



THE SUNRISE CITY

FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Members of the City of Fort Pierce Board of Adjustment

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

SUBJECT: **Application for Variance**
ASTA Commercial Parking Lot - Parking Space Width & Landscape Reductions
111 S. Ocean Drive

DATE: April 20, 2017

STAFF REPORT

Owner: Boch A Galup Inc
37 Fort Salonga Rd
Centerport, NY 11721

Applicant: Kash Patel, Mike O'Leary, Partners, ASTA Parking Inc.,
725 NE 26th Avenue
Fort Lauderdale FL 33304

Representative: Steven M. Weaver
Realtime Property Development Services
S Ocean Dr, Fort Pierce, FL 34949

Requested Action: Approval to deviate from Sections 22-60 (c)(1), 22-187 (4), 22-187 (6), and 22-187 (7) in order to develop an off-lot commercial parking lot that encompasses a reduction in the required width of vehicular parking stalls, a reduction in the required width of landscape strips between the parking area and right-of-ways, a reduction in the required width of landscape strips between the parking area and adjacent property, and a reduction in the required landscaping area within the vehicular use areas.

Location: 111 S. Ocean Drive

Parcel: 2401-501-0055-000-5

Lot Size: .5 acres

Current Zoning: Tourist Commercial (C-5)

Variance Request

In accordance with Article VIII of Section 22 of the City Code, the property owners are requesting the Board of Adjustment approve a variance for the following deviations from City Land Development Code:

1. Deviation from City Code Section 22-60. - Off-street parking and loading. (c) Design standards. (1) to establish fifty-one (51) non-ADA parking stalls at a width of nine (9) ft. whereas the ordinance requires nine and one-half (9.5) ft.. Said variance reflecting a half (.5) ft. reduction from the required stall width. The plan further includes three (3) ADA spaces that meet the required dimensions.
2. Deviation from City Code Section 22-187. - General landscaping requirements. (4) to reduce the required landscape strips between street rights-of-way and vehicular use areas from ten (10) ft. to a variation of three feet, four inches, (3' - 4") to seven feet, one inch (7' - 1"), a reduction of six feet, nine inches (6'-9") and two feet, eleven inches (2'-11") ft. and a reduction from ten (10) ft. to a variation of two (2) ft. to six and one-half (6.5) feet., a reduction of eight (8) ft. and three and one-half (3.5) ft., further deviating from subsection b. replacing a required three (3) ft. tall hedge screen with twelve (12) inch flowering plants. Referenced areas on the north and east property line of the subject site, respectively.
3. Deviation from City Code Section 22-187. - General landscaping requirements. (6) to reduce the required landscape strips between vehicular use areas and other property from ten (10) ft. to a variation of two feet, three inches (2' - 3") to seven feet, one inch (7' - 1"), a reduction of seven feet, nine inches (7' - 9") and two feet, eleven inches (2' - 11") accordingly. Referenced areas on the west and south property line of the subject site.
4. Deviation from City Code Section 22-187. - General landscaping requirements. (7) Interior vehicular use areas to reduce the required interior vehicular use area landscaping from 1105.47 square feet to approximately 976 square feet.

Existing Conditions

The subject .5 acre site located at the south west corner of Seaway Drive and South Ocean Drive is presently vacant, and is located with the Tourist Commercial (C-5) district. The property abutting the site to the west and south is home to a recently completed Oculina Bank branch facility.

The site is located at the intersection of Seaway Drive and South Ocean Drive which was enhanced with a round-a-about as a component of the joint A1A reconstruction project. As the property abuts a state roadway, Florida Department of Transportation (FDOT) approval is required for access points and right-of-way accommodations for any development.

Proposal

The applicant is seeking to establish a 54 space commercial parking lot. The proposed fee-to-park facility is intended to be accessed from South Ocean Drive, with a two-way driveway for ingress and egress, with a circular one-way circular traffic configuration on-site. The parking spaces are oriented primarily on a 60 degree angle for accessibility and to maximize the quantity of parking spaces provided. The proposal includes the provision of

site landscaping (with the subject variance request for reductions), solar lighting, and underground exfiltration for storm water maintenance, cash and credit payment kiosks, and sidewalk connectivity.

The variances requested by the applicant seek to maximize the quantity of parking spaces on-site while maintaining required drive-aisle stall dimensions, parking stall depths, compliant handicap spaces, and baseline landscaping. The initial filing by the applicant featured sixty-five (65) total spaces; however several spaces have been eliminated to lessen many of the previous dimensional deficiencies.

Scope of Adjustments

The presented request seeks to reduce the parking stall width, for non-ADA parking spaces, from nine and one-half (9.5) ft. to nine (9) ft. The plan also specifies a reduction in the required landscaping areas buffering the parking lot on all four sides, as well as a reduction to the interior landscape area provided.

The average landscape buffer between the proposed parking spaces and the north, east, and south property lines is approximately 5 ft., representing roughly a 50% reduction. The average landscape buffer between parking spaces and the west property line, abutting Oculina Bank's facility, is approximately 3.8 ft, or roughly a 62% reduction from the required buffer width. Segments of the western landscape strip are reduced to a 2 foot and 3 inch width.

Additionally, the plan represents a reduction of approximately 12% of the required interior vehicular use area landscaping.

The plan maintains implementation of the required quantity of trees required by City Code Section 22-187 – General Landscaping, however it features a reduction in the hedge height required along the right-of-way lines. The plan proposes vegetative planting along the interior property lines; however the species is intended for growth to only 12-18 inches.

Variance Criteria

The following criteria are specified in Section 22-108 of the City Code, which must be satisfied in order for a variance to be granted:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;
2. The special conditions and circumstances do not result from the actions of the applicant;
3. The literal interpretation of the provision of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would result in unnecessary and undue hardship on the applicant;
4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

5. The granting of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Staff Analysis:

The applicant, in the presented documents, emphasizes public demand for parking inventory in the areas adjacent to the subject site. The request seeks to utilize the presence of demand for vehicle parking spaces, and the limited land size, to provide reasoning for the reduction of parking space width and dimension of required landscape areas.

Staff acknowledges the special conditions and circumstances peculiar to the subject site and proposed development as it's adjacent to heavily utilized park lands, public amenities, and commercial businesses, whereas a portion of the established businesses within 200 feet of the site have limited, and in some cases no, parking available on their premises for customers due to pre-existing non-conformities.

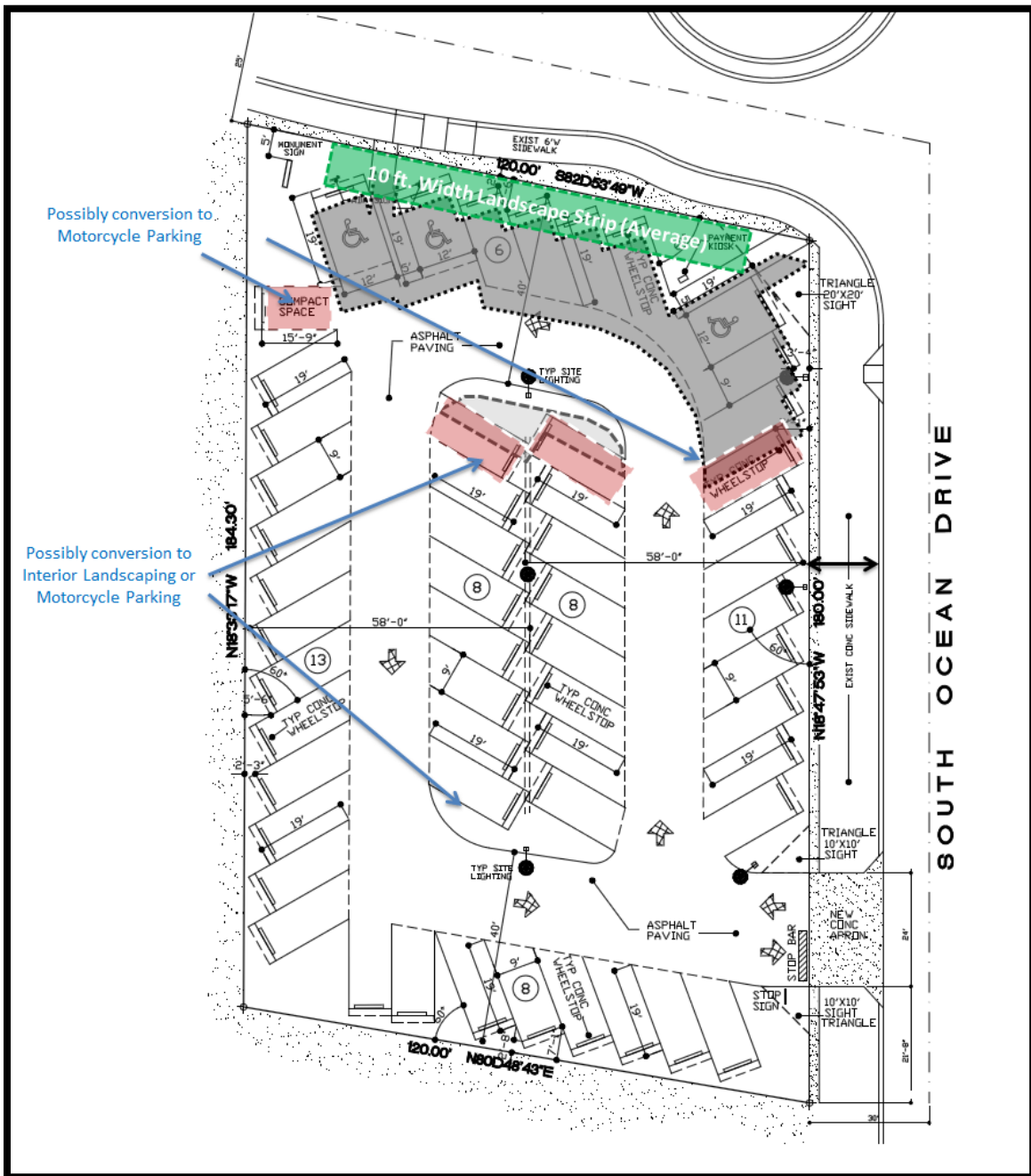
The applicant is seeking to offer parking spaces on-site, which are not intended to supply required parking spaces for businesses or other development pursuant to City Code Section 22-60, but rather introduce a new supply of *surplus* spaces requiring a user fee. Patrons of the proposed commercial parking area would be consenting to the policies for payment and use which provides the capacity to mitigate concerns of the proposed 6 inch reduction in the width of regular parking spaces. Acknowledgement of the minor reduction through a displayed sign, and possible notation on each space, would alert potential users of this reduction. As noted drive aisle and stall widths are compliant with local requirements.

The requested landscaping reductions seek to exchange public benefit of landscape buffers with additional parking supply to the site. The site abuts a segment of State Road A1A which recently experienced complete reconstruction which includes sidewalks and accenting landscaping in the form of Royal Palm trees and minor grass sections. Based upon its unique positioning at the corner of Seaway Drive and South Ocean, the abutting streetscape improvements in the public right-of-way provide a nominal landscape and sidewalk buffer between the roadway and the site. The presence of these features does not alleviate the required landscape buffers of City Code Section 22-187, however it provides consideration of reducing the width of on-site landscape strips along the north and east property lines without discrepancy with the general intent and purpose of the ordinance and minimize any determinant to the public welfare.

The variance deliberated by the Board of Adjustment should be consideration of the minimum variance that may make possible the reasonable use of the land. The reduction of the eastern landscape strip provides for the added capacity for an entire row of parking spaces (10-11), whereas the reduction along the northern property line only expands the quantity of parking spaces by four (4), with one of said spaces designed as a significantly compact space. The applicant retains the capacity to install the code required trees and shrubs within the remaining areas provided, which would be complimented by the existing Royal Palms present in the right-of-way. The reduction of the landscape buffer required at the northern property line only renders a four (4) parking space advantage, whereas the reduction places a line of vehicle parking spaces towards traffic traveling towards the Jetty Park Area. The reduction of four (4) parking spaces would provide necessary space to meet

the required landscape at the northern property line and interior vehicular use area. A conceptual demonstration of this adjustment is provided below in Figure 1.

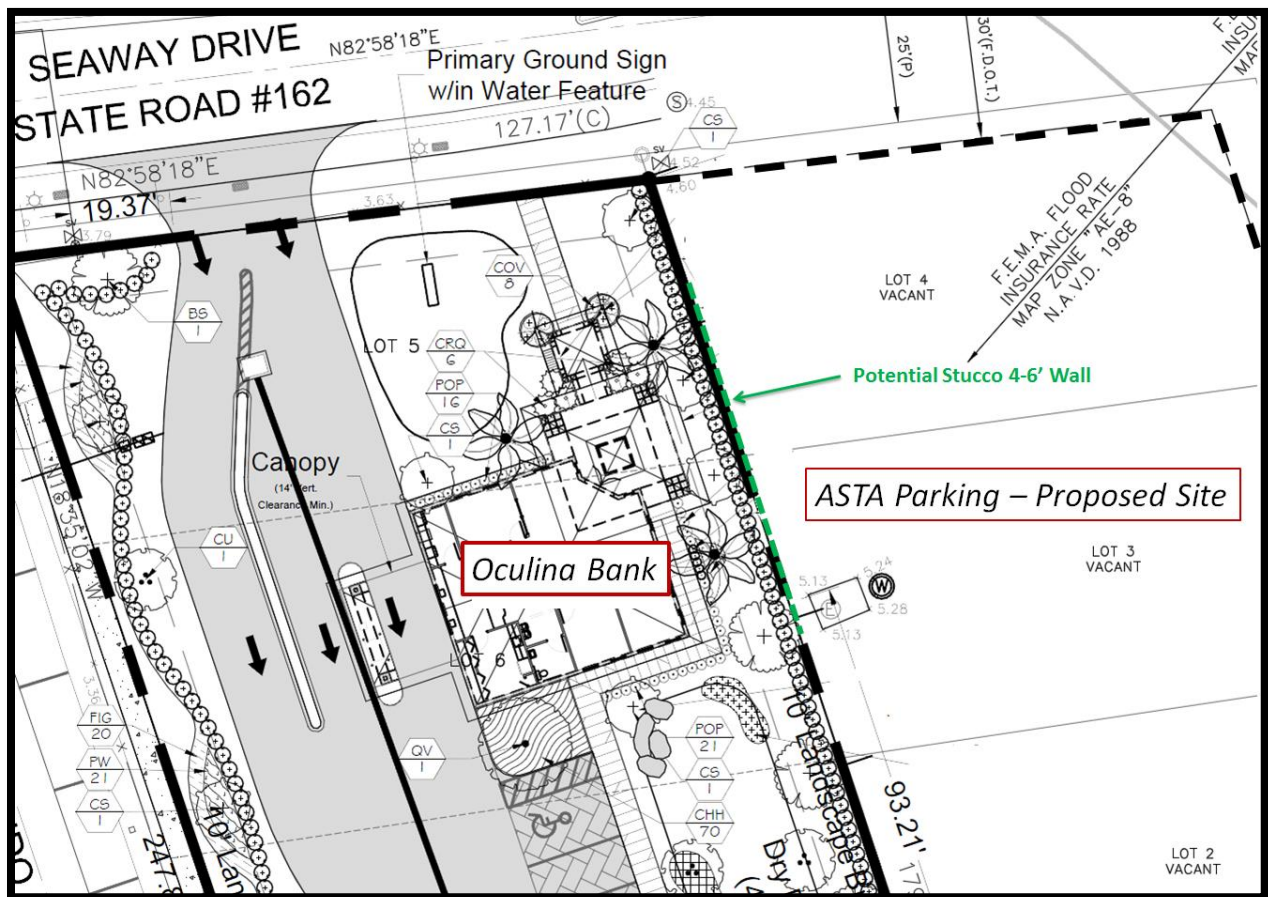
Figure 1 – Staff Recommended Adjustments to Site Plan



- Elimination of four (4) parking spaces noted in red in order to provide a 10 ft. (average) landscape buffer along the northern property line, or primary entrance to the Jetty Park area
- Minor of Parking area south, and further expanding the interior landscape area to meet minimum requirements.

In addition to the recommended landscaping area increases with the aforementioned adjustment, staff recommends the integration of plant materials within the western landscape strip that would provide greater visual and noise relieve from the intended development, seeking to mitigate the reduced landscape area along this property line. The Board of Adjustment may consider requiring a section of this buffer to include a decorative wall adjacent to the entrance of the neighboring commercial structure.

Figure 2 – Interior Property Line Exhibit – Oculina Bank & Proposed ASTA Parking Site



- Consideration of a 4-6ft. tall decorative wall section to mitigate proposed landscape buffer reduction as Oculina Bank’s front entrance is in close proximity to the landscape area sought for reduction.
- Integration of a 6ft. tall hedge along the west property lines to mitigate the reduced buffer width.

The site adjustments presented in Figures 1 and 2 seek to enhance consistency with the land development code and compliance with Section 22-108 – Criteria for Granting Variances.

Property Owner Response Summary:

A total of 8 notifications were mailed to abutting property owners. As of April 20, 2017, 2 responses have been received in support of the request. An updated recording of responses will be provided to the Board at the hearing.

Staff Recommendation:

The recommendation of Staff is to grant **approval** of the requested variance, based upon minor improvements to the proposed site and landscape plans and greater consistency with criteria for granting a Variance specified in Section 22-108, with the following conditions:

1) Incorporation of a sign towards the entrance of the parking circle, and stamped notation on each parking space, that acknowledges reduced stall width, or compact nature of the spaces.

2) The landscape plan integrates the planting, and appropriate irrigation, of a vegetative hedge along the north and east property lines, which has the capacity to grow to form a 3ft. tall continuous hedge within one year, as required by City Code Section 22-187 (4).

3) The landscape plan provides the planting, and appropriate irrigation, of a vegetative hedge along the west property lines, which has the capacity to grow to form a 6ft. tall buffer to mitigate the reduction in landscape strip width adjacent to these property lines. An section of the buffer may consist of a decorative wall to provide separation of the proposed parking area from the entrance corridor of Oculina Bank to the west.

4) The site plan is amended to provide a landscape strip along the northern property line which averages a minimum width of ten (10) feet and the required interior vehicular use area landscaping. This adjustment further provides resolution to Technical Review comments #2 & #3 provided by the Engineering Department on April 17th, 2017 (attached).