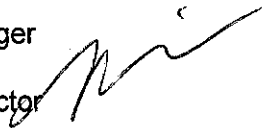




**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: May 27, 2014

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

VIA: Corinne Lajoie, AICP, Principal Planner, LEED G.A.

FROM: Mariluz Maldonado, City Planner

SUBJECT: **TX-35-14:** The applicant, Leigh R. Kerr, representing The Hertz Corporation, a Delaware Corporation (successor by merger to Hertz Realty Corporation) and Port 5 Ltd c/o David Dix, Wallypark East Coast Regional Office, Orlando, Florida, is requesting a Text Amendment to add uses to the Schedule of Permitted Uses List in the Industrial Research Office (IRO) zoning district. (SECOND READING)

REQUEST

TEXT AMENDMENT

To amend the Industrial Research Office (IRO) Schedule of Permitted Uses List.

The applicant is requesting to allow automobile rental (indoor/outdoor) as well as parking for vehicles and equipment in the Schedule of Permitted Uses within the Industrial Research Office (IRO) zoning district. This text amendment will allow the applicants the continuation of the uses as well as accommodating a future expansion.

Staff is in support of the request to allow the following uses within the IRO zoning district with the following conditions:

Automobile rental (indoor/outdoor) and Parking for vehicles and equipment with the following conditions:

- The building(s) shall resemble that of an office building, particularly those facing public rights-of-way and adjoining residential areas. This may include use of substantial construction materials (ex: stucco or stone over concrete for exterior building walls), pedestrian scale architectural treatment, significant use of window and door glass, landscaping directly adjacent to a building, and overhead doors and loading activities to be located to the rear of buildings, within interior areas between buildings, or within interior side yards.
- Must be located at least five hundred (500) feet from any property with a "residential" land use plan designation.
- On-site parking and storage of vehicles shall not be visible from the public right-of-way.
- Properties larger than fifteen (15) acres must be secured and the area must be screened by providing an opaque fence or wall (chain link with slat not permitted) with a fifteen-foot wide landscape buffer with a two and one-half-foot high berm along

the front property line and a minimum of seven and one-half-foot wide landscape buffer areas along the side and rear property lines. The landscape buffer areas shall also have a continuous hedge screen with a minimum height of three (3) feet and provide trees planted every forty (40) linear feet. The opaque fence or wall must be located on the inside of the landscape buffer area.

- Properties less than fifteen (15) net acres shall provide a ten-foot wide landscape buffer along the front property line and a five-foot wide landscape buffer on the side and rear with required linear trees and hedges.

The applicant will be requesting site plan review in the future to expand the surface parking and maintenance facility by approximately 25,000 sq. ft. to support the Hertz Rental Car facility. During the site plan review process, any subject conditions will be established. Site plans are reviewed by staff at the Development Review Committee prior to being heard at a public hearing.

CITY COMMISSION PREVIOUS ACTION

On May 13, 2014, the City Commission heard this request on First Reading.

PLANNING AND ZONING BOARD RECCOMENDATION

On April 16th, 2014, the Planning and Zoning Board recommended approval of the proposed text amendment.

STAFF RECOMMENDATION

Approve the text amendment as conditional uses with the above restrictions.



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 Recd: _____

Petition No.: _____

(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: 2150 NE 7th Avenue, Dania Beach

Lot(s): N/A Block: N/A Subdivision: N/A

Recorded Plat Name: Port Everglades Commerca (122-33)

Folio Number(s): 5042 26 38 0020 Legal Description: See attached.

Applicant/Consultant/Legal Representative (circle one) Leigh R. Kerr, AICP

Address of Applicant: 808 East Las Olas Boulevard #104, Ft. Laud, FL 33301

Business Telephone: 954-467-6308 Home: n/a Fax: 954-467-6309

E-mail address: Lkerr808@bellsouth.net

Name of Property Owner: The Hertz Corporation, a Delaware Corporation (successor by merger to

Hertz Realty Corporation) c/o David Dix, Wallypark

Address of Property Owner: East Coast Regional Office, Orlando, Florida

Business Telephone: 407-520-2888 Home: N/A Fax: N/A

Explanation of Request: Text Amendment to IRO. See Attachment A.
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: 9.6 Gross Acreage: 9.6 Prop. Square Footage: n/a

Existing Use: car rental Proposed Use: Parking, car rental, maintenance and storage

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 Leleh Robinson Kerr & Assoc. (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 B of the Dania Beach Land Development Code.

STATE OF OKLAHOMA
COUNTY OF TULSA
The foregoing instrument
was acknowledged

THE HERTE CORPORATION

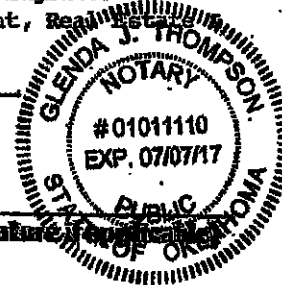
By Michael E. Holdgrafer
(Agent Signature)
Michael E. Holdgrafer
Vice President, Real Estate
Concessions

BEFORE ME THIS 16th DAY OF MARCH, 2014

By:

Glenda J. Thompson
(Print name of person acknowledging)

(Joint owner signature if applicable)



Glenda J. Thompson
(Signature of Notary Public - State of Oklahoma)

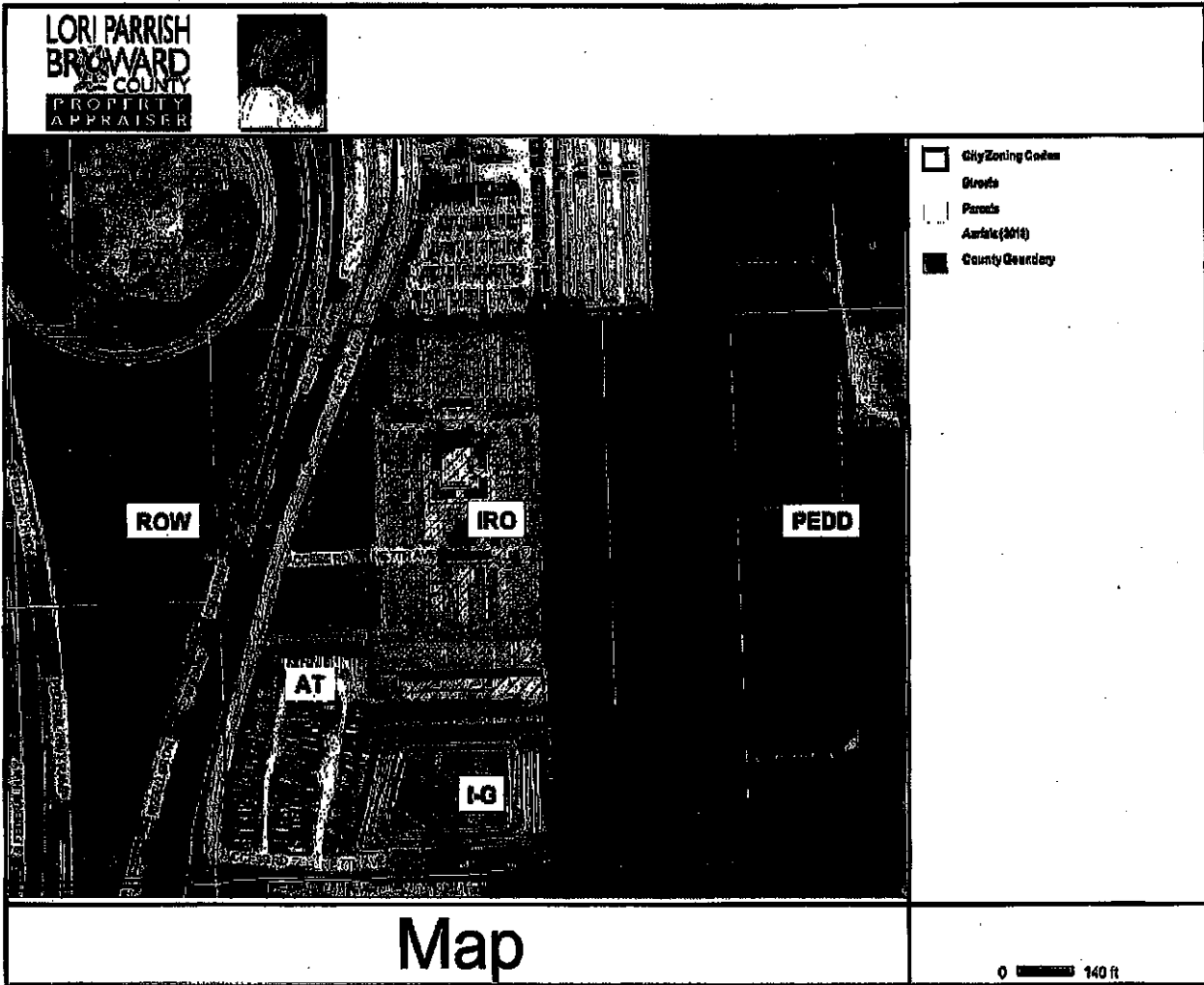
Personally known or Produced identification _____

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.



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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: _____

Petition No.: _____

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

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Location Address: 1950 NE 7th Avenue, Dania Beach

Lot(s): N/A Block: N/A Subdivision: N/A

Recorded Plat Name: Nisa Plat (147-14) Parcel A

Folio Number(s): 5042 26 09 0010 Legal Description: Nisa Plat (147-14) Parcel A

Applicant/Consultant/Legal Representative (circle one) Leigh R. Kerr, AICP

Address of Applicant: 808 East Las Olas Boulevard #104, Ft. Laud, FL 33301

Business Telephone: 954-467-6308 Home: n/a Fax: 954-467-6309

E-mail address: Lkerr808@bellsouth.net

Name of Property Owner: East Coast Regional Office, Orlando, Florida The Hertz Corporation, a Delaware Corporation (successor by merger to Hertz Realty Corporation)

Address of Property Owner: c/o David Dix, Wallypark

Business Telephone: 407-520-2888 Home: N/A Fax: N/A

Explanation of Request: Text Amendment to IRO. See Attachment A.

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: 4.3 Gross Acreage: 4.3 Prop. Square Footage: 189,013

Existing Use: car rental, maintenance and storage Proposed Use: parking, car rental, maintenance and storage

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 Santa Beach. If I/we are unable to be present, I/we hereby authorize Leigh Robinson Kerr & Assocs. (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 Santa Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration date here listed in Part 5 of the Santa Beach Land Development Code.

THE HERTZ CORPORATION

STATE OF: OKLAHOMA
COUNTY OF: TULSA
The foregoing instrument was acknowledged

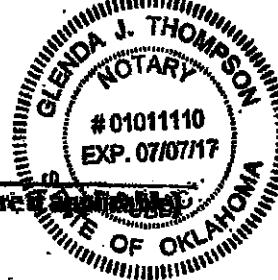
By: Michael E. Holdgrafer
(Owner / Agent signature)
Michael E. Holdgrafer
Vice President, Real Estate & Concessions.

BEFORE ME THIS 6TH DAY OF MARCH, 2014

My:

Glenda J. Thompson
(Print name of person acknowledging)

Joint owner signature of _____



Notary Glenda J. Thompson
(Signature of Notary Public - State of Oklahoma)

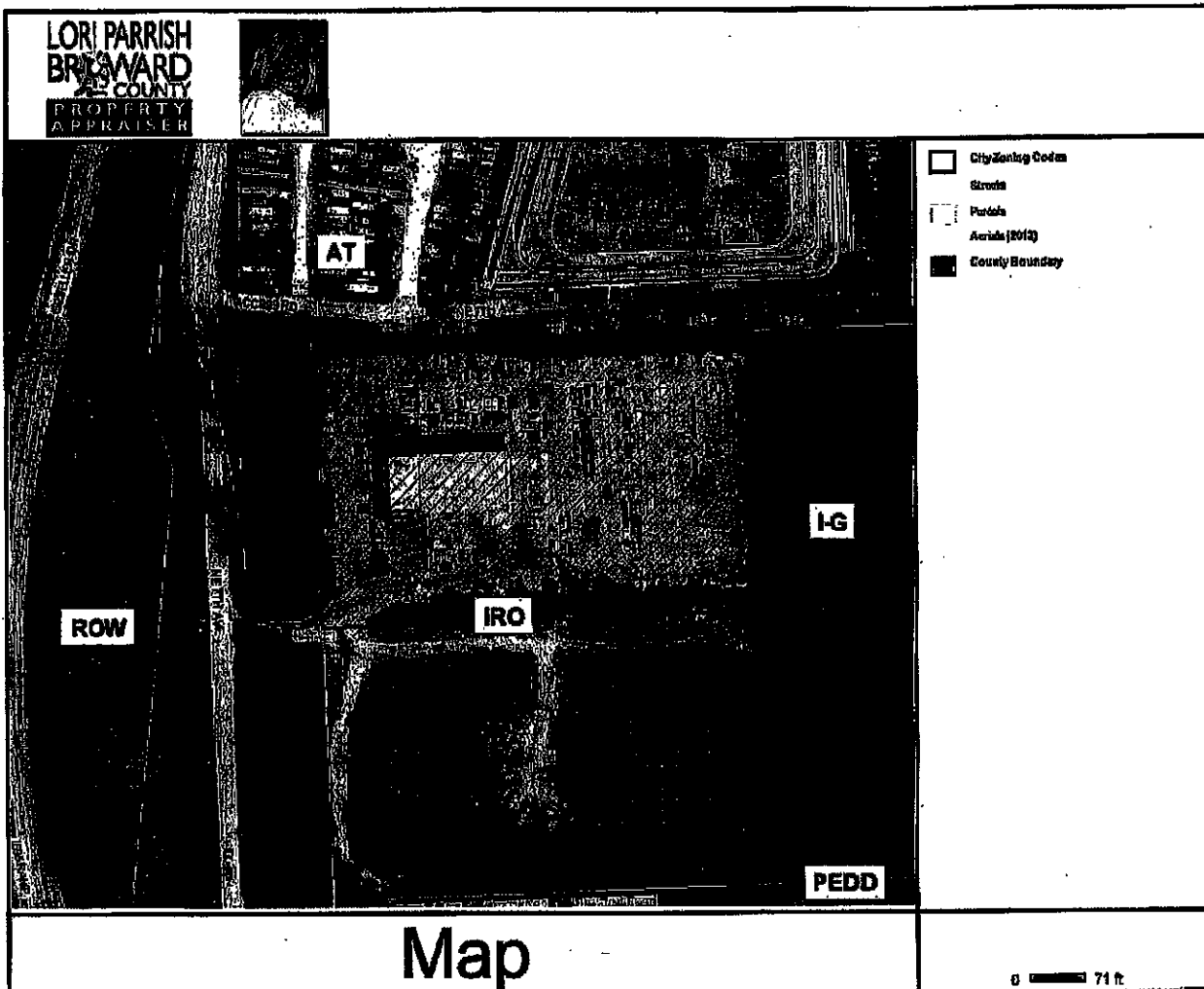
Personally known or Produced Identification _____

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.

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City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6803 X3643
(954) 922-2687 Fax

Standard Development Application

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

Date Rec'd: _____

Petition No.: _____

(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: 1900 NE 7th Avenue, Dania Beach

Lot(s): N/A Block: N/A Subdivision: N/A

Recorded Plat Name: Nisa Plat (147-14) Parcel B

Folio Number(s): 5042 26 09 0020 Legal Description: Nisa Plat (147-14) Parcel B

Applicant, Consultant / Legal Representative (circle one) Leigh R. Kerr, AICP

Address of Applicant: 808 East Las Olas Boulevard #104, Ft. Laud, FL 33301

Business Telephone: 954-467-6308 Home: n/a Fax: 954-467-6309

E-mail address: lkerr808@bellsouth.net

Name of Property Owner: Port 5 Ltd c/o David Dix, Wallypark

Address of Property Owner: East Coast Regional Office, Orlando, Florida

Business Telephone: 407-520-2888 Home: N/A Fax: N/A

Explanation of Request: Text Amendment to IRO. See Attachment A.
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: 4.3 Gross Acreage: 4.3 Prop. Square Footage: 186,865

Existing Use: Vacant Proposed Use: Car rental, maintenance and storage

Is property owned individually, by a corporation, association, or a joint venture? Owned by Port 5, Ltd., a Florida limited partnership

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 Leigh Robinson Kerr & Assoc. (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

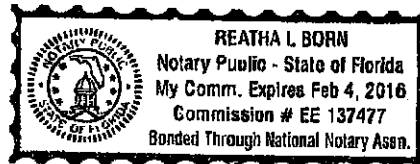
Port 5, Ltd., a Florida limited partnership
By: Port %, Inc. a Florida corporation, its General Partner
By: [Signature]
(Owner / Agent signature*)

BEFORE ME THIS 5 DAY OF March, 2014

By:
Reatha L Born
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Reatha L Born
(Signature of Notary Public - State of FL)



Personally known 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).**

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



Site Address	1800 NE 7 AVENUE, DANIA BEACH	ID #	5042 28 08 0020
Property Owner	PORT 5 LTD	Millage	0413
Mailing Address	1812 SW 31 AVE PEMBROKE PARK FL 33009-2024	Use	40
Abbreviated Legal Description	NISA PLAT 147-14 B PARCEL B		

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

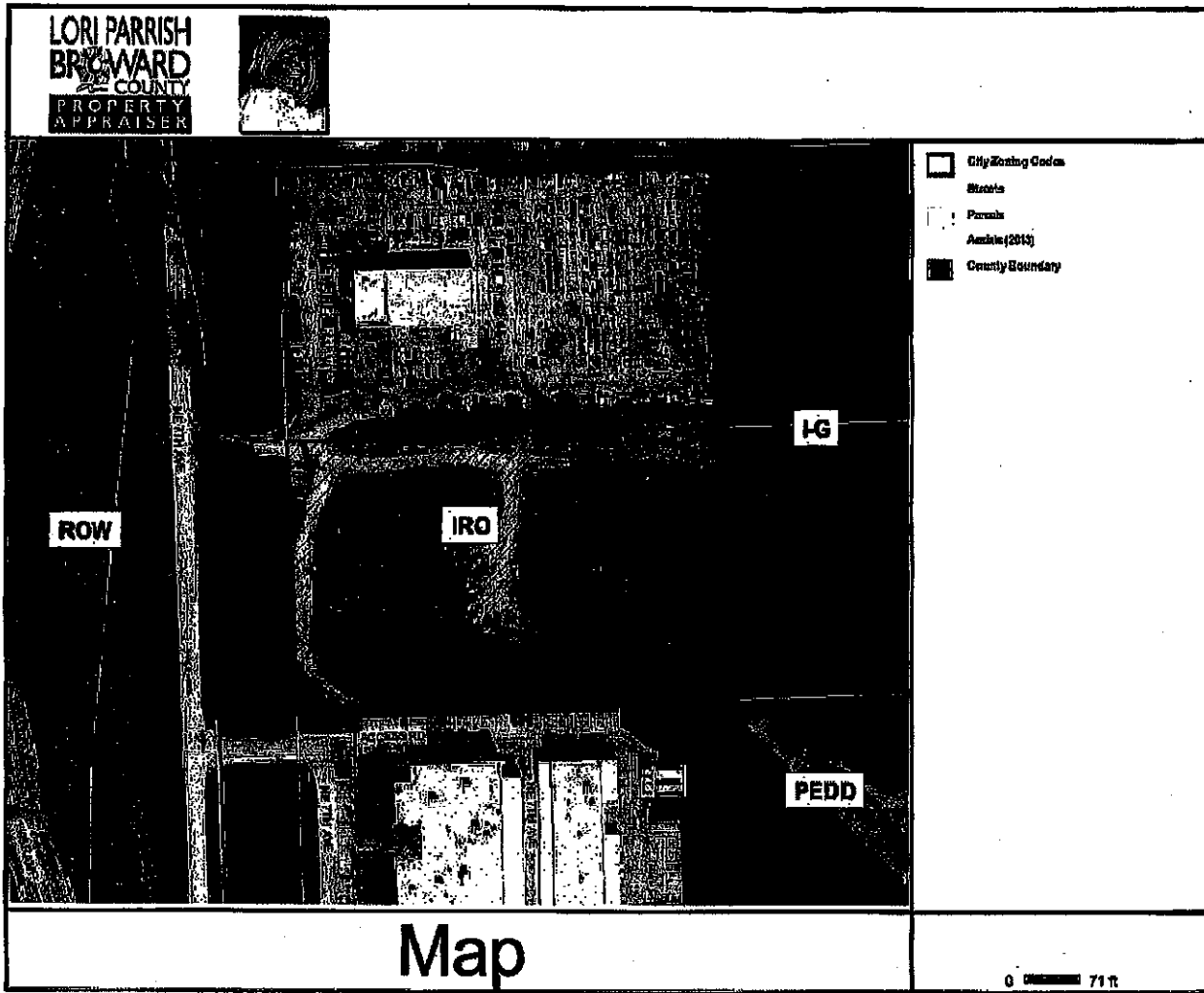
Property Assessment Values					
Click here to see 2013 Exemptions and Taxable Values to be reflected on the Nov. 1, 2013 tax bill.					
Year	Land	Building	Just / Market Value	Assessed / SOH Value	Tax
2014	\$1,510,830		\$1,510,830	\$1,510,830	
2013	\$1,510,830		\$1,510,830	\$1,454,280	\$32,086.70
2012	\$1,322,080		\$1,322,080	\$1,322,080	\$28,721.33

The 2014 values currently shown are "roll over" values from 2013. These numbers will change frequently online as we make various adjustments until they are finalized on June 1. Please check back here AFTER June 1, 2014, to see the actual proposed 2014 assessments and portability values.

2014 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$1,510,830	\$1,510,830	\$1,510,830	\$1,510,830
Portability	0	0	0	0
Assessed/SOH	\$1,510,830	\$1,510,830	\$1,510,830	\$1,510,830
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$1,510,830	\$1,510,830	\$1,510,830	\$1,510,830

Sales History				Land Calculations		
Date	Type	Price	Book/Page or CIN	Price	Factor	Type
1/7/1999	WD	\$1,050,000	29137 / 1474	\$8.00	188,854	SF
7/5/1996	SWD	\$50,000	25129 / 239			
				Adj. Bldg. S.F.		

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
04						DS		



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ZONING TEXT AMENDMENT

Amend the Permitted Uses within the IRO District to include:

- **Automobile rental (indoor/outdoor)**
- **Parking for vehicles and equipment**

NOTICE OF PUBLIC HEARINGS
CITY OF DANIA BEACH, FLORIDA

A Public Hearing will be conducted by the City of Dania Beach City Commission meeting on the following date:

DATE: Wednesday, May 27, 2014
TIME: 7:00 p.m. or as soon thereafter as the same may be heard
PLACE: City Commission Chambers
Dania Beach Administrative Center
100 West Dania Beach Blvd.
Dania Beach, FL 33004

SUBJECT: TX-35-14: The applicant, Leigh R. Kerr, representing The Hertz Corporation, a Delaware Corporation (successor by merger to Hertz Realty Corporation) c/o David Dix, Wallypark East Coast Regional Office, Orlando, FL., is requesting a Text Amendment to add uses to the Schedule of Permitted Uses List in the Industrial Research Office (IRO) zoning district (Second Reading).

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE TEXT AMENDMENT REQUEST MADE BY LEIGH R. KERR, REPRESENTING THE HERTZ CORPORATION, A DELAWARE CORPORATION (SUCCESSOR BY MERGER TO HERTZ REALTY CORPORATION) AND PORT 5 LTD C/O DAVID DIX, WALLYPARK EAST COAST REGIONAL OFFICE, ORLANDO, FLORIDA, PROVIDING FOR AMENDMENT OF ARTICLE 115, ENTITLED "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE" OF CHAPTER 28 "LAND DEVELOPMENT CODE" OF THE CODE OF ORDINANCES, TO ADD USES TO THE SCHEDULE OF PERMITTED USES IN THE INDUSTRIAL RESEARCH OFFICE (IRO) ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; FURTHER, PROVIDING FOR AN EFFECTIVE DATE..

Copies of the proposed requests are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours. For more information please call the Planning Division at (954) 924-6805 x3643.

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 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 based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

