





**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: March 22, 2016

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

FROM: Corinne Lajoie, AICP, Principal Planner, LEED G.A. 

SUBJECT: **VA-126-15/VA-23-16/VA-26-16/VA-27-16/VA-28-16/VA-29-16/VA-30-16/VA-31-16/VA-32-16/VA-33-16/OT-08-16/SP-125-15:** The applicant, Leigh Robinson Kerr and Associates, Inc., on behalf of Griffin Commercial Center, LLC., is requesting several variances, waivers and site plan approval to construct approximately 83,674 square feet of new industrial warehouse on a property located at 4600-4607 SW 44 Avenue.

**REQUESTS
VARIANCES**

1. To allow the construction of industrial warehouse without facades resembling office building; code requires warehouse use to resemble office building; per Section 115-50(2)(e).
2. To allow parking spaces eight (8) feet and eight (8) inches wide, code requires nine (9) foot wide parking spaces; per Section 265-20(A).
3. Parking lots:
 - To allow parking spaces to have direct access to street, code does not allow direct access, per Section 265-110(A).
 - To allow fifteen (15) foot drive isle behind ninety (90) degree parking spaces, code requires a twenty-four (24) foot drive isle, per Section 265-100(C)(1).
4. To provide zero (0) loading spaces on site, code requires four (4); per Section 270-20.
5. Perimeter Landscape buffers:
 - To provide as little as zero (0) feet of landscaping between the vehicle use area and abutting property, code requires five (5) feet; per Section 275-90(C).
 - To provide zero (0) trees between vehicle use area and abutting property, code requires 25feet; per Section 275-90(C).
 - To provide a hedge three (3) feet from the vehicle use area, code requires five (5) feet; per Section 275-90(C).
6. Landscaping for Vehicle Use Areas:
 - To allow an interior landscape island width of four (4) feet and depth of thirteen (13) feet, code requires a width of eight (8) feet and a depth of fifteen (15) feet; per Section 275-100(C)(1).

- To allow zero (0) trees in intermediate and terminal landscape islands, code requires two (2) trees or one (1) for intermediate islands if the size of the tree and island is enlarged; per Section 275-100(C) & (D).
- To allow terminal landscape island dimension of three (3) feet, eight (8) inches by seventeen (17) feet, code requires dimension of ten (10) feet by eighteen (18) feet; per Section 275-100(D).
- To allow as little a zero (0) feet of landscaping between the vehicle use area and abutting single-story building, code requires five (5) feet; per Section 275-100(E).

7. Perimeter Landscape Buffer:

- To allow five (5) foot perimeter landscape buffer between industrial and residential use, code required ten (10) feet; per Section 275-110(D).
- To allow a perimeter wall to be located on the property line, code requires a five (5) foot setback; per Section 275-110(D).

8. To allow zero (0) percent planting area at the front façade of the buildings, code requires twenty (20) percent of the front façade of the buildings to be planted; per Section 275-170.

9. To allow a dumpster to be located eight (8) feet from the rear (east) property line, code requires ten (10) feet; per Section 290-70(G).

10. Wall Signs:

- To allow two (2) walls signs, code allows one; per Section 505-100(M)(1).
- To allow a total wall sign area of 180 square feet, code allows a maximum of thirty-two (32) square feet; per Section 505-100(M)(1).
- To allow a monument sign; code allows a monument sign in lieu of a wall sign; per Section 505-100(M)(1).
- To allow an address sign height to be three (3) feet, code allows a maximum height of ten (10) inches; per Section 505-100(C) and 505-40(A)(2)(c).

WAIVER

To allow fifteen (15) percent pervious area, code requires twenty (20) percent; per Section 215-130(A).

SITE PLAN

To allow the construction of approximately 83,674 square feet of a new industrial warehouse.

PROPERTY INFORMATION

EXISTING ZONING:	General Industrial (IG)
LAND USE DESIGNATION:	Industrial

The subject property is a consolidation of several lots located north of Griffin Road on SW 44 Avenue. The property currently contains a collection of existing warehouse structures and outdoor marine storage. The sites have been kept in relatively poor condition, and lacks appropriate screening from outdoor storage. Residential homes are located to the east of a portion of the property.

VARIANCES

1. BUILDING FAÇADE

Warehouse use is permitted as a conditional use which requires:

“The architectural treatment of the building(s) shall resemble that of an office building, particularly in those portions of the building(s) facing public rights-of-way and adjoining residential areas. This may include use of substantial construction materials (ex: stucco or stone over concrete for exterior building walls), pedestrian scale architectural treatment, significant use of window and door glass, landscaping directly adjacent to a building, and overhead doors and loading activities to be located to the rear of buildings, within interior areas between buildings, or within interior side yards.”

This property fronts on SW 44 Avenue, which is privately owned but established by a road reservation which is recorded in Broward County Public Records. Residential homes are immediately to the east of the property.

2. PARKING SPACE WIDTH

The applicant is proposing parking spaces approximately eight and a half (8.5) feet wide. The Land Development Code (LDC) requires parking spaces be a minimum of nine (9) feet wide. As currently proposed, the project is providing seventy-six (76) more parking spaces than required. The subject property is of an irregular shape which is long, rectangular and narrow limiting the applicant's ability to fit all requirements on the site, including parking spaces of required size.

3. PARKING LOTS

The applicant is proposing to allow parking spaces that back out into the street, and to provide a fifteen (15) foot drive isle behind the parking spaces, which can restrict movement when backing out of a parking space. The subject property is of an irregular shape which is long, rectangular and narrow limiting the applicant's ability to fit all requirement on the site, including parking.

4. LOADING SPACE

The applicant is proposing zero (0) loading spaces on site where the LDC requires four (4) loading spaces. The subject property is of an irregular shape which is long, rectangular and narrow limiting the applicant's ability to fit all requirement on the site, including loading.

5. PERIMETER LANDSCAPE BUFFERS

The applicant is proposing to provide as little a zero (0) feet of landscaping and zero (0) trees between the Vehicle Use Area (VUA) and abutting property where five (5) feet of width and twenty-five (25) trees are required. In addition, the applicant is proposing to provide a hedge three (3) feet from the VUA where five (5) feet is required.

The subject property is of an irregular shape which is long, rectangular and narrow limiting the configuration/orientation of buildings, available area for landscaping and development potential for the site. The applicant is exceeding code requirements, where they are able, regarding native plant material, and perimeter trees in certain areas. The applicant is also exceeding code requirements for interior landscaping of vehicle use areas (VUA) for percentage of VUA landscape area and intermediate peninsula trees and perimeter buffer trees in certain areas.

6. LANDSCAPING FOR VEHICLE USE AREAS

The applicant is proposing to provide some interior landscape islands as small as four (4) feet wide and thirteen (13) feet deep, (8 feet by 15 feet required), and zero trees (2 trees required). The applicant is proposing terminal landscape island dimensions of three (3) feet, eight (8) inches by seventeen (17) feet where ten (10) feet by eighteen (18) feet is required and as little as zero (0) feet of landscaping between the vehicle use area and the abutting single-story building where five (5) feet is required.

The subject property is of an irregular shape which is long, rectangular and narrow limiting the configuration/orientation of buildings, available area for landscaping and development potential for the site. The applicant is exceeding code requirements, where they are able, regarding native plant material, perimeter trees in certain areas, interior landscaping of vehicle use areas (VUA) for percentage of VUA landscape area and intermediate peninsula trees and perimeter buffer trees in certain areas.

7. PERIMETER LANDSCAPE BUFFER

The applicant is proposing a five (5) foot perimeter landscape buffer adjacent to the neighboring residential homes with a wall on the property line. The LDC requires the wall to be five (5) feet from the property line with a ten (10) foot wide landscape buffer adjacent to residential property.

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8. PLANTING AREA

The applicant is proposing zero (0) percent planting area at the front façade of the buildings, where the LDC requires twenty (20) percent.

The subject property is of an irregular shape which is long, rectangular and narrow limiting the configuration/orientation of buildings, available area for landscaping and development potential for the site. The applicant is exceeding code requirements, where they are able, regarding native plant material, perimeter trees in certain areas, interior landscaping of vehicle use areas (VUA) for percentage of VUA landscape area and intermediate peninsula trees and perimeter buffer trees in certain areas.

9. DUMPSTER LOCATION

The applicant is proposing to locate a dumpster eight (8) feet from the rear (east) property line, which is immediately adjacent to residential uses, where the LDC requires a ten (10) foot setback. The subject property is of an irregular shape which is long, rectangular and narrow limiting the applicant's ability to fit all requirements on the site, including dumpster location.

10. WALL SIGNS

The applicant is proposing two (2) wall signs (1 is permitted), a total sign area of 180 square feet (32 s.f. permitted), a monument sign which is only permitted in lieu of a wall sign and the building address sign to be three (3) feet in height where ten (10) inches is permitted.

The subject site is located approximately 300 feet from the main roadway at its nearest point and over 1,000 feet at its furthest. In addition, the shape of the property is long, rectangular, and narrow which further limits visibility of the project. The proposed sign variances will allow the proposed development to achieve greater visibility, thereby encouraging the businesses economic viability.

Section 625 of the City's LDC states that the City Commission or Planning and Zoning Board, if applicable, shall hold its public hearing and, after consideration of the staff recommendation and public input, if any, may deny, approve or approve with conditions the application for variance, based upon its determination that the request meets the criteria identified in Section 625-40, which are identified below.

(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."

(2) "That the requested variance is otherwise compatible with the surrounding land uses and would not be detrimental to the community."

(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, and all other similar plans adopted by the city."

(4) "That the plight of the petitioner is due to unique circumstances of the property or petitioner which would render conformity with the strict requirements of the subject regulations unnecessarily burdensome."

(5) "That the variance requested is the minimum variance that is necessary to afford relief to the petitioner, while preserving the character, health, safety and welfare of the community."

Section 505-180 of the City's LDC states a sign variance may be granted pursuant to the procedures and requirements of Article 625, except that the criteria for granting variances in section 625-40 shall be replaced with the following criteria:

(1) "The variance request is in harmony with the general intent and purpose of this article, and is not contrary to the public interest, especially with regard to the aesthetic impact on the surrounding area; and"

(2) "The variance is necessary in order for the sign to achieve the level of visibility and effectiveness typical for conforming signs within the same zoning district in the city and intended by this article; and"

(3) "The impaired visibility or effectiveness of the signage allowed in this article would result in unnecessary or undue hardship; and"

(4) "The hardship is not a result of the applicant's actions, financial hardship, or any inconvenience of complying with the code, but are a result of:

(a) Conditions that are unique to the land, building, site configuration; or

(b) Conditions that are unique to the configuration of the site in relation to adjacent sites or features; or

(c) Other unique conditions that are not self-created by the applicant."

(5) "The request is the minimum necessary deviation from the requirements of this article to provide for reasonable and adequate sign visibility and effectiveness, with due consideration for the aesthetic of the sign and its scale relative to that of buildings and signs on the same and adjacent properties."

The applicant provided a justification statement identifying how their requests are consistent with the Variance and Sign criteria.

WAIVER

The applicant is proposing fifteen (15) percent pervious area, the LDC requires twenty (20) percent.

Section 215-130 of the LDC states, upon demonstration by an applicant that special conditions peculiar to the location or physical characteristics of a particular site are present, or that special conditions resulting from the design of existing facilities, project design, or surrounding land uses are present, the city commission may grant a waiver from the impervious area standards, subject to the following limitations:

- (1) "The volume of stormwater runoff that would be increased by granting the partial waiver shall be completely mitigated through design and construction methods, including but not limited to, underground stormwater storage vaults, French drains, green (landscaped) roofs that absorb stormwater, stormwater storage and reuse systems for irrigation, positive outfall systems, use of pervious ground stabilization systems where deemed appropriate by the city engineer, and other improvements to aid in the retention and filtration of stormwater runoff."

The City Engineer has reviewed the applicant's plans and has confirmed that the provisions of the LDC have been met.

SITE PLAN

The applicant is proposing to construct a new warehouse approximately 83,674 square feet in size, for a total of 95,774 square feet of warehouse space. The redevelopment of the site will feature enclosed warehouse bays. The proposed use is permitted as a conditional use. Redevelopment of the site will enhance the compatibility between the site and the adjacent residential use on the east.

Development Review Committee

The site plan was reviewed by the DRC which includes personnel from the BSO Fire, Public Services, the City's landscape consultant and Community Development Department Planning Division. The applicant has several outstanding staff comments that must be addressed prior to issuance of a building permit. The outstanding DRC comments are listed as conditions of approval in the resolution.

1. The proximity to the airport will require FAA review and approval. Contact William Castillo, Airport Planner with Broward County Aviation Department, located at 2200 SW 45 Street, Suite 101, Dania Beach, FL 33315, (954) 359-6100. 2nd time requested.

CITY COMMISSION PREVIOUS ACTION

On January 12, 2016 the City Commission approved a plat note amendment for this property.

STAFF RECOMMENDATION

Approve with the outstanding DRC comment as a condition of approval, to be addressed prior to issuance of a building permit.