

**CITY OF PALM BEACH GARDENS**  
**DEVELOPMENT APPLICATION**

**Planning and Zoning Department**  
**CITY OF PALM BEACH GARDENS**  
10500 North Military Trail  
Palm Beach Gardens, FL 33410  
(561) 799-4243 Fax (561) 799-4281

**Request:**

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|--|--|
| <input type="checkbox"/> Planned Community Development (PCD)       | <input type="checkbox"/> Annexation                  |
| <input checked="" type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Rezoning                    |
| <input type="checkbox"/> Amendment to PCD, PUD or Site Plan        | <input checked="" type="checkbox"/> Site Plan Review |
| <input checked="" type="checkbox"/> Conditional Use (Major)        | <input type="checkbox"/> Concurrency Certificate     |
| <input type="checkbox"/> Amendment to the Comprehensive Plan       | <input type="checkbox"/> Time Extension              |
| <input type="checkbox"/> Administrative Approval                   | <input type="checkbox"/> Miscellaneous               |
| <input type="checkbox"/> Administrative Appeal                     | <input type="checkbox"/> Other <input type="text"/>  |

Date Submitted:

**Project Name:** Nuvo Riverside Office/Self-Storage

**Owner:** Riverside Drive Investors, LLC

**Applicant (if not Owner):** Nuvo Development, LLC

**Applicant's Address:** 288 North Park Avenue  
Winter Park, Florida 32789 **Telephone No.** (321) 972-9838

**Agent:** Managed Land Entitlements

**Contact Person:** Michael Sanchez **E-Mail:** michael@mylandentitlements.com

**Agent's Mailing Address:** 3710 Buckeye Street, Suite 100, Palm Beach Gardens, Florida 33410

**Agent's Telephone Number:** (561) 568-8045

<b>FOR OFFICE USE ONLY</b>	
Petition Number: _____	Date & Time Received: _____
<b><u>Fees Received</u></b>	
Application \$ _____	Engineering \$ _____
Receipt Number: _____	

Architect: Daniel H. Farmer, Farmer Architecture

Engineer: Todd McLeod, McLeod McCarthy & Associates

Planner: Michael Sanchez, Managed Land Entitlements

Landscape Architect: Jason Litterick, Litterick Landscape Architecture

**Site Information:**

**Note: Petitioner shall submit electronic digital files of approved projects. See attachment for details.**

General Location: Northeast corner of Riverside Drive and Buckeye Street

Address: 10384 Riverside Drive

Section: 07 Township: 42 Range: 43

Property Control Number(s): 52-43-42-07-00-000-7010

Acres: 3.44 Current Zoning: Light Industrial (M1A) Requested Zoning: <sup>Planned Unit Development/</sup> Light Industrial (PUD/M1A)

Flood Zone \_\_\_\_\_ Base Flood Elevation (BFE) – to be indicated on site plan \_\_\_\_\_

Current Comprehensive Plan Land Use Designation: Industrial (I)

Existing Land Use: Warehouse/Office Requested Land Use: Office/Self-storage

Proposed Use(s) i.e. hotel, single family residence, etc.: please see below

Proposed Square Footage by Use: Office: 22,780 SF; Self-Storage: 99,864 SF

Proposed Number and Type of Dwelling Unit(s) i.e. single family, multifamily, etc. (if applicable):

N/A

## Justification

Information concerning all requests (attach additional sheets if needed.)  
{Section 78-46, Application Procedures, Land Development Regulations.}

1. Explain the nature of the request: Please see attached Project Narrative/Justification Statement.

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2. What will be the impact of the proposed change on the surrounding area?

Please see attached Project Narrative/Justification Statement.

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3. Describe how the rezoning request complies with the City's Vision Plan and the following elements of the City's Comprehensive Plan - Future Land Use, Transportation, Housing, Infrastructure, Coastal Management, Conservations, Recreation and Open space, Intergovernmental Coordination and Capital Improvement.

Please see attached Project Narrative/Justification Statement.

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4. How does the proposed project comply with City requirements for preservation of natural resources and native vegetation (Section 78-301, Land Development Regulations)?

Please see attached Project Narrative/Justification Statement.

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5. How will the proposed project comply with City requirements for Art in Public Places (Chapter 78-261, Land Development Regulations)?

Please see attached Project Narrative/Justification Statement.

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6. Has project received concurrency certification?

As noted in the attached Project Narrative/Justification Statement, the property has concurrency certification from a 2008 site plan approval which is still valid. The subject application includes a traffic statement that reflects the new uses.

Date Received:

**Legal Description of the Subject Property**

(Attach additional sheets if needed)

**Or see attached deed for legal description.**

**Location**

The subject property is located approximately .1 mile(s) from the intersection of \_\_\_\_\_  
Burns Road and Riverside Drive \_\_\_\_\_, on the  north,  east,  south,  west side of \_\_\_\_\_  
Riverside Drive \_\_\_\_\_ (street/road).



**Applicant's Certification**

I/We affirm and certify that I/we understand and will comply with the land development regulations of the City of Palm Beach Gardens, Florida. I We further certify that the statements or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments, and application filing fees become a part of the official records of the City of Palm Beach Gardens, Florida, and are not returnable.

Applicant is:

  
\_\_\_\_\_  
Signature of Applicant

Owner

\_\_\_\_\_  
Gary Cardamone/Nuvo Development, LLC  
Print Name of Applicant

Optionee

\_\_\_\_\_  
288 North Park Avenue  
Street Address

Lessee

\_\_\_\_\_  
Winter Park, Florida 32789  
City, State, Zip Code

Agent

\_\_\_\_\_  
(321) 972-9838  
Telephone Number

Contract Purchaser

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
gary@nuvocompany.com  
E-Mail Address



Palm Beach Gardens Planning and Zoning Department  
10500 North Military Trail, Palm Beach Gardens, FL 33410  
561-799-4230

Permit # \_\_\_\_\_

**Financial Responsibility Form**

The owner understands that all City-incurred professional fees and expenses associated with the processing of this application request are ultimately the responsibility of the owner. A security deposit shall be deposited in an interest-bearing account with any accrued interest to be retained by the City of Palm Beach Gardens.

The owner and/or designee shall be invoiced on a monthly basis for professional fees such as, but not limited to, consultant engineering services, legal services, advertising costs, and/or any other costs attributable to the processing of the permit for which the City incurred during the previous month. The owner and/or designee shall reimburse the City within thirty (30) days from date of invoice. If payment is not received, the City may utilize the security deposit for re-imbusement purposes. All activities related to the pending permit(s) will cease until any outstanding invoices are paid.

The owner/designee further understands that transfer of this responsibility shall require a completed form, signed and notarized by the responsible party, and delivered to the City Planning and Zoning Department if the name and/or address of the responsible party changes at anytime during the application review process.

\_\_\_\_\_  
Owner signature

Tom Gibson/Riverside Drive Investors, LLC

\_\_\_\_\_  
Owner printed name

3/22/16

\_\_\_\_\_  
Date

52-43-42-07-00-000-7010

\_\_\_\_\_  
Property Control Number

**DESIGNEE/BILL TO:**

Gary Cardamone  
Nuvo Development, LLC  
288 North Park Avenue  
Winter Park, Florida 32789

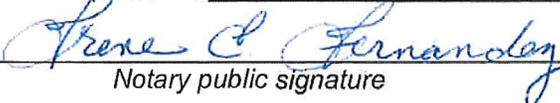
  
\_\_\_\_\_  
Designee Acceptance Signature

**NOTARY ACKNOWLEDGEMENT**

STATE OF FLORIDA

COUNTY OF ORANGE

I hereby certify that the foregoing instrument was acknowledged before me this 22 day of MARCH, 2016 by GARY CARDAMONE. He or she is personally known to me or has produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
Notary public signature

IRENE E. FERNANDEZ  
\_\_\_\_\_  
Printed name



State of FLORIDA at-large

My Commission expires: 8/7/17



Palm Beach Gardens Planning and Zoning Department  
10500 North Military Trail, Palm Beach Gardens, FL 33410  
561-799-4230

Permit # \_\_\_\_\_

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[Signature]  
Owner signature

3/21/16  
Date

Tom Gibson/Riverside Drive Investors, LLC  
Owner printed name

52-43-42-07-00-000-7010  
Property Control Number

**DESIGNEE/BILL TO:**

Gary Cardamone  
Nuvo Development, LLC  
288 North Park Avenue  
Winter Park, Florida 32789

\_\_\_\_\_  
Designee Acceptance Signature

**NOTARY ACKNOWLEDGEMENT**

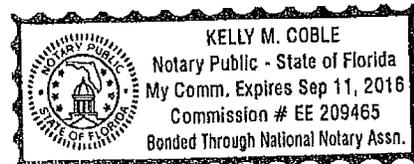
STATE OF Florida

COUNTY OF Palm Beach

I hereby certify that the foregoing instrument was acknowledged before me this 21<sup>st</sup> day of March, 2016, by Thomas P. Gibson. He or she is personally known to me or has produced \_\_\_\_\_ as identification.

Kelly M. Coble  
Notary public signature

Kelly M. Coble  
Printed name



State of Florida at-large

My Commission expires: 9-11-16



MANAGED LAND  
ENTITLEMENTS

Strategic management of land development design, entitlements and permitting.

NUVO RIVERSIDE OFFICE/SELF-STORAGE

10384 RIVERSIDE DRIVE, PALM BEACH GARDENS

MAJOR CONDITIONAL USE/PLANNED UNIT DEVELOPMENT APPLICATION

PROJECT NARRATIVE/JUSTIFICATION STATEMENT

Revised JUNE 14, 2016

REQUEST SUMMARY

Nuvo Development, LLC (the "Applicant"), is hereby requesting approval from the City of Palm Beach Gardens (the "City") of a Major Conditional Use and Planned Unit Development application to allow for the redevelopment of the 3.44-acre property located at the northeast corner of the intersection of Riverside Drive and Buckeye Street (the "Property") with an office, flex industrial and self-storage development (the "Project").

FUTURE LAND USE AND ZONING

The Property has an Industrial (I) future land use designation and is located within the Light Industrial (M1A) zoning district.

PROPERTY BACKGROUND

The Property was originally developed in the 1980's by Divosta Companies, a residential developer, for use as warehouse, manufacturing and office space to support its home building operations. The Property currently comprises a warehouse building containing 37,834 feet and an office building on the corner of Riverside Drive and Buckeye Street containing 5,167 square feet. Divosta Companies also owned and utilized the property on the south side of Buckeye Street for the same purposes. In 2008, the current property owner, Riverside Drive Investors, LLC (the "Owner"), purchased both properties from Divosta Companies and sought approvals from the City to renovate both properties with site, architectural and landscaping improvements and to obtain additional entitlements that allowed for certain industrial space to be converted to professional office space. The approvals were obtained from the City, and the Owner commenced the improvements to the property on the south side of Buckeye Street, referred to as the Riverside Commerce Park. It was around the same time that the peak of the Great Recession was imminent, and demand for light industrial and office tenants fell sharply. Consequently, the Owner completed the improvements to the Riverside Commerce Park project and decided to hold on completing the improvements to the Property until market conditions became more favorable. Recently, the Owner listed the Property for sale, and the Applicant has entered under contract with the Owner to purchase the Property for redevelopment.

The aforementioned 2008 approval granted for the Property allowed for the following development program within the existing buildings:

- ❖ Building One: 37,834 SF total
  - Light Industrial with Ancillary Office: 18,881 SF
  - Professional Office: 18,953 SF
- ❖ Building Two - Professional Office: 5,167 SF

Said approvals are valid until December 31, 2017 as noted in the time extension letter issued by the City dated March 5, 2015 provided with this submittal.

### SUMMARY OF PROPOSED IMPROVEMENTS

The Applicant proposes to redevelop/renovate the Property with the improvements generally described below and depicted on the proposed site plan provided with this submittal (the "Proposed Site Plan"):

- ❖ Building #1 will be reduced in size to approximately 17,613 square feet and converted to professional office (10,300 square feet) and flex office/industrial (7,313 square feet) uses. The existing west wall, a majority of the existing north wall and a portion of the existing south wall of Building #1 will remain.
- ❖ Proposed is an approximately 101,300 square-foot, four-story self-storage building (Building #3 depicted on the Proposed Site Plan and herein after referred to as the "Storage Building"). All storage units within the Storage Building will be accessed from the interior of the building, and all loading activities will take place via a lobby entrance on the south side of the Storage Building. The height of Storage Building as measured pursuant to the City's Land Development Regulations (LDRs) is 40 feet (to roof deck) which is well under the City's maximum height requirement for properties within the Light Industrial (M-1A) zoning district of 50 feet. (Please see "Building Height" section of this narrative for additional discussion regarding the proposed height of the Storage Building.)
- ❖ Building #2 as depicted on the Proposed Site Plan will remain as 100% office as it exists today and will remain in its existing configuration.
- ❖ The portion of the existing 10-foot- high site wall along the Riverside Drive and Buckeye Street frontages will be reduced to a 30-inch knee wall to allow for visibility into the site and to improve the aesthetics of the Property. The portions of wall along the north property line and the east property line are proposed to remain.
- ❖ Access easements have been provided to Seacoast Utility Authority (SUA) along the east property line and from Riverside Drive around the rear of Building #1 in order to allow access to their existing utilities as requested by SUA.
- ❖ The existing 12-foot utility easement that is shown on the Proposed Site Plan under Building #3 and a six (6) foot utility easement along the east property line are proposed to be abandoned. There are two separate easements over these areas that were established when the overall Property was comprised of three separate parcels. One of the easements to be abandoned is in favor of FPL and the other is a private utility easement established by a previous Quit Claim deed transferring ownership of the Property. The Applicant has confirmed that no utilities exist in the easement areas to be abandoned and is in the process of abandoning the easements through the proper legal means.
- ❖ The existing parking spaces along Riverside Drive in front of Building #2 are being eliminated at the request of City staff. The parking spaces along Buckeye Street are proposed to remain since the traffic along Buckeye Street is significantly less than that of Riverside Drive and to leave at least some convenient parking to the existing entrance to Building #2 along Riverside Drive.
- ❖ The existing driveways off of Riverside Drive and Buckeye Street will remain and will be incorporated into the new site design. The existing gates at both entrances into the Project will be removed.

- ❖ Due to the existing location of the west end of the Building #1 which is proposed to remain, one way traffic is being proposed in a clockwise direction around Building #1. The parking areas on the front/south sides of Building #1 and the Storage Building will remain two-way with the exception of the drive aisle in front of the 15 parking spaces between Building 2 and the Storage Building which has been converted to one-way to avoid a vehicle stacking conflict near the Buckeye Street driveway.
- ❖ Site, landscaping and drainage improvements will be constructed to support the building improvements listed above and to bring the Property into compliance with the City's Land Development Regulations (LDRs) to the greatest extent possible.
- ❖ It should be noted that the proposed lot coverage by buildings is 32.1%. The City's Land Development Regulations allow for almost double that amount, 60%, of lot coverage in the M-1A zoning district.

### MAINTAINING ECONOMIC DEVELOPMENT USES ON PROPERTY

While the self-storage use that is being proposed on the Property is not itself considered a driver of economic development, it is a necessary service to support the storage needs of small-to-midsize businesses in the adjacent areas. Based on its experience in self-storage projects, the Applicant estimates that approximately 40 percent of clients that will utilize the Storage Building will be small business owners that will use the storage as a means to support and grow their businesses.

Additionally, the proposed Project includes the renovation of an existing warehouse building, which has been either vacant or utilized for interior storage of miscellaneous items since it was vacated by Divosta Companies over 10 years ago, into over 17,000 square feet of professional office and flex office/industrial space, and the existing Building #2 is being maintained as professional office space. It is anticipated that the office and flex office/industrial buildings within the Project will provide for uses that are economic drivers for the City and nearby areas. The low impact self-storage use will complement the professional office and flex office/industrial uses on site and will serve the residents and businesses in the nearby area while causing virtually no negative impact to the other uses on site or surrounding areas.

### ARCHITECTURE

The architectural style proposed for the Storage Building and the renovated/reconfigured Building #1 reflects the use of simple, contemporary elements meant to be compatible with the surrounding architecture of neighboring buildings. The use of tower elements at each corner and the cantilevered projections on each façade break up the massing of the Storage Building. These elements combined with arched stucco detailing, faux spandrel windows and canvas canopies are utilized to give the Storage Building the look of a multi-story contemporary office building. An arched portico articulates the primary entrance to the Storage Building. Large, functional windows accentuate and differentiate the retail/office area from the storage function. The single story office Building #1 incorporates the same elements and adds more glazing to provide natural light into the office spaces. The colors chosen (soft greys accented with black canopies) reflect the corporate image of the primary tenant (storage facility) and provide an elegant business look to the office structure. Office Building #2 will be cleaned, prepped and painted to match the colors of the other buildings on site.

The Applicant is providing the following architectural renderings as part of this submittal to assist in the City's review of the subject application: (1) 3D rendering from Riverside Drive; (2) 3D rendering from Buckeye Street; (3) a graphic showing the view of the new Storage Building from Burns Road as requested by staff; and (4) a line of sight analysis from the residential properties across the canal on the west side of Riverside Drive. It should be

noted that the landscaping contained in graphics noted in Items 1-3 above is substantially less than what is proposed on the landscape plan so as to allow a better view of the buildings being represented in the graphics.

### BUILDING HEIGHT

As noted above, the height of the proposed Storage Building as measured pursuant to the City's LDRs is 40 feet (to roof deck) which is well under the City's maximum height requirement for properties within the Light Industrial (M-1A) zoning district of 50 feet. It is important to note that storage buildings such as that proposed require less floor-to-floor height than a typical office-type building and, accordingly, a four (4) story storage building can be accommodated at only 40 feet in height. The following is a comparison of the proposed height of the Storage Building to other multi-story buildings in nearby projects:

- ❖ The Belcan building at the northeast corner of Burns Road and Riverside Drive which is less than 500 feet from the Storage Building is a three-story office building and has a height of 43'-6" to the roof deck; 3'-6" taller than the proposed Storage Building.
- ❖ The two (2) story building at the west end of the Gardens Commerce Center project located directly across the street from the Property and which was approved by the City in 2008 has a height of approximately 36'-10" to the roof deck; 3'-2" shorter in height than the proposed Storage Building. It should be noted that said building is located approximately 260 feet away from the residential properties directly across the canal to the south. The proposed Storage Building would be a minimum of 440 feet from the nearest residential property.

### LANDSCAPING

A detailed landscape plan has been provided with this submittal which has been prepared to exceed the requirements of the City's LDRs with the exception of certain landscape buffers areas for which a waiver is being requested as noted in the "Planned Unit Development and Waivers" section of this narrative. Special attention was taken to providing enhanced landscaping within areas that will be visible by the public in order to provide for an aesthetically pleasing project and to mitigate for areas within which only limited landscaping can be provided due to existing site constraints. The proposed landscape palette was designed using the City's Preferred Species List and with drought tolerant and Florida native species. It should be noted that the minimum landscape point requirements for the City were exceeded by 913 points in order to further justify the requested waivers and to provide for a first class project.

On the revised landscape plan being submitted with this application, the Applicant has provided a significant number of Cabbage Palms and Washington Palms along the north and east sides of the Storage Building to soften the look of the 40-foot tall Storage Building from Riverside Drive and Burns Road.

### DRAINAGE

A drainage statement and preliminary civil construction plan for the Project have been provided with this submittal.

The majority of the existing exfiltration trench system will remain in-place, however approximately 244' of trench will be removed to accommodate the new Storage Building, and 124' of trench will be removed to accommodate a new dry detention area. The new dry detention area will attenuate and treat approximately 0.77 acre-feet of runoff from the redeveloped site. A new control structure will be added along the existing 15"

RCP outfall line near the intersection of Riverside Drive and Buckeye Street. The new dry detention area and control structure will result in a net decrease in runoff volume and discharge rate entering the City's storm sewer system along Riverside Drive.

#### UTILITIES

New sewer services will be extended to Building #1 (currently not served by water or sewer) and the proposed Storage Building from the adjacent existing SUA sewer mains. Existing backflow preventers for Building #1 and Building #2 will be upgraded to meet current SUA standards. A new water service will be installed to provide potable water service to Building #1. New potable water and fire services will be installed to serve the proposed Storage Building and will be supplied by the existing SUA watermain within Buckeye Street. A new fire hydrant will be installed adjacent to the driveway on Buckeye Street.

#### TRAFFIC CONCURRENCY

An application for a Concurrency Certificate is being submitted along with the subject application. In support of the said concurrency application, a traffic impact statement for the Project prepared by Simmons & White Consulting Engineers has been provided with this submittal. The statement concludes the following:

"The proposed development has been estimated to generate 368 net trips per day, 36 net A.M. peak hour trips, and 36 net P.M. peak hour trips at project build-out in 2021. A brief review of the links within the Project's radius of development influence reveals that the proposed development will have an insignificant project assignment and will therefore meet the requirements of the Palm Beach County Traffic Performance Standards."

#### SUBDIVISION

The Applicant is proposing that the Project be divided into two (2) parcels for ownership separation purposes as noted on the Proposed Site Plan. Based on recent related discussions with the City during the pre-application meeting for the Project, the Applicant understands that said subdivision will be reviewed and approved as part of the platting process for the Project. The Applicant will work with the City during the review and approval process for same to provide the necessary documentation demonstrating that unified control, cross parking, cross access and common maintenance are provided to the satisfaction of the City to ensure the Project functions as a single overall development.

As part of the aforementioned 2008 approvals granted by the City for the Property, the City required that a unity of title be prepared, approved and recorded to unify the two (2) parcels that previously comprised the Property onto a single property. Said unity of title was recorded in Official Record Book 22707 Page 1427 of the Public Records of Palm Beach County and accompanies this submittal. As part of the proposed subdivision noted above, the Applicant will be requesting from the City that the unity of title be released to allow for the subdivision of the Property into the manner approved by the City.

#### SELF-STORAGE USES

Section 78-159(j)(44) contains the standards listed below with which self-storage facilities must comply. The Applicant's demonstration of compliance with said criteria is contained below in italics typeface:

- a. Individual storage areas shall not exceed 400 square feet.

*Demonstration of Compliance: Individual storage areas will not exceed 400 square feet.*

- b. Security or caretakers quarters may be established as an accessory use, shall not exceed 1,000 square feet, and shall be utilized only by an employ of the facility.

*Demonstration of Compliance: There are no security or caretaker quarters proposed.*

- c. Storage of boats and recreational vehicles may be allowed, subject to the following:
1. Storage shall occur only within a designated area, approved as part of the overall site plan;
  2. Storage area shall not exceed 25 percent of the lot area of the site;
  3. Boats shall be stored on trailers with wheels; and
  4. Storage areas shall be completely screened from public rights-of-way or adjacent residential zoning districts, utilizing either the buildings associated with the storage facility or by an opaque masonry wall, or equivalent approved by the city, at least six feet in height.

*Demonstration of Compliance: Outside storage is not proposed.*

- d. Self-storage buildings shall have architectural features and patterns that provide visual interest. Facades shall be designed to reduce the mass/scale of the self-storage building. Building wall articulation, including fenestrations, projections, recesses, and changes in floor level shall be used to add architectural interest and variety, and to relieve the visual effect of blank walls or large areas of a plain appearance.

*Demonstration of Compliance: The proposed architecture for the Storage Building has been designed to provide visual interest and reduce the mass/scale of the building with the use of windows and doors on all sides of the building, projections and recesses on all sides of the building and tower features on all four (4) corners.*

- e. If other building(s) exist on site, or are proposed to be located on site, the self-storage building shall provide massing elements to provide a transition between the existing buildings of lower height. The self-storage building shall consist of the same architectural style of the existing, or proposed, building(s).

*Demonstration of Compliance: Building #1 which is being renovated as part of the Project has been designed with the same architectural style as the Storage Building. Building #2 will be painted to match the other buildings on site. Tower features on Building #1 are proposed to provide a transition between it and the adjacent Storage Building. It should be noted that only a 20 foot difference in height will exist between Building #1 and the Storage Building which will ensure their compatibility. An architectural rendering showing Building #1 and the Storage Building on the same elevation is included with this submittal.*

- f. Variations in roofline shall be required to reduce the mass of the self-storage building. Roof features shall be in scale with the mass of the building and complement the character of adjoining and/or adjacent buildings and neighborhoods.

*Demonstration of Compliance:* Tower features have been provided at each corner of the Storage Building to provide the required variations in roof line and to complement the character of the adjacent Building #1.

- g. Gutters and downspouts, if utilized, shall be painted to match the surface to which they are attached.

*Demonstration of Compliance:* Gutters and downspouts will be painted to match the surface to which they are attached.

- h. Self-storage buildings shall meet a minimum of five of the following design treatments:
1. Canopies or porticos, integrated with the buildings massing styles;
  2. Overhangs proportional in size to the mass of the building;
  3. Arcades, with a minimum eight foot width;
  4. Pitched roof forms over substantial portions of the building's perimeter including gable and hip roofs;
  5. Ornamental and structural architectural details;
  6. Decorative tower features;
  7. Appreciable vertical and horizontal breaks of the plane of the building; and
  8. Exterior arched treatment on at least two sides of the building.

*Demonstration of Compliance:* The proposed architecture of the Storage Building complies with Item 1 (canopies/porticos are provided), Item 2 (overhangs are provided), Item 5 (ornamental architectural details are provided), Item 6 (decorative towers are included at each building corner), Item 7 (vertical and horizontal breaks are provided) and Item 8 (arched treatments are used on all elevations).

- i. All self-storage bays shall be 100 percent indoor. Outdoor storage is prohibited within CG1 and CG2 zoning districts.

*Demonstration of Compliance:* All storage bays are 100 indoor.

## MAJOR CONDITIONAL USE

Self-storage facilities located in the City's Light Industrial (M1A) zoning district require approval by the City Council of a Major Conditional Use application. Section 78-52(d) of the City's LDRs contains the standards listed below with which a development order application for a Major Conditional Use must comply. The Applicant's demonstration of compliance with said criteria is contained below in italics typeface:

- (1) Comprehensive plan. The proposed use is consistent with the comprehensive plan.

*Demonstration of Compliance:* The proposed self-storage use (the "Proposed Use") will be located on a property that contains an Industrial (I) future land use designation. Policy 1.1.1.9 of the Future Land Use Element of the City's Comprehensive Plan states that certain commercial, service-related uses may be permitted such as banks, personal services, day cares and laundry and dry cleaning as more specifically described in the City's LDRs. Self-storage facilities are considered "personal services" in the City's permitted use table and are intended to serve the nearby homes and businesses to meet their storage needs. Therefore, the Applicant believes that the Proposed Use satisfies the intent of the Industrial future land use as noted above.

*Additional said Policy of the City's Comprehensive Plan states the following: "Industrial land uses will be limited in intensity to a maximum lot coverage of 60% of the site and a maximum building height of 50 feet." The Project has an overall maximum lot coverage of 32.1% of the site, and the Proposed Use has height of 40 feet.*

- (2) Chapter requirements. The proposed use is consistent with all applicable requirements of this chapter.

*Demonstration of Compliance: The Proposed Use is consistent with all applicable requirements of the City's LDRs with the exception of those items for which waivers are being requested as noted in the following section of this narrative, most of which are due to restraints based on existing conditions on site.*

- (3) Standards. The proposed use is consistent with the standards for such use as provided in section 78-159.

*Demonstration of Compliance: The Proposed Use is consistent with the standards for self-storage uses as demonstrated in the preceding section of this narrative.*

- (4) Public welfare. The proposed use provides for the public health, safety, and welfare by:
- a. Providing for a safe and effective means of pedestrian access;
  - b. Providing for a safe and effective means of vehicular ingress and egress;
  - c. Providing for an adequate roadway system adjacent to and in front of the site;
  - d. Providing for safe and efficient onsite traffic circulation, parking, and overall control; and
  - e. Providing adequate access for public safety purposes, including fire and police protection.

*Demonstration of Compliance: Careful consideration to pedestrian and vehicular access, onsite traffic circulation and parking and adequate access has been taken during the design process for the proposed Project. The Applicant feels that the proposed Project provides for the public health, safety and welfare based on the proposed design.*

- (5) Screening and buffering. The proposed use utilizes such techniques as landscaping, screening, buffering, site or building design, or business operation procedures to mitigate impacts on surrounding properties, including such impacts as:
- a. Noise;
  - b. Glare;
  - c. Odor;
  - d. Ground-, wall-, or roof-mounted mechanical equipment;
  - e. Perimeter, interior, and security lighting;
  - f. Signs;
  - g. Waste disposal and recycling;
  - h. Outdoor storage of merchandise and vehicles;
  - i. Visual impact; and
  - j. Hours of operation.

*Demonstration of Compliance: The proposed design of the Property maintains the existing 10-foot tall wall on the north and east property lines and substantial landscape buffers along Riverside Drive and*

*Buckeye Street to provide for screening and buffering of the Proposed Use. All storage units are completely contained indoors, and there is no outside storage, therefore, the Proposed Use has virtually no impact to surrounding properties. The architecture of the Storage Building has been designed to be visually appealing from the neighboring properties. The height of the Proposed Use is 10 feet under the 50-foot allowance by the City's LDRs, and the Proposed Use has been placed as far from the residential properties across the canal on the west side of Riverside Drive as possible. Finally, as described in the "Building Height" section of this Narrative, the height of the Proposed Use is consistent and compatible with other nearby structures that have been approved by the City.*

- (6) Utilities. The proposed use minimizes or eliminates the impact of utility installation, including underground and overhead utilities, on adjacent properties.

*Demonstration of Compliance: The impact of the utility installation that is required for the Proposed Use will not affect adjacent properties in any way.*

- (7) Dimensional standards. The proposed use meets or exceeds all dimensional requirements required by the chapter.

*Demonstration of Compliance: The Proposed Use is consistent with all applicable requirements of the City's LDRs with the exception of those items for which waivers are being requested as noted in the following section of this narrative, most of which are due to restraints based on existing conditions on site.*

- (8) Neighborhood plans. The proposed use is consistent with the goals, objectives, policies, and standards of neighborhood plans.

*Demonstration of Compliance: There are no neighborhood plans that will be affected by the Proposed Use.*

- (9) Compatibility. The overall compatibility of the proposed development with adjacent and area uses, and character of area development.

*Demonstration of Compliance: The Proposed Use is of very low impact to the area in terms of traffic, noise, odor, etc. and, therefore, is compatible to the light industrial uses and office uses in the adjacent area. As noted in the Building Height section of this narrative, the building height of the Storage Building is compatible and within range of other multi-story buildings in the surrounding area.*

- (10) Patterns of development. The proposed use will result in logical, timely, and orderly development patterns.

*Demonstration of Compliance: The Proposed Use will result in a redevelopment of an existing site that has remained underutilized for over 10 years and, thus, will result in a logical, timely and orderly development pattern.*

- (11) Purpose and intent. The proposed use will be in harmony with the general purpose and intent of this chapter and the goals, objectives, and policies of the city.

*Demonstration of Compliance: As demonstrated in the responses to the other criteria contained herein, the proposed use will be in harmony with the general purpose and intent of the City's LDRs and the goals, objectives, and policies of the city.*

- (12) Adverse impact. The design of the proposed use and structures will minimize any adverse visual impacts or impacts caused by the intensity of the use.

*Demonstration of Compliance: As demonstrated in this narrative, the Proposed Use has very little impact based on the low volume of traffic and the fact all storage bays are completely contained within the interior of the building. The proposed building height is comparable to other buildings in close proximity to the site and the proposed architecture is visually pleasing. Accordingly, the design of the Proposed Use minimizes any impacts that would be caused by the use.*

- (13) Environmental impact. The design of the proposed use minimizes any adverse impacts that may be created, including impacts on environmental and natural resources including air, water, stormwater management, wildlife, vegetation, and wetlands.

*Demonstration of Compliance: There are no impacts to air, water wildlife, vegetation and/or wetlands caused by Proposed Use, and as noted in the "Drainage" section of this narrative, the proposed stormwater management design will result in a net decrease in runoff volume and discharge rate entering the City's storm sewer system along Riverside Drive.*

#### **PLANNED UNIT DEVELOPMENT (PUD) AND WAIVERS**

The Applicant is requesting approval of a Planned Unit Development zoning overlay for the Project in order to allow for a more efficient and creative redevelopment of the Property and due to certain existing conditions that will preclude the Applicant from satisfying all requirements of the City's LDRs.

Section 78-154(g)(14) of the City's LDRs entitled *Waivers*, states that a development order application for a PUD may request one or more waivers from the standards applicable to the underlying zoning district, subject to the provisions of Section 78-158.

Below are listed the waivers that are being requested by the Applicant and related justification followed by demonstration of compliance of the waivers being requested with the aforementioned criteria for waivers contained in Section 78-158.

#### **❖ Waiver #1: Reduced right-of-way buffer along a portion of Riverside Drive.**

Code requirement: 15-foot-wide landscape buffer along Riverside Drive (Section 78-319(a) of the City's LDRs entitled, *Minimum landscape buffer and planting requirements*)

Proposed: 5.4-foot-wide landscape buffer along approximately 110 feet of the Riverside Drive frontage.

Justification: A reduced buffer is being requested along a portion of the Riverside Drive frontage due to the location of the existing southwest corner of Building #1 which precludes the ability to provide the required 15 foot buffer and a vehicular access around said corner of the building. The maximum width buffer that allows for vehicular access around the building is provided, and the required 15 foot buffer is

provided along the remainder of the buffer as soon as site conditions allow. It should also be noted that the Applicant is proposing to maintain several existing trees that exist within the road shoulder along Riverside Drive and an existing specimen Pine Tree located along the Riverside Drive right-of-way adjacent to Building #2. Also, the Applicant is proposing to remove the existing parking spaces along Riverside Drive adjacent to Building #2 and replace those spaces with landscaping. Accordingly, the Riverside Drive frontage will be well landscaped.

It should be noted that the minimum landscape point requirements for the City were exceeded by 913 points in order to further justify the requested waivers and to provide for a first class project.

❖ **Waiver #2: Reduced buffer along a portion of north property line.**

Code requirement: Eight (8)-foot-wide landscape buffer around perimeter of Property (Section 78-319(a) of the City's LDRs entitled, *Minimum landscape buffer and planting requirements*)

Proposed: 5.0-foot-wide landscape buffer along approximately 120 feet of the northwest property line.

Justification: A reduced buffer is being requested along a portion of the northwest property due to the location of the existing northwest corner of Building #1 which precludes the ability to provide the required eight (8)-foot-wide buffer and a vehicular access around said corner of the building. The maximum width buffer that allows for vehicular access around the building is provided, and the required eight (8)-foot-wide buffer is provided along the remainder of the north property line as soon as site conditions allow.

It should be noted that the minimum landscape point requirements for the City were exceeded by 913 points in order to further justify the requested waivers and to provide for a first class project.

❖ **Waiver #3: Maintain existing parking spaces that back out onto Buckeye Street.**

Code requirement: Vehicles shall not be permitted to back out from a parking space into a public street or right-of-way. (Sec. 78-344 of the City's LDRs entitled *Construction and maintenance*).

Proposed: Maintain existing parking spaces that back out onto Buckeye Street.

Justification: Currently the existing office Building #2 contains parking spaces that back out onto both Riverside Drive and Buckeye Street. The Applicant is proposing to remove the spaces along Riverside Drive and replace them with a landscaped area as requested by staff and to bring the Project into compliance to the greatest extent possible; however, the Applicant desires to maintain the existing spaces along Buckeye Street that serve the building since (1) traffic volumes along Buckeye Street are significantly less than traffic volumes along Riverside Drive thereby causing less potential of a conflict with cars backing up onto the roadway; (2) the existing entrance into Building #2 which will remain is located on the front/west side of the building and removing all spaces from both the Riverside Drive and Buckeye Street frontages will result in there being no convenient parking in close proximity to Building #2; and (3) there have been no issues with conflicts based on the spaces that are proposed to remain since the time the Owner has owned the Property in 2008.

❖ **Waiver #4: Site area of less than five (5) acres**

Code requirement: Minimum site area for the M-1A zoning district is five (5) acres (Section 78-153/Table 12 of the City's LDRs entitled *Property Development Regulations – Nonresidential Zoning Districts*).

Proposed: The existing Property is 3.44 acres.

Justification: The Property is existing in its current size and confirmation and there are no adjacent lands available to increase the size of the Property to comply with the five (5) acre requirement. It should be noted that a large number of properties within the M-1A zoning district are well under five (5) acres.

❖ **Waiver #5: Maintain existing wall at 10 feet in height along north and east property lines**

Code requirement: Fences and walls in nonresidential zoning districts shall not exceed a height of eight (8) feet (Section 78-186(7)(b) of the City's LDRs entitled *Fences and Walls*)

Proposed: Maintain the existing 10-foot wall along the north and east property lines.

Justification: The existing wall has been in existence since the Property was originally developed in the 1980's and serves as an effective buffer between the Property and the adjacent industrial properties and uses. The Applicant is not aware of any adjacent property owners that would like the wall reduced to eight (8) feet, and in the opinion of the Applicant doing so would not effectuate any real change in the aesthetics of the wall or the Property. The Applicant is reducing the existing wall along Buckeye Street and Riverside Drive down to 30 inches.

❖ **Waiver #6: Maintain existing wall at a height of 30 inches within the front setbacks**

Code requirement: Fences and walls in nonresidential zoning districts shall not be erected forward of the required setback lines (Section 78-186(7)(b) of the City's LDRs entitled *Fences and Walls*)

Proposed: Maintain the existing wall along the Riverside Drive and Buckeye Street frontages but reduce it to 30 inches.

❖ Justification: The Applicant feels that since the wall is existing within the front setback, reducing the wall down to 30 inches and incorporating it into the landscape buffer design along Riverside Drive and Buckeye Street would create an aesthetically pleasing and somewhat unique-to-the-area landscape/hardscape design. The proposed wall reduction only enhances the aesthetics of the Project and does not create any negative effects.

Compliance with waiver criteria: Section 78-158(i) of the City's LDRs lists the following criteria, the majority with which must be complied when a request for one or more waivers is submitted to the City for approval. The Applicant's demonstration of compliance of the waivers requested above (the "Waivers") with said criteria is noted below in italics typeface:

- (1) The request is consistent with the city's comprehensive plan.

*Demonstration of Compliance: The requests for the Waivers are necessary based on existing conditions to allow for the redevelopment of an existing site into a viable commercial project which is encouraged in Goal 1.2 of the Future Land Use Element of the City's Comprehensive Plan while still providing a well landscaped environment and adequate buffering from adjacent land uses which is encouraged in Policy 1.1.1.9 of the Future Land Use Element of the City's Comprehensive Plan.*

- (2) The request is consistent with the purpose and intent of this section.

*Demonstration of Compliance: The requests for the Waivers will provide for a more efficient and creative redevelopment of the Property and will provide for a functional, safe and aesthetically pleasing project which is consistent with the intent of the Planned Unit Development District as noted in Section 154(a) of the City's Land Development Regulations.*

- (3) The request is in support of and furthers the city's goals, objectives, and policies to establish development possessing architectural significance, pedestrian amenities and linkages, employment opportunities, reductions in vehicle trips, and a sense of place.

*Demonstration of Compliance: The requested Waivers and proposed Project will provide for a project with a high standard for architecture for an industrially zoned property, pedestrian connections to the street, employment opportunities and an aesthetically pleasing project, all of which support and further the City's goals, objectives and policies.*

- (4) The request demonstrates that granting of the waiver will result in a development that exceeds one or more of the minimum requirements for PUDs.

*Demonstration of Compliance: As noted in the Landscape section of this narrative, the granting of the requested Waivers will allow for Project that exceeds the minimum landscaping requirements for PUDs.*

- (5) The request for one or more waivers results from innovative design in which other minimum standards are exceeded.

*Demonstration of Compliance: As noted in the Landscape section of this narrative, the granting of the requested Waivers will allow for Project that exceeds the minimum landscaping requirements for PUDs and provides for an innovative design due to the landscaping being placed in more visible areas.*

- (6) The request demonstrates that granting of the waiver will result in preservation of valuable natural resources, including environmentally sensitive lands, drainage and recharge areas, and coastal areas.

*Demonstration of Compliance: N/A*

- (7) The request clearly demonstrates public benefits to be derived, including, but not limited to, such benefits as no-cost dedication of rights-of-way, extensions of pedestrian linkages outside of the project boundaries, preservation of important natural resources, and use of desirable architectural, building, and site design techniques.

*Demonstration of Compliance: The requests for the Waivers will provide a public benefit by allowing for the redevelopment of a Property that remained underutilized for over 10 years and that currently has*

*virtually no landscaping or architectural qualities with a well landscaped, aesthetically pleasing and functional project that will create jobs within the City and will serve the members of the public.*

- (8) Sufficient screening and buffering, if required, are provided to screen adjacent uses from adverse impacts caused by a waiver.

*Demonstration of Compliance: As demonstrated in this narrative, sufficient screening is provided to offset the requested Waivers.*

- (9) The request is not based solely or predominantly on economic reasons.

*Demonstration of Compliance: The Waivers are based on existing conditions and to allow for a functional and efficient project and are not based solely or predominantly on economic reasons.*

- (10) The request will be compatible with existing and potential land uses adjacent to the development site.

*Demonstration of Compliance: The proposed Project is compatible with existing and potential land uses adjacent to the site as demonstrated in this narrative.*

- (11) The request demonstrates the development will be in harmony with the general purpose and intent of this section, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare.

*Demonstration of Compliance: Please see response to Item 2 above regarding the purpose and intent of this section. Additionally, the Waivers will provide for an aesthetically pleasing and functional project while not being injurious to the area or detrimental to the public health, safety and welfare.*

#### CLOSING

The Applicant respectfully requests the City consideration and approval of the subject application and looks forward to working with the City on bringing a first class development to the City.