



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

<b>Applicant :</b>	B and H Fort Lauderdale, LLC	<b>Meeting Date:</b>	January 22 ,2014	
<b>Project Name:</b>	2000 South Ocean Drive	<b>Property Address:</b>	2000 S. Ocean Drive	
<b>Application #:</b>	#88-13-DB	<b>Application Type:</b>	Major Development Review	
<b>Planning District:</b>	Golden Isles/A1A	<b>Quasi Judicial:</b> <i>(Enter X in box)</i>	<b>YES</b>	<b>NO</b>
			<b>X</b>	
<b>Parcel Size:</b>	57,180 square feet (1.31 acres)	<b>Public Hearing:</b> <i>(Enter X in box)</i>	<b>YES</b>	<b>NO</b>
			<b>X</b>	
<b>Existing Zoning :</b>	RM -25/PDD ( Multi-Family District and Planned Development Overlay District )			
<b>Existing Use:</b>	Regency Spa, a 62 unit hotel			
<b>Proposed Use:</b>	64 unit residential multi-family high rise building			
<b>Comprehensive Plan Future Land Use Designation:</b>	Residential, High Density-2 (up to 50 units per acre)	<b>Surrounding Land Use:</b>		
<b>Surrounding Zoning:</b>		N: The Hemispheres (Ocean), a 22 story building with 677 units at a density of 117 units per acre S: Parker Plaza a 22 story building containing 522 units at a density of 150 dwelling units per acre. E: Atlantic Ocean W: Golden Bay Lodge containing 87 units at a density of 39 dwellings per acre across AIA		
		<b>Strategic Plan Priority Area:</b>		
	North – RM-25 (Residential, Multi-family District) South – RM-25 (Residential Multi-family District) East - Atlantic Ocean West – RM-25 (Residential, Multi-family District)	Strategic Plan Priority Area: <i>(Enter X in box)</i> Cohesive Visual Appeal <input type="checkbox"/> Civil & Respectful Government <input type="checkbox"/> Create Local Jobs <input checked="" type="checkbox"/> Economic Development <input checked="" type="checkbox"/> Improve City Infrastructures <input type="checkbox"/> Improve Safety, Security & Comfort of Residents <input type="checkbox"/> Operational Excellence <input type="checkbox"/> Quality of Life <input type="checkbox"/> Vibrant Destination <input checked="" type="checkbox"/>		
<b>Sponsor Name:</b>	Althea Jefferson, Planning & Zoning Manager	<b>Prepared By:</b>	Christy Dominguez, Principal Planner	

## REQUEST

The applicant, B and H Fort Lauderdale Beach, LLC, is requesting Major Development Review approval of the 2000 South Ocean Drive Project pursuant to Section 32-782 of the Zoning and Land Development Code in order to construct a 38 story, residential building with 64 units and associated parking garage.

## STAFF SUMMARY:

### **Background**

On June 1, 2004, as a result of Application # 02-05-PA by the previous owner, Bosta Corporation, the City Commission approved Ordinance No. 2004-11 amending the land use on the subject property from Residential High Density to Residential High Density-2. According to the City's Future Land Use Element, Residential High Density-2 land use category permits development of up to 50 dwelling units per acre by assignment of Residential Flexibility Units. On the same date, the City Commission also approved Ordinance No. 2004-12 applying the Planned Development Overlay Zoning District (PDD) to the property.

Also on June 1, 2004, the City Commission approved Application #15-03-DB for Major Development Review in order to construct the Regency Spa, a 130 room hotel building subject to the subsequent filing and approval of replatting the property.

On August 2, 2005, the City Commission approved Resolution No. 2005-23 accepting the Regency Spa Plat for the subject property. Platting of properties in Broward County also requires Broward County Commission approval. The platting process was never completed through the County, thus, the application was closed and the property remains unplatted.

The project was not built and approval of Application #15-03-DB for the Regency Spa expired on February 21, 2013.

On June 14, 2013, the applicant, B&H Fort Lauderdale, LLC, on behalf of the new owner, GBP Regency, LLC, filed Application # 88#13-DB for Major Development Review approval to build the 2000 South Ocean Drive project, a 64 unit residential condominium building. They also filed Application #101-13-P to plat the property. On September 19, 2013, the applicant filed Application # 143-13-FV for a variance from Chapter 8, Article III, to construct the proposed building eastward of the Coastal Construction Control Line (CCCL).

The Developer's Community Meeting required for the Major Development application was held on September 24, 2013. The Planning and Zoning Board held a public hearing on September 25, 2013 on Application #101-13-P regarding the plat, and recommended denial by a vote of 5 to 1. On November 20, 2013, The City Commission held a public hearing on the plat and approved the plat application by a vote of 5 to 0. The application is presently being processed through the County.

### **Why Action is Necessary**

Pursuant to Section 32-782(a) 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 to construct new residential development with 10 units or more. Since the proposal is to build 64 residential units, consideration and action by the Planning and Zoning Board and the City Commission is required.

## **Analysis**

### **Development Details**

The applicant's plans depict the following:

1. A 57,180 square foot or 1.31 acre parcel before a 3 foot required right-of-way dedication for South Ocean Drive pursuant to the Broward County Trafficways Plan. Subsequent to the right-of-way dedication, the site will be reduced to 56,880 square feet or 1.30 acres.
2. A 64 unit residential building, 38 stories with an overall height of 449.17 feet at a proposed density of 49.23 dwelling units per acre based on the 1.30 acre parcel.
3. One hundred forty two (142) parking spaces are proposed (165 spaces are required).
4. The building consists of 28 - two bedroom units, 28 three bedroom units, 7- four bedroom units and 1- five bedroom penthouse unit for a total of 64 units.
5. The two bedroom units are 2,119 square feet in floor area (850 square feet is the minimum required). The three bedroom units have 3,573 square feet in floor area; the four bedroom units have 5,609 square feet in floor area, and the five bedroom unit has 5,652 square feet in floor area (1,050 is the minimum required for 3 or more bedrooms)
6. A 2-story parking garage setback 38.5 feet from the front property line. The roof top of the garage building is finished as recreation deck with 2 swimming pools, landscaping and other recreation areas. The east portion of the deck is 3 stories that houses a game room and additional amenities.
7. A ground level swimming pool east of the tower. There is also a private swimming pool in the penthouse unit.
8. The tower building will be setback 355.17 feet from the front property line, 79.5 feet from the rear property line and 20 feet from the side property lines.
9. Eighteen point five percent (18.5%) of landscaping is proposed (35% is the minimum required).
10. Seventy four (74) trees for credit are proposed (38 trees are required).
11. A portion of the building is located 135 feet eastward of the Coastal Construction Control Line (CCCL).

### **Interdepartmental Review**

The Development Review Committee (DRC) met several times on the Major Development, Plat and Flood applications. Comment/issues identified by the DRC were discussed with the applicant during DRC review of the applications. Excluding the requested waivers, the applicant

has addressed all the comments issued by the DRC or has agreed to address at the time of the building permit application. While the Code requires Major Development and Plat applications be presented to the Planning and Zoning Board, flood variances from Chapter 8, Article III, Flood Damage Prevention, only require City Commission approval and will be presented directly to the City Commission when ready.

### Comprehensive Plan Considerations

The subject property is presently designated Residential, High Density-2 on the City's Future Land Use Map. According to the City's Future Land Use Element, this land use designation permits densities up to a maximum of 50 dwelling units per acre, provided that density over 25 units per acre may only be permitted by the City Commission on site specific properties by assignment of Residential Flexibility Units.

The proposed 64 dwelling units on 1.30 acres of land generate a density of 49.23 dwelling units per acre. Thirty three (33) Flexibility units were previously assigned by the City Commission to this parcel for the Regency Spa project. The Major Development approval of the Regency Spa project expired on February 21, 2013. However, this specific parcel has 33 flex units which are available for this project.

(Note: Flexibility units are defined as the difference between the number of dwelling units within a flexibility zone by the Broward County Land Use Plan and the number of dwelling units permitted by the City's Land Use Plan.)

The City is divided into 2 Flexibility Zones. The FEC railroad serves as the dividing line between the zones. The subject property is located in Flexibility Zone #93.

The City presently has 787 Flexibility Units available in Flex Zone #93. Development of the property at the proposed density will require the use of 32 Flexibility Units to the subject property to achieve the proposed density. This project will reduce the City's Flex Unit Pool to 755 units. The proposal is in compliance with the permitted uses and densities of the Comprehensive Plan.

### Applicable Codes and Ordinances

1. The present land use designation (Residential High Density-2) of the property as approved by the City Commission on June 1, 2004, permits densities up to 50 dwelling units per acre. The property is zoned RM-25 District which limits the density to 25 dwelling units per acre.

**The density generated by the proposed development is 49.23 dwelling units per acre. The property was zoned PDD Overlay District on June 1, 2004. Properties zoned PDD are permitted densities consistent with the City's Future Land Use Plan. Since the Residential High Density-2 land use designation allows densities up to 50 units per acre, the proposed density is permitted subject to the City Commission allowing the use of 32 flexibility units for the project.**

2. Section 32-174(i), Planned Development District (PDD) provides assignment of PDD as an optional zoning procedure to permit site design flexibility, greater land use intensity in order to encourage high quality innovative development and, promote its most

appropriate use consistent with Comprehensive Plan policies. Development in PDD is governed by a development agreement pursuant to Section 32-174(d)(2).

**The uses permitted in PDD are those uses enumerated by the underlying zoning district and must be consistent with the City’s Comprehensive Plan. The property is zoned RM-25 District which permits residential multi-family uses.**

**All site development standards in a PDD are negotiated between the City and the applicant as part of the development process in accordance with the PDD regulations, all other applicable City Codes, regulations and standards set forth in the Design Guidelines Manual. PDD zoning provides the flexibility to determine the appropriateness of a code modification based on the suitability to the specific site rather than the variance process.**

**The applicant has requested site development modifications under Application #88-13-DB, Major Development Review Approval, for the following requirements and further discussed below:**

	<b>Code Standard</b>	<b>Required/Allowed</b>	<b>Proposed</b>
1.	Building Height	8 stories	38 stories
2.	Continuous Parking Corridor  (Section 32-453(i)(4))	Continuous Parking Corridor	Dead-end parking corridor within the parking garage 2 <sup>nd</sup> floor.
3.	Minimum space stall length (Section 32-453(c))	Stall length – 19 feet	Stall length – 18 feet
4.	Parking for project (Section 32-455(c)(1))	165 spaces	142 spaces
5.	Parking by mechanical lifts	Not allowed	55 spaces by lifts
6.	Landscaped area (Section 32-156 (6))	35%	18.5%
7.	Sales Trailer (Section 32-431)	Allowed subsequent to building permit issuance for project	Prior to building permit issuance

3. Section 32-455(b)(3) relative to multi-family residential uses requires 1.75 spaces for every one bedroom apartment; 2.0 spaces for every 2 bedroom unit; 2.5 spaces for every 3 bedroom unit; 3.0 spaces for over 3 bedrooms; plus an additional 10% of the total number required for guest parking.

**The building consists of 28 two bedroom units, 28 three bedroom units, 7 four bedroom units and 1 five bedroom unit.**

Based on the above, the parking required is 165 parking spaces, as follows:

28 - 2 Bedroom units X 2.0	= 56 parking spaces
28 - 3 Bedroom units X 2.5	= 70 parking spaces
7 - 4 Bedroom units x 3.0	= 21 parking spaces
1 - 5 Bedroom units x 3.0	= 3 parking spaces
10% Guest Parking	= 15 parking spaces

**Total** 165 parking spaces required

The applicant provides 142 parking spaces resulting in a deficiency of 23 spaces. The applicant requests the 23 spaces be waived pursuant to Section 32-174(i)(1) of the PDD regulations which permits all site development standards and related development standards of the Zoning and Land Development Code be negotiated as part of the development review process consistent with the Comprehensive Plan.

In addition, the Parking Code does not provide for parking by mechanical lifts. Since the applicant proposes 55 spaces by lifts, a modification is also needed.

4. Section 32-453(i)(4) requires that all parking corridors in excess of four abutting parking spaces shall be designed to permit vehicle entry and exit in one continuous forward motion without using a vacant space to turn around.

The second level of the parking garage is designed with dead-end parking corridor, thus, there is no provisions for a turn around. Therefore, a modification from the Code requirement is necessary. The applicant has indicated that all parking for the building will be by valet service, thereby reducing concerns with traffic conflicts.

5. Section 32-174(i)(3) permits smaller yard areas than those of the underlying zoning district where the use is appropriate for a particular project. Minimum setbacks in PDD may be considered by utilizing one of the following methods:
  - a. the applicable setbacks of the underlying zoning,
  - b. established setback pattern of adjacent property and property within 500 feet of the PDD site,
  - c. as a combination of (a.) and (b.) above utilizing good planning practices such as considering buffering, service areas, access for firefighting equipment and containment of fire.

A 20 foot side setback is required by the underlying zoning for a 3 story building which shall be increased by 5 feet for every story thereafter; for example, an 8 story building would be required to provide side yard setbacks of 45 feet, allowing for only a 10 foot wide building on the 100 feet wide lot. Accordingly, applying the underlying setback requirement would not allow for reasonable development of the parcel.

The side setback proposed at grade level is 20 feet for the two-story parking garage and tower. Staff surveyed existing building setbacks within 500 feet of the subject site and found that there are various garage structures and buildings in the area with

**minimum setbacks ranging from 10 to 20 feet on the side yards. The proposed minimum setbacks are consistent with existing established setbacks in the area.**

6. The maximum permitted height of buildings pursuant to the underlying zoning, RM-25, Section 32-156 (d) (4), is 8 stories or 85 feet.

**Buildings in the area are generally high rise buildings. To the north of the project site is the Hemispheres with 22 stories, to the south is the Parker Plaza with 23 stories and Plaza Towers with 25 stories. Recent development on South Ocean Drive is Ocean Marine with 27 stories, 2080 Ocean Drive with 18 stories, and the Beach Club, consisting of 2 towers with 42 stories and 1 tower with 52 stories.**

**The proposed building is 38 stories, therefore, a modification of the underlying height restriction is requested by the applicant.**

7. Section 32- 156 (6) requires a minimum of 35% of the lot be landscaped. Landscaping above grade counts at 50%.

**According to the proposal, 18.5% landscaping area credit is provided instead of the 35% required; therefore, the applicant also requests a modification of this requirement.**

8. Section 32-284(c) (3) requires one tree for every 1500 square feet of lot area. Section 32-285 (c) (2) requires a minimum of 10 feet in height trees for residential uses at least 50% of which shall be native, drought tolerant. A minimum of 4 species shall be provided when 21 to 50 trees are required.

**According to the above criteria, 38 trees are required. The applicant proposes to install 74 credited trees ranging from 10 feet to 30 feet in height of which more than 50% are native, drought tolerant; also, 7 tree species are provided. Therefore, the proposal exceeds the minimum Code requirements.**

9. Section 32-431 permits temporary sales structures at an active construction site subsequent to the issuance of the building permit for the development. The temporary structure is permitted from the date the building permit is issued and continuing not longer than the date the certificate of occupancy is issued for the development but not to exceed 2 years.

**The applicant wishes to erect a sales trailer to do pre-sales prior to obtaining a building permit for the principal structure. He requests the trailer be permitted prior to obtaining the building permit for 18 months from the time of city commission approval of the application; with an additional one year if an extension is granted for the development and the building permit still has not been issued for the building. Therefore, he also seeks a modification from the above- mentioned standard to have the sales trailer prior to the building permit.**

#### 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 is developed with an existing two and three-story motel with 62 units and related accessory uses which are to be demolished and redeveloped with the proposed 64 unit residential development. There are no rare or historical trees on the property. However, there are desirable palms in the building area. The applicant proposes to relocate 11 palms and remove 16 palms.

The applicant will be required to mitigate the trees removed pursuant to Chapter 29, Section 29-4 ( e), as a condition of granting a tree removal permit which will require payment to the City's Tree Preservation Fund based on the estimated value of the trees per methodology described in Section 29-4 (h).

2. Open Space

16.73% (9,519 square feet) of the site will be landscaped at ground level. In addition, the building will contain 2,074 square feet (3.6%) of landscaped area above ground level, on the garage rooftop deck, for a total of 10,573 square feet or 20.33% landscaped area. However, pursuant to Section 32-384, non-ground level planted areas and atriums are credited at 50 % of the area provided. Therefore, the total landscaped area for credit pursuant to Code is 18.5% instead of the minimum 35% required by Code. The applicant has requested this requirement be waived pursuant to the PDD process.

According to the landscaped plans, the grounds and non-ground level common areas will be substantially landscaped with mature trees, ornamental trees, and shrubbery. Also, the parking garage is proposed to be screened with Greenwall/vertical plant greenery.

3. Circulation and Parking

The second level of the parking is designed as dead-end corridor which is not permitted by Section 32-453(i)(4). The parking spaces proposed are undersized, 9 feet by 18 feet, instead of 9 feet by 19 feet required by Code. The aisle width are 23 feet in width which meets Code.

One hundred sixty-five parking (165) spaces are required for the development and 142 parking spaces are proposed, a deficiency of 23 spaces.

There is sufficient space for the applicant to provide the required number of parking spaces. Earlier renditions of the project included the required number of spaces. According to the applicant, the proposal was revised to reduce the number of parking spaces due to concerns with over parking raised by adjacent residents to the north of the project site. Therefore, he is requesting the parking requirement be waived. The proposed 23 parking space deficiency represents a 14% reduction from the parking spaces required by Code. In staff's opinion, the applicant should be required to provide the required number of parking spaces.

4. Access Control

The property will be accessed by two one-way driveways on South Ocean Drive restricted to right turn-in and right turn out.

5. Public Transportation

The site will be served well by existing mass transit services. Broward County bus routes as well as Miami-Dade routes service the area. In addition, the City's mini-bus route also serves the area.

There is an existing bus stop and bus shelter approximately 100 feet to the south. In addition, the applicant is providing a 6 feet x 20 feet bus shelter easement dedication by plat to provide for future needs.

6. Community Services

The building will have a trash room in a service area on the north side of the building. However, there is no hard surface provided from the trash room to the driveway to roll the waste container for access by sanitation trucks. Adding additional pavement will result in further reduction in landscaping area, already deficient by 16.5%. The applicant should be required to utilize only pervious paving in this area as permitted by Code.

7. Drainage

Paved areas are proposed to have underground catch basins for storm water runoff. Storm water must be retained on site. Drainage calculations will be required at time of permitting. The applicant will be required to comply with DPEP regulations and City criteria to retain a 5-year 1-hour storm on site.

8. Building and Other Structures

The proposed development will consist of a 38 story tower with 64 dwelling units, a 2 story parking garage with partial third level for a game room, 3 swimming pools, fitness room and other amenities.

According to Section 32-787(3), shadows cast by proposed structures shall be discouraged from precluding the reasonable use of neighboring properties recreational areas. The applicant has provided a shadow study which reflects the proposed tower will cast shadow to the north on the pool deck of the Hemisphere in the winter at noon over existing conditions. However, by 2 pm, the same area is shadowed by the Hemisphere building. The tower will also shadow Hemisphere's tennis court in the winter at 2 pm, however, by about 4 pm, the courts are also shadowed by Parker Plaza.

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, drainage, transportation and schools. Staff has determined that concurrency requirements 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 19,428 gallon of potable water per day (GPD) which represents 8,206 GPD over the demand for the existing hotel. 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 the proposed development. The developer will be required to pay the City approximately \$17,126.76 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 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 8.7135 MGD and the City's total flow is 7.25 MGD. According to the applicant, the wastewater demand for the project is 17,350 GPD, an increase of 7,250 GPD over the demand for the existing hotel. There is sufficient capacity to maintain this development. The developer will be required to pay the City approximately \$14,503.99 in sewer impact fees.

Water and waste water 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** – 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, the Corradino Group, reviewed the Study. According to the consultant, the existing hotel generates 531 daily trips and 46 PM Peak Hour trips. The proposed use would generate 268 daily trips and 24 PM Peak Hour trips. As the proposed use generates less trips than the existing use, the applicant will not be required to mitigate for traffic and transportation impact as 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 property fronts on South Ocean Drive, an arterial roadway. The existing right-of-way of the road is 100 feet. According to the Broward County Trafficways Plan, the required right-of-way width for this road is 106 feet. The applicant will be required to provide a 3 feet right-of-way

dedication. The applicant agreed to provide the required roadway dedication as a condition of the approval of related Plat Application #101-13-P.

**Schools** - Based on the student generation rate adopted by the Broward County School Board, this project will generate less than one student at each level (elementary, middle, high school), therefore, it is exempt from school concurrency and subject to the payment of County school impact fees.

#### 10. Energy Conservation/ Green Building

Section 32-787(k), the City's Green Building Program, requires residential buildings of 50 units or greater to obtain a green building certification from a recognized environmental rating agency accepted by the City. Green building certification is also required for projects assigned flexibility units. Since both standards apply to the project, green building certification is required. The applicant has agreed to meet the City's Green Building requirements.

#### 11. Required Developer's Community Meeting

The applicant held the required Developer's Community Meeting on September 24, 2014 to present the project to the community in a public forum. The meeting was advertised and notices were mailed to area residents within ½ mile radius from the site in accordance with Section 32-1003 of the City's Code.

#### 12. Financial Impact

The project's anticipated value at build-out is \$140 million. It is expected the proposed development will generate approximately \$ 795,662 in real estate taxes.

### **Staff Recommendations**

Staff has conducted a comprehensive analysis of the subject applications and has determined the applicant's proposal meets the general requirements for Major Development Plan approval relative to concurrency and code requirements.

The objective of properties zoned PDD is to enhance properties and surrounding areas while allowing flexibility in development. Adoption of PDD District was predicted on the City's desire to promote development at properties underutilized, in need of revitalization, or prime for redevelopment.

The immediate vicinity of the project is primarily composed of high-density residential uses with densities exceeding the requested 50 dwelling units per acre. Therefore, the proposed location is appropriate for the proposed development and is consistent with the City's Comprehensive Plan. In addition, the project will bring significant revenue to the City.

Based on the size of the property (1.30 acres), the maximum number of units permitted per the City's Comprehensive Plan is 64 units, as proposed by the applicant.

The use of Flex Units is the discretion of the City Commission; thus, staff has no objections should the City Commission decide to allow the use of 32 Flexibility Units from Flex Zone #93 to achieve the 49.3 dwelling unit per acre proposed.

Staff does not support the code modifications of reduction in the number of parking spaces required (a deficiency of 14% is proposed); and parking stall length. Staff recognizes that for this project, these modifications are internal and limited to the project's garage structure which will be serviced by valet operation, thus, will not be utilized by nor impact the general public. However, the applicant should be required to provide the required number of parking spaces per Code as, in staff's opinion, the request is not justified.

Staff recommends the Planning and Zoning recommend Application # 88-13-DB for approval to the City commission subject to the following conditions:

1. City Commission allow the use of the 32 Residential Flexibility Units required to achieve the proposed 49.23 density.
2. The maximum number of units in the development shall not exceed 64 units.
3. Approval by the City Commission of the variance application as to the requirements of Chapter 8, Section 8-24 (B) (4) to build eastward of the Coastal Construction Line, in addition to state regulatory agencies.
4. The project shall be designed and constructed to comply with Section 32-787(k) and obtain a Green Building certification from a recognized environmental agency.
5. The temporary sales center/trailer shall be removed at the owner's expense if construction does not commence within one (1) year from the date of the Major Development Plan approval.
6. Roof-mounted equipment shall be screened from view, engineered and screened to reduce noise from the equipment.
7. No required tree shall be less than 12 feet in overall height and two inch caliper.
8. The garage parking spaces shall not be converted to any use other than parking.
9. Parking for the development shall be 165 spaces as required by Code.
10. The Owner shall grant a bus shelter easement 6 feet x 20 feet in size as shown on the proposed Plat of the property.
11. The property shall be replatted and recorded prior to the issuance of the building permit as required by the City and Broward County.
12. Parking for the building shall be by valet only, in perpetuity.
13. Payment of the applicable water and sewer fees as required by Code.
14. Relocation of existing trees as specified in plans and mitigation of trees removed pursuant to the City's Tree Preservation requirements.
15. Landscaped area provided shall not be less than the 18.5% specified in the plans.
16. Installation of pervious pavement apron from the trash room to the driveway for access by the city sanitation trucks.
17. Greenwall/ vertical plant greenery and landscaped materials on the parking garage shall be maintained in good condition to assure year round landscape screening or, alternative architectural screening will be required after 2 years of installation if it fails to reach maturity to effectively screen vehicles in the garage.
18. Execution of a Development Agreement required pursuant to Section 32-174 (d) (2) stipulating agreed conditions of the negotiated process satisfactory to the City.

**Proposed Action:**

Staff recommends the Planning and Zoning Board recommend approval to the City Commission of the 2000 South Ocean Drive Major Development Plan for the property located at 2000 South Ocean Drive subject to the conditions enumerated above.

<b>Attachment(s):</b>
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- Exhibit 1- Location Map
- Exhibit 2- Aerial Map
- Exhibit 3- Applicant's Letter and Backup
- Exhibit 4- Survey and Plans