



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

DATE: January 13, 2014

TO: Robert Baldwin, City Manager

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

FROM: Corinne Lajoie, AICP, LEED G. A., Principal Planner *[Signature]*

SUBJECT: **RZ-69-14/PL-68-14** - The applicant, Scott Backman, on behalf of Robert Favarato and Sarah Diane Favarato, as Trustees under the Robert C. Favarato and Sarah Diane Favarato, et. al. Living Trust, is requesting assignment of rezoning, and plat on property located at SW 29 Terrace (NW corner of Griffin Road and SW 29 Terrace). (SECOND READING).

REZONING

To rezone the property from Two-Family Residential District (RD-8000) to Commercial Business District (C-2).

PLAT

To plat a property for the construction of an approximately 10,000 square feet of retail space.

PROPERTY INFORMATION

EXISTING ZONING: Two-Family Residential District (RD-8000)
LAND USE DESIGNATION: Low-Medium (10) Residential

The subject property is located on the northwest corner of Griffin Road and SW 29 Terrace. The property is currently vacant. The property has residential to the north and east. To the west is a small convenience store and church.

REZONING

The applicant is requesting to change the zoning of the property from Two-Family Residential (RD-8000) to Commercial Business District (C-2) to allow the construction of retail stores on the property.

The applicant's request satisfies the rezoning criteria identified in the City of Dania Beach's Land Development Regulations, Chapter 28, Part 6, Section 645-40 as identified below.

(1)The request is consistent with the city's comprehensive plan.

The applicant has indicated that their request, after assignment of flex, will be consistent with the policies 1.2, 5.1, 8.4 & 9.2 of the City's Comprehensive plan.

(2)The request is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans, and master plans approved by the city commission.

The rezoning request is consistent with the Westside Master Plan, as the plans envisions commercial redevelopment to occur along the Griffin Road corridor.

- (3)The request would not give privileges not generally extended to similarly situated property in the area, or result in an isolated district unrelated to adjacent or nearby districts; and
- a. The request furthers the city's adopted community redevelopment plan, if applicable; or
 - b. An error or ambiguity must be corrected; or
 - c. There exists changed or changing conditions which make approval of the request appropriate; or
 - d. Substantial reasons exist why the property cannot be used in accordance with the existing zoning; or
 - e. The rezoning is appropriate for the orderly development of the city and is compatible with existing (conforming) adjacent land uses, and planned adjacent land uses.

The requested rezoning would not give privileges not generally extended to similarly situated property in the area. Properties located on the south side of Griffin Road have a commercial zoning and land use, as is being requested for the subject property. The requested change furthers the Westside Master Plan's implementation and appears to result in an appropriate and orderly development, by enabling commercial to occur on the Griffin Road, and principal arterial, state roadway.

This is the second and final public hearing.

PLAT

The proposed plat establishes a 49 foot, ingress-egress located at the south west corner of the property on Griffin Road. By way of the plat, the applicant is dedicating five (5) feet for the right-of-way on Griffin Road and twenty (20) feet of right-of-way on SW 29 Avenue. The dedication on Griffin Road is required to be consistent with the Broward County Trafficway Plan, which identifies this section of ultimate right-of-way to be 120 feet. In addition, the plat restricts the use on the property to 11,000 square feet of commercial development with no free standing drive-thru bank facility.

Development Review Committee

The plat 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. All of staff's comments were addressed at that time.

This is the second and final public hearings.

CITY COMMISSION PREVIOUS ACTION

On December 9, 2014 the City Commission approved the assignment of flex, and first reading of the rezoning and plat.

On September 23, 2014 the City Commission agreed to reconsider the rezoning and plat request.

On September 9, 2014 the City Commission failed to take action on the rezoning and plat request.

CITY COMMISSION ACTION

REZONING

The rezoning application meets all applicable regulations, as illustrated in the applicant's justification statement. Approve second reading of the proposed rezoning ordinance.

PLAT

The plat application meets all applicable regulations, as determined by the DRC. Approve second reading of the proposed plat.