

Adjacent to the Project property, to the north, is a City parcel that was quit-claimed by the Florida Department of Transportation (FDOT) to the City in 2016. The parcel is located in the south corner of the intersection of Atlantic Shores Boulevard and US-1 (BCPA folio 514222131220). The parcel was originally platted as right-of-way. FDOT considered it surplus property and conveyed it to the City in 2016 with a reverter clause on the deed. The deed restriction limits the use of the parcel for public purposes of any roadway improvements, or the property would revert back to FDOT.

The developer proposes to construct an open brick paver plaza, sidewalks, 2 public parking spaces, street furniture, landscaping and irrigation. The proposed improvements have been reviewed by FDOT which have determined the proposal is consistent with the deed provided there is no private property owner benefit or commercial activity on the parcel.

The developer has been made aware of the restriction on the use of the parcel. Since the parcel is City property, the planned improvements will be subject to approval by the City Commission and must be consistent with the deed restrictions.

3. Circulation and Parking

Section 32-455 (c) of the Zoning and Land Development Code provides authority for administrative approval of a reduction up to 10% of the number of parking spaces required for new nonresidential development. The required parking for the project is 331 spaces. The applicant proposes 298 spaces, a reduction of 13 spaces equal to a 10% reduction as provided by the section. The project underwent reviews by the DRC which had no objection to the request for the parking reduction.

The entrance to the parking lot is accessible from N.E. 8th Street via a two-way driveway on the southern portion of the site. Additionally, a small on grade parking area (7 spaces) is accessed from Atlantic Shores Boulevard on the north portion of the site.

4. Access Control

The multi-level parking garage area for the development will not be gated and will be accessible via one two-way driveway from/to N.E. 8th Street.

5. Public Transportation

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

6. Community Services

A trash room is provided at the east ground floor of the building area to accommodate the dumpsters which will be rolled out on service days. The location has been determined to be accessible for the City's sanitation vehicles which will service the facility from the existing 12 feet wide alley on the east side of the property.

The applicant is replacing the existing 5 feet sidewalk with a new 8 feet wide sidewalk along NE 8th Street.

7. Concurrency Evaluation

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

The developer has submitted an Impact Evaluation Report as required by Section 32-788 that addresses each issue. The following is a summary of the expected impacts to the various public utilities for reference.

Potable Water - According to the criteria in the Impact Evaluation Report, the development will generate the need for approximately 15,386 gallons of potable water per day (GPD). The City Water Plant's current capacity is 9 MGD. The City's current demand is about 6 MGD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$50,928.88 after credits for previous development in water impact fees as required by Section 30-247 through Section 30-260 of the Code of Ordinances.

Wastewater – The City has a Large User Agreement with the City of Hollywood and several other communities for wastewater treatment. The wastewater demand for the project is 15,386 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$71,720.46 after credits for previous development in sewer impact fees.

Water and wastewater impact fees are estimates and are payable per Section 30-253 when the building permit is issued or when a request for capacity is made.

Transportation System – A Traffic Study providing an analysis of the impact of the development as it relates to current and projected roadway usage and design capacities was conducted as required by the City's Comprehensive Plan Transportation Element for projects generating 100 daily trips or more. The anticipated trip generation for this development is 1,015 daily trips. The development will generate 133 new AM Peak Hour Trips and 141 new PM Peak Hour Trips. The City's Traffic Consultant for this project, Michael Miller Planning Associates, reviewed the Traffic Study and concluded that while the proposed redevelopment project will generate significant new traffic, most of the nearby local roadway system currently is operating at generally acceptable Levels of Service (LOS), except for the major state arterial roadways (Hallandale Beach Blvd. and Federal Highway), but adding the new project traffic will not alter the LOS or roadway operations. The additional new traffic from the development will not significantly impact or worsen the existing LOS. FDOT has been involved in this project review, has preliminarily approved the

project access, and will require modifications to the medians on Federal Highway at NE 8th Street to help curtail turning movements. Finally, where LOS is a problem and/or road rights-of-way are constrained, both Broward County and the City require transportation impact fees to offset expected impacts.

The applicant will be required to mitigate for traffic and transportation impacts as set forth by Section 32-794, "Traffic and Transportation Facilities". The City's transportation mitigation fee for this project is estimated to be \$143,816.

The City's Traffic Consultant has recommended that traffic diverters be considered on Atlantic Shores Boulevard near Federal Highway to prohibit northbound left turns from the alley onto westbound Atlantic Shores Boulevard due to the short queuing available.

Pursuant to the City's Comprehensive Plan, Transportation Element, Policy 1.5.4, any local streets are required to be a minimum of 50 feet right-of-way. The proposed project meets the Code minimum.

Schools – As a fully commercial building there is no impact to the Broward County School system.

Energy Conservation/Green Building - This project requires Green Building certification from independent Green Building agency including LEED-Gold, FGBC-Gold, Green Gloves-3 Gloves, or above. The Developer has agreed to meet the City's Green Building requirement and will seek Green Gloves-3 Gloves certification.

Why Action is Necessary

Section 32-963 requires Planning and Zoning Board consideration and recommendation prior to City Commission action on applications for zoning map amendments/rezoning applications.

Rezoning is required to change the zoning designation of the Project property which is presently zoned Central RAC/Transitional Mixed-Use Core to Central RAC/RAC Corridor subdistrict in order to allow the proposed commercial use, therefore, Planning and Zoning Board and City Commission action is required

Pursuant to Section 32-205(a)(2) of the Zoning and Land Development Code, Planning and Zoning Board consideration and recommendation is required prior to City Commission approval of Major Development applications in the Central RAC District when requesting more than the permitted base height. City Commission action is required for redevelopment area modifications (RAMs). The proposal is requesting redevelopment area modifications and is more than the base height permitted.

Section 32-135(a) Redevelopment Area Modifications (RAMs) allows the City Commission to modify any specified development standard relating to any proposed project through the RAM process in lieu of a variance. The City Commission may also impose conditions to mitigate any adverse impacts of the request for RAMs.

Cost Benefit

The anticipated market value at build-out of the Atlantic Village 4 Project as planned, is \$40 Million. It is expected the proposed development will generate approximately \$296,648 in real estate taxes in the next year after completed. Approximately \$281,816 of the revenue would go to the City's CRA. The estimated building permit fee is approximately \$490,000 based on the

applicant's estimated construction cost of \$18 Million. Additionally, the proposed rezoning would enable further economic development opportunities for the area.

Staff Recommendations:

Rezoning to RAC Corridor - Application # Z-21-4095

The proposed rezoning would change the west ¼ of the block, west of the existing service alley located at 800-814 North Federal Highway from Central RAC/Transitional Mixed-Use Subdistrict to Central RAC/RAC Corridor Subdistrict.

The proposed rezoning is consistent with existing commercial and multi-family development in the surrounding area along Federal Highway, a major arterial corridor. It would also facilitate development of the proposed Atlantic Village 4 Project at a property that is prime for redevelopment. Therefore, Staff recommends approval of the rezoning/Map text amendment application requested by the applicant.

Redevelopment Area Modification (RAMs) - Application #RD-21-4096

No action is required by the Planning and Zoning Board for this application. The Redevelopment Area Modification application will be presented directly to the City Commission together with the Major Development Plan and Rezoning applications for their consideration and approval.

The applicant has made a significant effort in complying with the site development standards for properties within the proposed RAC Corridor Subdistrict. The existing sidewalks adjacent to the property along NE 8th Street will be rebuilt with curb and gutter and widened to 8 feet.

As stated under Rezoning Criteria, the proposed zoning to RAC Corridor is consistent with the area and a logical zoning for the Federal Highway Corridor. However, there are site constraints to accommodate the development as proposed due to the depth of the lot which limits the permitted intensity of properties on the east side of Federal Highway if zoned RAC Corridor. The subject property has 208 feet frontage along North Federal Highway, however, it is 105 feet in depth which limits the development area above the 5th floor in order to meet the 50 feet (20 feet front/30 feet) setbacks required above the 5th floor for properties zoned RAC Corridor.

Staff suggests that the modifications for building setbacks along all four sides meet the general intent of the RAC requirements to provide for buildings closer to and lining the streets; the building is bordered on the north, south and west by streets, and on the east side by a service alley. Also, the project has been designed to provide architectural interest and a sense of place. A covered colonnade along North Federal Highway, landscaping and a public plaza at the corner of Atlantic Shores Boulevard provides for an improved pedestrian experience.

Although RAM's are requested, the applicant's proposal will result in significant improvements to the area consistent with the newly redeveloped Atlantic Village complex. The Project will help revitalize the Regional Activity Center and encourage redevelopment/reinvestment in the area. As a result, staff does not have major concerns of approval by the City Commission of the requested Redevelopment Area Modifications.

Major Development Application – Application #DB-21-4094

The subject property is located within the City's Central RAC which has been identified as a focus for redevelopment into a vibrant area. The proposed use is consistent with the Central RAC zoning district and the City's Comprehensive Plan. The proposed use is also consistent with the overall vision of the RAC land-use area to create a vibrant, pedestrian-friendly, mixed-use district along main transit routes such as Federal Highway.

In furtherance of the Comprehensive Plan, Zoning and Land Development Code and other applicable City provisions; and based upon the finding of facts contained herein, Staff recommends the Planning and Zoning Board recommended approval of Major Development Application # DB-21-4094 subject to the following conditions:

1. Payment of the City's water impact fee in the amount of \$50,928.88.
2. Payment of the City's sewer impact fee in the amount of \$71,720.46.
3. Payment of the City's transportation mitigation cost in the amount of \$143,816.
4. Installation of sidewalks, and landscaping improvements along NE 8th Street, Federal Highway, and Atlantic Shores Boulevard as reflected on the plans.
5. Obtain Green Gloves-3 Gloves certification or another recognized green building agency as determined by the City.
6. Construction on the City Parcel of an open brick paver plaza, sidewalks, public parking spaces, street furniture, landscaping and irrigation as shown on the plans for public use. There shall be no direct access from the building to the City Parcel or commercial activity on the Parcel.
7. Installation of artwork in the public plaza accessible to the public which shall be reviewed by the directors of the CRA and Sustainable Development for content and design.
8. Installation of traffic diverters on Atlantic Shores Boulevard near Federal Highway to prohibit northbound left turns from the alley onto westbound Atlantic Shores Boulevard due to the short queuing available as recommended by the Traffic Consultant, and as may be approved by FDOT.
9. Fourteen (14) electric vehicle charging stations shall be provided as reflected on the plans.
10. Execution of a Unity of Title covenant joining all the lots into a unified development parcel prior to issuance of the building permit for the Project.

Attachment(s):

- Exhibit 1- Location/Aerial Map
- Exhibit 2- Existing Zoning Map
- Exhibit 3- Proposed Zoning Map
- Exhibit 4- Survey of Area to be Rezoned
- Exhibit 5- Applicant's Letters
- Exhibit 6- Building Rendering, Development Plans
- Exhibit 7- City Traffic Consultant Report