

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

DATE: November 14, 2019 **FILE:** 19-S-64

TO: Planning and Development Board

VIA: Leslie A. Del Monte, Planning Manager

FROM: Julian Gdaniec, Associate Planner

SUBJECT: Sip Urban Café LLC requests a Special Exception to allow for the permanent usage of shipping containers for a commercial use at 1924 Tyler Street (Shipyard at Tyler).

REQUEST

Special Exception to allow for the permanent usage of shipping containers for a commercial use.

RECOMMENDATION

Special Exception: Approval, with the following conditions:

- a. Applicant to work with the City Engineer and the CRA at time of building permit to adequately address any streetscape improvements deemed necessary along Tyler Street.
- b. Applicant to work with Landscape Plans Examiner to ensure compliance with City landscape manual at time of building permit.
- c. Any future modifications or changes to the manner in which the shipping containers are utilized, including, but not limited to, alterations to the layout or design will require Staff design review.

BACKGROUND

In August of 2019, the City Commission passed a Text Amendment to the Zoning and Land Development regulations that established protocols for the permanent usage of modular buildings, trailers, cargo containers, or other similar structures. In essence, the permanent utilization of these types of structures is to be reviewed on a case by case basis for compatibility with the Comprehensive Plan and City-Wide Master Plan through the Special Exception process.

REQUEST

Pursuant to the change in regulations regarding the utilization of modular buildings, the Applicant requests a Special Exception to allow for the permanent utilization of shipping containers for a commercial use. Specifically, the Applicant aims to develop an outdoor multi-vendor retail/café type use wherein each vendor will operate out of a booth constructed from repurposed shipping containers. The project is not pursuing any Variance and will be required to meet all applicable regulations including, but not limited to, setbacks, drainage, and landscaping.

There is an evident growing trend of using shipping containers for redevelopment projects across urban areas, because they offer many benefits that standard brick and mortar construction does not. Specifically, shipping containers allow for optimal flexibility when it comes to spatial configuration, tenant mix, and time required for project realization. Shipping containers are inherently more capable of being programed for different uses (coffee shop, juice bar, restaurant, artisan goods vendor, etc.) with minimal effort, financial costs, and time spent, when compared to conventional brick and mortar locations. A conventional commercial unit may see a period of vacancy between tenants last months because of the financial commitment and time needed to achieve interior build-out that is required for the re-programming of the space. However, this is not the case with shipping containers as the repurposing of the unit to accommodate a new vendor can occur with significantly less time and resource commitment, thereby decreasing the potential for long vacancies while simultaneously reducing the barriers to entry for local entrepreneurs with new concept or product ideas; which in of itself is a beneficial economic development outcome.

Furthermore, the utilization of shipping containers allows for place-making to occur with minimal investment. The current use of the site is as a commercial parking lot which does not produce any net benefit for the neighborhood in terms of fostering a sense of place. Through creative spatial programming this redevelopment initiative serves as an opportunity to reinvigorate an underperforming portion of the Downtown Core through the activation of underutilized space. The project has potential to serve as a catalyst for attracting activity off of the primary Downtown corridors of Hollywood Blvd and Harrison Street; encouraging pedestrian movement to percolate northward, which will serve to benefit adjacent properties and reaffirm the strength of the Downtown Core. Furthermore, this project could extend reach beyond the local neighborhood and serve as a Regional destination for those who actively seek out new, creative, and on-trend experiences. Some examples of similar projects include Sparkman Wharf in Tampa, Wynwood Yard in Miami, and Proxy in San Francisco; which have all positively contributed to the neighborhood in which they are located.

SITE INFORMATION

Owner/Applicant:	Sip Urban Café LLC
Address/Location:	1924 Tyler Street
Size of Property:	0.07 acres (3,124 sq. ft.)
Zoning:	ND-3 (North Downtown High Intensity Mixed-Use District)
Future Land Use Designation:	Regional Activity Center
Existing Use of Land:	Parking Lot

ADJACENT LAND USE

North: Regional Activity Center

South: Regional Activity Center
East: Regional Activity Center
West: Regional Activity Center

ADJACENT ZONING

North: ND-3 (North Downtown High Intensity Mixed-Use District)
South: RC-2 (Historic Retail Core)
East: ND-3 (North Downtown High Intensity Mixed-Use District)
West: ND-3 (North Downtown High Intensity Mixed-Use District)

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Located within the Regional Activity Center (RAC), the subject site is surrounded by commercial, single family, and multi-family residential uses. 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*. The proposed use will further enforce the mixed-use vision of the Regional Activity Center by allowing for the redevelopment of an underutilized parcel. The proposed Special Exception is consistent with Comprehensive Plan based upon the following:

Goal: 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.

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 5.16: Foster Economic Development through creative land use, zoning and development regulations, City services, and City policies.

If granted, the proposed Special Exception will allow the Applicant to establish an activity generating use in an important area of the downtown core that is currently underperforming when compared to adjacent corridors.

CITY-WIDE MASTER PLAN

The City-Wide Master Plan places a priority on attracting and retaining businesses that will increase economic opportunities for the City while enhancing the quality of life for residents.

Guiding Principles:

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.

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 property is located within the Regional Activity Center and is surrounded by a mix of uses. The goal of the Land Use Plan is to promote and attract uses that will enhance and improve the neighborhood in which they are located. The Special Exception will allow establishment of an activity generating use in an important area of the downtown core that is currently underperforming when compared to adjacent corridors. Creative business typologies can serve as a destination along a mixed-use corridor which can facilitate increased pedestrian activity, and in turn provide stimulus to surrounding properties.

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: As stated previously, the property is located within the Regional Activity Center Land Use designation which allows for mixed uses. Surrounding uses include single- and multi-family residential, as well as offices and commercial/retail uses. As such, the requested Special Exception is compatible with the surrounding land use patterns, which are transitional in nature.

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: As a condition of approval, **the Applicant will work with the City Engineer and CRA to ensure all necessary streetscape improvements are made at time of building permit** to facilitate safe pedestrian access to the site. In addition, the use as proposed does not carry with it any minimum required parking. As such, internal vehicular traffic circulation will not be applicable to this project.

FINDING: Consistent, with the aforementioned condition.

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: Being that the proposed use is located within the middle of a downtown core that has a number of entertainment and nightlife focused establishments, the proposed use will be required to meet all applicable regulations of the code of

ordinances as is mandatory of all establishments that operate in the city, including, but not limited to, compliance with any and all noise related ordinances. Furthermore, the containers will abide by all required setback regulations for permanent structures.

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 use as proposed will naturally integrate into the existing fabric of the downtown core and serve as a method of reactivating underutilized space. The proposed use will comply with all regulations pertaining to building height and setbacks and will be complementary to adjacent uses by catalyzing activity and reaffirming the mixed-use intent of the Regional Activity Center.

FINDING: Consistent.

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

ANALYSIS: The approximate 3,000 sq. ft. site will be able to accommodate the utilization of shipping containers as vendor bays without requiring any variance to building setbacks, while simultaneously meeting all requirements regarding landscaping and drainage (which will be confirmed at time of building permit). In fact, the utilization of shipping containers is a creative and efficient way to activate a small parcel while still maintaining compliance with regulations.

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: Article 4.22 of the Zoning and Land Development Regulations states that *the permanent installation and occupation of such structures shall conform to all applicable regulations for the zoning district; shall be adequately landscaped and screened to minimize any detrimental impact on adjacent property or public rights-of-way; and shall require a Special Exception.* The use as proposed is not seeking any Variances and will comply with all applicable regulations as required of the Zoning District at time of building permit. In addition, because of the flexibility inherent with the utilization of modular structures, Staff recommends a condition **that any future modifications or changes to the manner in which the**

shipping containers are utilized, including, but not limited to, alterations to the layout or design will require Staff design review; so as to ensure continued compliance with the regulations of the zoning district beyond the initial issuance of a building permit.

FINDING: Consistent, with the aforementioned condition.

ATTACHMENTS

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