



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

**DATE:** November 4, 2010 **FILE:** 10-D-77  
**TO:** Development Review Board  
**VIA:** Andria Wingett, Planning Manager   
**FROM:** Julie Walls Krolak, Principal Planner   
**SUBJECT:** Rui Zheng (All Asian Massage) requests Design for a mural at 2451 N. 59<sup>th</sup> Terrace.

**APPLICANT REQUEST**

Design approval for a painted mural.

**STAFF'S RECOMMENDATION**

Design: Denial.

**HISTORY;**

On September 2, 2010, the Board denied the applicant's after-the-fact request for a painted mural. Subsequently, the applicant has chosen to submit a new application for Design review. This includes the existing mural, with modifications such as removing one of the four painted geishas. Additionally, the applicant is proposing incorporating more landscaping to help soften potential impacts from the mural. The request before the Development Review Board is for the modified design.

**REQUEST:**

The applicant is requesting Design approval for a painted mural at 2451 N 59<sup>th</sup> Terrace. This mural depicts a landscape setting with three geishas against an orange background on the north and west sides of the building. (See Attachment "A" for pictures) Several other improvements have been made to the structure, including new shingle roof, windows, stucco and signage.

The mural was painted without approvals, and the applicant received a Notice of Violation from Code Enforcement in April. Subsequently, in May, the Violation was brought before the Special Magistrate who directed the applicant to paint over the mural or apply for Design

approval. As such, the request before the Development Review Board is solely for the mural.

Located in the Light Intensity Office District (O-1), this property is in one of the City's transitional zoning districts. The intent of this District is to provide for "placement of low intensity professional office uses which are located near residential neighborhoods and which are designed in such a manner as to be compatible with the residential character of adjacent areas". Further, this District was designed to "insure that rehabilitation work and new construction occurs in a manner that maintains the residential character of adjacent single family districts." The site abuts a residential neighborhood to the south, and was once a home prior to its conversion into an office. Additionally, the mural could be viewed as additional signage for the new business, which would exceed the maximum amount allowed for this property.

Incorporation of a mural on the north and west side does not reflect residential character, and as such, staff is recommending denial of the request.

### **SITE INFORMATION**

<b>Owner/Applicant:</b>	Rui Zheng (All Asian Massage)
<b>Address/Location:</b>	2451 N. 59 <sup>th</sup> Terrace
<b>Net Size of Property:</b>	7,182 sq ft (0.16 acres)
<b>Present Zoning:</b>	Light Intensity Office District (O-1)
<b>Future Land Use Designation:</b>	Office
<b>Existing Use of Land:</b>	Massage parlor

### **ADJACENT ZONING**

**North:** Light Intensity Office District (O-1)  
**South:** Single Family Residential (RS-6)  
**East:** Light Intensity Office District (O-1)  
**West:** Light Intensity Office District (O-1)

### **ADJACENT LAND USE:**

**North:** Office  
**South:** Low (5) Residential  
**East:** Office  
**West:** Office

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

This property is located in Sub-Area 1, the US 414/State Road 7 Corridor. It is surrounded by Sub-Areas 2, 6, and 7 (West-Central Hollywood, North Hollywood and West Hollywood). This area is geographically defined by 56<sup>th</sup> Avenue to the east (including that portion of Washington Park that extends 52<sup>nd</sup> Avenue), the Dania Cut-Off Canal to the north, Florida's Turnpike to the west and Pembroke Road to the south. This area includes the residential

neighborhoods of Beverly Park, Lawn Acres and Washington Park as well as the undefined residential areas east and west of State Road 7, north of Hollywood Boulevard.

The proposed mural is inconsistent with the City-Wide Master Plan based upon the following Guiding Principles and Policies:

**Guiding Principle:** *Attract and retain businesses that will increase economic opportunities while enhancing the quality of life for residents.*

**Guiding Principle:** *Promote the highest and best use of land in each sector of the City without compromising the goals of the surrounding community.*

**Policy CW.15:** *Place a priority on protecting, preserving and enhancing residential neighborhoods.*

The intent of the O-1 zoning district is to allow businesses such as this to help buffer residential neighborhoods from Sheridan Street. While identification of businesses is important, the overall site should be maintained in a manner that resembles residential. Incorporation of a mural at this location would not be consistent with residential, nor would it enhance the nearby corridors.

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

The proposed mural is inconsistent with the Comprehensive Plan, based upon the following:

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

While several improvements have been incorporated to enhance the site, the proposed mural is not compatible with the area. The mural could also be viewed as additional signage, which also does not help enhance the area, particularly as this property is near the SR 7/441 corridor.

## **DESIGN**

Analysis of Criteria and Findings for Design Review as stated in the City of Hollywood Zoning and Land Development Regulations, Article 5.3(1)(6). Approval, Approval with Conditions, or Denial will be based on the following criteria:

**CRITERION 1:** Architectural and Design components. Architecture refers to the architectural elements of exterior building surfaces. Architectural details should be commensurate with the building mass. The use of traditional materials for new architectural details is recommended. Design of the building(s) shall consider aesthetics and functionality, including the relationship of the pedestrian with the built environment.

**ANALYSIS:** The building is a nondescript structure with few architectural details. Several improvements have been made, including new shingle roof, windows, stucco and signage. However, the request before the Development Review Board is for approval of a painted mural on the north and west sides. Currently, it depicts a landscape setting with four geishas. The applicant is proposing to remove one, and add landscaping to help soften the remaining painting.

Located in the Light Intensity Office District (O-1), this property is in one of the City's transitional zoning districts. The intent of this District is to provide for "placement of low intensity professional office uses which are located near residential neighborhoods and which are *designed in such a manner as to be compatible with the residential character of adjacent areas*". The site abuts a residential neighborhood to the south, and was once a home prior to its conversion into an office. Incorporation of a mural would not be cohesive with the design characteristics of a residential neighborhood.

**FINDING:** Inconsistent

**CRITERION 2:** 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:** As mentioned previously, the intent of the O-1 zoning district is to "insure that rehabilitation work and new construction occurs in a manner that maintains the residential character of adjacent single family districts." Inclusion of a mural at this location would not reflect a residential character, and is therefore not compatible.

**FINDING:** Inconsistent.

**CRITERION 3:** 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:** The scale and massing of the structure is not affected by the proposed mural.

**FINDING:** N/A

**CRITERION 4:** 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:** While the site is well landscaped and the applicant has proposed additional hedging/vines, the proposed mural does not effect landscaping.

**FINDING:** N/A

**STAFF'S RECOMMENDATION**

Design: Denial.

**ATTACHMENTS**

- ATTACHMENT A: Application Package
- ATTACHMENT B: Land Use and Zoning District Map
- ATTACHMENT C: Previous Development Review Board Resolution and Mural Design

**ATTACHMENT A**  
Application Package

# OFFICE OF PLANNING

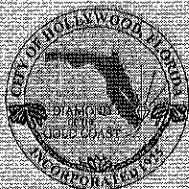


File No. (to be filled by the Office of Planning):

10-D-577

2600 Hollywood Boulevard Room 315  
Hollywood, FL 33022

# GENERAL APPLICATION



Tel: (954) 921-3471  
Fax: (954) 921-3347

This application must be completed in full and submitted with all documents to be placed on a Board or Committee's agenda.

The applicant is responsible for obtaining the appropriate checklist for each type of application.

Applicant(s) or their authorized legal agent must be present at all Board or Committee meetings.

At least one set of the submitted plans for each application must be signed and sealed (i.e. Architect or Engineer).

Documents and forms can be accessed on the City's website at

[http://www.hollywoodfl.org/comm\\_planning/appforms.htm](http://www.hollywoodfl.org/comm_planning/appforms.htm)



### APPLICATION TYPE (CHECK ONE):

- Development Review Board
- Planning and Zoning Board
- City Commission
- Historic Preservation Board
- Technical Advisory Committee

Date of Application: 9-23-10

Location Address: 2451 N 59th Terr  
 Lot(s): 10 Block(s): 48-7B Subdivision: mini Arches  
 Folio Number(s): 1112+21-0100  
 Zoning Classification: 0-1 Land Use Classification: 0  
 Existing Property Use: office clinic Sq Ft/Number of Units: 988  
 Is the request the result of a violation notice?  Yes ( ) No If yes, attach a copy of violation.  
 Has this property been presented to the City before? If yes, check all that apply and provide File Number(s) and Resolution(s): 10-D-49

- Economic Roundtable
- Planning and Zoning Board
- Technical Advisory Committee
- Historic Preservation Board
- Development Review Board
- City Commission

Explanation of Request: Property owner seeks DRB approval for a new mural replacing an old mural, per notice of violation 10-06297 including a request for DRB approval for a partial point over and landscape enhancements designed to address the compatibility concerns expressed by DRB members and city staff members at a meeting on Sept 2, 2010.

Number of units/rooms: \_\_\_\_\_ Sq Ft: \_\_\_\_\_  
 Value of Improvement: \_\_\_\_\_ Estimated Date of Completion: \_\_\_\_\_  
 Will Project be Phased? ( ) Yes ( ) No If Phased, Estimated Completion of Each Phase \_\_\_\_\_

Name of Current Property Owner: Alex COLAO 33470  
 Address of Property Owner: 967 Clydesdale RD, Lox Ahatchee FL  
 Telephone: 561-312-7905 Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

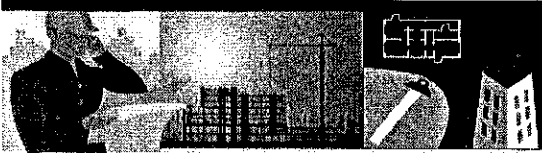
Name of Consultant/Representative (Tenant) (circle one): RUI zheng  
 Address: 2451 N 59th Terr Hollywood Telephone: 954-367-2242  
 Fax: \_\_\_\_\_ Email Address: \_\_\_\_\_

Date of Purchase: July 10, 2007 Is there an option to purchase the Property? Yes  No ( )  
 If Yes, Attach Copy of the Contract.

List Anyone Else Who Should Receive Notice of the Hearing: Alex COLAO  
967 Clydesdale RD Address: Lox Ahatchee FL 33470  
 Email Address: \_\_\_\_\_

RUI zheng 2451 N 59th Terr Hollywood FL  
33021

OFFICE OF PLANNING



2600 Hollywood Boulevard Room 315  
Hollywood, FL 33022

GENERAL APPLICATION

**CERTIFICATION OF COMPLIANCE WITH APPLICABLE REGULATIONS**

The applicant/owner(s) signature certifies that he/she has been made aware of the criteria, regulations and guidelines applicable to the request. This information can be obtained in Room 315 of City Hall or on our website at [www.hollywoodfl.org](http://www.hollywoodfl.org). The owner(s) further certifies that when required by applicable law, including but not limited to the City's Zoning and Land Development Regulations, they will post the site with a sign provided by the Office of Planning. The owner(s) will photograph the sign the day of posting and submit photographs to the Office of Planning as required by applicable law. Failure to post the sign will result in violation of State and Municipal Notification Requirements and Laws.

(I)(We) certify that (I) (we) understand and will comply with the provisions and regulations of the City's Zoning and Land Development Regulations, Design Guidelines, Design Guidelines for Historic Properties and City's Comprehensive Plan as they apply to this project. (I)(We) further certify that the above statements and drawings made on any paper or plans submitted herewith are true to the best of (my)(our) knowledge. (I)(We) understand that the application and attachments become part of the official public records of the City and are not returnable.

Signature of Current Owner: Alex Colao Date: 9/21/10  
 PRINT NAME: ALEX COLAO & LORRAINE COLAO Date: 9/21/10  
 Signature of Consultant/Representative: Stuart Leed Date: 9/23/2010  
 PRINT NAME: STUART LEED, ESQ Date: 9/23/2010  
 Signature of Tenant: Rui zheng Date: 9/22/10  
 PRINT NAME: RUI ZHENG Date: 9/22/10

**CURRENT OWNER POWER OF ATTORNEY**

I am the current owner of the described real property and that I am aware of the nature and effect the request for (project description) MURAL to my property, which is hereby made by me or I am hereby authorizing (name of the representative) RUI ZHENG to be my legal representative before the Development Review (Board and/or Committee) relative to all matters concerning this application.

Sworn to and subscribed before me  
this 21<sup>st</sup> day of 2010

Sate Yprashled  
Notary Public State of Florida

Alex & Colao 9/21/10  
SIGNATURE OF CURRENT OWNER  
Alex/Colao  
PRINT NAME

My Commission Expires 8/3/2012 (Check One) Personally known to me; OR Drivers Licd.  
Notary Public - State of Florida  
My Comm. Expires Aug 3, 2012  
Commission # DD 811067  
Bonded Through National Notary Assn.



TO: City of Hollywood Florida  
Development Review Board (Submit + Check list)

13<sup>TH</sup> - OCTOBER  
2010

Dear Sirs,

- Please find our information for your review.
- There are 3 options for the city to consider. We have added much landscaping + at very big ~~exp~~ expense. Please reconsider our mural of Art.

Thank You So Much,

Rui Zheng  
RUI ZHENG, owner  
"All Asian Massage"

General Criteria.

- 1- Architectural and Design component of the building are essentially the same. Traditional materials have been used, with the exception of a painted mural.
- 2- All architectural details are characteristic of the surrounding neighborhood. The new painted mural enhances both commercial and residential properties. Additional landscaping designed to soften the transition from commercial to residential will be presented in advance of Review Board meeting. Alternative mural renderings will also be presented.
- 3- The scale and massing of the building has not changed.
- 4- Additional landscaping will be added to soften the appearance of the painted mural.  
as well as any additional appropriate modifications recommended by professional design consultants.

OPTION #1

NORTH WALL

- BEFORE -

North wall preferred option

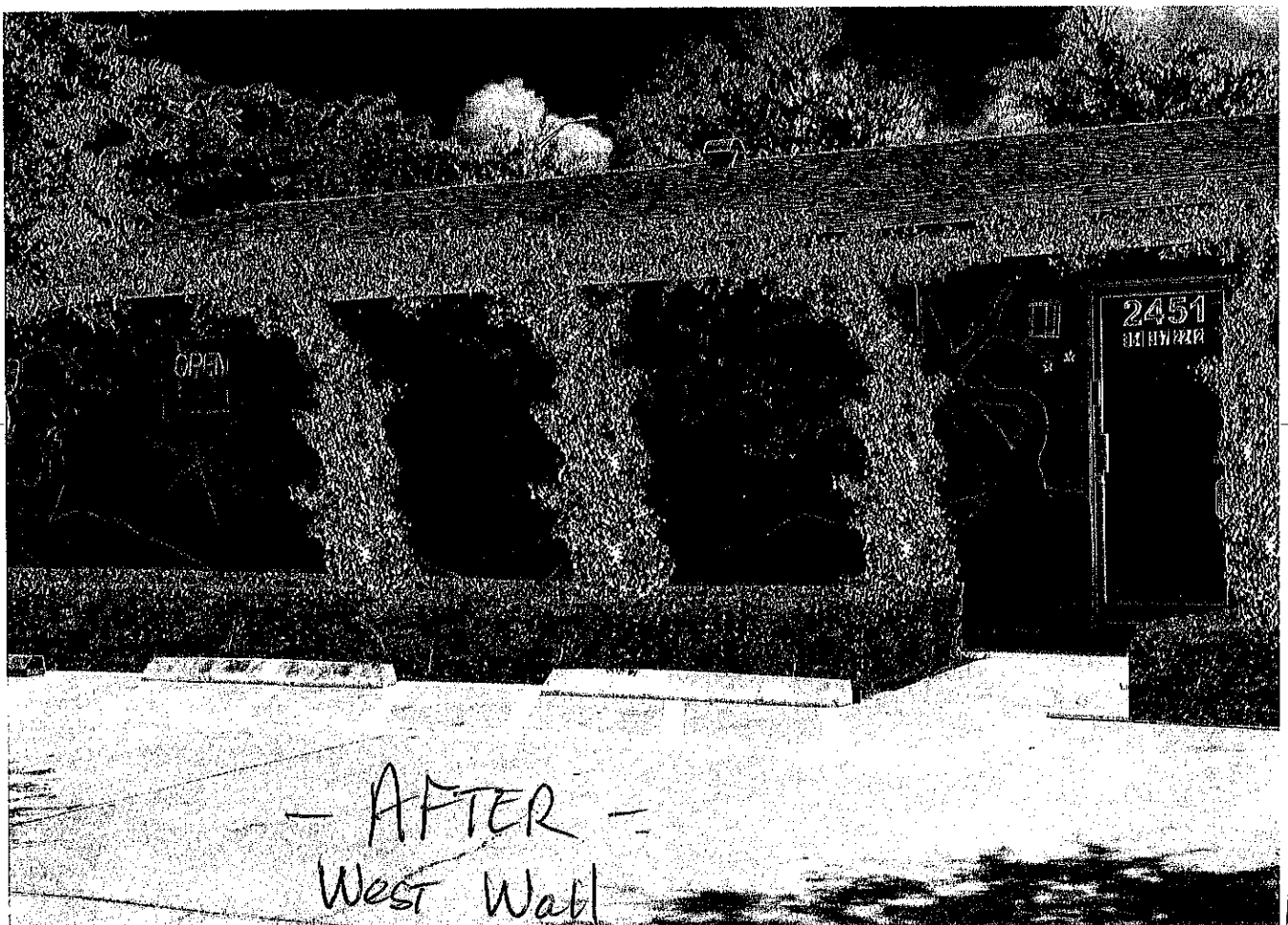
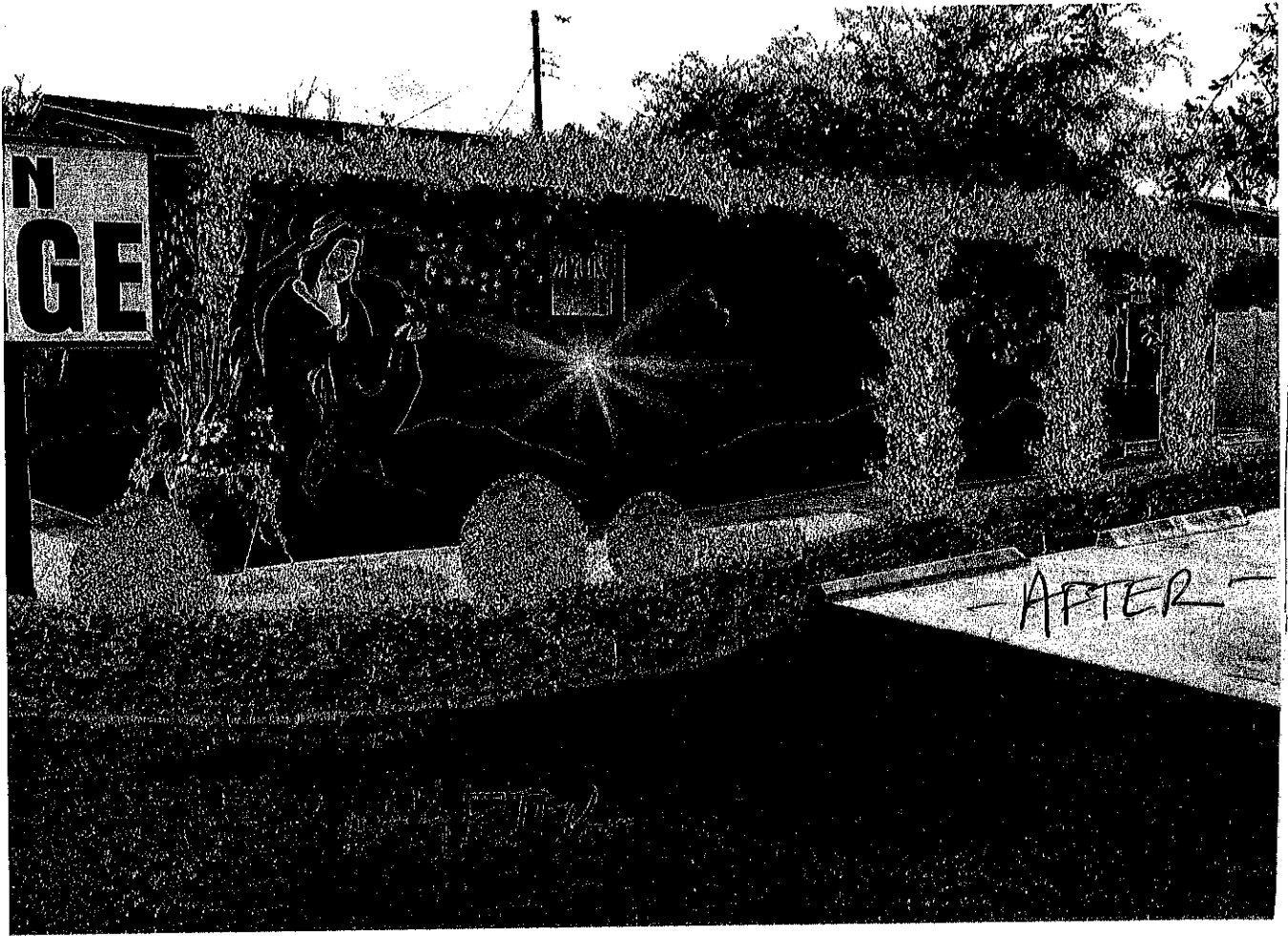


- AFTER -

OPTION #2

(Remove 1 Woman)

west wall preferred option X



**ATTACHMENT B**  
Land Use and Zoning District Map

# 2451 N 59 Terrace (All Asian Massage)



Planning & Development Services

## Legend

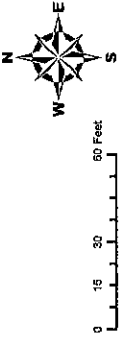
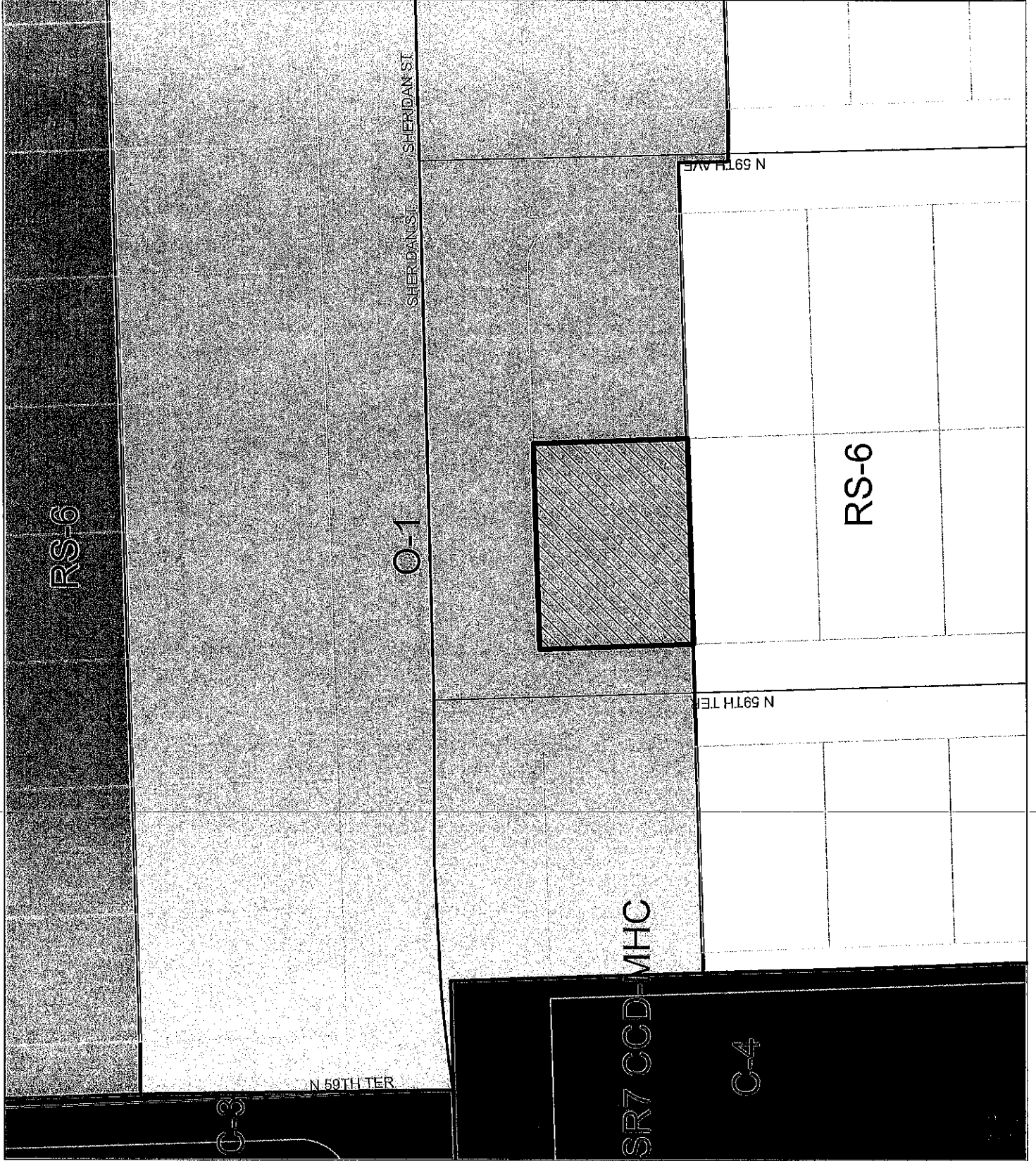
- Subject Property
- Streets
- Major Roads

## Land Use

- LRES
- LMRES
- OFF
- GBUS

## Zoning

- C-3
- C-4
- O-1
- RS-6
- SR7 CCD-MHC



**ATTACHMENT C**  
Previous Development Review Board Resolution  
and Mural Design

CITY OF HOLLYWOOD  
DEVELOPMENT REVIEW BOARD

CFN # 109577967  
OR BK 47369 Pages 500 - 503  
RECORDED 09/13/10 11:39:23 AM  
BROWARD COUNTY COMMISSION  
DEPUTY CLERK 1043  
#1, 4 Pages

RESOLUTION NO. 10-D-49

A RESOLUTION OF THE CITY OF HOLLYWOOD DEVELOPMENT REVIEW BOARD DENYING THE DESIGN FOR A MURAL LOCATED AT 2451 N. 59<sup>TH</sup> TERRACE, HOLLYWOOD, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," PURSUANT TO THE PROVISIONS OF THE CITY OF HOLLYWOOD ZONING AND LAND DEVELOPMENT REGULATIONS.

WHEREAS, the Development Review Board (the "Board") is charged with, among other things, the responsibility of considering requests for special exceptions, variances and design review approval; and

WHEREAS, Section 8.4 D. of the Zoning and Land Development Regulations provides that the Development Review Board shall review all exterior murals; and

WHEREAS, Rui Zheng (All Asian Massage) ("the Applicant"), has requested Design approval for a mural located at 2451 N. 59<sup>th</sup> Terrace, Hollywood, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Board reviews and considers all applications/petitions for Design in accordance with the guidelines and procedures set forth in Section 5.3. I. 6. of the City's Zoning and Land Development Regulations; and excluding certain exceptions not applicable herein; and

WHEREAS, the Planning Manager and Principal Planner, following analysis of the application and its associated documents have determined that the proposed request for Design approval does not meet the applicable criteria set forth in Section 5.3.I.6. of the Zoning and Land Development Regulations and have therefore recommended denial; and

~~WHEREAS, on September 2, 2010, the Board met and held an advertised public hearing to consider the Applicant's requests; and~~

WHEREAS, the Board reviewed the application for Design, reviewed the evidence submitted and testimony received at the public hearing, and applied the criteria for approving Design as set forth in Section 5.3.I.6. of the City of Hollywood's Zoning and Land Development Regulations, and the Board made the following findings:

1

Return to: Office of Planning  
City of Hollywood  
2600 Hollywood Boulevard  
Room 315  
Hollywood, FL 33022-9045

4 (4)




DEVELOPMENT REVIEW BOARD RESOLUTION 10-D-49 (ALL ASIAN  
MASSAGE/RUI ZHEN MURAL DESIGN)


Section 2: That the Dept. of Planning and Development Services is hereby directed to forward a copy of this resolution to the Applicant/owner of the property with respect to which the request for the design review approval was made and a copy shall be delivered to the City Clerk to be recorded in the Public Records of Broward County, all as provided by the applicable provisions of Article 5 in the Zoning and Land Development Regulations.

PASSED AND ADOPTED THIS 2<sup>nd</sup> DAY OF September, 2010.

RENDERED THIS 3<sup>rd</sup> DAY OF September 2010.

ATTEST:

  
JOSEPH KALLER, Secretary

  
GARY BLOOM, Chair

APPROVED AS TO FORM & LEGALITY  
for the use reliance of the Development  
Review Board of the City of Hollywood,  
Florida, only.

  
DEBRA-ANN REESE, BOARD COUNSEL

