



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

**DATE:** April 28, 2015

**TO:** Robert Baldwin, City Manager

**VIA:** Marc LaFerrier, AICP, Director

**FROM:** Corinne Lajoie, AICP, Principal Planner, LEED GA *CL Lajoie*

**SUBJECT:** **VA-23-15/VA-42-15/SP-40-13mod:** The applicant, John C. Halliday III, on behalf of Griffin Pointe Partners, LLP, is requesting a rezoning, variance, and site plan modification approval for the construction of seven (7) buildings totaling 107,110 square feet located at 2301 Griffin Road.

**REQUEST  
VARIANCE**

1. To provide no double row of trees; code requires a double row of trees if a wall is located on the property line, per Section 275-110(D).
2. To provide category 2 and 3 trees; code requires category 1 trees for terminal islands and head-to-head parking areas, per Section 275-100(D).

**WAIVER**

To provide twenty percent (20%) pervious area; code requires twenty-five percent (25%) pervious area, per Section 215-130.

**SITE PLAN MODIFICATION**

To allow the construction of seven (7) buildings totaling 107,110 square feet.

**PROPERTY INFORMATION**

**EXISTING ZONING:** Commercial (C-1)  
**LAND USE DESIGNATION:** Commercial/Office Park

The subject property is approximately nine (9) acres in size located on the north side of Griffin Road, just west of Ravenswood Road. The property extends from Griffin Road to SW 45 Street. It is currently undeveloped with several mature oak trees on the property. Directly west of the property is the Sheldon Mobile Home Park and single family homes that were built by Habitat for Humanity.

The proposed project is for the development of a corporate office park which consists of one (1) out parcel and seven (7) separate buildings tied together through a common site plan with shared access. The land use designation of a majority of the property is Office Park, which contemplates the type of office use for administrative, professions and/or business activities proposed with this site plan. In addition to the actions requested in this report, the applicant has also requested a rezoning of the property, which must be approved prior to granting the site plan approval.

## VARIANCE

### 1. Wall Location

The City's Land Development Code (LDC) requires walls to be located five (5) feet from the property line when adjacent to residential zoning, as this property is. The intent is to provide the residential use with a five (5) foot landscaped buffer. However, the code does allow the wall to be located on the property line if a double row of trees are provided, in this case 62 trees would be required. The applicant is requesting to plant only 39 trees along the west property line. The applicant has indicated that they cannot fit 62 trees along the west property line because some of the existing trees that are being reserved on site are located on the same west property line therefore limiting the amount of space available for planting. In addition, the 23 trees that will not be planted along the west property line will be planted on site in other areas of the property where there is sufficient room for planting.

### 2. Trees

The applicant is proposing to use category 2 and 3 trees in landscape terminal islands and in landscaped areas between head-to-head parking. The applicant's landscape consultant has indicated that the LDC also requires that shade trees shall be located in minimum of fifteen (15) feet away from structures and twenty (20) feet away from other shade trees in order to provide adequate space for growth. The proposed plans achieve this by using smaller (category 2 and 3) trees, thus requiring a variance from the code provision requiring use of category 1 trees.

## VARIANCE CRITERIA

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 625-40, which are identified below.

- (1) "That the requested variance maintains the basic intent and purpose of the subject regulations, particularly as it affects the stability and appearance of the city."
- (2) "That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community."
- (3) "That the requested variance is consistent with, and in furtherance of, the goals, objectives and policies of the adopted Comprehensive Plan, as amended from time to time, and all other similar plans adopted by the city."
- (4) "That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome."
- (5) "That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community."

## SITE PLAN

The proposed development consists of one (1) out parcel and six (6) additional buildings. The outparcel is located on the south end of the site, fronting on Griffin Road. The buildings north of the out parcels are anticipated to be office and medical office uses. The closest building to the

west property line is 66 feet from the western property line, which is adjacent to single family homes and includes two landscape buffers, one along the property line and other next to the building.

There were several existing mature trees on the property. The proposed Site Plan proposes to maintain 23 trees on site where they currently exist, 116 trees are proposed to be removed, 70 trees will be relocated on site. The removal of 116 trees requires mitigation through replacement of tree canopy on site, which the applicant is doing as much as possible. The remaining mitigation is being paid into the City's Tree Trust Fund in the amount of \$29,092.84.

The applicant has indicated that the development of the project is likely to be phased. When a project will be phased the LDC the applicant must provide the beginning and ending dates of construction of the entire project and of each phase. The outparcel has been defined, however no floor plan or landscape plan has been provided at this time. As such, development of the outparcel will require a separate reviewed and approved site plan prior to issuance of a building permit for the outparcel. The applicant has identified the following phasing schedule:

PHASE 1	
Buildings	#100, #200, and #300
Total Square Footage	51,630
Start of Construction	Third/Fourth Quarter of 2015
PHASE 2	
Buildings	#400, #500, #600
Total Square Footage	52,150
Start of Construction	Third/Fourth Quarter of 2017
PHASE 3	
Outparcel	Commercial/Retail Use
Total Square Footage	1+/- acre
Start of Construction	No earlier than Third/Fourth Quarter of 2015. Development of the outparcel is contingent on the identification of the end user.

#### WAIVERS

##### Pervious Area

The LDC required twenty percent (25%) pervious area, in part to accommodate stormwater runoff on site. However, the LDC allows the City Commission to waive this requirement provided the city engineer deems appropriate the design and construction methods proposed by the applicant to completely mitigate the stormwater runoff increase that would occur by granting the waiver. The City Engineer supports this request contingent upon the applicant meeting the requirements of Broward County Surface Water Management Licensing Section and related federal and state rules and regulations.

##### Development Review Committee (DRC)

The site plan was reviewed by the Development Review Committee (DRC), which includes representative from the BSO Fire, Public Services, the City's landscape consultant and the Planning Division. The following outstanding comments remain, which are identified below:

1. The proximity to the 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 33315, (954) 359-6100 (Community Development).
2. COST RECOVERY: per Article 685, cost recovery funds may be utilized for various costs of the city's administrative and outside fee consultants for the processing and review of applications. Per City Attorney's request, please provided \$1,500 cost recovery fee with next submittal. The cost recovery money can be returned if not utilized, or additional fees may be requested if additional fees are incurred. 2<sup>nd</sup> time requested (Community Development).
3. Phasing – per section 635-50(AA) identify beginning and ending dates of construction of entire project and beginning and ending dates for all phased of the project (Community Development).
4. Proposed ingress/egress on Griffin Road and SW 45<sup>th</sup> Street – FDOT Index 515 applies. Show radius of curve. Revisit proposed width of driveway lanes, minimum is 12 feet. All proposed driveway aisles are 12' per lane however exit/entry driveways on Griffin Road are 11 feet wide. Please review entry driveway width on Griffin Road, I suggest for one single entry width of minimum of 20 feet (lane should be clearly striped to clearly show the movement area) and the two exit lanes be 12 foot each (City Engineering).
5. Provide drawing file (dwg or dgn) disk of the approved site plan in Florida State Plane Coordinate (NAD 83). This should be addressed as part of the final submittal (City Engineering).
6. The applicant must meeting the requirements of Broward County Surface Water Management Licensing Section and related federal and state rules and regulations regarding stormwater runoff to validate the pervious area waiver (City Engineer).
7. The applicant must payment of \$29,092.84 must be paid to the City's Tree Trust fund for partial mitigation for the removal of 116 tree prior to issuance of a building permit. The remaining mitigation is to be replanted on site, consistent with the site plan (Landscape Consultant).
8. Please note that royal palm and buttonwood are category 2 trees, and crape myrtle is a category 3 tree. These trees are being proposed for terminal islands, please select species that qualify as category 1 trees, as required by Section 275-100(D). This also applies to the head-to-head parking rows (Landscape Consultant).
9. Provide the fire flow demand for each of the 6 buildings (Fire Marshal).
10. Provide new fire hydrant flow test as the old test is not expired (Fire Marshal).
11. Provide a complete application for approval for the fire protection water supply design (Fire Marshal).
12. Will all building be sprinklered? If so, are they interconnected? It appears that buildings 3 & 6 may be sprinklered – if so, FDC's are not shown. Please clarify (Fire Marshal).
13. Please relocate all hydrants to the building side of the street (Fire Marshal).

14. Will there be any gates located on the site? (Fire Marshal).

**CITY COMMISSION PREVIOUS ACTION**

On April 14, 2015 the City Commission heard the first reading of the rezoning request.

On November 26, 2013 the City Commission approved a variance, delegation request and site plan for the construction of three buildings totaling 142,138 square feet.

**PLANNING AND ZONING BOARD RECOMMENDATION**

On April 15, 2015 the Planning and Zoning Board heard the rezoning request.

**STAFF RECOMMENDATION**

**VARIANCES**

The variance applications meet all applicable regulations as illustrated by the applicant's justification statement. Approve the variance resolution.

**WAIVER**

The City Engineer supports the waiver request contingent upon the applicant meeting the requirements of Broward County Surface Water Management Licensing Section and related federal and state rules and regulations.

**SITE PLAN MODIFICATION**

The site plan application, excluding the outparcel, meets all applicable regulations, as determined by the DRC provided the variances and the previous area waiver are granted and further provided that the applicant address all DRC comments prior to issuance of a building permit. Approve the proposed site plan resolution.