



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

<b>Applicant:</b>	SAG Development, LLC	<b>Meeting Date:</b>	February 26, 2025
<b>Project Name:</b>	Pembroke Road Mixed-Use		
<b>Property Address:</b>	Generally located between NW 3rd Avenue and NW 2nd Avenue and between Pembroke Road and NW 10th Street (219 Pembroke Road)		
<b>Application No.:</b>	DB-24-04402 RD-23-03514 V-25-00875	<b>Application Type:</b>	<ul style="list-style-type: none"> <li>– Major Development</li> <li>– Redevelopment Area Modifications (RAMs)</li> <li>– Variances</li> </ul>
<b>Parcel Size:</b>	1.49 acres (65,095 sq. ft.)	<b>Quasi-Judicial:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Planning District:</b>	Northwest	<b>Public Hearing:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Existing Use:</b>	Vacant/Commercial/Residential	<b>After the Fact:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Existing Zoning:</b>	West RAC – Pembroke Road Subdistrict and Residential two-family (duplex) district (RD-12)		
<b>Future Land Use Designation:</b>	Regional Activity Center Land Use (RAC) and Low-Medium Density Residential		
<b>Request:</b>	Mixed-use development, consisting of 116 residential units and approximately 7,500 sq. ft. of commercial space		
<b>Surrounding Zoning:</b>		<b>Surrounding Land Use:</b>	
North: City of Hollywood  South: Residential Single Family (RS-7) / Residential two-family (duplex) district (RD-12)  East: West RAC – Pembroke Road Subdistrict  West: West RAC – Pembroke Road Subdistrict		North – City of Hollywood  East – Regional Activity Center  West – Regional Activity Center  South – Low Density Residential	
<b>Business Impact Estimate:</b>	Not Applicable		
<b>Staff Recommendation:</b>	<b>Sponsor Name:</b>		
<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny	Vanessa J. Leroy, Department of Sustainable Development Director		
	<b>Prepared By:</b>		
	Deandrea Moise, AICP, Principal Planner		

## Request

### Summary:

SAG Development, LLC is requesting Major Development Plan approval, Redevelopment Area Modifications (RAMs), and Variances for a mixed-use development, consisting of 116 residential units and approximately 7,500 sq. ft. of commercial space, generally located between NW 3<sup>rd</sup> Avenue and NW 2<sup>nd</sup> Avenue and between Pembroke Road and NW 10<sup>th</sup> Street (219 Pembroke Road).

The applications filed with the City are as follows:

1. Application No. DB-24-04402 for Major Development Review approval pursuant to Section 32-782 of the Zoning and Land Development Code for a mixed use development.
2. Application No. RD-23-03514 requesting Redevelopment Area Modifications (RAMs) from the following code provisions:
  - a) Section 32-203(c)(2) to waive the requirement that parking spaces shall be designed in a way to permit vehicle entry and exit in one continuous forward motion without using a vacant space to turn around.
  - b) Section 32-202(a)(3) to waive the width and depth proportion requirement for civic open spaces.
3. Application No. V-25-00875 requesting Variances from the following code provisions:
  - a) Section 32-144(d) relative to the required front yard setback in RD-12
  - b) Table 32-160.d relative to the required rear yard setback in West RAC – Pembroke Road subdistrict
  - c) Section 32-194 (d) (1) relative to the required transparency of building facades.
  - d) Section 32-384 (a) relative to the minimum landscape requirement.

## STAFF SUMMARY:

### **BACKGROUND**

The subject property, approximately 1.49 acres, is comprised of multiple vacant commercial and residential lots. The subject property is located within the Regional Activity Center (RAC) and Low Medium Density Residential Future Land Use designation. The subject site is also split into two zoning districts, West RAC – Pembroke Road subdistrict and RD-12.

The Developer's Community Meeting was held on February 18, 2025. The attendees expressed concerns related to, but not limited to, traffic impacts, trash collection, affordability of units, use of local Hallandale businesses during construction, and appropriate buffering between existing residential uses.

### **ANALYSIS**

#### Development Details

The Applicant proposes to demolish all existing structures on the subject site for a mixed-use development comprised of 116 residential units and approximately 7,500 sq. ft. of commercial space. The proposed development features an eight story building along Pembroke Road, that transitions down to two stories into the RD-12 district. As the subject site is comprised of multiple lots, Staff recommends a condition that a Unity of Title in a form acceptable to the City Attorney's office prior to permit issuance. Furthermore, the Applicant requests the following setback variances:

1. To reduce the required rear setback within the West RAC – Pembroke Road subdistrict from 20 feet to 8 feet along the southwest property line.
2. To reduce the required front yard setback within the RD-12 zoning district from 20 feet to approximately 9.3 feet along NW 10<sup>th</sup> Street.

The commercial area includes eight suites located on the ground floor of the proposed building along Pembroke Road. The ground floor also features a Plaza-type Civic Open Space that is approximately 2,900 sq. ft. While the area of the Plaza exceeds what is required, the Applicant is requesting a RAM to waive the proportion requirement for civic open spaces which requires that the depth of the civic open space is a specific proportion to the width. The Plaza will feature multiple seating areas, a water feature, pet cleanup station and trash receptacle. The residential portion of the proposed development consists of a mix of various unit types ranging from studios to two-bedroom units. The proposed development will include 17 “moderate-income” affordable housing units. The residential units will primarily be located in the portion of the structure along Pembroke Road, with 8-townhome type units provided within the RD-12 district along NW 10<sup>th</sup> Street. The proposed development features residential amenities that include a pool deck, short/long term bicycle storage, and a multipurpose space. As the Applicant is utilizing the maximum height and density, they are required to meet the performance criteria pursuant to Section 32-160.d(d)(4). The Applicant has complied with such requirements by way of providing affordable housing, public art, civic open space, and providing streetscape improvements.

The Applicant has requested to utilize Broward County Land Use Plan Policy 2.16.3 for the portion of the subject property within the West RAC – Pembroke Road subdistrict to allocate additional units. The allocation of bonus and affordable units through this policy may exceed the allowable density of the zoning district subject to criteria and City Commission approval. The permitted density within the West RAC – Pembroke Road subdistrict is 80 dwelling units per acre. The Applicant is requesting to allocate an additional 28 units, whereas four of those units will be set aside as affordable units for the moderate-income group. This results in approximately 112 dwelling units per acre.

The parking garage is located at the center of the proposed building and is screened by active uses along Pembroke Road and NW 10<sup>th</sup> Street. Access to the parking garage is provided along the side streets, NW 3<sup>rd</sup> Avenue and NW 2<sup>nd</sup> Avenue. The Applicant has indicated that ground floor parking level will primarily serve the commercial units while other areas of the garage will be access controlled for residents. The Applicant is requesting a RAM, specifically for the northwest corner of the parking garage on the second level of the parking garage to waive the requirement that parking spaces shall be designed in a way to permit vehicle entry and exit in one continuous forward motion without using a vacant space to turn around. The Applicant has stripped out spaces to allow vehicles to make a three-point turn at the end of the corridor. The garage features 179 parking spaces with a mix of traditional and EV ready and capable spaces. The garage is screened along all frontages. Additionally, as there are no loading spaces required, Staff recommends a condition that limited delivery hours and loading or moving operations shall be coordinated by building administration and shall not occur within the public right of way.

The design of the building provides a clean contemporary design through the use of materials such as, glass, metals, and smooth and textured stucco. The massing of the building is broken up using aluminum canopies and concrete eyebrows. Additionally, the primary façade provides extensive fenestration and transparency along Pembroke Road. The Applicant requests a Variance to reduce the required transparency from 20 percent to 11 percent for the West and East facades within the West RAC – Pembroke Road subdistrict. The Applicant indicates that due to the placement of the

required stairways, additional transparency on those facades cannot be achieved. The proposed landscaping is used to further frame the subject property and is designed to incorporate an array of native trees, palms, and shrubs. The Applicant requests a Variance to reduce the required landscape area for the RD-12 portion of the site from 30 percent to 15.82 percent. The overall subject property provides for a total of 7,692 sq. ft. of landscape area.

The Development Review Committee (DRC) issued technical comments to the Applicant during review of the application. As such, revisions were made to the plans to address Staff's technical comments. The proposed amendment complies with applicable regulations such as but not limited to height, landscape, parking, and setbacks (other than the requested RAMs and Variances).

### Comprehensive Plan Considerations

The property is designated Regional Activity Center and Low-Medium Density Residential on the City's Future Land Use Map. The proposed uses are permitted under the respective land use categories. The proposed development will assist in furthering the goals, objectives, and policies of the City's Comprehensive Plan based on the following:

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

**POLICY 1.9.5:** 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 1.12.4:** 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 1.13.3:** The City should continue to commit resources to the Community Redevelopment Area where neighborhood improvements are needed.

**POLICY 1:18:1:** Increase economic development and employment opportunities within urban infill and urban redevelopment area(s).

### **APPLICABLE CODES AND ORDINANCES**

#### Redevelopment Area Modification (RAM) Criteria

A portion of the subject property is within the West RAC – Pembroke Road subdistrict which allows the City Commission to modify zoning and land development standards through the Redevelopment Area Modification (RAM) process in lieu of a variance as per Section 32-135. 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.**

Although the project would be an improvement to 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.**

The proposal ensures adequate access to service areas and other development features. The project is designed with proper accessibility, including ADA-compliant access from the civic open space on Pembroke Road, the lobby, and the parking garage levels to the lobby, elevator, and other facilities.

**3. The modification adequately provides for service and emergency vehicles access.**

Appropriate reviewing departments have confirmed that the proposal provides adequate service and accessibility for sanitation, fire, and other service and emergency vehicles. The building's dumpster enclosure ensures adequate access by roll-out service for the City's sanitation trucks.

**4. The modifications adequately provide for visibility of access.**

The proposed modification does not affect visibility of access and as such would not inhibit visibility of access. The proposed development has been designed with adequate visibility for access to and from the subject property.

Variance Criteria:

Pursuant to Section 32-965 of the Zoning and Land Development Code the City Commission may approve a variance to the terms of the Zoning and Land Development Code that will not be contrary to the public interest where, due to special conditions, a literal enforcement of the provisions of the Zoning and Land Development Code will result in unnecessary and undue hardship may be granted by in compliance with the requirements. The requested variance shall be reviewed with consideration given to the following criteria:

**1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or building in the same zoning district.**

The split zoning of the property between two very distinctively different zoning districts presents unique challenges when developing the site as one cohesive and harmonious development, as it does not consider the various levels of intensity of development.

**2. The special conditions and circumstances do not result from the actions of the applicant.**

As the proposed development would be a result of demolition and new construction there are no existing physical site constraints that would limit the Applicant from compliance with the regulations, however, the split zoning of the property does provide for unique challenges in the building design triggering the necessity for the requested variances.

**3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district.**

Granting the variance requested will not confer on the Applicant any special privilege for other properties within the West RAC – Pembroke Road subdistrict or RD-12 zoning district as it does not affect to permitted uses or density and intensities within the respective districts.

**4. Literal interpretation of the provisions of this chapter would deprive the applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the applicant.**

The literal interpretation of the provisions would not cause an undue hardship for the Applicant.

**5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

The Applicant has requested the minimum variance needed to make reasonable use of the subject property.

**6. The grant of the variance will be in harmony with the general intent and purpose of this chapter.**

The granting of the variance would be in harmony with the general intent and purpose of this chapter as the Applicant has sought to propose alternative solutions to meet the intent of the regulations.

**7. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

The requested variances would not be detrimental to the community. Additionally, it does not alter the permitted land use and remains compatible with the surrounding area.

Allocation of Bonus Units through Broward County Land Use Plan Policy 2.16.3

The Applicant is requesting to allocate an additional 28 units, whereas four of those units will be set aside as affordable units for the moderate-income group. This results in approximately 112 dwelling units per acre. Staff finds that the proposed allocation of a total of 28 bonus and affordable housing units is compatible with existing and future land uses and other land development regulations, and that there are adequate public facilities and services in place to accommodate the units. As required, Staff conditions that prior to permit issuance, a restrictive covenant, in a form acceptable to the City be provided guaranteeing that the affordability of the bonus units for the affordable income groups described above be maintained for a period of at least thirty years and that affordable housing units shall be proportionately distributed amongst unit types and sizes throughout the building.

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

The property consists of one platted parcel with no structures on the property.

A total of 79 trees are required for this project and are provided, including street trees along Pembroke Road, NW 2<sup>nd</sup> Avenue, NW 10 Street, and NW 3<sup>rd</sup> Avenue. The grounds will be landscaped with an array of shrubbery and canopy trees. Four trees/palms are to be protected in place on site, while 17 trees/palms are to be relocated on site.

### Open Space

Approximately 7,692 sq. ft. of landscape area is provided on the subject property. The applicant is requesting a variance related to the required landscape area required on the RD-12 proportion of the sight. A civic open area of 7.5% minimum is required per Code. The applicant provides the required civic open space and required furnishings; however, the Applicant is requesting a RAM to waive the width and depth proportion for Civic Open space,

### Circulation and Parking

The entrance to the parking garage is accessible from NW 3<sup>rd</sup> Avenue and NW 2<sup>nd</sup> Avenue. The proposed parking garage provides 179 parking spaces that include EV capable/ready spaces and exceeds the required 174 parking spaces. The Applicant has requested a RAM to waive the requirement that parking spaces shall be designed in a way to permit vehicle entry and exit in one continuous forward motion without using a vacant space to turn around.

### Access Control

The garage will not be accessed controlled at the entrances of the garage. It will be accessed controlled in other areas of the garage for resident access only.

### Public Transportation

The site is well served by existing mass transit services. Broward County bus routes service Pembroke Road. In addition, the City's mini-bus route also serves the area.

### Community Services

A trash room is located on the west and east side of the building to accommodate dumpsters, which will be rolled out on service days. The location is accessible for the City's sanitation vehicles. At staff's request, the applicant provided a loading and refuse area operational plan to manage hotel deliveries and refuse collection, ensuring safety and traffic flow. This plan was acceptable to the City's consultant.

### 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** - The City of Hallandale Beach Water plant, located at 215 NW 6<sup>th</sup> Avenue. It is expected that there is sufficient capacity for the additional connections required for this development.

Retail space 7,465 sf x 0.15 gpd/sf = 1,119.8 gpd

Residential units 116 x 210 gpd/ea = 24,360 gpd

Total proposed maximum flow = 25,479.8 gpd

Proposed water meter connections will be to the existing 6" water main in the adjacent City roads of NW 2nd Avenue / NW 3rd Avenue / NW 10th Street

The Applicant will be required to pay the City water impact fees as required by Section 30-247 through Section 30-260 of the Code of Ordinances. Fees are determined based on the City of Hallandale Beach Code of Ordinances. Fees are assessed and are required to be paid when the Building Department permit is processed.

**Wastewater** – The City sends its wastewater to the City of Hollywood Southern Regional Wastewater Treatment Plant (WWTP) located at 1621 N. 14th Avenue in Hollywood, Florida. It is expected that there is sufficient capacity for the additional connections required for this development.

Retail space 7,465 sf x 0.15 gpd/sf = 1,119.8 gpd

Residential units 116 x 210 gpd/ea = 24,360 gpd

Total proposed maximum flow = 25,479.8 gpd

Discharge will be into the existing 8-inch gravity main in the adjacent City roads of NW 2nd Avenue / NW 3rd Avenue / NW 10th Street. 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. Fees are determined based on the City of Hallandale Beach Code of Ordinances. Fees are assessed and are required to be paid when the Building Department permit is processed.

**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 913 daily trips, 57 AM peak hour vehicle trips (20 inbound and 37 outbound) and 95 vehicle trips (53 inbound and 42 outbound) during the typical afternoon peak hour. The City's Traffic Consultant for this project, Michael Miller Planning Associates, (MMPA) reviewed the Traffic Study and concluded that based on the analysis the roadways & intersections near the site are expected to operate at acceptable LOS with the additional vehicle trips.

**Schools** – The proposed development is anticipated to generate 6 (2 elementary and 4 high) students into Broward County Public Schools

**Energy Conservation/Green Building** - This project requires Green Building certification from independent Green Building agency gold level, or above. The Developer has agreed to meet NGBS-Gold.

**Impact Fees** – Pursuant to Chapter 31, Section 31-6, of the Hallandale Beach Code of Ordinances, this Project, consisting of 116 residential units and 7,495 square feet of commercial is subject to the following fees:

<b>TOTAL FEES DUE</b>			
All fees must be paid in full for permit issuance			
Fire Rescue Impact Fee	Multi-Purpose	NW	\$27,984.48
Law Enforcement Impact Fee	Multi-Purpose	NW	\$19,192.12
Multi-Modal Impact Fee	Multi-Purpose	NW	\$177,029.65



Parks & Recreation Impact Fee	Multi-Purpose	NW	\$113,100.00
			\$337,306.24

**Why Action is Necessary**

Pursuant to Section 32-160.d(d)(4) 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 when requesting more than the permitted base density or height.

Pursuant to Section 32-965 of the Zoning and Land Development Code, Planning and Zoning Board consideration and recommendation is required prior to City Commission approval of Variances.

Action of the City Commission is required per Section 32-135 for Redevelopment Area Modifications (RAMs) and does not require Planning and Zoning Board consideration. Therefore, no formal action by the Board is required; however, the analysis is included in this report for the Board’s informational purposes and comments.

Action of the City Commission is required for the allocation of bonus units per Broward County Land Use Policy 2.16.3 when exceeding the allowable density in the applicable zoning district and does not require Planning and Zoning Board consideration. Therefore, no formal action by the Board is required; however, the analysis is included in this report for the Board’s informational purposes and comments.

**Business Impact Estimate**

As per 166.041(4)(c), a business impact estimate is not applicable for applications considered by resolution.

**Cost Benefit**

The estimated building permit fee for the project is approximately \$523,000 based on the estimated construction cost of \$20 Million.

**Staff Recommendation:**

Staff recommend that the Planning and Zoning Board consider the requests for Major Development and variances and forward a recommendation to the City Commission with the following conditions for consideration:

1. Payment of the City’s water impact fee as calculated at time of building permit.
2. Payment of the City’s sewer impact fee as calculated at time of building permit.
3. Payment of the City’s impact fees in the amount of as calculated at time of building permit.
4. Compliance with the Green Building requirements of the NGBS-Gold certification or another recognized green building agency as determined by the City.
5. The Applicant shall contract with the City for roll-out service by the Sanitation Division for servicing the dumpster/trash disposal.
6. Prior to the issuance of the building permit, a declaration of restrictive covenant, in a form

acceptable to the city attorney, shall be recorded in the public records of Broward County, Florida, guaranteeing that the affordability 17 residential units for the moderate income group described in Policy 2.16.3 of the Broward County land use plan will be maintained for a period of at least 30 years for rental housing and at least 30 years for owner occupied housing and that affordable housing units shall be proportionately distributed amongst unit types and sizes throughout the building. While occupying a rental unit annual anticipated gross income may increase to an amount not to exceed 140% of the applicable mean income adjusted for family size.

7. Affordable units shall be available before or concurrently with bonus units.
8. Prior to the issuance of the building permit, a Unity of Title, in a form acceptable to the city attorney, shall be recorded in the public records of Broward County, Florida.
9. Prior to the issuance of the building permit, the Applicant shall work with DSD on the final design of proposed garage screening.
10. Prior to the issuance of the building permit, Applicant shall work with DSD on the final design of the public art installation.
11. Prior to the issuance of the Building Permit, the Applicant shall provide the right-of-way dedication as illustrated on plans along Pembroke Road in a form acceptable to the City Attorney.
12. Limited delivery hours and loading or moving operations shall be coordinated by building administration and shall not occur within the public right of way

<b>Attachment(s):</b>
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Exhibit 1 - Aerial Map and Zoning Map  
Exhibit 2 - Applicant's Letters and Backup

Reviewed by: Christy Dominguez  
Planning and Zoning Manager