



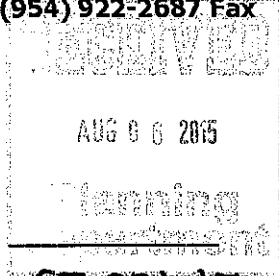
City of Dania Beach, Florida  
Department of Community Development  
Planning and Zoning Division  
(954) 924-6805 X3643  
(954) 922-2687 Fax

### Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: \_\_\_\_\_

Date Rec'd: \_\_\_\_\_

Petition No.: SE-081-15



(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

**THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS.** Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: 2011 Griffin Road

Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Recorded Plat Name: Airport Commerce Center Plat

Folio Number(s): 5042 28 17 0030 Legal Description: See Attached Exhibit "A"

Applicant/Consultant/Legal Representative (circle one) Corporate Property Services, Inc. - Agent

Address of Applicant: 1239 East Newport Center Drive - Suite 113 Deerfield Beach, FL 33442

Business Telephone: 954-426-5144 Home: \_\_\_\_\_ Fax: 954-570-3391

E-mail address: craig@corporatepropertyservices.net

Name of Property Owner: Griffin Road Three LLC %Nicholas Econmos Sr.

Address of Property Owner: 400 Federal Highway, Suite 206 Boca Raton, FL 33431

Business Telephone: 561-361-2586 Home: \_\_\_\_\_ Fax: 561-361-3945

**Explanation of Request:** Special Exception Approval for a 3,426 s.f. Wendy's Restaurant with a Drive-thru  
*For Plats please provide proposed Plat Name for Variances please attach **Criteria Statement** as per Section 625.40 of the Land Development Code.*

Prop. Net Acreage: 25,976 s.f. Gross Acreage: 37,673 s.f. Prop. Square Footage: 3,425.55 s.f.

Existing Use: Vacant/Parking Lot Proposed Use: Wendy's Restaurant with a Drive-Thru

Is property owned individually, by a corporation, association, or a joint venture? Corporation

**AUTHORIZED REPRESENTATIVE**

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize Corporate Property Services, Inc. (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA  
COUNTY OF BROWARD  
The foregoing instrument  
was acknowledged

By: [Signature]  
(Owner / Agent signature\*)

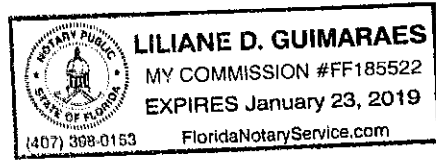
BEFORE ME THIS 5 DAY OF August, 2015

By:

Craig McDonald  
(Print name of person acknowledging)

\_\_\_\_\_  
(Joint owner signature if applicable)

Notary [Signature]  
(Signature of Notary Public – State of Florida)



Personally known  or Produced Identification \_\_\_\_\_

Type of identification produced: \_\_\_\_\_ or Drivers License \_\_\_\_\_

**\*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

**NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.**

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF BEFORE PROCESSING OCCURS.**

**City of Dania Beach  
APPLICATION TYPE AND FEE SCHEDULE**

**INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.**

The following fees shall apply to all applications for land use plan amendments, rezoning, special exception use, variances, site plans and other zoning related applications. These fees are used to defray staff cost in the evaluation of the proposal made and provide for the required notices and public advertisements according to Florida State Statute and the Dania Beach Land Development Code. Should any applicant have more than one type of request to the City, the applications involved should be submitted at the same time. The present City policy is to have concurrent reviews being processed before the final review and actions by the Planning and Zoning Board and/or City Commission. It is the obligation of all applicants to review the appropriate City Codes and design standards related to their proposal before making any application to the City. The standard review process for all development applications are two (2) review cycles. **Any additional review or public notice required by staff or professional consultants due to the incorrect interpretation of the Land Development Code will be charged to the applicant as per "Section 685-10 Cost Recovery for Development Review" of the Dania Beach Land Development Code.**

| APPLICATION TYPE  | FEE  |
|---|--|
| <b>LAND USE</b>   |  |
| Assignment of Flex Units or Acreage   | Filing fee = \$4,000.00 plus \$5.00 per flex, reserve or LAC/RAC unit or hotel room or \$100 per acre or portion of such area<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>   |
| Change of Land Use  | Filing fee = \$7,000.00, plus \$500.00 per acre or portion of area<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>  |
| <b>ZONING</b>   |  |
| Change of Zoning (Rezoning)   | Less than 2 acres - \$2,500.00<br>Greater than 2 acres - \$6,000.00<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>   |
| Zoning Code Text Change   | Changing the list of Permitted Uses - \$6,000.00<br>General Text - \$2,000.00<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>   |
| PLAT  | (Perimeter) Filing fee = \$2550.00 plus \$50.00 per acre or portion of such area<br>(Subdivision) Filing fee = \$2550.00 plus \$100 per acre or portion of such area<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>  |
| Delegation Request  | \$1,500.00<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>  |
| <b>SITE PLAN</b>  |  |
| Residential, Hotel, Condo-Hotel, Time-Share, Motel                            | <b>Filing fee = \$1,000.00 PLUS \$10.00 per unit</b><br><b>Plus</b> retainer for staff/consultant review, administrative and notice cost \$5,000.00<br><b>Minimum fee = \$6,100.00</b><br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>  |
| All other uses  | <b>Filing fee = \$1,000.00 PLUS</b> the following:<br>\$5.00 : 100 s.f. for 1 <sup>st</sup> 10,000 s.f., \$2.00 : 100 s.f. in excess of 10,000 s.f.<br><b>Plus</b> retainer for staff/consultant review, administrative and notice cost \$4,000.00<br><b>Minimum fee = \$5,500.00</b><br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i> |
| Site Plan Revisions   | \$2,500.00 - <i>Includes staff processing and up to 2 review cycles.</i><br><i>Additional variances associated with any revision to a site plan are charged according to the associated variance type.</i>   |
| Extension of Approval(s)<br>(Site plan, variance, special exception requests) | \$1,250.00 – Single Extension ( <b>PLUS</b> ) an additional \$ 250.00 for each associated approval   |

**City of Dania Beach**  
**APPLICATION TYPE AND FEE SCHEDULE**

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| <b>SPECIAL EXCEPTION</b>   |   |
|--|---|
| SPECIAL EXCEPTION<br>(Excluding cell towers)                                     | Filing fee = \$3,700.00 plus \$200.00 per acre or portion of such area<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>   |
| SPECIAL EXCEPTION<br>(Cellular Towers)   | Filing fee = \$4,000<br><i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>   |
| <b>Additional Resubmittal</b><br>(In addition to the standard (2) review cycles) | Any additional review or public notice required by staff or professional consultants due to the negligence of the applicant will be charged to the applicant as per Article 685-10 Cost recovery for Development Review of the Dania Beach Land Development Code. |
| <b>VARIANCES, APPEALS &amp; WAIVERS</b>  |   |
| Administrative, Single Family  | \$ 300.00   |
| Administrative, all other  | \$ 500.00   |
| Single Family/Community Facility   | \$ 490.00   |
| Duplex   | \$1,050.00  |
| Triplex  | \$1,150.00  |
| Multifamily, Hotel, Condo-Hotel (per variance)                                   | \$2,300.00  |
| Nonres. (per variance)   | \$2,000.00  |
| Wall Sign  | \$ 700.00   |
| Monument Sign  | \$1,200.00  |
| Pole Sign (As permitted)   | \$2,400.00  |
| Appeal (single family & comm fac)  | \$ 650.00   |
| Appeal (all other uses)  | \$1,925.00  |
| Dumpster Appeal to Com. Dev. Dir.  | \$ 200.00   |
| Dumpster Appeal to City Com.   | \$ 500.00   |
| Alcoholic Beverage Variance  | \$1,250.00  |
| Mobility   | \$1,400.00  |
| Trafficway Waiver  | \$4,000.00  |
| Vacation – Road/Easement   | \$3,500.00  |
| Alcohol Extended Hours<br>License Application                                    | \$2,250.00  |
| Alcoholic Beverage Waiver  | \$1,000.00  |
| Zoning Review: State Liquor License  | \$ 50.00  |
| Outdoor Seating/Dinning  | \$ 100.00   |
| Assisted Living Facility   | \$ 65.00  |
| CRA Grant Application  | \$ 800.00 <i>(up to this amount based on scope of work)</i>   |
| UNSPECIFIED  | \$ 500.00 <b>PLUS</b> any outside costs incurred by the city as per "Section 685-10"  |

Revised – 8-23-11 As per City Commission Approval Resolution #2011-090

EXHIBIT "A"

**LEGAL DESCRIPTION:**

A PORTION OF PARCEL "A", "AIRPORT COMMERCE CENTER PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 175, PAGE 38, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 01°31'44" WEST ON A WEST LINE OF SAID PARCEL "A" AND ITS NORTHERLY EXTENSION 175.90 FEET; THENCE NORTH 88°29'24" EAST 147.26 FEET TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF THE 40.00 FOOT WIDE INGRESS/EGRESS EASEMENT DEPICTED ON SAID PLAT; THENCE SOUTH 02°34'21" EAST ON SAID NORTHERLY EXTENSION AND ON SAID WEST LINE 173.14 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF SAID PARCEL "A", ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF GRIFFIN ROAD (STATE ROAD NO. 818) AS DEPICTED ON SAID PLAT; THENCE SOUTH 87°25'39" WEST ON SAID SOUTH LINE AND ON SAID RIGHT-OF-WAY LINE 150.44 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA, AND CONTAINING 25,976 SQUARE FEET, 0.5963 ACRES.



July 24, 2015

RE: Wendy's #11614  
2109 Griffin Road  
Dania Beach, Florida

To Whom It May Concern:

This letter is to authorize and acknowledge that  
Corporate Property Services, Inc.  
1239 East Newport Center Drive, Suite 113  
Deerfield, FL 33442

is to act as agent for The Wendy's Company in all matters related to the Site Plan Approval and all government regulations, approvals and permitting activities with the State of Florida, the County of Broward, and the City of Dania Beach for the aforementioned location.

Sincerely,

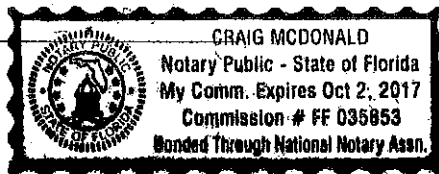
Victor Everingham  
Construction Manager

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of July, 2015 by Victor Everingham as Construction Manager on behalf of the corporation. He is ~~personally known and did not take an oath.~~

Signature of Notary Public

My Commission Expires



July 24, 2015

RE: Wendy's #11614  
2109 Griffin Road  
Dania Beach, Florida

To Whom It May Concern:

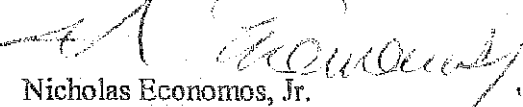
This letter is to authorize and acknowledge that, with respect to the Wendy's site plan attached hereto,

Corporate Property Services, Inc.  
1239 East Newport Center Drive, Suite 113  
Deerfield, FL 33442

is to act as agent for Griffin Road Three LLC in all matters related to the Site Plan Approval and all government regulations, approvals and permitting activities with the State of Florida, the County of Broward, and the City of Dania Beach for the aforementioned location. This letter of authorization may be revoked at any time.

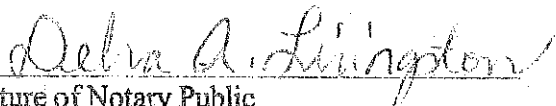
Sincerely,

GRIFFIN ROAD THREE, LLC

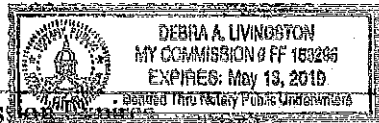
  
Nicholas Economos, Jr.  
Authorized Agent

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me this 24, day of July, 2015 by Nicholas Economos, Jr., as Authorized Agent on behalf of the company. He is personally known and did not take an oath.

  
Signature of Notary Public

My Commis



**SPECIAL EXCEPTION**

**Wendy's  
2071 Griffin Road  
Dania Beach, Florida  
August 4, 2015**

**Historical Background**

The subject 0.596 acre site is located on the north side of Griffin Road, just west of I-95; more specifically at the northeast quadrant of Ravenswood Road and Griffin Road. The property is currently a vacant outparcel to the "Griffin Road Mixed Use Project", which includes an existing Fairfield Inn Suites and Homewood Suites just north of the outparcel. To the east of the outparcel is surplus parking for the development and to the west is an abandoned gas station.

The site is zoned Industrial, Research, Office, Marine (IROM), with a Future Land Use Designation of Industrial. The property is also subject to a Hotel Overlay District. This outparcel was previously approved for a 64,517 square foot office building. However, The Wendy's Company is now requesting Special Exception use approval, pursuant to Section 115-40 of the Dania Beach Land Development Code, as well as Site Plan Development approval, for a 3,426 square foot fast food restaurant with a drive thru on this outparcel. Wendy's is also proposing an outdoor patio area, as an accessory use to this restaurant, in order to support the objective to create an inviting and lasting impression for their customers. This patio area will be enclosed with a decorative fence and will have a collection of four picnic style tables, which will be located at the front of the restaurant. A total of 16 seats will be provided within this outside seating area. Each table will incorporate an aesthetically pleasing umbrella, in an effort to shield patrons from the South Florida elements.

This property is incorporated within the "Airport Commerce Center Plat", as recorded in Plat Book 175, Page 28, of the public records of Broward County, Florida. The plat is restricted to 165,000 square feet of commercial use and a 285 room hotel. The proposed scope of work will not necessitate any further platting action.

As a result of today's hectic lifestyles, current market demands necessitate convenient and economical places to eat. The proposed restaurant will meet these demands for residents and visitors, as well as for those who work in the surrounding area. Wendy's is proposing a drive through facility as an accessory use to this restaurant, in order to provide convenient and expedited service, in a competitive marketplace.



## **Special Exception Use Standards**

**1. That the use is permitted as a special exception use as set forth in the use regulations of part 1 of this code.**

RESPONSE: The proposed drive-in/fast food restaurant is compatible with the existing uses in the surrounding area, and consistent with the industrial commercial character of the Griffin Road area. The proposed fast food restaurant use is permitted on Special Exception basis within the Industrial, Research, Office, Marine (IROM) zoning district regulations.

**2. That the use will not cause a detrimental impact to the value of existing contiguous uses, uses in the general area, and to the zoning district where it is to be located.**

RESPONSE: The proposed development has existing commercial development surrounding the site to the north, south, east and west. The site is located along Griffin Road, which serves as a major commercial node in the local area, with commercial uses. The proposed Wendy's architecture is aesthetically attractive and pleasing to the eye and will complement and enhance the surrounding properties and area in general. The property will be landscaped around the perimeter, as well as the interior, in accordance with Zoning Code requirements and provide an attractive look. No off-site odor, smoke, electrical interference or mechanical vibrations will be produced by this use. Therefore, the proposed use will not be a nuisance or detriment to adjacent and nearby properties nor will it cause the value of the existing contiguous uses to diminish in any way.

**3. That the use will be compatible with the existing uses on contiguous property, with uses in the general area and zoning district where the use is to be located and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values and existing similar uses or zoning.**

RESPONSE: The proposed drive-in/fast food restaurant is compatible with the existing uses on the contiguous properties, as well as the existing uses in the surrounding area, and consistent with the commercial character of the Griffin Road area. The proposed drive-in/fast food restaurant is in scale with the needs of the surrounding community. The use will provide a convenient dining option for the residents and visitors of Dania Beach.

**4. That adequate landscaping and screening are provided to buffer adjacent uses from potential incompatibilities.**

RESPONSE: The proposed Wendy's Restaurant with a drive-thru will provide perimeter and interior landscaping, which will serve to buffer and enhance the natural beauty of the site. The abutting land uses to the "Griffin Road Mixed Use Project" are predominantly industrial and commercial in nature. There is no residential property or use directly abutting the proposed outparcel, so buffering potential incompatibilities is not applicable in this instance. The restaurant itself will be in scale with the needs of the surrounding community.

**5. That adequate parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.**

RESPONSE: The proposed use will be located within a freestanding building and it will have more than adequate parking provided immediately on site and within the master development with a shared parking agreement. The overall development requires 386 parking spaces, whereby 551 parking spaces have been provided. Therefore, there is more than sufficient parking to accommodate the new Wendy's use and the two existing hotels. The proposed Special Exception use will have adequate ingress and egress to the site through an existing main drive aisle connected to Griffin Road. Overall, the proposed Wendy's with a drive-thru will produce less AM and PM peak trips entering and exiting the subject site versus the previously approved 5 story, 64,325 square foot office building. The proposed Wendy's will not have a direct vehicular access connection Griffin Road, therefore, it has been designed as to cause minimal interference with traffic on abutting street. Many of the site related improvements, including but not limited to ingress/egress, on-site circulation and parking, already exist. Loading will occur during off-peak hours and will not interfere with the on-site or off-site traffic circulation.

**6. That the use will not have a detrimental environmental impact upon contiguous properties and upon properties located in the general area or an environmental impact inconsistent with the health, safety, and welfare of the community.**

RESPONSE: The proposed Wendy's will not have a detrimental effect upon the contiguous properties. In fact, the proposed Wendy's will enhance the natural environment thru the addition of trees, shrubs, ground cover and sod. Wendy's does not store any type of dangerous chemicals on site, which could have a negative effect on the environment or surrounding areas. Wendy's recycles many of the items delivered to the restaurant and will be sharing the recycling dumpsters with the hotels. Overall, the proposed Wendy's restaurant will not have an environmental impact inconsistent with the health, safety, and welfare of the Community of Dania Beach.

**7. That the use will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community.**

RESPONSE: The proposed Wendy's will not have any adverse effect on vehicular or pedestrian traffic or parking conditions because many of these conditions already exist. Wendy's site plan proposes one-way circulation around the building, with parking surrounding the building. This one-way traffic pattern creates safe site circulation for both the vehicles and pedestrians. Wendy's has also provided pedestrian connections with striping from the handicapped parking spaces to the building, a striped handicapped connection from the building to the public sidewalk, and striped connections to the parking to the east and to the hotels to the north. The pedestrian traffic pattern was certainly taken into account when preparing the site plan. The project itself will not generate or create traffic inconsistent with the health, safety and welfare of the community.

**8. That the use will not utilize turning movements in relation to its access to public roads or intersections, or its location in relation to other structures or proposed structures on or near the site that would be hazardous or a nuisance.**

RESPONSE: All turning movements associated with entering and leaving the proposed Wendy's site will promote safe on-site circulation. The one-way inbound and one-way outbound driveways are not in the immediate vicinity of either hotel structure or dumpster structures that would be hazardous or a nuisance. This outparcel was incorporated when the master plan was originally approved. Planning for outparcel access from the internal access road will promote safe turning movements. The existing, main development entrance to the development from Griffin Road, has been approved by the City and Florida Department of Transportation and utilizes safe turning movements for all traffic entering and exiting the site.

**9. That the use will not have a detrimental effect on the future development of contiguous properties or the general area, according to the comprehensive plan.**

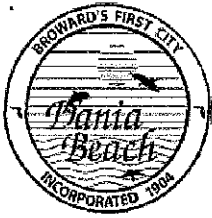
RESPONSE: The site is zoned Industrial Research Office Marina (IROM) and has an Industrial Future Land Use Designation. The request complies with the objectives and policies of the City of Dania Beaches Comprehensive Plan directing commercial activities to appropriate areas. Fast food restaurants are permitted subject to Special Exception approval in the Industrial Research Office Marina (IROM) zoning district. The Wendy's use will have not a detrimental effect on the future development of contiguous properties or the general area. The proposed restaurant will meet the demands for residents and visitors, as well as for those who work in the surrounding area by providing a convenient and economical place to eat .

**10. That the use will not result in the creation of incompatible noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses, uses located on contiguous properties, uses in the general area and the zoning in the vicinity due to its nature, duration, direction, or character.**

RESPONSE: The proposed Wendy's will be extremely compatible with the existing uses located on contiguous properties and within the general area. No off-site odor, fumes, noise, smoke, electrical interference or mechanical vibrations will be produced by this use. All exterior lighting shall meet City code requirements for limiting spill over on adjacent, neighboring properties and roadways. Overall, the proposed Wendy's Restaurant with a drive-thru use will enhance the surrounding area and will not produce any adverse effects on neighboring properties due to its nature, duration, direction or character.

**11. That the use will not overburden existing public services and facilities.**

RESPONSE: The proposed Wendy's will utilize Broward County Water and Wastewater Services which currently does have capacity available. Florida Power & Light Company has the ability to provide underground electrical service. The project complies with the plat approved level of development associated with the "Airport Commerce Center Plat". Wendy's will obtain all of the necessary permits and approvals from applicable governing agencies. The project will not overburden the existing public services or facilities provided by the City of Dania Beach, Broward County or the State of Florida.



**City of Dania Beach, Florida**  
**Department of Community Development**  
**Planning and Zoning Division**  
**(954) 924-6805 X3643**  
**(954) 922-2687 Fax**

**Standard Development Application**

- Administrative Variance**
- Land Use Amendment**
- Plat**
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- Special Exception**
- Variance**
- Other:** \_\_\_\_\_

Date Rec'd: \_\_\_\_\_

Petition No.: SE-123-15

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

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Location Address: 2109 Griffin Road \_\_\_\_\_

Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ S \_\_\_\_\_

Recorded Plat Name: Airport Commerce \_\_\_\_\_

Folio Number(s): 5042 28 17 0030 \_\_\_\_\_ tached Exhibit "A"

Applicant/Consultant/Legal Representative (circle one) Corporate Property Services, Inc. - Agent

Address of Applicant: 1239 East Newport Center Drive - Suite 113 Deerfield Beach, FL 33442

Business Telephone: 954-426-5144 Home: \_\_\_\_\_ Fax: 954-570-3391

E-mail address: craig@corporatepropertyservices.net

Name of Property Owner: Griffin Road Three LLC %Nicholas Econmos Sr.

Address of Property Owner: 400 Federal Highway, Suite 206 Boca Raton, FL 33431

Business Telephone: 561-361-2586 Home: \_\_\_\_\_ Fax: 561-361-3945

**Explanation of Request:** To allow the proposed Wendy's Outdoor Seating Use as a Special Exception  
For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per  
Section 625.40 of the Land Development Code.

Prop. Net Acreage: 25,976 s.f. Gross Acreage: 37,673 s.l Prop. Square Footage: 3,425.55 s.f.

Existing Use: Vacant/Parking Lot Proposed Use: Wendy's Restaurant with a Drive-Thru

Is property owned individually, by a corporation, association, or a joint venture? Corporation

**AUTHORIZED REPRESENTATIVE**

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize Corporate Property Services, Inc. (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA  
COUNTY OF BROWARD  
The foregoing instrument  
was acknowledged

By: [Signature]  
(Owner / Agent signature\*)  
Craig McDonald

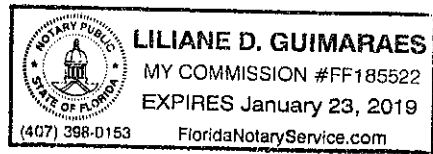
BEFORE ME THIS 23rd DAY OF November, 2015

By:

Craig McDonald  
(Print name of person acknowledging)

\_\_\_\_\_  
(Joint owner signature if applicable)

Notary [Signature]  
(Signature of Notary Public – State of Florida)



Personally known y or Produced Identification \_\_\_\_\_

Type of identification produced: \_\_\_\_\_ or Drivers License \_\_\_\_\_

**\*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

**NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.**

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF BEFORE PROCESSING OCCURS.**



July 24, 2015

RE: Wendy's #11614  
2109 Griffin Road  
Dania Beach, Florida

To Whom It May Concern:

This letter is to authorize and acknowledge that  
Corporate Property Services, Inc.  
1239 East Newport Center Drive, Suite 113  
Deerfield, FL 33442

is to act as agent for The Wendy's Company in all matters related to the Site Plan Approval and all government regulations, approvals and permitting activities with the State of Florida, the County of Broward, and the City of Dania Beach for the aforementioned location.

Sincerely,

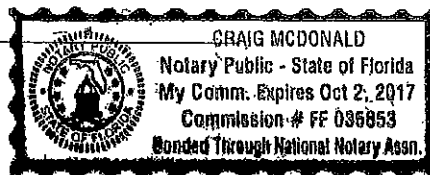
Victor Everingham  
Construction Manager

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me this 24<sup>th</sup>, day of July, 2015 by Victor Everingham as Construction Manager on behalf of the corporation. He is personally known and did not take an oath.

Signature of Notary Public

My Commission Expires



July 24, 2015

RE: Wendy's #11614  
2109 Griffin Road  
Dania Beach, Florida

To Whom It May Concern:

This letter is to authorize and acknowledge that, with respect to the Wendy's site plan attached hereto,

Corporate Property Services, Inc.  
1239 East Newport Center Drive, Suite 113  
Deerfield, FL 33442

is to act as agent for Griffin Road Three LLC in all matters related to the Site Plan Approval and all government regulations, approvals and permitting activities with the State of Florida, the County of Broward, and the City of Dania Beach for the aforementioned location. This letter of authorization may be revoked at any time.

Sincerely,

GRIFFIN ROAD THREE, LLC

*N. Economos, Jr.*  
Nicholas Economos, Jr.  
Authorized Agent

STATE OF FLORIDA  
COUNTY OF

The foregoing instrument was acknowledged before me this 24 day of July, 2015 by Nicholas Economos, Jr., as Authorized Agent on behalf of the company. He is personally known and did not take an oath.

*Debra A. Livingston*  
Signature of Notary Public



My Commis



**SPECIAL EXCEPTION FOR OUTDOOR SEATING**

**Wendy's  
2071 Griffin Road  
Dania Beach, Florida  
November 23, 2015**

**Historical Background**

The subject 0.596 acre site is located on the north side of Griffin Road, just west of I-95; more specifically at the northeast quadrant of Ravenswood Road and Griffin Road. The property is currently a vacant outparcel to the "Griffin Road Mixed Use Project", which includes an existing Fairfield Inn Suites and Homewood Suites just north of the outparcel. To the east of the outparcel is surplus parking for the development and to the west is an abandoned gas station.

The site is zoned Industrial, Research, Office, Marine (IROM), with a Future Land Use Designation of Industrial. The property is also subject to a Hotel Overlay District. This outparcel was previously approved for a 64,517 square foot office building. However, The Wendy's Company is now requesting Special Exception use approval, pursuant to Section 115-40 of the Dania Beach Land Development Code, as well as Site Plan Development approval, for a 3,426 square foot fast food restaurant with a drive thru on this outparcel. Wendy's is also proposing an outdoor patio area, as an accessory use to this restaurant, in order to support the objective to create an inviting and lasting impression for their customers. This patio area will be enclosed with a decorative fence and will have a collection of four picnic style tables, which will be *located at the front of the restaurant*. A total of 13 seats will be provided within this outside seating area. Each table will incorporate an aesthetically pleasing umbrella, in an effort to shield patrons from the South Florida elements.

This property is incorporated within the "Airport Commerce Center Plat", as recorded in Plat Book 175, Page 28, of the public records of Broward County, Florida. The plat is restricted to 165,000 square feet of commercial use and a 285 room hotel. The proposed scope of work will not necessitate any further platting action.

As a result of today's hectic lifestyles, current market demands necessitate convenient and economical places to eat. The proposed restaurant will meet these demands for residents and visitors, as well as for those who work in the surrounding area. Wendy's is proposing outdoor seating as an accessory use to this restaurant, in order to provide convenient and expedited service, in a competitive marketplace.

## Special Exception Use Standards

**1. That the use is permitted as a special exception use as set forth in the use regulations of part 1 of this code.**

RESPONSE: The proposed outdoor seating associated with a fast food restaurant use is permitted on Special Exception basis within the Industrial, Research, Office, Marine (IROM) zoning district regulations. The proposed outdoor seating, in conjunction with the drive-in/fast food restaurant, is compatible with the existing uses in the surrounding area, and consistent with the industrial commercial character of the Griffin Road area.

The intent and purpose of the "Outdoor Restaurant Seating" regulation is to restrict objectionable activity outside of the enclosed building, in zoning districts other than commercial. The innovative patio design of this project incorporates the use of environmentally stabilizing, recycled materials. The picnic table theme and canvas umbrellas will compliment the design theme of the restaurant, and only enhance the appearance of the surrounding hotel, commercial, office and industrial uses. The outdoor patio area is an integral design element of this project, which offers another dining option to patrons that visit this establishment. Even though the property is not zoned commercial, the restaurant itself and the outdoor seating area, will provide an accessory support service to the existing industrial, marine, research, office and hotel uses in the surrounding area. This type of outdoor accessory use will certainly not be in conflict with the intent or purpose of IROM regulations.

**2. That the use will not cause a detrimental impact to the value of existing contiguous uses, uses in the general area, and to the zoning district where it is to be located.**

RESPONSE: The proposed development has existing commercial development surrounding the site to the north, south, east and west. The site is located along Griffin Road, which serves as a major commercial node in the local area, with commercial uses. The proposed Wendy's outdoor seating will consist of 4 outdoor tables, umbrellas, and security fence and landscaping. The outdoor seating area will be aesthetically attractive and pleasing to the eye and will complement and enhance the surrounding properties and area in general. Therefore, the proposed outdoor seating use will not be a nuisance or detriment to adjacent and nearby properties, nor will it cause the value of the existing contiguous uses to diminish in any way.

The Special Exception request for the outdoor seating is a reasonable use for this property. The outdoor seating area will not result in a use that is too intense for this zoning district but rather will provide an inviting and lasting dining experience. This outdoor patio area will not only preserve but enhance the character of the community. Safety and renewability are elements that have all been incorporated in the design intent.

**3. That the use will be compatible with the existing uses on contiguous property, with uses in the general area and zoning district where the use is to be located and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values and existing similar uses or zoning.**

RESPONSE: The proposed drive-in/fast food restaurant and outdoor seating use is compatible with the existing uses on the contiguous properties, as well as the existing uses in the surrounding area, and consistent with the commercial character of the Griffin Road area. The proposed drive-in/fast food restaurant and outdoor seating is in scale with the needs of the surrounding community. The use will provide a convenient dining option for the residents and visitors of Dania Beach.

The abutting land uses to the "Griffin Road Mixed Use Project" are predominantly industrial and commercial in nature. There is no residential property or use directly abutting the proposed outparcel. The restaurant itself, as well as the outdoor dining area, will be in scale with the needs of the surrounding community. The outdoor patio area will only serve to further enhance the dining options of this restaurant. The design intent is to provide and create an inviting and lasting impression for customers, which is certainly not detrimental to the living or working conditions of the community.

**4. That adequate landscaping and screening are provided to buffer adjacent uses from potential incompatibilities.**

RESPONSE: The proposed Wendy's Restaurant with a drive-thru and outdoor seating will provide perimeter and interior landscaping, which will serve to buffer and enhance the natural beauty of the site. The abutting land uses to the "Griffin Road Mixed Use Project" are predominantly industrial and commercial in nature. There is no residential property or use directly abutting the proposed outparcel, so buffering potential incompatibilities is not applicable in this instance. The restaurant itself will be in scale with the needs of the surrounding community.

**5. That adequate parking and loading is provided, and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.**

RESPONSE: The proposed use will be located within a freestanding building and it will have more than adequate parking provided immediately on-site and within the master development with a shared parking agreement. The overall development requires 386 parking spaces, whereby 535 parking spaces have been provided. Therefore, there is more than sufficient parking to accommodate the new Wendy's use and the two existing hotels. The proposed Special Exception use will have adequate ingress and egress to the site through an existing main drive aisle connected to Griffin Road. Overall, the proposed Wendy's with a drive-thru will produce less AM and PM peak trips entering and exiting the subject site versus the previously approved 5 story, 64,325 square foot office building. The proposed Wendy's will not have a direct vehicular access connection Griffin Road, and therefore it has been designed to result in minimal interference with traffic on abutting street. Many of the site related improvements, including but

not limited to ingress/egress, on-site circulation and parking, already exist. Loading will occur during off-peak hours and will not interfere with the on-site or off-site traffic circulation.

**6. That the use will not have a detrimental environmental impact upon contiguous properties and upon properties located in the general area or an environmental impact inconsistent with the health, safety, and welfare of the community.**

RESPONSE: The proposed Wendy's Restaurant with a drive-thru and outdoor seating will not have a detrimental effect upon the contiguous properties. In fact, the proposed Wendy's will enhance the natural environment thru the addition of trees, shrubs, ground cover and sod. Wendy's does not store any type of dangerous chemicals on site, which could have a negative effect on the environment or surrounding areas. Wendy's recycles many of the items delivered to the restaurant and will be sharing the recycling dumpsters with the hotels. Overall, the proposed Wendy's restaurant, with outdoor seating, will not have an environmental impact inconsistent with the health, safety, and welfare of the Dania Beach community.

**7. That the use will not have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the generation or creation of traffic inconsistent with the health, safety and welfare of the community.**

RESPONSE: The proposed Wendy's Restaurant with a drive-thru and outdoor seating will not have any adverse effect on vehicular or pedestrian traffic or parking conditions because many of these conditions are already exist. Wendy's site plan proposes one-way circulation around the building, with parking surrounding the building. This one-way traffic pattern creates safe site circulation for both the vehicles and pedestrians. Wendy's has also provided pedestrian connections with striping from the handicapped parking spaces to the building, a stripped handicapped connection from the building to the public sidewalk, and striped connections to the parking to the east and to the hotels to the north. The pedestrian traffic pattern was certainly taken into account when preparing the site plan. The safety fence around the outdoor dining will protect those enjoying an outdoor meal from the vehicles circulating the site. The outdoor seating design itself will not generate or create traffic inconsistent with the health, safety and welfare of the community.

**8. That the use will not utilize turning movements in relation to its access to public roads or intersections, or its location in relation to other structures or proposed structures on or near the site that would be hazardous or a nuisance.**

RESPONSE: All turning movements associated with entering and leaving the proposed Wendy's site will promote safe on-site circulation. The outdoor dining will not create any unsafe turning movements associated with the use. The one-way inbound and one-way outbound driveways are not in the immediate vicinity of either hotel structure or dumpster structures that would be hazardous or a nuisance. This outparcel was incorporated when the master plan was originally approved. Planning for outparcel access from the internal access road will promote safe turning movements. The existing, main development entrance to the development, from

Griffin Road, has been approved by the City and Florida Department of Transportation and utilizes safe turning movements for all traffic entering and exiting the site.

**9. That the use will not have a detrimental effect on the future development of contiguous properties or the general area, according to the comprehensive plan.**

RESPONSE: The site is zoned Industrial Research Office Marina (IROM) and has an Industrial Future Land Use Designation. The request for outdoor dining complies with the objectives and policies of the City of Dania Beaches Comprehensive Plan directing commercial activities to appropriate areas. Fast food restaurants are permitted subject to Special Exception approval in the Industrial Research Office Marina (IROM) zoning district. The Wendy's outdoor dining use will have not a detrimental effect on the future development of contiguous properties or the general area. The proposed restaurant will meet the demands for residents and visitors, as well as for those who work in the surrounding area by providing a convenient and economical place to eat .

The intent and purpose of the IROM district is to provide "for marine, office, light industrial, and research uses with limited commercial uses." Commercial uses, with limited placement, can frequently provide support services to typical industrial, office, and hotel uses in a community. This district "implements the Industrial category of the comprehensive plan." Fast food restaurants, with an accessory outdoor seating area, are typically classified as commercial uses. There is no existing restaurant in the surrounding area. Therefore, approval of the Special Exception to permit outdoor restaurant seating in the IROM zoning district, as an accessory use to the principal special exception use, would be consistent with the objective of "limited commercial use" within this zoning district.

**10. That the use will not result in the creation of incompatible noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses, uses located on contiguous properties, uses in the general area and the zoning in the vicinity due to its nature, duration, direction, or character.**

RESPONSE: The proposed Wendy's Restaurant with a drive-thru and outdoor seating will be compatible with the existing uses located on contiguous properties and within the general area. No off-site odor, fumes, noise, smoke, electrical interference or mechanical vibrations will be produced by this outdoor dining use. All exterior lighting shall meet City code requirements for limiting spill over on adjacent, neighboring properties and roadways. Overall, the proposed Wendy's restaurant with a drive-thru and outdoor seating use will enhance the surrounding area and will not produce any adverse effects on neighboring properties due to its nature, duration, direction or character.

( ) ( )

There are two existing hotels within the "Griffin Road Mixed Use Project". Many of the hotel guests will be visiting from out of town, with the intent to enjoy the wonderful South Florida weather. There is no better way to experience the tropical atmosphere, than to enjoy a meal outside. As established above, the restaurant itself will function as a support service to the many existing uses in the area, since there are no eating establishments nearby. This is a unique circumstance which affects the subject property.

**11. That the use will not overburden existing public services and facilities.**

RESPONSE: The proposed Wendy's and outdoor seating area will utilize Broward County Water and Wastewater Services which currently does have capacity available. Florida Power & Light Company has the ability to provide underground electrical service. The project complies with the plat approved level of development associated with the "Airport Commerce Center Plat". Wendy's will obtain all of the necessary permits and approvals from applicable governing agencies. The project will not overburden the existing public services or facilities provided by the City of Dania Beach, Broward County or the State of Florida.

**PAYMENT DATE**  
11/24/2015  
**COLLECTION STATION**  
City Hall Window 2

**City of Dania Beach**  
100 W. Dania Beach Blvd.  
Dania Beach, FL 33004

**BATCH NO.**  
2016-02000180  
**RECEIPT NO.**  
2016-00008855  
**CASHIER**  
fincashier2

**RECEIVED FROM**  
CORPORATE PROPERTY  
SERVICES

**DESCRIPTION**  
1239 E NEWPORT CENTER DR. STE 113 DEERFIELD BEACH, FL 33442

| PAYMENT CODE   | RECEIPT DESCRIPTION   | TRANSACTION AMOUNT                                   |        |        |       |       |            |  |
|--|---|--|--------|--------|-------|-------|------------|--|
| PSP  | Appl Review - Standard<br>P/Z ITEM# SE-123-15; OT-124-15 #5042-28-17-0030 WENDYS<br>APPLICANT: CORPORATE PROPERTY SERVICES INC.   | \$3,900.00   |        |        |       |       |            |  |
| PSP  | Appl Review - Standard<br>P/Z ITEM# SE-123-15; OT-124-15 #5042-28-17-0030 WENDYS<br>APPLICANT: CORPORATE PROPERTY SERVICES INC.   | \$500.00   |        |        |       |       |            |  |
| <p><b>Payments:</b></p>                                | <table border="1"> <thead> <tr> <th data-bbox="430 703 511 735">Type</th> <th data-bbox="576 703 1031 735">Detail</th> <th data-bbox="1047 703 1144 735">Amount</th> </tr> </thead> <tbody> <tr> <td data-bbox="430 735 511 766">Check</td> <td data-bbox="576 735 1031 766">28282</td> <td data-bbox="1047 735 1144 766">\$4,400.00</td> </tr> </tbody> </table> | Type   | Detail | Amount | Check | 28282 | \$4,400.00 |  |
| Type   | Detail  | Amount   |        |        |       |       |            |  |
| Check  | 28282   | \$4,400.00   |        |        |       |       |            |  |
| <p style="text-align: right;"><b>Total Amount:</b></p> |   | <p style="text-align: center;"><b>\$4,400.00</b></p> |        |        |       |       |            |  |

**Customer Copy**



**CITY OF DANIA BEACH**  
**COMMUNITY DEVELOPMENT**  
**Payment Receipt**

No: 000660

Date: 11/24/15

**RECEIVED FROM:**

Name: CORPORATE PROPERTY SERVICES

Address: 1239 E NEWPORT CENTER DR.

Address 2: STE 113

City/St/ZIP: DEERFIELD BEACH, FL 33442

| Service or Item                                     | Amount    |
|---|-----------|
| PSP - Standard Develop/Variance etc Application Fee | \$3900.00 |
| PSP - Standard Develop/Variance etc Application Fee | \$500.00  |
|   |           |
|   |           |

P/Z ITEM # SE-123-15; OT-124-15

LOCATION: #5042-28-17-0030  
WENDY'S

APPLICANT: CORPORATE PROPERTY SERVICES, INC.

**PREPARED BY:** Anne-Christine Carrie      **TOTAL DUE:** \$4400.00



CORPORATE PROPERTY SERVICES, INC.  
1239 E. NEWPORT CENTER DR., STE 113  
DEERFIELD BEACH, FL 33442  
954-426-5144

28282

DATE 11/24/15

63-9138-2631

PAY TO THE ORDER OF City of Dania Beach

Four Thousand Four Hundred Dollars + 00/100 DOLLARS

\$ 4,400.00

BB&T  
BRANCH BANKING AND TRUST COMPANY  
FLORIDA

*Ann W. Arnold*

FOR 1309-03 Special Exception for parking  
2.4.15 & 110002828211 2831913871 10000398829311

SE-123-15  
+  
OT-124-15