

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:

- | | |
|--|--|
| <input type="checkbox"/> Planned Community Development (PCD) | <input type="checkbox"/> Annexation |
| <input checked="" type="checkbox"/> Planned Unit Development (PUD) | <input checked="" type="checkbox"/> Rezoning |
| <input type="checkbox"/> Amendment to PCD, PUD or Site Plan | <input checked="" type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Conditional Use | <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 checked="" type="checkbox"/> Other <input type="text" value="Concurrent Processing"/> |

Date Submitted:

Project Name: Gardens Self Storage

Owner: Roan Lane LLC

Applicant (if not Owner): _____

Applicant's Address: 1499 SW 30th Avenue, Suite 16 Telephone No. (561) 684-6141

Agent: Schmidt Nichols

Contact Person: Josh Nichols, LEED AP E-Mail: jnichols@snlandplan.com

Agent's Mailing Address: 1551 N Flagler Drive, Suite 102, West Palm Beach, FL 33401

Agent's Telephone Number: (561) 684-6141

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

Architect: Kenneth Carlson Architects - 1166 W. Newport Center Dr, Ste 311, Deerfield Bch, FL 33442

Engineer: Keen Engineering - 7280 West Palmetto Park Rd, Suite 105, Boca Raton, FL 33433

Planner: Schmidt Nichols - 1551 N Flagler Drive, Suite 102, West Palm Beach, FL 33401

Landscape Architect: Schmidt Nichols - 1551 N Flagler Drive, Suite 102, West Palm Beach, FL 33401

Site Information:

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

General Location: Northwest corner of Northlake Blvd. and Roan Lane

Address: 9055 Roan Lane, West Palm Beach, FL 33403

Section: 18 Township: 42 Range: 43

Property Control Number(s): 52-43-42-18-01-000-0010

Acreage: 1.66 Current Zoning: CG-1 (PBG) Requested Zoning: N/A

Flood Zone ^X Base Flood Elevation (BFE) – to be indicated on site plan

Current Comprehensive Plan Land Use Designation: Commercial (PBG)

Existing Land Use: Commercial Requested Land Use: N/A

Proposed Use(s) i.e. hotel, single family residence, etc.:
Self Service Storage

Proposed Square Footage by Use: Existing: 17,072 s.f. Fitness Center, Proposed: 83,613 s.f. Self Service Storage Building

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: The Applicant is requesting a Rezoning from the CG-1 Zoning District to a PUD overlay with an underlying CG-1 Zoning Designation for Site Plan Approval .

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

There will be no negative impact of the proposed change on the surrounding area. The likelihood of positive impacts of the proposed change on the surrounding area are greater as these changes will be an upgrade to the current architecture and landscaping.

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.

The proposed rezoning is in compliance with the City's Vision Plan and the above referenced elements of the

City's Comprehensive Plan. See attached Justification Statement

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

The proposed project is a developed site. Best efforts have been made to preserve the existing vegetation within the development.

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

Pursuant to Chapter 78-261, Land Development Regulations, the project will comply with the provisions

for Art in Public Place

6. Has project received concurrency certification?

No

Date Received: 03/15/2019

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 0.06 mile(s) from the intersection of Roan Lane and Northlake Blvd, on the north, east, south, west side of Roan Lane (street/road).

Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared Steven Mackey, Manager
of Roan Lane LLC who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting a Rezoning to PUD with Site Plan Approval in the City of Palm Beach Gardens, Florida.
3. That he/she has appointed Schmidt Nichols to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Steven Mackey, Manager of Roan Lane LLC


Signature of Owner

Steven Mackey/MGR, Roan Lane LLC

By: Name/Title

1499 SW 30th Avenue, Suite 16

Boynton Beach, FL, 33426

City, State, Zip Code

Street Address

N/A

N/A

City, State, Zip Code

P. O. Box

(561) 684-6141

(561) 684-6142


Fax Number

Telephone Number

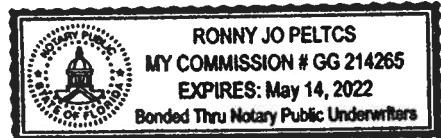
jnichols@snlandplan.co

E-mail Address

Sworn and subscribed before me this 6th day of March, 2019.


Notary Public

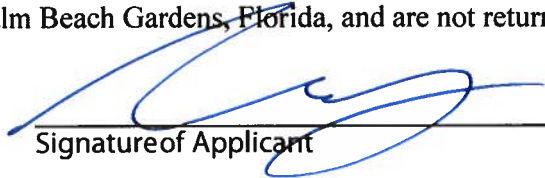
My Commission expires:
5/14/2022



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

Steven Mackey

Print Name of Applicant

Optionee

1499 SW 30th Avenue, Suite 16

Street Address

Lessee

Boynton Beach, FL, 33426

City, State, Zip Code

Agent

(561) 684-6141

Telephone Number

Contract Purchaser

(561) 684-6142

Fax Number

jnichols@snlandplan.com

E-Mail Address



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-imbursement 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.

[Signature]
Owner signature

March 4, 2019
Date

Steven Mackey
Owner printed name

52-43-42-18-01-000-0010
Property Control Number

DESIGNEE/BILL TO:
Roan Lane LLC

1499 SW 30th Avenue, Suite 16

Boynton Beach, FL, 33426

Designee Acceptance Signature

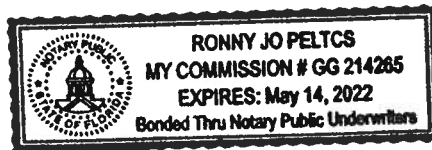
NOTARY ACKNOWLEDGEMENT

STATE OF Florida

COUNTY OF Palm Beach

I hereby certify that the foregoing instrument was acknowledged before me this 6th day of March, 2019, by Steven Mackey. He or she is personally known to me or has produced _____ as identification.

[Signature]
Notary public signature
Ronny Jo Peltes
Printed name



State of Florida at-large

My Commission expires: 5/14/2022



Justification Statement
Gardens Self Storage
Concurrent Processing, Concurrency,
Rezoning, Planned Unit Development (PUD), Major Conditional Use &
Site Plan Applications
City of Palm Beach Gardens Submittal
Original Submittal: March 15, 2019

Introduction

On behalf of the Applicant and Property Owner, Roan Lane LLC (“Applicant”), Schmidt Nichols (“Agent”) respectfully requests your approval and the concurrent processing of these applications for Concurrency, a Rezoning, Planned Unit Development (“PUD”) overlay, a Major Conditional Use, and Site Plan Review for the 1.66-acre subject property located in the City of Palm Beach Gardens. The subject property (PCNs 52-43-42-18-01-000-0010) is located at the northwest corner of Northlake Blvd. and Roan Lane (“subject property”). The subject property is also located within the Northlake Boulevard Overlay (NBOZ) Zoning District.

The subject parcel is currently developed with a 17,072 s.f. fitness center. Proposed site development consists of demolishing the existing improvements and constructing a three-story 83,613 s.f. self-service storage facility with a project build-out of 2025. Site access will remain unchanged and is existing via two full access driveway connections to Roan Lane. Currently, the subject property supports a Palm Beach Gardens Future Land Use designation of Commercial (COM). The subject property is currently within the General Commercial (CG-1) zoning district. Below is a summary of surrounding properties:

Overlays

Northlake Boulevard Overlay (NBOZ) Zoning District: As part of this proposed application, the applicant is improving signage along the corridor through the proposed freestanding monument sign and additional wall signage as well as redeveloping the Northlake Boulevard corridor in order to retain and attract commercial activity, and enhancing the area's economic condition. Furthermore, the applicant is creating the opportunity for the new proposed development to respect existing scale, style, and character, while preserving the positive aspects of the corridor, and is reinforcing the unique opportunities and long-term stability of the corridor by the implementation of urban design guidelines for future development.

Adjacent Lands	Uses	FLU	Zoning
Subject Property	Self-Service Storage	Commercial	CG-1

North	Religious/Vacant	Commercial	RM
South	Service Station/Community Shopping Center/Lake/Northlake Blvd ROW	Commercial	CG-1
East	Service Station/Stores/Roan Lane ROW	Commercial	CG-1
West	Service Station/Motel/I-95 ROW	Commercial	CG-2

Request

The Applicant is requesting the following:

- Concurrent Processing for all the outline applications listed below:
- An Official Zoning Map Amendment from the City of Palm Beach Gardens General Commercial (CG-1) to City of Palm Beach Gardens Planned Unit Development (PUD) Overlay with an underlying General Commercial (CG-1) with waivers (2);
- Waivers for building height and building coverage.
- A Major Conditional Use approval for a new Self-Service Storage use; and
- Site Plan Review for the major site element modifications and a new Self-Service Storage use with associated parking, landscaping, lighting, and other site elements;
- Concurrency for the demolition of a 17,072 square-foot fitness center and construction of an 83,613 square-foot self-service storage facility.

Site Plan

The objective is to amend the zoning to be compatible with the City of Palm Beach Gardens designations, reconfigure the site plan, demolish the existing fitness center, and construct a new self-service storage facility on the subject site. The self-service storage use requires a Major Conditional Use approval in the CG1 zoning district. A PUD overlay is being requested over the entire subject property to seek waivers. Due to the size constraints of the site and nature of the use, two waivers have been identified on the site plan. The two CG1 waivers are needed to accomplish the desired development of the proposed use. The proposed two (2) CG1 waivers will be discussed in detail later in this justification statement.

The proposed self-service storage use will be located in the center of the subject property. The self-service storage facility will utilize the building and outdoor covered canopies. The building design incorporates an accessory office and interior loading areas. The Applicant is proposing to demolish the fitness center use on the western portion of the property. Site access will remain unchanged and is existing via two full access driveway connections to Roan Lane. Due to the size constraints of the site, one existing nonconformity has been identified on the site plan along with two waivers for building coverage and height. This existing nonconformity is:

EXISTING NONCONFORMITIES				
#	CODE SECTION	REQUIRED	PROVIDED	NONCONFORMITY
1	Sec.78-344.1.1.A	10' x 18.5'	10' x 18'	Allow 0.5' reduction in the minimum dimensions of a parking space
	Construction and Maintenance - Parking Stall and Bay Dimensions.			

Concurrent Processing Request

The Applicant is requesting approval to allow the Concurrent Processing of the Concurrency, Rezoning, Planned Unit Development (“PUD”) overlay, Major Conditional Use, and Site Plan Review applications for consideration by the City Council. The concurrent review of these requests will allow the City Council to have a more cohesive understanding of the proposed development, of the subject property. The overall site development program will be laid out in greater detail below.

Concurrency

These applications are requesting approval of the demolition of the existing 17,072 square-foot fitness center and construction of an 83,842 square-foot self-service storage building. The proposed project will comply with all adopted City of Palm Beach Gardens required level of service standards as demonstrated below:

Water and Wastewater

The property is located within the Seacoast Utility Authority (SUA) service area and currently receives potable water and sanitary sewer service through SUA. SUA will continue to provide potable water and sanitary sewer service during and after construction. Please see attached civil engineering plans from Keen Engineering.

Solid Waste

The property is located in the Solid Waste Authority of Palm Beach County (SWA) service area that is the provider of solid waste disposal and recycling services. The proposed development will not negatively affect the SWA.

Traffic

The proposed self-service storage building meet Palm Beach County Traffic Performance Standards (TPS). Please see attached traffic analysis completed by Simmons & White.

Recreation

The proposed rezoning is commercial in nature so the City's recreation Level of Service Standards do not apply.

Drainage

The existing drainage design consists of a pipe network with exfiltration trench that ultimately discharges to FDOT’s system on the south side of the site. The new drainage system will consist of a pipe network with exfiltration trench and a retention swale along the south west and north perimeter. The system will discharge to FDOT’s system as under the existing condition. Calculations will be provided to show the site meets water quality

and quantity requirements and does not exceed the peak stages and discharge generated under the existing condition. Please see attached drainage statement and conceptual civil engineering plans from Keen Engineering.

Public Safety

The Police Department have indicated they have the capacity to serve the proposed area to maintain the police and fire Levels of Service.

Conclusion of Level of Service Analysis

The Applicant's analysis demonstrates that there will be no direct, adverse impacts on the adopted Level of Service (LOS) standards for water, wastewater, solid waste, recreation, police and fire services, and traffic. Therefore, the proposed rezoning will not pose a negative impact on the public facilities in the area.

Compatibility with Surrounding Area

All the surrounding properties are either right-of-way or existing nonresidential uses. Included in the application are maps that show the location of the property in relation to these surrounding properties and their associated zoning and land uses. The subject property is bounded by the rights-of-way I-95 to the west, Northlake Blvd to the south, and Roan Lane to the east. Directly to the south of the subject property is a commercial use consisting of a service station and community shopping center. Directly to the east is a service station and stores. Directly to the west is a service station and motel. The conversion of the fitness center to a self-service storage building will be compatible with the surrounding area. In fact, the new self-service storage facility on the subject parcel will provide a 15' landscape buffer on north side, 20' landscape buffer on the east side, 8' landscape buffer on the south side, and a 25' ROW landscape buffer on the west side.

Official Zoning Map Amendment (Rezoning)

The subject parcel, requires a rezoning to City of Palm Beach Gardens zoning districts. The Applicant is proposing to rezone the subject property from the City of Palm Beach Gardens CG-1 to City of Palm Beach Gardens PUD overlay with an underlying CG-1 zoning district. The standards for Palm Beach Gardens PUD overlay with an underlying CG-1 are substantially similar to that of other sites in the City of a similar nature. The surrounding properties to the west, east, and south all support Palm Beach Gardens CG zoning designations which are substantially similar to the proposed Palm Beach Gardens PUD overlay with an underlying CG-1 zoning proposed for the subject property. To the west of the subject property is I-95, which is separated by a 25' ROW landscape buffer. Site access will remain unchanged and is existing via two full access driveway connections to Roan Lane. The uses are substantially separated from one another and do not conflict in any way.

Major Conditional Use

The self-service storage use requires a Major Conditional Use approval in the CG1 zoning district. Below are the standards outlined in 78-52(d):

Criteria. In addition to the application requirements listed above, a development order

application for a minor or major conditional use approval shall demonstrate compliance with the criteria listed below.

- (1) Comprehensive plan. The proposed use is consistent with the comprehensive plan. **Complies. The property's proposed zoning district of a PUD overlay with an underlying CG1 zoning district is consistent with the property's existing future land use designation of Commercial (C).**
- (2) Chapter requirements. The proposed use is consistent with all applicable requirements of this chapter. **Complies. With the exception of the proposed CG1 waivers, this proposed use complies with all other standards of the zoning code. It should be noted that the two waivers are specifically related to the building coverage and building height and the ability to meet the standards of the code. The intent of the code has been met by maintaining a three-story structure to be in keeping with development along the I-95 corridor. All parking, loading, landscaping has been provided in accordance with the City's development regulations.**
- (3) Standards. The proposed use is consistent with the standards for such use as provided in section 78-159. **Complies. This use does not have any additional standards in Section 78-159.**
- (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; **The proposed site plan provides for pedestrian access throughout the site as well as a connection to the ROW.**
 - b. Providing for a safe and effective means of vehicular ingress and egress; **The existing points of ingress/egress have been maintained.**
 - c. Providing for an adequate roadway system adjacent to and in front of the site; **The existing roadway system has been maintained to and in front of the site with two points of access.**
 - 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.
Complies. The site has been designed to provide a ring road around the structure to allow for adequate fire access. The proposed site plan meets all of the public welfare standards listed above.
- (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: **Complies. The site plan shows a 15' landscape buffer on north property line, 20' landscape buffer on the east property line, 8'**

landscape buffer on the south property line, and a 25' ROW landscape buffer on the west property line and bay doors are oriented away from right-of-way. Furthermore, there are no residential uses adjacent to the site.

- b. Glare; **Complies. All lighting will meet code.**
 - c. Odor; **Complies.**
 - d. Ground-, wall-, or roof-mounted mechanical equipment; **Complies. All mechanical equipment will be screened from view.**
 - e. Perimeter, interior, and security lighting; **Complies. All lighting will meet code.**
 - f. Signs; **Complies. All signage will meet code.**
 - g. Waste disposal and recycling; **Complies. The self-service storage facility will provide a dumpster and recycling.**
 - h. Outdoor storage of merchandise and vehicles; **Complies. No outdoor storage is proposed.**
 - i. Visual impact; **Complies. The proposed new self-service storage facility will provide much improved architecture as compared to the existing fitness center on the property today; and**
 - j. Hours of operation. **Complies. The hours of operation will meet the standard hours as governed by the City code.**
- (6) Utilities. The proposed use minimizes or eliminates the impact of utility installation, including underground and overhead utilities, on adjacent properties. **Complies. Utilities are already extended to the site as the property is currently developed.**
- (7) Dimensional standards. The proposed use meets or exceeds all dimensional requirements required by the chapter. **Complies with the exception of the proposed CG1 waivers. These waivers and nonconforming parking stall dimensions are the direct result of the property's size constraints in addition to the building height and building coverage of the proposed development.**
- (8) Neighborhood plans. The proposed use is consistent with the goals, objectives, policies, and standards of neighborhood plans. **Complies. The subject use is not within a neighborhood plan.**
- (9) Compatibility. The overall compatibility of the proposed development with adjacent and area uses, and character of area development. **Complies. The proposed self-service storage facility will be compatible with adjacent and area uses will provide a 15' landscape buffer on north side, 20' landscape buffer on the east side, 8' landscape buffer on the south side, and a 25' ROW landscape buffer on the west side. All the surrounding properties are either right-of-way or existing nonresidential uses.**
- (10) Patterns of development. The proposed use will result in logical, timely, and orderly development patterns. **Complies. This is a demolition of an existing**

fitness center and construction of a self-service storage facility and is considered infill development.

- (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. **Complies. The proposed self-service storage facility will be in harmony with the general purpose and intent of this chapter and goals, objectives and policies of the City, including the encouragement of redevelopment along a major corridor 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. **Complies. There will be no adverse impacts, visual or intensity, to the surrounding properties or the City. The improved architecture alone will better the visual impact along Northlake Blvd.**
- (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. **Complies. There are no anticipated impacts to the environment as a result of this use as the site has been previously developed.**

Waivers

Two (2) waivers are being requested as part of this CG-1 designation. Below are the waivers proposed for this project:

NEW WAIVER REQUESTS				
#	CODE SECTION	REQUIRED	PROVIDED	WAIVER REQUEST
1	Sec.78-153	35%	40%	To allow a 5% increase from the maximum building coverage
	Nonresidential Zoning District Regulations (Table 12: CG-1 Property Development Regulations: Max. Lot Coverage)			
2	Sec.78-153	36'	46'	To allow a 10' addition in the maximum building height
	Nonresidential Zoning District Regulations (Table 12: CG-1 Property Development Regulations: Max. Building Height)			

The following are the standards for waivers to planned development district requirements outlined in Section 78-158(i):

A request for the city council to approve a waiver from one or more of the standards and requirements applicable to a planned development, PUD, or PCD shall comply with a majority of the criteria listed below:

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

Response: The proposed waivers are consistent with the city's comprehensive plan in that the proposed zoning district of a PUD overlay with an underlying CG1 zoning district is consistent with the subject property's existing Commercial (C) Future Land Use category. The proposed building is kept at three stories, however, due to the requirements for fire access and loading within and under canopy area, the proposed additional building height is required to reasonably develop the property. This is an infill redevelopment project on existing commercial property with neighborhood serving commercial uses. If these waivers are not permitted, then it's possible that the overall benefit to the City will not be as great. Further, the applicant is proposing to develop the proposed self-service storage building with a modern image that attracts and retains tenants and customers who share these values.

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

Response: The proposed waivers are consistent with the purpose and intent of the code while the code allows for waivers with a CG1 zoning designation. These waivers are needed due to the size and configuration of the property as well as the nature of the use. While self-storage uses requires a larger footprint and overall s.f., the impacts to traffic, water, sewer are drastically less than any other type of development which could be placed on this property. More specifically, due to the location of the subject property and its proximity to the Northlake/I-95 interchange traffic has become a concern, therefore, the proposed development is the highest best use which will reduce the traffic impacts at the intersection.

- (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.

Response: This request is in support and furthers the city's goals, objectives, and policies to establish development possessing a sense of place. The proposed site plan and these waivers seek to further improve the property with a self-service storage building and landscaping that will greatly improve the streetscape of this area of the City. The proposed development will result in a decrease of 346 daily trips, a decrease of 12 A.M. peak hours trips, and a decrease of 37 P.M. peak hours trips from the vested development. It should be noted that the proposed development also generates 20 peak hour trips. Therefore, the project is in compliance with regard to the Palm Beach County Traffic Performance Standards. The proposed architecture is modern and provides interest with recesses and projections and a color palate to complement the latest trends in architecture.

- (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.

Response: The granting of these waivers and existing nonconformity will result in a development that exceeds one or more of the minimum requirements for properties with a CG-1 zoning designation. In fact, the only waivers requested from the minimum requirements of a property with a CG-1 zoning designation are W1 & W2 (Building Height & Building Coverage), which are both directly related to the existing size of the property and property dimensions. The Applicant was able to exceed the minimum Open Space requirement of 15% by 20%. The foundation planting was also increased along all building facades to mitigate the height waiver request. In addition, the height waiver is due to the fact that the first-floor ceiling height is increased to allow for the required 13'6" minimum clearance for fire access around the building and under the canopies to be used for loading during inclement weather. The building coverage is a result of the configuration of the property with a portion of the property rendered difficult to develop due to historical takings for the I-95 on-ramp.

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

Response: The proposed waivers definitely results in a more innovative design with the ability to redevelop the subject property. The proposed development will result in a decrease of 346 daily trips. The innovative design on this project comes in the form of complete access around the entire building for fire as well as covered canopy loading areas to the south side of the building as well as internal loading on the east side of the building. This design helps to make the loading areas aesthetically pleasing as well as provides the height necessary to accommodate moving trucks and fire apparatuses under the canopies. This increased height has necessitated the need for the height waiver and the site configuration has required the waiver for building coverage.

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

Response: These elements are not negatively affected by these waiver requests.

- (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.

Response: These waivers being requested are resulting in desirable architecture and site design techniques that will benefit the public by providing neighborhood serving uses that are convenient and co-located.

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

Response: There are no adverse impacts caused by these proposed waivers on adjacent properties. All the surrounding properties are either right-of-way or existing nonresidential uses. The new self-service storage building will provide a 15' landscape buffer on north side, 20' landscape buffer on the east side, 8' landscape buffer on the south side, and a 25' ROW landscape buffer on the west side.

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

Response: The proposed waivers are not based solely on economic reasons. These waivers are the result of the property size constraints and limitations.

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

Response: The proposed waivers will be compatible with existing and potential land uses adjacent to the development site. All the surrounding properties are either right-of-way or existing nonresidential uses. The new self-service storage facility will provide a 15' landscape buffer on north side, 20' landscape buffer on the east side, 8' landscape buffer on the south side, and a 25' ROW landscape buffer on the west side.

- (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.

Response: The proposed waivers will be in harmony with the general purpose and intent of the code. Granting this waiver will not be injurious to the area involved or otherwise detrimental to the public health, safety and welfare. The CG-1 section of the code allows waivers that will not be a detriment to surrounding properties and further helps businesses redevelop on properties that have property size constraints.

On behalf of the Applicant, Roan Lane LLC, Schmidt Nichols, the Agent, is requesting approval for Concurrent Processing, Concurrency, Rezoning, Planned Unit Development (PUD), Major Conditional Use, and Site Plan Applications for Gardens Self Storage.