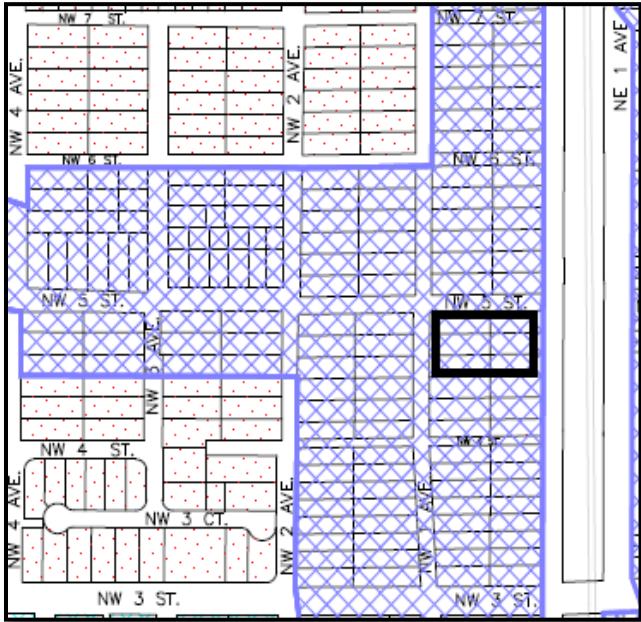
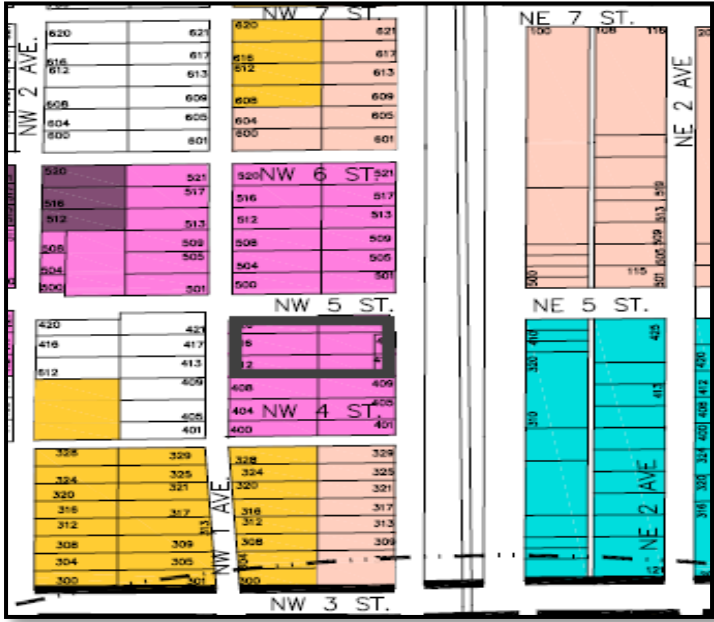




## City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

<b>Primary Application Type:</b>	Major Development Plan Review	<b>Hearing Date:</b>	September 28, 2016		
<b>Additional Applications:</b>	Redevelopment Area Modifications (RAMs)	<b>Public Hearing:</b>	<b>YES</b>	<b>NO</b>	
			<b>X</b>		
<b>Applicant:</b>	HBC Medical Holdings, LLC,	<b>Quasi-Judicial:</b>	<b>YES</b>	<b>NO</b>	
			<b>X</b>		
<b>Project Name:</b>	HBC Medical Center	<b>Workshop:</b>	<b>YES</b>	<b>NO</b>	
				<b>X</b>	
<b>Property Address:</b>	411 North Dixie Hwy.	<b>Advertisement Type Required:</b>	<b>DISPLAY</b>	<b>REGULAR</b>	<b>N/A</b>
				<b>X</b>	
<b>Application Number:</b>	#DB-16-2184 and #RD-16-2185	<b>Staff Recommendation:</b>	<b>Approve</b>	<b>Approve w/Conditions</b>	<b>Reject</b>
				<b>X</b>	
<b>Applicant Request:</b>	Major Development Plan approval to build the HBC Medical Center				
The subject application has been reviewed and processed pursuant to policies and regulations contained within: <ul style="list-style-type: none"> <li>▪ City of Hallandale Beach Comprehensive Plan</li> <li>▪ City of Hallandale Beach Code of Ordinances</li> <li>▪ Broward County Land Use Plan</li> </ul>		<b>Strategic Plan Priority Area:</b>			
		<input type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal			
<b>Sponsor Name:</b>	Althea P. Jefferson, AICP, Planning and Zoning Manager	<b>Prepared By:</b>	Christy Dominguez, Principal Planner		

PARCEL/SITE DATA			
<b>Address:</b>	411 North Dixie Hwy		
<b>General Location:</b>	Intersection of Foster Road and North Dixie Highway		
<b>Land Area/Size:</b>	0.86 Acre		
<b>Existing Use:</b>	Vacant lot		
<b>Proposed Use:</b>	25,089 square feet of commercial medical office space		
<b>Proposed Zoning:</b>	No change proposed		
<b>Future Land Use Designation:</b>	Regional Activity Center (RAC)	<b>Current Zoning District:</b>	West Regional Activity Center (RAC) Foster Road Subdistrict
 <p><b>Surrounding Future Land Use:</b></p> <p>North: RAC/ Foster Road Subdistrict          South: RAC/ Foster Road Subdistrict          East: RAC/ Fashion Art/Design Subdistrict          West: Community Facility District</p>		 <p><b>Surrounding Zoning:</b></p> <p>North: Vacant lot across Foster Road          South: Commercial development          East: FEC Railroad and commercial          West: Hallandale Beach Fire Station</p>	

**Request:**

The applicant, HBC Medical Center Holdings, LLC, is requesting Major Development Plan approval, pursuant to Section 32-382 of the Zoning and Land Development Code to build the HBC Medical Center with a total of 25,089 square feet in gross floor area at 411 North Dixie Highway.

**Staff Summary:**

**Background**

Presently, the Hallandale Beach Community Redevelopment Agency (CRA) is the owner of the Project Site which consists of 6 vacant lots at the property located at 414 North Dixie Highway.

On April 6, 2015, 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 medical facility.

Subsequently, the applicant filed Applications #DB-16- 2184 and #RD-16-2185 for Major Development Review and Redevelopment Area Modifications (RAMs). The applicant is proposing to build a three-story medical center at the subject property.

The applications are as follows:

1. Application# DB-16-2184, for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code in order to construct a 25,089 square feet medical office building.
2. Application# RD-16-2185 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 32-160(e) relative to the minimum building corner side yard setback in the Foster Road Subdistrict.
  - b) Table 32-160 (e) relative to the maximum building height allowed in in Foster Road Subdistrict.
  - c) Section 32- 203 (b) (1) relative to the minimum number of parking spaces required for commercial uses in the regional Activity Center (RAC).
  - d) Table 32-160 (e) relative to the minimum landscaped area required in the Foster Road Subdistrict.
  - e) Section 32-384 (e) relative to the minimum perimeter landscaping required.
  - f) Section 32-384 (f) relative to the minimum size required of interior landscaped islands in parking lots.

**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 25,089 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-16-2171; 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 35,809 square feet (0.82 acre) vacant parcel at the intersection of North Dixie Highway and Foster Road.
2. A medical building consisting of 25,089 square feet in gross floor area (GFA)/22,810 square feet Gross Leasable Area (GLA) of commercial space.
3. The proposed building is 40 feet/3 stories in height (max. allowed is 30 feet/2 stories).
4. A corner side yard setback of zero feet (10 feet is the minimum required).
5. A surface parking lot with 70 parking spaces (76 spaces are required).
6. 12.5% of the site will be landscaped (15% is the minimum required)
7. A 6 feet sidewalk along Foster Road and NW 1<sup>st</sup> Avenue. An 8'-8" sidewalk along North Dixie Highway.
8. A 5 feet right-of way dedication on NW 1<sup>st</sup> Avenue, a 10 feet dedication for a portion along Foster Road; and a 4 feet dedication on North Dixie Highway.
9. Interior landscaped islands are 6 feet in width (7 feet is the minimum required).
10. Perimeter landscaping varies from 3'-4" to 8'-8" (10 feet is the minimum required).
11. A total of 33 trees for credit are provided on-site trees (24 on-site trees are required).

### **Comprehensive Plan Considerations**

The property is designated Regional Activity Center on the City's Future Land Use Map. The commercial building 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 their 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 1.2.6:** North Dixie Highway: The City shall continue to implement the North Dixie Corridor Plan. The City will have succeeded in meeting this objective if all further development is consistent with plan recommendations and overlay district standards, and if additional City investment occurs.

**POLICY 1.2.10:** Foster Road: the City shall continue to implement the Foster Road Corridor Plan. The City will have succeeded in meeting this objective if all further development is consistent with the plan recommendations and overlay district standards, and if additional City investment occurs.

**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 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 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.



**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 1.18.4:** 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.

**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 1.20.6:** 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 Codes and Ordinances

1. The proposed commercial use is permitted based on the present West RAC Zoning District/ Foster Road Subdistrict.
2. The Project consists of a medical center with 25,089 square feet of commercial space.

3. The applicant requests the requirements discussed below in items 3(a) thru 3(f) 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-16-2185:

WAIVERS OR DEFICIENCIES	REQUIRED/ALLOWED	PROPOSED
a)Min. Building corner setback	10 feet	Zero feet
b)Max. Building Height	2 story/30 feet high	3 story/40 feet high
c)No. Parking Spaces Required	76 spaces	70 spaces
d)Min. Landscaped Area	15%	12.5%
e)Min. Perimeter Landscaping	10 feet wide	3.4 ft. to 8-8"
f) Interior Landscaped Island	7 feet wide	6 feet wide

- a) Table 32-160(e) requires a minimum of 10 feet corner side yard setback in the Foster Road Subdistrict. The proposed building will be setback zero feet from Foster Road, resulting in a deficiency of 10 feet.
- b) Table 32-160 (e) allows a maximum of 2 stories or 30 feet in height for buildings in the Foster Road Subdistrict. The proposed building is 3-story/40 feet in height, therefore, it exceeds the maximum allowed.
- c) 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 76 spaces and 70 spaces are provided, resulting in a deficiency of 6 spaces, a 7.9% reduction.
- d) Table 32-160 (e) requires a minimum of 15% landscaped area in the Foster Road Subdistrict. The applicant proposes 12.5%, less than the minimum required.
- e) Section 32-384 (e) requires a minimum of a 10 feet perimeter landscaping buffers adjacent to public right-of ways. The proposed parking lot is designed with a 3'-4" buffer along Foster Road and an 8'-8" perimeter landscaped buffer along NW 1<sup>st</sup> Avenue thus, a waiver is required.
- f) Section 32-384 (f) requires interior landscaped islands in parking lots have a minimum of 7 feet in width. The proposed landscaped islands are 6 feet in width.

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(f) 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

The property is a vacant lot. There are no rare, historical or valuable trees on the property.

2. Open Space

Nearly thirteen percent (12.5%) of the property will be landscaped, instead of the minimum 15% required by Code.

Twenty-four (24) trees are required and 33 trees are provided on-site. The grounds will be substantially landscaped with canopy trees, ornamental trees and shrubbery, such as, Live Oaks, Silver Buttonwoods and a variety of palms, exceeding the required number and height. An additional 14 street trees are also proposed, including 2 Mejool Palms to be installed along Foster Road and NW 1<sup>st</sup> Avenue, consistent with the Foster Road Streetscape Plan.

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. The parking required for the proposed use is 76 spaces and 70 spaces are provided, 6 spaces less than required by Code (a 7.9% reduction). The proposal is within the City Manager's authority to approve a reduction of up to 10% of the required parking for new development in accordance with Section 32-455.

4. Access Control

Access to the property has been designed to minimize the number of driveway access points necessary to enter and exit. A two-way driveway is proposed on Foster Road located approximately 90 feet from North Dixie highway. The parking lot is also accessible via a two-way driveway on NW 1<sup>st</sup> Avenue.

5. Public Transportation

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

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.

The applicant is installing, landscaping, street lighting, benches and a 6 foot wide planting strip separating vehicular traffic from a 6 foot wide sidewalk along Foster Road and NW 1<sup>st</sup> Avenue as required per the City's Foster Road Streetscape Plan.

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 the Department of Environmental Protection (DPEP) regulations and City criteria to retain a 5-year 1-hour storm on site.

7. 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

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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 5,018 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 \$ 24,337.30 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 City of Hollywood and several other communities for wastewater treatment. According to the applicant, the wastewater demand for the project is 5,018 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$34,272.94 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.

In addition, the City requested the services of Hazen and Sawyer, the City's waste water 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. 7, requiring upgrades as a result of the proposed development. The applicant will be required to pay approximately \$58,463.25 for Lift Station 7 and force main upgrades.

**Transportation System** – A Traffic Study providing an analysis of the impact of the facility as related to current and projected roadway usage and design capacities was conducted. The proposed use would generate 766 daily trips with 57 AM peak hour trips and 81 PM peak hour trips. The City's Transportation consultant for this project, Calvin Giordano and Associates (CGA), reviewed the Study and determined the project would not significantly impact the City's transportation system. CGA accepted the Traffic Study and parking space waiver with the following conditions:

- Compliance with the transit infrastructure requirements (relocation of bus stop ID#2320) per the Broward County Transit Division.
- Final construction drawings shall provide a minimum distance of yellow stripe from the proposed stop bar for delineation of the ingress and egress lanes at the driveway intersections at Foster Road and NW 1<sup>st</sup> Avenue.
- Final construction drawings include installation of appropriate Manual of Uniform Traffic Control Devices (MUTCD) signage (one-way, no left turn, wrong way, etc.) at the north-south one way drive aisle closest to NW 1<sup>st</sup> Avenue in order to ensure that there are no left turns at this ingress/egress driveway.

The proposed plans have since been revised to incorporate the above comments.

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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 \$35,651.00.

Pursuant to the City's Comprehensive Plan, Transportation Element, Policy 1.5.4, local streets are required to be a minimum of 50 feet right-of-way. The existing right-of-way along Foster Road adjacent to the property varies from 30 feet to 50 feet; thus, a 10 feet dedication is required for that portion of the property along Foster Road where the adjacent right-of-way is less than 50 feet. NW 1<sup>st</sup> Avenue is a 40 feet right-of-way; thus, the applicant will be required to provide a 5 feet roadway dedication along NW 1<sup>st</sup> Avenue adjacent to the project.

Pursuant to the Broward County Trafficways Plan, the required right-of-way for North Dixie Highway is 54 feet. The existing right-of-way is 50 feet, therefore, a 4 feet dedication is required.

The applicant has provided for the required street dedications discussed above on the proposed site plan.

#### 8. 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 and is not seeking CRA funding, therefore, Green Building certification is not required.

#### Financial Impact

The project's anticipated market value at build-out is \$10 Million. It is expected the proposed development will generate approximately \$57,998.00 in real estate taxes. Approximately \$49,151.00 of the revenue would go to the City's CRA. The estimated building permit fee is approximately \$125,000 based on the estimated construction cost of \$6.5 Million.

#### Redevelopment Area Modification (RAM) Waiver Criteria

The property is located within the West 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 is met:

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

*Consistent. The applicant proposes to construct a commercial building which will provide space limited to health care services. The proposal does not meet the minimum requirements as to the building setback and its height, the width of the interior landscaped islands and the perimeter landscaping. There are site constraints, due to the size of the parcel after the required right-of-*

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*way dedications to accommodate the 25,089 square feet building needed by the applicant to operate the medical center. A 7.9% reduction of the required parking is requested which less than the 10% reduction is allowed by Code for new construction at the discretion of the City Manager.*

*Strict adherence to all applicable zoning standards would inhibit the development of this 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. In addition, although the building will be setback zero feet from Foster Road, the required 25 feet visibility triangle for vehicular traffic visibility is provided at the intersection of Dixie Highway and Foster Road.*

**Staff Recommendation- Redevelopment Area Modification (RAMs) - Application #RD-16-2185 (No Action by the PZB required)**

The applicant has made a significant effort in complying with the site development standards for properties within the Foster Road Subdistrict. The applicant has agreed to provide the required right-of-way dedications. The existing sidewalks adjacent to the property and will be widened to a minimum of 6 feet with curb and gutter, street landscaping, furnishings and decorative lighting to comply with the Foster Road Streetscape Plan for an improved pedestrian experience.

Although RAM's are requested, the applicant's proposal will result in significant improvements to the property which will enhance the Foster Road Corridor. In staff's opinion, the proposed development will have a positive effect on the area and encourage redevelopment/reinvestment. As a result, staff does not object to approval by the City Commission of the requested redevelopment area modifications.

**Staff Recommendation- Major Development Application #DB-16-2184**

The subject property is located within the City's West RAC 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 zoning district and the City's Comprehensive Plan. The proposed use is consistent with the overall vision of the RAC land use area.

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

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recommends the Planning and Zoning Board recommend **APPROVAL** of Major Development Application # DB-16-2184 subject to the following conditions:

1. Payment of the City's water impact fee.
2. Payment of the City's sewer impact fee.
3. Payment of the City's transportation mitigation cost.
4. Payment towards upgrades to the affected sewer system Lift Station No. 7 in the amount of \$58,463.25.
5. Provide right -of -way dedications in a form acceptable to the City Attorney as follows:
  - a. A four (4) feet roadway dedication along North Dixie Highway.
  - b. A five (5) feet roadway dedication along NW 1<sup>st</sup> Avenue.
  - c. A ten (10) feet roadway dedication along Foster Road for the portion of the adjacent right-of way which is less than 50 feet.
6. Provide a 6 feet x 20 feet easement for a bus shelter on North Dixie Highway at a location as approved by Broward County Transit.
7. Installation of sidewalk, street landscaping, lighting posts and furnishings per the Foster Road Streetscape Plan.

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

<b>Proposed Action:</b>
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The Planning and Zoning Board may:

- a) Recommend application #DB-16-2184 for **APPROVAL**, or,
- b) Recommend application #DB-16-2184 for **APPROVAL WITH CONDITIONS** enumerated above, or,
- c) Recommend application #DB-16-2184 for **DENIAL**.

<b>Attachment(s):</b>
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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- City Traffic Consultant Report