



Application No.:

V-2016-017

Attachment "A"

Consultant's Report

Burlington

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR BURLINGTON LOCATED AT 19191 S. DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 179 SQUARE FEET WHERE 60 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.

MEMORANDUM

Date: November 4, 2016
To: Honorable Mayor and Town Council
From: Scarlet Hammons AICP, Planning Consultant
Subject: Sign Variances for Burlington Coat Factory
Project: Application No. V-2015-026 and V-2015-027
CC: Ralph G. Casals, CFM, Town Manager
Kathryn Lyon, AICP, CFM, Planning and Zoning Director

REQUESTS

Variance from Sign Area Standards Facing Dixie Highway: V-2016-017

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR BURLINGTON LOCATED AT 19191 S. DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 179 SQUARE FEET WHERE 60 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.

Variance from Sign Area Standards Facing Marlin Road: V-2016-018

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING VARIANCE APPLICATIONS FOR SIGNAGE FOR BURLINGTON LOCATED AT 19191 S. DIXIE HIGHWAY, TO PERMIT A WALL SIGN TO BE 88 SQUARE FEET WHERE 30 SQUARE FEET IS ALLOWED; AND PROVIDING FOR AN EFFECTIVE DATE.

APPLICATION SUMMARY

Staff Coordinator: Kathryn Lyon, AICP, CFM
Planning and Zoning Director

Applicant/Representative: Burlington Coat Factory

Location: 19191 South Dixie Highway

Total Acreage/Square Feet: 13.12 +/- Gross Acres (per application)

Building Size/Square Feet: 50,461 SF Retail Building

Current Future Land Use
Plan Map Designation: Mixed-Use

Existing Zoning/ Site
Condition: TRC (Transit Corridor)/Existing Former Best Buy Store

Folio Number: 36-6005-019-0010

Legal Description: A portion of Tract "A" of POINT ROYALE Shopping Center Plat (99-64), Section 5 of Township 56 S, Range 40 E, according to the plat thereof, as recorded in Plat Book 99, Page 64, of the public records of Miami-Dade County, Florida.

Site and Surrounding Area Data

<u>Land Use Designation:</u>	Mixed Use
<u>Zoning District:</u>	TRC (Transit Corridor)
<u>Property Boundaries:</u>	North: South Dixie Highway South: Marlin Road East: South Dixie Highway West: Belview Drive
<u>Size of Property:</u>	13.12 +/- Gross Acres (per application)
<u>Property(s) Description/Existing Conditions:</u>	Existing shopping center to remain
<u>Surrounding Growth Management Plan Future Land Use Designation(s):</u>	North: Mixed Use South: Mixed Use and Low Density East: Mixed Use West: Mixed Use
<u>Surrounding Zoning:</u>	North: TRC South: TRC, NR and MR-9 East: TRC

	West: TRC
<u>Surrounding Existing Land Use(s):</u>	North: Retail South: Retail and Residential East: Institutional West: Commercial/Retail

RECOMMENDATION

Staff recommends **Approval** of Variance Request V-2016-017 and **Approval** of Variance Requests V-2016-018 for “Burlington” located at 19191 South Dixie Highway, the northeast corner of the intersection of South Dixie Highway and Marlin Road.

The Applicant is requesting a total of two variances concerning sign size. The larger of the two signs fronts South Dixie Highway, the smaller is a wall sign facing Marlin Road. The Variances were reviewed pursuant to Sec. 3-36 Variance B. Approval Standards. Each Variance is a separate application.

STAFF ANALYSIS

The Applicant (Burlington Coat Factory) proposes to re-use an existing building in an existing shopping center as a new tenant. This proposed re-use will be comprised of remodeling an existing store which includes new signage.

Staff met with the Applicant in order to refine the proposed signage and address the Variance requests. Plans on file and reviewed include:

Renderings

Sign Rendering – Proposed Primary Sign Elevation Rendering, Sign Type “A”, Sheet 1 – Dated 9/14/16

Sign Rendering – Proposes Sign Elevation, Sign Type “B”, Sheet 3 – Dated 7/18/16

Sign Rendering – 40” Illuminated Channel Letters, Sign Type “B”, Sheet 4– Dated 7/18/16

Survey

Boundary and Topographical Survey – Point Royale Shopping Center – Dated 9/24/12

Site Plan

Site plan and Vicinity Map – Dated 7/18/16

Land Development Regulations

The following Sections of the Town of Cutler Bay Land Development Regulations were reviewed and form the basis of Staff’s recommendations:

Section 3-36 B. establishes approval standards for the review and approval of variances;

Section 3-114 Permanent Signs (B) Non-residential uses for sign standards;

Staff also bases the recommendations above on the unique circumstances of the existing building and its location at the rear of a shopping center. While the shopping center is located on a major thoroughfare with high visibility from the street, the location of this establishment is such that it is partially blocked from view by other outparcel businesses. Staff has reviewed Section 3-114 Permanent Signs (B) Non-residential uses for sign standards states the following:

Ground floor wall sign size shall be limited on the distance between the building and public right-of-way which the building fronts:

- *0 to 20 ft.: 20 SF max sign area*
- *21 to 300 ft.: 40 SF max sign area*
- *301 ft. and greater: 60 SF max sign area*

The existing building which fronts South Dixie Highway is setback 360 ft. from the right-of-way. The code requires a sign no greater than 60 SF. The applicant is requesting an increase in total permissible wall sign area to allow 179 SF on the South Dixie Highway façade. The existing building is in a unique location when compared to other commercial development along South Dixie Highway. When looking at the average setback from the right-of-way, the typical commercial use is setback 80 feet from the road with little more than one row of parking in front. Located at the rear of the shopping center on a lot that is one of the deepest in this area, the frontage of the Burlington store is visually blocked by outparcel retail. This was not previously the case with the previous tenant due to the fact that the outparcel retail (TD Bank, Starbucks and Chipotle) are recently built. While the site of TD Bank was previously occupied by a service station, it was a much smaller building than the current use.

For corner lots, the sign standards state the following:

An additional ground floor wall sign permitted for a corner or through store establishment shall be limited to 50% of the square footage of a primary sign allowed

The existing parcel is located on the corner of South Dixie Highway and Marlin Road, the code allows for a second wall sign at this location, but it is limited to a maximum sign area of 30 SF. The applicant is requesting an increase in total permissible wall sign area to allow 88 SF on the Marlin Road side of the building. The proposed size of the second wall sign is proportionate in size to the requested façade wall sign.

VARIANCE APPROVAL EVALUATION CRITERIA

In evaluating an approval of the Variance applications under the Town's Land Development Regulations, the following evaluation criteria are to apply.

Section 3-36 of the Land Development Code outlines the following Variance Approval standards. An explanation of how this project will meet each standard has been provided.

- 1. The variance will result in conditions that maintain and are consistent in all material respects with the intent and purpose of these Regulations, and that the general welfare, stability and appearance of the community will be protected and maintained.**

The two variance requests are to allow the two wall signs to be 179 SF fronting South Dixie Highway and 88 SF fronting Marlin Road where in both cases the maximum permitted by code is less. Visually and due to the newly constructed outparcels constricting the views, the signs would lose visibility if limited to code requirements. In this case the general welfare, stability and appearance of the community will be protected and maintained.

- 2. The variance will be compatible with the surrounding land uses, and otherwise consistent with these Regulations and the Comprehensive Plan, and will not be detrimental to the community.**

The two variance requests are to allow the two wall signs to be 179 SF fronting South Dixie Highway and 88 SF fronting Marlin Road where in both cases the maximum permitted by code is less. Visually and due to the newly constructed outparcels constricting the views, the signs would lose visibility if limited to code requirements. The proposed wall signs are proportionate to the building façade and scale. In this case the request is consistent with the Town's Land Development Regulations and Comprehensive Plan and will not be detrimental to the community.

- 3. That the request for a variance is not based on an economic disadvantage to the owner or occupant of the property upon which the variance is sought.**

These requests are based on visibility and not economic disadvantage.

CONDITIONS

The wall signs shall be constructed consistent with requirements set forth by the Building Department or other local agencies.

Attachments:

- Attachment "A" – Variance Request