



## City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

<b>Applicant:</b>	Solaris Apartments, LTD.	<b>Meeting Date:</b>	April 28, 2021	
<b>Project Name:</b>	SOLARIS	<b>Property Address:</b>	118 SE 7 <sup>th</sup> Street	
<b>Application #s:</b>	DB-20-2058, Development Review, RD-20-2070, RV-20-2071	<b>Application Type:</b>	Major Development Redevelopment Area Modifications (RAMs) and Road Vacation	
<b>Planning District:</b>	Southeast	<b>Quasi-Judicial:</b> <i>(Enter X in box)</i>	<b>YES</b>	<b>NO</b>
			<b>X</b>	
<b>Parcel Size:</b>	1.857 Acres	<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>YES</b>	<b>NO</b>
			<b>X</b>	
<b>Existing Zoning:</b>	Central Regional Activity Center (RAC) District / Transit Core Subdistrict			
<b>Existing Use:</b>	2 Platted Vacant Parcels			
<b>Proposed Use:</b>	78-Unit Multi-family building			
<b>Comprehensive Plan Future Land Use Designation:</b>	Regional Activity Center Land Use			
<b>Surrounding Zoning:</b>		<b>Surrounding Land Use:</b>		
North: Recreation and Open Space (OS) District  South: Central Regional Activity Center (RAC) District/Transit Core Subdistrict  East: Central Regional Activity Center (RAC) District/Transit Core Subdistrict  West: Central Regional Activity Center (RAC) District/Transit Core Subdistrict		North - City Park (Bluesten)  East - Multi-Family  West - Multi-Family, Commercial  South - Multi-Family, Single-Family		
<b>Staff Recommendation:</b>		<b>Strategic Plan Priority Area:</b>		
<input type="checkbox"/> <b>Approve</b> <input checked="" type="checkbox"/> <b>Approve with Conditions</b> <input type="checkbox"/> <b>Deny</b>		<input checked="" type="checkbox"/> Safety <input checked="" type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal		
<b>Sponsor Name:</b>	Christy Dominguez, Planning and Zoning Manager/Interim Director, Development Services	<b>Prepared By:</b>	Christy Dominguez, Planning and Zoning Manager/ Interim Development Services	

## Request

The applicant, Solaris Apartments, LTD. is requesting Major Development Plan approval, pursuant to Section 32-382 of the Zoning and Land Development Code to build Solaris, a 78-unit multi-family building at the property located at 118 SE 7<sup>th</sup> Street/700 Old Federal Highway.

The applications filed with the City are as follows:

1. Application #DB-20-2058 for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code in order to construct the 78-unit residential development.
2. Application #RD-20-2070 requesting Redevelopment Area Modifications (RAMs) from the following code provisions: ***(Planning and Zoning Board action is not required for redevelopment area waiver applications)***.
  - a) Section 32-196(b)(1) requiring a minimum of 75 percent of the linear width of the lot along a primary street in the Central RAC (Regional Activity Center) District shall be occupied by the primary facade of a building.
  - b) Section 32-203(a) relative to the minimum number of parking spaces for multi-family residential uses in the Central RAC District.
  - c) Section 32-201(a)(3) relative to the maximum allowable setback encroachment for bracketed balcony building frontage type in the Central RAC District.
  - d) Section 32-453(i)(4) relative to access to off-street parking corridors in excess 4 spaces in a row.
3. Application #RV-20-2071 requesting a road vacation pursuant to Chapter 25, Section 25-103 of the Hallandale Beach Code of Ordinances for that portion of the SE 2<sup>nd</sup> Street right-of-way between SE 7th Street and SE 8th Street lying between the 2 ownership parcels of the project site in order to create one buildable parcel. ***(Planning and Zoning Board action is not required for right-of way vacation applications)***

## Background

### Related Actions

In addition to the Major Development Plan approval for Planning and Zoning Board consideration, the applicant is requesting Redevelopment Area Modifications (RAMs). Section 32-135(a) allows the City Commission to modify any specified development standard relating to any proposed project through the RAM process in lieu of a variance. RAM's are not subject to the variance criteria of Article VIII, Section 32-965 and do not require Planning and Zoning Board action. RAM's are approved by the City Commission if it is determined that all the criteria of Article III Section 32-135(a) of the Code have been met.

The applicant has also filed an application requesting vacation of a portion of SE 2<sup>nd</sup> Street adjacent to the 2 ownership parcels. Road vacation applications also do not require Board action; however, the analyses for the Vacation and RAM applications are included in this report for the Board's informational purposes and any comments.

## Analysis

### Development Details

The applicant's plans depict the following:

1. A parcel of 80,897 square feet gross area (1.857 acres) between SE 7<sup>th</sup> Street and SE 8<sup>th</sup> Street and Old Federal Hwy as the east border.
2. That portion of SE 2<sup>nd</sup> Avenue adjacent to the project site is to be vacated and incorporated into the total site area. The vacated right-of-way will increase the site to 87,536.5 square feet or 2.05 acres.
3. There are no existing buildings to be demolished.
4. An 8-story multi-family development with a total of 78 units. (8 stories is the maximum stories allowed). the proposed density of 39 DU/Acre.
5. The proposed building is 8 stories in height (*the maximum base height allowed is 5 stories*). It is 84 feet to the flat roof.
6. The 78 units consist of 25 one-bedroom units, 39 two-bedroom units, and 14 three-bedroom units.
7. The one-bedroom units are 733 square feet in gross floor area (GFA), (*700 S.F is required*); the 2-bedroom units are 1,019 GFA (*850 SF is required*); the 3-bedroom units range from 1,295 GFA to 1,530 GFA (*1,050 SF is required*).
8. A street building setback 10 feet along SE 7<sup>th</sup> Street. (*10 feet setback is the minimum required*). The balconies above the ground floor encroach 5 feet into the required setback. (*3 feet encroachment is the maximum allowed*).
9. A building setback of 45 feet- 3 inches to the secondary street (*Old Federal Hwy*) side property line (*10 feet side setback is allowed*); A setback of 5 feet from the interior property line on the east side (*0 feet side setback is allowed*).
10. A building frontage along SE 7<sup>th</sup> Street of 65.8%. (*75% minimum building frontage required on primary streets*).
11. A surface parking lot with 131 parking spaces (*137 spaces are required*); 24 parallel on -street parking spaces are also provided. The total parking, both off-street and on-street will be 155 parking spaces.
12. Three (3) of the parking spaces on-site will have electric charging stations.
13. Two bicycle racks are provided for the parking of 8 bikes in the public civic open space and at the east exterior side of the building (*4 spaces are required*). *On-site bike storage room for 12 bikes is provided (8 spaces are required)*.
14. There are 24 on-street parallel parking spaces distributed along all three streets.
15. 23.25% of the site will be landscaped (*5% is the minimum required*).
16. A civic space is provided. (6,067 square feet - 7.5% of the site is required to be civic open space).
17. A new 10 feet-wide sidewalk along SE 7<sup>th</sup> Street (*the minimum required is 10 feet in width*); a new 8 feet sidewalks along SE 8<sup>th</sup> Street and Old Federal Highway (*the minimum is 8 feet along such streets*).

- 18. The site has a relatively few existing trees and palms, some which will be relocated within the site.
- 19. A total of 68 trees for credit are provided on-site trees (*54 on-site trees are required*).
- 20. A total of 28 street trees are provided (*28 street trees are required*).
- 21. 75% of the provided trees are native/drought tolerant (*50% is the minimum required*).
- 22. The project is required to meet the City's minimum standards for green building standards.

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 173 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 95. The proposed development will assist in furthering the following goals, objectives, and policies of the City's Comprehensive Plan:

**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.

**POLICY 1.1.3:** The City will require a development impact analysis to be submitted for developments that contain ten (10) residential dwelling units or more, or developments containing four thousand (4,000) square feet of non-residential 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 1.2.1:** Upon completion of the Citywide Master Plan, the City will reevaluate the various City neighborhoods, corridors, districts, and small area redevelopment plans for appropriate action which may include revising existing plans or developing new plans that promote land use.

**POLICY 1.3.7:** The City shall focus on compatible infill residential development.

**OBJECTIVE 1.9:** Regional Activity Center Land Use: Consider a Regional Activity Center (RAC) land use category within the city to encourage attractive and functional mixed living, working, shopping, educational and recreational activities.

**POLICY 1.9.1:** The City shall use the Regional Activity Center designation as a means to carry out recommended land use policies within a unified planning district based on an adopted master or redevelopment plan.

**POLICY 1.9.2:** Non-motorized transportation, as well as mass transit, shall be encouraged to serve a Regional Activity Center to reduce reliance upon automobile travel.

**POLICY 1.9.3:** To facilitate public transit access, integrated transportation systems should be encouraged to serve a Regional Activity Center.

**POLICY 1.9.4:** To enhance pedestrian movement and safety, the separation of pedestrian and vehicular traffic should be encouraged within a Regional Activity Center.

**POLICY 1.9.5:** Redevelopment activities should be encouraged within a Regional Activity Center.

**POLICY 1.9.8:** Parkland and/or open space that is open to the public must be included as a functional component within a proposed Regional Activity Center.

**POLICY 1.9.9:** The City shall adopt design standards within the land development regulations ensuring compatibility between existing and planned land uses within and adjacent to the Regional Activity Center.

**POLICY 1.9.10:** Pursuant to an interlocal agreement between the City and Broward County, the City shall monitor development activity and enforce the permitted land use densities and intensities within the Regional Activity Center.

**POLICY 1.9.11:** In order to ensure that all properties can be developed within the overall density and intensity limitations of the Regional Activity Center, the City shall establish and implement a development tracking system.

**POLICY 1.10.8:** The City of Hallandale Beach shall continue to evaluate development proposals with respect to previous area requirements specified in the Land Development Code.

**POLICY 1.10.11:** The City shall continue to protect its natural resources and maintain its environmental quality through the provision of land use regulations that are consistent with the policies of this Comprehensive Plan.

**POLICY 1.11.2:** The City shall continue to require building construction elevations consistent with minimum federal flood insurance regulations.

**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 use 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 1.13.2:** 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, Objectives, and Policies of the Future Land Use Element of the Plan.

**POLICY 1.13.3:** The City should continue to commit resources to the Community Redevelopment Area where neighborhood improvements are needed.

**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.

**POLICY 1.14.3:** The City shall adopt a level of service standards and shall be used as the basis for determining the availability of facility capacity.

**OBJECTIVE 1.15:** Transportation: The City shall not issue a development order or permit which results in a reduction in the level of service on any portion of the City roadway system below the 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 the 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 1.15.3:** The City shall encourage developments that promote safe and efficient on and off-site transportation improvements.

**OBJECTIVE 1:18:** Urban Infill and Redevelopment: Establish criteria which encourage development of urban infill and urban redevelopment area(s) to promote economic development, increase housing opportunities, and maximize the use of existing public facilities and services.

**POLICY 1:18:1:** Increase economic development and employment opportunities 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, the 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 1:18:7:** The Hallandale Beach Comprehensive Plan and LDRs shall establish standards and monitoring procedures for the expansion of mass transit, pedestrian travel, and other forms of non-automobile travel within urban infill and urban redevelopment area(s).

**OBJECTIVE 1.19:** Crime Prevention: The City shall review all major developments for their use of Crime Prevention Through Environmental Design (CPTED) principles and standards.

**POLICY 1.19.1:** The City shall maintain a CPTED review policy and procedure in the form of administrative policy or land development regulations. The policy shall require a plan review by the Development Services and Police Departments, at a minimum.

**OBJECTIVE 1.20:** The City shall continue to implement its energy-efficient “grid” Future Land Use Plan and discourage urban sprawl accounting for existing and future energy power generation and transmission systems.

**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 1.20.8:** 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.

#### 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 consists of 78 residential apartment units which generate a density of 39 dwelling 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 6,067 square feet for the subject project after the right of way vacation. The applicant does propose a civic open space for the project of 7.5%.
  - b) Provide at least 15% of the project’s residential units as affordable housing or contribute to the City’s affordable housing fund.

The Project is an affordable housing project which qualifies for requesting density bonus

above the base density of 18 units per acre up to 50 units per acre.

- 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 (a), (b) and (d) above. No parking garage is proposed thus, item "c", above, is not applicable.

The applicant requests the requirements discussed below in items 3(a) through 3(d) be waived by the City Commission pursuant to Section 32-135(a). The following chart summarizes the requested Redevelopment Area Modification waivers under Application# RD-20-2070 as further discussed below:

WAIVERS OR DEFICIENCIES	REQUIRED/ALLOWED	PROPOSED	DEFICIENCY
a) Primary Street Frontage	Min. 75% of Lot Frontage	65.8%	12%
b) Minimum # of Parking Spaces	137 spaces	131 spaces	6 spaces
c) 4 parking spaces max with dead-end parking	4 parking spaces max	19 in a row adjacent to building	15 spaces
d) Setback Encroachment for Balconies	Max Encroachment of Balcony 3 Feet	5 feet	2 feet

- a) Table 32-196 (a) requires a minimum of 75% building frontage along Primary Streets for projects within the Central RAC District/Transit Core Subdistrict. The proposed building frontage is 65.8% along SE 7<sup>th</sup> Street, 12% less than the minimum required.
  - b) Table 32-203 (a) in Section 32- 203 (b) requires a minimum of 1.25 spaces for every one-bedroom unit and 1.75 parking spaces for every 2 or more-bedroom units in the RAC. An additional 10% of the total parking is required for guest parking. Based on this ratio, the parking required for the proposed 78-unit development is 137 spaces and 131 spaces are provided, 6 parking spaces less than the minimum, thus, a waiver is required and requested.
  - c) Section 32-453(i)(4) requires single and double loaded parking corridors with more than 4 parking spaces in a row to permit to allow for vehicle entry/exit in one continuous forward motion without using any spaces to turn around. The proposed plan has one corridor with 19 spaces in a row on the south side of the building without the required access, therefore, a waiver is required and requested.
  - d) Table 32-196 (a) requires a minimum of 10 feet front yard setback. The proposed building will be setback 10'-0" feet along SE 7<sup>th</sup> Street at the ground floor of the building. However, the ground level porch and upper balconies project 2 more feet than the maximum allowed encroachment of 3 feet for porches/balconies. The resulting total encroachment will be 5 feet, or a 2-foot deficiency, thus a waiver is required and requested.
3. 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%. The applicant does provide the required civic area 7.5% of the project, therefore, meets Code.



4. The units consist of 25 one-bedroom, 39 two-bedroom, and 14 three-bedroom units. The one-bedroom units are 733 square feet in gross floor area (GFA) (*700 S.F is required*); the 2-bedroom units are 1,019 SF (*850 SF is required*), the 3-bedroom units range from 1,295 GFA to 1,530 GFA (1,050 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) through 3(d) pursuant to Section 32-135(a) which permits the City Commission to waive these site development standards.

### Major Development Review Criteria

Article V, Section 32-787 specifies the following criteria shall be utilized in the review and evaluation of applications for Major Development Review approval:

1. Natural Environment (*and existing conditions*)

The property consists of multiple platted lots (18) with no structures on the property. There are 2 specimen Oak trees on the property, these and all other trees will remain or be relocated within the property.

2. Open Space

Approximately 23% of the property will be landscaped, which exceeds the minimum 5% required by Code. A civic open area of 7.5% minimum is required per Code and provided.

Fifty-four (54) trees are required, and 68 trees are provided on-site. The grounds will be landscaped with shrubbery and canopy trees, such as Live Oaks, Mahoganies, Orange Geigers, Dahoon Hollies, and Sabal Palms, exceeding the required number and height. An additional 28 trees (Live Oak, Gumbo Limbo, Brazilian Beauty Leaf) are also proposed to be installed as street trees.

3. Circulation and Parking

The parking required for the proposed use is 137 spaces and 131 off-street spaces are provided, therefore, the proposal does not meet Code for the off-street parking requirements. The entrance to the parking lot is accessible from Old Federal Hwy via a two-way driveway on the eastern portion of the site. Twenty-four (24) on-street parking spaces are also proposed on SE 7<sup>th</sup> Street, SE 8<sup>th</sup> Street and Old Federal Highway adjacent to the project.

4. Access Control

The parking area for the development will not be gated and will be accessible via one two-way driveway from/to Old Federal Highway.

5. 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.

6. Community Services

A trash room is provided at the west ground floor of the building area to accommodate the dumpsters 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 from the trash/loading parking space located on SE 7<sup>th</sup> Street. At each floor level there is a trash chute with a built-in sorter for recycling as required by Code.

The applicant is replacing the existing 5 feet sidewalks with new 10 feet wide sidewalk along SE 7<sup>th</sup> Street and 8 feet sidewalks along Old Federal Highway and SE 8<sup>th</sup> Street.

## 7. Concurrency Evaluation

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 16,380 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 \$79,388 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. The wastewater demand for the project is 14,742 GPD. There is sufficient capacity to provide for the proposed development. The applicant will be required to pay the City \$100,641 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 424 daily trips. The development will generate 28 new AM Peak Hour Trips and 34 new PM Peak Hour Trips. The City's Traffic Consultant for this project, Michael Miller Planning Associates, reviewed the Traffic Study and concluded that that the proposed redevelopment project will generate some new traffic and that most of the nearby roadway system currently is operating at generally acceptable Levels of Service (LOS). Also, while new trips are generated, the additional new traffic from the development will not significantly impact or worsen the LOS. Due to the low impact of the proposed 78 units, minimal impacts are anticipated to the nearby local and regional transportation roadway network.

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 estimated to be \$76,323.

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. The proposed project meets the Code minimum.

**Schools** - Based on the student generation rate adopted by the Broward County School Board has determined this project will generate 3 students to the school system; (1 elementary, 1 middle and 1 high school students), therefore, satisfies public school concurrency on the basis that adequate school capacity is anticipated to be available to support the project as proposed.

#### 8. 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 Exemplary 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.

#### **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.

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 78-unit residential development. There are site constraints to accommodate the development as proposed. The proposal does not meet the minimum requirements as to the building frontage (12% deficiency); setback encroachment of balconies (2 feet deficiency to allow for 5-foot balconies); dead-end parking corridor 15 spaces more than allowed; and the amount of parking spaces required (6 spaces deficiency). One hundred thirty-one (131) parking spaces are provided but is deficient 6 spaces since 137 total off-street spaces are required (124 spaces for residents and 13 for guests). Although there are 24 adjacent on-street public parking spaces, such spaces are not countable for off-street parking requirements. The shortage in parking could be accommodated by a reduction in number of units or the type 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 7<sup>th</sup> Street and the parking lot area is provided to the lobby, elevator, and other facilities.*

3. The modification adequately provides for service and emergency vehicles 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 7<sup>th</sup> 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, the required 25 feet visibility triangle at the corner of SE 7<sup>th</sup> Street and Old Federal Hwy is provided, as well as the required visibility at the project's entrance driveway from Old Federal Hwy.*

### **Right-of-Way Vacation Application**

Pursuant to Chapter 25, Section 25-103 of the City's Code of Ordinances, City Commission approval is required of requests to vacate a public right-of-way.

According to Section 25-103 of the Hallandale Beach Code of Ordinance, Streets, Sidewalks and Public Ways, the City Commission shall determine whether a requested vacation would be in the interest of the public good. According to the subsection, the following criteria shall be considered in determining whether to grant or deny a vacation of right-of-way:

- 1) Whether the public benefits from the use of the subject street, right-of-way, or easement as part of the city street system;
- 2) Whether the proposed action is consistent with the city's comprehensive plan;
- 3) The availability of alternative action to alleviate the identified problems, if any, related to the vacation;
- 4) The effect of the proposed action upon traffic circulation;
- 5) The effect of the proposed action upon the safety of pedestrians and vehicular traffic;
- 6) The effect of the proposed action upon the provision of municipal services, including, but not limited to, emergency services and waste removal;
- 7) The mitigation plan proposed by the applicant to offset any potential impacts; and
- 8) The testimony, if any, of property owners within a 1,000-foot radius of the right-of-way that is the subject of the application.

The applicant requests a right-of-way vacation of that portion of SE 2<sup>nd</sup> Avenue adjacent to 2 vacant parcels - 118 SE 7<sup>th</sup> Street and 700 Old Federal Highway. The area to be vacated is a 50 foot right-of-way containing 6,639.5 square feet or 0.15 acre. The applicant is the owner and developer of the properties on both sides of SE 2<sup>nd</sup> Avenue between 7<sup>th</sup> Street and 8<sup>th</sup> Street. The subject area would be utilized to accommodate the proposed development and associated public civic open space required by City code.

Florida Power & Light, AT&T, TECO People's Gas, Comcast had no objections to the request. The City's Department of Public Works (DPW) has an 8-inch gravity sewer line in the right-of-way and had no objections to the vacation subject to the developer being responsible for the relocation and replacement of any facilities at the developer's expense.

### **Why Action is Necessary**

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

Section 32-135(a) Redevelopment Area Modifications (RAMs) allows the City Commission to modify any specified development standard relating to any proposed project through the RAM process in lieu of a variance. The City Commission may also impose conditions to mitigate any adverse impacts of the request for RAMs.

**Cost Benefit**

The estimated building permit fee for the project is approximately \$450,000 based on the estimated construction cost of \$16.5 Million.

**Staff Recommendations:**

**Right-of –Way Vacation – Application # RV-20-2071**

No action is required by the Planning and Zoning Board for this application. The applicant requests a right-of-way vacation of that portion of SE 2<sup>nd</sup> Avenue between the 2 development parcels 118 SE 7<sup>th</sup> Street and 700 Old Federal Highway. Vacation of the right –of- way will unify the 2 ownership parcels and increase the total net acreage of the project site from 1.857 acres to 2.05 acres. The road vacation would allow a total of 102 dwelling units for the project. Seventy-eight (78) units are proposed.

Staff requested and the applicant has agreed to relocate the existing gravity sewer line presently within the area to be vacated as required by the City Engineer.

In staff’s opinion, the right-of way vacation would still provide for accessibility for pedestrian and vehicular traffic, emergency and waste services along SE 7<sup>th</sup> Street, Old Federal Highway, and SE 8<sup>th</sup> Street adjacent to the development site, would not have any potential adverse impacts, and is consistent with the criteria for road vacation.

Should the City Commission decide to approve the application, Broward County Environmental Protection and Growth Management Department has advised that the City road vacation ordinance adopted by the City Commission shall state: *“the ordinance shall become effective upon recordation of an Engineer’s Certificate into the Public Records by the City Engineer that confirms that all utilities have been removed from the right-of-way that is the subject of the vacation.”*

The above wording required by Broward County, will be included in the road vacation ordinance when taken directly for consideration and adoption by the City Commission.

**Redevelopment Area Modification (RAMs) - Application #RD-20-2070**

No action is required by the Planning and Zoning Board for this application. The Redevelopment Area Modification application will be presented directly to the City Commission together with the Major Development Plan and Road vacation applications for their consideration and approval.

The applicant has made a significant effort in complying with the site development standards for properties within the Transit Core Subdistrict. The existing sidewalks adjacent to the property will be rebuilt with curb and gutter and widened to a minimum of 10 feet along SE 7<sup>th</sup> Street and 8-feet along Old Federal Highway and SE 8<sup>th</sup> Street.

Staff suggests that the modifications for building setback of encroaching balconies by 2 feet to provide

for 5 feet balconies and building frontage along principal street (12% deficiency) need not raise concern as the reduction requested is minimal 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. On-street parking improvements are proposed including provision of 24 on-street parking spaces and landscaping for an improved pedestrian and traffic experience. Regarding the waiver for having 19 spaces in a row which dead-end, staff recommends such spaces be for resident parking only and assigned to specific units.

Staff, however, has concerns with the reduction on the number of parking spaces required. One hundred thirty-one (131) parking spaces are required for the project. A 6-parking space deficiency is proposed. Although public on-street parking is provided adjacent to the project, it is not countable towards meeting the minimum number of parking spaces required. Also, staff has some concerns that these spaces may be utilized by residents or visitors for extended period of time, limiting the availability of the spaces to the general public. Accordingly, consistent with other projects which requested a parking reduction, a contribution by the developer to the City's Parking Fund should be considered.

Recently, The City retained the services of Tindale Oliver, a planning and engineering firm, to prepare an impact fee study on various City services including fire and rescue, law enforcement, parks and recreation and multi-modal transportation. The firm also prepared an Affordable Housing and Parking in-lieu fee studies. The recommended parking in-lieu fee pursuant to the study is \$10,500 per parking space not provided, which is the average cost per space for surface lots currently developed in South Florida. This cost did not incorporate the cost of building parking garages. The suggested amount of contribution due to the proposed parking deficiency based on the recommended fee in the study is \$63,000.

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 of approval by the City Commission of the requested Redevelopment Area Modifications subject to conditions.

#### Major Development Application – Application #DB-20-2058

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 Planning and Zoning Board recommended approval of Major Development Application # DB-20-2058 subject to the following conditions:

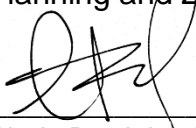
1. Payment of the City's water impact fee in the amount of \$79,388.
2. Payment of the City's sewer impact fee in the amount of \$100,642.
3. Payment of the City's transportation mitigation cost in the amount of \$76,323.
4. Installation of sidewalks, on-street parking, and landscaping improvements along SE 7<sup>th</sup> Street, SE 8<sup>th</sup> Street and Old Federal Hwy as shown on the plans.
5. Compliance with the Green Building requirements for Exemplary Level City certification.
6. Assignment by the City Commission of 78 Regional Activity Center (RAC) Units.

7. Three (3) electric vehicle charging stations shall be provided as reflected in the plans.
8. The parking corridor with 19 spaces in a row with no provisions for a turn-around shall be assigned to specific units in the building.
9. The applicant shall contribute \$63,000 to the City's Parking Fund as a result of the 6-parking space deficiency prior to the certificate of occupancy, temporary or otherwise for the project.
10. Execution of a Unity of Title covenant joining all the development lots into a unified development parcel prior to issuance of the building permit for the Project.

<b>Attachment(s):</b>
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- Exhibit 1- Resolution approving the Major Development Application
- Exhibit 2- Resolution approving Redevelopment Area Modifications
- Exhibit 3- Location Map
- Exhibit 4- Aerial Map
- Exhibit 5- Applicant's Letter
- Exhibit 6- Building Rendering, Development Plans, and Applicant's Backup
- Exhibit 7- City Traffic Consultant Report
- Exhibit 8 - Planning and Zoning Board Cover Memo dated
- Exhibit 9 - Planning and Zoning Board Meeting Minutes of

Prepared By:   
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 Planning and Zoning Manager

Reviewed By:   
 Cindy Bardales-Villanueva  
 Planning and Zoning Admin. Assistant

Approved By: \_\_\_\_\_  
 [NAME]  
 [TITLE]