



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
10/19/2022	<input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	9/28/2022	10/19/2022
		Public Hearing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
		Advertising Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Quasi-Judicial:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
File No.:				
22-352 and 22-401				
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:	
N/A	N/A	N/A	N/A	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Vanessa Leroy, Director	Sustainable Development	
Strategic Plan Focus Areas:				
<input type="checkbox"/> Finance & Budget		<input type="checkbox"/> Organizational Capacity	<input checked="" type="checkbox"/> Infrastructure/Projects	
Implementation Timeline:				
Estimated Start Date: 9/28/2022 Estimated End Date: 10/19/2022				

THIS ITEM IS HEARD IN CONJUNCTION WITH FILE NO. 22-401 (ITEM #11A).

SHORT TITLE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, REZONING THE PROPERTY LOCATED AT 800-814 NORTH FEDERAL HIGHWAY LEGALLY DESCRIBED AS LOTS 1 THROUGH 8, LESS ONE FOOT, BLOCK 7, ATLANTIC SHORES DIXIE HIGHWAY SECTION FROM CENTRAL RAC/TRANSITIONAL MIXED-USE SUBDISTRICT TO CENTRAL RAC/RAC CORRIDOR SUBDISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The applicant is requesting Major Development Plan approval, Rezoning from Transitional Mixed-Use to RAC Corridor, and Redevelopment Area Modifications (RAMs) in order to build Phase 4 of the Atlantic village development. The Project consist of 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

Background:

The applicant, Atlantic Village 4, LLC, has filed Major Development, Rezoning and RAM applications to construct the Atlantic Village 4 Office Building.

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 square feet.

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.

On August 31, 2022, the Planning and Zoning Board heard the Major Development, Rezoning and Redevelopment Area Modifications (RAM) applications. The RAM application does not require Planning and Zoning Board action; however, the analysis was included for informational purposes and any comments.

The Board recommended approval of the Rezoning and Major Development applications by a vote of 4 to 0 modifying the conditions of approval to require the applicant to maintain the proposed public plaza on the City Parcel in perpetuity, its design to be approved by the City Manager or designee and requiring proper screening of the parking garage.

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.

Current Situation:

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. *(The City parcel is 5,433 s.f. in size)*
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. 15 feet to Max. 20 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.); 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
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- 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 Comprehensive Plan policies as detailed in the Planning and Zoning Board Cover Memo dated August 31, 2022 (Exhibit 9).

2.

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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 1,682 square feet in size 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 and is 5,433 square feet in size. (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:

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, City Commission approval is required 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 (October 19th)

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 (October 19th)

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.
Installation of sidewalks, and landscaping improvements along NE 8th Street, Federal Highway, and Atlantic Shores Boulevard as reflected on the plans.
4. Obtain Green Gloves-3 Gloves certification or another recognized green building agency as determined by the City.
5. The developer shall construct and maintain in perpetuity the City Parcel for public use subject to the design's approval by the City Manager or designee of an open brick paver plaza, sidewalks, public parking spaces, furniture, landscaping, and irrigation as shown on the plans as may be modified per the City's approval. There shall be no direct access from the building to the City Parcel or commercial activity as restricted by the quit-claim deed for the Parcel by FDOT.
6. 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.
7. 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.
8. Fourteen (14) electric vehicle charging stations shall be provided as reflected on the plans.
9. 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.
10. The treatment of the garage shall adequately screen the cars within the garage.


PROPOSED ACTION:

Staff recommends the City Commission consider approval on Second Reading of the

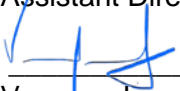
attached Ordinance rezoning the subject property together with the Resolution for the related applications (Major Development #DB-21-409 and Redevelopment Area Modifications #RD-21-4096).

ATTACHMENT(S):

Exhibit 1- Rezoning Ordinance
Exhibit 2- Location/Aerial Map
Exhibit 3- Existing Zoning Map
Exhibit 4- Proposed Zoning Map
Exhibit 5- Survey of Area to be Rezoned
Exhibit 6- Applicant's Letters
Exhibit 7- City Traffic Consultant Report
Exhibit 8- Building Rendering, Development Plans
Exhibit 9- Planning and Zoning Board Cover Memo dated August 31, 2022
Exhibit 10- Planning and Zoning Board Minutes dated August 31, 2022
Exhibit 11- Presentation

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