



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

Hallandale Beach
PROGRESS. INNOVATION. OPPORTUNITY.

Applicant :	Faith Williams	Meeting Date:	April 24, 2013	
Project Name:	Living by Faith			
Application #:	#109-12-CU	Application Type:	Conditional Use	
Planning District:	NE Quadrant	Quasi Judicial: <i>(Enter X in box)</i>	YES	NO
			X	
Parcel Size:	6,072 square feet (0.138 acres)	Public Hearing: <i>(Enter X in box)</i>	YES	NO
			X	
Existing Zoning :	(RD-12) Multi-Family (Duplex) District			
Existing Use:	Multi-Family Home			
Proposed Use:	Assisted Living Facility for a maximum of 8 residents			
Comprehensive Plan Future Land Use Designation:	Low-Medium Density up to 14.0 DU/Acre	Surrounding Land Use:		
		North – Single-Family/Multi-Family (4 Units) South – Single-Family/Multi-Family (2-6 Units) East – Multi-Family (2 Units) West – Multi-Family (5-9 Units)		
Surrounding Zoning:		Strategic Plan Priority Area:		
North – RD-12 (Residential Two-Family (Duplex) District) South – RD-12 (Residential Two Family (Duplex) District) East – RD-12 (Residential Two Family (Duplex) District) West – RD-12 (Residential Two Family (Duplex) District)		Livable Community		<input type="checkbox"/>
		Excellence in Government		<input type="checkbox"/>
		Environmental Sustainability		<input type="checkbox"/>
		Economic Development		<input checked="" type="checkbox"/>
Sponsor Name:	Althea Jefferson, Planning & Zoning Manager	Prepared By:	Scott Marks, Associate Planner	

REQUEST

The Applicant is requesting a Conditional Use Permit in order to operate an Assisted Living Facility with 8 residents located at 905 NE 10th Street. The Conditional Use request is pursuant to Section 32-521 through 32-525 of the City's Code of Ordinances. The review of the applicant's request is pursuant to Division 14 of the Code of Ordinances (Residential Care Facilities).

STAFF SUMMARY:

Background

The structure is currently a multi-family home and has no outstanding code violations.

Why Action is Necessary

Pursuant to Section 32-524 of the City's Code of Ordinances, a conditional use permit is required to allow an assisted living facility in a Residential Two-Family (Duplex) District (RD-12).

Analysis

Development Details

The applicant has submitted the following:

1. An existing Boundary Survey showing:
 - a. An existing 1-story building with 3,200 square feet in floor area
 - b. An existing driveway with 2 parking spaces
2. A cover letter which identifies why the request is necessary for the proposed Assisted Living Facility (ALF), including a complete response to the review standards noted in Section 32-964 of the City's Code, and the limited impact the facility is expected to have on neighboring properties.
3. A proposed Site Plan reflecting proposed changes as follows:
 - a. A ramp providing wheelchair access to the existing front porch.
 - b. Removal of the existing concrete driveway and to pave three (3) concrete parking spaces in the front swale of the property, of which one (1) parking space will meet the handicap parking space requirements.
 - c. Striping of two (2) additional parallel parking spaces on the existing concrete in the rear of the property.

- d. A five (5) foot high wrought iron fence running along the inside of the existing sidewalk in the front yard, along the east and west sides of the property line, and connecting to the rear of the building. Access to the property will be provided in the front yard with a three (3) foot wrought iron gate on the west side of the property and a five foot, four inch (5'-4") wrought iron gate on the east side of the property. Additional access to the property will be provided in the rear of the side yards with a (3) foot wrought iron gate.
- e. Four (4) concrete stoops will be added, two (2) on the east side and two (2) on the west side of the building, for doors exiting into the side yards.
- f. Cherry hedges will be planted in the front yard along the inside of the wrought iron fence.

Interdepartmental Review

The application was circulated to the applicable departments for review. The Building Department commented that the applicant will be required to address an automatic sprinkler system based on the occupancy load at the time of the building permit processing.

Applicable Codes and Ordinances

1.) Section 32-524 requires a Conditional Use Permit be approved by the City Commission in order to operate an assisted living facility in the RD-12 Multi-Family Residential (Duplex) District.

The applicant is proposing to operate a Level I-A assisted living facility, which requires approval for a conditional use permit. The Level I category permits no more than 8 assigned residents and Level A (low intensity) category provides that:

- **Direct 24 hour supervision is not required at all times;**
- **Staff ratio of not more than 1 on-duty supervisor per 8 assigned residents;**
or
- **Facility emphasis on personal care, shelter, and other supportive services.**

2.) Section 32-525, Development Standards for Group Home Facilities, requires the following:

- A. No property used for a group home shall be located within 1,000 feet of another legally established facility.

The applicant has provided a map indicating there are no other facilities located within 1,000 feet of the proposed ALF property.

B. Off-Street Parking Standards for Group Home Facilities require 2 spaces plus 1 for every three assigned residents.

The applicant is proposing five (5) parking spaces, which meets the number of spaces required by the City's Code.

C. Floor area requirements for group home facilities require:

- Bedroom space: a minimum of 80 square feet of floor area per assigned resident. The minimum floor area per assigned resident may be reduced below 80 square feet but not below 60 square feet per assigned resident when in the opinion of the planning and zoning director :
 - The size of bedroom within the existing otherwise conforming structure requires such reduction.
 - A commensurate increase in the living and recreation space of the facility is proposed.
- Living and recreation space: a minimum of 25 square feet of floor area per assigned resident shall be exclusively for indoor living and recreation area with 30 square feet of floor area per assigned resident for outdoor recreation.
- Dining space: a minimum of 15 square feet of floor area per assigned resident shall be provided for dining.

The applicant's proposal exceeds all of the minimum square footage requirements:

- **The applicant is proposing a total of 858 square feet of floor area or an average of 107.3 square feet per assigned resident.**
- **The applicant is proposing a total of 709 square feet of indoor living and recreational space or 88.6 square feet per resident, and a total of 1,078 square feet of outdoor recreation space or 134.8 square feet per resident.**
- **The applicant is proposing 281 square feet of floor area for dining or 35.1 square feet per resident.**

D. Bathrooms for a group home require a minimum of one bathroom containing sink, commode, and shower or tub per each four assigned residents.

The applicant is proposing three (3) bathrooms containing a sink, commode, and shower or tub, which meets the Code requirement.

- F. All residential care facilities shall be designed in such a manner that all residents have access to/from assigned bedroom, living and dining areas with protection from inclement weather.

All bedroom, living, and dining areas are located under the same roof. Residents will be completely protected from inclement weather within the facility.

Review of Application Criteria

SECTION 32-964 - Applications for conditional uses shall be reviewed with consideration given to the following:

- (1) That the use is compatible with the existing natural environment and other properties within the neighborhood.

Compliance. The proposed Assisted Living Facility will be located in an existing multi-family home. The appearance of the home will not be altered significantly other than the addition of a ramp to the front porch for wheelchair access and additional parking spaces. The property will be compatible with the existing neighboring properties.

- (2) That the use will create no substantial detrimental effects on property values in the neighborhood.

Compliance. The proposed ALF will maintain the appearance of a multi-family home, thereby minimizing the effects on neighboring properties.

- (3) That there are adequate public facilities such as schools, roads, parks, and utilities within the service areas involved.

Compliance. There are adequate public facilities in place. The maximum number of assigned residents at any given time will not exceed 8 persons, posing no significant impact on public facilities.

- (4) That there will be adequate provisions for the traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

Compliance. Traffic movement will be unchanged. In addition, the applicant has provided a plan with five (5) proposed parking spaces. The purpose is to maintain a similar appearance to the neighboring properties. A ramp is proposed to provide wheelchair access to and from the front porch.

(5) That there will be adequate drainage systems to service the use with particular attention to the necessity for on-site retention systems to alleviate drainage and pollution problems.

Compliance. The Engineering Department has no objections at this time. As more detailed plans are submitted, the Engineering Department will assess the proposed drainage systems.

(6) That there are adequate setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust, and other nuisances.

The subject site is a non-conforming property. No significant changes are being made to the structure, therefore the setbacks are considered adequate.

- **The front yard setback is 25 feet, which meets the current Code for the RD-12 District.**
- **The rear yard setback is 10 feet, 20 feet short of current Code requirements. Due to the nonconformity of the property, the rear setback is adequate.**
- **The side yard setbacks are 5 feet, 2.5 feet short of current Code requirements. Due to the nonconformity of the property, the side yard setbacks are adequate.**

(7) That the land area is sufficient, appropriate, and adequate for the use and for any reasonably anticipated expansion thereof.

Compliance. The land area and building has been determined to be sufficient based on the established criteria of the Code for Assisted Living Facilities for the number of proposed residents. The approval of this application restricts the applicant from having more than 8 residents; therefore, the property is sufficient.

(8) Any other conditions as may be stipulated and made a requirement in granting any application for a conditional use, when it is considered necessary to further the intent and general welfare, including but not limited to:

- a.) Limitations on the hours of business operations.
- b.) Limitations on the number of occupants of any building at any one time.

The application is for an Assisted Living Facility (ALF) Level I-A. Level 'I' limits the number of residents to a maximum of eight (8). Therefore, due to the nature of the proposed ALF, no more than eight (8) residents will be living in the facility.

Staff Recommendations

Section 32-524 of the Zoning and Land Development Code permits Assisted Living Facilities in RD-12 District by a Conditional Use Permit. The applicant has provided a detailed plan to operate the ALF in a manner which minimizes the impact on neighboring properties. The property will not be significantly altered in meeting the requirements outlined in section 32-525 of the City's Code. The applicant has met all development standards associated with group home facilities, and all requirements for a Conditional Use Permit have been met, pursuant to Section 32-964.

The proposal meets the criteria for granting a Conditional Use Permit. Therefore, staff recommends approval of Application #109-12-CU.

PROPOSED ACTION:

Should the Planning and Zoning Board decide to approve the requested Conditional Use Application, approval shall be conditioned on the following:

- No more than 8 residents are to be living in the facility at any given time.

ATTACHMENT(S):

Exhibit 1- Aerial Map
Exhibit 2- Location Map
Exhibit 3- Applicant's Letter
Exhibit 4- Assisted Living Facilities in Hallandale Beach