



City of Hallandale Beach Planning and Zoning Board Agenda Cover Memo

Applicant :	Mega Developers, LLC.	Meeting Date:	April 23, 2014	
Project Name:	Mega Developers Rezoning	Project Address:	106 SE 9 th Ct.	
Application #:	87-14-Z	Application Type:	Rezoning	
Planning District:	SE Quadrant	Quasi Judicial: <i>(Enter X in box)</i>	YES	NO
			X	
Parcel Size:	9,900 SF (0.23 acres)	Public Hearing: <i>(Enter X in box)</i>	YES	NO
			X	
Existing Zoning :	2/3 Residential Multi-Family Medium Density District (RM-18), 1/3 Business General (B-G) and Planned Development Overlay District (PDD).			
Proposed Zoning:	Residential Multi-Family Medium Density District (RM-18) and Planned Development Overlay District (PDD)			
Existing Use:	Vacant lot			
Comprehensive Plan Future Land Use Designation:	Regional Activity Center	Surrounding Land Use:		
		North – Regional Activity Center South – Regional Activity Center East – Regional Activity Center West – Regional Activity Center		
Surrounding Zoning:		Strategic Plan Priority Area: <i>(Enter X in box)</i>		
North – B-General (Business General District), RM-18 (Residential Multi-Family Medium Density District) and Planned Development Overlay District (PDD)		Cohesive Visual Appeal <input checked="" type="checkbox"/>		
South – B-G (Business General District) and Planned Development Overlay District (PDD)		Civil & Respectful Government <input type="checkbox"/>		
East – RM-18 (Residential Multi-Family Medium Density District) and Planned Development Overlay District (PDD)		Create Local Jobs <input type="checkbox"/>		
West – B-G (Business General District) and Planned Development Overlay District (PDD)		Economic Development <input 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"/>		
Sponsor Name:	Althea Jefferson, AICP, Planning & Zoning Manager	Prepared By:	Vanessa Leroy, Associate Planner	

Short Title:

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, REZONING A PORTION OF THE PROPERTY LOCATED AT 106 SE 9th COURT, HALLANDALE BEACH, FLORIDA 33009

FROM A BUSINESS GENERAL (BG) ZONING DISTRICT, TO A RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY (RM-18) ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

Request:

The applicant, Mega Developers LLC., is requesting to rezone a portion of the property, Lot 11, from Business General (B-G) zoning district to a Residential Multi-Family Medium Density (RM-18) zoning district in accordance with Article VIII, Section 32-963 of the Zoning and Land Development Code for the construction of a residential multi-family four-unit development.

Staff Summary:

Background

On December 7, 1993, the Hallandale Beach City Commission allocated two (2) residential Reserve Units from Flex Zone 93 (East of Dixie highway) to the property located at 106 SE 9th Ct., legally described as lot 11, Block 9 of the Hallandale Park Subdivision, as requested by the then owners, Claud G. Leinbach and Marguerite V. Leinbach. The implied next step for development was a rezoning of the property, however; no further application was submitted; and, as a result, the Reserve Units were credited back Flex Zone 93.

The subject property is located at 106 SE 9th Ct., and legally described as HALLANDALE PARK 5-20 B LOT 11 BLK 9, LOT 1 & 2 BLK 10. The parcel consists of three lots: lots 1 and 2 are currently zoned Residential Multi-Family Medium Density (RM-18) and Lot 11 is zoned Business General (B-G). The property is also located within the Planned Development Overlay District (PDD).

Why Action is Necessary

Pursuant to Chapter 2, Division 7 of the Hallandale Beach Code of Ordinances, the Planning and Zoning Board reviews and makes advisory recommendations to the City Commission on rezoning applications.

Current Situation

The applicant is proposing to develop a two-story, 3,840 square foot fourplex. A Minor Development review application is required for site plan approval; however, the property's current zoning designations do not permit such development on the site prior to rezoning of the commercially zoned portion of the property. The proposed ordinance for the rezoning (Exhibit 1) and the corresponding map depicting the subject area, (Attachment A) are attached.

Analysis

Currently, lots 1 and 2, the eastern portion of the property, must comply with development regulations of the RM-18 zoning district, including site development standards and permitted uses. Lot 11, the western portion of the property, must observe development regulations of the B-G zoning district. The proposed ordinance rezones lot 11, to RM-18 zoning district. The total lot size of the three lots is 9,900 square feet. The portion subject to the rezoning encompasses one third of the site, approximately 3,300 square feet.

COMPREHENSIVE PLAN CONSIDERATIONS

The subject property is located in the Regional Activity Center and the rezoning is consistent with the City's Comprehensive Plan.

FLUE POLICY 1.9.5 provides that redevelopment activities should be encouraged within a Regional Activity Center.

FLUE POLICY 1.9.6 establishes that the Regional Activity Center should provide for substantial housing opportunities to allow people to both live and work within the Regional Activity Center.

APPLICABLE CODES AND ORDINANCES

The proposed rezoning is consistent with the City's Zoning and Land Development Code. The application was reviewed pursuant to Article VIII, Section 32-963 of the City's Zoning and Land Development Code:

- (1) The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive land use plan, when adopted, with appropriate consideration as to whether or not the proposed changes will further the purpose of this chapter and other codes, regulations and actions designed to implement the plan.**

This application was reviewed with consideration to the purpose and objectives of the City's Comprehensive Plan Land Use Element and is found to conform with the purpose of the City's Land Development Code and its regulations.

- (2) The proposed change would or would not be contrary to the established land use pattern.**

The proposed rezoning is consistent to the established land use pattern. The Future Land Use designation for the property is the Regional Activity Center, which allows for multi-family residential land uses. The eastern, northern and southern properties are zoned B-G, however; the subject property is located between two residential multi-family dwellings. Additionally, the subject property is flanked with multiple residential and commercial zoned vacant lots. The development of the land, as proposed by the applicant, is consistent with the residential form of the existing neighborhood.

(3) The proposed change would or would not create an isolated district unrelated to adjacent and nearby districts.

The proposed rezoning would not create an isolated district. The properties to the east and two thirds of the subject property are zoned RM-18.

(4) The proposed change would or would not alter the population density pattern and thereby have an adverse impact upon public facilities such as schools, utilities and streets

The proposed rezoning would not alter the population density pattern nor have any adverse impact upon public facilities such as schools, utilities and streets.

(5) Existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

The existing zoning district boundaries are illogically drawn in relation to existing conditions on the subject property. The boundaries divide the parcel into two zoning districts, residential and commercial.

(6) Changed or changing conditions make the passage of the proposed amendment necessary.

In 2010, the City Commission approved the Regional Activity Center Future Land Use designation, which included the subject property. This changed conditions in the area and established support for new housing opportunities in the area. The proposed rezoning would offer additional housing in the area.

(7) Substantial reasons exist why the property cannot be used in accordance with the adopted land use plan and/or the existing zoning.

Substantial reasons exist why the property cannot be used in accordance with the existing zoning designations. Lots 1 and 2 total 6,600 square feet and measure 60 feet in width. To comply with development regulations of the RM-18 zoning district, 7,500 square feet of total lot size and 75 feet in lot width is required. Required setbacks would leave a total developable area of 1,100 square feet in a zoning district that permits a density of 18 units per net acre.

Lot 11 totals 3,300 square feet and measures 30 feet in width. Development on that lot must comply with development regulations of the B-G zoning district, which requires 7,500 square feet in total lot area and 75 feet in lot width. Required setbacks would greatly diminish the developable area of the lot. Thus extensive variances, waivers or other special adjustments would be needed to develop the parcel as commercial.

(8) Whether or not the change is out of scale with the needs of the neighborhood.

The proposed rezoning would be consistent with the surrounding neighborhood. The subject property is located between two multi-family residential dwellings. The rezoning to multi-family medium density district is consistent with contiguous properties.

The current zoning of the property presents conditions of sincere hardship for future development of the land. The proposed rezoning to RM-18 would provide more practicable development standards while assuring a higher quality development which will enhance the appeal and functionality of the neighborhood. The rezoning of the subject property to RM-18 is consistent with the review criteria set forth in the Comprehensive Plan and the Zoning and Land Development Code.

Proposed Action:

Staff recommends the Planning and Zoning Board recommend the City Commission approve the proposed Ordinance rezoning the subject parcel from Business General (B-G) to RM-18.

Attachment(s):

- Exhibit 1- Proposed Ordinance
- Exhibit 2- Aerial Map
- Exhibit 3- Location Map
- Exhibit 4- Site Survey