

**EXHIBIT 1
RESOLUTION NO. 2020-**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING APPLICATION #CU-20-00557 BY THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY (HBCRA), FOR A CONDITIONAL USE PERMIT AS PROVIDED BY SECTION 32-199 (D) (2) (B) OF THE HALLANDALE BEACH CODE OF ORDINANCES IN ORDER TO CONSTRUCT AN INTERIM PARKING FACILITY IN THE CENTRAL RAC/FADD SUBDISTRICT AT THE PROPERTY LOCATED AT 203 NE 3RD STREET, AS RECOMMENDED BY THE CITY ADMINISTRATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the applicant, the Hallandale Beach Community Redevelopment Agency (HBCRA), has filed Application #CU-20-00557 for a Conditional Use Permit as provided by Section 32-199 (d) (2) (b) of the Hallandale Beach Code of Ordinances in order to construct an interim parking facility in the Central RAC/ FADD Subdistrict at the property located at 203 NE 3rd Street; and

WHEREAS, the Fashion/Art/Design subdistrict is intended to be a unique, lively arts and commerce area accommodating a wide range of uses including residential, retail, art, culture, design, and some light industrial uses; and

WHEREAS, the Hallandale Beach CRA has been working diligently to improve the FADD area by seeking business owners willing to invest in the area and providing financial assistance to eligible owners within the subdistrict; and

WHEREAS, in addition to redesigning the street some years ago to allow for public on-street parking, the HBCRA acquired the subject property to improve it for public parking for area businesses; and

WHEREAS, a temporary surface parking lot is presently proposed to continue the CRA's commitment to increasing available public parking for the

37 FADD; and

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39 **WHEREAS**, according to the applicant (HBCRA), it is anticipated that the
40 need for a multi-story parking garage from an interim parking lot would occur within
41 the next 5 years, and thus a parking garage is planned to be built on the site as
42 the need for additional parking increases; and

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44 **WHEREAS**, Section 32-199 (d) (2)(b) of the Hallandale Beach Code of
45 Ordinances permits interim parking lots by a Conditional Use Permit on parcels
46 no greater than 25,000 square feet in area may be approved for interim parking
47 lots serving general business and residential areas for specific timeframes; and

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49 **WHEREAS**, interim parking lots must be maintained with a dust-free
50 surface and shall have perimeter landscaping comprised of a continuous
51 maintained hedge three to four feet in height with one tree every thirty (30) feet
52 installed along streets and residential properties, with final details to be
53 incorporated as conditions of approval; and

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55 **WHEREAS**, the approval may specify an annual review process that could
56 result in revocation if these requirements and any other conditions of approval are
57 not maintained; and

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59 **WHEREAS**, on September 23, 2020, the Planning and Zoning Board
60 considered the subject application and recommended approval of the application,
61 subject to an increase in the timeframe of approval for a period of six (6) years
62 rather than the five (5) years requested by the applicant; and

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64 **WHEREAS**, the Board further recommended that if after six (6) years the
65 proposed permeable parking lot surface becomes an acceptable material, the
66 parking lot could remain as is (Exhibit 6 Cover Memo and Exhibit 7 Board Minutes);
67 and

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WHEREAS, the applicant's site plan depicts the following:

1. Two parcels of 10,800 and 11,220 square feet are combined for a proposed 22,020 square foot parking lot; anticipated to be a temporary parking lot for 5 years.
2. The FADD subdistrict lies to the West, and to the East is the nearly completed ICEBOX commercial restaurant establishment.
3. A proposed parking lot design which provides a dust free permeable paving system with 42 parking spaces which include 2 ADA spaces.
4. A 23 feet wide, two-way driveway along NE 2nd Avenue located away from the intersection.
5. A total of 19 site trees (15 required) and 10 street trees (12 required) for credit are proposed consisting of Spanish Stopper, Simpson's Stopper, Wild Tamarind, Live Oak and Sabal Palmetto palm trees. All trees and palms indicated are native species.
6. 23.3% of landscaped area is proposed (5% of landscaped area is required). The landscape materials will provide a buffer between adjacent properties.
7. A landscaped small public plaza is proposed at the corner of NE 2nd Avenue and NE 3rd Street incorporating 2 pedestrian benches and 2 bike racks.
8. An existing 5 feet wide sidewalk along NE 3rd Street and a proposed 5 feet sidewalk along 2nd Avenue. (8 feet sidewalks are required).

99 **WHEREAS**, the property is designated Regional Activity Center on the City's
100 Future Land Use Map, and the proposed parking lot use is permitted under the
101 land use category; and

102 **WHEREAS**, Section 32-199 (d) (2) (b) of the Zoning and Land Development
103 Code allows interim parking lots for a specific timeframes in the Central
104 RAC/FADD Subdistrict by a Conditional Use permit on parcels no greater than
105 25,000 square feet in area serving general business and residential areas.
106 Conditional uses must be approved pursuant to the provisions in Section 32-964;
107 and

108 **WHEREAS**, the applicant proposes to install a parking lot on land totaling
109 22,020 square feet. The parking lot would serve as supplemental parking for the
110 FADD Subdistrict. The parking lot would be accessed via a two-way driveway on
111 NE 2nd Avenue; and

112 **WHEREAS**, Section 32-384(c) of the Zoning and Land Development Code
113 requires one tree be provided for each 1,500 square feet of project site area, at
114 least 50 percent of which shall be native, drought-tolerant species; and

115 **WHEREAS**, based upon the foregoing provision, fifteen (15) trees are
116 required, though twenty nine (29) trees for credit are proposed, exceeding the
117 Code requirement, and 100 percent of the trees and palms are native, drought-
118 tolerant species, thereby exceeding the requirement; and

119 **WHEREAS**, Section 32-199, Table 32-199(a) of the Zoning and Land
120 Development Code requires that all permitted uses have a minimum of 5 percent
121 landscaped area on-site, and Section 32-384(e) requires a 10-foot landscape
122 buffer for any vehicular use area abutting a public right-of-way; and

123 **WHEREAS**, the existing lot is vacant and unimproved, and the proposed
124 parking lot will provide 23.3% of landscaped area, well in excess of the required
125 minimum. In addition, there will be landscape buffers along NE 3rd Street and NE
126 2nd Avenue, which satisfy the Code requirement; and

127 **WHEREAS**, Section 32-199, Table 32-201(h) requires pedestrian walkways
128 along adjacent streets have be 8 feet in width; and

129 **WHEREAS**, presently, there is an existing 5 feet sidewalk along NE 3rd Street
130 and no pedestrian walkway on NE 2nd Avenue. There are existing FPL poles in
131 the right -of -way of NE 2nd avenue that would need to be relocated in order to
132 accommodate an 8 feet sidewalk. The applicant proposes to construct a 5 feet
133 wide sidewalk for this project. The Applicant has requested that, as the Project
134 is a temporary use, a 5 feet wide sidewalk along this street be accepted which
135 provides a pedestrian and ADA complaint path along NE 2nd Avenue; and

136 **WHEREAS**, the Application has been determined to be “consistent” with the
137 ARTICLE VIII, Section 964. Conditional Uses; and

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139 **WHEREAS**, pursuant to Section 32-962 and Section 32-199 of the Zoning
140 and Land Development Code, City Commission approval of a Conditional Use
141 permit is required to allow interim parking lots in the Central RAC/FADD
142 Subdistrict; and

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144 **WHEREAS**, approval of the application will provide additional public parking
145 to support existing and future businesses in the area, thereby supporting the
146 redevelopment efforts by the HBCRA for the FADD area; and

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148 **WHEREAS**, the subject application meets the present requirements of the
149 City Code; therefore, staff recommends the City Commission approve Application
150 #CU-20-00557 requesting a Conditional Use Permit in order to construct an interim
151 parking lot at the property located at 203 NE 3rd Street, subject to the following two
152 (2) conditions:

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154 1. The Conditional Use Permit shall expire six (6) years from the date of
155 approval by the City Commission at which time, a permanent parking
156 garage shall be built on the property or the lot resurfaced with permanent

157 hard surface materials as required by the Parking Code.

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159 In the event the proposed surface becomes a permissible material per
160 Code, the lot would not be required to be paved.

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162 2. The sidewalk along NE 2nd Avenue shall be replaced or expanded to provide
163 8 feet pedestrian walkway at the time a permanent structure is built on the
164 property.

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166 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE**
167 **CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

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169 **SECTION 1.** The foregoing "Whereas" clauses are incorporated herein.

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171 **SECTION 2.** The Mayor and City Commission hereby approve/disapprove
172 Application #CU-20-00557 requesting a Conditional Use Permit in order to
173 construct an interim parking lot at the property located at 203 NE 3rd Street,
174 Hallandale Beach, Florida, subject to the two following conditions:

- 175
176 1. The Conditional Use Permit shall expire six (6) years from the date of
177 approval by the City Commission at which time, a permanent parking
178 garage shall be built on the property or the lot resurfaced with permanent
179 hard surface materials as required by the Parking Code. In the event the
180 proposed surface becomes a permissible material per Code, the lot would
181 not be required to be paved.
- 182
183 2. The sidewalk along NE 2nd Avenue shall be replaced or expanded to
184 provide 8 feet pedestrian walkway at the time a permanent structure is
185 built on the property.

187 **SECTION 3. Effective Date.** This Resolution shall take effect
188 immediately upon its passage and adoption.

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191 APPROVED AND ADOPTED this _____ day of _____ 2020.

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JOY F. COOPER
MAYOR

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199 SPONSORED BY:

200 ATTEST:

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JENORGEN GUILLEN, CITY CLERK

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207 APPROVED AS TO LEGAL SUFFICIENCY

208 AND FORM

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JENNIFER MERINO

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CITY ATTORNEY

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