





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

DATE: January 27, 2015

TO: Robert Baldwin

VIA: Marc LaFerrier, AICP, Director 

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

SUBJECT: **SE-83-14:** The applicant, Michael Vonder Meulen/Keith & Associates, Inc., on behalf of the property owner Broward County Board of County Commissioners, is requesting a special exception to permit water treatment facility at 4980 SW 40 Avenue.

SPECIAL EXCEPTION

To allow a water treatment facility.

PROPERTY INFORMATION

EXISTING ZONING:	General Industrial (IG)
PROPOSED ZONING:	Industrial, Research, Office, Commercial (IROC)
LAND USE DESIGNATION:	Utilities

The subject property is located on the east side of SW 40 Avenue where the existing Broward County Water Facility is currently located. This property was annexed into the City of Dania Beach in 2001. Prior to that time the property was located in unincorporated Broward County.

Today the property is zoned General Industrial (IG), which does not permit water treatment plants. The applicant has requested to rezone the property to Industrial, Research, Office, Commercial (IROC) which allows water treatment facilities as a special exception use with conditions.

SPECIAL EXCEPTION

A special exception is necessary to allow a water treatment facility and the expansion of such facility. The applicant's request satisfies the special exception criteria identified in the City of Dania Beach's Land Development Regulations, Chapter 28, Section 630.50 as identified in the applicant's submittal.

- (1) That the use is permitted as a special exception use as set forth in the use regulations of part 1 of this code.
- (2) ***That the use will not cause a detrimental impact to the value of existing contiguous uses, uses in the general area, and to the zoning district where it is to be located.***
- (3) ***That the use will be compatible with the existing uses on contiguous property, with uses in the general area and zoning district where the use is to be located***

and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values and existing similar uses or zoning.

- (4) That adequate landscaping and screening are provided to buffer adjacent uses from potential incompatibilities.***
- (5) That adequate parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
- (6) That the use will not have a detrimental environmental impact upon contiguous properties and upon properties located in the general area or an environmental impact inconsistent with the health, safety and welfare of the community.
- (7) That the use will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community.
- (8) That the use will not utilize turning movements in relation to its access to public roads or intersections, or its location in relation to other structures or proposed structures on or near the site that would be hazardous or a nuisance.
- (9) That the use will not have a detrimental effect on the future development of contiguous properties or the general area, according to the comprehensive plan.
- (10) That the use will not result in the creation of incompatible noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses, uses located on contiguous properties, uses in the general area and the zoning in the vicinity due to its nature, duration, direction or character.
- (11) That the use will not overburden existing public services and facilities.

The application and site plan provided is not consistent with the City's Special Exception criterion number 2, 3 & 4, which are identified above. Because the applicant has provided no mitigation or consideration to make the site compatible with the neighboring uses as required by conditions number 2, 3, and 4, staff is not in support of this use as currently proposed.

Additional city approvals for this project are necessary. In addition to this special exception request, the applicant has also applied for a rezoning, a variance to waive minimum buffer requirements and site plan approval for construction of a new tank and site improvements.

PLANNING AND ZONING BOARD

On November 19, 2014 the Planning and Zoning Board recommended approval of the rezoning.

CITY COMMISSION ACTION

On December 9, 2014 the City Commission approved the rezoning request on first reading.

Staff recommends continuing the item to allow the applicant to revise the elevation of the proposed water tank and propose mitigation in the form of landscaping and a perimeter wall for screening to ensure neighborhood compatibility.