




**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:** **VA-84-14\VA-95-14\VA-118-14\VA-119-14\VA-120-14\VA-121-14\SP-08-13:** The applicant, Michael Vonder Meulen/Keith & Associates, Inc., on behalf of the property owner Broward County Board of County Commissioners, is requesting a several variances and site plan approval to permit the expansion of a water treatment facility at 4980 SW 40 Avenue.

**VARIANCE**

1. To provide zero (0) trees adjacent to the vehicle use areas; code required trees planted 1:40 feet resulting in a total of 12 trees required, per Section 275-90(C)(b).
2. To provide no hedge or wall along the vehicle use area; code requires a continuous wall or hedge; per Section 275-90(C)(c).
3. To allow no six-foot masonry wall separating residential use; code requires six-foot masonry wall, Per Section 275-110(D)(1).
4. To provide no trees and no shrubs adjacent to residential property; code requires a minimum of one tree per 40 linear feet (16 trees required) and one shrub per three linear feet (208 shrubs required), per Section 275-110(D)(3).
5. To allow a seven (7) foot landscape buffer along the west and north property lines; code requires a ten (10) foot minimum, Per Section 275-120.
6. To allow zero perimeter buffer trees on the property, code requires one tree per 40 linear feet (48 trees required); per Section 275-120.
7. To allow zero hedge material along the perimeter of the property; code required a row of hedges, per Section 275-120.
8. To allow the proposed storage tank to have zero shrubs; code requires a minimum of twenty (20) percent of the front of the structure to be planted with shrubs, per Section 275-170(A).
9. To allow a setback of 50 feet from the south property line adjacent to residential and 137 foot setback from the residential on the west where 500 feet is required; per Section 115-40(17).

**SITE PLAN**

To allow the construction of a new water storage tank.

**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.

**VARIANCE**

1. To provide zero (0) trees adjacent to the vehicle use areas; code required trees planted 1:40 feet resulting in a total of 12 trees required, per Section 275-90(C)(b).

Parking width along front property line is 115 linear feet. Driveway length along south property line is 365 linear feet. Therefore a total of twelve (12) trees must be planted ( $115+365=480/40=12$ ). Zero trees are proposed.

The City used industry standards in referencing the quality of a tree. Category one trees are the highest quality tree in form, species selection and structure and therefore cost the most, approximately \$300 per tree. The next category, Category 2, is a lower quality and cost approximately \$150 per tree. The lowest quality tree is a Category 3 tree and therefore the least expensive, approximately \$50 per tree. Compliance with this code requirement would cost the between \$600 (category 3) to \$3,600 (category 1) for installation of the required trees.

2. To provide no hedge or wall along the vehicle use area; code requires a continuous wall or hedge; per Section 275-90(C)(c).

Based on industry standard using the RS Means valuation, the approximate cost of constructing a six-foot masonry wall is \$96 per linear foot. There is an existing parking lot adjacent to the west property line that is 115 feet in length. The driveway length along the south property line is 365 linear feet. Therefore, the cost to construct a continuous wall ( $115 + 365 = 480$ ) along the vehicle use area would be \$46,080 ( $480 \times \$96 = \$46,080$ ).

The typical value of a shrub or hedge plant is approximately \$50, which are typically planted one every three feet. The total number of hedge plants that would be needed to be installed would be 160 ( $480/3 = 160$ ). Therefore compliance with this regulation would cost approximately \$8,000.

3. To allow no six-foot masonry wall separating residential use; code requires six-foot masonry wall, Per Section 275-110(D)(1).

Residential use is located immediately adjacent to the south property for a total of 622 linear feet. Therefore the approximate cost of construction for a wall (based on RS Means) to meet this code requirement will be \$59,712

4. To provide no trees and no shrubs adjacent to residential property; code requires a minimum of one tree per 40 linear feet (16 trees required) and one shrub per three linear feet (208 shrubs required), per Section 275-110(D)(3).

The south property line is immediately adjacent to residential property and is 622' in length. Therefore 16 trees are required ( $622/40 = 15.55$ ). Zero trees are provided. The cost per tree ranges from \$300 for a category 1 tree to \$50 for a category 3 tree, therefore compliance with this code requirement would cost the between \$800 – \$4,800 for installation of the required trees.

The typical value of a shrub or hedge plant is approximately \$50, multiplied by 208 shrubs required. Therefore, compliance with this code provision would cost approximately \$10,400.

5. To allow a seven (7) foot landscape buffer along the west and north property lines; code requires a ten (10) foot minimum, Per Section 275-120.

These setback deficiencies exist today and will not change with improvements currently proposed.

6. To allow zero perimeter buffer trees on the property, code requires one tree per 40 linear feet (48 trees required); per Section 275-120.

The property is approximately 337 feet wide and 620 feet deep. Therefore 48 trees are required ( $337 + 613 + 336 + 622 = 1908/40 = 47.7$ ). The cost per tree ranges from \$300 for a category 1 tree to \$50 for a category 3 tree, therefore compliance with this code requirement would cost the between \$2,400 - \$14,400 for installation of the required trees.

7. To allow zero hedge material along the perimeter of the property; code required a row of hedges, per Section 275-120.

The property is approximately 337 feet wide and 620 feet deep. A total of 636 shrubs are required to be planted at one plant per every three feet ( $337 + 613 + 336 + 622 = 1908/3 = 636$ ). The typical value of a shrub or hedge plant is approximately \$50. Therefore compliance with this code requirement would cost approximately \$31,800.

8. To allow the proposed storage tank to have zero shrubs; code requires a minimum of twenty (20) percent of the front of the structure to be planted with shrubs, per Section 275-170(A).

For calculations purposes, staff has calculated only the front 120 feet of the proposed tank, as that is likely to be the most visible section of the structure from the road. The typical value of a shrub or hedge plant is approximately \$50 ( $120 \times 20\% = 24$ ), therefore compliance with this section of the code would cost approximately \$1,200.

9. To allow a setback of 50 feet from the south property line adjacent to residential and 137 foot setback from the residential on the west where 500 feet is required; per Section 115-40(17).

The City's Land Development Code identified minimum separation requirements of 500 feet between water treatment facilities and residential use as a buffer. The existing tank on the property provides a 50 foot setback from the south property line.

In addition, the applicant has indicated that they will be removing three (3) existing trees from the south property line, resulting in even less landscape treatment and buffering from the adjacent residential neighbors.

The estimated cost the applicant is requesting to waive through variances is approximately \$86,292 - \$171,992. The majority of this cost is due to required tree plantings, the value of which could be paid to the City's Tree Trust Fund to allow the city to plant the trees at other locations in the City.

Section 625 of the Land Development Code states, the city commission or planning and zoning board, if applicable, shall hold its public hearing and, after consideration of the staff recommendation and public input, if any, may deny, approve or approve with conditions the application for variance, based upon its determination that the request meets the criteria identified in Section 505-180. The applicant has identified how the request is consistent with these criteria in their submittal.

#### **SITE PLAN**

##### **BUILDING ELEVATIONS**

The applicant indicated that the U.S. Department of Homeland Security standards prohibit the installation of any landscape material at all on the site. Based on the City of Dania Beach Land Development Regulations, the applicant is required to plant 76 trees on site, which would cost between \$3,800 for category 3 trees to \$22,800 for category 1 trees. Due to the complete lack of landscape treatment and wall system being provided by the applicant on the property, no screening of the industrial use from the adjacent residential properties will be provided. Therefore, staff is requesting enhanced design on the structure of the tank.

There are several examples to enhanced exterior tank elevations in surrounding municipalities such as Miramar, Davie and Ft. Lauderdale. Staff has asked the applicant to enhance the exterior elevation of the proposed tank. The latest renderings provided show a simple blue band on the tank.

The site plan was reviewed by the Fire Marshal, Public Services, the City's landscape consultant and the Planning Division. The applicant has addressed all of staff's comments. Therefore the site plan meets all applicable regulations provided the all of the requested variances; special exception and rezoning requests are approved.

Additional city approvals for this project are necessary. In addition to these variance requests, the applicant has also applied for a rezoning and special exception approval for construction of a new tank and site improvements.

The applicant is aware of the zoning code provision allowing the City Commission to waive all code requirements for other governmental entities projects or facilities. The applicant has included the variance applications necessary to incorporate modified standards.

#### **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 RECOMMENDATION**

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.

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