



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

DATE: October 14, 2014

TO: Robert Baldwin, City Manager

VIA: Marc C. LaFerrier, AICP, Director *[Signature]*

FROM: Corinne Lajoie, AICP, LEED Green Associate, Principal Planner *[Signature]*

SUBJECT: **SP-40-11Mod:** The applicant, Gilles Grenier, on behalf of Skyland Plaza, LLC., is requesting site plan and design variation approval for the construction of an 8,500 square foot commercial space and two (2) residential units for the property located at 118 N. Federal Highway.

**REQUEST
SITE PLAN**

To construct approximately 8,500 square feet of new commercial space and two (2) residential units.

DESIGN VARIATION

1. To allow no gallery roof, awning or arcade as part of the modified shop frontage as required by Chapter 28, Section 303-40(N) and 311-20(E); and
2. To allow no landscape island in a row of parking where required by Chapter 28, Section 275-100(C)(1); and
3. To allow mechanical equipment along the street frontage, where none is allowed, per Chapter 28, Section 301-50(D).

PROPERTY INFORMATION

ZONING: City Center (CC)
LAND USE DESIGNATION: Regional Activity Center (RAC)
OVER LAY DISTRICT: Community Redevelopment Area (CRA), Principal Arterial Commercial Design Standard Overlay District.

The site plan was originally approved on March 27, 2012 for the construction of two buildings, both 2-story mixed commercial/residential with three (3) design variations on the property where the Dairy Belle is currently located. On May 14, 2013 the City Commission extended the previous approval to September 26, 2013. At this time the applicant is requesting site plan approval for substantially the same project. The residential units have been reduced from eight (8) units to two (2) units.

The project today is for the construction of approximately 8,500 square feet of commercial space and two (2) residential units. The applicant is also requesting three (3) design variations. The applicant is proposing redevelopment of the site while maintaining the current business (Dairy Belle) on the property.

DESIGN VARIATION

This project is located within the CRA in the City Center zoning district, which utilizes a form based code. The intent of the form based zoning codes provided for in the CRA is to encourage

and facilitate redevelopment and build a vibrant community. This project achieves several of the objectives identified in the OneCode, which are identified below:

- Activate the sidewalk by building close to the street and by controlling the interface between building and sidewalk.
- Maintain and enhance when possible, the stability and property values of residential neighborhoods through compatible transition to nonresidential properties, and through building form standards that bring new or expanded dwellings closer to the street with a renewed emphasis on the front yard.
- Bring building to the roadway, ensure proper proportioning and require continuous building facades to "enclose" designated streets in order to help create a lively and visually appealing environment that invites people to live, locate businesses and spend time shopping, dining and interacting with others.
- Encourage visual interest by ensuring the building and visual landscapes are accented rather than their parking facilities.
- Require the location of on-site parking facilities in the rear yard, accessed when possible through rear alleys or side streets.

Modified Shop Frontage

One of the features of the form based City Center zoning district is a required building frontage type. The applicant is providing a modified shopfront frontage, meeting the minimum window glazing requirement. However, the code requires modified shop fronts to provide a gallery roof, awning or arcade, which the applicant is not able to provide. This request was previously approved by the City Commission in 2012 when the original site plan was first approved. The applicant is requesting a design variation to address this deficiency.

Landscape Island

The second design variation requested is to allow no landscape island in a row of parking where required by code. The applicant is unable to provide this landscape island due to the roadway dedication required on Federal Highway which requires pushing the building and parking lot east, thereby reducing the available area for landscaping. The overall pervious area provided on the site meets code requirement. This request was also previously approved by the City Commission in 2012 when the original site plan was first approved.

Mechanical Equipment

The third design variation requested is regarding the location of mechanical equipment. The code states that no mechanical equipment shall be allowed to be placed along street frontage. The site plan proposed shows mechanical equipment along the street frontage on NE 1 Avenue. The applicant has indicated that there is no other feasible location for the transformer. The plans provided indicate that the equipment will be located five (5) feet from the south property line and will be screened from view by landscape material.

The City Commission may approve the design variations if found to meet the criteria identified in Section 301-50, which are identified below.

1. Whether the request is for a reasonable accommodation of design flexibility that results in an overall superior development and design consistent with the intent and principles of this subpart that govern the standard for which variation is requested; or
2. Whether the variation is appropriate to accommodate site conditions not anticipated in these regulations, or to reconcile conflicting requirements, provided the request is generally consistent with the intent and principles of this subpart that govern the standard for which variation is requested.

SITE PLAN

The proposed development includes a half acre site fronting on Federal Highway where the existing Dairy Belle is currently located, and the fifty (50) foot wide lot across the street on the east side of NW 1 Avenue. The two proposed buildings, provide generous window fenestration, builds close to the street and provides mixed-uses with commercial on the ground floor and residential above one of the buildings. The architect has designed a building utilizing a metal roof and light blue building color, similar to the design provided in the Paul Demaio library.

In order to comply with the RAC mitigation for traffic impact based on recently approved Resolution No. 2014-049, the applicant provided a trip generation analysis by a registered engineer who identified the PM peak number of trips for this project would be 89. Based on that analysis, the RAC mitigation fee due at time of permit issuance will be \$1,892.14 (89 PM trips X \$21.26 = 1892.14).

In addition, this project is projected to generate more than twenty-five (25) peak hour trips which require a traffic study or participation in the Voluntary Mobility Program. The applicant has indicated its participation in the voluntary mobility program by providing the following items.

- Installation of pedestrian crossing signs on NW 1 Avenue to improve pedestrian safety.
- Shade trees will be planted along the sidewalks on NE 1 Street to provide a shaded pedestrian path.
- Existing water meters currently located in and adjacent to the sidewalk on Federal Highway are being removed to improve sidewalk quality.
- One (1) bicycle rack will be installed on the property.

This project is located within the RAC and requires the assignment of two (2) residential garden apartment units and .38 acres of commercial (.76 acres/2 due to commercial on the ground floor and residential on the second floor) at a Floor Area Ratio (FAR) of .52 or less. This will result in a balance of 822 garden apartments remaining and 29.24 acres of commercial at FAR of .52 available in the RAC.

Outdoor dining is proposed within the footprint of the building in a large breezeway and therefore does not conflict with fire department or public pedestrian access. The outdoor dining component is proposed with a covered patio area which is permitted provided the outdoor furnishings are:

1. Consistent with the CRA Redevelopment guidelines;
2. Comply with fire department access requirements, and
3. Do not interfere with public pedestrian access.

The applicant is also proposing a super-graphic on the front façade of the south building. The code considers super-graphics as a special permitted use that are reviewed and approved by the Community Development Director under the following criteria:

- (1) The proposed general design, arrangement, texture, materials, colors, lighting, placement and the appropriateness of the proposed sign in relationship to other signs and the other structures both on the premises and in the surrounding areas, and only approve signs which are consistent with the intent, purposes, standards and criteria of the sign regulations.
- (2) The number of items (scenes, symbols, shapes) shall be consistent with the amount of information which can be comprehended by the viewer and avoid visual clutter.
- (3) The shape of the sign shall not create visual clutter.

- (4) The size, style and location of the sign shall be appropriate to the message.
- (5) The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture.
- (6) The sign should be consolidated into a minimum number of elements.
- (7) The sign shall be proportional to the size and scale of the building upon which it is placed.
- (8) The decision to grant permission for a super-graphics sign shall not be based on the viewpoint or content of the proposed sign. Permitting for the sign shall be in accordance with Section 505-200 (signage review, approval process and fees) of this article.

Development Review Committee

The site plan was reviewed by the Development Review Committee, which includes representatives from the Fire Marshal's office, Public Services, the City's landscape consultant and the Planning Division. Each discipline reviewed the plans for consistency with regulatory requirements. The following staff recommendations remain.

1. **PLATTING:** Provide letter from Broward County identifying whether this property needs to be platted or replatted. The proximity to airport will require FAA/BCAD review. Contact William Castillo, Airport Planner with Broward County Aviation Department located at 2200 SW 45 Street, Suite 101, Dania Beach, FL 33312, (954) 359-6100. This must be provided prior to issuance of a building permit (Planning).
2. Per BCAD letter of 7-3-14 the following is required prior to issuance of a building permit.
 - Must obtain FAA approval letter, Per BCAD letter of 7-3-14
 - Must obtain FDOT approval letter, Per BCAD letter of 7-3-14
3. **SCHOOLS:** Obtain letter from school board regarding school impact fees prior to issuance of a building permit, per City Commission Resolution No. 2012-035.
4. **RIGHT-OF-WAYS:** Provide recorded 5' r-o-w dedication as required prior to issuance of a building permit, per City Commission Resolution No. 2012-035. (Planning)
5. Please re-label the eastern parking lot to show the correct proposed use, and provide the number of parking stalls. (Landscape Consultant)

CITY COMMISSION PREVIOUS ACTION

On May 14, 2013 the City Commission approved a request to extend the previously approved variance and site plan by Resolution Number 2013-053;

On March 27, 2012 the City Commission approved the variance, site plan and associated design variation with conditions noted in Resolution No. 2012-034 and Resolution No. 2012-035.

STAFF RECOMMENDATION

SITE PLAN

Approve.

DESIGN VARIATIONS

Staff is recommending approval of the design variations requested for modified shop frontage, landscape island, and mechanical equipment, provided the site plan modification is approved.