

**CITY OF HOLLYWOOD, FLORIDA
DEPARTMENT OF DEVELOPMENT SERVICES
PLANNING DIVISION**

DATE: April 12, 2018 **FILE:** 17-DPSV-53

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager 

FROM: Julian Gdaniec, Assistant Planner 

SUBJECT: West Pond Associates LLC, requests Special Exception, Variance, Design, and Site Plan for a Service Station with an accessory Convenience Store generally located at the southwest corner of State Road 84 and Southwest 30th Avenue (Cumberland Farms).

REQUEST

Special Exception, Variance, Design, and Site Plan for a Service Station with an accessory Convenience Store (Cumberland Farms).

Variance: Provide bollards and flush sidewalk in lieu of cars stops or curbing.

RECOMMENDATION

Special Exception: Approval.

Variance: Approval, if Special Exception is granted.

Design: Approval, if Special Exception is granted.

Site Plan: Approval, if Special Exception, Variance, and Design are granted.

REQUEST

The Applicant requests a Special Exception to establish a service station including an approximate 6,000 square foot convenience store. Service station is defined in the Zoning and Land Development Regulations as *any establishment that sells, distributes, or pumps fuels for motor vehicles.* This use is not a main permitted use in the C-4 zoning district. It is only permitted by Special Exception. Special Exception is defined as a *use not generally appropriate in a district, but one that would be appropriate if it is consistent with the review criteria* listed for Special Exception.

The subject property is generally located at the southwest corner of State Road 84 and SW 30th Avenue at the northern border of the municipal boundary of Hollywood, directly adjacent to Dania Beach and

Fort Lauderdale. The parcel is currently vacant and sits at the general convergence of two major regional highways, I-95 and I-595. While a service station may not be considered an appropriate use in certain areas that are designated as C-4, this particular use on this particular property appears to reasonably and justifiably fit within the context of the surrounding parcels.

The proposed Service Station will consist of eight fuel islands for a total of 16 fuel pumps under a 21-foot high canopy; and a convenience store of approximately 6,000 square feet. The site layout is typical of a service station, where the canopy is fronting the main street, State Road 84; while the convenience store is situated at the rear (south side) of the site. Ingress and egress to the site will be provided via a right-in only connection along State Road 84; a right-in, right-out connection along SW 30th Avenue; and two full access drive aisles along Marina Road, one along the western border of the site and one along the southern border of the site.

The Applicant is also requesting a Variance to allow for the utilization of a flush sidewalk and bollards as a means to protect areas of pedestrian activity in lieu of car stops or raised curbing as is required by code. The proposed bollards will be utilized for parking spaces that are directly adjacent to the convenience store and surrounding areas of pedestrian circulation. As stated by the applicant: "In circumstances where vehicles encounter wheel stops at low to moderate speeds...such wheel stops have an unwanted and opposite effect from the purpose they are designed to serve, instead catapulting vehicles into zones inhabited by pedestrians, seated customers, [and] glass storefronts." Therefore, based on experiential evidence of the applicant, bollards may actually be more effective at protecting vulnerable pedestrians and customers from rogue vehicles than car stops or curbing.

As proposed, the building's design is representative of a Cumberland Farms prototype. The service station canopy is approximately 120 feet long and 21 feet high with a neutral off-white color, green accents, and stone work at the base of the columns. The building height proposed for the convenience store is approximately 33 feet with standing seam metal roof. Exterior materials include glass, synthetic wood, fiber cement board, and stone work at the base of the building. It includes an outdoor patio with seating area where decorative railings are provided. To soften the building and paving, the design is enhanced by a landscape plan which includes a wide array of planting materials and provides approximately 44 percent pervious areas. A perimeter/landscape buffer is provided along the extent of the parcel, measuring approximately 58 feet at its deepest point. Adequate vehicular and pedestrian connectivity is provided throughout the site. Parking spaces are also provided in excess of the requirement (27 required, 36 provided), with pervious concrete being utilized for 15 of the proposed 36 spaces.

The contrasting material and design elements create visually appealing facades that were once absent on this parcel as it has been sitting vacant. Furthermore, the canopy and pump stations have been situated in such a manner that promotes a logical flow throughout the site. Additionally, the canopy is set back at least 34 feet from the property line at its closest point. The dumpster and all mechanical equipment pertinent to the operation of the service station have been located in such a way, and addressed with appropriate screening, so that visual impact is minimal from the public right of way. The applicant will obtain permits for signage independent of the request for Site Plan and Design approval and have ensured that all proposed signage will comply with all requirements of the Zoning and Land Development Regulations.

The Applicant has worked with Staff to ensure a Design and Site Plan that is consistent with the regulations of the C-4 district. The overall site program presents a use that is thoughtfully designed with appropriate

consideration for circulation and landscaping, and a design that is appropriate in scope and context for the location.

SITE INFORMATION

Owner/Applicant:	West Pond Associates, LLC
Address/Location:	Generally located at the southwest corner of State Road 84 and Southwest 30 th Avenue
Net Area of Property:	108,136 sq. ft. (2.48 acres)
Land Use:	General Business (GBUS)
Zoning:	Medium / High Intensity Commercial District (C-4)
Existing Use of Land:	Vacant

ADJACENT LAND USE

North:	City of Dania Beach
South:	City of Dania Beach
East:	City of Dania Beach
West:	City of Fort Lauderdale

ADJACENT ZONING

North:	City of Dania Beach
South:	City of Dania Beach
East:	City of Dania Beach
West:	City of Fort Lauderdale

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Located within the C-4 Zoning District, the project is positioned along a major commercial corridor. The 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 land owners to maximize the use of their property*. Development of this site will increase the availability of commercial uses, and will expand the mixture of uses in the area; serving the adjacent community as well as the region.

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

The City-Wide Master Plan is a compilation of policy priorities and recommendations designed to improve the appearance, appeal, and economic tax base of the City. It establishes a format for future direction and vision for the City.

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

The subject property is located within the Port 95 Commerce Park, a subset of Sub-Area 7. The City-Wide Master Plan recognizes the Port 95 Commerce Park as a strategic location to catalyze development in the area by attracting various industries related to the Port and Airport, and subsequently providing

overall economic benefit to the City. The proposed project is consistent with the City-Wide Master Plan based upon the following:

Guiding Principles and Policies:

- *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*
- *Attract and retain businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.*

Policy CW.21: *Create and expand where appropriate commercial and industrial zones to increase tax dollars.*

Policy CW.44: *Foster economic development through creative land use, zoning and development regulations, City services and City policies.*

Policy CW.46: *Place emphasis on redevelopment along the major highway corridors; SR 7, US 1, Dixie Highway, Hollywood Boulevard, and A-1-A [and other major corridors including State Road 84] by limiting expansion of residential areas, and deepening industrial and commercial zones to increase tax revenues.*

APPLICABLE CRITERIA

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

CRITERION 1: The Proposed use must be consistent with the principles of the City's Comprehensive Plan.

ANALYSIS: The intent of the Comprehensive Plan's 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 land owners to maximize the use of their property.* Development of this site will increase the availability of commercial uses and expand the mixture of uses in the area; serving the adjacent community as well as the region.

FINDING: Consistent.

CRITERION 2: The proposed use must be compatible with the existing land use pattern and designated future uses and with the existing natural environment and other real properties within the vicinity.

ANALYSIS: The subject site is zoned Medium/High Intensity Commercial District (C-4), with a Land Use Designation of General Business. The General Business Land Use permits neighborhood, community, regional and highway retail uses. The parcel is also adjacent to parcels with existing high intensity commercial and light industrial uses. The use will better serve the public travelling on a major

transportation corridor where no option for fueling currently exists within one mile of the site. Therefore, the proposed use is consistent with the existing commercial character in the area.

FINDING: Consistent.

CRITERION 3: That there will be provisions for safe traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

ANALYSIS: Ingress and egress to the site will be provided via four access points, two of which are right-in only and two of which provide full accessibility to the site. Pedestrian connectivity via the public right-of-way to the convenience store portion of the site is provided. Adequate striping and signage is provided to ensure safe circulation of vehicles and pedestrians.

FINDING: Consistent.

CRITERION 4: That there are setbacks, buffering and general amenities in order to control any adverse effects of noise, light, dust and other potential nuisances.

ANALYSIS: The parcel is surrounded by roadway on all four sides as well as a retention area to the east between the roadway and adjacent parcel, and a canal to the west. The Applicant has worked with Staff to ensure the Site is adequately landscaped with landscaping buffers exceeding what is required on all four sides of the site. The site has been designed in a way that potential nuisances, such as lighting and noise pollution, will not adversely impact adjacent parcels.

FINDING: Consistent.

CRITERION 5: The proposed use, singularly or in combination with other Special Exceptions, must not be detrimental to the health, safety, or appearance of the neighborhood or other adjacent uses by reason of any one or more of the following: the number, area, location, height, orientation, intensity or relation to the neighborhood or other adjacent uses.

ANALYSIS: The Applicant has worked with Staff comprehensively with regards to design, landscaping, setbacks, circulation, etc. to ensure that the proposed use conforms to the character of the commercial corridor for which it is located. The site meets and exceeds the Zoning and Land Development Regulations, excluding the singular variance that is being requested.

FINDING: Consistent.

CRITERION 6: The subject parcel must be adequate in shape and size to accommodate the proposed use.

ANALYSIS: The Zoning and Land Development Regulations requires Service Station to have a minimum plot size of no less than 100 feet in width and 100 feet in depth. The subject site meets the requirements and is approximately 108,000 square feet (2.48 acres). The parcel provides ample space to accommodate the proposed use.

FINDING: Consistent.

CRITERION 7: The proposed use will be consistent with the definition of a Special Exception and will meet the standards and criteria of the Zoning Classification in which such use is proposed to be located and all other requirements for such particular use set forth elsewhere in the Zoning Code, or otherwise adopted by the City Commission.

ANALYSIS: A Special Exception is defined *as a use not generally appropriate in a district, but would be appropriate if it is consistent with the review criteria listed for Special Exceptions*. The project meets the minimum lot size required for Service Station. The Applicant has worked with Staff with regards to design, landscaping, setbacks, vehicle and pedestrian circulation, etc. It meets and exceeds the Zoning and Land Development requirements pertaining to design, height, setbacks, parking, vehicular use area landscaping, etc. and is consistent with the character of development currently found on adjacent parcels.

Analysis of Criteria and Findings for a Variance to provide bollards and flush sidewalk in lieu of cars stops or curbing as stated in the City of Hollywood's Zoning and Land Development Regulations Article 5.

VARIANCE: Provide concrete sidewalk flush with adjacent pavement and bollards in lieu of curbing or 6 foot long car stops.

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 applicants has stated that through previous experience the preferred method of protecting buildings and other areas of pedestrian circulation from rogue vehicles for maximum safety is the utilization of bollards, as opposed to car stops or curbing. The usage of the bollards still maintains the intent of the zoning regulation which is to protect areas of potential vulnerability from vehicles infringing into the path of pedestrian circulation.

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: Because of the nature of the proposed use in that a high degree of automotive usage can be anticipated in direct adjacency to areas of pedestrian usage, the bollards are thought to provide an enhanced degree of protection than do the methods prescribed in the Zoning and Land Development Regulations. Staff does

not find that the bollards adversely impact the aesthetic design and the usage of bollards is not atypical of contemporary service stations. The bollards contribute to the enhancement of the community by promoting safety.

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 Variance is sought to allow for enhanced safety of customers frequenting the convenience store and service station. The establishment of this use as a service and convenience to the regional community along a major transportation corridor with the utmost consideration for safety is well within the intent and objectives of the Comprehensive Plan.

FINDING: Consistent.

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

ANALYSIS: The variance is aimed at providing the safest mechanism for protecting pedestrians and shoppers from vehicles in motion inadvertently infringing into areas of vulnerability. The variance request is not economically based.

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.

CRITERION 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 design provides the enhanced usage of an underutilized parcel, catalyzing interest and activity where there previously was none. The design, including massing, material usage, landscaping, and other design features is

prototypical of a high-end, contemporary service station and perfectly balances aesthetic consideration with functionality.

FINDING: Consistent.

CRITERION 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 neighborhood.

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 properties along the commercial corridor. Architectural detailing is provided in harmony with the surrounding built environment using an array of materials to provide an identity for the building while creating a cohesive fabric.

FINDING: Consistent.

CRITERION 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 site plan that is compliant with zoning regulations as it pertains to height, setbacks, and landscape requirements. The development does not exceed height limitations as set forth in the Zoning and Land Development Regulations and is compatible with surrounding sites along State Road 84.

FINDING: Consistent.

CRITERION 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.

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 March 1st of 2018. Therefore, staff recommends approval, if the Special Exception, Variance and Design are granted.

ATTACHMENTS

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