

CITY OF HALLANDALE BEACH, FLORIDA
MEMORANDUM

DATE: August 24, 2012

TO: Planning and Zoning Board

FROM: Christy Dominguez, Director of Planning and Zoning

SUBJECT: Applications #42-12-DB, #41-12-P and #68-12-RD by HB 1000-18, LLC,
Hallandale Beach Shops
1011 West Hallandale Beach Boulevard.

I. BACKGROUND INFORMATION

APPLICANT:

HB 1000-18, LLC

REQUEST:

The Applicant is requesting Major Development Review in order to construct a one-story commercial center at 1011-1021 West Hallandale Beach Boulevard.

The applications are as follows:

1. Application #42-12-DB for Major Development Plan Review in order to construct a 13,376 square foot commercial center.
2. Application #41-12-P for Platting Review to allow for property development.
3. Application #68-12-RD requesting Redevelopment Area Modifications (RAM) from the following code provisions:
 - a) Section 32-176(g)(5) relative to the maximum 15 feet front yard setback, minimum 25 feet rear yard setback; and the minimum 15 feet corner side yard setback required for properties within the Planned Redevelopment Overlay (PRD) District.
 - b) Section 32-176(g)(4) requiring new commercial buildings to have facades that occupy at least 60 percent but not more than 80 percent of the width of the lot.
 - c) Section 32-455(c)(1) relative to the minimum number of parking spaces required for commercial/retail uses.
 - d) Section 32-457 relative to loading space requirements for retail uses.
 - e) Section 32-384(f) relative to required perimeter and interior landscape areas.

LOCATION:

The subject property is located at 1011-1021 W Hallandale Beach Blvd.

PARCEL SIZE:

49,257 square feet or 1.13 acres.

EXISTING LAND USE DESIGNATION:

General Commercial

EXISTING ZONING:

Business General (B-G)

Planned Redevelopment Overlay District (PRD) is also assigned to the property.

REDEVELOPMENT AREA MODIFICATIONS:

This property is located within the PRD district, thus the requirements of Article III Section 32-176 apply to the property. Section 32-176(8) allows the City Commission to modify any specified development standard through the Redevelopment Area Modification (RAM) process in lieu of a variance.

RAM's may be approved by the City Commission if they determine all the criteria of Article III Section 32-177(a) of the Code have been met. RAM's are not subject to the variance criteria of Article VIII nor do they require Planning and Zoning Board consideration.

EXISTING USE:

Vacant lot

PROPOSED USE:

A one-story commercial center with a total of 13,376 square feet for retail, restaurant and office uses.

SURROUNDING ZONING:

North – B-G (Business General) and PRD (Planned Redevelopment Overlay) Districts across West Hallandale Beach Blvd.

South – RD-12 (Residential Two Family Duplex District

East – B-G (Business General) and PRD (Planned Redevelopment Overlay) Districts across SW 10th Avenue.

West – B-G (Business General), PRD (Planned Redevelopment Overlay), and PDD (Planned Development Overlay) Districts across SW 10th Terrace.

SURROUNDING LAND USE:

North – Lakeside Shops across West Hallandale Beach Blvd.

South – Mobile Home Park.

East – Gas station across SW 10th Avenue.

West – Winn Dixie Shopping Center across SW 10th Terrance.

II. LAND USE HISTORY

RELATED LAND USE HISTORY:

The property consists of two parcels:

The west parcel (1021 W .Hallandale) previously was a gas station that was demolished.

The east parcel (1011 W. Hallandale) previously was a McDonalds that was also demolished.

III. DETAILS OF THE APPLICATION/EXHIBITS

DEVELOPMENT DETAILS:

The applicant's plans depict the following:

1. A commercial center made up of two one-story buildings, with 14 tenant bays for a total of 13,376 square feet for retail, restaurant, and office use, an overall building height of 30 feet.
2. A total of 46 parking spaces are proposed. (52 parking spaces required, requesting a 6 parking space reduction per Section 32-455(c)(1), equal 11.6% less than total required parking)
3. A proposed front yard setback of 90.25 feet after 19.33 feet right-of way dedication for West Hallandale Beach Boulevard deceleration and turn lane. (a maximum of 15 feet front yard setback is allowed in PRD District.) The yard setbacks proposed are: 5.5 feet side yard on the west and 6.33 feet side yard on the east. (15 feet side setbacks are required) The rear yard setback proposed is 7 feet. (a minimum of 25 feet rear yard setback is required when adjoining residential property)
4. An existing 5 foot concrete sidewalk along SW 10th Avenue and along SW 10th Ave.
5. A new 6 foot sidewalk along Hallandale Beach Blvd.
6. A total of 30 trees for credit are provided consisting of Gumbo Limbos, Live Oaks, Pigeon Plums, Montgomery Palms, and Royal Palms (30 trees are required).
7. A 12 feet by 12 feet masonry dumpster enclosure accessible from SW 10th Terrance.
8. A 6 feet masonry wall along the south residential property line.
9. An 8 feet high monument sign with 60 square feet of proposed sign area on Hallandale Beach Blvd.
10. 22.85% of the site will be landscaped (15% is required).

V. COMPREHENSIVE PLAN CONSIDERATIONS

Staff finds that this development is consistent with the City's Comprehensive Plan. Specifically, the General Commercial designation permits office and retail uses. The proposed commercial center is permitted under the land use category. Additionally, the proposed project will assist in furthering the following policies and objectives 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 1.1.4: The City shall, through development regulation, direct commercial and industrial land uses to areas with existing public facility capacity.

POLICY 1.2.2: Hallandale Beach Boulevard: The City shall continue to utilize the City's Zoning Code, Land Development Regulations, Citywide Master Plan and the Design Guidelines Manual in review of development and redevelopment within the Hallandale Beach Boulevard Corridor.

POLICY 1.2.11: The City shall reduce land use conflicts through prohibiting incompatible commercial uses in residential neighborhoods, through enforcement of the Hallandale Beach Zoning District requirements. Commercial development shall be limited primarily to the perimeter areas of Hallandale Beach's planning districts (as delineated in this Element). Well-planned mixed use projects and appropriate neighborhood commercial uses in defined neighborhood commercial nodes are encouraged where they will improve an area or serve as neighborhood centers. However, commercial uses within residential areas shall not be considered incompatible if, through proper screening, buffering, design and access control, there are no significant noises, odors, fumes, vibrations or other negative impacts beyond the site boundaries, and provided the use is either tied to a neighborhood commercial node, or a peripheral commercial corridor or area.

POLICY 1.5.4: Commercial areas will continue to be regulated by development standards, such as, but not limited to, size and bulk regulations, landscaped medians, right-turn only exits and other controls or designs intended to improve vehicular and pedestrian safety.

POLICY 1.5.7: Development and redevelopment along Hallandale Beach Boulevard and U.S. 1 shall continue to be reviewed and evaluated based on guidelines established for these corridors in the City's Zoning Code, Land Development Regulations, the Citywide Master Plan and the Design Guidelines Manual.

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 storm water management, landscaping and open space requirements, signage regulations, subdivision regulations, safe and convenient on-site traffic flow, vehicle parking and consistency of land uses 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 1.15.3: The City shall encourage developments that promote safe and efficient on and off-site transportation improvements.

(The entire City is within an urban in fill area)

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 exempted from transportation facilities concurrency requirements consistent with Chapter 163 Florida Statutes; however, 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.

VI. INTERDEPARTMENT REVIEW SUMMARY

The Development Review Committee (DRC) met several times on the subject applications. Comment/issues identified by the DRC were discussed with the applicant during DRC review of the applicants. The applicant has submitted applications for Redevelopment Area Modification (RAM) and Platting concurrently with the Major Development Application. While the Code requires Major Development application be presented to the Planning and Zoning Board, RAM only require City Commission approval. Excluding the request waivers, the applicant has

addressed all the comments issued by the Development Review Committee or has agreed to address at building permit application.

VII. APPLICABLE CODES AND ORDINANCES

1. Section 32-176(g)(5) Planned Redevelopment Overlay District (PRD) requires a street definition line not exceeding 15 feet from the front property line. The Section also requires a minimum of 15 feet side yard setback and a minimum of 25 feet setback to adjacent residential zoning.

The following setbacks are proposed:

	Required	Provided	Deficiency
Front			
West Building	15 feet max.	11.4 feet	-0-
East Building	15 feet max.	90.25 feet	75.25 feet
Rear	25 feet	7 feet	18 feet
East	15 feet	6.33 feet	8.67 feet
West	15 feet	5.5 feet	9.5 feet

The proposed east building is setback 90.25 feet from the front property line instead of the maximum 15 feet permitted in the PRD District. The previous use of a portion of the development parcel was a gas station and is affected by ground water contamination. According to Broward County Department of Environmental Protection, no buildings may be built in the contaminated area which is within the required setback area. Since the proposal does not meet the Code specified minimum setbacks, a Redevelopment Area Modification (RAM) is required.

- 2.) Section 32-455(c)(1) requires retail uses to provide one parking space for every 250 square feet of gross leasable floor area and office and retail food establishments to provide (1) one parking space for every 250 square feet of gross floor area.

The applicant proposes a mix of retail, office and retail food establishments. Based on the above criteria, the applicant is required to provide 52 parking spaces and proposes 46 parking spaces resulting in a deficiency of 6 spaces or 11.6% of the total number of spaces required, therefore a RAM from the above provisions is requested by the applicant.

- 3.) Article IV, Section 32-331(a) requires a 6 foot landscaped masonry wall on all commercial properties that have side or rear lot lines abutting or separated by a public right-of-way from residentially zoned property.

A 6 foot masonry wall is provided along the south property line adjacent to residential zoned property as required by the City Code.

4.) Section 32-384(c)(3) requires 1 tree per every 1,500 square feet of total project area. Required trees must a minimum of 15 feet in height, 3 inch caliper and 5 feet of clear trunk at time of planting.

Based on the size of the property, the applicant is required to install 30 City approved trees. The applicant proposes to install 30 credited trees, including a variety of Gumbo Limbos, Live Oaks, Pigeon Plums, Montgomery Palms, and Royal Palms. The proposed plantings meet the Code requirements.

5.) Section 32-457, Off-Street Parking and Loading, requires two loading spaces for retail and service establishment with 10,000 to 40,000 square feet of gross floor area. Loading spaces must be a minimum of 12 feet x 50 feet in length.

The proposed development, including the existing building, has a total of 13,376 square feet of gross floor area; therefore, two loading spaces are required. The applicant does not provide any loading spaces. As a result, the applicant is seeking redevelopment modification of the loading space requirements.

6.) Article III, Section 32-176(g)(4) requires that new commercial building have facades that occupy at least 60 percent, but no more than 80 percent of lot.

The subject lot is 284.22 feet in width. The proposed buildings covers 233 square feet of the lot width or 83 percent of the total lot width, exceeding the maximum of 80%. Therefore, a redevelopment area modification is also required.

7.) Section 32-384(e)(i) requires a minimum 10 foot landscape buffer around the perimeter of all vehicular use areas adjoining public right-of-way. In addition, Section 32-384(f)(2) requires interior islands of no less than 7 feet in width.

The perimeter landscaped buffer proposed along SW 10 Avenue is 8 feet in width resulting in a deficiency of 2 feet. Also, the interior islands by the proposed pedestrian walkway to West Hallandale Beach Boulevard are 5.5 feet in width. Therefore, the applicant also seeks a RAM from this Code requirement.

VIII. REVIEW OF APPLICATION CRITERIA

Major Development Review

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 subject property is currently a vacant lot formerly the site of a gas station and a McDonalds that were both demolished. There are three desirable trees (two Live Oaks and one Pond Apple

Tree) on the property in good condition which are in the buildable area. The applicant intends on relocating the 3 trees if feasible. Alternatively, pursuant to Chapter 29, Section 29-4(e), as a condition of granting a tree removal permit, the applicant may make a payment to the City's Tree Preservation Fund based on the estimated value of the trees per methodology described in Section 29-4(h). The estimated value of the (3) trees is approximately \$12,000.

2. Open Space

The applicant is proposing 22.85 percent of the property will remain landscaped area, exceeding the 15 percent required by Code. According to the plan, the property will be landscaped with various species for credit such as Gumbo Limbo, Live Oak, Pigeon Plum, Montgomery Palm, and Royal Palms will also be planted.

3. Circulation and Parking

Article V, Section 32-787(d) requires that parking facilities for new development be designed to provide a defined internal vehicular circulation system which allows movement within the proposed development. The parking area has been designed with a right-in driveway accessed from Hallandale Beach Boulevard, right in and right out driveway accessed from SW 10th Terrace, and left/right-in and left/right-out accessed from SW 10th Avenue. The subject parking and access areas have been designed for effective emergency and vehicle approach with adequate lanes widths to help increase ease of circulation and navigation. Parking on-site is considered safe and efficient.

4. Access Control

The project will have a one-way right-in driveway from Hallandale Beach Boulevard. It will also have a full access driveway from SW 10th Avenue and a two-way right-in and right-out driveway along SW 10th Terrace. The location of the driveways have received primary approval by Broward County Department and the Florida Department of Transportation (FDOT).

5. Public Transportation

Presently, public transportation is available on the site at Hallandale Beach Boulevard. The proposed plan will incorporate a 60' feet bus landing pad and bus shelter easement.

6. Community Services

The required bulk waste receptacle will be located in a masonry dumpster enclosure in the southwest corner of the site. The proposed enclosure location is satisfactory for proper servicing by sanitation trucks.

7. Drainage

Drainage design will consist of adequate disposition of storm water without causing flow into adjoining public or private property. The proposal includes the installation of underground catch basins for surface run-off. All landscaped retention areas will help maximize recharge through percolation. Further, drainage calculations will be required at times of permit. The applicant will be required to comply with all DPEP regulations and City criteria to retain 5-year, 1-hour storm water onsite.

8. Building and Other Structures

The proposed development consists of 13,376 square feet of restaurant/retail/office space and 46 parking spaces.

9. Concurrency Evaluation

According to Article V Section 32-782, determination of concurrency must occur prior to the approval of a building permit.

Staff has conducted a concurrency evaluation of the project relative to its impact on water, sewer, solid waste, and drainage. Staff has determined that concurrency requirements for water, sewer, drainage, and solid waste, have been met. Water, sewer and drainage compliance are all subject to submission of hydraulic analysis, and drainage calculations to the satisfaction of the City Engineer prior to the issuance of a building permit. The City reserves the right to require upgrades to the system if it is determined the system is inadequate or will be severely taxed by development.

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 1349 gallons of potable water per day. The City Water Plant is expandable to 15 MGD (Million Gallons per Day). The plant's current capacity is 9 MGD. The City's current demand is about 6 MGD. There is sufficient capacity to maintain this development. The developer will be required to pay the City approximately \$5,665.80 in water impact fee.

Wastewater – The City has a Large User Agreement with City of Hollywood and several other communities for wastewater treatment. The City recently obtained additional capacity at the sewer plant.

The City's current committed capacity is 7.85 MGD and the City's total flow is 7.25 MGD according to the applicant, based on the proposed commercial use, the wastewater demand for the site is 1349 gallons per day. There is sufficient capacity to maintain this development. The developer will be required to pay the City approximately \$7,986.08 in sewer impact fees.

Transportation System – The applicant was required to submit a Traffic Study pursuant to Section 32-788 (g) for an analysis of the impact of the development as related to current and projected roadway usage and design capacities. The City's consultant for this project reviewed the Study. According to the consultant, the project would generate 44 new PM Peak Hour trips. The previous use generated 417 PM peak hour trips. As the previous use (gas station) generated more trips than the proposed use, the applicant will not be subject to traffic and transportation impact set forth by Section 32-794 "Traffic and Transportation Facilities". As the City is within a designated Urban Infill area, development projects may not be denied based upon concurrency, The Consultant comments that the reduction in trips of about 706 trips per day due to the change in use is positive as this segment of Hallandale Beach Boulevard operates a Level of Service Facilities.

The applicant will be required to mitigate for traffic and transportation impact as set forth by Section 32-794, "Traffic and Transportation Facilities".

10. Energy Conservation/Green Building

The development has been designed in conformity with current Energy Code and Florida Building Code requirements for energy efficiency. The development is not subject to the City's Green Building Ordinance. However, he intends to incorporate Green Building principles into the building's design and operation including but not limited to the use of high efficiency A/C equipment, low flow plumbing fixtures, upgraded roof and wall installation, and recyclable materials.

11. Financial Impact

The project's anticipated value at build-out is \$ 1.65 million. It is expected the proposed development will generate approximately \$ 9,377.00 in real estates taxes. Approximately \$8,909.00 of the tax revenue would go to the City's CRA.

12. PRD Design Guidelines

Properties zoned PRD are also subject to the adopted Design Guidelines for the PRD Overlay District. The proposed development has been found to be generally consistent with the established design guidelines for properties zoned PRD.

Plat- Application # 35-08-P

1. Plat applications are reviewed according to Article II, Division 2, Sections 32-71 through 32-101 of the Zoning and Land Development Code. The proposed plat is being brought before the Planning and Zoning Board as a Preliminary/Final Plat. As a result, City staff has reviewed the Plat according to Section 32-74 and Section 32-75 of the Zoning and Land Development Code.
2. Per the proposed plat, the applicant proposes a maximum development of 15,000 square feet of commercial use. No freestanding banks and/or drive thru are permitted without County approval.
3. Non – vehicular access lines are being required by Broward County along the right-of-way for Hallandale Beach Boulevard except for a 40 feet opening approximately 235 feet east of SW 10 Terrace. This opening is restricted to right turns in only.
4. A ten (10) feet right-of-way dedication on Hallandale Beach Boulevard, an 120 feet arterial road, is required to comply with the Broward County Trafficways Plan.
5. Right-of-way for an eastbound combination bus bay/ bike lane/right-turn lane on West Hallandale Beach Boulevard with a 50 feet of transition extending through the opening and continuing to SW 10 Avenue.
6. A 3 foot width by 60 foot long paved bus landing pad on Hallandale Beach Boulevard (2 foot total expand sidewalk).

7. A sidewalk for the bus landing consisting of 8 foot wide by 60 foot long expanded sidewalk for the bus landing along West Hallandale Beach Boulevard.
8. An 8 foot wide by 15 foot long bus shelter easement on Hallandale Beach Boulevard.
9. A minimum distance of 25 feet to the outer edge of any interior drive or parking space.
10. Bond and construct a concrete separator on SW 10 Terrace to prohibit any left turns at the 40 foot opening.
11. Address all recommendations and conditions set forth by the Broward County Development Management Division in their review of the subject plat per their report issued on September 12, 2012.
12. Provide an electronic copy (Autocad) of the plat and a mylar copy of the final plat as recorded, which shall be delivered to the City following recordation and prior to the issuance of the building permit.

Redevelopment Area Waiver Criteria

The property is located within the Planned Redevelopment Overlay District thus; the provisions of Section 32-176 (k) apply to the property. Section 32-176 (k) allows the City Commission to modify underlying zoning and land development standard through the Redevelopment Area Modification (RAM) process in lieu of a variance as provided in Section 32-177. This process is consistent with the City's Comprehensive Plan.

Pursuant to Section 32-177 (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 is met:

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

Consistent. There are site constraints which limit the development of the site and building footprint to meet all requirements of the Code. The proposed reduction in the number of required parking spaces represents approximately 11% of the number of parking spaces required. Also, due to the nature of the proposed retail center, deliveries by large semi-trucks are not anticipated. Strict adherence to the code would significantly inhibit the proposed structural improvement efforts.

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

Consistent. The proposal provides adequate pedestrian access from Hallandale Beach Boulevard to the center. The buildings have been designed with direct access from the front of the building and parking and service areas.

3. The modifications adequately provide for service and emergency vehicle access;

Consistent. Appropriate reviewing departments have confirmed the proposal provides adequate access by emergency and service vehicles.

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 and in providing access per ADA requirements.

STAFF RECOMMENDATIONS

Major Development – Application # 42-12-DB

In furtherance of the Comprehensive Land Use Plan Goals, Objective and Policies, Zoning Code and other applicable City provisions and based upon the finding of facts contained herein, staff recommends approval of the Major Development Application subject to the following conditions of approval:

1. Payment of \$5,665.80 water impact fee.
2. Payment of \$7,986.08 sewer impact fee.
3. Relocation of three existing trees in good conditions or payment to the City's Tree Preservation Fund to mitigate removal of the desirable trees per Section 29-4 (I) of the Code.

PLAT – Application # 41-12-P

4. Applicant shall bond for and construct street and any required R.O.W. improvements including but not limited to sidewalks, pavement, construction, striping, signage, landscaping, and drainage improvements.
5. Plat is restricted to 15,000 square feet of commercial use subject to compliance with all City Codes.
6. Address all recommendations and conditions set forth by the Broward County Development Management Division in their review of the subject plat per report dated September 12, 2012
7. Provide an electronic copy (Autocad) of the plat and a mylar copy of the final plat as recorded, which shall be delivered to the City following recordation and prior to the issuance of the building permit.

Redevelopment Area Modification- Application # 68-12-RD

The subject property is located within a commercial zoned district. The use is consistent with the zoned district and the City's Comprehensive Plan.

The requested modification regarding the front yard setback is the result of contamination of the site due to the previous gas station use and the restrictions imposed by Broward County Department of Environmental Protection. Other RAM's relate to the constraints of the building area.

The applicant has made an effort in complying with the site development standards and the Design Guidelines for properties zoned PRD. The west building meets the maximum setback required as it is outside the restricted area. The east building, setback 90 feet, is proposed at the buildable line allowed by Broward County. The applicant has incorporated a pergola/trellis along West Hallandale Beach Boulevard to create the desired street definition line in lieu of placing the east building at the 15 feet maximum setback allowed.

The proposed center is comprised of small retail/ office space (14 bays). Due to the nature of the proposed center, deliveries by large semi-trucks are not anticipated. Therefore, staff has no objections to the waiver of the loading spaces. The applicant provides the required 6 foot masonry wall on the south to buffer the adjacent residential required by Code.

Although RAM's are requested, the applicant's proposal will result in significant improvements to the property which will enhance the Hallandale Beach Boulevard Corridor. In staff's opinion, the proposed development will have a positive effect on the area and encourage redevelopment/reinvestment. As a result, staff has no objections to the approval of the requested redevelopment area modifications.