



DEVELOPMENT SERVICES

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ADMINISTRATIVE MEMORANDUM NO. 20-131

TO: Planning and Zoning Board
VIA: David L. Recor, ICMA-CM, Director of Development Services
 Jennifer Gomez, AICP, Assistant Director of Development Services
 Daniel Keester-O’Mills, AICP, Principal Planner *JG Dan*
FROM: Pamela Stanton, RLA, Planner *PS*
SUBJECT: Text Amendment to Section 155.3709, East Overlay District (EOD)
 May 27, 2020 Meeting
DATE: May 18, 2020

The Applicant, Greenspoon Marder LLP, is requesting to amend the Building Height Designation and Tower Regulations to require buildings in the East Overlay District (EOD) taller than 8 stories to be developed according to the Tower Building Type standards, except for properties abutting E Atlantic Ave and Federal Highway, within the areas shown on Diagram 155.3709.D Sub-Areas/Building Heights Regulating Diagram. The Zoning Code currently requires buildings in the EOD taller than 6 stories to be developed according to the Tower Building Type standards. The Tower Building Type generally requires that the floorplates be reduced in size above the building’s “podium,” which are above the fifth floor. If the amendment is adopted by the City Commission, it would allow 7 and 8 story buildings within the core sub-area to be developed using any Building Type approved for that Sub-Area rather than limiting it to the Tower Building typology.

The Code amendment proposes changes to Section 155.3709.D.2 Building Height Designation and Diagram 155.3709.D Sub-Areas/Building Heights Regulating Diagram. Section 155.3709.I.3. [Tower Regulations] will be shifted under Section 155.3709.D.2. [Building Height Designations] for continuity to keep all relevant height restrictions in the same place. Additionally, it includes minor changes to provide clarification that stepback requirements apply to all buildings above 6 stories along the segments of the Atlantic Blvd and Federal Highway corridors described within this Code Section and as depicted on the Sub-Areas/Building Heights Regulating Diagram, and are applicable for all Building Types.

The Applicant is representing G&C Platinum 2500 Investors, LLC, who has submitted a Major Site Plan application for an 8-story mixed-use development at 2335, 2401, and 2413 E Atlantic Blvd.

Staff does not object to the text amendment as presented.

\\cityhall\groups\Zoning 2009\Miscellaneous Zoning Cases\Code Amendments by Public\2020\20-81000001 EOD (Section 155.3709.D.2)\2. PZB\20-81000001 PZB Staff Report.docx

CODE AMENDMENT REVIEW STANDARDS

The Planning & Zoning Board must make a recommendation to the City Commission on applications for code amendments based on the competent substantial evidence in the record that the amendment addresses the following standards:

155.2402. TEXT AMENDMENT

...

C. Text Amendment Review Standards

The advisability of amending the text of this Code is a matter committed to the legislative discretion of the City Commission and is not controlled by any one factor. In determining whether to adopt or deny the proposed amendment, the City Commission shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with the comprehensive plan;
2. Does not conflict with any provision of this Code or the Code of Ordinances ;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zoning districts in this Code, or would improve compatibility among uses and would ensure efficient development within the city;
6. Would result in a logical and orderly development pattern; and
7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

CODE AMENDMENT, AS SUBMITTED BY THE APPLICANT:

155.3709. EAST OVERLAY DISTRICT (EOD)

...

Section 155.3709.D. Sub-Areas/Building Heights Regulating Plan

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2. Building Height Designations

All new and modifications to existing development shall comply with the building height standards found within the Sub-Areas/Building Heights Regulating Plan. When one property or parcel is regulated by two different height standards, the Sub-Areas/Building Heights Regulating Plan shall be referred to for the depth of each building height zone. In addition, the following shall apply:

- a. Areas intended for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height; and
- b. Buildings higher than ~~6~~ 8 stories shall be developed according to the tower building type standards.
- c. For properties with buildings greater than 6 stories in height that are abutting Atlantic Boulevard between NE 19th Avenue and NE 25th Avenue, the minimum setback along the front and street

side property lines shall be 20 feet from the face of the building. The setback shall begin above the fifth floor only, for all other properties abutting Atlantic Boulevard, there shall be no minimum setback required.

- d. For properties with buildings greater than 6 stories in height that are abutting US1 between NE 4th Street and SE 4th Street the minimum setback along the front and street side property lines shall be 20 feet from the face of the building. The setback shall begin above the fifth floor only, for all other properties abutting US1, there shall be no minimum setback required.

Section 155.3709.I

3 Tower Regulations

~~The tower regulations demonstrated on the Building Typology and Placement Regulating Diagram shall apply. In addition, the following shall also apply in the EOD:~~

- ~~(a) For properties with buildings greater than 6 stories in height that are abutting Atlantic Boulevard between NE 19th Avenue and NE 25th Avenue, the minimum setback for the tower along the front and street side property lines shall be 20 feet from the face of the podium. The setback shall begin above the fifth floor only, for all other properties abutting Atlantic Boulevard, there shall be no minimum front and street side setback for the tower.~~
- ~~(b) For properties with buildings greater than 6 stories in height that are abutting US1 between NE 4th Street and SE 4th Street the minimum setback for the tower along the front and street side property lines shall be 20 feet from the face of the podium. The setback shall begin above the fifth floor only, for all other properties abutting US1, there shall be no minimum setback for the tower.~~

4 3. Lot Standards

Lot standards, including but not limited to lot width and lot coverage, are determined based on the selected building typology. The lot standards are demonstrated on the Building Typology and Placement Regulating Diagrams.

- a. The Director of Development Services or his/her designee shall have the authority to adjust administratively the requirements for minimum lot depth and lot width, for up to 10% of the required measurement.

5 4. Minimum Unit Sizes for Residential Development

Table ~~155.3709.I.5~~ 155.3709.I.4: Minimum Unit Sizes for Residential Development

Table 155.3709.I.54: Minimum Unit Sizes for Residential Development Floor area per dwelling unit, minimum (square feet)		
SF	950	
MF	Efficiency Units	450
	1 Bedroom	575
	2 Bedroom	750
	3 Bedroom	850
	Additional Bedroom	100

6.5. Additional EOD Standards

In addition to the Regulating Plans, the following standards apply to properties within the EOD.

a. Reduced and/or Modified Off-Street Parking Standards

- i. Properties developed in full compliance with the Use-Areas/Density Regulating Plan and the Density Regulating Plan are eligible for reduced parking. However, in no case shall a property be permitted to utilize one of the following parking reductions and a parking reduction found in Section 155.5102.K (Reduced Parking Requirements for Parking Demand Reduction Strategies) or Table 155.5803.A: Sustainability Bonuses.

(A) Multifamily dwellings in the core and center sub-area: No off-street parking spaces are required for any multifamily dwellings that are constructed by, or have a valid building permit as of the adoption date of this ordinance. Multifamily dwellings permitted thereafter shall provide a minimum of one off-street parking space per unit or one off-street parking space per 1,000 square feet of gross floor area or fraction thereof, whichever is greater.

(B) Multifamily dwellings in the edge sub-area shall refer to Table 155.5102.D.1: Minimum Number of Off-Street Parking Spaces for parking requirement.

(C) Selected off-street parking reductions for retail sales and service uses, eating and drinking establishments, professional office, or hotel uses constructed by or having a valid building permit as of January 4, 2021.

1. Retail sales and service use: off-street parking is reduced only for the following.

(a) No additional off-street parking spaces are required for a change in use of an existing building.

2. Eating and drinking establishments: off-street parking is reduced as follows:

(a) No additional off-street parking spaces are required for a change in use of an existing building.

(b) One parking space per eight persons of maximum occupancy capacity of customer service area is required for a new principal or accessory structure located on property greater than once acre.

- (c) New principal or accessory structures located on property once acre or less shall refer to Table 155.5102.D.1: Minimum Number of Off-Street Parking Spaces for parking requirement.
- (d) The above reductions in (a) and (b) are not applicable to nightclub or hall for hire.
- 3. Professional office use: No additional off-street parking spaces are required for a change in use of an existing building.
- 4. Hotel use: Off-street parking is reduced as follows:
 - (a) No additional off-street parking spaces are required for a change in use of an existing building.
- (D) Selected off-street parking reductions for residential uses vertically integrated within a mixed-use development constructed by or having a valid building permit as of January 4, 2021.
 - 1. For purposes of this subsection, mixed use development shall mean development that vertically integrate residential uses with retail sales and service uses, professional office uses, bar or lounges, brewpubs, restaurants, or specialty eating or drinking establishments.
 - 2. The off-street parking requirement for residential use is reduced as follows:
 - (a) No additional off-street parking spaces are required for a change in use of an existing building.

(E) No Nonconforming Site Feature

The temporary waiver of off-street parking requirements provided in subsection (A) and (B) above shall not be deemed to create any nonconforming site feature with respect to the lack of parking spaces that otherwise would have been required of a development during the waiver period.

7 6. Modified Perimeter Buffer Standards

Development that is required to obtain Major Site Plan or Minor Site Plan approval shall provide a perimeter buffer to separate it from abutting property that is a less intensive use or inconsistent use, including developed or vacant property in accordance with Table 155.5203.F.3 Required Buffer Types and Standards with the following modifications:

- (a) A Type B Buffer is required between a proposed non-residential or mixed-use development and land designated as “RS: Residential Single Family” or “RM: Residential Multi-family.” However, if an alley/service road is provided, the buffer may be reduced to five feet and the

location of the wall or semi-opaque fence and associated landscaping with the buffer will be at the discretion of the Development Services Director. Consideration will be given to the location of existing fencing, curb cuts, and existing development patterns.


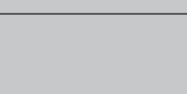


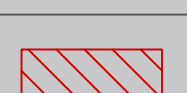

8 7. Modified Residential Compatibility Standards

Residential compatibility standards throughout the TO and EOD supersede the residential compatibility standards found in Section 155.5604 which do not apply.

Please see attached for revised Diagram 155.3709.D.Sub-Areas/Building Heights Regulating Plan

LEGEND

Diagram 155.3709.D. Sub-Areas/Building Heights Regulating Plan

CORE		MAX 105 FEET FOR COMMERCIAL MAX 80 FEET FOR RESIDENTIAL AND MIXED USE
		Properties greater than 6 stories in height, with frontage along Federal Hwy and Atlantic Blvd where shown, the minimum setback along the front and street side property lines shall be 20 feet from the face of the building (above the 5th floor only).
CENTER		MAX 80 FEET
EDGE		MAX 55 FEET
EDGE		MAX 35 FEET
		BUILDINGS SHALL CONFORM TO FAA HEIGHT STANDARDS

Note:
 (a) Space for commercial uses on the ground floor of all non-residential and mixed-use buildings shall be a minimum of 12 feet in height; and
 (b) Buildings higher than 8 stories shall be developed according to all Tower building type standards.

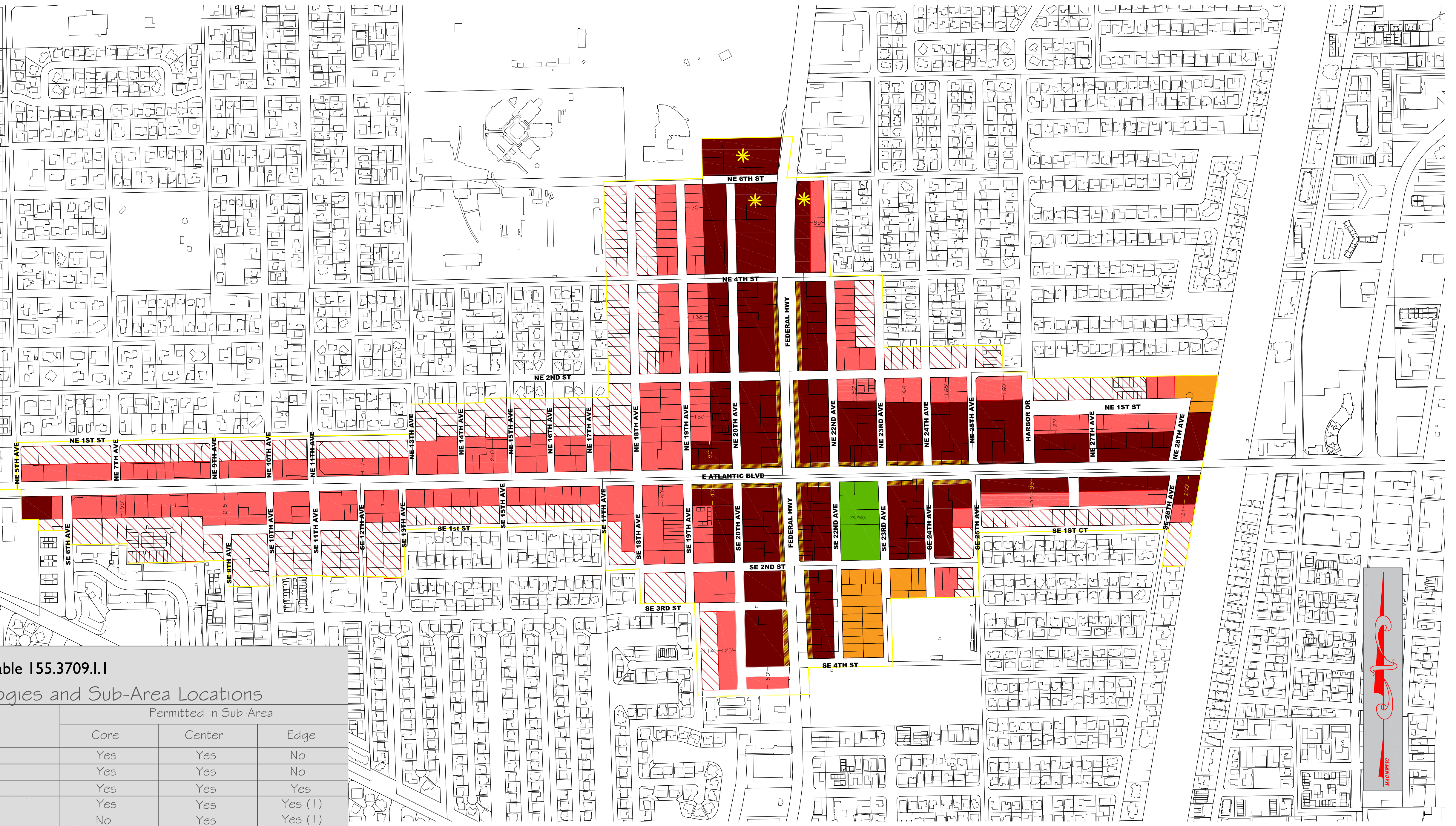


Table 155.3709.I.I
 Building Typologies and Sub-Area Locations

Building Typology	Permitted in Sub-Area		
	Core	Center	Edge
Tower	Yes	Yes	No
Liner	Yes	Yes	No
Courtyard Building Type A and B	Yes	Yes	Yes
Flex	Yes	Yes	Yes (1)
Townhouse Type A	No	Yes	Yes (1)
Townhouse Type B	Yes	Yes	Yes (1)
Zero Lot Line (with Alley/Service Road)	No	Yes	Yes (1)
Zero Lot Line (without Alley/Service Road)	No	No	Yes (1)(2)
Detached Single Family (with Alley/Service Road)	No	No	No
Detached Single Family (without Alley/Service Road)	No	No	No

Note: (1) In RM24 use areas located between NE 18th and NE 13th Ave (between NE 2nd Street and East Atlantic Blvd), the building typologies permitted for new developments shall be Townhouse, or Zero Lot Line only. Except for Zero Lot Line Building Types, the proposed new development shall have a minimum of 230 feet of frontage along the street.
 (2) Not permitted if rear access from an alley/service road is possible.

