

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
DIVISION OF PLANNING AND URBAN DESIGN**

DATE: December 12, 2023 **FILE:** 23-JPWZ-58

TO: Planning and Development Board

VIA: Anand Balram, Planning Manager

FROM: Cameron Palmer AICP, MCIP-I, Principal Planner

SUBJECT: Federation Plaza LP and Federation Plaza Preservation LP% Related Companies, requests a change of zoning district designation from High Multiple Family District (RM-25) to Planned Development (PD), approval of the Master Development Plan and accompanying waiver to support a Site Plan request at 3081 Taft Street

REQUEST: Change of Zoning Designation from High Multiple Family District (RM-25) to Planned Development (PD), Recommendation to approve the Master Development Plan, Waiver, Design and Site Plan for an existing 109,973-square foot mixed use development (Federation Plaza)

RECOMMENDATION:

The Planning and Development Board, acting as the Local Planning Agency, forward a recommendation of approval to the City Commission for the following:

Rezoning:

- Approval of rezoning from High Multiple Family District (RM-25) to Planned Development (PD), with the following conditions:
 - A Unity of Title or Unity of Control, in a form acceptable to the City Attorney, which provides for the project to be developed and operated pursuant to a unified plan of development as reflected on the Site Plan, be submitted prior to the issuance of Building Permits and recorded in the Broward County Public Records, by the City of Hollywood, prior to the issuance of Certificate of Occupancy (C/O) or Certificate of Completion (C/C).

Waiver:

- Approval for the waiver of the minimum acreage for property from 10 acres to 4.86 acres.

Master Development Plan:

- Approval, if Waiver is granted and with the condition the Master Development Plan permits a maximum height of 60 feet or 6 stories.

Site Plan:

- Approval, if Waiver and Rezoning is granted; if the Master Development Plan is granted.

BACKGROUND:

The subject site has a zoned 'High Multiple Family District' (RM-25) and is comprised of a single building with 2 distinct areas. The property is occupied with a 5-story multifamily residence with 124 affordable rental units for seniors to the north and a vacant 1-story portion of the building for non-residential uses to the south. The proposed zoning for this property is PD (Planned Development) to facilitate the current and potential future mixes of uses in the existing building and on the property. The current and proposed access to the property remains from the north side of Taft Street.

This application request is unique in nature as the Applicant is requesting the approval for a Master Planned Development, and associated acreage waiver, to permit the proposed Site Plan as it pertains only to the reconfiguring of the surface parking lot on the site. The existing Zoning Land Development Regulations do not facilitate mixed uses on a single parcel outside of the Regional Activity Center (RAC) mixed use zoning districts. As this property is not located within the RAC, the applicant faced a zoning challenge in attempting to operationalize the vacant portion of the existing building (20,800 SF).

The Property is divided into two parcels, the West Parcel (Parcel ID 514208170010) and the East Parcel (Parcel ID 514208170011). The West Parcel currently consists of 124 affordable senior apartments for rent and 97 parking spaces. The East Parcel consists of 31 parking spaces and approximately 20,423-squarefoot structure that abuts the residential tower and has been used as a senior activity center, known as the Joseph Meyerhoff Senior Activity Center, that contained meeting rooms; an art studio; a kitchen facility; a stage area; and a library. Joseph Meyerhoff Senior Activity Center previously offered services that were open to the public and benefited the community at large. Currently the parcels have a Unity of Title in place to ensure unified control of the site.

REQUEST

The request is primarily being made to support the application for the addition of 27 parking spaces on the property with no changes to the existing building. The primary use of the site will remain residential with the existing 5-story apartment for seniors. It is important to note that Article 7, Section 7.3 of the ZLDRs provide:

Any building or Use that lawfully exists on August 5, 1994, shall receive a parking space credit equal to the number of parking spaces required prior to the adoption of this article (based on the occupational license in effect on August 5, 1994, if not applicable then the

last occupational license that was issued shall apply). The parking credit shall run with the land and shall be applied toward the required Parking as follows:

A. The Parking credit shall only be applied to the area within the existing shell of the Building.

Accordingly, the applicant does not need to provide additional parking above the 128 spaces existing on the site to support the existing uses that form part of the Master Development Plan request. Nonetheless the applicant is requesting a Site Plan review in conjunction with the Master Development Plan request to enable the addition of 27 parking spaces through the reconfiguration of the existing parking areas on the site.

The applicant's proposal for a PD zoning district will accommodate the existing building with proposed mixed uses incorporating the following:

- 124 residential units;
- 20,423 square feet of flex space limited to but including all or a combination of office uses, commercial, or educational uses;
- 155 surface parking spaces (128 existing and 27 proposed new); and
- 1.9 acres (39.5%) of open space areas.

In addition to the change of zoning request the Planning and Development Board will consider a waiver of the minimum acreage requirement for PD zoning districts of ten acres to 4.86 gross acres and approval of the Master Development Plan.

PROJECT DATA

Owner/Applicant:	Federation Plaza LP / Lake Delray Investors LP
Address/Location:	3081 Taft Street
Net Size of Property:	207,973 sq. ft. (4.77 acres)
Land Use:	Medium Residential / General Business
Zoning:	High Multifamily District (RM-25)
Proposed Zoning:	Planned Development (PD)
Present Use of Land:	Residential Apartments and Vacant building
Year Built:	1988 (Broward County Property Appraiser)

ADJACENT LAND USE

North:	Low Residential/Industrial (LRES/IND)
South:	Government Use/Industrial (GU/IND)
East:	General Business / Industrial (GU/IND)
West:	Community Facility (COMFAC)

ADJACENT ZONING

North:	Single Family District (RS-3) / Low Intensity Industrial District (IM-1)
South:	Government Use District (GU) / Low Intensity Industrial District (IM-1)
East:	High Intensity Commercial District (C-5)
West:	Single Family District (RS-6)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The proposed project is located in the Medium-High Residential designation. The goal of the Land Use Element is to "promote a distribution of land uses to enhance and improve the residential, business, resort and natural communities while allowing land owners to maximize the use of their property." The surrounding community has a mix of commercial use, single family residential uses, open space and recreation uses, and industrial uses.

Land Use Element:

Policy 4.9: Place a priority on protecting, preserving and enhancing residential neighborhoods while incorporating the unique characteristics of redevelopment areas. (CWMP Policy CW.15 and CW.19).

Objective 6: Encourage multi-use areas and mixed use concentrations of density near existing or planned major employment centers and major transportation routes in order to promote energy conservation and mass transit, preserve air quality, reduce the cost of services, encourage affordable housing and promote economic development.

Housing Element Objective 3: Revitalize and encourage re-investment in older neighborhoods in which housing conditions are in a state of decline.

The Medium-High Residential designation supports a variety of residential uses and include non-residential uses with certain limitations. The Comprehensive Plan provides that "offices, including banks and savings and loan institutions, medical offices and clinics, services and retail sales of merchandise, [are permitted]"

The limitations include:

- a) No contiguous area used for retail sales, services, offices, banks, clinics or mix of these uses may exceed ten acres. For the purpose of this provision, contiguous is defined as: attached; located within 500 ft.; or separated only by streets and highways, canals and rivers, or easements.
- b) No more than a total of 5% of the area designated for residential use within a flexibility zone on the City's Land Use Map may be used for office and/or retail sales of merchandise or services.

- c) Regardless of constraints in (a) and (b) above, space within residential buildings in areas designated for medium-high or high residential density may be used for service, retail, and office uses as long as no more than 50% of the floor area is used for such uses.
- d) Regardless of constraints in (a) and (b) above, space within residential buildings in areas designated medium residential density may be used for offices, as long as no more than 50% of the floor area is used for offices.

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The subject property is located within Sub-Area 6, West-Central Hollywood, which is defined I-95 to the east, Pembroke Road to the south, Sheridan Street to the north, and 56th Avenue to the west. This area is comprised of the residential neighborhoods of Hollywood Hills, Park East and Hillcrest.

The proposed development is consistent with the City-Wide Master Plan, based upon the following Guiding Principles and Policies:

Guiding Principle: *Attract and retain businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.*

Guiding Principle: *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

Recommendations for Sub-Area 6 encourage commercial and business redevelopment along Taft Street with special attention being given to underutilized and obsolete plazas. While this property is not a plaza, due to its current vacancy, it is underutilized. The requested rezoning to a Master Planned Development (PD) will allow a mix of uses on the property and in turn maximize the use of land.

SUMMARY OF FINDINGS:

Analysis of Criteria and Findings for Rezonings as stated in the City of Hollywood Zoning and Land Development Regulations, Article 5.4 (G) (4) (a) (b).

- A. That the petition for a change of zoning does not meet any one of the following criteria whereby the request would be considered contract or spot zoning:

CRITERIA 1: **The proposed rezoning would give privileges not generally extended to property similarly situated in the area;**

ANALYSIS: The Planned Development (PD) zoning district allows parcels to be developed with greater flexibility by removing some of the detailed restrictions of conventional zoning. This property is located outside of the Regional Activity Center (RAC) and therefore no mixed-use zoning districts exist to accommodate the proposed uses on the site. The land use

designation permits non-residential uses on the property, when developed in the same building. However, the existing zoning of RM-25 does not permit mixed-use (commercial) activity. This said, the City is exploring ways encourage Mixed Uses along major corridors..

FINDING: Inconsistent

CRITERIA 2: **The proposal will result in similarly situated property being treated differently;**

ANALYSIS: As described above in the City-Wide Master Plan and Comprehensive Plan and Medium High Residential designation permits non-residential uses within the same building but the zoning district does not support this application. Therefore any proposal seeking to enact the mixed use provisions of the land use designation will result in the same process to rezone to a mixed use permissible zone.

FINDING: Inconsistent

CRITERIA 3: **The proposed rezoning request does not fall within the existing land use designation(s) for the subject property;**

ANALYSIS: The proposed rezoning request does fall within the existing land use designations for the subject property. The proposed development is consistent with the Medium High Residential land use designation in that the density does not exceed the designation's maximum of 25 dwelling units per gross acre and no more than 50% of the total floor area will be used for commercial, office or education uses.

FINDING: Inconsistent

CRITERIA 4: **The proposed change will result in an isolated district unrelated to adjacent or nearby districts.**

ANALYSIS: The flexible nature of the PD district permits the establishment of specialized regulations to ensure compatibility of this district with the zoning designation of the surrounding neighborhood.

FINDING: Inconsistent

Spot Zoning Finding:

Based on the findings generated from the change of zoning criteria analysis, the application for change of zoning from RM-25 to PD for the subject site located at 3081 Taft Street would not be considered spot zoning pursuant to the criteria listed in Section 5.4(G)(4)(a) of the Zoning and Land Development Regulations.

B. That the petition for change of zoning is consistent with six or more of the following criteria:

CRITERIA 1: **The proposed change is consistent with and in furtherance of the Goals, Objectives and Policies of the Comprehensive Plan.**

ANALYSIS: The redevelopment of this parcel is consistent with the goals, objectives and policies of the Comprehensive Plan, specifically the overarching goal of the Land Use Element as well as Land Use Objectives 6 previously discussed.

The proposed rezoning to PD, as captioned in the Master Plan submitted, retains the existing 109,973 sqft. structure which is comprised of (i) 124 residential units and (ii) 20,423 sqft. of commercial, office, or educational uses which currently comprises 18.6% of the total floor area of the existing building. The density does not exceed 25 dwelling units per gross acre and no more than 50% of the total floor area will be used for commercial, office or education uses and, thus, the Project complies with the permitted uses, densities and intensities under the City's Comprehensive Plan.

FINDING: Consistent

CRITERIA 2: **The rezoning will result in uses permitted under the proposed district classification, which would be in the general public interest and/or would not be merely in the interest of an individual or small group.**

ANALYSIS: The PD zoning classification is intended to support the proposed mixed uses on the property in a neighborhood that in its current condition exhibits a variety of different land uses abutting one another. The rezoning request promotes a mix of uses that exist already in the area while allowing greater design flexibility. This redevelopment will enable new development opportunities on the partially vacant site to improve the neighboring areas thereby benefiting the public at large.

FINDING: Consistent

CRITERIA 3: **The proposed change will result in a development that is consistent in scale (building height, mass, siting) with other buildings in the neighborhood.**

ANALYSIS: This project does not propose any new structures on the property, rather the rezoning request will support the Site Plan application to reconfigure and expand the existing parking area to accommodate future uses.

FINDING: Consistent

CRITERIA 4: **Conditions have substantially changed from the date the present zoning district classification was placed on the property, which make the passage of the proposed change necessary.**

ANALYSIS: Hollywood is in a redevelopment stage to make way for an influx of new types of development. One of the more recent styles of development characterizing the City are mixed use buildings. Mixed uses on a single parcel are now widely supported by both the Comprehensive Plan and planning staff, particularly along major roadways. Development trends such as these have significantly changed from the past to the present.

FINDING: Consistent

CRITERIA 5: **The proposed change will not adversely influence living conditions in the neighborhood.**

ANALYSIS: The applicant indicates that *“The proposed rezoning will not adversely influence living conditions in the neighborhood. Low density residential uses to the north and west are well distanced from the site and the neighborhoods enjoy separate access points far removed from any impact possibly generated by the proposed development... All other surrounding parcels are occupied by more intense uses than what is proposed in this application. Additionally, the site is serviced by and enjoys sole access from Taft Street, a major arterial that is well-equipped to handle any demand possibly generated by the uses proposed for the property.”*

FINDING: Consistent

CRITERIA 6: **The proposed change is consistent with public safety concerns and will not create traffic hazards.**

ANALYSIS: As mentioned previously, the intent of the requested zoning designation is to facilitate the operationalization of an underused portion of building on the property. The applicant mentions *the proposed rezoning from RM-25 to PD is compatible with the surrounding area. The proposed Planned Development does not increase the established density and proposes a range of uses less intense than those in the immediate vicinity and entirely compatible and beneficial to residents in the general vicinity as well as those residing on-site.*

Should the request be granted, the proposed development will not adversely influence living conditions in the neighborhood.

FINDING: Consistent

CRITERIA 7: **The proposed change will not adversely affect property values in the adjacent area.**

ANALYSIS: The proposed project will not introduce new buildings or remove existing buildings from the property. The only changes proposed are the reconfiguration and expansion of the parking lot. Accordingly, property values are not anticipated to be affected due to the minor nature of change being undertaken at the site.

FINDING: Consistent

CRITERIA 8: **It is impossible to find other adequate sites in the city for the proposed use or property presently zoned for such use.**

ANALYSIS: The existing ZLDRs do not permit mixed use in any zones outside of the RAC. The property size at 4.86 acres represents a significant parcel of real estate that cannot be easily or readily acquired in the RAC where mixed uses are often permitted. Furthermore, the existing site accommodates senior residents in affordable units, the financial viability of relocating this type of use would place an undue burden on the applicant and threaten the success of the existing institution.

FINDING: Consistent

Zoning Change Findings

Based on findings generated from the change of zoning criteria analysis, the application for change of zoning from RM-25 to PD for properties located at 3081 Taft Street is consistent with more than six (6) required criteria listed in Section 5.4(G)(4)(b) of the Zoning and Land Development Regulations.

SITE PLAN

The Technical Advisory Committee (TAC) found the proposed Site Plan compliant with all regulations as set forth in Article 6 of the Hollywood Zoning and Land Development Regulations on July 22, 2019. Therefore, Staff recommends approval.

The following standards shall be utilized by the Technical Advisory Committee and the Planning and Development Board in the review, evaluation, and approval of all required plans and exhibits:

- A. *Natural Environment.* All proposed development shall be designed in such a manner as to preserve, perpetuate and improve the existing natural character of the site. Existing trees and other landscape features shall, to the maximum extent possible, be preserved in their natural state; and additional landscape features shall be provided to enhance architectural features, to relate structural design to the site, and to conceal unattractive uses. In all instances the city's tree protection, landscaping and all other applicable regulations shall be fully complied with as minimum standards.

- B. *Open space.* Adequate landscaped open space shall be provided which meets the particular needs and demands of the proposed development and all specific zoning district requirements. Legal methods assuring the continued preservation and maintenance of required open space shall be submitted to and approved by the City Attorney. The type and distribution of all open space shall be determined by the character, intensity and anticipated residential or user composition of the proposed development.
1. Passive open spaces (those areas not planned for intensive activity) shall be arranged as to enhance internal spatial relationships between proposed structures, to provide buffers between the project and adjacent less intensive uses, to facilitate pedestrian movements within the development, and to improve the overall visual quality of the site.
 2. Active open spaces (those areas containing activities such as playgrounds, tennis courts, swimming pools and other active recreational facilities) shall be located so as to permit easy access to all residents or users within a development. Private recreational facilities and activities within specific projects shall, wherever possible, complement, rather than duplicate, nearby public recreational activities.
- C. *Circulation and parking.* All circulation systems and parking facilities within a proposed development shall be designed and located in such a manner as to comply with the following:
1. A clearly defined vehicular circulation system shall be provided which allows free movement within the proposed development while discouraging excessive speeds. Said systems shall be separated insofar as practicable from pedestrian circulation systems. Pavement widths and access points to peripheral streets shall be provided which adequately serve the proposed development and which are compatible and functional with circulation systems outside the development.
 2. Whenever possible in proposed residential developments, living units should be located on residential streets or courts which are designed to discourage nonlocal through traffic.
 3. Off-street parking areas shall be provided which adequately accommodate maximum vehicle storage demands for the proposed project and are located and designed in such a manner so as to conveniently serve the uses to which they are accessory and not create incompatible visual relationships.
 4. Safe and efficient access to all areas of the proposed development shall be provided for emergency and service vehicles, as required by the Florida Building Code in effect in Broward County, Florida, as revised from time to time.
 5. Sidewalks shall be provided as required by the city regulations.
 6. Handicapped Accessibility shall be provided as required by all applicable regulations.
- D. *Community services and utilities.* All proposed developments shall be designed and located in such a manner as to insure the adequate provision, use and compatibility of necessary community services and utilities.

1. An adequate sanitary sewer collection system including all necessary extensions and connections, shall be provided in accordance with city standards for location and design. Where necessitated by the size of the development and/or by the unavailability of city treatment facilities, sanitary sewage treatment and disposal systems must be provided in accordance with city and state standards and regulations.
 2. An efficient solid waste collection system, including the provisions of an adequate number of properly screened local receptacles in locations which afford maximum use and collection convenience, shall be provided in accordance with all applicable city standards.
 3. A well designed internal system for fire protection, including the provisions of an adequate number of properly located fire hydrants and an efficient access arrangement for emergency fire vehicles, shall be provided to insure the safety of all persons within the project.
- E. *Building and other structures.* All buildings and structures proposed to be located within a development shall be oriented and designed in such a manner as to enhance, rather than detract from, the overall quality of the site and its immediate environment. The following guidelines shall be followed in the review and evaluation of all buildings and structures:
1. Proposed buildings and structures shall be related harmoniously to the terrain, other buildings and the surrounding neighborhood, and shall not create through their location, style, color or texture incompatible physical or visual relationships.
 2. All buildings and structures shall be designed and oriented in a manner insuring maximum privacy of residential uses and related activities both on the site being developed and property adjacent thereto.
 3. All permanent outdoor identification features which are intended to call attention to proposed projects and/or structures shall be designed and located in such a manner as to be an integral part of the total project and/or structural design and shall not exceed a size and scale necessary for the recognition from vehicles moving along adjacent streets at prescribed legal speeds.
- F. *Level of service standards.* For the purpose of the issuance of development orders and permits, the city has adopted level of service standards for public facilities and services which include roads, sanitary sewer, solid waste, drainage, potable water, and parks and recreation. All applicants are required to prove concurrency pursuant to the City's Comprehensive Plan and F.S. Chapter 163, as amended from time to time.
- G. *Other requirements.* Requirements and recommendations as provided in the city tree and landscape regulations shall be observed as will the requirements of all applicable standards and regulations.

PD / MINIMUM ACREAGE REQUIREMENTS

A Planned Development (PD) zoning district designation is intended to permit larger tracts of land under unified control to be planned and developed as a whole (as a single operation or an approved series of operations - phases) with a greater amount of flexibility by removing some of the detailed restrictions of conventional zoning. To facilitate infill development and redevelopment, the minimum acreage of ten acres are required to enable a PD zoning district. The proposed development measures 4.86 gross acres. The minimum size requirement may be waived by the City Commission upon the recommendation of the Planning & Development Board.

Based on the findings noted above, staff recommends the Planning & Development Board, acting as the Local Planning Agency, forward a recommendation of approval for the waiver of the minimum acreage for property from 10 acres to 4.86 gross acres.

MASTER DEVELOPMENT PLAN

In addition to the requested change in zoning district, the Zoning and Land Development Regulations require submittal and approval of a corresponding Master Development Plan for all PD developments. The proposed Master Development Plan can be found in Attachment A of this package.

The Master Development Plan depicts (pg. MP-1.0) information such as proposed land uses, density, setbacks, open space areas, and minimum parking requirements are outlined. The intent of PD zoning is to allow for development with greater flexibility by removing some of the detailed restrictions of conventional zoning. Typically PD's combine, mix or average development regulations of the surrounding neighborhoods thus developing regulations specific to their proposal. Essentially the Master Development Plan establishes the zoning regulations for each Planned Development.

As the rezoning and Master Development Plan request is being sought to enable a Site Plan application for the expansion of the surface parking lot, there are no requested variances or modifications requested as part of this application.

The existing setback of the building exceed the required 25' from the public right-of-way and therefore is in compliance with the PD zoning district. The PD zoning district does not have any required amounts for internal side yards, only street side setbacks.

The density requirements of the PD zoning district require conformity with the density permissions of the land use designation in the Comprehensive Plan. In this case, the Medium High Residential designation permits a maximum of 25du/acre. The requested density of 124 units amounts to 23.5 dwelling units per acre, therefore the request is in compliance with the density requirements of the PD zoning district.

Regarding height, there is no height limit associated with the PD zoning district, and therefore the Master Development Plan is to govern the permitted heights. In this instance, no building changes are proposed and therefore the maximum height is proposed to remain in line with the existing RM-25 zoning district at 60 feet or 6 stories.

Based on the findings noted above, Staff recommends the Planning and Zoning Board acting as the Local Planning Agency forward a recommendation of approval for the Master Development Plan if the Waiver is granted and with the condition the Master Development Plan provide a maximum height of 60 feet or 6 stories.

ATTACHMENTS:

Attachment A:	Application Package
Attachment A1:	Master Development Plan
Attachment B:	Land Use and Zoning Map
Attachment C:	Community Outreach Package