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RESOLUTION NO. 2019-023

**A RESOLUTION OF THE MAYOR AND CITY
COMMISSION OF THE CITY OF HALLANDALE BEACH,
FLORIDA ALLOCATING NINETY TWO (92)
RESIDENTIAL FLEXIBILITY UNITS TO THE EIGHTH
AVENUE COMMONS PROJECT LOCATED AT 200 NW
8TH AVENUE; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Broward County Comprehensive Plan and the Hallandale Beach Comprehensive Plan permits the City of Hallandale Beach to allocate Residential Flexibility Units to permit residential uses consistent with the City's Comprehensive Plan; and

WHEREAS, flexibility units, as defined in the Broward County Land Use Plan, are 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 a flexibility zone by a local government's certified Future Land Use Map (FLUM); and

WHEREAS, currently, the City of Hallandale Beach consists of Broward County Flexibility Zone #93, which is east of the Florida East Coast Railroad Right-of-Way and Flexibility Zone #94, which is west of the Florida East Coast Railroad Right-of-Way. These zones are designated and controlled by Broward County requirements and allowances. As such, land uses within these designations can be rearranged or densities can be modified with other land uses in the same Flexibility Zone; and

WHEREAS, currently, there are four hundred twenty (420) flexibility units remaining for allocation in Flexibility Zone #93, and zero flexibility units in Flexibility Zone #94; and

WHEREAS, on November 28, 2018, the City Commission adopted Resolution No. 2018-138 requesting Broward County to designate a Unified Flexibility Zone in the City of Hallandale Beach in accordance with Broward County Administrative Rules. Once the request is approved, up to four hundred twenty (420) flexibility units will be available for allocation at any location in the City. Broward County's approval of the City's request is currently pending; and

36 **WHEREAS**, Eighth Avenue Partners, LLC (Applicant), the owner of the property
37 located at 200 NW 8th Avenue, has filed Application # DB-17-2311 with the City for Major
38 Development Approval to construct a residential multifamily project known as 8th Avenue
39 Commons. The proposed project is located in Flexibility Zone #94; and
40

41 **WHEREAS**, approval of the proposed project is contingent on approval of a
42 change in land use designation in the City's Future Land Use Map from Low Density to
43 Residential, High Density-2 Category, rezoning to RM-HD-2, approval of the project in
44 Planned Development Overlay District, replatting, and execution of a development
45 agreement; and
46

47 **WHEREAS**, allocation of ninety two (92) Flexibility Units is needed to
48 accommodate the proposed residential multi-family project; and
49

50 **WHEREAS**, the City of Hallandale Beach is willing to allocate ninety two (92)
51 Flexibility Units to the 8th Avenue Commons project.
52

53 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY**
54 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**
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56 **Section 1. Allocation of Flexibility Units.** Pursuant to the provisions of the
57 Broward County Comprehensive Plan and the Hallandale Beach Comprehensive Plan,
58 the Mayor and City Commission hereby allocate ninety two (92) Residential Flexibility
59 Units to the 8th Avenue Commons project presented by Eighth Avenue Partners, LLC.
60

61 **Section 2. Restrictions and Limitations.** This allocation is subject to Broward
62 County's approval of the City's request pursuant to Resolution No. 2018-138 to designate
63 a Unified Flexibility Zone within the City of Hallandale Beach. This allocation is also subject
64 to such restrictions, limitations and conditions stipulated in the Development Agreement
65 between the City and Eighth Avenue Partners, LLC.
66

67 **Section 3. Effective Date.** This resolution shall be effective contingent upon
68 Broward County approval of the required County Land Use Map amendment of the
69 property, approval of the City's request to designate a Unified Flexibility Zone within the
70 City, and recertification for Broward County Planning Council of the City's Land Use Map.

71 APPROVED and ADOPTED on March 20, 2019.

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79 SPONSORED BY: CITY ADMINISTRATION

80 ATTEST:

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84 JENORGEN GUILLEN, CMC

85 CITY CLERK

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87 APPROVED AS TO LEGAL SUFFICIENCY

88 FORM

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92 JENNIFER MERINO

93 CITY ATTORNEY

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JOY D. ADAMS
MAYOR

FINAL VOTE ON ADOPTION

Mayor Adams	<u>Absent</u>
Vice Mayor Javellana	<u>Yes</u>
Commissioner Butler	<u>Yes</u>
Commissioner Lazarow	<u>Yes</u>
Commissioner Lima- Taub	<u>No</u>

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