



City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Applicant :	MG 100 Federal, LLC	Meeting Date:	June 8 , 2016				
Project Name:	MG 100 Tower	Property Address:	100 South Federal Highway				
Application #:	DB-2016-0012 , Z-2016-0013 and CU-2016-0014	Application Type:	Major Development Review, Planned Development Overlay District and Conditional Use				
Planning District:	Gulfstream	Quasi Judicial: <i>(Enter X in box)</i>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> <tr> <td style="text-align: center;">X</td> <td></td> </tr> </table>	YES	NO	X	
YES	NO						
X							
Parcel Size:	1.47 Acres	Public Hearing: <i>(Enter X in box)</i>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> <tr> <td style="text-align: center;">X</td> <td></td> </tr> </table>	YES	NO	X	
YES	NO						
X							
Applicable Zoning :	B-L (Business Limited) with RDO (Redevelopment Overlay)						
Current Zoning:	Regional Activity Center (RAC) – RAC Corridor Subdistrict						
Existing Use:	Restaurant and accessory parking lot						
Proposed Use:	350 unit residential multi-family high rise building with 5,487 square feet of restaurant and 4,116 square feet of retail space.						
Comprehensive Plan Future Land Use Designation:	RAC (Regional Activity Center)	Surrounding Land Use:					
Surrounding Zoning:		N: Mobil Station					
		S: Former restaurant					
		E: Gulfstream Promenade					
		W: Residential- Two- family and Multi-family					
North – RAC Zoning District with RAC Corridor Subdistrict South – RAC Zoning District with RAC Corridor Subdistrict East – Gulfstream Promenade and Gulfstream park West – RAC Zoning District with RAC Corridor and Neighborhood Subdistricts		Strategic Plan Priority Area:					
		Strategic Plan Priority Area: <i>(Enter X in box)</i>					
		Cohesive Visual Appeal <input checked="" type="checkbox"/>					
		Civil & Respectful Government <input type="checkbox"/>					
		Create Local Jobs <input checked="" type="checkbox"/>					
		Economic Development <input checked="" type="checkbox"/>					
		Improve City Infrastructures <input checked="" type="checkbox"/>					
		Improve Safety, Security & Comfort of Residents <input type="checkbox"/>					
		Operational Excellence <input type="checkbox"/>					
		Quality of Life <input checked="" type="checkbox"/>					
Vibrant Destination <input checked="" type="checkbox"/>							
Sponsor Name:	Althea Jefferson, Planning & Zoning Manager	Prepared By:	Christy Dominguez, Principal Planner				

REQUEST

The applicant, MG 100 Federal, LLC , is requesting Major Development Review approval of the MG 100 Tower Project, applying the Planned Development Overlay District and a Conditional Use permit to allow the proposed residential use pursuant to Section 32-782 of the Zoning and Land

Development Code in order to construct a 35- story mixed use tower with 350 residential units, 9,603 of commercial space. The property is located at 100 South Federal Highway.

The applications are as follows:

1. #Z-2016-0013, Applying the Planned Development Overlay District (PDO)
2. #CU-2016-0014, Conditional Use Permit to allow residential units in B-L/RDO Districts
3. #DB-2016-0013, Major Development Review for the MG-100 Project.

STAFF SUMMARY

Background

As part of the implementation of the Regional Activity Center (RAC) land use designation, the City adopted Ordinance # 2014-30, which included a provision under Section 15 for a property owner who had relied on the prior zoning and made substantial expenditures for the development of the property to claim vested rights. Upon adoption of the RAC regulations, the applicant claimed a vested right to apply under the previous zoning pursuant to the Ordinance. The vested rights were confirmed by the City. Therefore, the applicable Code provisions for the review of the subject applications are the former zonings of the property: B-L District with Planned Redevelopment Overlay (RDO) District. The applicant has until July 8, 2016 to obtain major development approval that adheres to the previous regulations.

The Developer's Community Meeting required for the Major Development application was held on May 19, 2016.

Why Action is Necessary

Section 32-783(c) requires Planning and Zoning Board consideration and recommendation prior to City Commission action on applications for Major Development, Rezoning, Conditional Use, and variances.

The Project requires Major Development approval in accordance with Section 32-782(a), as it exceeds the 10 dwelling unit and 4,000 square feet of nonresidential gross floor area thresholds. The applicant is proposing 350 residential dwelling units and 9,603 square feet of commercial space.

Rezoning is required in order to allow the project to utilize the Planned Development District overlay zoning district.

Conditional Use approval, and assignment of residential and/ flexibility or RAC units are required in order to allow a residential use on site designated Commercial General on the City's Future Land Use Plan.

Analysis

Development Details

The applicant's plans depict the following:

1. A parcel of land 1.51 acres in size before a right-of way dedication of 5 feet along SE 5th Avenue. The total size of the parcel after the dedication is 1.47 net acres.
2. A 350-unit residential building with 9,603 square feet of commercial space, 35 stories with an overall height of 350 feet at a proposed density of 232 dwelling units per acre based on the 1.47 net acre parcel.
1. Seven hundred thirty five (735) parking spaces are proposed (847 spaces are required).
2. The building consists of 125-one bedroom, 150-two bedroom and 75-three bedroom units for a total of 350 units.
3. The one-bedroom units are 770 square feet in size (850 square feet is the minimum required), the two-bedroom units have 1,307 square feet (1,000 square feet is the minimum required) and the three-bedroom units are 1,596 square feet in size (1,200 square feet is the minimum required).
4. 9,603 square feet of commercial space is proposed on the ground level consisting of 4,116 square feet of retail space and 5,487 square feet of restaurant space.
5. There are 9 levels of parking in the garage. The residential pool, gym and other recreational amenities are on the 10th floor. The apartment levels are on the 11th thru the 35th levels.
6. The building will be setback 32 feet from the front property line (15' is the maximum allowed), 12'-6" from the rear property line (25' is the minimum required), 23 feet (north side)/6'-6" (south side) from side property lines (zero feet is the minimum allowed).
7. A 2'-10" landscape buffer is provided along north side of property (5 feet is the minimum required adjacent to a vehicular used area).
8. 21.87% of landscaping is proposed (15% is the minimum required in the B-L District).
9. Forty seven (47) trees for credit are proposed (44 trees are required).
10. The dimension of all 735 parking spaces proposed are 9 feet x 19 feet in length which meets the minimum required.
11. One one-way driveway aisle in vehicular use areas at ground level are 11 feet in width one way and two-way drives at 22 feet in width aisle located at various locations. (The minimum required is 13 feet for a one-way driveway and 23 feet for 2-way drives).

Interdepartmental Review

The Development Review Committee (DRC) met multiple times on the Major Development, Conditional Use Permit applications. Technical comment/issues identified by the DRC were discussed with the applicant during DRC review of the applications. Numerous revisions were made to the plans which addressed the majority of staff's comments.

Comprehensive Plan Considerations

The subject property is presently designated Regional Activity Center (RAC) on the City's Future Land Use Map. According to the City's Future Land Use Element, this land use designation permits a total of 4,241 RAC Units within the RAC. This number includes existing residential units. The 4,241 total RAC units were derived using the total allowed density permitted on the Broward County FLUM.

The City has recently approved various projects utilizing RAC or Flex units and is also processing various projects for which RAC or Flex units are needed in order to allow a residential component. Currently, there are 676 RAC units remaining in the pool of available RAC units. (*This number would be decreased to 356 RAC units should the City Commission approve the Nine Hundred Project scheduled for the Commission hearing of June 1, 2016*). The pool is for all currently vacant parcels and parcels that could accommodate additional dwelling units in accordance with the applicable zoning regulations. The City's residential unit pool also includes 404 flexibility units (of which 259 units must be affordable) and 289 Reserve units remaining in Flex Zone 93, the applicable flexibility zone.

The 350 units proposed by the applicant results in a density of 232 dwelling units per acre on the 1.47 acre parcel. In order to achieve the proposed density, the applicant is requesting 275 RAC Units and 75 Flexibility units be assigned to this project from the City's Residential Unit Pool. Currently, the City is in the process of preparing an application to Broward County to increase the number of RAC units for the area. The application is subject to Broward County Commission approval.

Applicable Code and Ordinances

1. The applicable zoning for the Project is B-L, Business Limited District with Planned Redevelopment (RDO) Overlay District. The property does not have a PDO Overlay zoning. The applicant also seeks applying the PDO Overlay to the property.

Commercial uses are permitted by the applicable zoning. Residential uses, however, are permitted by a Conditional Use Permit and assignment of RAC, Flexibility or Reserve units.

The applicant proposes to build a mixed use high rise building which would contain 350 residential units and retail and restaurant space. The RDO Overlay District permits mixed multi-family uses by a Conditional Use Permit, subject to assignment of flexibility or reserve units under the Broward County Flexibility Rules Document, up to a density of 50 units per acre on lots at least 2 acres in size.

The project site is 1.47 acres, less than the 2 acre minimum to allow a density of 50 units per acre. The maximum permitted density per the RDO District on the 1.47 acre parcel is 35 unit per acre or 52 units. The 350 units proposed generate a density of 232 dwelling units per acre. The applicant has requested a waiver from the above code provision as allowed for properties zoned PDO to allow the residential use at the proposed density.

In addition, since the property is located within the City's Regional Activity Center, RAC Units may also be allocated to the property subject to City Commission approval.

2. *Rezoning to PDO Overlay.* The applicant requests to apply the Planned Development Overlay (PDO) District to the property.

PDO allows the developer to negotiate development standards with the City via a development agreement and approved site plan. PDO provides the flexibility to determine the appropriateness of a code modification based on the suitability to the specific site rather than the variance process. The City Commission may waive any site development standards such as, specified setbacks, floor area, building heights, density, landscaping or parking requirements in lieu of a variance within areas zoned PDO.

The applicant has requested site development modifications under the Major Development Review application for the following requirements as further discussed below:

WAIVERS OR DEFICIENCIES	REQUIRED/ ALLOWED	PROPOSED
Maximum density allowed in RDO (parcel 1.47 acre)	35 DU/Acre	232 DU/Acre
Dead end parking	Not Allowed	2 corridors dead end
Parking required	847 spaces	735 spaces
Driveway aisle width	13 feet/23 feet	11 feet/22 feet on certain locations
Rear yard setback- Building canopies and planters	25 ft. min. 25 ft. min.	20 feet 0 feet to 10'-3" feet
Front yard setback- Building	15 ft. max. 15 ft. max.	34'-10" feet 10'-3" feet
Min. unit size 1 bedroom	850 s.f.	770 s.f.
Landscaped buffer at common P/L	5 feet	2'-10" (north)

3. *Unit Size.* Section 32-149(e)(5) requires 850 square feet in gross floor area for each (1) one bedroom apartment, 1,000 square feet in gross floor area for each (2) two bedroom apartment and 1,200 square feet for each 3 bedroom apartment on properties zoned B-L, Business Limited District. The proposed residential units do not meet the minimum size required for the 1 bedroom units as follows:

1 bedroom: 770 s.f. (850 s.f. is the minimum required)

2 bedroom: 1,307 (1,100 s.f. is the minimum required)

3 bedroom: 1,596 (1,200 s.f. is the minimum required)

As a result, a waiver is requested from the minimum size required for the one-bedroom units.

(When compared to the RAC regulations, the minimum one-bedroom unit size in the RAC is 700 s.f.)

4. *Number of off street parking.* The total parking required for the Project according to the applicable Code is 847 spaces and 735 spaces are provided. The commercial uses require 69 spaces and 69 spaces are provided, which meets Code. However, the parking required for the residential component of the Project based on the applicable standard of 1.75 space

per one bedroom unit, 2 spaces per 2 bedroom unit and 2.5 spaces for 3 or more bedroom unit, plus 10% additional for guests is 778 spaces. The number of spaces provided for the residential use is 666 spaces, a shortage of 112 spaces (13.2%). The applicant requests the 112 spaces be waived pursuant to Section 32-186 (i)(1) of the PDO regulations and also provided a Parking Study to justify the request. The City's Traffic Consultant concurred with the results of the Study and found the proposed number of spaces acceptable for the intended use.

(When compared to the RAC regulations, 663 parking spaces would be required for the Project instead of 847 spaces – 184 less spaces. The Project's proposed 735 spaces would result in a surplus of 72 spaces per the RAC Code.)

5. **Dead-end Parking.** Section 32-453 (i) (4) requires that all parking corridors in excess of four abutting parking spaces shall be designed to permit vehicle entry and exit in one continuous forward motion without using a vacant space to turn around.

The ground floor level of the parking garage is designed with one dead- end corridor on the north side of the parking garage. There is also one dead end corridor on the 9th level of the garage with provisions for a turn- around, According to the applicant, the ground level parking will be used for the commercial uses on the ground floor. The parking garage, including the 9th level will be by assigned parking for the residential use only. However, a waiver from the Code provision is required.

6. **Driveway aisles.** Section 32-453 (h) requires a minimum 13 feet one-way and 23 feet two-way accessways leading to all off-street parking spaces. The ramps in the garage are 22 feet wide resulting in a deficiency of 1 foot. Therefore, the applicant is seeking a waiver from this requirement.
7. **Landscape buffers.** Section 32-384 (e) (2) requires a minimum 5 foot landscape buffer abutting vehicular use areas alongside common property lines. The landscaped buffer on the north side of the property is 2' feet- 3 inches in width instead of the required 5 feet width, resulting in a deficiency of 1 foot- 4 inches. Therefore, a waiver is requested.
8. **Building setbacks.** Section 32-181 (g) (5) requires a street definition line be provided along the street frontage of Federal Highway at a maximum of 15 feet front yard setback from the street. The front setback proposed along Federal Highway is 32 feet, exceeding the maximum allowed front setback by 17 feet. Therefore, a waiver is requested. In addition, the rear building setback is proposed at 20 feet instead of the minimum 25 feet required. Therefore, a waiver is requested.
9. **Height.** The maximum building height permitted in the Planned Redevelopment Overlay District is 350 feet. The proposed building is 349'-11", therefore, it does not exceed the permitted height under the applicable Code.

(When compared to the RAC regulations, the maximum building height in RAC Corridor is 20 stories)

10. Pursuant to the City's Comprehensive Plan, Transportation Element, Policy 1.5.4, local streets are required be a minimum of 50 feet right-of-way. SE 5th Avenue is a 40 feet right-of-way; thus, the applicant will be required to provide a 5 feet dedication along SE 5th Avenue.

The proposed site plan incorporates the required dedication and provides proper sidewalks and streetscape consistent with the City's Complete Streets Program.

PDO Overlay Rezoning Criteria

1. That the Project would further the development or redevelopment of an area of the city consistent with the city land use and development goals, policies and development/redevelopment efforts.

Consistent. The applicant states that the Project will provide for a mix of uses and activities that respond to the needs of the area and the intent of the City to create a pedestrian oriented commercial/ living environment within the RAC Corridor and the surrounding area, as well as allow more intense development along the major thoroughfares, such as Federal Highway. The Project is inconsistent with the RAC permitted height and density, however, the project has vested rights and may be reviewed and considered under the previous zoning.

The proposed site has the proper land use designation required for mixed use residential/commercial development. High density residential developments are planned in proximity to this project. In addition, the site is located on a major transit corridor. Assignment of PDO Overlay district to the Parcel is consistent with the City's adopted land use goals for the area and redevelopment efforts of the applicable zoning.

2. That the proposed development would be of an equal or higher quality with regard to appearance, site design, compatibility with the adjacent area, landscaping, and provision of amenities that would result under the existing development standards.

Consistent. The proposed development would be of a higher quality than required by the underlying existing commercial zoning. Quality, appearance, or provision for amenities of the development are not regulated by the underlying zoning district. PDO extends the City's discretion in assuring a high quality development and compatibility with the surrounding area through the negotiated process and a Development Agreement to govern the development. The proposal includes high quality materials, extensive landscaping and architectural features consistent with established Design Guidelines for RDO. The development is a modern design with large spans of mixed materials such as glass, and stainless steel. Building elevations and design includes an urban pedestrian plaza and pedestrian walk, several gathering areas and outdoor seating areas along South Federal Highway.

3. That PDO would allow a more innovative design than would be possible under the development standards of the existing zoning district and development regulations.

Consistent. PDO Overlay, by providing for waivers, rather than the variance process, will allow for a more innovative design of the development such as the building placement, and architectural extensions into setbacks and creating a pedestrian-oriented commercial and living environment.

4. That the proposed development would promote the public interest, including, if appropriate, the provision of open space and amenities available for public use.

Consistent. The proposed development provides for amenities along Federal Highway suitable for public use with outdoor seating areas and pedestrian sidewalks. The proposal also includes restaurants and retail shops which will be opened to the public with opportunities for outdoor seating and use.

5. That mixed commercial and residential development proposals would be well planned, in any integrated design that would encourage use of mass transportation, pedestrian and bicycling modes of transportation.

Consistent. The proposed development integrates retail, office, and residential uses. Staff recommended and the developer agreed to relocate the existing bus shelter to the north from its existing location at the Mobil Station to the subject property, providing a safer and more convenient location for transit use. The proposal has also incorporated bicycle racks and pedestrian pathways along Federal Highway. He has also agreed to incorporate TDM's (Transportation Demand Management) strategies to encourage use of mass transportation by residents, employees and visitors to the site.

6. That it would be more appropriate for a proposed project to be developed under PDO development standards and procedures than the existing zoning district development standards, and development review and variance procedures, when the criteria mentioned in this subsection are considered.

Inconsistent. It would be more appropriate to develop the property consistent with the RAC regulations' permitted height and density which would be more compatible with the neighborhood to the west. However, the project has vested rights and may be considered under the previous zoning.

The Project incorporates certain deviations from the Code standards, such as density, which will be subject to commission discretion and approval. Assigning PDO to the property will facilitate the comprehensive review of the Project governed by a development agreement.

Conditional Use Review Criteria

Article VI, Section 1 (1.02) Conditional uses: Applications for conditional uses shall be reviewed with consideration given to the following:

- (1) That the use is compatible with the existing natural environment and other properties within the neighborhood.

Consistent. The land use of the neighborhood is Regional Activity Center which goal is for the City to direct development and redevelopment in its central core adjacent to major transportation corridors. The applicable zoning of the property is B-L/RDO, which purpose is to promote more compact vertical development. Also, the present zoning of the property and adjacent parcels is RAC Corridor, which permits the largest scale development in the RAC. In addition, the property is located along Federal Highway across from property designated RAC Corridor and a Local Activity Center (Village at Gulfstream Park) with an approved development program that includes high rise mixed uses, therefore, a mixed-use project would be well integrated with its surrounding and planned uses.

- (2) That the use will create no substantial detrimental effects on property values in the neighborhood.

Consistent. The addition of a mixed use building should not create detrimental effects; instead, should spur redevelopment efforts for the Regional Activity Center improving the area consistent with the purpose of the Regional Activity Center land use, the RDO Overlay District and the Citywide Master Plan.

- (3) That there are adequate public facilities such as schools, roads, parks, and utilities within the service areas involved.

Adequate public facilities exist within the subject service area with the exception of an adequate lift station to support the development. Consistent, subject to the upgrades to the applicable lift stations to support the project being in place.

- (4) That there will be adequate provisions for the traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

Consistent. Vehicular and pedestrian traffic movements were reviewed as part of the Major Development Plan application and were found to be adequate with roadway and sidewalk improvements proposed.

- (5) That there will be adequate drainage systems to service the use with particular attention to the necessity for on-site retention systems to alleviate drainage and pollution problems.

Consistent. A storm water drainage system will be provided as required by Code.

- (6) That there are adequate setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust, and other nuisances.

Consistent. The proposed project has been designed in general compliance with the intent of the Planned Redevelopment Overlay District and the RAC regulations which purpose is to promote mixed use projects and encourage more compact vertical development in a pedestrian friendly environment. The proposal should not result in the creation of any nuisances to neighboring properties. Service and vehicular use areas have been designed to be screened from public view.

- (7) That the land area is sufficient, appropriate and adequate for the use and for any reasonably anticipated expansion thereof.

Inconsistent. The proposed site has the proper land-use and Comprehensive Plan designations required for mixed residential/ commercial development. High-density residential developments are planned in close proximity to the subject site and the project is located on a major transit corridor, making a mixed use project appropriate. However, the proposed density significantly exceeds the permitted density permitted by flex units (50 du/ac) and the density permitted within the RAC (90 du/ac). The Project is on a major transportation corridor, well suited for high density and commercial development. However, although the proposal has integrated measures to buffer the project along SE 5th Avenue, the proposed density is not compatible with the existing mid-density development to the west.

(8) Any other conditions as may be stipulated and made a requirement in granting any application for a conditional use, when it is considered necessary to further the intent and general welfare, including but not limited to:

- a.) Limitations on the hours of business operations.
- b.) Limitations on the number of occupants of any building at any one time.

Not applicable.

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 is an existing closed restaurant building (formerly Gamaroff's) and accessory parking lot on the property. There are no desirable trees in the building area.

2. Open Space

14,379 square feet (21.87% of the site) will be landscaped at ground level exceeding the applicable standard of 15 %. In addition, on the 10th floor, the building will contain 2 swimming pools, decks and other recreational amenities for the residential use.

According to the landscaped plans, the common areas will be substantially landscaped with trees, palms and shrubbery.

3. Circulation and Parking

On site vehicular circulation is designed to provide free movement within the proposed development at ground and above ground levels in the garage, with the exception of the parking corridor on the north side of the property at ground level, and the 9th parking level which although provides a backup space for turning, has one dead-end corridor. There is safe and efficient access to service areas and for emergency vehicles.

Eight hundred forty seven spaces (847) are required for the development and 735 parking spaces are proposed, a deficiency of 112 spaces, a 13.2 % reduction from the parking spaces required by the applicable Code. The applicant provided a Parking Study for City consideration to determine whether the number of spaces proposed were appropriate for the intended uses. The City's Transportation Consultant for this Project, Kittleson and Associates reviewed the Study and concurred with the analysis and findings that the 735 spaces was acceptable to serve this mixed use project. In addition, although the property was granted vested right to develop under the prior zoning code designation instead of the RAC regulations, the Project's proposed 735 spaces provided would result in a surplus of 72 spaces under the RAC Code.

In addition, the parking garage ramps to the garage are 22 feet. The City's traffic consultant had no objections to the narrower travel lanes due to their function and that the narrower driveways only occur in the ramps, which turn into a 23 feet driveways for parking circulation as required under code.

4. Access Control

The Project will be accessed from SE 5th Avenue. Three access points are planned: one full access driveway on the southwest corner of the development (primarily for residents); one full access driveway on the northwest corner of the development (primarily for visitors to the retail and restaurant uses); and one mid-block one-way exit only driveway (for service vehicles, trash trucks, and visitors). There is no pedestrian connectivity from SE 5th Avenue to storefronts.

5. Public Transportation

Staff recommended and the developer agreed to relocate the existing bus shelter to the north from its existing location at the Mobil Station to the subject property, providing a safer and more convenient location for transit use. Federal Highway, a transit corridor well served by Broward County Transit, Miami –Dade Transit and the City shuttle should encourage use of mass transportation by residents, employees and visitors to the site.

The developer will be required to install the new shelter and provide a 6 foot x 20 feet easement.

6. Community Services

The building will have a trash room in a service area on the west side of the building in the parking garage screened from view of the residential uses to the west. Proper accessibility for the City's sanitation vehicles which will service the development has been provided, as required by Code.

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 DPEP regulations and City criteria to retain a 5-year 1-hour storm on site.

7. Building and Other Structures

The proposed development will consist of a 35-story tower with 350 residential units, and 9,603 square feet of commercial space. At the ground level active uses such as retail, restaurants and residential lobbies line the length of the site's sidewalks. The building's parking garage is wrapped with louvers and planters to screen the vehicles.

According to Section 32-787(3), shadows cast by proposed structures shall be discouraged from precluding the reasonable use of neighboring properties recreational areas. The applicant has provided a shadow study which reflects the proposed tower will not cast any shadows which would affect adjacent properties' recreational areas.

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, transportation and schools. Staff has determined that concurrency requirements have been met. Water, sewer and drainage compliance are all subject to submission of hydraulic analysis, and drainage calculations to the satisfaction of the City Engineer

prior to the issuance of a building permit. The City reserves the right to require upgrades to the system if it is determined the system is inadequate or will be severely taxed by development.

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 9,100 gallons of potable water per day (GPD). The City Water Plant is expandable to 15 MGD (Million Gallons per Day). The plant's current capacity is 9 MGD. The City's current demand is about 6 MGD. There is sufficient capacity to maintain the proposed development. The developer will be required to pay the City approximately \$400,470.60 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 47,360 GPD. There is sufficient capacity to provide for the proposed development. The developer will be required to pay the City approximately \$514,085.26 in sewer impact fees.

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 Stations No. 7 and No. 8. The applicant will be required to pay towards upgrades to the affected lift stations in the amount of \$2,164,586.00

Water and waste water 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 – The applicant was required to submit a Traffic Study (TIA) pursuant to Section 32-788 (g) for an analysis of the impact of the development as related to current and projected roadway usage and design capacities. The City's traffic consultant for this project Kittelson and Associates (KIA), reviewed the Study. According to the consultant, the proposed use would generate 142 AM Peak Hour trips and 132 PM Peak Hour trips. The City is within a designated Urban Infill Area, therefore, new development is exempt from roadway concurrency review in order to encourage urban infill and redevelopment. The City may approve development regardless of traffic congestion, but does not preclude the City from requiring mitigation deemed appropriate, including improvements necessary for safe and adequate access to the site or to improve general transportation operations that will serve the development. The applicant is also required to mitigate for traffic and transportation costs as set forth by Section 32-794. The City's transportation fee is approximately \$192,116.00.

KIA has recommended acceptance of the TIA with conditions as specified in the Conclusions/Recommendation section of this report. The revised TIA submitted May 24, 2016 did not incorporate all responses requested by the Consultant. KIA has recommended the applicant provide a revised TIA with the requested information prior to execution of the Development

Agreement for acceptance and concurrence. The City reserves the right to submit further comments once a complete revised TIA report is submitted.

Schools - Based on the student generation rate adopted by the Broward County School Board this project will generate 4 elementary school students, 1 middle school student and 2 high school students for a total of 7 students. Adequate school capacity is available to support the project.

9. Energy Conservation/ Green Building

Section 32-787(k), the City's Green Building Program, requires residential buildings of 50 units or greater or greater than 50,000 square feet of nonresidential floor area to obtain a green building certification from a recognized environmental rating agency accepted by the City. Therefore, the project will have to meet the City's Green building certification is required. The applicant has agreed to meet the City's Green Building requirements.

10. PRD Design Guidelines

Properties zoned PRD are also subject to the adopted Design Guidelines for the PRD Overlay District. The proposed development has been found to be generally consistent with the established design guidelines for properties zoned PRD.

11. Required Developer's Community Meeting

The applicant held the required Developer's Community Meeting on May 19, 2016 to present the project to the community in a public forum. The meeting was advertised and notices were mailed to area residents within ½ mile radius from the site in accordance with Section 32-1003 of the City's Code. Nine persons attended the meeting. Some of the concerns expressed voiced by attendees were: traffic, access to the site, drainage, and inconvenience by construction.

12. Financial Impact

The project's anticipated market value at build-out is approximately \$170 Million. It is expected the proposed development will generate approximately \$882,606.00 in real estate taxes. Approximately \$838,476.00 of the revenue would go to the City's CRA. The estimated construction cost of the Project is \$80 Million. The building permit fee is approximately \$1.2 Million.

13. Development Agreement

As required for PDD properties, a Development Agreement is proposed to govern the development of the project. The Agreement has not yet been finalized and will be presented directly to the City Commission with the applications, when ready.

Staff Recommendations

Applying PDO

The objective of PDO is to enhance properties and surrounding areas while allowing flexibility in development. Adoption of PDO District was predicated on the City's desire to promote development at properties which are underutilized, in need of revitalization, or prime for

redevelopment. As a vested property, PDO is generally appropriate for this parcel in order to govern the Project as one unified development. The proposed Project is consistent with the intent of the Planned Redevelopment Overlay (RDO) to maximize redevelopment potential and provide for high quality development by setting site-specific standards.

Conditional Use Permit

The proposed location is appropriate for a high- rise mixed use project but is inconsistent with the overall vision of the RAC land use of the area. Although other vested nearby projects within the RAC were approved at a higher density than this project, the proposed density of 232 dwelling units per acre still significantly exceeds the permitted density permitted by flex units (50 du/ac) and the density permitted within the RAC (90 du/ac). In addition, although the applicable Code permits the proposed height of 350 feet/35 stories, it also significantly exceeds the maximum of 20 stories now allowed in the RAC.

The applicant is further requesting assignment of residential units from the City's residential unit pool of RAC, Flex and Reserve units. This allocation will impact the RAC, Flex and Reserve Units available for other projects until such time the City is able to increase its RAC unit pool via a City and County Comprehensive Plan amendments or the County provides a mechanism for additional residential units. The number of units allocated to this project will be determined at the City Commission's discretion.

Major Development Application

As outlined in this memo, Staff has conducted a comprehensive analysis of the subject applications and has determined the applicant's proposal meets the general requirements for Major Development Plan approval relative to concurrency.

Staff does not object to some of the code modifications requested, such as the number of parking spaces provided, dead-end parking corridor, ramp driveway widths, building setbacks, and landscape buffer to the north. Staff recognizes that some modifications are consistent with the new RAC zoning of the property, such as, the size of the one –bedroom units and the parking required. Also, under the applicable Code, 847 spaces are required for the project, a deficiency of 13%. Based on the parking requirements of the new RAC zoning, the project provides 72 spaces more than the number required by the applicable Code. Therefore, staff does not object to such modifications. However, staff cannot support the application as the proposal far exceeds the maximum density permitted for mixed use projects contemplated by the applicable Planned Redevelopment Overlay District zoning and the current RAC regulations of the area.

Should the Planning and Zoning Board decide to recommend approval of the applications to the City Commission, approval should be subject to the following conditions:

1. Assignment by the City Commission of Residential Units from the City's Residential Unit Pool to accommodate the proposal.
2. 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.
3. Payment of applicable water, sewer and transportation fees prior to the issuance of the building permit for the development.

4. The parking garage spaces shall be utilized solely as parking and not converted to any other use.
5. The applicant will be required to pay towards upgrades to the affected lift stations in the amount of \$2,164,586.00
6. Complete Street Improvements to SE 5th Avenue by reconstructing SE 5 Avenue from Hallandale Beach Boulevard to the end of the Property to include: milling and resurfacing, new sidewalks on both side of the street, new curbing, drainage, new swales, and street trees as specified by the City Engineer.
7. Roof-mounted equipment shall be screened from view, engineered and screened to reduce noise from the equipment.
8. Dedicate 5 feet along the west property line along SE 5th Avenue for public right-of-way.
9. No required tree shall be less than 15 feet in overall height and three inch caliper.
10. Developer shall provide a construction staging plan prior to the issuance of the building permit.
11. Inclusion of the TDM mitigation measures, as identified by the traffic and parking studies, in the development agreement. These measures include:
 - a) Install a bus passenger shelter, at developer's expense, at the existing bus stop location at the northeast corner of the project site on Federal Highway.
 - b) Applicant will include a transportation insert for the move-in packet for all new residence. The insert will include information on transit service, schedule and fares, including the local Hallandale Beach community bus service.
 - c) Applicant will offer a 50% subsidy to purchase Miami-Dade Transit or Broward County Transit monthly bus passes for new residents (one per household) for one year at the developer's expense.
 - d) Developer will provide secured bicycle parking in the garage for residents above the code minimum.
 - e) The applicant will maintain an available supply of local maps and transit schedule for residents at the developer's expense.
 - f) Inclusion of the required and proposed bicycle parking in the parking study, and provision of plans demonstrating the proposed location of bicycle parking at each level.
12. The Developer shall provide a revised traffic analysis (TIA) and full appendices for review and acceptance by the City's traffic Consultant prior to execution of the Development Agreement for the Project. The City shall reserve the right to submit further comments once the complete revised TIA report is submitted and reviewed.

The following items shall be demonstrated through the revised TIA to the satisfaction of the City's traffic consultant:

- a) The developer will provide a pedestrian connection from SE 5th Avenue to the storefronts on US 1/Federal Hwy, including marked pedestrian crossings at the driveway entrances and at appropriate locations within the site.
- b) The developer shall commit to and contribute payment for the following improvements at the intersection of US1/Federal Hwy and SE 3rd Street:

- Reconfigure the eastbound SE 3rd Street approach, signal heads and controller to provide one shared left through lane and one exclusive right-turn lane, with right-turn signal overlap.
- c) The applicant will provide a list of signalized intersections that will require re-timing. The developer will coordinate and request traffic signal timing modifications (based on TIA analysis results) prior to obtaining a Temporary Certificate of Occupancy (TCO) or Certificate of Occupancy (CO) for the development, provide the City with a copy of such request and responses from the County and FDOT on the request, and pay for all cost associated with the signal timing optimization when required by FDOT or Broward County Traffic Engineering Division, at the intersections with signal timing optimized.
 - d) The applicant has proposed installation of “Do Not Block Intersection” signs and supplemental pavement marking at the intersection of SE 3rd Street and Old Federal Highway. The applicant will provide an MUTCD compliant signing and pavement marking plan for this treatment. The developer shall commit and contribute payment for the improvement.
 - e) The applicant shall commit to a digital screen implementation or propose other measures capable of providing real-time and/or interactive transit information to encourage non-vehicular travel by residents and visitors to the Project.
 - f) The applicant shall demonstrate that the findings from the “Internal Circulation Review” of the TIA, including modifications to the turnaround points and service vehicle access locations have been incorporated into the site plan.
 - g) The applicant shall demonstrate that the required sight distance triangles in accordance with the *AASHTO Green Book* at all stop-controlled egress points and the Peninsula Tower proposed access are not obstructed by proposed landscaping.

Proposed Action:

The Planning and Zoning Board may:

- a. Recommend the subject applications for approval, or,
- b. Recommend the subject applications for approval with conditions enumerated above and the terms of the Development Agreement as may be finalized and approved by the City Commission, or,
- c. Recommend the subject applications for denial.

Attachment(s):

Exhibit 1- Location Map
 Exhibit 2- Aerial Map
 Exhibit 3- Applicant's Cover Letter
 Exhibit 4- Applicant's Submittal and Backup
 Exhibit 5- City's Transportation Consultant Summary Report