



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	October 19, 2016		Item Type: <small>(Enter X in box)</small>	Resolution X	Ordinance	Other
Fiscal Impact: <small>(Enter X in box)</small>	Yes	No	Ordinance Reading: <small>(Enter X in box)</small>	1st Reading		2nd Reading
		X	Public Hearing: <small>(Enter X in box)</small>	Yes X	No	
Funding Source:	N/A		Advertising Requirement: <small>(Enter X in box)</small>	Yes X	No	
Account Balance:	N/A		Quasi-Judicial: <small>(Enter X in box)</small>	Yes X	No	
Project Number :	DB-16-2870 1and RD - 16-2871 Icebox Café and Culinary Center		RFP/RFQ/Bid Number:	N/A		
Contract/P.O. Required: <small>(Enter X in box)</small>	Yes	No	Strategic Plan Priority Area: <small>(Enter X in box)</small> Safety <input type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal <input checked="" type="checkbox"/>			
		X				
Sponsor Name:	Daniel A. Rosemond, City Manager		Department: Development Services	Keven Klopp, Development Services Director		

Short Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF HALLANDALE BEACH, FLORIDA, APPROVING MAJOR DEVELOPMENT APPLICATION #DB-16-2870 FOR THE ICEBOX CAFÉ AND CULINARY CENTER PROJECT LOCATED AT 219 NE 3rd STREET AS RECOMMENDED BY THE CITY ADMINISTRATION; PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING REDEVELOPMENT AREA MODIFICATIONS APPLICATION #RD-16-2871 FOR THE CONSTRUCTION OF ICEBOX CAFÉ AND CULINARY CENTER PROJECT LOCATED AT 219 NE 3RD STREET; PROVIDING AN EFFECTIVE DATE.

Request:

The applicant, Icebox Café RE, LLC, is requesting Major Development Plan approval and Redevelopment Area Modifications, pursuant to the City of Hallandale Beach 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 four lots, 203, 207 and 219 NE 3rd Street and 301 NE 3rd Avenue. As the HBCRA is completing due diligence as their purchase has been approved by the HBCRA Board 2 parcels at 211 and 215 NE 3rd Street. The Project Site will consist of the six 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 (Exhibit 8).

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:
 - 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.

On September 28, 2016, the Major Development application was presented to the Planning and Zoning Board. The Board recommended approved of the application with conditions recommended by staff by a vote of 4 to 0 with the exemption of Condition No.7, regarding the required benches in the Civic Open Space. Please refer to the Planning and Zoning Board Cover Memo dated September 28, 2016 (Exhibit 9) and Draft Minutes of the Hearing (Exhibit10).

Why Action is Necessary

Pursuant to Section of the Zoning and Land Development Code, is City Commission approval is required 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 City Commission is required. Pursuant to Section 32-135 (a) City Commission approval of Redevelopment Area Modification (RAM) is also required.

The applicant is requesting Redevelopment Area Modifications (RAMs) pursuant to Section 32-135(a), which allows the City Commission to modify any specified development standard relating to any proposed project through the RAM process in lieu of a variance.

Related Actions

RAMs 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. RAMs 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 was required for Application# RD 16-2871; however, the analysis was included in the Board's report for informational purposes.

Analysis

Development Details

The applicant's plans depict the following:

- 1) A 41,827 square feet (0.96 acre) parcel with three 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-foot 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 goals, objectives and policies of the City's Comprehensive Plan detailed in the Planning and Zoning Staff Report incorporated by reference (Exhibit 9).

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 Modifications 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 Modifications 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 three 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 (Exhibit 6), 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 two two-way driveways on NE 3rd Street. There is also a circular driveway on NE 3rd Avenue which provides for two loading spaces. The two loading spaces are less than the minimum size required and the applicant has requested a RAM 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 three 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 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 to be completed by the City.

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. Payment for lift station and force main upgrades pro-rata is also an estimate.

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 (Exhibit6). 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 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

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. 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 recommends the City Commission **APPROVE** the requested redevelopment area modifications; except that,

staff does not support the modifications waiving the required masonry fence and benches in the public plaza as those should not affect the business operation. At the Planning and Zoning Board Hearing, the applicant agreed to erect the masonry fence, however, he still seeks a RAM regarding the benches in the civic area.

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 City Commission **APPROVE** 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 seven benches in the public plaza.

Proposed Action:

Application #DB-16-2870:

Staff recommends the City Commission approve the attached Resolution approving the Major Development Application for the Icebox Café and Culinary Center Project subject to conditions enumerated above.

Application #DB-16-2871:

Staff recommends the City Commission approve the attached Resolution approving the Redevelopment Area Modifications for the Icebox Café and Culinary Center Project subject to conditions enumerated above.

Attachment(s):

Exhibit 1- Resolution approving the Major Development application for the Icebox Project
Exhibit 2- Location Map
Exhibit 3- Aerial Map
Exhibit 4- Applicant's Letter
Exhibit 5- Building Rendering, Development Plans and Applicant's Backup
Exhibit 6- Applicant's Traffic and Parking Statement
Exhibit 7- City Traffic Consultant Report
Exhibit 8 – Development Agreement between Icebox Café and HB CRA
Exhibit 9 – Planning and Zoning Board Cover Memo Sept. 28, 2016
Exhibit 10 - Planning and Zoning Board Draft Minutes of Sept. 28, 2016
Exhibit 11 – Resolution approving the Redevelopment Area Modifications (RAMs) for the Icebox Project