



City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

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|---|--|--|--------------------------------------|-----------------------------|---------------|
| Primary Application Type: | Major Development Review | Hearing Date: | September 28, 2016 | | |
| Additional Applications: | Redevelopment Area Modifications (RAMs) | Public Hearing: | YES | NO | |
| | | | X | | |
| Applicant: | Icebox Café RE, LLC | Quasi-Judicial: | YES | NO | |
| | | | X | | |
| Project Name: | Icebox Café & Culinary Center | Workshop: | YES | NO | |
| | | | | X | |
| Property Address: | 219 NE 3rd Street | Advertisement Type Required: | DISPLAY | REGULAR | N/A |
| | | | | X | |
| Application Number: | DB-16-2870 and RD-16-2871 | Staff Recommendation: | Approve | Approve w/Conditions | Reject |
| | | | | X | |
| Applicant Request: | The applicant requests major development review for the construction of 14,100 square feet of commercial space and Redevelopment Area Modifications (RAMs) | | | | |
| The subject application has been reviewed and processed pursuant to policies and regulations contained within: <ul style="list-style-type: none"> ▪ City of Hallandale Beach Comprehensive Plan ▪ City of Hallandale Beach Code of Ordinances ▪ Broward County Land Use Plan | | Strategic Plan Priority Area: | | | |
| | | <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal | | | |
| Sponsor Name: | Althea P. Jefferson, AICP, Planning and Zoning Manager | Prepared By: | Christy Dominguez, Principal Planner | | |

| PARCEL/SITE DATA | | | |
|------------------------------|--|---|---|
| Address: | | 219 NE 3rd Street | |
| General Location: | | NE 3rd Street between NE 1st Avenue and North Federal Highway | |
| Land Area/Size: | | 0.96 Acre | |
| Existing Use: | | 3 Single family homes and one duplex to be demolished | |
| Proposed Use: | | 14,100 square feet of commercial space | |
| Proposed Zoning: | | Central Regional Activity Center (RAC) Transit Core Subdistrict (No Change) | |
| Future Land Use Designation: | | Regional Activity Center (RAC) | Current Zoning District |
| | | | Central Regional Activity Center (RAC) Transit Core Subdistrict |
| | | | |

Request:

The applicant, Icebox Café RE, LLC, is requesting Major Development Plan approval, pursuant to Section 32-382 of the Zoning and Land Development Code to build the Icebox Café & Culinary Center with a total of 14,100 square feet in gross floor area at 219 NE 3rd Street.

Staff Summary:

Background

Presently, the Hallandale Beach Community Redevelopment Agency (CRA) is the owner of the Project Site which consist of 4 lots 203, 207 and 219 NE 3rd Street and 301 NE 3rd Avenue and is in the process of negotiating the purchase of 2 parcels at 211 and 215 NE 3rd Street. The Project Site will consist of the 6 lots which presently are developed with 3 existing homes and one duplex all to be demolished.

On May 16, 2016, the CRA Board and the applicant agreed to enter into a Development Agreement providing for terms and conditions to develop the Project Site with a Test Kitchen, Culinary Arts Center, restaurant and public plaza.

Subsequently, the applicant filed Applications #DB-16- 2870 and #RD-16-2871 for Major Development Review and Redevelopment Area Modifications (RAMs). The applicant is proposing to build a one- story culinary center/commissary and restaurant at the subject property.

The applications to be considered are as follows:

1. Application DB-16-2870, for Major Development Review approval, pursuant to Section 32-782 of the Zoning and Land Development Code to construct a 14,100 square feet commercial building.
2. Application RD-16-2871 requesting Redevelopment Area Modifications (RAMs) from the following code provisions: ***(Planning and Zoning Board action is not required for redevelopment area waiver applications).***
 - a) Section 32- 203 (b) (1) relative to the minimum number of parking spaces required for commercial uses in the RAC.
 - b) Section 32-456 (b) requiring off-street loading spaces to have a minimum of 12 feet in width by 50 feet in length.
 - c) Table 32-196 (a) relative to minimum Building Frontage on Primary Streets in Transit Core Subdistricts.
 - d) Table 32-196 (a) relative to the maximum Building Placement along Primary Streets in Transit Core Subdistrict.
 - e) Table 32-196 (a) relative to the minimum Building Height of one- story buildings in Transit Core Subdistrict.
 - f) Table 32-201(f) relative to the maximum allowed Storefront Base of 3 feet.
 - g) Table 32-201(f) relative to the minimum Storefront Glazing Area of 70% for storefronts.
 - h) Section 32-202 (a)(4) relative to the required Street Furniture Elements for a Civic Open Space.
 - i) Table 32-201(h) relative to the minimum Pedestrian Walkways in Transit Core Subdistrict.
 - j) Section 32-331(a) requiring a 6 feet masonry wall on commercial property separating it from residential property.

Why Action is Necessary

Pursuant to Section 32-782(a) 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 to construct new nonresidential development with 4,000 square feet or more in floor area. The proposal is to build a 14,100 square feet nonresidential building; thus, consideration and action by the Planning and Zoning Board and the City Commission is required.

Related Actions

The applicant is also requesting certain Redevelopment Area Waivers (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.

RAM's may be approved by the City Commission if they determine all the criteria of Article III Section 32-135(a) of the Code have been met. RAM's are not subject to the variance criteria of Article VIII, nor do they require Planning and Zoning Board consideration. Therefore, no formal action by the Board is required for Application# RD 16-2871; however, the analysis is included in this report for the Board's informational purposes.

Analysis

Development Details

The applicant's plans depict the following:

- 1) A 41,827 square feet (0.96 acre) parcel with 3 single family homes and one duplex to be demolished.
- 2) A one- story culinary center consisting of 9,300 square feet commissary/kitchen, a 2,100 square feet greenhouse and 2, 700 square feet restaurant for a total of 14,100 square feet of commercial space.
- 3) A surface parking lot with 38 parking spaces (47 spaces are required).
- 4) 20.1% of landscaping is proposed (5% is the minimum required).
- 5) 5.3% of the site is Civic Open Space (5% of the site is required).
- 6) A 5 foot concrete sidewalk along NE 3rd Street and a 10 feet sidewalk along NE 3rd Avenue.
- 7) A 6 foot high wood fence on the north side of the property.
- 8) A 10 feet x 10 feet masonry dumpster enclosure accessible from the parking lot.
- 9) A total of 28 trees for credit are provided consisting of Alexander and Royal palms, Gumbo Limbos, Oaks, Silver Buttonwoods and Pigeon Plum trees and a Kapok Tree (28 trees are required).

Related Actions

The City is in the process of reconstructing and improving the NE 3rd Street Corridor between Federal Highway and NE 1st Avenue. The improvements include paving and drainage, a bicycle lane, new sidewalks, on-street parking, ornamental street lighting and landscaping. The proposed project is located within the area of the planned improvements.

Comprehensive Plan Considerations

The property is designated Regional Activity Center on the City's Future Land Use Map. The commercial development proposed by the applicant is permitted under the land use category. The proposed development will assist in furthering the following goals, objectives and policies of the City's Comprehensive Plan:

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.

The necessary facilities and services shall be available concurrent with the impacts of development or through any of the following situations:

- A. The necessary facilities are in place at the time a development order or permit is issued, or a development order or permit is issued subject to the condition that the necessary facilities will be in place when the impacts of the development occur.
- B. The necessary facilities are under construction at the time a development order or permit is issued.
- C. The necessary facilities are the subject of a binding contract executed for the construction of those necessary facilities at the time development order or permit is issued.
- D. The necessary facilities have been included in the annual City budget and capital improvements program at the time development order or permit is issued although the facilities are not yet the subject of a binding contract for there construction.
- E. The necessary facilities are committed facilities at the time a development order or permit is issued.
- F. The Hallandale Beach City Commission assures the necessary facilities will be in place within a reasonable period of time consistent with the

requirements of Chapter 163. At a minimum, the necessary facilities are to be included within a financially feasible capital improvements element which is determined by the Florida Department of Community Affairs to be in compliance with Rule 9J-5 of the Florida Administrative Code and supported by all necessary implementing land use development regulations and a monitoring system for provision of the necessary facilities.

- G. An applicant may choose to satisfy concurrency requirements by making a proportionate share contribution to mitigate the impacts of new development on the City's infrastructure system in accordance with Section 163.3280 F.S.

POLICY 1.1.3: The City will require a development impact analysis to be submitted for developments which contain ten (10) residential dwelling units or more, or developments containing four thousand (4,000) square feet of nonresidential 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 1.1.4: The City shall, through development regulations direct commercial and industrial land uses to areas with existing public facility capacity.

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 1.2.11: 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

POLICY 1.3.3: The City shall maintain land development regulations intended to preserve and protect existing single-family neighborhoods from the negative impacts of incompatible land uses and nuisances.

POLICY 1.3.4: Low and medium density residential areas should continue to be buffered from high intensity residential and nonresidential uses and should continue to be located with access

POLICY 1.3.7: The City shall focus on compatible infill residential development.

POLICY 1.5.4: Commercial areas will continue to be regulated by development standards, such as, but not limited to, size and bulk regulations, landscaped medians, right-turn only exits and other controls or designs intended to improve vehicular and pedestrian safety.

POLICY 1.5.5: The commercial policy statements and categories in the Hallandale Beach Land Use Plan shall form the basis for zoning categories and land development regulations which establish different intensities of commercial development compatible with their respective service

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: Park land 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 1.9.12: Acreage for non-residential land uses will be assigned on a net-acreage basis to all lands included within the development parcel needed to comply with on-site land development requirements, such as, but not limited to, building footprint, setbacks, parking, outdoor pedestrian circulation, landscaping, drainage, etc.

POLICY 1.10.8: The City of Hallandale Beach shall continue to evaluate development proposals with respect to pervious 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 which 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 uses 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, Objective 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 level of service standards and shall be used as the basis for determining the availability of facility capacity.

POLICY 1.14.4: The assessment of needed capital improvements shall be based on the Level of Service standards adopted in the Transportation Element, Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water, and Natural Groundwater Aquifer Recharge Element, and Recreation and Open Space Element of the Comprehensive Plan.

OBJECTIVE 1.15: Transportation: The City shall not issue a development order or permit which results in a reduction in level of service on any portion of the City roadway system below 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 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 1.15.2: The City shall minimize future curb cuts on arterial and collector roadways during development review as identified in the Unified Land Development Code.

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 1.18.2: Adequate housing opportunities necessary to accommodate all segments of present and future residents shall be provided within urban infill and urban redevelopment area(s).

POLICY 1.18.3: The Hallandale Beach Land Use Plan shall encourage mixed use developments 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, 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.

The City shall address the transportation needs of the exception areas through Objectives and Policies identified in the Transportation Element, the Citywide Transportation Plan and participation in existing or new County, MPO and FDOT programs and projects. These programs and projects include:

- Development of a Traffic Management System to monitor the traffic impacts of all developments approved within the exception areas.
- The Broward County Congestion Demand Management Plan
- The "Downtown (Fort Lauderdale CBD) Transportation Management Area" ride-sharing, flex-time guaranteed ride home and mass transit programs for any commuters living in Hallandale Beach.
- The I-95 Master Plan participation on the I-95 Master Plan (including Tri-Rail System) project will include coordination with Florida Department of Transportation to identify alternative approaches to address the transportation needs of the exception areas. Coordination will also identify the traffic impacts of the exception areas and evaluation of proposed I-95 alternatives on the overall Hallandale Beach Transportation System.
- The City actively encourages the use of the City Mini Bus System and implements bicycle and sidewalk improvements.

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 plan review by the Development Services and Police Departments, at a minimum.

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 1.20.6: The City shall continue to encourage mixed-use development and concentrations of higher land use intensities along major transportation corridors by allowing urban-type development standards (i.e. height / setbacks), residential use and density bonuses in designated commercial areas via Flex Allocation.

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.

Applicable Code and Ordinances

1. The proposed commercial use is permitted based on the present Central RAC Zoning District/ Transit Core Subdistrict.
2. The Project consists of a culinary center with of 9,300 square feet commissary/kitchen, a 2,100 square feet greenhouse and 2, 700 square feet restaurant for a total of 14,100 square feet of commercial space.
3. The applicant requests the requirements discussed below in items 3(a) thru 3(j) 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-16-2871:

| WAIVERS OR DEFICIENCIES | REQUIRED/ALLOWED | PROPOSED |
|--|---|--|
| a) Min. No. of Parking Spaces Req'd | 47 spaces | 36 spaces |
| b) Loading space dimensions | 12'x50' | 12'x20' |
| c) Building Placement/Setback | 10 ft. min. /15 ft. max. | 40 feet on NE 3 rd Avenue |
| d) Building Frontage | 75% on Primary Streets | 47% on NE 3 rd Street |
| e) Building Height | 1 Story 20 ft. high | 1Story 16 ft. high |
| f) Storefront Base | Min. 1 ft./max. 3 ft. | 4ft.high at greenhouse |
| g) Storefront Glazing Area | 70% Min. | 66.1% on NE 3 rd St. 24.3% on NE 3 Ave. |
| h) Civic Space Furniture Elements | 7 benches | No benches |
| i) Pedestrian Walkways | 10 ft wide on NE 3 rd St. and on NE 3 rd Ave. | 5 ft. on NE 3 rd St. and ('-1" on NE 3 rd Ave. |
| j) 6 ft. high Buffer Wall abutting Residential | 6 ft. high Masonry Fence | 6 ft. high Wood fence |

- a) Section 32- 203 (b) (1) requires a minimum of 1 parking space for every 300 square feet of building area for commercial uses in the RAC. Based on this ratio, the parking required for the proposed use is 47 spaces and 36 spaces are provided, resulting in a deficiency of 9 spaces, a 19.1% reduction.
- b) Section 32-456 (b) requires off-street loading spaces to have a minimum of 12 feet in width by 50 feet in length. The applicant proposes 2 loading spaces on the east side of

the property 12 feet in width x 20 feet in length, less than the 50 feet in length specified by Code.

- c) Pursuant to Table 32-196 (a), the minimum Building Frontage on Primary Streets in Transit Core Sub districts is 75% of the lot frontage. NE 3rd Street and NE 3rd Avenue are both designated Primary Streets. The proposed building frontage on NE 3rd Avenue is 83% which meets Code, however, the frontage on NE 3rd Street is 47%, less than the 75% minimum required.
- d) Pursuant to Table 32-196 (a), the maximum Building Placement (setback) allowed along Primary Streets in Transit Core Subdistrict is 15 feet. A portion of the proposed building is setback 40 feet on NE 3rd Avenue, which exceeds the maximum allowed.
- e) Pursuant to Table 32-196 (a), the minimum building height of one- story buildings in Transit Core Subdistrict shall be no less than 20 feet. The proposed building varies in height from 16 feet to 20 feet, thus, does not meet the requirement.
- f) Pursuant to Table 32-201(f), all storefront buildings shall have a maximum Storefront Base of 3 feet. The proposed restaurant building has a base of 2 feet, however, the greenhouse has a base of 4 feet, which exceeds the maximum allowed.
- g) Pursuant to Table 32-201(f), all storefronts shall have a minimum Storefront Glazing Area of 70%. The proposed glazing is 66.1% on NE 3rd Street and 24.3% on NE 3rd Avenue, less than the 70% required.
- h) Pursuant to Table 32-201(h), Pedestrian Walkways along Primary Streets in Transit Core Subdistrict shall be no less than 10 feet in width. The proposed sidewalk/ walkway on NE 3rd Avenue is 10 feet, however, along NE 3rd Street is proposed to be 5 feet in width, thus, does not meet the Code requirement.
- i) Section 32-202 (a)(4) requires Street Furniture Elements be provided within required Civic Open Space. The requisite bike racks and pet station are provided, however, per Code, 7 benches are required and none are proposed. The applicant proposes the public utilize the low wall in the civic area for seating, thus, does not provide the required benches.
- j) Section 32-331(a) requires a 6 feet masonry wall on commercial property separating it from residential property. The applicant proposes, instead, to provide a wood fence abutting the residential properties to the north which consists of 6 single family homes and one duplex.

In summary, the applicant is requesting Redevelopment Area Waivers from numerous Central RAC and other code requirements discussed above in items 3(a) thru 3(j) pursuant to Section 32-135(a) which permits the City Commission to waive these site development standards.

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

There are 3 single family homes and one duplex on the project site, all to be demolished. There are no rare, historical or valuable trees on the property.

2. Open Space

Twenty point one percent (20.1%) of the property will be landscaped, 14.9% more than the 5% required by Code in Transit Core Subdistrict.

According to the landscaped plans, the grounds will be substantially landscaped with canopy trees, ornamental trees and shrubbery, such as, Buttonwoods, Pigeon Plums, Gumbo Limbo, and palms, exceeding the required number and height. A large Kapok tree is also proposed in the civic area.

3. Circulation and Parking

On site vehicular circulation is designed to provide safe and free movement for emergency and service vehicles within the proposed project.

Forty-seven (47) parking spaces are required by Code and 36 spaces are provided, a 23.5% reduction. The applicant's traffic engineer conducted a Parking Analysis specific to the project to determine whether the number of parking spaces proposed were appropriate for the intended uses. Based on the Analysis, the recommended ITE (Institute of Traffic Engineers) standard for the uses are 9 spaces for the culinary operation and 29 spaces for the restaurant for a total of 38 spaces. The analysis also concludes that the peak times of the proposed uses have different peak hours, therefore, the 36 spaces proposed were adequate. The City's traffic consultant reviewed and concurred with the analysis that the proposed parking was acceptable.

4. Access Control

Access to the parking facility is via 2 two-way driveways on NE 3rd Street. There is also a circular driveway on NE 3rd Avenue which provides for 2 loading spaces. The 2 loading spaces are less than the minimum size required and the applicant has requested a waiver from the code standard.

5. Public Transportation

Public transportation is available on North Federal Highway and NE 3rd Street, approximately 1,000 feet east of the project.

6. Community Services

A dumpster enclosure is provided in the parking lot area with proper accessibility for the City's sanitation vehicles which will service the facility.

Paved areas are proposed to have underground catch basins for storm water runoff. Storm water must be retained on site. Drainage calculations will be required at time of permitting. The applicant will be required to comply with Department of Environmental Protection (DPEP) regulations and City criteria to retain a 5-year 1-hour storm on site.

7. Buildings and Other Structures

The project consists of 3 building areas with the greenhouse and restaurant fronting on NE 3rd Street which is designated as a Primary Street in the RAC. The commissary building is to the north with access from NE 3rd Avenue and the proposed parking lot.

The building is a modern style with a rooftop specifically designed to catch rainwater for use in the greenhouse. A civic open space is provided at the intersection of NE 3rd Street and NE 3rd Avenue.

8. Concurrency Evaluation

According to Article V Section 32-782, determination of concurrency must occur prior to the approval of a building permit.

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 approximately 4,273 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 \$40,092.00 in water impact fees for the culinary center and restaurant after credits for the existing uses.

Wastewater – The City has a Large User Agreement with City of Hollywood and several other communities for wastewater treatment.

The City's current committed capacity is 8.7135 MGD and the City's total flow is 7.25 MGD. The net wastewater demand for the project is 3,480 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$57,343.00 fees in sewer impact fees for the culinary center and restaurant after credits for the existing uses.

In addition, the City requested the services of Hazen and Sawyer, the City's wastewater consultant to determine the impact of the proposed development to the wastewater infrastructure owned and operated by the City. The results of the Modeling Study determined the development would impact Lift Station No.8, requiring upgrades as a result of the proposed development. The applicant will be required to pay \$113,512.00 for Lift Station 8 and force main upgrades.

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 Statement providing an analysis of the impact of the facility as related to current and projected roadway usage and design capacities was conducted. The analysis included a comparison of trips generated by the existing residential development and those expected to be generated by the proposed new development. The City's Transportation consultant for this project, Calvin Giordano and Associates, reviewed the Study and determined the project would not significantly impact the City's transportation system.

The proposed use would generate 89 daily trips new trips with a decrease of 6 AM Peak Hour trips and 13 new PM Peak Hour trips after considering the existing residential uses. 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 fee for this project, including the restaurant component, is \$57,857.00 after credits for the existing uses.

9. Energy Conservation/Green Building

Section 32-787 (k), the City's Green Building Program, requires new commercial buildings greater than 50, 000 square feet in floor area or any project requesting financial assistance from the community redevelopment agency (CRA) to obtain a green building certification from a recognized environmental rating agency accepted by the City.

The Project has less than the 50, 000 square feet in floor area, however, the applicant is seeking CRA assistance, therefore, Green Building certification is required. The applicant has agreed to meet the City's green building requirements.

Financial Impact

The project's anticipated market value at build-out is \$3.1 Million. It is expected the proposed development will generate approximately \$17,979.00 in real estate taxes. Approximately \$12,880.00 of the revenue would go to the City's CRA. The estimated building permit fee is approximately \$60,000 based on the estimated construction cost of \$3.0 Million.

Redevelopment Area Modification (RAM) Waiver Criteria

The property is located within the Regional Activity Center, Central RAC- Transit Core Subdistrict; thus, the provisions of Section 32-196 apply to the property. Section 32-205 (d) allows the City Commission to modify zoning and land development standards through the Redevelopment Area Modification (RAM) process in lieu of a variance as provided in Section 32-135.

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 is met:

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

Consistent. The applicant proposes to construct a culinary arts center containing a commissary which specializes in food preparation to various restaurants in Miami-Dade.

They are also proposing a greenhouse to grow their own vegetables on-site and a restaurant. It also incorporates the civic open space required in Transit Core Subdistrict. The proposal does not meet various code criteria, specifically, the number of parking spaces, loading space dimensions, pedestrian walkway, building placement, building frontage, and storefront design criteria such as the storefront base and percentage of glazing. The applicant also proposes a seat wall around the perimeter of the civic area in lieu of the 7 benches required. Further, a wood fence to adjacent residential property is proposed instead of the required masonry wall.

There are site constraints, due to the size of the parcel, to accommodate the 14,100 square feet Project needed by the applicant to operate the commissary, greenhouse and restaurant and meet all applicable codes. Although a significant reduction of the required parking is requested, the Parking Analysis performed reflects that the 36 spaces proposed would be sufficient given the commissary/food preparation would have different peak parking demand.

Except for the proposed wood fence and lack of the Code specified benches in the civic area, strict adherence to other applicable zoning standards discussed above would inhibit the development of this neighborhood structural improvement effort.

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

Consistent. The proposal provides adequate access to service areas of the project. The building has been designed with proper accessibility to the building, parking and dumpster enclosure areas.

3. The modifications adequately provide for service and emergency vehicle access;
Consistent. Appropriate reviewing departments have confirmed the proposal provides adequate access for safe accessibility for and maneuvering for fire and other emergency vehicles.

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 and provides access per ADA requirements.

Staff Recommendation- Redevelopment Area Modifications (RAM) - Application # RD-16-2871- (No Action by PZB required)

Although RAM's are requested, the applicant's proposal will result in significant improvement to the area. The Project is located between the Fashion/ Art Design District and North Federal Highway, which in concert with the development of Artsquare and planned improvements to the NE 3rd Street Corridor, would enhance and help revitalize the Regional Activity Center. In staff's opinion, the proposed development will have a positive effect on the area and encourage redevelopment/reinvestment.

Staff suggests that some of the modifications requested need not raise concern: parking, loading space dimensions or building design standards (height, frontage, base or glazing requirements) as the project incorporates various building types, such as the greenhouse, and a combination of uses, making this project unique. Also, the City's traffic consultant accepted the findings in support of the parking reduction. As a result, staff does not object

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to approval by the City Commission of the requested redevelopment area modifications; however, staff does not support the waivers of the required masonry fence and benches in the public plaza as those should not affect the business operation.

Staff Recommendation- Major Development – Application # DB-16-2870

The proposed development is located within the City's Central Regional Activity Center which has been identified as a focus for redevelopment into a vibrant area. The property is also located within the City's Community Redevelopment Area (CRA). The proposed use is consistent with the overall vision of the RAC land use area, which encourages flexibility to create unique developments, such as, inclusion of civic open space, pedestrian/vehicular connectivity, urban landscaped materials, green building practices, architectural interest and a sense of place. Most of these objectives are incorporated into the design of the development. In addition, the applicant has agreed to obtain a green building certification.

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 recommend **APPROVAL** of Major Development Application #DB-16-2870 subject to the following conditions:

1. The Project shall be designed and constructed to comply with Section 32-787 (k) and obtain a Green Building certification from a recognized environmental agency.
2. Payment of the City's water impact fee.
3. Payment of the City's sewer impact fee.
4. Payment of the City's transportation mitigation cost.
5. Payment towards upgrades to the affected sewer system Lift Station No. 8 in the amount of \$113,512.00.
6. Installation of the required masonry wall along the north property line adjacent to the residential uses.
7. Provide the required 7 benches in the public plaza.

The Redevelopment Area Modification application will be presented directly to the City Commission together with the Major Development application for their consideration and approval.

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| Proposed Action: |
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The Planning and Zoning Board may:

- a. Recommend application #DB-16-2870 for **APPROVAL**, or,
- b. Recommend application #DB-16-2870 for **APPROVAL WITH CONDITIONS** enumerated above, or,
- c. Recommend application #DB-16-2870 for **DENIAL**.

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| Attachment(s): |
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Exhibit 1- Location Map
Exhibit 2- Aerial Map
Exhibit 3- Applicant's Letter
Exhibit 4- Building Rendering, Development Plans and Applicant's Backup
Exhibit 5- Applicant's Traffic and Parking Statement
Exhibit 6- City Traffic Consultant Report