

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

First Reading Date: August 18, 2021

Second Reading Date: September 1, 2021

Presenter's Name and Title: Eric B. Silva, Director, on behalf of the Community Development Department

Prepared By: Frensky Magny, Senior Planner, Community Development Department

Temp. Ord. Number: O1776

Item Description: **FIRST READING** of Temp. Ord. No. 1776, RELATING TO LAND DEVELOPMENT REGULATIONS, CONSIDERING APPLICATION NO. 1902522 FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF MIRAMAR, MORE SPECIFICALLY BY CHANGING THE ZONING MAP DESIGNATION OF TWO PARCELS OF LAND TOTALING 17.16 ACRES, LOCATED ON THE NORTHWEST CORNER OF MIRAMAR PARKWAY AND SW 145TH AVENUE, AND LEGALLY IDENTIFIED WITH PARCEL IDENTIFICATION NUMBERS 5140-27-11-0014 AND 5140-27-11-0010, FROM COMMUNITY BUSINESS (B2) TO MIXED-USE LOW (ML); MAKING FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Consent ☐ Resolution ☐ Ordinance ☒ Quasi-Judicial ☐ Public Hearing ☐

Instructions for the Office of the City Clerk:

Public Notice – As required by the Sec. 301.11 of the City Code and/or Sec. 163.3184(11), Florida Statutes, public notice for this item was provided as follows: on 6/3/2021 in a legal ad in the Sun Sentinel; by the posting the property on June 3, 2021 and/or by sending mailed notice to property owners within 1,000 feet of the property on June 3, 2021 (fill in all that apply)

Special Voting Requirement – As required by Sec. _____, of the City Code and/or Sec. _____, Florida Statutes, approval of this item requires a _____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes ☐ No ☒

REMARKS: None



Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Ordinance TO 1776**
 - **Exhibit A: Legal Descriptions of Subject Properties**
- **Attachment(s)**
 - **Attachment 1: Current and Proposed Zoning Designations**
 - **Attachment 2: Development Review Report**



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners

FROM:  Vernon E. Hargray, City Manager 

BY: Eric Silva, Director, Community Development Department

DATE: August 12, 2021

RE: FIRST READING of Temp. Ord. No. 1776, amending the City Official Zoning Map for certain parcels of private properties totaling 17.16 acres from Community Business (B2) to Mixed-Use Low (ML), located on the northwest corner Miramar Parkway and SW 145th Avenue

RECOMMENDATION: That the City Commission holds two (2) public hearings (a first reading and a second reading) for Application No. 1902522, in accordance with the procedures of paragraph (c) of Subsection 166.041(3), Florida Statutes ("F.S.") and Section 304 of the City of Miramar Land Development Code ("LDC"), to discuss and adopt the accompanying ordinance to enact the proposed amendment to the City Official Zoning Map for these private parcels of real property with Commercial Land Use designation, located on the northwest corner Miramar Parkway and SW 145th Avenue, more specifically by rezoning private parcels of real property legally identified with parcel identification numbers 5140-27-11-0014 and 5140-27-11-0010, from Community Business (B2) to Mixed-Use Low (ML).

ISSUE: Pursuant to Section 304 of the City's LDC, City Commission approval is required for the rezoning of properties within the City.

BACKGROUND: The Applicant/Owner is proposing to rezone the site from Community Business (B2) to Mixed-Use Low (ML) to allow for mid-rise apartments (250 units; studio, 1, 2, and 3-bedroom units) on a 389,959 square feet (8.95 acres) site.

The City previously approved a site plan for two separate phases of development on the property. Phase I is the already constructed office building. The second phase is currently vacant. A Plat Waiver was requested by the property owner in 2018 and granted by City Commission on August 22, 2018, to increase the desirability of the property for potential development.

DISCUSSION: The Development Review Committee (“DRC”) recommended approval of the rezoning application on May 12, 2021. A Virtual Community Meeting was conducted on Thursday, May 6, 2021, at 6:00 pm. No members of the public were in attendance. The Planning and Zoning Board conducted a public hearing on June 8, 2021, and recommended approval of this item, finding it consistent with the Comprehensive Plan and Future Land Use Map.

ANALYSIS: Currently, the existing office building is permitted-by-right within the Mixed-Use Low (ML) zoning district and by the Commercial Land Use Designation. Uses permitted within the ML district include, retail, office, live-work, and residential multifamily. While standalone residential multifamily is not permitted-by-right within the Commercial Land Use Designation, flexibility may be applied to approve such use. The properties are surrounded by retail to the south and east, hotels to the north and they abut a canal on the western property line where more commercial can be found a few yards away. The uses that are permitted within the ML district are compatible with the surrounding area and complement existing uses by encouraging designs that incorporate walkable environments through a mixture of uses.

Temp. Ord. No. 1776
5/12/21
6/9/21

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, RELATING TO LAND DEVELOPMENT REGULATIONS, CONSIDERING APPLICATION NO. 1902522 FOR AN AMENDMENT TO THE ZONING MAP OF THE CITY OF MIRAMAR, MORE SPECIFICALLY BY CHANGING THE ZONING MAP DESIGNATION OF TWO PARCELS OF LAND TOTALING 17.16 ACRES, LOCATED ON THE NORTHWEST CORNER OF MIRAMAR PARKWAY AND SW 145TH AVENUE, AND LEGALLY IDENTIFIED WITH PARCEL IDENTIFICATION NUMBERS 5140-27-11-0014 AND 5140-27-11-0010, FROM COMMUNITY BUSINESS (B2) TO MIXED-USE LOW (ML); MAKING FINDINGS; PROVIDING FOR ADOPTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in conformity with, and in furtherance of, the Growth Management Act, as codified in Part II of Chapter 163, Florida Statutes ("F.S."), the City of Miramar (the "City") adopted in 1989 its Comprehensive Plan along with a Future Land Use Map ("FLUM") showing the distribution and extent of the various land use designations; and

WHEREAS, in conformity with, and in furtherance of, the Growth Management Act, the City adopted and began enforcing in 1996 land development regulations, which, codified in the Land Development Code ("LDC"), are consistent with, and contain specific and detailed provisions necessary to implement the adopted Comprehensive Plan; and

WHEREAS, along with the LDC, the City adopted an Official Zoning Map showing the location and boundaries of the various zoning districts, which, as described in Section Ord. No. _____

Temp. Ord. No. 1776
5/12/21
6/9/21

401 of the City's LDC, have been found to be conforming to, and adequate to carry out, the City Comprehensive Plan, Future Land Use Map and LDC; and

WHEREAS, Section 166.041, F.S., establishes a uniform method for the adoption of municipal ordinances and resolutions, and the requirements set forth therein cannot be lessened or reduced by any municipality; and

WHEREAS, in paragraph (c) of Subsection 166.041(3), F.S., implicitly provides that changes to the actual list of permitted, conditional, or prohibited uses within a zoning category, and changes to the actual zoning map designation of a parcel or parcels of land, whether initiated by the municipality or not, shall be enacted by ordinance of the governing body of a municipality, and specifically establishes minimum procedures for the adoption of such municipal ordinances; and

WHEREAS, consistent with Section 166.041, F.S., Section 304 of the City LDC also establishes a uniform procedure for the review and adoption of ordinances that change the actual list of permitted, conditional, or prohibited uses within the zoning categories of the City LDC, or that change the actual zoning map designation of specific parcels of public or private land on the City Official Zoning Map; and

WHEREAS, Maple Multi-Family Land SE, L.P. ("the Applicant"), has submitted Application No. 1902522, a complete application for rezoning two parcels, with a combined acreage of 17.16, from Community Business (B2) to Mixed-Use Low (ML), located northeast of Miramar Parkway and Southwest 148 Avenue, and

Temp. Ord. No. 1776
5/12/21
6/9/21

WHEREAS, the Development Review Committee ("DRC") has reviewed Rezoning Application No. 1902522 and made a determination that the amendment to the City's official Zoning Map is in substantial conformance with the applicable requirements, including those set forth in Section 305.4 of the LDC; and

WHEREAS, pursuant to Section 304 of the LDC, a community meeting on Application No. 1902522 was held on May 6, 2021; and

WHEREAS, the Planning and Zoning Board held a public hearing on Application No. 1902522 on June 8, 2021, and pursuant to Section 304 of the LDC, recommended approval of the application, finding it consistent with the City's Comprehensive Plan and Future Land Use Map; and

WHEREAS, the Applicant has complied with the courtesy notice requirements of Section 301.11.1. of the LDC; and

WHEREAS, the City Commission has held two properly advertised public hearings pursuant to Section 304 of the LDC and Chapter 166, Florida Statutes; and

WHEREAS, the City Manager recommends approval of Application No. 1902522; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to approve Application No. 1902522.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Ord. No. _____

Temp. Ord. No. 1776
5/12/21
6/9/21

Section 1: **Recitals.** That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2: **Findings.** The City Commission of the City of Miramar, Florida, hereby finds that Application No. 1902522, rezoning from Community Business (B2), to Mixed-Use Low (ML), is consistent with the City’s Comprehensive Plan and complies with all applicable provisions of the City’s Land Development Code.

Section 3: **Adoption.** The City Commission of the City of Miramar, Florida, hereby passes and adopts the Ordinance enacting the proposed amendment to the City Official Zoning Map, rezoning the private parcels of real property with Parcel ID Numbers 5140-27-11-0014 and 5140-27-11-0010, from Community Business District (B2) to Mixed-Use Low District (ML). The City Manager is hereby authorized to do all things necessary to effectuate the adopted rezoning of these parcels as further described in Exhibit “A,” appended hereto, incorporated herein by reference and made a part hereto, and to keep available copies of the City Official Zoning Map, as amended, for public review and examination in the Community Development Department.

Section 4: **Severability.** That should any phrase, clause, sentence, paragraph or section of this Ordinance be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions or applications which shall remain in full force and effect.

Section 5: **Liability.** That issuance of this approval by the City does not in any Ord. No. _____

Temp. Ord. No. 1776
5/12/21
6/9/21

way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval if the Owner/Developer fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

Section 6: **Administrative Correction of Scrivener's Error.** The City Attorney is hereby authorized to correct scrivener's errors found in this Ordinance by filing a corrected copy with the City Clerk.

Section 7: **Effective Date.** That this Ordinance shall become effective upon adoption.

Temp. Ord. No. 1776
5/12/21
6/9/21

PASSED FIRST READING: _____

PASSED AND ADOPTED ON SECOND READING: _____

Mayor, Wayne M. Messam

Vice Mayor, Yvette Colbourne

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney
Austin Pamies Norris Weeks Powell, PLLC

Requested by Administration

Commissioner Winston F. Barnes
Commissioner Maxwell B. Chambers
Vice Mayor Yvette Colbourne
Commissioner Alexandra P. Davis
Mayor Wayne M. Messam

Voted

Ord. No. _____

IN A REPORT IN PARAGRAPH 4, I STATED THAT THE BROWARD COUNTY PLAT BOOK 166, PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

5000 LAKES 5145, PRINCE OF WALES, 3-47, APPROXIMATE IN THE 3-4-11 SECTION AS RECORDED IN OFFICIAL RECORDS
SAND DUNES HORN IN THE CITY OF MIAMI, BROWARD COUNTY, FLORIDA, AND CONTAIN 762499 SQUARE FEET (7716160
SAND DUNES HORN OR LESS.

FOR FURTHER INFORMATION, CONTACT THE PUBLIC PARTICIPATION CENTER, ACCORDING TO THE PLAY THEATER AS RECORDED IN PLAY BOOK 186, PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

A PORTION OF PARCEL "A," LAUREL PLACE PARTNERSHIP CENTER, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 186, PAGE 35, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

[illegible]

1. THE LEGAL DESCRIPTION OF THE OVERALL BOUNDARY SHOWN HEREON IS THE SAME AS THAT DESCRIBED AS PARCEL 1, AS CONTAINED IN INSTRUMENT NUMBER 115149300, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

- [illegible]

KNOWLEDGE AND BELIEF AND THE INFORMATION AS SUPPLIED UNDER MY DIRECTION ON JULY 19, 2018 MEETS THE STANDARDS OF PRACTICE FILE 54-17 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

Digitally signed
by Lee Powers
Date: 2018.07.2
16:43:17 -0400

Digitally signed
by Lee Powers
Date: 2018.07.24
16:43:17 -04'00'

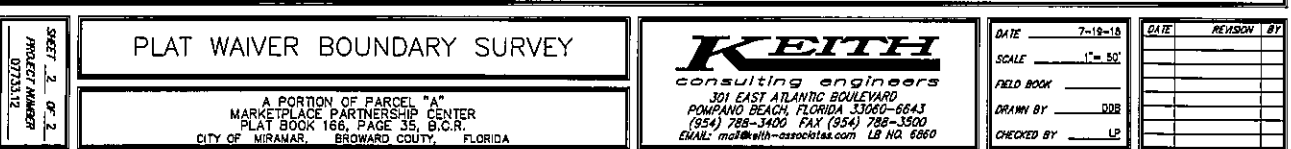
SHEET 1 OF 1
PROJECT NUMBER
07753.12

PLAT WAIVER BOUNDARY SURVEY

A PORTION OF PARCEL "A"
MARKETPLACE PARTNERSHIP CENTER
PLAT BOOK 166, PAGE 35, B.C.R.
CITY OF MIRAMAR, BROWARD COUNTY, FLORIDA

KEITH
consulting engineers
301 EAST ATLANTIC BOULEVARD
POMPAÑO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
EMAIL: mo@keith-associates.com LB NO. 6860

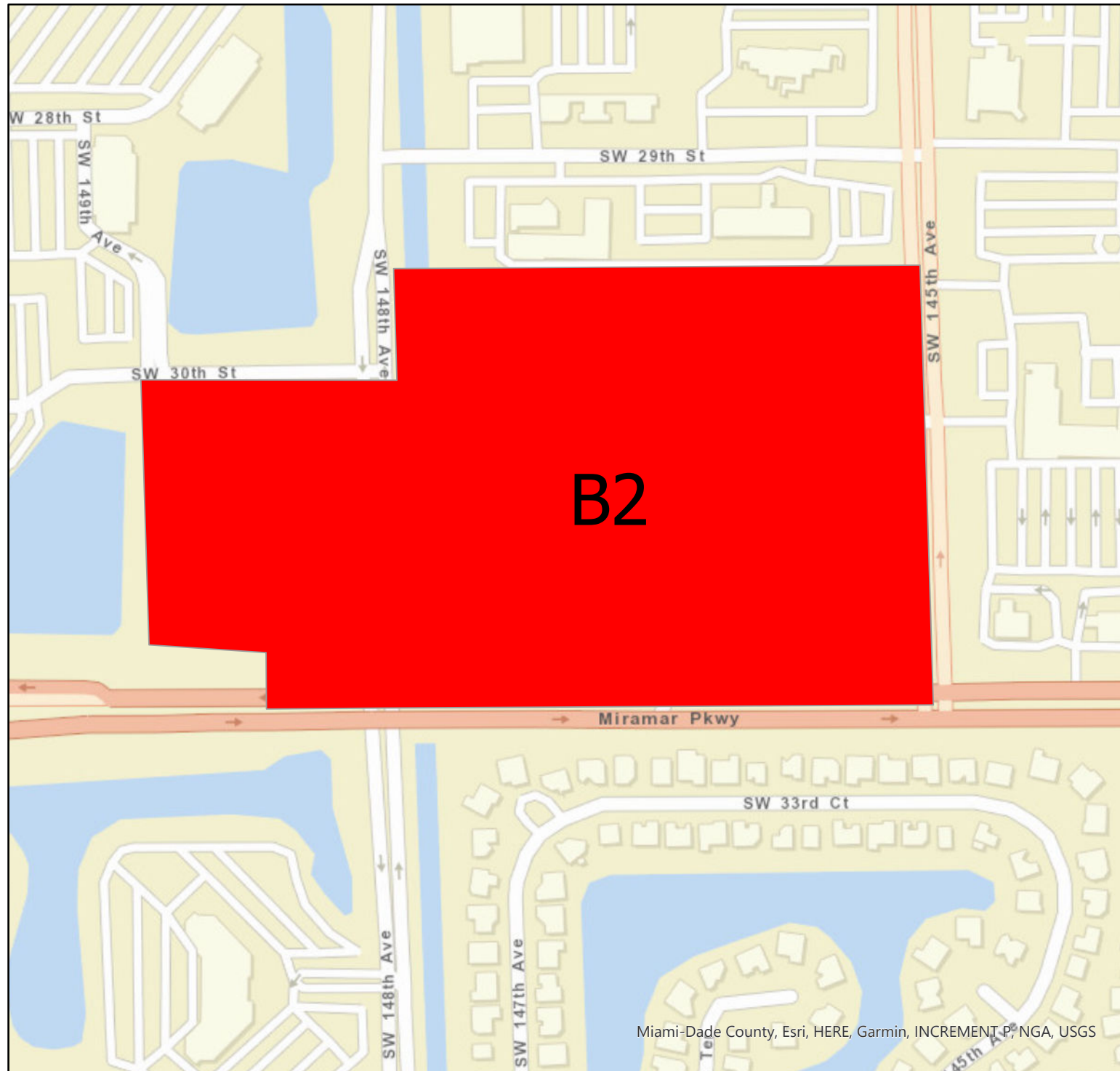
DATE	7-19-18
SCALE	1" = 50'
FIELD BOOK	
DRAWN BY	DOB
CHECKED BY	LP



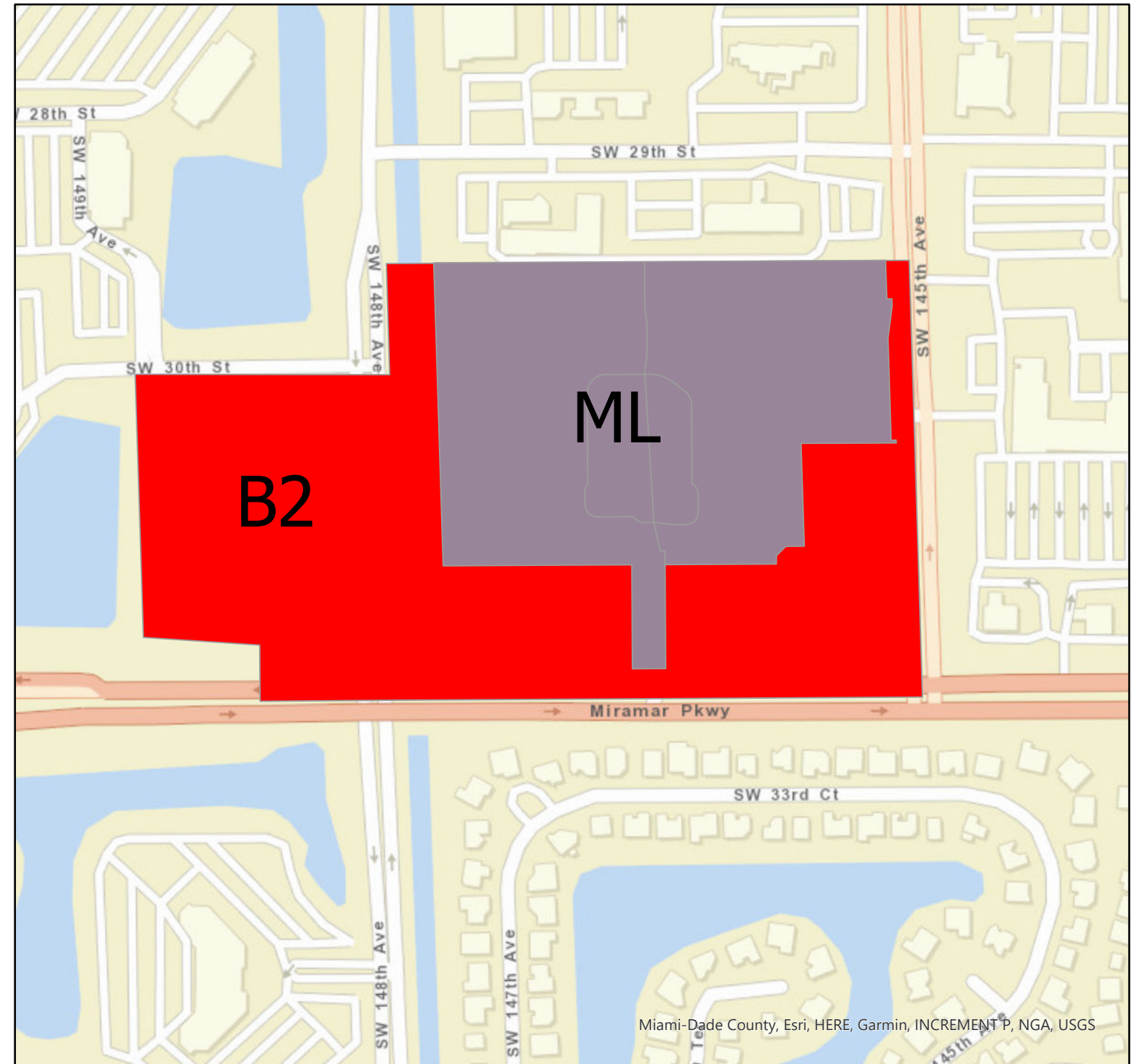


Proposed Rezoning Districts

ATTACHMENT 1

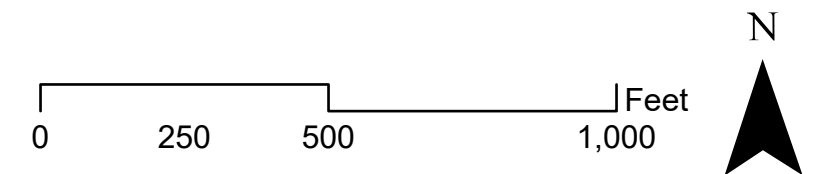


Existing Zoning District B2



Rezoning Districts - B2 -> ML

Existing Zoning District B2





City of Miramar
Community Development Department
Development Review Report - Rezoning

I. Project Summary

Project Name: Maple Multi-Family Residential

Application: 1902522 – Rezoning

Application Summary: The Applicant/Owner is requesting to rezone two parcels totaling 17.16 acres from Community Business (B2) to Mixed-Use Low (ML) to allow for a Mid-rise Apartments (250 units; studio, 1, 2, and 3-bedroom units) on 389,959 square feet (8.95 acres), located northeast of Miramar Parkway and Southwest 148 Avenue.

Related Application(s): Site Plan – 2009344
Plat Note Amendment – 2001731
Flexibility Units – 2001727
Community Appearance Board – 2009345
Ground Floor Height Variance – 2009346
Build-to-Line Variance – 2106018
Building Frontage Variance – 2100522
Pedestrian Landscape Zone Variance – 2100531
Parking Reduction Variance – 2100534
Parking Lot Landscape Variance – 2105768
Escrow – 1902523

Agent: Dennis Mele
Greenspoon Marder
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Phone: (954) 527-2409
E-mail: dennis.mele@gmlaw.com

Owner: Eric McHugh
Cotton Center 19 LP
700 Dresher Road, Suite 150
Horsham, PA 19044
Phone: (215) 328-2706
E-mail: echugh@workspaceproperty.com

II. Planning Information

Site Location: 3100 Southwest 145 Avenue 1 and 2, Florida 33027 (Folio No. 514027110014 and 514027110010)

Total Area: 747,498 square feet (17.16 acres)

Land Use Plan Designation: Commercial

Existing Zoning: Community Business (B2)

Proposed Zoning: Mixed-Use Low (ML)

Existing Use: Vacant lot and office building

Proposed Uses: Mid-rise Apartments (250 units; studio, 1, 2, and 3-bedroom units) on the vacant lot

Adjacent properties:

	EXISTING USE	ZONING	LAND USE PLAN
North	Marriott Residence Inn	Planned Industrial Development (PID)	Industrial
East	Monarch Gardens Retail & Office Complex	Employment Center	Employment Center
South	La Carreta Restaurant; Wells Fargo Bank	Community Business (B2)	Commercial
West	office buildings; fuel service station	Community Business (B2)	Commercial



III. Background

The Applicant/Owner is proposing to rezone the site from Community Business (B2) to Mixed-Use Low (ML) to allow for Mid-rise Apartments (250 units; studio, 1, 2, and 3-bedroom units) on 389,959 square feet (8.95 acres). The original intent of the property was to provide two office buildings, one of which has been built on the eastern portion of the parcel. The property is located northeast of Miramar Parkway and Southwest 148 Avenue.

IV. Review Criteria

Section 304.7 of the City's Land Development Code contains the standards for reviewing proposed rezoning applications. The City shall find whether or not the criteria below are met.

- 1) *The proposed amendment is consistent with the goals, objectives and policies of the City's Comprehensive Plan.*

Applicant's Response:

The proposed rezoning is consistent with the goals, objectives, and policies of the land use element of the City's Comprehensive Plan. The current land use designation of the Property is Commercial, which allows a mix of neighborhood, community, and regional commercial uses as well as residential uses via the allocation of flexibility and reserve units. The proposed rezoning is consistent with the Commercial land use designation of the Property, as flexibility units are requested to accomplish the multi-family residential development and the existing office building is permitted in the Commercial land use category.

The proposed rezoning would promote the development of multi-family residential dwelling units in an area surrounded by neighborhood commercial uses and employment centers. The Property is an ideal location for residential development because it is located near the intersection of Miramar Parkway and Interstate-75 and is within walking distance to a number of restaurants, grocery stores, employment centers, and entertainment options. The Applicant is proposing to develop the Property in a manner that is consistent with the directives of the Comprehensive Plan as stated below.

- Objective 1 – Promote orderly and beneficial growth and development of the community through the adoption, implementation, and consistent updating of this Future Land Use Element.
- Policy 1.4 – Permit residential uses within the Commercial land use category as long as the flexibility or reserve unit pool units are applied to the parcel.

The Applicant is requesting flexibility units to accomplish the proposed development.

- Policy 2.9 - Development within the City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and manmade resources.

The proposed development represents an effective infill development project that will assist in concentrating growth within existing urban service areas on underutilized properties.

- Policy 2.10 - The City will encourage projects that use compact building design principles that preserve open space, contain mixed use, support multi-modal and public transportation options, and reduce infrastructure costs.

The proposed project will locate a reasonable number of residential units while in a compact building design that provides for a mix of uses that will reduce the need for vehicular trips.

- Policy 3.1 - The City desires concentrated development on transit corridors that promote pedestrian activity and support multi-modal transportation options.

The Property is within walking distance of a number of desirable employment centers and commercial options. In addition, the Property is served by Broward Transit's I95 express bus to Miami and Route 28 that travels between Memorial Hospital Miramar and Aventura Mall.

- Policy 10.6 - The City will promote new housing projects which contain compact building design principles, mixed use, medium to high densities, promote pedestrian activity, and support multi-modal transportation options.

The proposed multi-family residential development will complement the surrounding neighborhood commercial uses in such a way as to create an active mix of uses and increase pedestrian activity in the area.

For these reasons, the proposed rezoning of the Property for residential development is consistent with the City's Comprehensive Plan.

Staff's Evaluation:

Staff agrees that the proposed rezoning submittal provided on the subject property of 8.95 acres to change the zoning designation from Community Business (B2) to Mixed-Use Low (ML) is consistent with the City's Comprehensive Plan. The goals and objectives are clear, recommending and encouraging compact design and allowing for a mixture of uses. The ML zoning district provides developers with options between commercial and residential uses. While the land use designation is Commercial, the applicant has requested to utilize the option of flexibility units in order to pursue a residential development project.

- 2) *The proposed zoning district is compatible with the surrounding area's zoning designation(s) and existing uses.*

Applicant's Response:

The Property is located within an area that is ideal for a mixed-use development and the proposed multi-family residential use. The Property is directly adjacent to the following:

	USE	ZONING	LAND USE
NORTH	Residence Inn by Marriott (Hotel)	PID	Commercial
SOUTH	La Carreta (Restaurant) & Wells Fargo (Bank)	B-2	Commercial
EAST	Office	B-2	Commercial
WEST	Canal – SW 148 th Ave. & General Commercial	B-2	Commercial

The Property is located within an area dominated by commercial, industrial, and employment center zoning districts. The proposed development will increase the housing types available in this area in a manner compatible with the existing neighborhood, community, and regional commercial and industrial uses. Existing hotel and office structures adjacent to the Property are similar in scale to the residential structures proposed. The Property is positioned at a prime location to provide housing options for thousands of employees working in the surrounding office and industrial employment centers. Further, the Applicant is working with the La Carreta restaurant to the south of the Property to provide shared parking options for the restaurant's patrons. Shared parking arrangements will also be provided with the office building on the Property.

The proposed multi-family development is consistent and compatible with the existing and proposed uses in the area. The Property enjoys a natural buffer via the canal to the west. To further protect the adjacent uses, the site plan includes significant landscaped buffers on the west and north sides of the Property. All residential amenities will be oriented so as not to impact the use of adjacent properties and contribute towards a cohesive community atmosphere. In addition, the development will include architectural features that are aesthetically pleasing and in line with the development patterns and character of the existing environment. The proposed development will introduce high quality architecture and site design as it increases housing options in a contextual manner. For these reasons, the proposed rezoning will be compatible with the surrounding zoning district and uses.

Staff's Evaluation:

The zoning district is compatible with the surrounding zoning designations in the area. The Mixed-Use Low district offers commercial uses included retail, shopping, restaurant, and office permitted-by-right similar to the existing uses adjacent to the vacant site. In addition to these permitted commercial uses, ML also offers multifamily residential uses with heights up to six stories. This allows for compact design encouraging walkability and density.

- 3) *The subject property is physically suitable for the zoned purpose and/or the proposed use and purpose*

Applicant's Response:

The Property contains approximately 17+/- acres that are relatively flat and without any sensitive environmental features that would prevent development. The Property offers suitable land area for a mixed-use development and infill residential development as it is surrounded by developed parcels. In addition, the Property is located on SW 145th Avenue, near the intersection at Miramar Parkway approximately half of a mile from the I-75 on-ramp which provides convenient access for residential development. The engineering plans and site plan will be designed to accommodate the proposed residential structures on the Property to ensure proper vehicular and pedestrian circulation and equitable access to residential units and community amenities. The proposed design of the site considers the surrounding uses and existing traffic circulation patterns. Based on these aspects of the Property and the proposed development, the site is physically suitable for the MU-L [ML] zoning district and the proposed residential development.

Staff's Evaluation:

Staff agrees that the subject property is suitable for the zoning and proposed development as the site provides for ample space and access to accommodate for the number of residential units being proposed within the approximate 8.95-acre parcel.

- 4) *There are sites available in the other areas currently zoned for such use.*

Applicant's Response:

A variety of low to medium density residential developments occupy nearby areas of the City. There are a number of substantial employment centers located to the immediate north and west of the Property. The Property is centrally located to these employment centers within the western portion of the City. There are few other vacant parcels with appropriate land use designations in the surrounding area to accomplish the proposed infill residential development. At this time, there are no additional sites within this area of the City appropriately zoned to accomplish multi-family residential development.

Considering the lack of available land designated for medium-high density residential development, the City would benefit from such a rezoning to allow concentrated, infill residential development in a location with a high concentration of employment and commercial activities. The introduction of the MU-L zoning district on this Property will contribute to lower infrastructure costs, increased tax revenues, and social benefits throughout the area as accomplished through the development of attractive communities that promote a sense of place and promote cohesive, walkable community atmospheres. For these reasons, the Property provides the appropriate characteristics for an infill multi-family residential development unlike other sites in this area of the City.

Staff's Evaluation:

There are currently no other properties within City boundaries that are vacant and hold a ML zoning designation. This specific district is compatible for the subject property.

- 5) *If applicable, the proposed change will contribute to redevelopment of an area in accordance with an approved redevelopment plan.*

Applicant's Response:

The Property is not subject to an approved redevelopment plan; therefore, this provision does not apply to the proposed rezoning request. However, the proposed rezoning would permit development in accordance with the City's Comprehensive Plan.

Staff's Evaluation:

Staff agrees that this proposed change is not within a redevelopment area.

- 6) *The proposed change would adversely affect traffic patterns or congestion.*

Applicant's Response:

The proposed rezoning and associated development of the vacant site will introduce a residential use on a property that is currently designated for commercial use. The traffic generation associated with a residential use is considerably less than a commercial development that could be achieved based on current zoning. A traffic analysis will be conducted in cooperation with City staff through the platting and site planning processes. Further, a traffic report has been prepared by the City and reviewed by the Applicant's traffic engineer to provide suggestions in order to improve traffic patterns within this area of the City, particularly with respect to fire trucks entering and exiting Fire Station 84.

Direct access to the Property will be provided from an existing access drive on Miramar Parkway with additional primary access from two drive lanes leading from SW 145th Avenue. Proper ingress and egress has been identified on the proposed site plan to accommodate the traffic associated with the proposed development in a safe and efficient manner. In addition, the Applicant has agreed to construct roadway improvements on SW 148 Avenue that will improve traffic circulation in the area. For these reasons, the proposed rezoning is not expected to adversely affect traffic in the area.

Staff's Evaluation:

Staff is currently reviewing the traffic impact analysis provided by the applicant based on the traffic methodology meeting earlier this year. Due to the impact of the Covid-19 pandemic, the analysis also included information from previous developments approved within to last few years. A final report shall be generated with recommendations based on how the development will impact traffic.

- 7) *The proposed change would adversely impact population density such that the demand for water, sewers, streets, recreational areas and facilities, and other public facilities and services would be adversely affected.*

Applicant's Response:

The proposed rezoning is necessary for any level of residential development of the Property in accordance with the goals and objectives of the City Comprehensive Plan. Infill multi-family residential development is known to promote revitalization and generate community atmosphere through an integration of physical and functional aspects of development. Civil engineering plans will be included with the proposed site plan application to demonstrate that the onsite and offsite improvements proposed by the Applicant in conjunction with the City's existing facilities are able to meet the demands of the proposed development. There is sufficient capacity in the public utilities to accommodate the proposed development without adversely affecting the level of service.

Staff's Evaluation:

A specific use has been proposed on the vacant subject property while the existing structures shall remain. Additional density has been evaluated at the site plan level with City Engineering, Utilities, Fire, Police, and Public Works providing valuable input to minimize the strain on public infrastructure and resources.

- 8) *Whether the proposed change would have an adverse environmental impact on the vicinity.*

Applicant's Response:

This rezoning will facilitate development of a multi-family residential use in close proximity to a large number of existing commercial developments and employment centers, resulting in reduced travel distance for commuting, shopping, and other commercial entertainment trips in the area. The introduction of residential to this predominantly commercial area will help to eliminate vehicular trips in the area. The shared parking arrangements between the proposed development, the La Carreta restaurant, and the office building on the Property will also allow all of these developments an opportunity to provide their residents and patrons with sufficient parking options. The interconnectivity of these sites is exactly what the Applicant has envisioned for the Property- residents working, eating, and living in this very neighborhood.

There are no threatened or endangered species and there is no wetland mitigation area located on the Property. An existing lake is shared with the office building to the east, which acts as retention and a natural amenity for future residents. The proposed rezoning and development of the site plan would have no adverse environmental impact on this lake area or any other environmental factors in the vicinity. The appropriate government agencies will be engaged in the review process to ensure all environmental impacts are avoided or mitigated to the greatest extent possible. For these reasons, the proposed rezoning will not have an adverse environmental impact on the surrounding area.

Staff's Evaluation:

Permit applications shall be reviewed by Environmental Protection and Growth Management Department in Broward County prior to building permit approvals.

- 9) *Whether the proposed change would adversely affect the health, safety, aesthetics and welfare of the neighborhood or the city as a whole.*

Applicant's Response:

The proposed rezoning will facilitate the infill residential development of the currently underutilized Property and will provide an increased mix of housing options located in close proximity to a variety of employment centers and commercial uses. The proposed development will increase tax revenues that will accrue to the City, thereby allowing the City to provide for the high level of public facilities enjoyed by its residents. Considering the proposed location and orientation of the residential structures, the development would not generate excessive noise, light, or pollution that would harm the community. Proper buffers will be maintained or will be provided during the site plan approval process, and any development of the Property will be constructed in accordance with the City Land Development Code. For these reasons, the proposed rezoning will not adversely affect the health, safety, aesthetics, or welfare of the neighborhood or City as a whole.

Staff's Evaluation:

Staff does not believe the permission of multifamily residential uses would adversely affect the health, safety, aesthetics, and well-being of the neighborhood or city as a whole.

V. Staff Recommendation

Staff recommends approval.