



# City of Hallandale Beach

## Planning and Zoning Board Agenda Cover Memo

<b>Applicant:</b>	8 <sup>th</sup> Avenue Partners, LLC	<b>Meeting Date:</b>	September 26, 2018	
<b>Project Name:</b>	Eighth Avenue Commons	<b>Property Address:</b>	200 NW 8 <sup>th</sup> Avenue	
<b>Applications#:</b>	#PA-18-0974, #Z-17-02319, #PDO-17-02317, #DB-17-02311, and #P-17-00608	<b>Application Type:</b>	Plan Amendment Rezoning (RM-HD-2) Rezoning (PDO Overlay) Plat Major Development	
<b>Planning District:</b>	Northwest	<b>Quasi-Judicial:</b> <i>(Enter X in box)</i>	YES X	NO
<b>Parcel Size:</b>	4.57 acre (unplatted)	<b>Public Hearing:</b> <i>(Enter X in box)</i>	YES X	NO
<b>Existing Zoning:</b>	RS-6, Residential Single- Family District			
<b>Existing Use:</b>	Vacant lot			
<b>Proposed Use:</b>	200 residential multi-family units			
<b>Comprehensive Plan Future Land Use Designation:</b>	Residential, Low- Density			
<b>Surrounding Zoning:</b>		<b>Surrounding Land Use:</b>		
North: RS-7, Residential Single- Family District South: RS-6, Residential Single- Family District East: CF, Community Facilities West: RM-18, Residential Single- Family District		North: Single Family Homes South: Nonconforming Industrial uses and single-family home East: Hallandale Beach Public Works Compound West: Residential Multi-family units (Chaves Lake Apartments)		
<b>Staff Recommendation:</b>		<b>Strategic Plan Priority Area:</b>		
<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny		<input type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal		
<b>Sponsor Name:</b>	Keven R. Klopp, Director, Development Services	<b>Prepared By:</b>	Christy Dominguez, Principal Planner	

## **REQUESTS:**

The applicant, 8<sup>th</sup> Avenue Partners, LLC, is requesting a Future Land Use Map Amendment (FLUM), Rezoning, Assignment of Flexibility Units, Plat and Major Development Review approvals for the Eight Avenue Commons Project, at 200 NW 8<sup>th</sup> Avenue.

## **STAFF SUMMARY:**

### **Background**

The applicant proposes to construct a 6-story residential development with 200 multi-family residential units, an accessory clubhouse with 1,024 square feet and associated parking. The project is proposed at a vacant lot approximately 4.57 acres in size located on NW 8<sup>th</sup> Avenue between NW 2<sup>nd</sup> Street and future NW 3<sup>rd</sup> Street. The site is adjacent to the City's Public Works Compound.

The applications are as follows:

1. Application #PA-18-0974, for a local Future Land Use Plan Amendment to change the land use designation of the property from Residential, Low-Density to Residential, High Density-2 on the City's Future Land Use Map.
2. Application #Z-17-2319 rezoning the subject property from RS-6, Residential Single-Family District to RM-HD-2, Residential Multi-family (high density-2) District.
3. Application #PDO-17-2317 applying PDO (Planned Development) Overlay District to the property.
4. Application #P-17-0608 platting the subject property.
5. Application #DB-17-2311 for Major Development Review approval of the project as provided by Section 32-382 of the Zoning and Land Development Code.

Also requested, is assignment of Flexibility Units to allow for additional density over 25 dwelling units per acre allowed by the proposed RM-HD-2 zoning.

The Developer's Community Meeting required for the Major Development application was held on August 2, 2018 for the developer to present their project to area residents. Approximately 50 persons were in attendance. There were no major concerns about the project expressed by the public in attendance.

### **Why Action is Necessary**

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

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 200 residential dwelling units.

A future land use map amendment is required to change the land use designation of the property.

In addition, a Broward County Land Use map designation approved by the County Commission will also be required to change the land use designation from Residential Low-Density to Residential, High Density.

Rezoning to RM-HD-2, Residential Multi-Family District, is required to allow construction of multi-family dwellings on land currently zoned Residential, Single -family District (RS-6). Assignment of residential flexibility units is required to allow the construction of the proposed multi-family project. Rezoning is required in order to allow the project to utilize the Planned Development Overlay (PDO) District for the entire project.

Platting of land requires City and Broward County approvals.

## **Analysis**

### **Development Details:**

The applicant's site plan depicts the following:

1. A 6-story apartment complex with 200 residential units on 4.57 acres acre parcel. The site will be reduced to 4.35 acres after required right-of-way dedications.
2. The apartment complex will have 64 one-bedroom/one bath units, 116 two-bedroom/one bath units, and 20 three-bedroom/two- bath units. A 1,024 clubhouse is also proposed. The total building square footage is 210, 669 square feet under air-conditioning.
3. The one-bedroom units will have a minimum of 900 square feet (1,000 sq ft. is required); the 2-bedroom units will have a minimum of 990 sq. ft. (1,100 sq. ft. is required) and the 3-bedroom units will have a minimum of 1,080 sq. ft. (1,200 sq. ft. is required).
4. The building is setback 16"-1" from the front property line. (30 feet front yard setback is required).
5. A surface parking lot with 402 parking spaces (433 parking spaces are required; a deficiency of 31 spaces).
6. Fifteen (15) on-street parking spaces are proposed on NW 2<sup>nd</sup> Street and 25 parking spaces on proposed future NW 3<sup>rd</sup> Street.
7. One parking corridor is designed with dead-end parking for 9 vehicles in a row. (maximum of 4 in a row is allowed).
8. A clubhouse, tot-lot play area at ground level and a roof-top recreational area with seating and shade structures.
9. Seventeen (17%) of the property will be landscaped: 10.6% at grade and 6.5% above grade. (30% is required).
10. A brick paver entrance driveway with a landscaped entrance feature.
11. Two gated-unmanned entries/exits to parking areas.
12. A 10 feet right-of-way dedication along NW 8<sup>th</sup> Avenue. (a 10 feet dedication was requested).
13. A 12.5 feet right-of-way dedication along NW 2<sup>nd</sup> Street. (a 12.5 feet dedication is required).
14. Six-foot-wide sidewalks on NW 8<sup>th</sup> Avenue, NW 2<sup>nd</sup> Street and NW 3<sup>rd</sup> Street.
15. No landscaped buffer is provided along NW 2<sup>nd</sup> Street, and 6'-6" landscaped buffer is proposed along 8<sup>th</sup> Avenue. (a 10 feet buffer is required along both rights-of way).
16. Several (9) landscaped islands are less than the minimum 7 feet in width required.

Other Site Details:

To the north and adjacent to the existing right-of way of NW 3<sup>rd</sup> Street, a 70 feet wide existing right-of-way presently unimproved. The developer will be required to improve this right-of way. The details of the improvements will be addressed in the required Development Agreement for the PDO zoning which is subject to City Commission approval.

Comprehensive Plan Considerations

The proposal is consistent with the City's Comprehensive Plan contingent upon a land use plan amendment. The subject property is presently designated Residential, Low Density on the City's Land Use Map. The applicant is requesting a local land use map amendment to change the land use designation of the City's Future Land Use Map to Residential, High Density-2 as provided by the Future Land Use Element Section 2.1(A)(4)(a) of the City's Comprehensive Plan which states:

"Dwelling units and accessory structures subject to a maximum density of fifty (50) dwelling units per net acre, provide however that any density over 25 dwelling units per net acre may only be permitted by the City Commission on site specific properties by assignment of Flexibility Units in accordance with the Flexibility Rules of the Administrative Rules Document, Broward County Land Use Plan."

(Note: Flexibility Units are defined as the difference between the number of dwelling units permitted within a flexibility zone by the Broward County Land Use Plan and the number of dwelling units permitted within the flexibility zone by the City's Land Use Plan.)

The City is divided into 2 Flexibility Zones. The FEC railroad serves as the dividing line between zones. The subject property is located in Flexibility Zone #94, west of the railroad. There are no Flexibility Units available within Flex Zone #94. There are 420 flexibility units available in Flex Zone #93 which is east of the railroad.. There are 289 reserve units in Flex Zone #93 and 94 reserve units in Flex Zone #94.

Per recent updates to the Broward County Administrative Rules Document: Broward Next, cities may now request the County to unify its flexibility zones, inclusive of flexibility units and reserve units, into one unified flexibility zone. Staff proposes to submit a request to unify Flex zones #93 and #94 to Broward County concurrent with the processing of the subject project. Unification of the City's 2 zones will provide for more flexibility in allocating the city's current pool of flex units to projects, as determined by the City Commission. The total number of units available once the two flex zones are collapse will be 803 flex units.

In addition to changing the land use designation of the property to Residential, High Density-2, the change to this designation would allow 108 units for the project by right, based on a density of 25 units per acre. Densities over 25 units per acre on properties designated Residential, High Density-2, require assignment by the City Commission of flexibility units. The applicant is requesting 92 flexibility units to allow for the proposed 200-unit Project which generates a density of 46 units per acre.

The applicant will also be required to apply to Broward County to change the land use designation on the Broward County Land Use Map from Residential Low-Density to Residential High-Density before the City can adopt the proposed City Map amendment on final reading or the amendment becomes effective.

Upon a change in land use to Residential High Density-2, the property would be eligible for the requested rezoning to RM-HD-2, which permits densities of up to 50 dwelling units per acre. The proposed 200 apartment units would generate a density of 46 units per acre which is permitted in RM-HD-2 zoning district.

### Applicable Codes and Ordinances

1. The subject property is designated Residential, Low Density on the City's and County's Future Land Use Maps.

The applicant is requesting a local land use plan map amendment to Residential High Density-2 which permits densities up to 50 units per acre in order to allow the proposed multi-family residential use. In addition, the proposed density of 46 units/acre will require assignment of 92 flexibility units to allow the proposed 200-unit project as discussed under Comprehensive Plan Considerations. A Broward County Land Use Map Amendment is also required to designate the parcel Residential High Density on the County's Plan.

2. The subject property is zoned Residential, Single -Family District which does not permit multi-family residential development. Therefore, the applicant is requesting rezoning to RM-HD-2 which permits residential multi-family uses up to 50 dwelling units per acre. The proposed density of the project will be 46 units per acre, lower than permitted by the proposed zoning of the property.
3. The applicant requests the City to apply the PDO Overlay District to the property. Section 32-174(g)(5) provides procedures and requirements for rezoning to PDO. The uses permitted in PDO are those uses enumerated by the underlying district.

PDO Overlay District 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, landscaping or parking requirements in lieu of a variance within areas zoned PDO.

4. The applicant has requested site development modifications under Application # DB-17-00231, Major Development Review Approval, from the following requirements as further discussed below:

REGULATION	REQUIRED/ALLOWED	PROPOSED	DEFICIENCY
A. Front yard setback	31 feet max.	15 feet	16 feet
B. Unit size One-Bedroom Two-Bedroom Three-bedroom	1,000 s.f. 1,100 s.f. 1,200 s.f.	900 s.f. 990 s.f. 1,080 s.f.	100 s.f. 110 s.f. 120 s.f.
C. Parking required	433 spaces	402 spaces	30 spaces
D. Dead-end parking corridor	Max. allowed 4 spaces in a row	One dead-end parking corridor 9 spaces in a row	5 spaces more than max.
E. Min. Landscaped area	30%	17%	13%
F. Min. perimeter lands. buffer	10 feet	Zero ft to 6.5 ft.	10 ft.
G. Landscaped island width	7 feet	9 islands less than 7 ft. width	1.5 ft.

5. *Number of off-street parking.* According to Section 32-455(b)(3) relative to parking for residential developments, 1.75 parking space shall be provided for every one-bedroom unit, 2 parking spaces for every 2-bedroom unit, and 2.5 spaces for every 3-bedroom unit; plus, and additional 10% of the total parking spaces reserved for guests.

Based on the above, 433 spaces are required for the proposed apartment building and 402 are provided, resulting in a deficiency of 31 spaces, a 7.2% deficiency. The applicant requests the 31 spaces be waived pursuant to the PDO regulations.

6. *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 proposal includes one corridor with 9 spaces in a row on the south side of the clubhouse, therefore, a waiver is needed by the applicant.
7. *Unit Size.* Section 32-147(c)(7) requires 1,000 square feet in gross floor area for each (1) one-bedroom apartment, 1,100 square feet in gross floor area for each (2) two-bedroom apartment and 1,200 square feet for each (3) three-bedroom apartment for properties zoned RM-HD-2 District. The proposed residential units do not meet the minimum size required for bedroom units as follows:
- 1 bedroom: 900 s.f. (1,000 s.f. is the minimum required)
  - 2 bedrooms: 990 s.f. (1,100 s.f. is the minimum required)
  - 3 bedrooms: 1,080 (1,200 s.f. is the minimum required)

As a result, a waiver is requested from the minimum unit size required.

8. *Landscaped area.* Section 32-149 (d) (5) requires a minimum of 30% of the lot be landscaped. Landscaping above grade counts at 50%. The project provides 17% landscaped area, with approximately 10.6% of the lot landscaped at ground level and 6.5% at roof level. A waiver from the Code standard is requested.

9. *Building setbacks.* Section 32-147(c)(5) requires a minimum of 30 feet front yard setback in the RM-HD 2 District. The first and second floors meet the minimum of 30 feet setback. However, the third thru sixth floors cantilever into the required front yard setback 16 feet at the north wing of the building and 16.5 feet at its south wing.
10. *Landscaped buffers.* Section 32-385(e )(1) requires a landscaped buffer strip of a minimum of 10 feet in width around the perimeter of all vehicular used areas. The proposed plan does not provide any on-site buffer along 2<sup>nd</sup> Street. In addition, the landscaped buffer along NW 8<sup>th</sup> Avenue is 6.5 feet in width. As a result, a waiver is requested.
11. *Interior Landscaping.* Section 32-385 (f)(1) requires all rows of parking spaces shall be terminated with a landscaped island of a minimum of 7 feet width. There are 9 parking islands that are less than the 7 feet required, ranging from 5.5 feet to 6.6 feet in width, thus, a waiver is requested.
12. *Required Trees.* Section 32-384 (c) (3) requires one tree for every 1,500 square feet of lot area. Section 32-384 (c) (5) requires a minimum of 5 species shall be provided when 51 or more trees. Section 32-385 (d) (2) requires a minimum of 10 feet in height trees with two inches in caliper for residential uses at least 50% of which shall be native, drought tolerant.

According to the above criteria, 124 trees are required. The applicant proposes to install 129 credited trees at grade ranging from 10 feet to 20 feet in height of which more than 50% are native, drought tolerant; also, more than 5 tree species are provided. An additional 30 trees ornamental and no-credited trees are proposed to be planted on the rooftop recreational area which are not included in the total.

Therefore, the proposal exceeds the minimum tree requirements.

13. *Building Height.* Section 32-147 (c) permits a maximum building height of 200 feet for properties zoned RM-HD2. The proposed building will have 6 stories with an overall height of 75 feet, therefore, it does not exceed the permitted height.

#### Rezoning to RM-HD-2 and Land Use Map Amendment Criteria

Article VIII, Section 32-963 specifies the following criteria to be addressed in considering applications for rezoning and land use amendments:

- 1) The relationship of the proposed amendment to the purposes and objectives of the City's Comprehensive Land Use Plan, when adopted, with appropriate consideration as to whether or not the proposed changes will further the purpose of this and other codes, regulations, and actions designed to implement said plan.

**The proposed land use map amendment and rezoning to RM-HD-2 are consistent with and further the following Comprehensive Plan policies:**

#### Future Land Use Element

**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 1.1.5:** 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 1.1.7:** Permitted residential densities on the future land use plan map or as allowed in the element text shall not be increased beyond the ability of the surrounding roadway network and public transit system to accommodate projected traffic flows and ridership without degradation of levels of service for these facilities below that standard adopted in the plan.

**POLICY 1.1.8:** Prior to approving a building permit or its functional equivalent, the City shall consult with the water supplier to determine whether adequate water supplies will be available to serve the new development no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent in the City.

**OBJECTIVE 1.2:** Land Use Compatibility: Continuously review and reevaluate existing and potential land use conflicts and recommend solutions, in order to enhance land use compatibility and quality of life.

**OBJECTIVE 1.3:** Residential Land Use: Maintain at least 2 residential land use categories and corresponding zoning districts, covering at least 30% of the City's land area, providing for low (single-family only) and medium to high densities. At least 25% of land designated for residential use shall permit only single-family residential uses.

**POLICY 1.3.1:** Maintain categories of residential land use on the Future Land Use Plan map consistent with those categories contained within the Residential Permitted Uses listed in Section 2.3 of the Future Land Use Element.

**POLICY 1.3.2:** Permit those land uses within areas designated for residential use on the Future Land Use Map (FLUM) which are identified in the Residential Permitted Uses Implementation Section 2.3 of the Future Land Use Element.

**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 1.3.5:** High density residential developments should continue to be located with direct access to major arterial streets.

**POLICY 4.3.65:** The City adopts Broward County's rules and regulations for flexibility of residential densities.

**POLICY 4.3.76:** The City shall focus on compatible infill residential development.

**OBJECTIVE 1.4:** Subdivision and Platting: The City shall continue to provide for subdivision and platting regulations which promote well-planned, orderly, and attractive development and accommodate public facilities. They are to be consistent with the locally adopted capital improvements element, and, the goals, objectives and policies of the Broward County Land Use Plan and the Hallandale Beach Land Use Plan.

**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 1.13.1:** The City shall continue its involvement in coordinating State, County and Federal funding allocations directed toward new construction, rehabilitation, and/or demolition of irreparable residential and nonresidential structures, strict code enforcement program, and the

provision of public facilities and services which target low and moderate income households and neighborhoods.

**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 1.14.1:** 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.

**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 1.16:** Intergovernmental Coordination: Maintain or improve existing mechanisms and establish new ones as required to ensure coordination and cooperation between the City of Hallandale Beach and other units of local, County, Regional, State, and Federal governments regarding planning and development matters.

**POLICY 1.16.1:** The City shall use existing and establish new procedures as needed to ensure consistency and coordination between the City and County Comprehensive Plans, the State of Florida Comprehensive Plan, the Regional Policy Plan for South Florida, plans of adjacent municipalities, and plans of other units of local government which provide services within the City, but do not have regulatory authority.

**OBJECTIVE 1.17:** Transportation Concurrency Exception Areas: Maintain urban infill and urban redevelopment area(s) within the City containing residential and nonresidential uses where public services and facilities are in place.

**POLICY 1:18:2:** Adequate housing opportunities necessary to accommodate all segments of present and future residents shall be provided within urban infill and urban redevelopment area(s).

**POLICY 1:18:4:** 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.

**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 1.20.7:** The City shall continue to foster its “sustainable” community character with a variety of housing opportunities at varying price ranges, employment and retail uses, educational, community facilities, parks and recreational uses, etc. to the extent possible.

**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.

### Housing Element

**GOAL 4-1:** Quality Residential Environment. To assure the availability of a safe, sound and attractive residential environment for all residents of Hallandale Beach.

**OBJECTIVE 4-1.2:** The Elimination of Substandard Housing Conditions. The City will continue to eliminate substandard housing conditions and blighted influences and improve structural and aesthetic housing conditions. This objective will be achieved through the implementation of the following policies:

**POLICY 4-1.2.1:** Enforce Building and Zoning Codes. New housing construction and rehabilitation shall be in conformance with local building and zoning codes.

**POLICY 4-1.2.3:** Aesthetic Improvement. The City shall, through the preparation of two neighborhood plans a year, identify the means to improve the aesthetic conditions in our neighborhoods.

**POLICY 4-1.3.2:** City Investment in Neighborhoods. The City will continue to identify and upgrade deteriorating infrastructures and City services to our neighborhoods.

**OBJECTIVE 4-1.4:** Adequate Housing Sites. The City shall support the need for

**POLICY 4-1.4.9:** Provision of Diverse Housing Types. The City shall continue to provide a balance of land use designations and zoning districts on the Future Land Use and the official zoning maps to ensure single family, duplex and multifamily housing units.

**OBJECTIVE 4-1.5:** Energy Efficiency (Greenhouse Gas Reduction). The City shall support energy efficiency and the use of renewable energy resources in existing housing and in the design and construction of new housing.

**POLICY 4-1.5.2:** The City shall encourage the use of low water use plumbing fixtures and energy efficient electrical systems / appliances.

**POLICY 4-1.5.5:** The City shall continue to encourage mixed-use development and concentrations of higher residential densities along major transportation corridors. The City shall continue to foster a variety of housing opportunities at varying price ranges to the extent possible.

- 2) The proposed change would or would not be contrary to the established land use pattern.

***Consistent.*** The proposed change would not be contrary to established land use patterns. There are other multi-family residential developments to the north, east and west near the subject site. In addition, the site is approximately ¼ mile north of West Hallandale Beach Boulevard, a transit-oriented corridor on which commercial/ mixed-uses and denser residential development is encouraged and allowed. Also, the proposal has been designed with extensive perimeter landscaping which will buffer the residential project from the nonresidential uses to the south and east.

- 3) The proposed change would or would not create an isolated district unrelated to adjacent and nearby districts.

**Consistent.** The proposed change would not create an isolated district. There area is surrounded by a mixed of uses, such as single and multi-family residential, commercial/industrial and community facilities.

- 4) The proposed change would or would not alter the population density pattern and thereby have an adverse impact upon public facilities such as school, utilities, and streets.

**Consistent.** The proposed change would not have an adverse impact on public facilities or change the density pattern. The applicant completed an impact analysis for both schools and utilities that were reviewed by both City and School Board staff and found that the increase in density will not adversely impact public facilities.

- 5) Existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

**Consistent.** The property is located south of the single-family area north of NW 3<sup>rd</sup> Street, a 70 feet wide right-of-way presently unimproved), in an area with a mixed of uses. The High Density-2 category was designed to allow higher densities than 25 dwelling units per acre on site specific properties when found compatible with existing land use pattern. There are other existing mid-rise developments in the area. Although the applicant's proposed density of 46 units per acre exceeds the densities of the nearby midrise developments, which range from 18 DU/acre to 30 DU/acre (*Chaves Lake Apartments at 18 units per acre, Harbor Cove at 30 units per acre and Hurley Hall Assisted Living Facility at 25 units per acre*), the proposed development density of approximately 46 dwelling units per acre is not illogical, in relation to existing conditions in the area and the project's geographical location.

- 6) Changed or changing conditions make the passage of the proposed amendment necessary.

**Consistent.** The existing low-density land use designation of the parcel has not provided for redevelopment of available land in the area. Specifically, these changes will create a new land use pattern and new housing opportunities consistent with other mid-rise buildings in the area. Also, there is a need for change to encourage redevelopment and larger scale development in the area near to where transit services are provided.

- 7) Substantial reasons exist why the property cannot be used in accordance with the adopted land use plan and/or the existing zoning.

**Consistent.** The existing low-density residential land use designation and zoning would restrict the property from being developed in a manner that would create new mid-rise housing opportunities within walkable pedestrian shed to existing commercial developments on West Hallandale Beach Boulevard.

- 8) Whether or not the change is out of scale with the needs of the neighborhood.

**Consistent.** The proposed change is not out of scale with the needs of the neighborhood. Rather, the proposal will have a positive effect on the property and encourage urban infill residential redevelopment compatible with the neighborhood.

## **Planned Development Overlay District (PDO) Review Criteria**

Article III Section 32-186 of the Zoning and Land Development Code states applications for rezoning to PDO shall be reviewed with consideration given to the following criteria:

- 1) That the proposed project would further the development or redevelopment of an area of the City consistent with City land use and development goals, policies and development/redevelopment efforts.

**Consistent.** The subject property is located within the City's CRA and the proposed project will help revitalize the area. Assignment of PDO Overlay District to the property is consistent with the City's adopted goals and redevelopment efforts.

- 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 residential zoning or the proposed RM-HD-2 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 higher quality development and compatibility with the surrounding area through the negotiated process and development is governed by a Development Agreement between the City and the developer. The applicant's proposal provides for additional and more mature landscaping exceeding landscaping required by the City's Landscape Ordinance. In addition, the proposal includes architectural features consistent with established Design Guidelines for PDO. The project includes the use of brick pavers, aluminum fencing surrounding the property, a play area, bike storage and charging station, shade structures and extensive rooftop landscaping and other amenities throughout the development.

- 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 zoning will allow more flexibility in the development's design by allowing for amenities that will enhance the development, such as, a tot-lot play area, a rooftop recreational area, a clubhouse, an aluminum perimeter picket fence, a mix of unit types, including 3-bedroom units to appeal to varied family size. Strict adherence to the underlying Zoning Code regulations without the flexibility provided for in PDO's would not have permitted such amenities.

- 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 many amenities, such as a clubhouse, a play area, and a rooftop recreational/open space area, which will enhance its residents' recreational needs.

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

**Consistent.** The proposed development has been designed to provide for residents' easy accessibility to open space and recreational areas within the community. Additionally, public sidewalks 6 feet in width, (wider than the minimum of 5 feet) are planned outside the community to facilitate pedestrian, bicycling, and access to mass transportation systems to nearby major roadways. In addition, 25 bicycle storage spaces are proposed.

- 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.

**Consistent.** It is more appropriate to evaluate the proposed project as an overall development plan under PDO than adhering to the specific Code criteria of the underlying zoning district. PDO zoning provides the flexibility to determine the appropriateness of a code modification based on the suitability to the specific site than the variances process. Adherence to the strict review criteria for variance of Section 32-965 is not applicable with PDO zoning. Such modifications can be determined to have no significant impact on the actual development and neighboring properties, or that it may actually enhance the proposal through the negotiated process.

### **Plat**

1. The applicant is also seeking approval of the 8<sup>th</sup> Avenue Commons Plat in accordance with Article II, Division 2 of the Zoning and Land Development Code. The property was platted under the original Town of Hallandale Plat in 1898, however its legal description does not meet current platting requirements pursuant to Broward County or City regulations, thus, must be replatted in order to build on the land.
2. The applicant's plat plans depict the following:
  - a) 216,547 square feet or 4.97 acres parcel located north of NW 2<sup>nd</sup> Street and east of NW 8<sup>th</sup> Avenue.
  - b) A note restricting the site to 198 residential apartment units. (200 units are proposed).
  - c) A 12.5 foot-wide, 5,887.6 square feet along NW 2<sup>nd</sup> Street and a 11,190.7 square feet right-of-way dedication along NW 8<sup>th</sup> Avenue. (These dedications are existing previously granted by instrument).
  - d) A 46 feet wide ingress/egress access easement on NW 8<sup>th</sup> Avenue located 205.58 feet from its southern plat limit.
3. The proposed plat note restricts the site to 198 residential units; however, 200 units are proposed. Therefore, the proposed development exceeds the threshold noted on the proposed plat and the note must be revised.
4. Plat applications are reviewed according to Article II, Division 2, Sections 32-71 through 32-101 of the Zoning and Land Development Code. The proposed plat is being brought before the Planning and Zoning Board as a Preliminary/Final Plat. As a result, City staff has reviewed the Plat according to Section 32-74 and Section 32-75 of the Zoning and Land Development Code. City staff comments were incorporated into the Plat. The applicant's proposal satisfies the submission requirements for platting.

5. Plats also require an application to the Broward County Planning and Redevelopment Division which coordinates the review of the application through County agencies. The Division has issued a Development Review Report based on applicable Broward County agencies' specific recommendations (*please refer to attached copy for all specific conditions and comments*).
6. The County's Report includes the following conditions and comments from the City of Hallandale Beach:
  - a) A 12.5-foot right-of way dedication is required along NW 2<sup>nd</sup> Street (north of the area noted as "Parcel C").
  - b) A 10 feet right-of way dedication is required along NW 8<sup>th</sup> Avenue (east of the area noted as Parcel B").
  - c) Revise the proposed plat boundaries to reflect existing property lines opening.
7. The plat note must be revised from 198 apartment units to the currently proposed 200 apartment units.
8. After the required dedications, the parcel will be reduced to 4.35 net acres.
9. The County Report notes the application is recommended for denial as the School Capacity Letter (SCAD) had expired in April 2017. The applicant has requested the updated SCAD Letter (copy attached and correspondence from the applicant) be will be provided following first reading of the application approvals.
10. Broward County Planning Council recommended denial as the plat is not consistent with the permitted uses of the Effective Land Use Plan. The City and County land use designations must be amended in order to be in compliance with the Broward County Land Use Plan.
11. The plat will also require County Commission approval.

### **Major Development Review**

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 site is vacant. There are no rare, historical or valuable trees on the property.

2. **Open Space**

A tot-lot play area at ground level and roof-top recreational areas with seating, walking areas and shade structures are proposed to serve the residents. 17% of the site will be landscaped. (10.6% at grade and 6.5% above -ground on the rooftop of the building).

According to the landscaped plans, the grounds will be substantially landscaped with mature trees, ornamental trees and shrubbery, such as, Royal Palms, Live Oaks, Gumbo Limbos, Orange Geiger, Dahoon Holly and Coconut Palms exceeding the required height.

### 3. Circulation and Parking

Four-hundred-thirty-three parking (433) spaces are required for the development and 402 parking spaces proposed, 31 spaces less than required by Code (a 7.2% reduction).

The main entrance to the development is proposed on NW 8<sup>th</sup> Avenue. There are gated entries/exits to the north and south of the main entrance to the parking lot except in the center in a shared and ungated parking area with 70 parking spaces. A two-way-gated driveway is also provided at NW 2<sup>nd</sup> Avenue. A lock-box will be required to provide access for Fire Department emergency vehicles and Public Works Sanitation Departments as the dumpster for the development would be inside the gated area.

There is one dead-end corridor which is prohibited by Section 32-453(i)(4). The applicant requests this development standard be waived as provided by Section 32-186 of the PDO regulations. Assigning parking spaces to residents, which is permitted by the Parking Code, would also help reduce vehicular conflicts in the dead-end corridor.

Twenty-five (25) on-street parking spaces are proposed on NW 2<sup>nd</sup> Street and 15 on-street parking spaces are proposed on future NW 3<sup>rd</sup> Street which is presently unimproved. The developer will participate with the future construction of this street, the terms of which will be negotiated as part of the required Development Agreement for the Project.

### 4. Access Controls

The property will be a gated community accessed by an entryway on NW 8<sup>th</sup> Avenue and from NW 2<sup>nd</sup> Street. A lock box key for Fire Department and Public Works use will also be required at the entrances.

### 5. Public Transportation

Broward County Transit (BCT) does not serve NW 8<sup>th</sup> Avenue, however, the City's Mini bus does provide service along the street. Public mass transit is available on West Hallandale Beach Boulevard at the intersection of NW 8<sup>th</sup> Avenue 0.3 mile south of the parcel.

### 6. Community Services

Dumpsters are proposed in a masonry enclosure at the southeast corner of the property within the gated area. A lock-box will be required to provide access to the Sanitation Services. The enclosure will have trash and recyclable dumpsters. The City Sanitation operation will service the development. Staff has required, and the developer has agreed to have a designated recyclable chute in addition to the trash chute to service all floors within the building.

Fire hydrants to serve the development and designated fire lanes are not shown but will be required. Prior to the issuance of the building permit, the developer must provide a hydraulic analysis of the water system, including a fire flow test, to determine if system is adequate to provide required fire and domestic use demand. Any improvements required will be the applicant's responsibility to construct and pay for.

There are no existing sidewalks adjacent to the parcel. The applicant proposes to construct concrete sidewalks as required by Code along NW 8<sup>th</sup> Avenue, NW 3<sup>rd</sup> Street and NW 2<sup>nd</sup> Street as required by Code. The sidewalks will be 6 feet in width which exceed the Code specified width of 5 feet.

7. Drainage

Paved areas are proposed to have underground catch basins for stormwater runoff. Storm water must be retained on site. Drainage calculations for both sites will be required at time of permit. The applicant will be required to comply with all DPEP regulations and City criteria to retain 5-year 1-hour storm water onsite. Drainage in the streets will be required where on-street parking will be constructed.

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, recreation, schools and transportation. Staff has determined that concurrency requirements have been met.

The developer has submitted an Impact Evaluation Report as required by Section 32-788 that addresses each issue. The following is a summary of the expected impacts to the various public utilities for reference.

**Potable Water** - According to the criteria in the Impact Evaluation Report, the development will generate the need for approximately 42,225 gallons of potable water per day (GPD). The City's current demand is about 6.07 MGD. The water demand the City is able to meet is approximately 8.29 MGD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$203,381 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 37,800 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$279,862 in sewer impact fees.

Water and wastewater impact fees are estimates and are payable per Section 30-253 when the building permit is issued or when a request for capacity is made.

**Transportation System**- A Traffic Study providing an analysis of the impact of the development as it relates to current and projected roadway usage and design capacities was conducted as required by the City's Comprehensive Plan Transportation Element for projects generating 100 daily trips or more. The anticipated trip generation for this development is 1,092 daily trips per weekdays. The development will generate 72 AM Peak Hour Trips and 88 PM Peak Hour Trips. NW 8<sup>th</sup> Avenue is currently operating at a LOS "D" which is acceptable and is to remain at that LOS when the project is built. The City's Traffic Consultant for this project, Michael Miller Planning Associates (MMPA), reviewed the Traffic Study and determined the projected traffic development is not anticipated to significantly impact the surrounding roadways or worsen the LOS.

The City's Traffic Consultant also reviewed and accepted the Alternate Parking Supply Study prepared by the applicant's traffic engineering firm, Kimley-Horn, which concludes that 326 parking spaces are sufficient for the development utilizing data published by ITE (Institute of Transportation Engineers) data. *(402 spaces are provided).*

Pursuant to the City's Comprehensive Plan, Transportation Element, Policy 1.5.4, any local streets are required to be a minimum of 50 feet right-of-way or as may be established by the City's Comprehensive Plan.

The City has established a 70 feet right-of way for NW 8<sup>th</sup> Avenue. The existing R/W is 50 feet, therefore, a 10 feet dedication along NW 8<sup>th</sup> Avenue has been required and provided to serve as a deceleration lane into the development and provide for proper right-of-way for any future roadway improvements or expansions to NW 8<sup>th</sup> Avenue.

NW 2<sup>nd</sup> Street is specified to be a minimum of 50 feet R/W requirement. The existing right-of-way along NW 2<sup>nd</sup> Street adjacent to the property is 12.5 feet; thus, an additional 12.5 feet roadway dedication is required along that portion of the property. NW 3<sup>rd</sup> Street, presently unimproved, is an existing 70 feet right-of-way which exceeds the minimum of 50 feet. There is no driveway connection from the proposed project to this future street. Fifteen (15) on-street parking spaces are proposed adjacent to the project along NW 3<sup>rd</sup> Street. The Developer will be required to participate in the construction of NW 3<sup>rd</sup> Street extension which would connect NW 8<sup>th</sup> Avenue through to NW 5<sup>th</sup> Terrace. The anticipated NW 3<sup>rd</sup> Street improvements would include: a new 2-lane road, a bike lane buffered adjacent to on-street parking, sidewalks, curb and gutter drainage, pedestrian crosswalks, landscaping, pedestrian scale lighting, and a traffic calming round-a-bout at 5<sup>th</sup> Terrace.

Although not reflected on the proposed Plat, the applicant has provided for the required street dedications discussed above on the proposed site plan.

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 \$14,631.

**Schools-** Based on the student generation rate adopted by the Broward County School Board this project will generate 8 elementary school students, 3 middle school students and 4 high school students for a total of 15 students. Adequate school capacity is available to support the project. However, the SCAD Letter from the school has expired. The applicant will be required to obtain an updated letter prior to the City's approval of the subject applications.

**Recreation and Open Space-** The 2018 Evaluation Appraisal Report amendment to the Comprehensive Plan increased the City's Level of Service standard to 3.25 acres per 1,000 population. Based on the City's 2017 population and with the new recreation and open space level of service, there is a surplus of 7.10 acres. The proposed project will generate a demand of 1.37 acres. There is sufficient recreation and open space acreage to support this project. The City is in the process of adopting a Recreation impact fee. It is anticipated the fee will be adopted before the end of this year. The fiscal impact of the project utilizing 1.37 acres of open space will be mitigated in the Development Agreement. The recreation impact fee for this project will be approximately \$195,000 and will be a requirement of the Development Agreement.

#### 9. Energy Conservation/Green Building

Section 32-787 (k), the City's Green Building Program, requires new development with more than 50 residential units, 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 is more than 50 units, therefore, Green Building certification is required. The applicant intends on seeking LEED certification for the project.

## Financial Impact

The project's anticipated market value at build-out is \$ 46 Million. It is expected the proposed development will generate approximately \$266,791 in real estate taxes in the next year after completed. Approximately \$253,451 of the revenue would go to the City's CRA. The estimated building permit fee is approximately \$600,000 based on the applicant's estimated construction cost of \$30 Million.

## PDO Design Guidelines

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

## 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**

### **Plat**

Staff recommends the plat application be recommended for approval subject to the following conditions:

1. The Plat is restricted to a maximum of 200 residential apartment units. Revise the plat to reflect this maximum.
2. Provide a 12.5-foot right-of way dedication along NW 2<sup>nd</sup> Street (north of the area noted as "Parcel C") prior to submittal of any building permit application.
3. Provide a 10 feet right-of way dedication along NW 8<sup>th</sup> Avenue (east of the area noted as Parcel B") prior to submittal of any building permit application.
4. Revise the proposed plat boundaries to reflect existing property lines.
5. The applicant shall bond for and construct any required street and right-of-way improvements including but not limited to sidewalks, pavement, construction, striping, signage, landscaping, and drainage improvements.
6. The applicant shall provide an updated SCAD Letter prior to Second Reading of the land use plan amendment and rezoning ordinances.
7. The applicant shall address all conditions set forth by the Broward County Planning and Development Management Division in their review of the subject plat.
8. An electronic copy of the plat and a mylar copy of the final plat as recorded, shall be delivered to the City following recordation and prior to the issuance of the building permit.

## **Land Use Plan Map Amendment/ Rezoning to RM-HD-2**

The proposed change to the City's Future Land Use Map from residential, low density to residential high density-2 designation and rezoning to RM-HD-2 District will provide for diversity in housing types near a transit corridor and allow development of the site as a planned multi-family residential community. Potential incompatibility of existing nonconforming industrial land use to the south and the City's Public Works compound to the east, is mitigated by the developer's site design of the project as a gated fenced-in community well buffered by extensive landscaping and decorative fencing.

The proposed development is not a deed restricted affordable housing project as defined by the Broward County Land Use Plan (BCLUP). Broward County Land Use Plan Policy 2.16.2 requires that amendments which propose 100 or more residential units to the existing density implement affordable housing strategies to the satisfaction of the County and/or the municipality. The Broward County Planning Council is charged with determining if the application is subject to Policy 2.16.2 after the application for a Land Use Plan amendment is submitted to the County. The applicant will need to satisfy the County's affordable housing standards as part of its application for a Broward County Land Use Plan Amendment.

Properties with a PDO Overlay designation are governed by a Development Agreement (DA). As part of the DA for this project and in accordance with past precedence, the City will negotiate a payment in-lieu-of in the amount of \$8,833 per unit for the 30 required affordable residential units (15% of total units proposed). This per unit cost represents the City's most recently calculated average assistance provided per affordable unit required, which is 15% of the market rate units being constructed. The total amount of the contribution is \$265,000. The monies will be placed in the City's affordable housing trust fund.

To maintain consistency with the County's Future Land Use Map (FLUM), a Broward County Land Use Plan Map Amendment to Residential, High Density land use category is also required. This small-scale amendment is less than 10 acres of land; therefore, it is not subject to concurrent review by Department of Economic Opportunity (DEO). The City's Land Use Plan Map amendment will be effective upon approval by the Broward County Commission of the FLUM.

## **Rezoning to 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. PDO is appropriate for the Project because of its complexity, scale and uniqueness to the area. Staff does not object to the requested waivers as most are generally appropriate and unique to the site and the property, with one exception: although the developer has made an attempt to increase the landscaped area by landscaping the rooftop of the building, the project provides only 10.6% greenery at grade with an overall credit of 17% instead of the required 30%. Staff has no objections to the requested waiver for the parking reduction based on the findings of the parking study submitted by the applicant.

Applying PDO to the property will provide for greater flexibility and allow a development at a property that is prime for redevelopment.

The applicant should consider reducing the size of the project to allow for more open space/landscaping area. A reduction in the scale of the project to a density comparable to nearby multi-family developments such as Chaves Lake at 18 DU/acre, Harbor Cove at 30 DU/acre, and

Hurley Hall at 25 units/acre. Also, the applicant's request for density above 25 units/acre to build 200 units instead of 108 units would require assignment of 92 flexibility units. This assignment of flex units will reduce the City's inventory to 711 flex units.

### **Major Development Plan- Application**

As outlined in this memo, Staff has conducted a comprehensive analysis of the Project and has determined the applicant's proposal meets the general requirements for Major Development Plan approval relative to concurrency. Also, as discussed under Transportation Systems, the developer will be required to dedicate and construct right-of-way improvements, including a deceleration lane on NW 8<sup>th</sup> Avenue and on-street parking on NW 2<sup>nd</sup> Street. The developer will also be required to participate in the construction of NW 3<sup>rd</sup> Street with the road improvements negotiated in the Development Agreement for the Project. The construction of future NW 3<sup>rd</sup> Street adjacent to this project and the future easterly extension of the street to NW 5<sup>th</sup> Terrace will assist in alleviating existing traffic conditions on West Hallandale Beach Boulevard by providing an alternate east/west corridor.

The Major Development Plan is recommended for approval to the Commission subject to the following conditions:

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

1. Payment of the City's water impact fee in the amount of \$203,381.
2. Payment of the City's sewer impact fee in the amount of \$279,862.
3. Payment of the City's transportation mitigation cost in the amount of \$104,631.
4. The maximum number of units in the development shall not exceed 200 units.
5. Assignment by the City Commission of 92 Residential Flexibility Units.
6. The project shall be designed and constructed to comply with Section 32-787(k) and obtain a Green Building certification from LEED or a recognized environmental agency.
7. The entire property shall be enclosed with a decorative masonry wall/picket fence as detailed in the proposal.
8. The applicant shall bond for and construct any required street and right-of-way improvements including but not limited to sidewalks, pavement, construction, striping, signage, landscaping, and drainage improvements.
9. The dumpster enclosure for the development shall be of masonry construction and landscaped in a manner to obscure same and enhance the development to the satisfaction of the City.
10. The building shall be designed with a designated chute for recyclables separate at each floor from the trash chute.
11. No required tree shall be less than 10 feet in overall height.
12. The applicant shall provide an updated SCAD Letter prior to Second Reading of the land use plan amendment and rezoning ordinances.
13. Execution of Developer's Agreement pursuant to Section 32-186(d)(2) stipulating agreed conditions of the negotiated process satisfactory to the City.
14. Approval of the City applications for a Future Land Use Map Amendment, rezoning to RM-HD-2, applying PDO zoning and the Major Development Plan, will become effective upon Broward County's approval of the required County Land Use Map amendment of the property and recertification by Broward County Planning Council of the City's Land Use Map.

**Proposed Action:**

Staff recommends the Planning and Zoning Board provide a favorable recommendation to the City Commission for the following:

Application #PA-18-0974, Land Use Map Amendment:

Amending the City's land Use designation of the property to Residential High Density-2 subject to such action shall become effective after all required Broward County approvals.

Application #Z-17-02319, Rezoning to RM-HD-2

Rezoning the property to RM-HD-2 subject to such action shall become effective after all required Broward County approvals.

Application #PDO-17-02317, Applying PDO

Applying the PDO Overlay zoning to the property to PDO subject to such action shall become effective after all required Broward County approvals.

Application #DB-17-0231, Major Development Plan

The Major Development Plan for the 8<sup>th</sup> Avenue Commons Project subject to such action shall become effective after all required Broward County approvals, the terms of the Development Agreement to govern the project as may be approved by the City Commission, and all conditions set forth in this Cover Memo.

Application #P-17-00608, Plat

Staff recommends the Planning and Zoning Board recommend approval to the City Commission of the 8<sup>th</sup> Avenue Commons Plat subject to conditions #1-8 enumerated under Staff Recommendations/Plat in this Cover Memo.

**Attachment(s):**

- 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- Proposed Plat and Broward County Plat report
- Exhibit 6- City Traffic Consultant Report