

**CITY OF HOLLYWOOD, FLORIDA  
INTER-OFFICE MEMORANDUM  
PLANNING AND DEVELOPMENT SERVICES**

**DATE:** September 2, 2010 **FILE:** 09-DPV-19

**TO:** Development Review Board

**VIA:** Andria Wingett, Planning Manager *AW*

**VIA:** Julie Walls Krolak, Principal Planner

**FROM:** Mariluz Maldonado, Planning and Development Services Administrator *M.M.*

**SUBJECT:** Arnaud Sitbon and ESJ Federal investment, LLC., requests Variances, Design and Site Plan approval for an approximate 15,100 sq ft CVS Pharmacy at 1600 S. Federal Highway.

**APPLICANT'S REQUEST**

Variance, Design, and Site Plan approval for an approximate 15,100 sq ft CVS Pharmacy.

Variance: Waive the requirement of one monument sign per parcel to provide a total of three.

**RECOMMENDATION**

Variance: Approval, with the following conditions:

- A perpetual sign easement and maintenance agreement for the "Welcome to Hollywood" sign, in a form acceptable to the City Attorney's Office, must be submitted prior to the issuance of any building permits and recorded in the Public Records of Broward County prior to the issuance of Certificate of Occupancy (C/O).
- The "Welcome to Hollywood" monument sign shall be constructed and maintained by the developer per approved plans and permitted concurrently with the CVS signage and receive a Certificate of Completion (C/C) prior to issuance of a Certificate of Occupancy (C/O) for the building.

Design: Approval.

Site Plan: Approval, if Variance and Design are granted with the following condition:

- The drive aisle west of the drive-thru ATM lane cannot be modified in the future to accommodate an additional drive-thru lane or canopy/building overhang.

**BACKGROUND**

Arnaud Sitbon and ESJ Federal investment, LLC., are requesting Variance, Design and Site Plan approval for the construction of an approximate 15,100 sq ft CVS Pharmacy at 1600 S. Federal Highway. Currently, the site contains a vacant bank building and associated parking. This parcel is surrounded by commercial uses to the north and east, the City of Hallandale Beach to the south and residential uses to the west. Buildings in the surrounding proximity range from one-story to three-stories as indicated in the provided street profile within the application package.

This development is located at one of Hollywood's southern gateway entrances (northwest corner of Pembroke Road and Federal Highway) to the city. Although a CVS may not be the highest and best use at this prime location, it is development by right. Being sensitive to this, the developer has worked with staff to enhance the layout and design of the proposed CVS. The building's architectural details were significantly enhanced from the original proposal and a paved walkway and "Welcome to Hollywood" sign were also incorporated.

While building design's is modern, traditional features have been added to ensure compatibility with the existing community. Maximum height will be one-story, approximately 22' with parapets and design features that extend up to 40' to accommodate a mezzanine. Proposed building height is below the allowed height (60') for this Low Medium Intensity Commercial District (C-2). The building will be painted light tan with brown accents. Materials will be glass, stucco and stone which help accentuate the design in a more aesthetically pleasing way instead of the typical CVS Pharmacy prototype currently found throughout the City.

Main vehicular egress and ingress will be provided along Pembroke Road; however, additional entrances and exits will be provided on Fletcher Street. Moreover, the property abuts an alley on the west side with no access to the property. The proposed layout will provide 68 parking spaces and a loading zone on the north side of the building. Located on the west side of the building, drive thru lanes have been situated in a similar manner to the previously existing bank and will not be visible from Federal Highway. The applicant has worked with the City's Engineering staff to propose a design that maintains safe traffic circulation.

The proposed CVS will include a variety of trees and palms while complying with code requirements for street trees, buffers, etc. Provided landscaping includes trees such as Royal Palms, Live Oaks and Silver Buttonwoods. A 6' tall concrete wall with exterior landscape buffer will be provided. In addition, the alley on the west side of the property provides further separation from the residential neighborhood.

The applicant is requesting a Variance to allow 3 monument signs. Two of the monument signs will identify the business, one along Pembroke Road and the other one along Federal Highway. The third sign will be a "Welcome to Hollywood" monument sign. The Variance is necessary to allow the applicant to relocate their sign to grant the city a prime location for an entry sign while ensuring visibility of their business. The applicant has been working with staff to design a sign appropriate for this location while compatible with the proposed building design. Proposed size, location, colors, etc. are consistent with the sign regulations and will not be detrimental to the community. However, to ensure the City's sign is properly installed and maintained, staff is requesting conditions be attached to the Variance approval.

The applicant has met with the neighborhood associations. The neighborhood had expressed concerns regarding the possibility of the inclusion of a liquor store; however, there is no liquor store associated with this CVS.

## **SITE INFORMATION**

### **BACKGROUND:**

<b>Owner/Applicant:</b>	Arnaud Sitbon and ESJ Federal investment, LLC
<b>Address/Location:</b>	1600 S. Federal Highway
<b>Net Size of Property:</b>	1.6 acres
<b>Present Zoning:</b>	Low Medium Intensity Commercial (C-2)
<b>Future Land Use Designation:</b>	Regional Activity Center (RAC)
<b>Existing Use of Land:</b>	Vacant Bank

### **ADJACENT ZONING**

**North:** Low-Medium Intensity Commercial (C-2)  
**South:** City of Hallandale Beach  
**East:** Medium High Intensity Commercial (C-4)  
**West:** Medium High Density Multiple Family (RM-18)

**ADJACENT LAND USE:**

**North:** Regional Activity Center (RAC)  
**South:** City of Hallandale Beach  
**East:** Regional Activity Center (RAC)  
**West:** Regional Activity Center (RAC)

**CONSISTENCY WITH THE CITY-WIDE MASTER PLAN**

This property is located in Sub-Area 2, East Hollywood and Downtown. It is surrounded by Sub-Areas 3, 4 and 5 (East-Central Hollywood, Hollywood Beach and the Port). Sub-Area 2, East Hollywood, is geographically defined by the Intracoastal Waterway to the east, Dixie Highway to the west, Sheridan Street to the north and Pembroke Road to the south. This area includes the residential neighborhood of the Lakes, West Lake and the ill-defined residential areas between Federal and Dixie Highways. The main north-south access in Sub-Area 2 is US 1, which provides linkage from areas outside the City to Young Circle, a city wide and regional destination point. US 1 also provide access to Sub-Area 5 since West Lake Park acts as a buffer between Sub-Area 2 and Sub-Area 5.

The proposed CVS Pharmacy will be consistent with the City-Wide Master Plan based upon the following Guiding Principles and Policies:

**Policy 2.4:** *Revitalize the US 1 corridor in conjunction with FDOT improvement plans for the corridor.*

**Policy 2.6:** *Inventory and prioritize redevelopment parcels along US 1 and target parcels that provide landscape architecture potential for immediate success.*

The proposed CVS Pharmacy will redevelop a vacant parcel while providing a new service to the area. Moreover, this project provides elements that contribute to the crucial revitalization of this important corridor.

**CONSISTENCY WITH THE COMPREHENSIVE PLAN**

This development is consistent with the Comprehensive Plan, based upon the following policies:

The RAC Land Use designation permits retail uses such as this new Pharmacy.

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

Re-development of this parcel will allow for a use compatible with the existing neighborhood while providing new commercial businesses for nearby residents. This proposed development will also provide beautification to the site which helps enhance the surrounding community.

**VARIANCE**

**Variance:** **Waive the requirement of one monument sign per parcel to provide a total of three.**

No sign Variance to the provisions of Article 8 "Sign Regulations" shall be granted by the Development Review Board unless the Board finds that the petitioner has shown that all of the following criteria as set forth in Section 5.7 have been met:

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

ANALYSIS:           CVS Pharmacy monument signs will be located along Pembroke Road and Federal Highway. A third monument sign which is a "Welcome to Hollywood" sign will be strategically located in the southeast corner welcoming visitors to the City. This Variance request is not considered contrary to public interest as it lies within a commercial parcel and in the past other monument signs have been allowed via Variance. As the applicant provided within their justification criteria, "The applicant is seeking to add the two monument signs to accommodate the City's request for a "Welcome to Hollywood" monument sign while still having the ability to notify the public of the new store presence". Staff understands the need to identify businesses along major corridors as well as the importance to identify City gateways; therefore to ensure the City's sign is properly built and maintained, staff is requesting the following conditions, **a perpetual sign easement and maintenance agreement for the "Welcome to Hollywood" sign, in a form acceptable to the City Attorney's Office, must be submitted prior to the issuance of any building permits and recorded in the Public Records of Broward County prior to the issuance of Certificate of Occupancy (C/O); and the "Welcome to Hollywood" monument sign shall be constructed and maintained by the developer per approved plans and permitted concurrently with the CVS signage and receive a Certificate of Completion (C/C) prior to issuance of a Certificate of Occupancy (C/O) for the building.**

FINDING:           Consistent, with the imposition of staff's conditions.

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

ANALYSIS:           The Zoning district for this parcel is C-2 and which only permits one monument sign. However, due to the fact the parcel is a corner lot surrounded by a main corridor (Federal Highway) and a high transit street (Pembroke Road) the need to have a monument sign along each street is important for identification.

Moreover, the request for two monument signs for CVS resulted from relocating the CVS sign to accommodate the "Welcome to Hollywood" sign at its proposed location. As a result, the applicant requested a Variance to allow two monument signs for their business as they granted the City the primmest location for signage. Therefore, the Variance to allow additional monument signs is appropriate to allow the business additional visibility from the street while incorporating the Hollywood sign. Furthermore, as indicated by the applicant within the criteria, "The inclusion of the "Welcome to Hollywood" sign at the southeastern corner of the property further enhances the surrounding community".

FINDING:           Consistent

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

ANALYSIS: This Variance is necessary for the applicant to accommodate the proposed "Welcome to Hollywood" sign as the applicant will be relocating their monument sign in order to grant the City a prime location for an entry sign. As indicated by the applicant, "The addition of the two monument signs as requested do not have an adverse impact on the neighborhood as it works to enhance the appearance of this section of the community". Additionally, granting of the Variance will allow CVS Pharmacy to have visibility and enjoy similar rights to those businesses which have been granted a Variance to allow additional monument signs. The proposed sign's size, location, colors, etc. are consistent with the sign regulations and will not be detrimental to the community.

FINDING: Consistent

### ANALYSIS OF CRITERIA AND FINDINGS FOR DESIGN

Analysis of Criteria and Findings for Design Review as stated in the City of Hollywood Zoning and Land Development Regulations, Article 5.3. Approval, Approval with Conditions, or Denial will be based on the following criteria:

**CRITERIA A: Architectural and Design Component. 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: Proposed building will be approximately 15,100 sq ft and have a modern design; however, traditional features have been added to ensure compatibility with the existing community and vision of the City. Maximum height will be one-story, approximately 22' with parapets and designs features that extend up to 40' which is below the allowed height (60') for the Low Medium Intensity Commercial District. The proposed height and design is compatible with the surrounding uses. All building setbacks meet or exceed requirements. The building will be painted light tan with brown accents. As recommended by the Design Guidelines, *new construction should utilize surface material compatible with the South Florida region including stucco, glass and stone.* The applicant is proposing to highlight building features by incorporating materials such as glass, stucco and stone which are consistent with suggested materials in the Design Guidelines.

Main vehicular egress and ingress will be provided along Pembroke Road; however, additional entrances and exists will be provided on Fletcher Street. The proposed layout will provide 68 parking spaces located around the building. Additionally, a loading zone has been incorporated on the north of the building. Located on the west of the property, two pharmacy drive-thru lanes will be provided along with an escape lane. Additionally, the drives thru lanes have been located in a similar manner to the layout of the previously existing bank.

The Design Guidelines encourage *building footprints to take into account pedestrian and vehicular circulation*, as a result the site plan has been designed to maximize the pedestrian experience in and out of the site. The developer is adding a pedestrian feature with paved walkway along the southeast corner of the property (Federal Highway). Once in the site the applicant is proposing to

add pavers in all pedestrian areas for easy identification. Also, the parcel is surrounded a concrete sidewalk which will allow pedestrians from all directions to access the site.

Required open space will be provided. A 6' tall concrete wall with exterior landscape buffer will be provided towards the residential side to help mitigate any possible impacts. Furthermore, the applicant is proposing additional trees and buffers interior to the wall.

As previously mentioned, a Variance to allow 3 monument signs is being requested. CVS Pharmacy will utilize 2 monuments signs along Pembroke Road and Federal Highway while a "Welcome to Hollywood" sign will be installed along the southeast corner of Dixie Highway and Federal Highway.

FINDING: Consistent.

**CRITERIA B:** **Compatibility. The relationship between existing architectural styles and proposed construction, including how each building along the street relates to the whole and the pattern created with adjacent structures and the surrounding neighborhood. Buildings should contain architectural details that are characteristic of the surrounding neighborhood.**

ANALYSIS: Currently the site contains a vacant bank building and associated parking. This parcel is surrounded by commercial uses to the north and east, the City of Hallandale Beach to the south and residential uses to the west. The proposed development will utilize a vacant an un-kept parcel along a City gateway. The proposed building height (22' with parapets extending up to 40') is consistent and *relates with the height of abutting buildings*, as recommended by the Design Guidelines. Also, required setbacks have been met or exceeded while taking into consideration the residential community to the west. As indicated by the applicant, "The existing connection to the alley on west will be eliminated while providing an adequate buffer between the residential development.

FINDING: Consistent.

**CRITERIA C:** **Scale/Massing. Buildings shall be proportionate in scale, with a height which is consistent with the surrounding structures. Building mass shall reflect a simple composition of basic architectural details in relation to its length, width, height, lot coverage, and setting of the structure in context with adjacent buildings. Architectural details include, but are not limited to, banding, molding, and fenestration.**

ANALYSIS: As depicted in the provided street profile, abutting properties range from one-story to three-stories. The proposed building design is modern; however, traditional features have been added to ensure compatibility with the existing community and vision of the City. Maximum height will be one-story, approximately 22' with parapets and designs features that extend up to 40' which is below the allowed height (60') for this commercial district.

All building setbacks meet or exceed requirements. As indicated by the applicant, "The design incorporates numerous architectural details such as covered walkways against the main building facades, awnings, banding, cornices, stucco and stone finishes". The building will be painted light tan with

brown accents. Proposed materials will be consistent with suggested materials in the Design Guidelines.

FINDING: Consistent.

**CRITERIA D:** **Landscaping. Landscaped areas should contain a variety of native and other compatible plant types and forms, and be carefully integrated with existing buildings and paved areas. Existing mature trees and other significant plants on the site should be preserved.**

ANALYSIS: The proposed CVS site plan includes a variety of trees and palms while complying with code requirements for street trees, buffers, etc. Provided landscaping includes trees such as Royal Palms, Live Oaks and Silver Buttonwood among others. Moreover, the applicant is providing the required open space area for the development. As previously mentioned, a 6' tall concrete wall with exterior landscape buffer will be provided towards the residential property. The applicant will also buffer parking areas with a 4' tall hedge as required. Furthermore, the applicant is proposing additional trees and buffers interior to the wall to help mitigate any possible impacts onto the residential community. As indicated by the applicant, "Some existing Black Olives are in poor condition and will be removed and replaced with a native and tropical landscape palette". The applicant indicated they will work with staff to replace, relocate and mitigate trees in accordance with the City's regulations.

FINDING: Consistent.

#### **SITE PLAN:**

A Final Site Plan was reviewed by the Technical Advisory Committee (TAC). Comments were made by members of the TAC in a staff report dated December 7, 2009. The TAC members have found the proposed Site Plan compliant with all regulations as set forth in Chapter 162 of the Hollywood Code of Ordinances, with the following conditions:

- The drive-thru (escape lane) cannot be modified in the future to accommodate additional drive-thru lanes.

#### **RECOMMENDATION**

Variance: Approval, with the following conditions:

- A perpetual sign easement and maintenance agreement for the "Welcome to Hollywood" sign, in a form acceptable to the City Attorney's Office, must be submitted prior to the issuance of any building permits and recorded in the Public Records of Broward County prior to the issuance of Certificate of Occupancy (C/O).
- The "Welcome to Hollywood" monument sign shall be constructed and maintained by the developer per approved plans and permitted concurrently with the CVS signage and receive a Certificate of Completion (C/C) prior to issuance of a Certificate of Occupancy (C/O) for the building.

Design: Approval.

Site Plan: Approval, if Variance and Design are granted with the following condition:

- The drive aisle west of the drive-thru ATM lane cannot be modified in the future to accommodate an additional drive-thru lane or canopy/building overhang.

## **ATTACHMENTS**

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