

City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:		Item Type:		1 st Reading	2 nd Reading
6/2/2021 File No.: #21-133		<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other	Resolution Reading	6/2/2021	N/A
			Public Hearing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Advertising Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Quasi-Judicial:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):		Account Balance (\$):	Funding Source:	Project Number:	
N/A		N/A	N/A	N/A	
Contract/P.O. Required		RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	N/A	Christy Dominguez Interim Development Services Director	Development Services Dept	
Strategic Plan Focus Areas:					
<input type="checkbox"/> Finance & Budget		<input type="checkbox"/> Organizational Capacity		<input checked="" type="checkbox"/> Infrastructure/Projects	
Implementation Timeline:					
Estimated Start Date: 6/2/2021 Estimated End Date: N/A					

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING LEISURE APARTMENTS INC. APPLICATION #-DB-20-976 FOR MAJOR DEVELOPMENT REVIEW APPROVAL PURSUANT TO SECTION 32-782 OF THE ZONING AND LAND DEVELOPMENT CODE IN ORDER TO CONSTRUCT A 24-UNIT RESIDENTIAL DEVELOPMENT AT 215 SE 4TH STREET AND APPLICATION #RD-20-977 FOR REDEVELOPMENT AREA MODIFICATIONS FROM SECTION 32-196; PROVIDING AN EFFECTIVE DATE.

STAFF SUMMARY

Summary

Leisure Apartments, Inc, is requesting Major Development Plan approval, pursuant to Section 32-382 of the Zoning and Land Development Code to build the Leisure Apartments, a 24-unit multi-family building at 215 SE 4th Street.

The applications filed with the City are as follows:

1. Application #DB-20-976 for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code in order to construct the 24-unit residential development at the property located at 215 SE 4th Street.
2. Application #RD-20-977 requesting Redevelopment Area Modifications (RAMs) from the following code provisions:
 - a) Section 32-196, Table 32-196(a) relative to the minimum Secondary Street setback required for buildings in the Central Regional Activity Center (RAC) District/Transit Core Subdistrict.
 - b) Section 32-196, Table 32-196(a) relative to the minimum civic space required for sites exceeding the base density allowed in the Central Regional Activity Center (RAC) District/Transit Core Subdistrict.

Background

The subject property is located in the Regional Activity Center (RAC) and is zoned RAC Transit Core. The maximum permitted base density in RAC Transit Core is 18 units per acre. The maximum density which can be achieved in the Transit Core subdistrict with conditions is 50 dwelling units per acre. Pursuant to Section 32-205(a), projects that do not exceed base density nor require variances, Redevelopment Area Modifications (RAMs) or conditional use permits may be approved administratively. Density above the base or that requires variances, RAMs, or conditional use permits must be presented to the Planning and Zoning Board for recommendation and the City Commission for approval. The Project, consisting of 24 residential apartment units, generates a density of 39.62 units per acre and is requesting Redevelopment Area Modifications. Therefore, Planning and Zoning Board and City Commission action is required.

On February 24, 2021, the Planning and Zoning Board considered the subject application. The Board recommended approval of the application by a vote of 5 to 0 subject to staff recommendations and included the following conditions:

- 1) Due to the deficiency of civic open space square footage, the applicant shall provide a contribution for parks in lieu of the civic open space. A specific amount for the contribution was not provided by the Board.
- 2) The applicant shall provide treatment to windows on the east and west side of the second and third floors to allow for neighbor's privacy.

The above # 2 condition was brought by the Board as a concern of the building's proximity to neighboring buildings. Section 32-196(a) allows zero side yard setbacks for new development if there are at least 10 feet between the new and existing buildings. The proposed development is 20 feet from the existing building to the east and the property to the west is vacant thus, the proposal exceeds this requirement. Therefore, in the staff's opinion, the recommended condition is not necessary.

Please refer to the Planning and Zoning Board Cover Memo dated February 24, 2021 (Exhibit 8) and the Minutes of the Hearing (Exhibit 9).

Current Situation

Analysis

Development Details - The applicant's site plan depicts the following:

1. A parcel of 26,991 square feet gross area. (acres) on SE 4th Street between SE 1st Avenue and SE 3rd Avenue.
2. A required dedication of 3.34 feet along SE 4th Street. The total net area after right-of-way dedication is 26,389.8 square feet net area or 0.6058 Acre.
3. There are 2 existing single-family houses to be demolished.
4. A 3-story multi-family development with a total of 24 units.
5. The proposed building is 3 stories in height (the maximum base height allowed is 5 stories).
6. The 24 units consist of 18 one-bedroom units, 6 two-bedroom units.
7. The one-bedroom units range from 768 square feet in gross floor area (GFA) to 944 GFA (*700 S.F is required*); the 2-bedroom units range from 1,313 GFA to 1,335 GFA (*850 SF is required*).
8. A street building setback to the projection of the second floor of 9 feet along SE 4th Street. (*10 feet is the minimum required*).
9. A building setback of 1 foot to the side property lines. (*0 feet side setback is allowed*).
10. The Building Frontage along SE 4th Street of 98.8%. (*there is no minimum building frontage required on non-primary streets*).
11. A surface parking lot with 45 parking spaces (*45 spaces are required*).
12. Two (2) of the parking spaces provided are electric charging stations.
13. A bicycle rack for the storage of 5 bikes in the parking lot is provided. (*3 spaces are required*).
14. Two (2) on-street parking spaces along S E 4th Street.
15. 17.01% of the site will be landscaped (*5% is the minimum required*).
16. A new 8 feet sidewalk along SE 4th Street. (*the minimum required is 8 feet*).
17. A 3.34 feet right-of-way dedication is required and proposed on SE 5th Street.
18. No civic space is provided. (1,979.25 square feet/ 7.5% of the site is required to be civic open space).
19. A total of 37 trees for credit are provided on-site trees (18 on-site trees are required).
20. A total of 3 street trees are provided (3 street trees are required).

Comprehensive Plan Considerations

The property is designated Regional Activity Center on the City's Future Land Use Map. The residential use proposed by the applicant is permitted under the land use category. Presently, there are 197 residential RAC Units available in the Regional Activity Center for allocation to new projects. Approval of this project will reduce the available number of RAC Units to 173. The proposed development will assist in furthering the goals, objectives, and policies of the City's Comprehensive Plan as detailed in the Planning and Zoning Board Cover Memo dated February 24, 2021, attached hereto.

Applicable Codes and Ordinances

1. The proposed residential use is permitted based on the present Central RAC Zoning District/ Transit Core Subdistrict.
2. The maximum permitted base density in Transit Core is 18 units per acre. The maximum density which can be earned in Transit Core with conditions is 50 dwelling units per acre. The

Project generates a density of 39.62 units per acre. Pursuant to Section 32-196 (d), projects with densities over the base must:

- a) Provide civic open space of 7.5% of the site, or 1,979.25 square feet for the subject project after the dedication. The applicant does not propose any civic open space for the project.
- b) Provide at least 15% of the project's residential units as affordable housing or contribute to the City's affordable housing fund.
- c) Fully concealed parking garage levels on secondary streets at the sidewalk level for a minimum depth of 20 feet with a story containing active uses, such as residential, office, or retail.
- d) Provide street/streetscape improvements consistent with the City's complete streets efforts, on both sides of adjacent rights-of-way.

The Developer complies with the criteria (c) and (d) above, does not propose any civic open space for the project. In addition, the project would not include any affordable units on site. Pursuant to item (b) above, the Developer is required to provide 4 affordable units on-site or pay into the City's housing fund.

The Developer instead, proposes to pay into the City's affordable housing fund but is requesting City Commission consider a payment of \$24,000, a reduction of \$24,572 from the required amount per the City's Affordable Housing In-Lieu Fee Study prepared by Tindale Oliver. According to the Study, the in-lieu fee is \$12,143 per unit or \$48,572 for the 4 affordable units required for this project.

3. The applicant requests the requirements discussed below in items 3(a) and 3(b) be waived pursuant to Section 32-135(a) through the Redevelopment Area Modification (RAM) process in lieu of a variance. The following chart summarizes the requested Redevelopment Area Modification waivers under Application# RD-20-977 and is further discussed below:

WAIVERS OR DEFICIENCIES	REQUIRED/ALLOWED	PROPOSED	DEFICIENCY
a) Street Building setback	Min. 10 ft./Max. 15 ft.	9 ft. (on 2 nd floor)	1 foot
b) Civic Open Space	7.5% (1,975.25 s.f.)	None	7.5% (1,975.25 s.f.)

- a) Table 32-196 (a) requires a minimum of 10 feet front yard setback. SE 4th Street. The proposed building will be setback 11'-6" feet along SE 4th Street at the first-floor level. However, at the second and third levels, the building projects one foot into the required front yard setback resulting in a deficiency of 1 foot from the minimum setback required. Thus, a waiver is required and requested.
 - b) Section 32-196(a) requires projects which exceed the base density of 18 units per acre to provide a 7.5% civic area. The project has a density of 39.62%, however, the applicant does not provide any civic area as part of the project and is requesting a waiver.
4. Table 32-203 (a) in Section 32- 203 (b) requires a minimum of 1.75 parking spaces for every 2 or more bedroom units in the RAC and 1.25 spaces for every one-bedroom unit. In addition, guest parking is also required at a rate of 0.5 space for the first 20 units. Based on this ratio,

the parking required for the proposed 24-unit development is 45 spaces and 45 spaces are provided. Therefore, the proposal meets Code.

5. The units consist of 18 one-bedroom and 6 two-bedroom units. The one-bedroom units range from 768 to 944 square feet in gross floor area (GFA) (*700 S.F is required*); the 2-bedroom units are 1,313 SF (*850 SF is required*), thus, the units exceed the minimum requirements of the code.

In summary, the applicant is requesting Redevelopment Area Modification waivers from certain Central RAC code requirements discussed above in items 3(a) and 3(b) and 3 (c) pursuant to Section 32-135(a) which permits the City Commission to waive these site development standards.

1. 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:

2. Natural Environment (*and existing conditions*)

The property consists of 6 platted lots with 2 single-family homes on the property. There are 4 specimen trees on the property that will be required to be mitigated pursuant to Chapter 29 of the City Code consisting of 2 Mahoganies, a Banyan, and a Live Oak.

3. Open Space

Approximately 17% of the property will be landscaped, which exceeds the minimum 5% required by Code. A civic open area is required per Code; however, the applicant does not provide any civic area and has requested this requirement be waived.

Eighteen (18) trees are required, and 37 trees are provided on-site. The grounds will be landscaped with shrubbery and canopy trees, such as Live Oaks, Green Buttonwoods, Dahoon Hollies, and Alexander Palms, exceeding the required number and height. An additional 3 trees (Silver Buttonwood) are also proposed to be installed along SE 4th Street as street trees.

4. Circulation and Parking

The parking required for the proposed use is 45 spaces and 45 spaces are provided, therefore, the proposal meets Code. The entrance to the parking lot is accessible from SE 4th Street a one-way inbound-only driveway (13' width) to SE 4th Street located on the western portion of the site with a one-way outbound-only driveway (13' width) to SE 4th Street on the eastern portion of the site. Two on-street parking spaces are proposed on SE 4th Street adjacent to the project.

5. Access Control

The parking area for the development will not be gated and will be accessible via 2 one-way driveways from/to SE 4th Street.

6. Public Transportation

The site is well served by existing mass transit services. Broward County bus routes service Federal Highway, east of the proposed project. In addition, the City's mini-bus route also serves the area.

7. Community Services

A trash room is provided in the front building area to accommodate the dumpster which will be rolled out on service days. The location has been determined to be accessible for the City's sanitation vehicles which will service the facility.

The applicant is replacing the existing 5 feet sidewalks with new 8 feet wide sidewalk along SE 4th Street. He is also providing 2 on-street parking spaces along SE 4th Street.

8. Concurrency

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 6,000 gallons of potable water per day (GPD). The City Water Plant's current capacity is 9 MGD. The City's current demand is about 6 MGD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$21,016 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 the City of Hollywood and several other communities for wastewater treatment. According to the applicant, the wastewater demand for the project is 8,400 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$26,660 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 176 daily trips. The development will generate 11 new AM Peak Hour Trips and 13 new PM Peak Hour Trips. The City's Traffic Consultant for this project, Michael Miller Planning Associates, reviewed the Traffic Study and concluded that the proposed redevelopment project will generate some new traffic, most of the nearby roadway system currently is operating at generally acceptable Levels of Service (LOS). Also, due to the relatively small traffic generation, the additional new traffic from the development will not significantly impact or worsen the LOS.

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 \$26,419.

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. SE 4th Street is specified to be a minimum of 50 feet R/W requirement. The existing right-of-way along SE 4th Street adjacent to the property is 43.32 feet; thus, a 3.34 feet roadway dedication is required along the front of the

subject property. The applicant provides the required dedication to the proposed plans.

Schools- Based on the student generation rate adopted by the Broward County School Board has determined this project will not generate any students to the school system, therefore, it is exempt from public school concurrency.

9. Energy Conservation/Green Building

The City recently adopted new Green Building requirements for new developments. Due to the size of the project, the developer will need to obtain the Enhanced Level City certification. The developer will be required to submit green building prerequisites and worksheets of the site and building design to the City's Green Building Coordinator before the building permit for the project is issued. The Developer has agreed to meet the City's Green Building requirement.

10. Redevelopment Area Modification (RAM) Waiver Criteria

The property is located within the Central RAC; thus, the provisions of Section 32-135 apply to the property which allows the City Commission to modify zoning and land development standards through the Redevelopment Area Modification (RAM) process in lieu of a variance. Planning and Zoning action is not required.

Pursuant to Section 32-135 (a), the City Commission may grant redevelopment area modifications for specified development standards relating to any proposed project if it is determined that all the following criteria are met:

1. The code standards are determined to significantly inhibit neighborhood or structural improvement efforts.

Inconsistent. The applicant proposes to construct a 24-unit residential development. The proposal does not meet the minimum requirements as to the building setbacks above the first floor and the required civic open space when density above the base is proposed. the proposal meets the minimum setback required of 10 feet on the first floor, however, the second and third floor encroach by one foot into the required setback. Forty-five (45) parking spaces are provided as required. There are site constraints to accommodate the 24 units as proposed, including the required right-of-way dedication of 3.34 feet along SE 4th Street. No civic open space is provided but could be accommodated if there was a reduction in the number of units.

Although the project would be an improvement over existing conditions and is generally in line with the applicable regulations, strict adherence to applicable zoning standards would not inhibit redevelopment of the site.

2. The modifications adequately provide for service areas and other development features for the project.

Consistent. The proposal provides adequate access to service areas and other development features. The project is designed with proper accessibility to parking areas. ADA accessible access from SE 4th Street and the parking lot area is provided to the lobby, elevator, and the 2 units on the first floor.

3. The modification adequately provides for service and emergency vehicle access.

Consistent. Appropriate reviewing departments have confirmed the proposal provides adequate access for accessibility for sanitation, fire, and other service and emergency vehicles. The building's dumpster enclosure would be located in a trash room accessible from SE 4th Street,

providing adequate access for servicing by the City's sanitation trucks. The modifications adequately provide for service and emergency vehicle access.

4. The modifications adequately provide for visibility of access.

Consistent. The project has been designed with adequate visibility for access to and from the project. In addition, although the building will be setback 11'-6" feet from SE 4th Street on the first floor. The required 25 feet visibility triangle for vehicular traffic visibility is provided at the driveway from SE 4th Street.

Why Action is Necessary

Pursuant to Section 32-205(a)(2) of the Zoning and Land Development Code, City Commission approval of Major Development applications in the Central RAC District is required when requesting more than the permitted density or redevelopment area modifications (RAMs). The proposal is for more than the base density permitted and requires redevelopment area modifications, thus, action by the City Commission is required.

Cost-Benefit

The project's anticipated market value at build-out is \$8 Million. It is expected the proposed development will generate approximately \$60,418 in real estate taxes in the next year after completion. Approximately \$55,675 of the revenue would go to the City's CRA. The estimated building permit fee is approximately \$100,000 based on the estimated construction cost of \$4 Million.

STAFF RECOMMENDATIONS:

Redevelopment Area Modification (RAMs) - Application #RD-20-977

The applicant has made a significant effort in complying with the site development standards for properties within the Transit Core Subdistrict. The applicant has agreed to provide the required right-of-way dedications. The existing sidewalks adjacent to the property will be rebuilt and widened to a minimum of 8 feet with a curb and gutter. On-street parking improvements are proposed including the provision of 2 on-street parking spaces and landscaping for an improved pedestrian and traffic experience.

Staff suggests that the modifications for building setbacks need not raise concern as the reduction requested is minimal, occurs above the first floor and the design meets the general intent of the RAC requirements to provide for buildings closer to and lining the streets. Also, the project has been designed to provide architectural interest and a sense of place.

Staff, however, has some concerns with the request to waive the civic open space. RAC regulations specifically require a public civic space be provided on-site when an increase in density is requested as is sought, for this project, at a density of approximately 40 units per acre. Civic open spaces accessible to the public are required to improve the pedestrian environment, are aesthetically pleasing, and serve as an amenity for the City as well as the occupants of the building. An area of 1,975.25 square feet dedicated to civic open space is required for this project to meet the 7.5% specified by Code. According to the applicant, the required civic space is not necessary due to the proximity to Bluesten Park to the south. The Park is located at a distance of 450 linear feet by pedestrian route from the project site.

The Planning and Zoning Board addressed the open space deficiency and recommended the

applicant make a contribution for parks, however, did not specify an amount of the contribution.

The City's proposed impact fees would not be in effect at the time of the City Commission's consideration of this item. However, should the City Commission decide to require a contribution, \$23,400 is suggested based on the Hallandale Beach Impact Fee Study prepared by Tindale-Oliver as the cost to obtain park land and equipment for this size project. This amount is also consistent and proportionate with other Commission required contribution in-lieu of providing required on-site civic space for parks and open space improvements.

According to the City code for development over the base density, the developer is required to provide 4 affordable units on-site or pay into the City's housing fund. The developer does not propose any affordable housing units onsite. Instead, he proposes to pay into the City's affordable housing fund but is requesting City Commission consider a payment of \$24,000, a reduction of \$24,572 from the required amount per the City's Affordable Housing In-Lieu Fee Study prepared by Tindale Oliver. According to the Study, the in-lieu fee is \$12,143 per unit or \$48,572 for the 4 affordable units required for this project. Staff recommends the developer's payment to the affordable housing fund be as recommended by the Study prepared by Tindale Oliver in the amount of \$48,572.

Although RAM's are requested, the applicant's proposal will result in significant improvements to the area consistent with the City's Master Plan vision of creating a mixed-use Town Center around and nearby the newly redeveloped Bluesten Park. The Project will help revitalize the Regional Activity Center and encourage redevelopment/reinvestment in the area. As a result, staff does not have major concerns to approval by the City Commission of the requested Redevelopment Area Modifications.

Major Development Application #DB-20-976

The subject property is located within the City's Central RAC which has been identified as a focus for redevelopment into a vibrant area. The property is also located within the City's Community Redevelopment Area (CRA). The proposed use is consistent with the zoning district and the City's Comprehensive Plan. The proposed use is also consistent with the overall vision of the RAC land-use area.

In furtherance of the Comprehensive Plan, Zoning and Land Development Code and other applicable City provisions; and based upon the finding of facts contained herein, Staff recommends the City Commission:

Major Development Application #DB-20-976

Approval subject to the following conditions:

1. Payment of the City's water impact fee in the amount of \$21,016.
2. Payment of the City's sewer impact fee in the amount of \$26,660.
3. Payment of the City's transportation mitigation cost in the amount of \$26,419.
4. Provide right -of -way dedication in a form acceptable to the City Attorney for a 3.34 feet roadway dedication along SE 4th Street adjacent to the property.
5. Installation of sidewalks, on-street parking, and landscaping improvements along SE 4th Street and as shown on the plans.
6. Compliance with the Green Building requirements for Enhanced Level City certification.
7. Affordable Housing payment in the amount of \$48,572 as established by the City's Affordable Housing In-Lieu Fee Study.


8. In lieu of providing the required on-site civic space, the Developer shall contribute \$23,400 for City parks and open space improvements prior to a certificate of occupancy, temporary or otherwise.

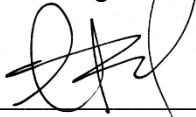
Redevelopment Area Modification (RAMs) - Application #RD-20-977

Approve subject to the conditions enumerated above for the Major Development Application.

Attachment(s):

Exhibit 1 - Resolution
Exhibit 2 - Location Map
Exhibit 3 - Aerial Map
Exhibit 4 - Applicant's Letter
Exhibit 5 - Building Rendering, Development Plans, and Applicant's Backup
Exhibit 6 - City Traffic Consultant Report
Exhibit 7 - Planning and Zoning Board Cover Memo dated February 24, 2021
Exhibit 8 - Planning and Zoning Board Meeting Minutes of February 24, 2021

Prepared By: 
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Approved By: Noemy Sandoval
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