



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

**DATE:** June 28, 2016

**TO:** Robert Baldwin, City Manager

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

**FROM:** Corinne Lajoie, AICP, LEED G.A., Planning and Zoning Manager *CL Lajoie*

**SUBJECT:** **VA-55-16/VA-56-16/SP-127-15:** The applicant, Anthony Leon, 3Design Inc., on behalf of the property owner, Dania Square Investment Group, LLC. is requesting variances and site plan approval to construct a commercial building approximately 18,200 square feet in size at 1301 South Federal Highway.

**REQUESTS**

**VARIANCES**

1. To provide no terminal landscape island, Land Development Code (LDC) required a ten (10) foot landscape island at the end of a row of parking; per Section 275-100(D).
2. To provide no intermediate landscape peninsula; LDC requires one (1) for every twelve (12) parking spaces; per Section 275-100(C).
3. To provide as little as zero (0) feet between parking spaces and the building, LDC required five (5) feet, per Section 275-100(E).
4. To allow less than thirty (30) feet between the parking area and street; LDC required a minimum thirty (30) foot separation, per Section 303-80.

**SITE PLAN**

To allow the construction of a commercial building approximately 18,200 square feet in size.

**PROPERTY INFORMATION**

**EXISTING ZONING:** South Federal Highway – Mixed Use (SFED-MU)  
**LAND USE DESIGNATION:** Regional Activity Center (RAC)

**VIOLATIONS ON PROPERTY**

There are no open violations on this property.

The subject property is approximately one (1.01) acre in size and is currently vacant. The applicant is proposing to construct three (3) new buildings totaling approximately 16,000 square feet.

## VARIANCES

### 1. LANDSCAPING - TERMINAL ISLANDS

The applicant is proposing to provide no landscape island at the east end of an internal row of parking. By eliminating the landscape island the applicant is able to provide a loading space internal to the site.

### 2. LANDSCAPING – INTERMEDIATE ISLANDS

The applicant is requesting to provide zero (0) intermediate landscape islands. The Land Development Code (LDC) requires one (1) intermediate island for every twelve (12) parking spaces. In order to maximize parking on site, the applicant is proposing fourteen (14) parking spaces with no intermediate landscape islands.

### 3. LANDSCAPING – BETWEEN BUILDING AND PARKING

At Staff's request, the applicant is proposing to provide no landscaping between the building and parking, but provide landscaped planter areas in certain locations. Where the landscaped planter areas are provided, they will be four (4) feet in depth instead of the required five (5) feet. Eliminating the landscaping in strategic locations allows for better pedestrian connection from the parking lot to the building.

### 4. PARKING LOCATION

The applicant is proposing to located the parking at the rear (east) of the property, as the City's LDC requires. However, the LDC also requires the parking to be setback thirty (30) feet from a street. This property has three (3) street frontages making it difficult to meet this provision of the code. The applicant is requesting to locate the parking as close as twenty-nine feet, three inches (29'3") from a street.

Section 625 of the City's LDC states that 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 a 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 applicant is proposing to construct three (3) new commercial buildings totaling approximately 16,000 square feet. To the north, south and east are single family and multi-family homes.

### Principal Arterial Commercial Design Standard Exception

The applicant is requesting to waive the requirement that canopies, when proposed, are restricted to a height of ten (10) feet. The applicant has identified their desire to locate the proposed canopy at twelve (12) feet above grade due to architectural considerations and to promote the maximum exposure of the storefront commercial space.

Section 505-20 (C) of the City's LDC states that the City Commission may approve exceptions to the Principal Arterial Commercial Design Standards as condition to a site plan approval upon making the following findings:

- (1) There are circumstances peculiar to the site or the intended use that makes compliance with a particular requirement of this article impracticable; and
- (2) The applicant has offered significant enhancements to other pertinent aspects of the site that the City Commission determines will offset any negative impact that an exception to these standards might otherwise create.

### Development Review Committee (DRC)

The site plan was reviewed by the DRC which includes personnel from the BSO Fire, Public Services, the City's landscape consultant and Community Development Department's Planning Division. The applicant has several outstanding staff comments that must be addressed prior to issuance of a building permit which are provided below. The outstanding DRC comments are listed as conditions of approval in the resolution.

1. APPLICATION: Confirm application was properly completed, signed, and proper application fee was paid. Per Section 635-50, must provide the following:
  - J – The location and dimensions of proposed setback lines, from new property line after dedication;
  - S – size, & height of proposed signs, including building signage details shown on plan elevation and method of illumination;
  - W – Type and location of mail receptacles;
  - Y – The following computations:
    - 4 – Area devoted to vehicular use areas (roadways, aisles, parking) and percentage; Provide calculations on Sheet A-1.0.
    - 6 – Lot coverage by roofed structures and percentage; Provide calculations on Sheet A-1.0.
2. PLATTING: Provide letter from Broward County identifying whether this property needs to be platted or replatted. 2<sup>nd</sup> time requested.
3. RIGHT-OF-WAY: Identify if R-O-W dedication is required. Provide measurement of all three roads to determine if additional ROW is needed. Based on information shown on survey, a 6' ROW dedication is needed for Federal Highway. Identify location on dedication and resulting new west property line on Site Plan and identify location of newly created property line and show building setback from new property line.

4. The proximity to the airport will require FAA review and approval. Contact William Castillo, Airport Planner with Broward County Aviation Department, located at 2200 SW 45 Street, Suite 101, Dania Beach, FL 33315, ((54) 359-6100. 2<sup>nd</sup> time requested.
5. Provide minimum bicycle parking requirements identified in Section 265-51 & 307-30. Bike spaces provided is required to be equal to 10% of the required automobile spaces. Provide calculation and identify location on site plan. Location of bicycle parking must be on property, current location appears to be in newly dedicated ROW. Clarify.
6. RAC TRAFFIC IMPACT MITIGATION: Provide an analysis, signed and sealed by a certified engineer, identifying the amount of RA mitigation for traffic impact due based on resolution No. 2014-049 which established a rate of \$21.26 per p.m. peak hour trip. Per Traffic Impact Study prepared by Thomas A. Hall the number of PM peak hour trips is 178. Based on this county \$3,784.28 is due ( $21.26 \times 178 = \$3,784.28$ ). This amount is due prior to issuance of a building permit.
7. Per Section 309-10(C)(1) Construct sidewalk and on-street parking and provide and install street furniture (including, but not limited to, benches, transit shelter, street lights, waste bins, and bike racks or lockers) for the ALL street frontage abutting the property line at the development site, pursuant to the specification approved by the City Commission in the CRA Redevelopment Plan. See attachments. Identify location and width of sidewalks on site plan. Only 2 benches provided on Federal Highway. Provide additional furniture on sidewalks along with decorative trash cans. 2<sup>nd</sup> time requested.
8. Per Section 311-20(4)(b) Building awnings must be a minimum of 7' forward of the façade and may extend over the sidewalk to within 1' of the street tree. Awnings shall extend along a minimum of 80 percent of the building frontage, excluding recesses from BTL. Provide dimensions on site plan. 2<sup>nd</sup> time requested.
9. The proposed site is comprised of 4 separate folios. Provide unity of title prior to issuance of a building permit.
10. Per Section 265-20(D) off-site parallel parking dimensions must be 8 feet X 23 feet; only 8 feet X 20 feet proposed. Revise accordingly.
11. Verify the latest Broward County Trafficway Plan for required right of way dedication on Federal Highway. Reflect right of way dimensions on engineering site plan. Right of way lines are NOT clear and/or NOT labeled on site plans (engineering, architectural and landscaping).
12. Acknowledged receipt of traffic study. Provide intersection level of service analysis for the following intersections: US-1/13th Terrace and US-1/13 Street. Provide traffic circulation plan including off-site and on-street parking, weaving action likely to occur due to on-street parallel parking.
13. Survey map as submitted is not acceptable. Survey provided shall not be older than six months, signed and sealed by a Florida registered Mapper/Surveyor. Topographic survey must show full width of abutting road of right of way. Resubmit new survey information using NAVD 88 datum. Not submitted.

14. Show sight triangle at proposed ingress/egress. This must be reflected on the landscaping plan as well. Use FDOT Index 546 for guidance. Not coordinated with architectural site plan.
15. Public sidewalks shall be 5 foot wide, minimum. Was this addressed? Provide dimensions in your plans.
16. Provide geometric dimensions in your civil drawings.
17. Curb return radius MUST be 25' (minimum). Driveway width MUST 24'.
18. Confirm with Fire Department adequacy of proposed water loop and pipe diameter for this site.
19. A separate meeting needs to be arranged with Public Services Department to discuss proposed water and fire line connections. All wet taps shall be based on the city's tapping criteria. Please contact Sherie Dunleavy, Office Manager, Public Services Department to make an appointment, phone number 954-924- 3882, email: sdunleavy@ci.dania-beach.fl.us Not addressed.
20. Per Dania Code of Ordinances (Article 415 – Sidewalks and Swales), Owner is responsible for sidewalks and swale improvements within the road right of way. Show extent of offsite development on SE 13th Street and SE 13th Terrace. Show full width of road and right of way including edge of pavements. Not adequately addressed. Based on aerial map, there seems to be lack of adequate right of way to accommodate parallel parking on these streets.
21. Proposed on-street parallel parking is subject for further discussion. Proposed dimensions as proposed is not acceptable. Provide cross-section including paving , grading and drainage. Not adequately addressed.
22. Coordination with the City's Community Redevelopment Agency is recommended for any proposed landscaping improvements on US-1 for consistency of design.
23. 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.
24. A tree survey has been submitted. Trees No. 1 to 7 are specimen size trees proposed to be removed, please provide the dollar value of specimen trees calculated in accordance with section 825-140 of the Dania Beach Code (See definition of specimen tree under Sec. 825-50).
25. Existing vegetation is proposed to be removed. Please add a note to the Landscape Plan or Tree Survey indicating that tree removal activities will not be conducted without first securing a tree removal license with the City of Dania Beach, and indicate how the mitigation for the removal of these trees will be accomplished (either planting on site or contributing to the Tree trust Fund).
26. Provide a table of data indicating required and provided quantities of landscape material, including the corresponding code requirement, gross and net acreage, number of trees to remain (if any), and square footage of vehicular use area.

27. Incorporate the attached City of Dania Beach Standard Landscape Plan Notes to the Landscape Plan.
28. A Pavement Marking Plan demonstrating all the following:
  - a. All turning radii (demonstrated) – Please dimension all radii (inside and outside for all turns)
  - b. Fire Lane locations and striping detail (demonstrated) – Please see sheet the orange high-lighted areas below and add striping and signage for these locations in accordance with the requirements listed in the supplemental information below, following these comments.
  - c. Drive Aisle widths (demonstrated) & Vertical Clearances (noted) – Please identify the travel direction for the “U” shaped drive isle seen in the picture above
  - d. Fire Department Apparatus Access Road locations and dimensions - demonstrate or note on the plan how they will be marked and delineated on site - Complied
  - e. “NO PARKING” sign locations and sign details demonstrated – Please provide
  - f. A note or detail identifying the design load for surface compaction of all non-paved roadways and/or Fire Department Access Roads (where applicable) – N/A
  - g. Building Accessibility - Complied
  - h. Load Limits for Bridges and Grading for significant changes in elevation (if applicable) – N/A
  - i. Fire Department Access Routes During Construction – Provide at Permit
29. A set of Civil Plans indicating the following:
  - a. All existing and proposed water main sizes – Please check with Public Works. All new installations are to be a minimum of 8”.
  - b. Existing and proposed fire hydrant locations – Please provide
  - c. Dimensions of the three nearest adjacent hydrants to the project site – Please provide
  - d. Locations of all Post Indicating Valves or Underground Gate Valves, Double Detector Check Valves, etc. – Please provide
  - e. Locations of all fire department connections (Siamese and Fire Hose Valves on standpipes) on the interior and exterior of the building or structure (for buildings or structures with fire sprinkler systems) – Are the buildings going to be sprinklered?
30. A detail sheet accompanying the Civil Plans with the following details:
  - a. Fire Hydrant Detail – Please provide
  - b. Bollard / Impact Protection Detail for Hydrants, FDC’s & DDCV’s – Please provide
  - c. Roadway Pavement Marker (RPM) Detail for Fire Hydrant Locations (Blue Reflective Markers) – Please provide
  - d. Post Indicating Valve Detail (where applicable) – Are the buildings going to be sprinklered?
  - e. Underground Gate Valve Detail (where applicable) – Please provide
  - f. Backflow Preventor / Double Detector Check Valve (DDCV) Detail (where applicable) – Are the buildings going to be sprinklered?
  - g. Signage Detail for the Fire Department Connections (where applicable) – Are the buildings going to be sprinklered?
31. Address Detail – Please provide

32. Fire Hydrant Flow Test – Provide a Fire Hydrant Flow Test Summary Sheet from the company that performed the fire hydrant flow test (on their letterhead) which provides the following information:
  - a. Project Name
  - b. Project Address
  - c. Date of Flow Test
  - d. Time of Flow Test
  - e. Static Pressure
  - f. Residual Pressure
  - g. Flow Hydrant 1 (Pitot and GPM)
  - h. Flow Hydrant 2 (Pitot and GPM)
  - i. Name and Signature of Person performing the Flow Test
  - j. Name of Fire Inspector Witnessing the Test
33. Fire Flow Demand Calculations Signed and Sealed by Licensed Engineer – Please provide
34. A completed Application for the Approval of the Fire Protection Water Supply Design (See the last page of this document) – Please provide
35. Statement of verification from the design professional of record, on official company letterhead, that the proposed water main sizing, fire hydrant spacing, and fire hydrant locations, are in compliance with the Broward County Land Use Code and the Florida Fire Prevention Code. (This document shall bear the seal and signature of the engineer).
36. Fire Flow Demand Calculations Signed and Sealed by Licensed Engineer – Please provide
37. A completed Application for the Approval of the Fire Protection Water Supply Design (See the last page of this document) – Please provide
38. Statement of verification from the design professional of record, on official company letterhead, that the proposed water main sizing, fire hydrant spacing, and fire hydrant locations, are in compliance with the Broward County Land Use Code and the Florida Fire Prevention Code. (This document shall bear the seal and signature of the engineer).

**STAFF RECOMMENDATION**

Approve with the outstanding DRC comments as a conditions of approval, to be addressed prior to issuance of a building permit.