



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: December 13, 2011

TO: Robert Baldwin, City Manager *Robert Baldwin*

VIA: Robert Daniels, Director

FROM: Corinne Lajoie, AICP, LEED Green Associate, Principal Planner *CLJ*

SUBJECT: **RZ-13-11:** The applicant, the City of Dania Beach Community Redevelopment Agency (CRA), is requesting zoning map amendments within the Regional Activity Center (FIRST READING).

ZONING MAP AMENDMENT

To change the zoning designation on properties located within the RAC consistent with the CRA Redevelopment Plan.

In 2008, the Community Redevelopment Agency (CRA) began to create the CRA Redevelopment Plan that was approved by the City Commission on March 11, 2009, via Resolution No. 2009-045. The creation of the CRA Redevelopment Plan included extensive community outreach including 16 community meetings totaling over 50 hours of public outreach.

On September 14, 2010, the City Commission approved the new land development regulations known as OneCode which combines three (3) previous zoning codes into one code for the entire City and incorporated a new form based zoning districts for the downtown areas of the CRA which was recommended in the CRA Redevelopment Plan.

CRA REDEVELOPMENT PLAN RECOMMENDATIONS

This application is consistent with the following CRA Redevelopment Plan recommendations:

- 2.k Establish land used designations and zoning densities that would allow residential densities greater than 15 units per acre on average to address overcrowding, and to support the planned commuter rail station.
- 2.q Establish zoning regulations that provide an appropriate transition between commercial and single family detached neighborhoods.
- 6.i Optimize the use of mixed use in redevelopment to achieve more efficient development patterns.

At the request of the CRA Director, staff is proposing to rezone various properties to further implement the recommendations of the CRA Redevelopment Plan. The

reconfiguration of existing land use patterns were an important step in further implementation of the CRA Redevelopment Plan. The City is now able to make these changes as a result of the amended RAC land use designation that was approved by the County Commission granting additional commercial acreage within the RAC. The areas to be rezoned are identified below.

ZONING MAP AMENDMENT

AREA A

The area of Old Griffin Road is located in the Marine sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries. Redevelopment of the Marine sub-area is critical to the CRA Redevelopment Plan goals of attracting and expanding the marine industries in Dania Beach. This property on the south side of Old Griffin Road would be rezoned to the newly created Marine Zoning (adopted on February 22, 2011, via Ordinance No. 2011-007) from Commercial zoning C-3 and C-4. No homes are affected by this proposed change.

AREA B

After additional analysis, staff has eliminated the changes proposed in this area.

AREA C

This area is located adjacent to the City Center and Sun Garden Isles sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries. The CRA Redevelopment Plan recognized that the incorporation of commercial mixed use opportunities along West Dania Beach Boulevard and NW 1 Street is central to the redevelopment of the neighborhood. The zoning in this area will change from Commercial (C-2), Open Space (OS), Neighborhood-Residential (NBHD-Res), Commercial (C-4) & Industrial Regular (IR) to Neighborhood-Residential (NBHD-Res), Neighborhood-Mixed Use (NBHD-MU), City Center (CC) or Commercial (C-2).

In addition, NW 4 Avenue between NW 3 Street and SW 1 Street will change to City Center zoning from NBHD-Res. This area is in the City Center and Sun Garden Isles sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries. The north side of Stirling Road in Sun Garden Isles is included in this area and is changing from Commercial (C-2) to Neighborhood-Mixed Use (NBHD-MU).

AREA D

Eight (8) properties on NE 1 Terrace, located behind the Citi Bank are changing from Neighborhood-Residential (NBHD-RES) and C-2 to East Dania Beach Boulevard-Mixed Use (EDBB-MU). Five (5) properties on NE 1 Court are changing from Neighborhood-Residential (NBHD-RES) to City Center (CC). Fourteen (14) additional properties located between SE Park Street and SE 2 Street are changing from NBHD-Res to CC. These changes are located in the East Federal Sub-area as identified in the CRA Redevelopment Plan, Figure 40.

Expansion of the City Center to the east and the East Dania Beach Boulevard-Mixed Use zoning district is anticipated to encourage a mix of redevelopment uses that would otherwise not be permitted.

AREA E

Twenty-two (22) properties located along Federal Highway corridor between SW 3 Place and SW 6 Street on the west side of Federal Highway are changing from Commercial (C-3) and Neighborhood-Residential (NBHD-Res) to South Federal Highway-Mixed Use (SFED-MU) and three (3) parcels on the east side of Federal Highway are changing from NBHD-Res to SFED-MU. New development in these areas will be regulated by the form based zoning code.

This area includes property in Dania Beach Heights and East Federal Sub-area, as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries. The proposed rezonings reflect the land use designation that was in place prior to the establishment of the RAC. New development in these areas will be regulated by the form based zoning code.

AREA F

The Phippen-Waiters Road corridor is located in the College Gardens sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries. The CRA Redevelopment Plan identified residential and commercial uses between Phippen-Waiters and the FEC railroad tracks. Eliminating industrial use in this area will provide a better mix with adjacent residential uses with less negative impacts. The zoning in this area will change from Neighborhood-Residential (NBHD-RES) and Industrial Restricted (IR), Industrial General (IG), Commercial (C-2, C-3 and C-4) to Neighborhood-Mixed Use (NBHD-MU).

The changes proposed in this area also include converting the Commercial zoning (C-3 and C-2) and Industrial General (IG) along Dixie Highway to Neighborhood-Mixed Use (NBHD-MU) and the Commercial (C-2 and C-4) along the south side of Stirling Road to NBHD-MU.

AREA G

The property at this location is at the northeast corner of Sheridan Street and SW 2 Avenue. The property is being changed from Commercial (C-2) to South Federal Highway-Mixed Use (SFED-MU). This area is located in the East Federal Sub-area, as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries. This rezoning extends the South Federal-Mixed Use zoning district to the contiguous property to the east.

AREA H

This area includes Boomers and surrounding properties in the West Bryan Road sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries. The CRA Redevelopment Plan envisions the area as commercial recreation and planned hotel development. The zoning in this area will change from Industrial General (IG) and Industrial, Research, Office (IRO) to Commercial (C-3) zoning.

PREVIOUS BOARD ACTION

On November 16, 2011, the Planning and Zoning Board, sitting as the Local Planning Agency approved all of the proposed rezonings.

STAFF RECOMMENDATION

The CRA Director and Community Development Department are recommending approval of the requested zoning changes.



City of Dania Beach, Florida
 Department of Community Development
 Planning and Zoning Division
 (954) 924-6805 X3643
 (954) 922-2687 Fax

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: _____

Date Rec'd: 9-7-11

Petition No.: RZ-13-11

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: various property within the CRA (see attached)

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: _____

Folio Number(s): _____ Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) Jeremy Earle, CRA Director

Address of Applicant: 100 W Dania Beach Boulevard, Dania Beach, FL 33004

Business Telephone: (954) 924-6800 X 3732 Home: _____ Fax: _____

E-mail address: jearle@ci.dania-beach.fl.us

Name of Property Owner: various (see attached)

Address of Property Owner: _____

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: change zoning to be consistent with the recommendations of the CRA Redevelopment Plan

For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per Section 625.40 of the Land Development Code.

Prop. Net Acreage: _____ Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: _____ Proposed Use: _____

Is property owned individually, by a corporation, association, or a joint venture? _____

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize _____ (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: [Signature]
(Owner / Agent signature*)

BEFORE ME THIS 7th DAY OF September 2011

By:

Jeremy Earle, CRA Director
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Donna H. Kirby
(Signature of Notary Public - State of Florida)



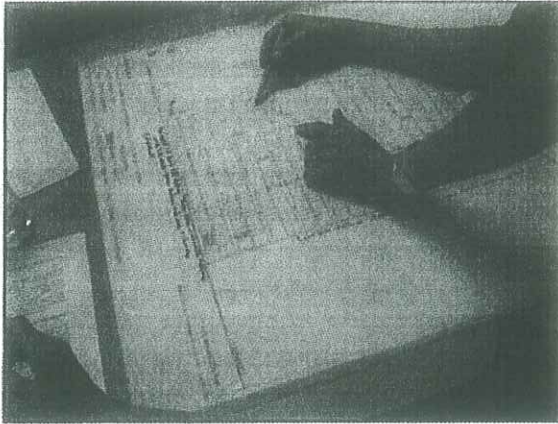
Personally known me or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

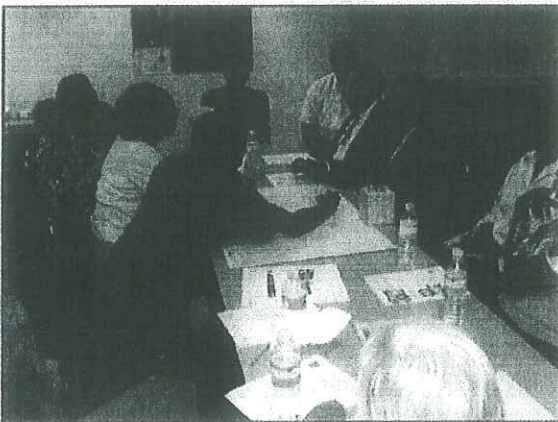
**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.**



College Gardens

On July 30, 2008 a Dania Beach CRA Expansion Neighborhood Meeting was held in the neighborhood of College Gardens in order to gather information from residents on the specific needs and desires for the College Gardens community. The meeting was held from 5:30 to 8:30 pm and was well attended with 21 residents present as well as Mayor Albert C. Jones and Vice Mayor Anne Castro. Residents were welcomed by CRA Director, Mr. Jeremy Earle and then were presented with background information and the findings of the project.

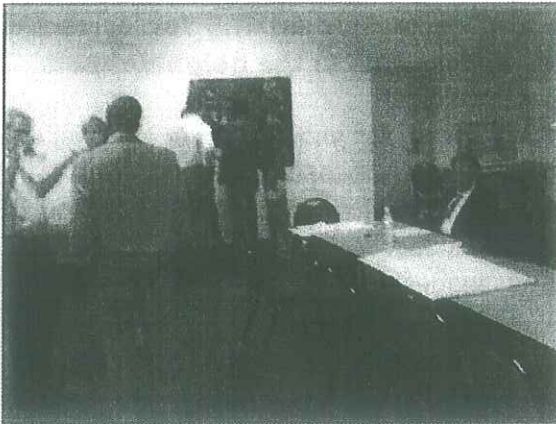
Residents were asked to provide their comments and recommendations on conditions in the neighborhood.



Suggestions and recommendations for redevelopment of the FEC/Phippen-Waiters corridor

- Residents' comments reflect that Phippen-Waiters Road needs overall maintenance and litter control.
- Comments were made about potholes, incompatible uses, examples of improper ingress/egress, and littering problems.
- Parking on Phippen Waiters Road poses a problem by obscuring vision for drivers.
- Suggestions were made to place some type of mixed use development along the Phippen-Waiters Road corridor to include industrial, office, and residential uses.
- Residents noted that it was important to tie in the neighborhood identity with the proposed train station. It was also noted that the intersection of Stirling and Phippen-Waiters Roads is a good location for a restaurant to serve the community.





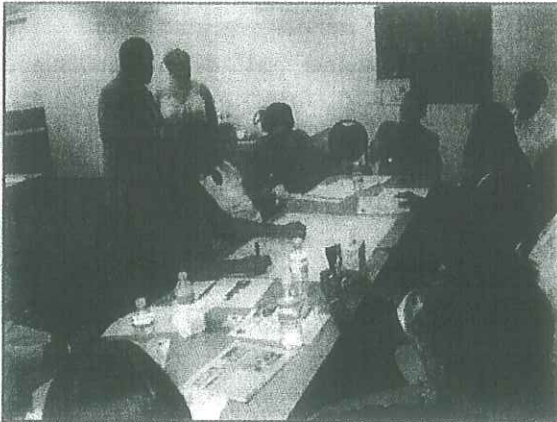
Suggestions and recommendations for redevelopment/revitalization of the residential corridor

- Residents cited absentee landlords as the root of many issues in the neighborhood; for example the lack of upkeep and presence of illicit drugs.
- There are issues regarding ownership and maintenance of homes specifically around Nelson Lake.
- Residents also felt that the types of businesses that currently exist are not compatible with the neighborhood. More businesses are needed that serve the community's immediate needs. Examples are insurance agency, restaurants, and dry cleaners.
- Residents feel that litter problems throughout the neighborhood are acerbated by kids and adults frequenting local bodegas. A suggestion was made to hire kids during the summer months to pick up litter and enable them to complete their community service hours.
- Residents noted that better law enforcement was needed to manage drug trafficking issues, speeding, and parking enforcement, and noise disturbances.
- Residents suggested that although they have an actual neighborhood name and identity it is important to maintain an overall visual relationship with the entire southwest.

Suggestions and recommendations for redevelopment of the south end

- Residents suggested enhancing Chester Byrd Park as many are afraid to let their kids use it because of illicit drug activity. Also cited were concerns about crime from Hollywood residents.





Suggestions and recommendations for correcting infrastructure deficiencies in the neighborhood.

- There is a need for more native planting and maintenance of landscaping. Sable palms found on east-west streets need to be trimmed by the city twice annually.
- Residents suggested that current neighborhood identification signage is unattractive as currently presented, and beautification is needed.
- Residents felt that more drainage was needed and that better maintenance of currently existing sewer drains is needed to prevent flooding.
- Residents requested that the Dania Beach Community bus come into the neighborhood as the closest pick up locations are presently at City Hall and Oakwood. There is a need for scheduling and marketing to be distributed to residents. Friendly drivers are needed.
- There is a demand for businesses that contribute to residents needs.
- Eliminate crime and drug hotspots.

General comments on neighborhood issues

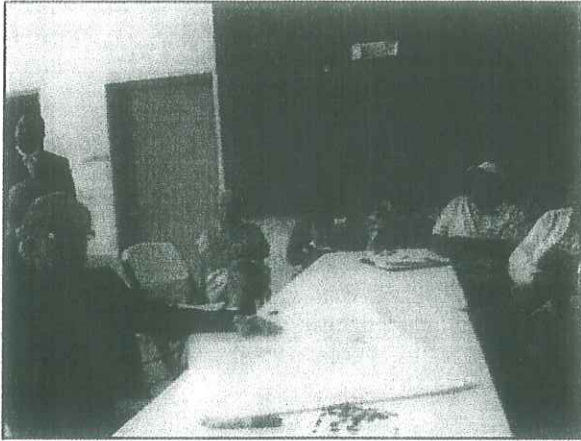
- Speeding along SW 12 Av/Ely Blvd
- School bus traffic is excessive
- Sidewalks need to be repaired throughout the city.
- A street light is needed at 720 & 724 SW 7th Street
- 704 SW 7th Street there is illegal parking from incompatible use/ after-hours bar
- 725 SW 2nd Street people hang out and sit on the sidewalk in front of the bus stop. They leave litter and food. Want the bus stop removed. Same thing for Phippen-Waiters Road and SW 2nd Terrace
- Speed humps needed
- Dangerous turning right onto Stirling Road from 11th Avenue - Trucks that enter SW 2nd Terrace often cannot make the turn onto SW 11th Avenue



without running over swales. Signage is needed to indicate this danger.



CRA EXPANSION PUBLIC INVOLVEMENT REPORT



Sun Garden Isles

On August 11, 2008 a Dania Beach CRA Expansion Neighborhood Meeting was held in the neighborhood of Sun Garden Isles in order to gather information from residents on the specific needs and desires for the Sun Garden Isles community. The meeting was held from 5:30 to 8:30 pm and was well attended with eighteen residents present as well as Mayor Albert C. Jones and Chief of Police Donald Peterson. Residents were welcomed by Jeremy Earle, CRA Executive Director and then were presented with background information and the findings of the project by Michele Mellgren, of The Mellgren Planning Group.

Residents were asked to provide their comments and recommendations on conditions in the neighborhood.

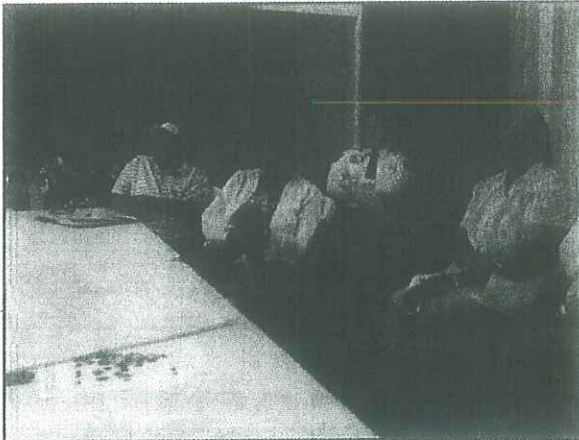
Suggestions and recommendations for redevelopment/revitalization of the community

Upgrades Needed

Residents had a number of suggestions for upgrades that should be made to the neighborhood.

- Cracked sidewalks and roads need to be repaired and resurfaced.
- Significant street and swale drainage issues need to be addressed.
- Street lighting is considered a major problem to the residents and they suggested implementing solar lighting.
- Parking is considered to be inadequate throughout the neighborhood. Parking at the community facility at 800 NW 2nd Street was specifically mentioned and it was suggested that a vacant lot across the street could potentially be acquired to meet this need.
- There is a desire for beautification efforts throughout the Sun Garden Isles neighborhood to include flowers, traffic turnabouts, and street landscaping.





Crime

Residents expressed concerns about crime in the neighborhood. The perception of crime and drug activity is considered to be similar to those throughout the city.

- Residents suggested implementing a neighborhood watch program that would use walkie-talkie devices as residents want a better channel for communication with law enforcement.

Traffic

Excess traffic is a concern for residents.

- A suggestion was made to connect Dania Beach Boulevard with Bryan Road in order to reduce traffic on NW 1st St.
- Traffic calming devices should also be implemented on NW 10th Court and in front of the new playground at the community center on NW 2nd St.

Code Compliance

Residents had overall concerns about code compliance issues.

- There is a general sentiment that code compliance is not being enforced consistently.
- There are several instances of vacant lots with unmaintained yards and overgrown trees.
- Residents are concerned that these maintenance issues could pose a danger during hurricanes.
- Abandoned homes were identified as a serious neighborhood problem. Aside from being eyesores in the community, these abandoned homes present opportunities for crime, vagrancy, and drug activity.



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Business and Office Needs in the Neighborhood

- Residents would like to see an upgraded business district located on Dania Beach Boulevard near the proposed FEC commuter stop. It would include a central place for shopping and a business office node.
- Residents are interested in mixed use development to include retail, office, cafes and local serving businesses.
- They would like to see an emphasis on small business development throughout the CRA.
- There is an expressed desire for no more warehouse development in the Sun Garden Isles area.

Housing Affordability

An issue for residents in Sun Garden Isles is housing affordability.

- There is opportunity for infill housing development but residents are concerned that this development won't necessarily be affordable and could lead to gentrification. Gentrification poses a major concern for families in this neighborhood as it could push out those that have been there for decades or prevent their children from entering the housing market in this area.
- Residents feel that the provision of affordable housing options, such as townhomes or converting duplexes and multifamily into condos would emphasize homeownership and lead to the reduction of instances of slum, blight, and crime hot spots.
- Because absentee landlords are a problem in this area, residents would limit the instances of rental units and would prefer that landlords be on-site or live in the community.



Resources

Mr. Earle advised the group that Tax Increment Financing is not available in the Dania Beach CRA so there is a need to research and identify creative strategies for funding in order to accelerate the implementation of neighborhood enhancements.

- Residents would like to see a "one stop shop" resource and family success center in their neighborhood. There are a number of assistance programs available for homeowners such as sales tax rebates in enterprise zones for home improvements, house paint provided by the city, and energy assistance for low income and senior citizen homes. The resource center could include information about these programs and others that are available in order for residents to better access and utilize them.
- It was suggested that Dania Beach implement a senior citizen program (similar to the one available in Pembroke Pines) as the population in this area is starting to age and require these services.
- There was also the idea to unify the various police substations in one location and utilize the substations for alternative uses.

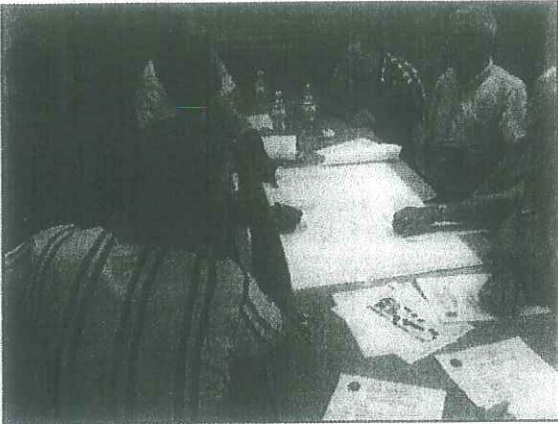
C-10 Canal and Dania Cut-Off Canal

- Options for the C10 canal include the possibility of residential only on the east as marine industry is present on the west side. It is possible for these uses to coexist. Housing on the canal would not be in the low or moderate income category because of the water access, however, which conflicts with the need for more affordable housing.
- There was a suggestion that linear parks be created along Griffin road that would allow residents to walk, sit, and meditate.

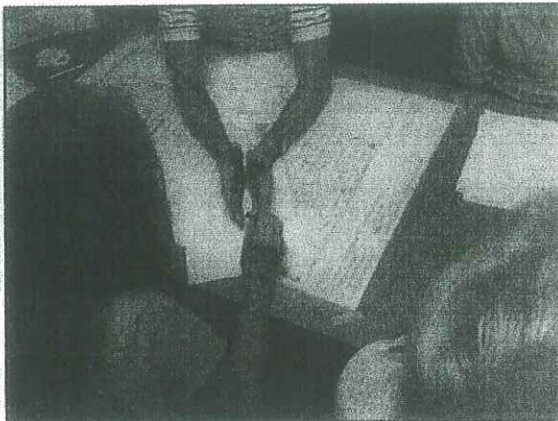


Community Meetings

Dania Beach Heights



On July 29, 2008 a Dania Beach CRA Expansion Neighborhood Meeting was held in the neighborhood of Dania Beach Heights in order to gather information from residents on the specific needs and desires for the Dania Beach Heights community. The meeting was held from 5:30 to 8:30 pm and was well attended with 23 residents present as well as Mayor Albert C. Jones and Vice Mayor Anne Castro. Residents were welcomed by CRA Director, Mr. Jeremy Earle and then were presented with background information and the findings of the project.



Residents were presented with an overview of the project findings to date, which indicated that Dania Beach Heights is bounded on three sides by potential commercial and/or office development corridors, and is bisected by an underutilized commercial and community facility/institutional corridor. Residents were divided into three groups and then asked to provide suggestions and recommendations for the redevelopment of each of the corridors and any suggestions for correcting infrastructure deficiencies in the neighborhood as well as any other areas of particular concern to the residents.

This planning exercise included the following questions and responses from the groups:

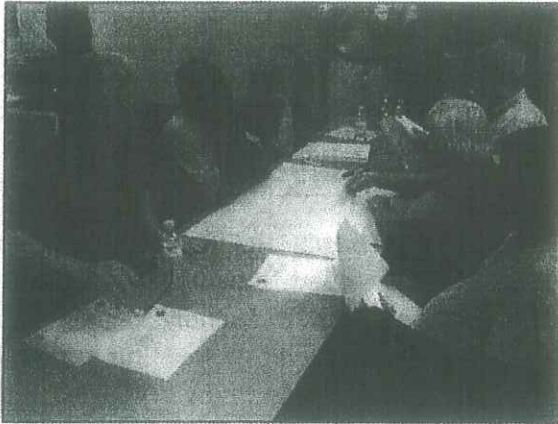
Please provide suggestions and recommendations for redevelopment of the Sheridan Street corridor.



Group 1 suggested that because Sheridan Street is the "main gateway" to the City, it should have some type of welcome symbol to enhance the arrival experience. This group suggested widening Sheridan Street and increasing density along the corridor, perhaps incorporating mixed use development and loft style residential units. Residents were in favor of creating a

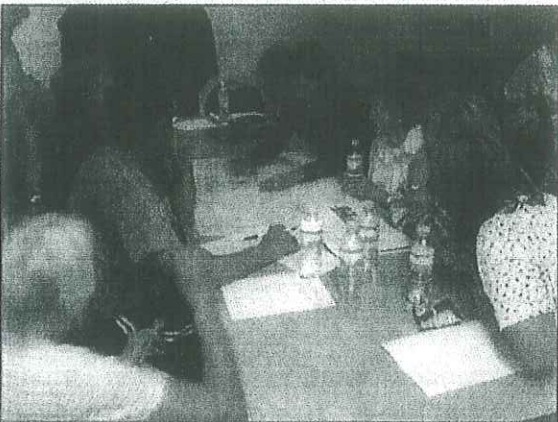


CRA EXPANSION PUBLIC INVOLVEMENT REPORT



landscaped buffer as a transition between commercial and residential uses.

Group 2 suggested the alternatives of adding no commercial development to Sheridan and creating green space, or expanding the corridor through 15th street and adding commercial and retail such as Whole Foods Markets and coffee shops. This group also recommended creating a privacy barrier to create a transition from commercial to residential uses.



Group 3 suggested that a barrier was not needed between commercial and residential uses if there was a "park like" setting along the Sheridan corridor. To achieve this type of setting the group recommended adding street trees, lighting, wide sidewalks, and grass between the sidewalks and Sheridan Street if the street is widened.

Please provide suggestions and recommendations for redevelopment of the Federal Highway corridor.

Group 1 recommended implementing a buffer between residential and commercial uses along Federal Highway in the form of landscaping and hardscaping. Other suggestions include defining design guidelines, putting a focus on the marine industry, attracting better retail, and providing adequate parking.

Group 2 recommended creating a privacy wall to separate commercial and residential uses and possibly using toll type raising arm/gate barriers to provide the illusion of a secured residential neighborhood. Other ideas included creating a cultural entertainment and restaurant district that would attract mixed socio-economic clientele; and incorporating mixed use development with retail, commercial, and residential uses along Federal Highway.

Group 3 suggested creating mixed use development along Federal Highway with four stories, three stories if





not mixed use. The group agreed that parking and landscaping needed to be addressed.

Please provide suggestions and recommendations for redevelopment of the Stirling Road corridor.

In order to tie the Dania Beach Heights neighborhood into the proposed redeveloped downtown, Group 1 recommended placing pedestrian friendly or elevated crosswalks on Stirling Road as well as locating entrance signs here to improve first impressions. Another idea was to eliminate the water tower currently located in this area and replace it with a parking garage. This could also achieve the goal of better connecting the neighborhoods. Other suggestions included rezoning the area for home/office, and making provisions to create green space.



Group 2 suggested creating appealing streetscapes in order to create a tourist corridor. Other recommendations for the Stirling Road Corridor included mixed use development, health care facilities, and creating a jogging and bike trail.

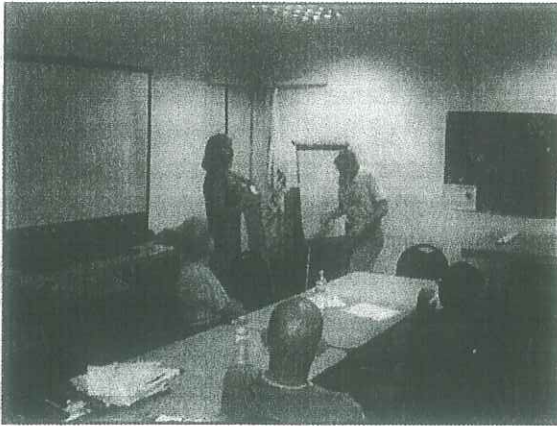
Group 3 recommended locating pedestrian friendly crosswalks on Stirling Road. This group also suggested that plans should "defer to residents".

Please provide suggestions and recommendations for redevelopment of the Dixie Highway corridor.

Group 1 suggested the possibility of a development opportunity on the south side of Dixie Highway where it intersects with 10th Street, possibly to include loft apartments. This group suggested expanding the cemetery on the southwest end of Dixie Highway. Other recommendations included placing decorative lighting and traffic calming elements along the Dixie Highway corridor, and enforcing consistent code compliance.

Group 2 suggested residential mixed use along the corridor.





Group 3 suggested developing a commercial node in the southwest area of the Dixie Highway corridor, and that there was a better use for the existing parcels there.

Please provide suggestions and recommendations for correcting infrastructure deficiencies in the neighborhood. Please indicate areas of particular concern to neighborhood residents.

Group 1 suggested the immediate need for the installation of waterlines along SW 1st Avenue. Other ideas included burying telephone, cable, and power lines; improvement of existing commercial parking lots; recycling water with retention ponds; and adding additional solar lighting.

Group 2 recommended finding ways to encourage off street parking in alleys, providing more lighting for alleys, providing bike lanes throughout the neighborhood, stricter code enforcement [in regards to parking on sidewalks and swales], and beautifying the existing corridors and nodes. Other suggestions included preserving affordable housing, reducing the rate of absentee landlords, and creating more opportunities for home ownership, such as rental duplexes to ownership.

Group 3 said that the traffic light at Dixie requires reprogramming. This group recommended more resident ownership of multi-family units. The group opposed the expansion of commercial zoning into existing residential areas and was opposed to 10th Street becoming Dixie Highway. Another suggestion was restricted resident parking.



CRA REZONING Area Summary

AREA A

Currently zoned: C-3/C-4

Proposed zoning: Marine (MA)

Location:

The subject property is located in the Marine sub-area per the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

St. Ruth's property was NEVER included in this proposed rezoning. The City Commission rezoned the St. Ruth's property from NBHD-Res to C-1 on 2-2-11.

One additional property, 501 Griffin Road, has been added at the request of the property owner.

Justification:

Marine Zoning was adopted by the City Commission on February 22, 2011.

No homes are affected by this rezoning.

Redevelopment of the marine sub-area is critical to the CRA Redevelopment Plan, goals of attracting and expanding the marine industries in Dania Beach.

AREA B

Currently zoned: IRO/C-3

Proposed zoning: To remain the same

This entire area has being deleted from the proposal completely.

Platted property and approved site plan establishes uses.

AREA C

Currently zoned: C-2/C-4/ IR/NBHD-Res & OS

Proposed zoning: NBHD-MU/CC/C-2

Location:

Extends the CC Zoning west of SW 4 Avenue (as requested by the Community prior to adoption of the CRA Redevelopment Plan).

Changing the BSO substation, parking lot and American Legion Hall to OS.

This rezoning also extends the Neighborhood-Mixed Use west into the communities along NW 1 Street and W. Dania Beach Boulevard.

The area includes Sun Gardens Isles and a portion of City Center, as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

Justification:

The CRA Redevelopment Plan recognized that the incorporation of commercial mixed use opportunities along West Dania Beach Boulevard and NW 1 Street is central to the redevelopment

of the neighborhood located adjacent to the City Center and Sun Garden Isles sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

In addition, NW 4 Avenue between NW 3 Street and SW 1 Street will change to City Center zoning from NBHD-Res. This area is in the City Center and Sun Garden Isles sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

AREA D

Currently zoned: NBHD-RES/C-2

Proposed zoning: EDBB-MU/CC

Location:

8 properties on NE 1 Terrace are changing from NBHD-RES & C-2 to EDBB-MU

5 properties on NE 1 Court are changing from NBHD-RES to CC.

14 additional properties located between SE Park Street & SE 2 Street are changing from NBHD-Res to CC.

The area includes East Federal sub-area, as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

Justification:

Expansion of the City Center to the east and the East Dania Beach Boulevard-Mixed Use zoning is anticipated to encourage mix of redevelopment uses that would otherwise not be permitted.

AREA E

Currently zoned: NBHD-Res/C-3

Proposed zoning: SFED-MU

Location:

Twenty-two (22) properties located along Federal Highway corridor between SW 3 Place and SW 6 Street on the west side of Federal Highway are changing

Three (3) parcels on the east side of Federal Highway are changing

The area includes property in Dania Beach Heights and East Federal sub-area, as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

Justification:

New development in these areas will be regulated by the form based zoning code.

The rezonings reflect the land use designation that was in place prior to the establishment of the RAC.

AREA F

Currently zoned: NBHD-Res/C-2/C-3/C-4/IR & IG

Proposed zoning: NBHD-MU

Location:

The Phippen-Waiters Road corridor is located in the College Gardens sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

The changes proposed in this area also include changing zoning along Dixie Highway.

The property west of Phippen Road and south of the Dixie Highway Extension has been removed.

Justification:

Eliminating industrial use between Phippen-Waiters and the FEC railroad tracks will provide a better mix with adjacent residential uses with less negative impacts.

AREA G

Currently zoned: C-2

Proposed zoning: SFED-MU

Location:

The property at this location is at the northeast corner of Sheridan Street and SW 2 Avenue.

The area is located in the East Federal sub-area, as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

Justification:

This rezoning extends the South Federal Highway-Mixed Use zoning district to the contiguous property to the east.

AREA H

Currently zoned: IRO/IG

Proposed zoning: C-3

Location:

This area includes Boomers and surrounding properties in the West Bryan Road sub-area as identified in the CRA Redevelopment Plan, Figure 40: Sub-area Boundaries.

Justification:

The CRA Redevelopment Plan envisions the area as commercial recreation and planned hotel development.

Marine (MA) Zoning permits the following uses:

- Art galleries, museums and libraries (SE)
- Assembly and light fabrication of materials (SE)
- Boats marine parts store
- Boat painting (SE)
- Boat sanitary waste pump-out facilities (SE)
- Contractor shop, repair or service shop (air conditioning, carpenter, plumbing, electrical, glass, marine, cloth or canvas)
- Dock and docking of boats and ships (excluding dry docks), including the operations of charter boats.
- Dry lot storage and dry stack storage of boats (SE)
- Light industrial marine uses not itemized in this section
- Manufacturing and repair (excluding painting) of boats, associated assembly, fabrication, outfitting and maintenance, marine construction and equipment loading and handling operation.
- Marine-related educational facilities (SE).
- One watchman or caretaker dwelling unit (Accessory use)
- Outdoor sales, leasing, rental, display, storage of fully assembled new boats, new trailers and marine vessels
- Outdoor sales, leasing, rental display, storage or fully assembled used boats, trailers and marine vessels (SE)
- Outdoor storage of new materials and equipment (SE)
- Painting of boats (SE)
- School, specialty (SE)
- Storage and sales of lumber and building materials within a completely enclosed building (SE)
- Warehousing (Accessory)
- Wet or dry stack marina and related facilities
- Wholesale: combined office-distribution/showroom-warehouse facilities

Neighborhood-Mixed Use (NBHD-MU) Zoning permits the following uses:

- Mixed residential and commercial use
- Apartments
- Home-based assembly
- Home occupation
- Art galleries, bookstore
- Bank and financial institutions
- Convenience food store
- Copy, print shop
- Day care center
- Dry cleaning, excluding self-service laundries
- General office use, including business, sales, professional, real estate, insurance, travel agent, information technology
- General repair shop
- Medical office
- Personal service establishment
- Pet shop (excluding cats, dogs, birds) and pet supplies
- Pet shop (including cats, dogs, birds) with conditions
- Restaurant
- Retail sales
- Retail sales of baked goods, confectionaries, delicatessen
- Studios for individual instruction of tenant work-space for art, music, drama, martial arts
- Museums, libraries
- Athletic and health clubs, fitness studios
- Group instruction in art, music, drama, martial arts, aerobics, crafts

- Office, other
- Private or public surface parking lot as a principal use
- Transit station
- Arcade or amusement center (SE)
- Bar (SE)
- Live entertainment accessory to a full-service restaurant, coffee house or similar establishment (SE)
- Nightclub (SE)
- Fortune teller, palmist, clairvoyants or astrologist
- Veterinary clinic with conditions
- Assembly, repair and fabrication of pre-manufactured art objects, apparel, jewelry and home furnishings accessory to a principal retail use with conditions

City Center (CC) Zoning permits the following uses:

- Urban agricultural gardens (SE)
- Apartments
- Community residential home with conditions
- Home-based assembly
- Home occupation
- Multifamily residential
- Art galleries, bookstore
- Bank and financial institutions
- Convenience food store
- Copy, print shop
- Day care center
- Dry cleaning, excluding self-service laundries
- General office use, including business, sales, professional, real estate, insurance, travel agent, information technology
- General repair shop
- Large retail establishment
- Medical office
- Personal service establishment
- Pet shop (excluding cats, dogs, birds) and pet supplies
- Pet shop (including cats, dogs, birds) with conditions
- Restaurant
- Retail sales
- Retail sales of baked goods, confectionaries, delicatessen
- Studios for individual instruction of tenant work-space for art, music, drama, martial arts
- Hotel, extended stay-hotel, condo-hotel or time share
- Auditoriums and convention halls
- Charitable clubs, lodges, civic or fraternal organizations, excluding social service providers (SE)
- Colleges, specialty schools, excluding student housing
- Marine schools, including on-campus student housing (SE)
- Museums, libraries
- Place of worship with conditions
- Recreation center, athletic facilities with spectator seating with conditions
- Athletic and health clubs, fitness studios
- Group instruction in art, music, drama, martial arts, aerobics, crafts
- Office, other
- Private or public parking structure as a principal use
- Private or public surface parking lot as a principal use
- Transit station
- Arcade or amusement center (SE)
- Bar
- Bingo Hall (SE)
- Live entertainment accessory to a full-service restaurant, coffee house or similar establishment
- Nightclub (SE)
- Movie Theater (SE)
- Auction house for fine arts and antiques

- Automobile sales showroom, Marine equipment sales showroom (SE)
- Fortune teller, palmist, clairvoyants or astrologist
- Retail motor fuel pumps, car washes, accessory to any other use with conditions
- Social Service provider and agencies (SE)
- Tattoo, body art, or body piercing (SE)
- Veterinary clinic with conditions
- Assembly, repair and fabrication of pre-manufactured art objects, apparel, jewelry and home furnishings accessory to a principal retail use with conditions

Commercial (C-2) Zoning permits the following uses:

- Art galleries, museums and libraries
- Assembly, repair and fabrication of premanufactured art objects, apparel, jewelry and home furnishings, accessory to retail use
- Athletic clubs
- Auditoriums, theaters and convention halls, movie theaters (SE)
- Auto parts, retail or wholesale
- Banks and financial institutions
- Bakeries, delicatessens
- Charitable, civic, fraternal and professional organizations, excluding social service providers and agencies (SE)
- Copy shop, print shop
- Day care centers
- Drive-through service, other with conditions
- Dry cleaning establishments, excluding self service laundries for direct service to customers
- Fortune tellers, palmists, clairvoyants or astrologists with conditions
- General service and repair shop
- Hotel (SE)
- Large retail establishment (SE)
- Liquor, package stores
- Office, business
- Office, professional
- Office, medical
- One watchman or caretaker dwelling unit
- Outdoor restaurant seating (SE)
- Outdoor stands, other, open counter (SE)
- Personal Service establishment
- Place of Worship
- Public or private parking facility
- Restaurant and bars full service
- Restaurant and bars with live entertainment as an accessory use (SE)
- Restaurant, take-out
- Retail stores
- School, academic
- School, college
- School, specialty
- Vinyl sign fabrication and sign printing shops (SE)

South Federal Highway-Mixed Use (SFED-MU) Zoning on "Other Streets" (meaning on side streets, not Federal Highway) permits the following uses:

- Urban agricultural gardens (SE)
- Apartments
- Community residential home with conditions
- Home-based assembly
- Home occupation
- Multifamily residential
- Convenience food store with conditions
- Day care center
- General office use, including business, sales, professional,

- real estate, insurance, travel agent, information technology
- General repair shop with conditions
- Medical office
- Personal service establishment
- Restaurant with conditions
- Retail sales with conditions
- Retail sales of baked goods, confectionaries, delicatessen with conditions
- Studios for individual instruction of tenant work-space for art, music, drama, martial arts
- Hotel, extended stay-hotel, condo-hotel or time share with conditions
- Academic schools (SE)
- Auditoriums and convention halls (SE)
- Charitable clubs, lodges, civic or fraternal organizations, excluding social service providers (SE)
- Colleges, specialty schools, excluding student housing (SE)
- Marine schools, including on-campus student housing (SE)
- Museums, libraries
- Place of worship with conditions
- Recreation center, athletic facilities with spectator seating with conditions
- Residential Care Facility
- Athletic and health clubs, fitness studios
- Group instruction in art, music, drama, martial arts, aerobics, crafts
- Office, other
- Private or public parking structure as a principal use (SE)
- Private or public surface parking lot as a principal use
- Bingo Hall with conditions
- Live entertainment accessory to a full-service restaurant, coffee house or similar establishment with condition
- Funeral Home
- Veterinary clinic with conditions

Commercial (C-3) Zoning permits the following uses:

- Art galleries, museums and libraries
- Assembly, repair and fabrication of premanufactured art objects, apparel, jewelry and home furnishings, accessory to retail use
- Athletic clubs
- Auditoriums, theaters and convention halls, movie theaters (SE)
- Automobile rental establishments with parking or storage for 10 or fewer vehicles subject to conditions (SE)
- Automobile repair, minor (SE)
- Auto parts, retail or wholesale
- Banks and financial institutions
- Bakeries, delicatessens
- Charitable, civic, fraternal and professional organizations, excluding social service providers and agencies (SE)
- Check cashing stores with conditions (SE)
- Copy shop, print shop
- Day care centers
- Drive-through service, other with conditions (SE)
- Dry cleaning establishments, excluding self service laundries for direct service to customers
- Fortune tellers, palmists, clairvoyants or astrologists with conditions
- Freestanding fast food or drive-through restaurant (SE)
- Funeral homes and mortuaries (SE)
- General service and repair shop
- Gun shop with conditions (SE)
- Hotel (SE)
- Large retail establishment (SE)

- Liquor, package stores
- Motor fuel pumps, retail (SE)
- Office, business
- Office, professional
- Office, medical
- One watchman or caretaker dwelling unit
- Outdoor restaurant seating (SE)
- Outdoor stands, other; open counter (SE)
- Pawn shop (SE)
- Personal Service establishment
- Place of Worship
- Public or private parking facility
- Residential care facility (SE)
- Restaurant and bars full service
- Restaurant and bars with live entertainment as an accessory use (SE)
- Restaurant, drive-in (SE)
- Restaurant, take-out
- Retail stores
- School, academic
- School, college
- School, specialty
- Self-service or coin operated laundry (SE)
- Tattoo or body piercing parlor (SE)
- Thrift and consignment shops (SE)
- Vinyl sign fabrication and sign printing shops (SE)
- Warehousing (SE)
- Wet or dry stack marina and related facilities (SE)

Industrial Restricted (IR) Zoning permits the following uses:

- Assembly of products from prefabricated parts (SE)
- Self-storage facilities
- Warehouse facilities
- Wholesale; combined office-showroom-warehouse facilities
- Business office
- Data processing and computer centers, including service and maintenance of electronic data processing equipment
- Contractor shops, repair or service shops, including air conditioning and other appliances, marine, cloth or canvas
- Machine shop, sheet metal shop, welding shop, or tool and die shop
- Sales, rental, leasing, display (indoors/outdoors), or repair of fully-assembled recreational vehicles or campers (SE)
- Boat repair, excluding painting (SE)
- Fuel tanks for fueling of vehicles and ships, including retail sales of fuel (SE)
- Manufacturing of bulk materials(SE)
- Marinas, including dry stack marina
- Sales, leasing, display, or storage of fully-assembled new boats (including new boat trailers) (SE)
-

**RZ-13-11 REZONING
NOTICE OF PUBLIC HEARING
CITY OF DANIA BEACH**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Planning and Zoning Board sitting as the Local Planning Agency, on Wednesday, November 16, 2011 at 7:00 p.m., or as soon thereafter as possible in the Dania Beach City Commission Room, Administrative Center, 100 West Dania Beach Blvd., Dania Beach, Florida 33004, for the purpose of hearing any comments which might be made to the following request:

Application RZ-13-11, Area A, within the Regional Activity Center (RAC) land use designation proposed for rezoning from C-3 (Commercial) to MA (Marine), shall be amended to include the following properties generally located on the South side of Old Griffin Road between NW 6th Avenue on the west, NW 5th Avenue on the east and NW 3rd Place on the south, more specifically described as:

504234060530 - Hansen & Nelson Sub 3-76 D Lot 5, 6 and S 15 M/L of Lots 52 & 53, Lots 7 Thru 11, 12 Less E S for St, S 15 M/L of Lots 39, 45, 48 Thru 50 & Lots 46 & 47, S of Canal Blk C

504234060510 – Hansen & Nelson Sub 3-76 D Lots 1 Thru 4, 51, 54 & 55 S 15 M/L, 56, 57 Blk C

Copies of the proposed request are available for viewing in the Community Development Department, 100 West Dania Beach Blvd., Dania Beach, Florida between the hours of 8:00 a.m. and 4:00 p.m., Monday – Friday please call Principal Planner Corinne Lajoie at (954) 924-6805 x3704 for more information. Interested parties may appear at the public hearing and be heard with respect to the proposed petition.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide or prepare such records.

Lou Ann Patellaro
Building and Planning Operations Mgr.
Mailed: Friday, November 4, 2011

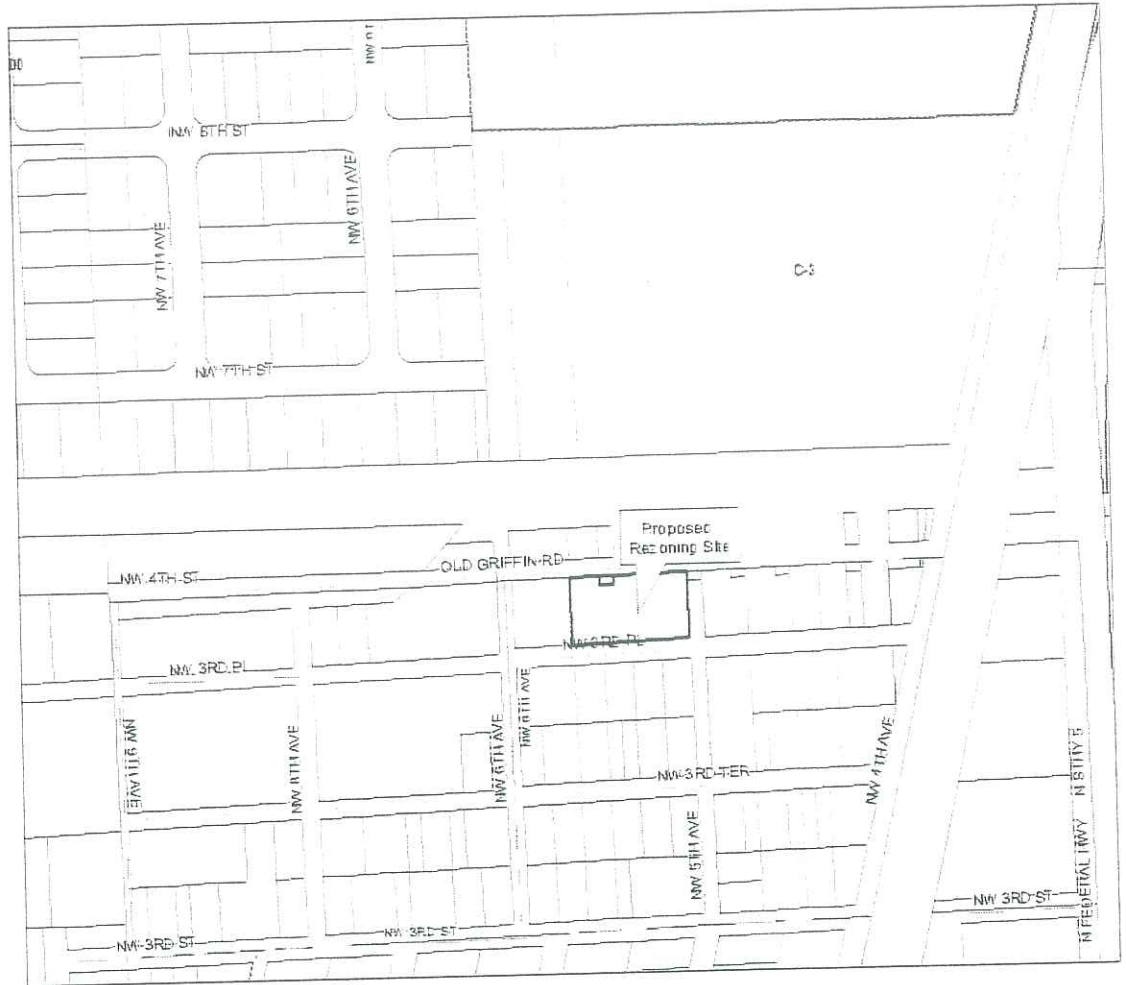
Location map:



Rezoning RZ-13-11
5042-34-06-05-30
C-3 TO MA (Marine)



Map No. 13-11-06-05-30
City of Portland



Lajoie, Corinne

From: FLAONECONST@aol.com
Sent: Tuesday, November 22, 2011 1:21 PM
To: Lajoie, Corinne
Subject: RZ-13-11 REZONING

Hi Corrine.. My comments regarding the above referenced rezoning.

City of Dania Beach Resolution no. 2004-59 and 60 where both approved by the Dania Beach City Commission on March 23, 2004, giving site plan approval to construct the two (2) condominium warehouse buildings located at 611 and 615 Phippens-Waiters Road, Dania Beach, Fl.

I did not request, ask or file for ANY zoning changes. The property was and is, zoned I-R industrial restricted.

Prior to getting approval from the City Commission, staff requested , and I agreed, to stipulate in the site plan approval and in the recorded condominium documents, the following conditions:

i.) Staff requires the site plan to be modified to allow only permitted uses allowed in the IR Zoning District. These uses include storage, warehouse, cabinet, carpenter, furniture, plumbing, electrical, air conditioning, engraving, glass, or home improvement shop within a completely enclosed building, offices, excluding medical and dental offices, showroom use, excluding retail sales.

The staff also suggested I meet with the residents of College Park to clear up any issues.

I did. The result of these meetings was that Community liked and embraced the entire plan as you now see it and the City Commission approved it with a 5/0 vote.

These two(2) buildings, properly approved in 2004 and zoned IR (industrial restricted) are located in area F of the RAC rezoning area.

Area F---South of Stirling Road, North of Dixie Highway, East of Phippens-Waiters Road and West of the Florida East Coast railroad tracks, is an area where a lot of local businesses are located, and have been for many years, in warehouses.

It seems like good planning to leave area F an IR zoning district and not "force" neighborhood mixed uses into an existing and well functioning Restricted warehouse district.

Retaining the IR zoning probably enhances the value of the existing non-conforming residential land .

I have spent a lot of time, money and effort, developing and maintaining this warehouse condominium property.

I was approved for IR zoning district uses. I complied with ALL the requests, suggestions and restrictions imposed by the City of Dania Beach.

The City of Dania Beach Commission needs to protect MY property rights and leave area F in the IR zoning district.

Ron Tomecek
flaoneconst@aol.com
954-445-9906

EVAN B. PLOTKA, P.L.

(954) 334-7600 telephone
(954) 334-7755 facsimile
Evan@Plotkalaw.com

Presidential Financial Center
3837 Hollywood Boulevard
Suite A
Hollywood, Florida 33021

November 16, 2011

Via Hand Delivery

Honorable Mayor & Commissioners
Members of the Planning & Zoning Board
City of Dania Beach, Florida
City Hall
100 W. Dania Beach Boulevard
Dania Beach, Florida 33004

**Re: Objection to Proposed Rezoning RZ-13-11 as affecting property located generally at the northwest corner of W. Dania Beach Boulevard and Bryan Road, more specifically described as: Parcel A of Dania Beach Air & Port Commerce Centre Plat, according to the Plat thereof, recorded in Plat Book 177, Page 81 of the Public Records of Broward County, Florida.
Our File No.: 120-006**

Dear Mayor, Commissioners and Board Members:

I am counsel for the owner of the above-described property, and I write to you today to object to the proposed rezoning of the property. The property is included within "Area H" of proposed rezoning RZ-13-11 and is, therefore, proposed to be rezoned from "Industrial General" to "Commercial C-3" zoning. I believe that the proposed rezoning of the property to Commercial C-3 would interfere with the vested property rights and cause an unreasonable loss of the property's value.

As noted in the legal description above, the property is included within a plat that was approved by the City and by Broward County and recorded in 2007. That plat approval included the approval of the following development:

This plat is restricted to 223,500 square feet of warehouse use and 60,360 square feet of office use.

This plat notation is valid and in full force and effect, subject only to a further adequacy determination by Broward County. However, if you proceed to rezone the property to Commercial C-3 zoning, the approved "warehouse" square footage will no longer be a permitted

City of Dania Beach, Florida

November 16, 2011

Page 2

use in the City's zoning and will be subject to review as a special exception. This loss of the previously-approved, permitted and most appropriate present use for the property could have a severe and unreasonable negative impact upon the value of the property.

In addition, it is my belief that the existing Industrial zoning is the most appropriate zoning for the property and for the area for the foreseeable future. In fact, the uses permitted by the proposed Commercial C-3 zoning would be highly incompatible with the existing uses in the area, which include heavy industrial uses, leaving the property with a very limited list of commercially viable uses and potentially no commercially reasonable use.

I request that you exclude the above referenced property from the proposed rezoning.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Evan B. Plotka', written over a horizontal line.

Evan B. Plotka

c: Robert C. Scott, client

Y:\120-006 BR\RADDC-CADC\CityOfDaniaBeach-11-16-11HND.DOC

Kirby, Donna

From: Lajoie, Corinne
Sent: Monday, October 24, 2011 9:32 AM
To: Kirby, Donna
Subject: FW: Rezoning

Importance: High

Please print for distribution to the P&Z Board and add to the CRA Rezoning file.
Thanks.

Corinne Lajoie, Principal Planner

Dania Beach Mission Statement

"Dania Beach is committed to providing a unique small-town quality of living for all of its residents and guests. We do so by maintaining beautiful neighborhoods and vibrant commercial centers throughout the City while being fiscally responsible and having a diverse population and business community."

-----Original Message-----

From: Alfredo R. Viso [<mailto:alfredoviso@decosound.com>]
Sent: Friday, October 21, 2011 7:04 PM
To: Lajoie, Corinne; Dion, Kristin; Patellaro, LouAnn; Earle, Jeremy
Subject: Rezoning
Importance: High

Dear Sirs,

With all the respect and acting as the owner of Unit # 101 @ 611 Phippen-Waiters Rd this email is to inform that "I don't agree" with the rezoning of my property to go from IR (industrial restricted) to NBHS-MU (neighborhood mixed use). This change will affect my investment and my business.

For some reason I did not receive any communication via mail and I wasn't informed about it.

Thanks in advance and let me know any question,

Alfredo R. Viso

611 Phippen-Waiters Rd
Unit # 101
Dania Beach, FL 33004

(305) 623-4404 (Office)
(305) 623-4405 (Fax)
(954) 448-6673 (Mobile)

Kirby, Donna

From: Lajoie, Corinne
Sent: Thursday, October 20, 2011 2:27 PM
To: Kirby, Donna
Subject: FW: RZ-13-11

Please add to the file.

Corinne Lajoie, Principal Planner

Dania Beach Mission Statement

"Dania Beach is committed to providing a unique small-town quality of living for all of its residents and guests. We do so by maintaining beautiful neighborhoods and vibrant commercial centers throughout the City while being fiscally responsible and having a diverse population and business community."

From: Clover Ryan [<mailto:clover@scenicelementz.com>]
Sent: Thursday, October 20, 2011 2:18 PM
To: Lajoie, Corinne; Dion, Kristin; Patellaro, LouAnn
Subject: RZ-13-11

I am one of the owners of the property located at 611 Phippen Waiters Road. Units 102 & 103.

Currently we have an IR zoning. We are opposed to any changes to our zoning. Neighborhood-Mixed Use (NBHD-MU) would not be a satisfactory zoning choice for our property.

We believe it would adversely affect the value of our property.

Sincerely,
Clover Ryan

scenic elementz
954-920-8299
954-925-5776 Fax
www.scenicelementz.com

Kirby, Donna

From: Lajoie, Corinne
Sent: Wednesday, October 19, 2011 2:13 PM
To: Kirby, Donna
Subject: FW: October 19, 2011 Public Hearing of the Planning and Zoning Board sitting as the Local Planning Agency

Please print for the board and file.

Corinne Lajoie, Principal Planner

Dania Beach Mission Statement

"Dania Beach is committed to providing a unique small-town quality of living for all of its residents and guests. We do so by maintaining beautiful neighborhoods and vibrant commercial centers throughout the City while being fiscally responsible and having a diverse population and business community."

From: Daniels, Bob
Sent: Wednesday, October 19, 2011 12:48 PM
To: 'Toby Prince Brigham'
Cc: Lajoie, Corinne
Subject: RE: October 19, 2011 Public Hearing of the Planning and Zoning Board sitting as the Local Planning Agency

Thank you.

We'll place this in the file and provide it to the Board.

Bd

From: Toby Prince Brigham [<mailto:tbrigham@brighammoore.com>]
Sent: Wednesday, October 19, 2011 12:45 PM
To: Daniels, Bob
Cc: Lajoie, Corinne
Subject: October 19, 2011 Public Hearing of the Planning and Zoning Board sitting as the Local Planning Agency

Dear Mr., Daniels and Ms. Lajoie:

Please be advised that I represent Clay Shaw and members of his family as owners of the Shaw nursery property located in Area "B" of the Zoning Amendments being proposed under item RZ-13-11. The notice of hearing did not reach the owners until yesterday because they are out of the State at present. More time is needed before a public hearing on the matter, scheduled for this evening, for them to adequately research and study the proposed rezoning as it affects their interests in the land affected in order for them to take any position in regards to the rezoning being proposed.

Accordingly, they ask for a continuance of the public hearing re RZ -13-11 and reserve the right to be heard and present whatever position they may determine to take in the matter of the rezoning being proposed before any decision is finally considered and made made by the City of Dania Beach.

Please place this communication in the record of any proceeding in the matter.

Thank you.

Toby Prince Brigham

Toby Prince Brigham
Attorney at Law



2525 Ponce de Leon Blvd.
Suite 625
Coral Gables, Florida 33134
Voice: 305-858-2400
Fax: 305-858-5828
tbrigham@brighammoore.com
www.brighammoore.com

IMPORTANT NOTICE

The information contained in this transmission is attorney privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone at 800-380-3337 and return the original message. Although this E-mail and any attachments are believed to be free of any virus or other defect that might affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Brigham Moore LLP for damage arising in any way from its use. Thank you.

Kirby, Donna

From: Dion, Kristin
Sent: Wednesday, October 19, 2011 11:35 AM
To: Kirby, Donna
Subject: FW: RZ - 13 - 11 Rezoning

Please put this objection in the file for tonight. Thank you :)

Kristin

From: MillennFX@aol.com [<mailto:MillennFX@aol.com>]
Sent: Wednesday, October 19, 2011 10:17 AM
To: Earle, Jeremy
Cc: Daniels, Bob; Dion, Kristin; Lajoie, Corinne; Zeinieh, Ana
Subject: RZ - 13 - 11 Rezoning

Mr. Earle:

As you know, we own Millennium Fire & Safety Equipment which is located at 1496-1502 Dixie Highway in Dania. The property consists of two commercial buildings. We also own vacant lots South of 1502. These lots were purchased from the City and several years ago at considerable expense, we had these lots rezoned to "commercial status".

We are concerned that the proposed rezoning will have a negative impact on our property status and property values. Please consider this concern as you move forward with your plans. We welcome and would appreciate your views on this matter.

Thank you,

Arnold D. Nearn, Jr.

Sharon Anderson-Nearn
Millennium Fire & Safety Equipment
954 922-9136

Kirby, Donna

From: Patellaro, LouAnn
Sent: Wednesday, October 19, 2011 1:01 PM
To: Lajoie, Corinne
Cc: Kirby, Donna; Daniels, Bob
Subject: FW: RZ-13-11 REZONING

To print for tonight's meeting

From: Dick Fairbanks [<mailto:dick@reeltension.com>]
Sent: Wednesday, October 19, 2011 12:55 PM
To: Lajoie, Corinne; Dion, Kristin; Patellaro, LouAnn
Subject: RZ-13-11 REZONING

Dear Sirs:

I am opposed to the proposed rezoning of my warehouse from I-R to MBHD-MU.

I just received the notice today by email from a concerned neighbor. I have not received this notice from the city. I am away from town until late in November so must register my objection by email.

My 12,000 square foot warehouse is vacant and has been vacant for 2 years. I am trying to rent it to a suitable tenant. Finding such a tenant under I-R has been difficult. I suspect MBHD-MU will be even more restrictive and will therefore make the building's value diminish further.

Prospective tenants meet with the city to discuss a proposed use of my building and report that they become concerned about doing business in the city even under I-R, what happens now under MBHD-MU?

Sincerely

Richard Fairbanks, GP
Dania Partnership
410 SW 4th Terrace
Dania

Lajoie, Corinne

From: KKJOHNSON3@aol.com
Sent: Monday, October 17, 2011 10:51 AM
To: Dion, Kristin; Patellaro, LouAnn; Lajoie, Corinne
Subject: RZ-13-11

I represent East Ft Lauderdale Building Company Inc, and The Dania Beach Business Address Condo Assn located at 611-615 Phippen Waiters Road. Units 101-110

We currently have an IR zoning. We are opposed to any changes to our zoning. IG would not be a satisfactory zoning choice for our property.

Thank you,

Kim Johnson
East Ft Lauderdale Building Co, Inc



CITY OF DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY REDEVELOPMENT PLAN

CONCEPT & IMPLEMENTATION STRATEGIES

SUB AREA

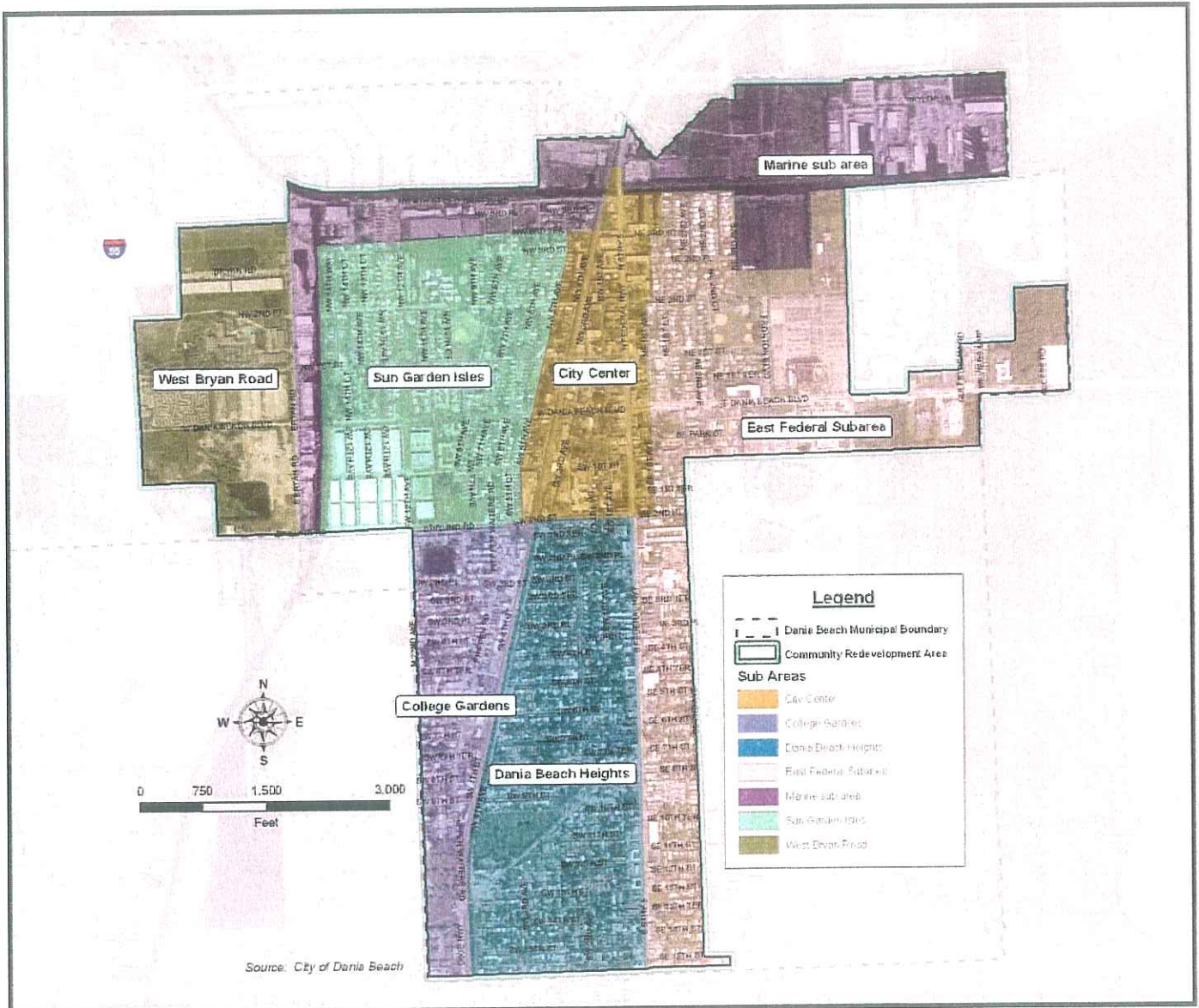
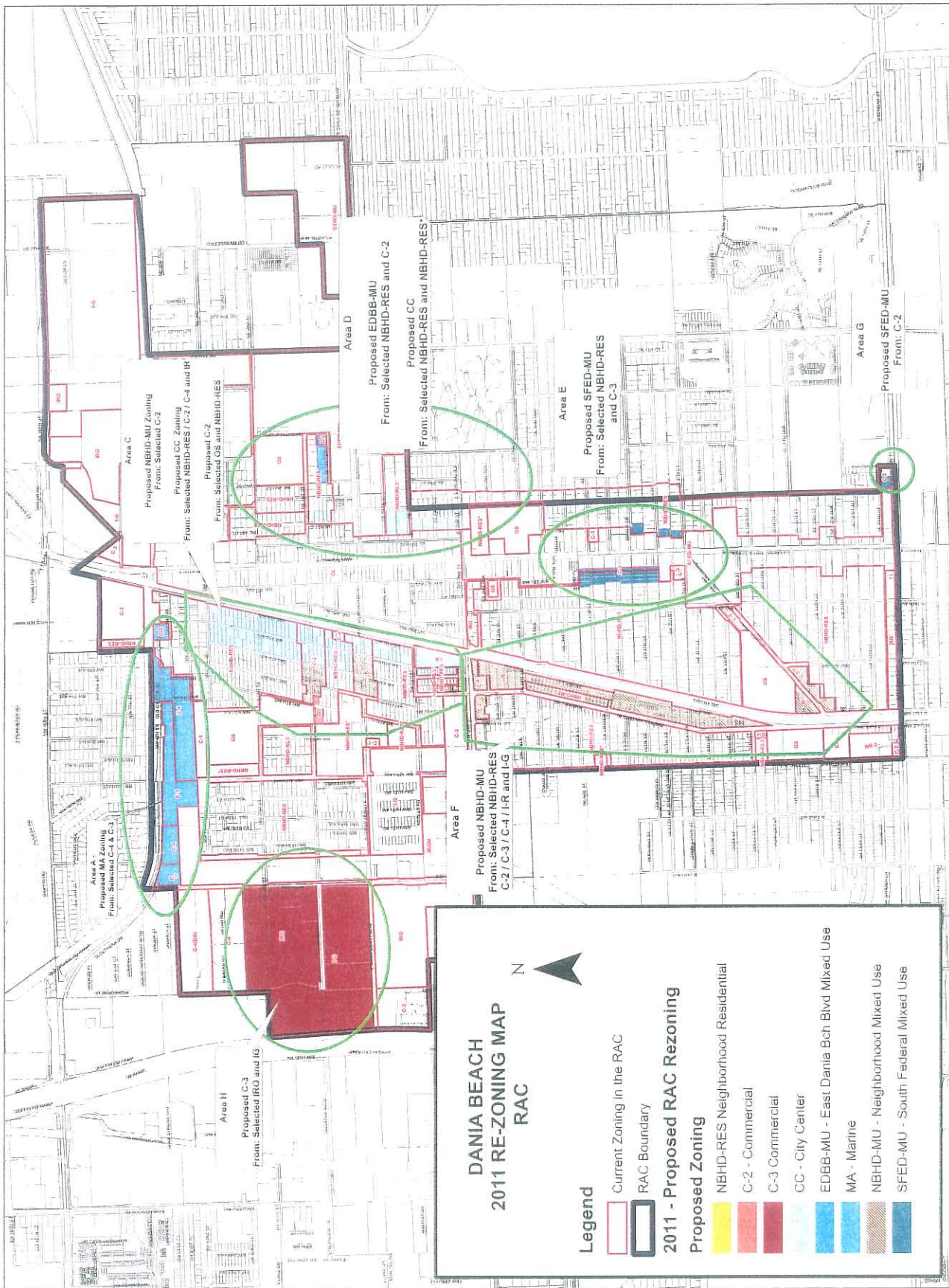


Figure 40: Sub-area Boundaries



RZ-13-11 REZONING NOTICE OF PUBLIC HEARING CITY OF DANIA BEACH

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Dania Beach City Commission, on Tuesday, December 13, 2011 at 7:00 p.m., or as soon thereafter as possible in the Dania Beach City Commission Room, Administrative Center, 100 West Dania Beach Blvd., Dania Beach, Florida 33004, for the purpose of hearing any comments which might be made to the following request:

RZ-13-11 – Ordinance proposed to rezone areas within the Regional Activity Center (RAC) land use designation as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REZONING PROPERTIES LOCATED IN THE COMMUNITY REDEVELOPMENT AREA (CRA) AS SHOWN ON MAP 1 AND LEGALLY DESCRIBED IN EXHIBIT A; REZONING PROPERTIES IN AREA 'A' FROM C-3 (COMMERCIAL) AND C-4 (COMMERCIAL) TO MA (MARINE); (AREA B OMITTED) REZONING PROPERTIES IN AREA 'C' FROM C-2 (COMMERCIAL), C-4 (COMMERCIAL), I-R (INDUSTRIAL REGULAR), AND NBHD-RES (NEIGHBORHOOD RESIDENTIAL) TO CC (CITY CENTER), AND FROM C-2 (COMMERCIAL) AND NBHD-RES (NEIGHBORHOOD RESIDENTIAL) TO NBHD-MU (NEIGHBORHOOD MIXED USE) AND FROM NBHD-RES (NEIGHBORHOOD RESIDENTIAL) AND OS (OPEN SPACE) TO C-2 (COMMERCIAL); REZONING PROPERTIES IN AREA 'D' FROM C-2 COMMERCIAL AND NBHD-RES (NEIGHBORHOOD RESIDENTIAL) TO EDBB-MU (EAST DANIA BEACH BOULEVARD MIXED USE) AND FROM NBHD-RES* (NEIGHBORHOOD RESIDENTIAL IRREGULAR) AND NBHD-RES (NEIGHBORHOOD RESIDENTIAL) TO CC (CITY CENTER); REZONING PROPERTIES IN AREA 'E' FROM C-3 (COMMERCIAL) AND NBHD-RES (NEIGHBORHOOD RESIDENTIAL) TO SFED-MU (SOUTH FEDERAL MIXED USE); REZONING PROPERTIES IN AREA 'F' FROM C-2 (COMMERCIAL), C-4 (COMMERCIAL), I-G (INDUSTRIAL GENERAL), I-R (INDUSTRIAL RESTRICTED), NBHD-RES (NEIGHBORHOOD RESIDENTIAL) TO NBHD-MU (NEIGHBORHOOD MIXED USE); REZONING PROPERTIES IN AREA 'G' FROM C-2 (COMMERCIAL) TO SFED-MU (SOUTH FEDERAL MIXED USE); REZONING PROPERTIES IN AREA 'H' FROM I-G (INDUSTRIAL GENERAL) AND IRO (INDUSTRIAL RESEARCH OFFICE) TO C-3 (COMMERCIAL); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (First Reading - Public Hearing)

See map of the proposed rezoning area on the reverse side

Copies of the proposed request are available for viewing in the Community Development Department, 100 West Dania Beach Blvd., Dania Beach, Florida between the hours of 8:00 a.m. and 4:00 p.m., Monday – Friday please call (954) 924-6805 x3645 for more information. Interested parties may appear at the public hearing and be heard with respect to the proposed petition.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide or prepare such records.

Lou Ann Patellaro
 Planning Division

LOCATION MAP

