

Bardales, Cindy

From: Steve Geller <Steve.Geller@gmlaw.com>
Sent: Tuesday, September 16, 2014 11:56 AM
To: Dominguez, Christy
Cc: 'Jorge Szauer'; 'Willy A. Bermello'; 'Raul Carreras'; Amaris Lopez
Subject: RE: Amended request for modification to the Hallandale Oasis PDD

Christy:

Please consider this our most recent amended request for a modification to the previously approved PDD on the Oasis development in Hallandale Beach, Florida. **This letter includes all clarifications made through September 15, 2014.** It is our understanding that what we are requesting is a minor change (within the definition of Section 32-174 of the City Code pertaining to PDD's) with the exception of the new parking numbers, and that all minor changes can be approved by the City Manager. The parking modification will be a major change which will require City Commission approval. Since we are also seeking an amendment to the Development Agreement, which will also require City Commission approval, we will expect to review everything with the Commission. As these are only changes to the already approved PDD, the only public hearing required will be the one that will occur at the meeting when the Commission takes up our request. We will also be seeking a plat note amendment at this time to reflect these changes. The plat note may (or may not) require the release of two tri-party agreements between the City, County, and a former proposed developer which were executed in 1980 and 1981. These agreements required certain actions to be taken within 10 years. No action was ever taken on these agreements, and they may have expired by their own terms. The City Attorney will determine if any additional action is necessary to formally terminate this agreement.

It is important to note that the City Code considers a major change to a PDD to be a change which :

1. Increases the floor area of the proposed change by 10% or more
2. Increases the density of the use,
3. Increases trips and traffic and utility impacts,
4. Reduces open space, and
5. Reduces off-street parking.

In our proposed changes, we are requesting to:

1. Reduce the floor area of the proposed change from a footprint of 126,088 s.f. to a footprint of 116,110 s.f. In addition, we expect that the total floor area of the entire project will actually be reduced (due to the large decrease in commercial space). The height of the building (as measured by the roof slab) will be increased by less than the 10% mentioned in the Code,
2. Reduce the intensity of the use, by going from 153,345 s.f. of commercial to 74,190 s.f. of commercial,
3. Reduce the trips and traffic and utility impacts because of the reduction in commercial space,
4. Increase the open space/landscaped area, and
5. Although we are reducing the number of parking spots, we have greatly reduced the required parking because of a reduction of the commercial space. Even after an increase of 12 additional parking spots required by the increase in the required residential parking (caused by changing the mix of 1,2, and 3 bedroom apartments), there is still a surplus of 74 parking spots above the minimum required parking.

Because of the redesign of the project, we will be substantially increasing and enhancing our open space requirements, which already exceeded the minimum requirements. The minimum requirement is 34,504 square feet of open space, which is 15% of the net lot area. The approved PDD provided for 37,237 square feet. Our new design will contain 44,371 square feet, and is expected to have an attractive fountain. This large area, approximately one acre in size, will be a major asset to the City.

Our setbacks will continue to exceed all required setbacks.

The maximum height permitted by code is 350 feet. The approved PDD has a maximum height of 26 stories, at 251'2". The proposed PDD will still consist of 26 stories; however, in an attempt to enhance the project, one of the floors will be made substantially taller, with minor adjustments to the other floors, resulting in a maximum height of 276'4". We are moving the location of the tower back, further away from Hallandale Beach Boulevard, which will further enhance the appearance of the project.

The mix of the commercial space will be different as well. We are more than cutting the commercial space in half, which will dramatically reduce the traffic impact. We are reducing the office space, reducing the commercial retail space, and adding restaurants and a health club. We are reducing the height of the commercial building from four stories to three stories. This project will not be phased between commercial and residential, and we expect to seek one or more certificates of occupancy at the same time.

We have already had two DRC meetings, and it is my understanding that we have reached agreements on all matters, such as traffic, design, utilities, etc.

There are other minor design modifications, such as changing the style of the building to reflect a more contemporary design, but these are clearly all minor modifications.

Please contact me with any additional questions that you may have on this matter.

Thank you.

Steve

GreenspoonMarder LAW

Steven A. Geller, Esq.
Shareholder and former Florida Senator
Greenspoon Marder, P.A.
200 E. Broward Blvd., Suite 1800
Ft. Lauderdale, FL 33301
954-491-1120
954-331-2035 (Direct Fax)

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