

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

DATE: September 6, 2018 **FILE:** 18-DPV-19

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager

FROM: Deandrea Moise, Planning Administrator

SUBJECT: VVG Real Estate Investments LLC request Variances, Design, and Site Plan for a 36 unit residential development generally located at between N Ocean Drive and N Surf Road and, between New Mexico Street and New Hampshire Street.

REQUEST

Variances, Design, and Site Plan for a 36 unit residential development.

Variance 1: To waive the required active use requirement.

Variance 2: To increase the maximum building height from 50 feet to 76 feet with vertical projections extending to 85 feet.

RECOMMENDATION

Variance 1: Approval

Variance 2: Approval

Design: Approval, with the following conditions that the Applicant continue to work with the City's Landscape Architect to ensure vertical landscape species is appropriate for vertical growth, adequate for screening all levels of the garage and salt tolerant.

Site Plan: Approval, if Variances and Design are approved, and with the following conditions:

- a. Prior to the issuance of a Building Permit, the Applicant shall submit a Deed Restriction in a form acceptable to the City Attorney, acknowledging the specific limitation as to the number of lawful dwelling units and declaring an intent to comply with such limitations, as well as advising any successor in interest of such binding limitations; and prior to the issuance of a Certificate of Completion (C/C) or Certificate of Occupancy (C/O), the City shall record the Deed Restriction in the Public Records of Broward County, Florida.

- b. Work with Engineering to provide rights-of-way dedication of five feet along A1A to comply with Broward County Traffic ways Plan.
- c. Applicant shall update recreational and parking easement and agreement to reflect new conditions.
- d. Work with Engineering to provide existing and proposed streetscape plans for work within City rights-of-way, such as modifications of landscaping islands, parking, tree planting, pavers, pavement markings, signage, etc. in coordination with the proposed driveway openings.

REQUEST

The Applicant is requesting Variances, Design, and Site Plan for a 36 unit residential development. The subject property is located within Central Beach between New Hampshire Street and New Mexico Street, with a Land Use designation of Medium High Residential (MHRES) and a Zoning designation of Beach Resort Commercial Residential District (BRT-25-R).

In what is now vacant land, surface parking, and small outdated residential structures, the Applicant proposes to demolish, and aggregate the approximate acre of land, to construct a residential development along the A1A corridor. The seven-story, 36 unit residential development includes one to three bedroom floor plans, access-controlled parking, and residential amenities to include, a pool and recreation area. The building is oriented towards A1A, promoting a positive relationship between the pedestrian and the built environment through design and architecture.

Architectural elements of the contemporary and clean design, such as the large windows, large balconies, glass railings and vertical landscape elements come together to create a design that is not intrusive, but rather enhances the character of the neighborhood. The series of contrasting volumes, artistic materials and elements, create dynamic and visually appealing façades that help to serve as a catalyst and provides an example for future revitalization efforts. Furthermore, this design also uses landscaping to enhance and frame the property. The landscape plan incorporates an array of native trees, palms, and shrubs while improving the streetscape along all frontages including Surf Road.

As a part of the proposed development, the Applicant requests two variances to reduce the requirement for active use and increase the permitted height. Per the Zoning and Land Development Regulations, each frontage and level of parking is required to be lined with an active use for a minimum of 60 percent of the frontage. The Applicant has taken measures to ensure that the parking garage is adequately screened, and due to agreements made prior to the rezoning and configuration of the lot, the parking levels along the frontages cannot accommodate the required parking and the required active use. Furthermore, as this is a primarily residential area, active uses lined along all frontages may give those navigating the roadway and pedestrians the impression that this may be a commercial use. The Applicant has worked with Staff to propose frontages that although may not meet the active use requirement, give the appearance of a use other than a parking garage beyond the glass while adequately concealing the garage. Additionally the Applicant proposes vertical landscape to help soften the facade and screen the garage.

The final variance is to increase the maximum height. The current zoning does not permit structures to exceed 50 feet in height, whereas the Applicant proposes 76 feet with elements, such as mechanical equipment, projecting to 85 feet. Due to a parking agreement made in 1988 the Applicant is required to provide 40 parking spaces and recreational amenities to a neighboring condominium. Because of this agreement the Applicant cannot compile with the terms of the agreement while maximizing the use of the property without the additional height. Furthermore, this agreement was made prior to the current zoning coming into effect, which allowed for higher heights and would have permitted the Applicant to construct at the proposed height without the need for a variance. At the time of the agreement the proposed terms were not detrimental to future development.

The Applicant has worked with Staff to ensure that all applicable regulations are met and the proposed design is compatible with the surrounding community and land uses.

Owner/Applicant:	VVG Real Estate Investments LLC
Address/Location:	Generally located between N Ocean Drive and N Surf Road and, between New Mexico Street and New Hampshire Street
Net Area of Property:	43,432 sq. ft. (0.9984 acres)
Land Use:	Medium High Residential
Zoning:	Beach Resort Residential District (BRT-25-R)
Existing Use of Land:	Vacant, Residential, Parking and Recreational Area

ADJACENT LAND USE

North:	Medium High Residential
South:	Medium High Residential
East:	Medium High Residential
West:	Medium High Residential

ADJACENT ZONING

North:	Beach Resort Residential District (BRT-25-R)/ Planned Development
South:	Beach Resort Residential District (BRT-25-R)
East:	Broadwalk Historic Residential District (BWK-25-HD-R)
West:	Beach Resort A1A Residential District (BRT-25-A1A-R)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Within the Comprehensive Plan, the primary goal of the Land Use Element is to *promote a distribution of land uses that will enhance and improve the residential, business, resort and natural communities while allowing the land owners to maximize the use of their property.*

The proposed design is consistent with the scale and massing of the adjacent neighborhood; while allowing the Applicant to maximize the use of their property. The proposed development is in line with the City's aim to encourage and promote reinvestment in the Hollywood Beach neighborhood. The project is consistent with the Comprehensive Plan based on the following:

Objective 4: *Maintain and enhance neighborhoods, business, utilities, industrial and tourist areas that are not blighted.*

Policy CW.15: Place a priority on protecting, preserving and enhancing residential neighborhoods.

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The project is located in Sub-Area 4, which contains several beach neighborhoods, North Beach, North Central (from Sherman Street south to Carolina Street), Central (from Carolina Street south to Harrison Street), South Central (from Harrison Street south to Jefferson Street), and South Beach. However, three beach neighborhoods have been identified by the City-Wide Master Plan; North Beach (from Dania Beach Boulevard to Sherman Street), Central Beach (from Sherman Street to Harrison Street), and South Beach (from Harrison Street to Hallandale Beach Boulevard). The City-Wide Master Plan places a priority on protecting, preserving and enhancing residential neighborhoods. The proposed development is sensitive to the character of the district through its design which is similar to existing structures in the surrounding neighborhood. The proposed request is consistent with City-Wide Master Plan based upon the following:

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

Policy 6.7: Prepare design plans to enhance the streetscape with emphasis on the pedestrian environment

Policy 2.46: Preserve stable neighborhoods and encourage rehabilitation initiatives that will revitalize and promote stability of neighborhoods.

Policy CW.15: Place a priority on protecting, preserving and enhancing residential neighborhoods.

APPLICABLE CRITERIA

Analysis of Criteria and Findings for Variances as stated in the City of Hollywood's Zoning and Land Development Regulations Article 5.

VARIANCE 1: To waive the required active use requirement.

CRITERION 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.

ANALYSIS: The active use requirement aims to discourage facades that negatively impact the relationship between the pedestrian and built environment. Furthermore, the active use requirement encourages adequate screening of parking levels so that structures do not appear to be multiple levels of parking. The Applicant has taken measures to ensure that the parking area is adequately screened and has worked with Staff to propose frontages that although may not meet the active use requirement, give the appearance of a use other than a parking garage while adequately concealing the garage. Additionally, the Applicant proposes vertical landscape to help soften the facade and screen the garage.

FINDING: Consistent.

CRITERION 2:	That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.
ANALYSIS:	As this is a residential zoning, active uses lined along all frontages may give those navigating the roadway and pedestrians the impression that this may be a commercial use. The alternatives provided by the Applicant are in line with the residential character of the community and land uses.
FINDING:	Consistent.
CRITERION 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, the applicable Neighborhood Plan and all other similar plans adopted by the City.
ANALYSIS:	The requested Variance allows for the Applicant to maximize the use of their property while being in line with the intent of the active use requirement. Furthermore, the proposed development enhances the community and encourages revitalization efforts for the future.
FINDING:	Consistent.
CRITERION 4:	That the need for requested Variance is not economically based or self-imposed.
ANALYSIS:	Due to site constraints that were in place prior to the acquisition and aggregation of the land, the Applicant cannot meet the active use requirement while providing adequate parking.
FINDING:	Consistent.
CRITERION 5:	That the Variance is necessary to comply with State or Federal Law and is the minimum Variance necessary to comply with the applicable law.
FINDING:	Not applicable.
VARIANCE 2:	To increase the maximum building height from 50 feet to 76 feet with vertical projections extending to 85 feet.
CRITERION 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.
ANALYSIS:	The proposed development will enhance the property's appearance and that of the surrounding areas; as well as improve the community. The proposed height is similar to various structures within the vicinity and would maintain a similar appearance to what exists today.
FINDING:	Consistent.

CRITERION 2: That the requested Variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community.

ANALYSIS: Development of the site as a multi-family property will bring the property closer in compatibility to the surrounding community while encouraging revitalization of the area. The proposed height would not be detrimental to the surrounding community as it closely mimics heights of neighboring structures.

FINDING: Consistent.

CRITERION 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, the applicable Neighborhood Plan and all other similar plans adopted by the City.

ANALYSIS: The requested variance will allow the Applicant to maximize the use of their land while still being in line with the goals, policies, and objectives adopted by the City. The proposed request stems from an earlier agreement that was put into place prior to the rezoning of the properties.

FINDING: Consistent.

CRITERION 4: That the need for requested Variance is not economically based or self-imposed.

ANALYSIS: Due to site constraints that were in place prior to the acquisition and aggregation of the land, the Applicant exceeds the height maximum while maximizing the use of the property. Furthermore, the agreement requiring the Applicant to provide 40 parking spaces and recreational amenities to a neighboring condominium was made prior to the current zoning coming into effect, which allowed for higher heights and would have permitted the Applicant to construct at the proposed height without the need for a variance. At the time of the agreement the proposed terms were not detrimental to future development.

FINDING: Consistent.

CRITERION 5: That the Variance is necessary to comply with State or Federal Law and is the minimum Variance necessary to comply with the applicable law.

FINDING: Not applicable.

Analysis of Criteria and Findings for Design as stated in the City of Hollywood Zoning and Land Development Regulations, Article 5.

CRITERIA 1: *Architectural and Design components.* Architecture refers to the architectural elements of exterior building surfaces. Architectural details should be commensurate with the building mass. The use of traditional materials for new architectural details is recommended. Design of the building(s) shall consider

aesthetics and functionality, including the relationship of the pedestrian with the built environment.

ANALYSIS: The proposed development offers a design that can be seen as a positive example of revitalization efforts. Architectural elements of the contemporary and clean design, such as the, large windows, large balconies, and glass railings and vertical landscape elements come together to create a design that is not intrusive, enhances the character of the community, and promotes a positive relationship between the pedestrian and the built environment. The series of contrasting volumes, artistic materials and elements, and vertical landscape elements, create dynamic and visually appealing façades that help to serve as a catalyst, providing an example for future development in the area.

FINDING: Consistent.

CRITERIA 2: *Compatibility.* The relationship between existing architectural styles and proposed construction, including how each building along the street relates to the whole and the pattern created with adjacent structures and the surrounding neighborhood. Buildings should contain architectural details that are characteristic of the surrounding area.

ANALYSIS: The architectural styles and elements of the proposed development do not exhibit architectural features and styles that are insensitive and incompatible to the surrounding neighborhood. The design is not intrusive to the neighborhood and utilizes styles and elements found throughout the surrounding area, but also introduces a fresh look to that helps promote future redevelopment.

FINDING: Consistent.

CRITERIA 3: *Scale/Massing.* Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures. Building mass shall reflect a simple composition of basic architectural details in relation to its length, width, height, lot coverage, and setting of the structure in context with adjacent buildings. Architectural details include, but are not limited to, banding, molding, and fenestration.

ANALYSIS: The Applicant has worked with Staff to design a proposal that compatible with surrounding sites. The proposed scale and height is similar to that of structures adjacent to the subject property. The proposed design includes several architectural features that create dynamic and visually appealing façades and enhances the massing of the structure.

FINDING: Consistent.

CRITERIA 4: *Landscaping.* Landscaped areas should contain a variety of native and other compatible plant types and forms, and be carefully integrated with existing buildings and paved areas. Existing mature trees and other significant plants on the site should be preserved.

ANALYSIS: The Applicant has worked with the City Landscape Architect to incorporate a variety of compatible plant types and forms into the design. The proposed landscape helps articulate the property and enhance the design of the proposed building. The landscape plan incorporates an array of native trees, palms, and shrubs while improving the streetscape along the frontage and also includes vertical landscape elements.

FINDING: Consistent.

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 30, 2018. Therefore, staff recommends approval, if the Variance and Design are granted and with the following conditions:

- a. Prior to the issuance of a Building Permit, the Applicant shall submit a Deed Restriction in a form acceptable to the City Attorney, acknowledging the specific limitation as to the number of lawful dwelling units and declaring an intent to comply with such limitations, as well as advising any successor in interest of such binding limitations; and prior to the issuance of a Certificate of Completion (C/C) or Certificate of Occupancy (C/O), the City shall record the Deed Restriction in the Public Records of Broward County, Florida.
- b. Work with Engineering to provide rights-of-way dedication of five feet along A1A to comply with Broward County Traffic ways Plan.
- c. Applicant shall update recreational and parking easement agreement to reflect new conditions.
- d. Work with Engineering to provide existing and proposed streetscape plans for work within City rights-of-way, such as modifications of landscaping islands, parking, tree planting, pavers, pavement markings, signage, etc. in coordination with the proposed driveway openings.

ATTACHMENTS

ATTACHMENT A: Application Package
ATTACHMENT B: Land Use and Zoning Map
ATTACHMENT C: Correspondence