

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

DATE: September 6, 2018 **FILE:** 17-DPV-35

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager

FROM: Alexandra Carcamo, Principal Planner

SUBJECT: Flanigan's Enterprises, Inc., requests Variances, Design, and Site Plan for renovations and expansion of an existing restaurant; and an approximate 3,000 sq. ft. addition of retail space (Flanigan's Restaurant / Big Daddy Liquor's).

REQUEST

Variances, Design, and Site Plan for renovations and expansion of an existing restaurant; and an approximate 3,000 sq. ft. addition of retail space.

Variance 1: To increase the number of permitted wall signs from one to two at the existing building (west façade).

Variance 2: To increase the number of permitted wall signs from one to two at the proposed building (west façade).

Variance 3: To allow for an additional sign on each facade visible from the right-of-way at the proposed building (south and north façade).

RECOMMENDATION

Variance 1-3: Approval.

Design: Approval.

Site Plan: Approval, if Design is granted, and with the condition the Applicant submit the appropriate perpetual cross-access agreements, in a form acceptable to the City Attorney, prior to the issuance of any Building Permits and recorded by the City of Hollywood in the Public Records of Broward County prior to the issuance of Certificate of Occupancy (C/O).

REQUEST

Comprised of several lots totaling approximately one acre, the Applicant request Design and Site Plan for renovations and expansion of an existing restaurant (Flanigan's Restaurant); and an approximate 3,000 sq. ft. addition of retail space (Big Daddy Liquor's). As it exist today the restaurant and the liquor store are in the same building; the applicant is proposing a new building which will allow separate spaces for the two uses.

The Applicant is proposing substantial renovations to the existing building along with an approximate 1,900 sq. ft. expansion; the existing building will continue as the restaurant use. In addition, site improvements are proposed throughout eliminating several nonconformities and allowing for better circulation. The proposed retail space, at approximately 3,000 sq. ft., is intended for the relocation of the liquor store. As proposed, each building's design is representative of the user's prototype; while maintaining overall cohesion with the use of similar architectural elements, treatments, and materials. Materials include natural wood, glass, aluminum, and metal canopies. Accentuated volumes and other architectural features highlight building entrances, which are proposed to face the public right-of-way. The Applicant worked with Staff to ensure adequate vehicular and pedestrian circulation is provided. Safe pedestrian access is provided from the public sidewalk to building entrances and throughout the site. The landscaping was designed with both beautification and function in mind and all landscape requirements have been met. The proposed landscape helps articulate the property and enhance the design of the buildings. A variety of native plants and trees are proposed to work in concert with the existing site trees.

Due to the size, configuration, and dual-frontage condition, of the proposed project, signage in excess of what is permitted by right is necessary. The Applicant is requesting three variances in order to increase the number of signs per façade and the number of signs visible from the right-of-way.

The following variance is in relation to the existing building:

- Variance 1: To increase the number of permitted wall signs from one to two at the existing building (west façade).

The following variances are in relation to the proposed building:

- Variance 2: To increase the number of permitted wall signs from one to two at the proposed building (west façade).
- Variance 3: To allow for an additional sign on each facade visible from the right-of-way at the proposed building (south and north façade).

The Zoning and Land Development regulations allow for one wall sign per street frontage; and the area of such sign is limited to *one square foot per linear foot of building face where the sign is to be located, with a minimum of 25 square feet permitted and a maximum of 150 square feet*. Although meeting the size requirements, the Applicant is proposing two signs per street frontage necessitating the Variance both for the existing building and the proposed building. On the north and south façade of the proposed building the Applicant is proposing an additional sign for each; these façades face internal roads, but are still considered visible from public right of way, thus triggering the need for a Variance. Staff finds the proposed development consistent with the Comprehensive Plan, the City –Wide Master Plan, and the Zoning and Land Development Regulations.

Owner/Applicant:	Flanigan's Enterprises Inc.
Address/Location:	2505 N University Drive; generally located east of University Drive and south of Davie Road Extension.
Gross Area of Property:	N/A
Net Area of Property:	44,966 sq. ft. (1.03 ac)
Land Use:	General Business (GBUS)
Zoning:	Medium-High Intensity Commercial District (C-4)
Existing Use of Land:	Commercial

ADJACENT LAND USE

North:	General Business (GBUS)
South:	General Business (GBUS)
East:	General Business (GBUS)
West:	Town of Davie

ADJACENT ZONING

North:	Medium-High Intensity Commercial District (C-4)
South:	Medium-High Intensity Commercial District (C-4)
East:	Medium-High Intensity Commercial District (C-4)
West:	Town of Davie

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The request for Design and Site Plan is located in the Medium Residential Land Use area. 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. This proposed development is consistent with the Comprehensive Plan, based upon the following:

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

Objective 5: *Encourage appropriate infill redevelopment in blighted areas throughout the City and economic development in blighted business and tourist areas by promoting improved architectural and streetscape design standards, code enforcement, economic development, neighborhood planning, and public information dissemination.*

Policy 5.3: *Review the Davie Road Extension corridor to determine the intensity and types of uses appropriate for this area now that University Drive is a major commercial arterial road.*

CONSISTENCY WITH THE CITY-WIDE MASTER PLAN

Located within Sub-Area 8, the property is located in the western-most part of the City. This area is geographically defined by Davie Road Extension and 72nd Avenue to the west, Stirling Road to the north, Florida's Turnpike to the east and Hollywood Boulevard to the south. This area includes residential neighborhoods of Boulevard Heights and Driftwood; it is also adjacent to the Seminole Indian Reservation.

The City-Wide Master Plan places a priority on protecting, preserving and enhancing residential neighborhoods. The City-Wide Master Plan addresses the need for strict design controls to maintain the individual character of each neighborhood. The proposed request is consistent with the City-Wide Master Plan based upon the following policies:

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 8.1: *Coordinate with the Town of Davie an overlay district for Davie Road Extension to ensure proper land use development and design that compliments the area.*

Policy 8.4: *Provide incentives for the redevelopment of existing commercial areas and corridors.*

APPLICABLE CRITERIA

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

VARIANCE 1-3: To increase the number of permitted wall signs from one to two at the existing building (west façade); to increase the number of permitted wall signs from one to two at the proposed building (west façade); to allow for an additional sign on each facade visible from the right-of-way at the proposed building (south and north façade).

CRITERIA 1: The variance is not contrary to the public interest.

ANALYSIS: The City's Zoning and Land Development Regulations state *[t]he purpose of this section is to permit signs that: (A) Will not by their size, location, construction or manner of display, endanger the health, safety and general welfare of the public...* The Applicant's request to increase the number of permitted wall signs is not contrary to public interest as it increases visibility for those navigating the roadways and pedestrian paths.

FINDING: Consistent.

CRITERIA 2: The variance is required due to special conditions.

ANALYSIS: Due to the size, configuration, and dual-frontage condition, of the proposed project, signage in excess of what is permitted by right is necessary. The Zoning and Land Development regulations allow for one wall sign per street frontage; and

the area of such sign is limited to one square foot per linear foot of building face where the sign is to be located, with a minimum of 25 square feet permitted and a maximum of 150 square feet. Although meeting the size requirements, the Applicant is proposing two signs per street frontage necessitating the Variance both for the existing building and the proposed building. On the north and south façade of the proposed building the Applicant is proposing an additional sign for each; these façades face internal roads, but are still considered visible from public right of way, thus triggering the need for a Variance.

FINDING: Consistent.

CRITERIA 3: A literal enforcement of the provisions of Article 8 may result in unnecessary hardship.

ANALYSIS: The Zoning and Land Development regulations allow for one wall sign per street frontage; and the area of such sign is limited to one square foot per linear foot of building face where the sign is to be located, with a minimum of 25 square feet permitted and a maximum of 150 square feet. Due to the size, configuration, and dual-frontage condition, of the proposed project, signage in excess of what is permitted by right is necessary. as stated by the Applicant “due to the existing site constraints, the intent to preserve shade trees, and the limitations based on the architectural elevations, a combined sign and logo will not fit in a location high enough to maximize visibility while complementing the architecture.”

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 architectural details for the proposed buildings fit harmoniously with the building’s mass. As proposed, each building’s design is representative of the user’s prototype; while maintaining overall cohesion with the use of similar architectural elements, treatments, and materials. Materials include natural wood, glass, aluminum, and metal canopies. Accentuated volumes and other architectural features highlight building entrances, which are proposed to face the public right-of-way, as recommended by the Design Guidelines. The Applicant worked with Staff to ensure adequate vehicular and pedestrian circulation is provided. Safe pedestrian access is provided from the public sidewalk to building entrances and throughout the site.

FINDING: Consistent.

CRITERIA 2:	<i>Compatibility.</i> 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:	Since Sheridan Street and University Drive are commercial corridors, the proposed development is consistent with the surrounding buildings in scale, massing, and placement. Therefore, it maintains a uniform alignment with the existing street profile. Architectural detailing is provided in harmony with the surrounding built environment using an array of materials to provide an identity for the buildings while creating a cohesive fabric.
FINDING:	Consistent.
CRITERIA 3:	<i>Scale/Massing.</i> 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:	<p>The proposed project was designed contextually and it's massing, scale, rhythm, and architectural elements, are compatible with the adjacent commercial corridors. The proposed one-story buildings range from 21 to 25 feet in height. Meeting all setback requirements, the building placement also creates a consistent pattern.</p> <p>As recommended by the City Design Guidelines, while the proposed buildings distinguish themselves from neighboring buildings in terms of architectural elements, the scale, rhythm, height, and setbacks bear some relationship to neighboring buildings and maintain some resemblance of compatibility.</p>
FINDING:	Consistent.
CRITERIA 4:	<i>Landscaping.</i> 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 landscaping was designed with both beautification and function in mind and all landscape requirements have been met. The proposed landscape helps articulate the property and enhance the design of the buildings. A variety of native plants and trees are proposed to work in concert with the existing site trees. Vehicular use areas are landscaped along the perimeter and with internal islands, improving the image of the site.
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 June 11, 2018. Therefore, staff recommends approval, if the Design is granted and with the condition **the Applicant submit the appropriate perpetual cross-access agreements, in a form acceptable to the City Attorney, prior to the issuance of any Building Permits and recorded by the City of Hollywood in the Public Records of Broward County prior to the issuance of Certificate of Occupancy (C/O).**

ATTACHMENTS

ATTACHMENT I: Application Package
ATTACHMENT II: Land Use and Zoning Map