



DEVELOPMENT SERVICES

David L. Recor, ICMA-CM, Development Services Director
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February 16, 2022

Zoning Letter Number: 20-02000046

Gunster, Yoakley, & Stewart, P.A.
Attorneys at Law
Attn: Heidi Davis Knapik
Email: HDavis@gunster.com

Re: Waiver Request - Loading Area Dimensional Standards and Screening Standards
790 – 820 SW 12 Ave / Folio numbers: [494202000510](#); [494202030850](#); [494202030840](#)
Site Plan PZ #: 21-12000026

Ms. Davis Knapik,

The City of Pompano Beach Development Services Department has received your letter dated January 18, 2022, which requests a waiver of the requirements from two Code Sections: 1) §155.5102.M.2: Dimensional Standards for Loading Areas and 2) §155.5301.B, Screening of Off-Street Loading and Service Areas.

Request # 1

Code section §155.5102.M.2: Dimensional Standards for Loading Areas requires loading areas to be 12' in width and 55' in depth. The applicant is proposing two internal loading areas that are 11' in width and 35' in depth. This code section allows for the Development Services Director to "require a larger loading berth or allow a smaller loading berth on determining that the characteristics of the particular development warrant such increase or reduction and the general standard is met." The applicant's narrative states that these smaller loading areas are used to accommodate smaller vehicles such as cars, vans, box trucks and U-Haul trucks, opposed to the large semi-trucks used for warehouse distribution. These loading areas will be used as the customer loading area for the self-storage facility.

With the provided justification, staff finds the request reasonable to approve a waiver of the above mentioned Code requirement. Conclusively, the request for relief and deviation from Code section §155.5102.M.2: Dimensional Standards for Loading Areas is hereby **GRANTED**.

Request # 2

Code section §155.5301.B Screening of Off-Street Loading and Service Areas requires "exterior off-street loading and service areas shall be screened from view from adjacent streets and properties by durable, sight-obscuring walls, fences, and/or dense continuous hedges that are at least six feet in height. Points of vehicular access into or from the loading or service area need not be screened, provided they are located and designed to minimize direct views into the service or loading area from adjacent streets and properties". This Code section allows for the Development Services Director to waive all or part of the standards in this subsection, 155.5301.B., if it is demonstrated that the implementation of the standards results in a conflict with the city's adopted CPTED guidelines.

The subject property is located on the corner of SW 12th Avenue (AKA: S Andrews Ave) and SW 8th Street. The applicant is requesting not to provide any screening from SW 8th Street of the proposed loading area that is located between the existing building and the proposed building. This loading area is screened from view of public right-of-way to the west (SW 12 Avenue) by the existing building. The applicant's narrative states that the proposed landscaping surrounding this entrance minimizes the views of this loading area from SW 8th Street. Additionally, if the Applicant were to install any fencing along the northern property line it would be a cause of security concern.

\\cityname\apps\Zoning 2009\Site Plans\2021\21-12000026 - Uhaul South Pompano - Self Storage\Relief Request>Loading Dimensional and CPTED
Relief.docx

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Given the justification provided, staff finds the request reasonable to approve a waiver of the above mentioned Code requirement. Conclusively, the request for relief and deviation from Code section §155.5301.B Screening of Off-Street Loading and Service Areas is hereby **GRANTED, subject to the following condition:**

1. If the building fronting on SW 12th Avenue, which serves as the screening of this loading area from the west, is demolished in the future the screening of the loading dock must be addressed.

The following information has been attached to this letter: the narrative provided by the applicant (Exhibit 'A') and the site plan (Exhibit 'B').

Note that any party aggrieved by a final decision by the Development Services Director may appeal the decision within 30 days of the date of the decision or interpretation to the appellate board responsible for reviewing such appeals (Zoning Board of Appeals), as set forth in Section 155.2424C, Appeals Procedure. If you need further assistance, please contact our office at (954)786-4679.

Yours truly,
THE CITY OF POMPANO BEACH



David L. Recor, ICMA-CM
Development Services Director

Attachments

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PZ21-12000026
5/25/2022

February 15, 2022

VIA E-MAIL

Ms. Lauren Gratzner
Planner
City of Pompano Beach
100 W. Atlantic Blvd
Pompano Beach, FL 33060

RE: U-Haul Co. of Florida - Property located at 780 NW 12th Avenue, Pompano Beach, Florida (the "Property") – Loading Area Screening and Loading Berth Dimensions

Dear Lauren:

U-Haul Co. of Florida (the "Applicant") submitted its site plan application to the City of Pompano Beach's Development Review Committee ("DRC") and is in the process of addressing each of the DRC comments. This letter addresses two DRC Zoning comments and provides justification as to why the comments cannot be satisfied as follows:

1. Comment #15, requiring the Applicant to screen the off-street loading and service area (the "Loading Area") pursuant to Zoning Code Section 155.5301.B.
2. Comment #12, requiring commercial uses between 75,000 square feet and 120,000 square feet to have at least three (3) loading berths that are at least 12 feet wide and 55 feet long.

1. Loading Area Screening.

Section 155.5301.B, requires an off-street loading and service area be screened, unless the loading area is designed to *minimize* direct views into the loading area from adjacent streets. Additionally, exterior off-street loading and service areas with points of vehicular access into or from the loading or service area also need not be screened, provided they are located and designed to *minimize* direct views into the service or loading area from adjacent streets and properties. Furthermore, the screening requirement may be waived if it results in a conflict with the City's adopted CPTED guidelines. Applicant hereby requests that the Loading Area screening requirement be waived and no variance be required, due to the fact that the Loading Area is located and designed to minimize direct views into the Loading Area from adjacent streets and properties, and that any screen would be in direct conflict with the City's adopted CPTED guidelines as further described below.

The Property is located at the corner of NW 12th Avenue and NW 8th Street. NW 12th Avenue is a primary arterial roadway, while NW 8th Street is a minor street which services only a

few industrial type businesses. The Applicant's proposed Loading Area, which is located between two buildings, oriented to the rear (south) of the Property, and generously setback from the rights-of-way, has been designed to minimize direct views into the Loading Area from adjacent streets and properties.

The Property's proposed Loading Area is completely screened from NW 12th Avenue by the proposed existing and proposed structures and will have no visual impact on the roadway. NW 8th Street is U-Haul's vehicular access to the Loading Area. The Loading Area is set back over 99 feet from the Property line and over 116 feet from the edge of payment of SW 8th Street. This large setback from and rear orientation of the Loading Area reduces the visibility from adjacent streets or properties.

Pursuant to Section 155.5301.B.2, the Applicant's service area with points of vehicular access into or from the Loading Area do not require screening, because the Loading Area has been located and designed to minimize direct views into the Loading Area from the adjacent street and properties, as shown on **Exhibit A** and as set forth below:

- a. The location of the existing office building, proposed self-storage building, street trees and parking lot landscaping screen the Loading Area from various angles along SW 8th Street, therefore minimizing views of the Loading Area from the adjacent street, which is generously setback almost 100 feet from the Loading Area. The buildings on either side of the Loading Area as well as the large Live Oak trees shown on the landscape plan at the point of access along SW 8th Street, as well as adjacent to the Loading Area, provide a natural screening that minimizes visibility into the Loading Area. Additionally, street trees including large shade and flowering trees have been placed along the SW 8th Street corridor adjacent to the Property, further screening the access point and Loading Area.
- b. Pursuant to Section 155.5301.B.4, the standards for screening would result in a conflict with the City's adopted CPTED guidelines. Based on the proposed development, the only way to comply with screening the Loading Area at the point of vehicular access would be to install a gate in front of the Loading Area, which creates CPTED conflicts as follows:
 - The gate would conflict with the standards for Natural Surveillance by creating an opaque barrier between the Loading Area and the parking lot area and driveway. The opaque gate would also provide a possible "blind spot" or concealment area for criminals and vagrants.
 - The Property has been carefully designed to create active spaces and areas around the development to allow for better visibility at access points and building entrances. The Loading Area is an activity support area which if completely screened would impede a natural surveillance system.

Based on the foregoing, the Applicant is requesting that no additional screening be required for the Loading Area due to the fact that the Loading Area is already being adequately screened

by the location and design which minimizes direct views into the Loading Area. Additionally, any gate or fence required in the Loading Area will be in direct conflict with the City's CPTED guidelines.

2. Loading Berth Dimensions.

Pursuant to Sec. 155.5102.M.2 of the Zoning Code commercial uses between 75,000 square feet and 120,000 square feet are required to have at least three (3) loading berths, which are at least 12 feet wide by 55 feet long. The provision continues by stating the Development Services Director may allow a smaller loading berth if the characteristics of the development warrant such a reduction and the general standard is met.

The Applicant's proposed self-storage / warehouse project is 91,959 square feet and is providing four (4) loading berths, more than what is required by Code. The Property will contain two large loading berths each which are 12 feet wide by 60 feet long and satisfy the dimensional Code requirements. These large berths will accommodate large moving semi-trucks. Additionally, based on the Applicant's experience with self-storage facilities around the country, it is typical of this type of self-storage business to not only have large berths, but to have smaller berths to accommodate smaller vehicles (cars, vans, box trucks, U-Haul trucks). The Property is proposing to have two additional loading berths that are 11 feet wide by 35 feet long and meet the Applicant's standards for customers loading/unloading from the self-storage area. This loading area will be interior to the building on the east side of the Property and these smaller berths will allow patrons and guests to easily access the elevators and storage bins under the building to assist with moving.

Based on the foregoing and pursuant to Sec. 155.5102M.2, the Applicant hereby requests that the Development Services Director allow the two (2) smaller 11 feet wide by 35 feet long loading berths, as the characteristics of the development warrant the reduction and all other standards have been met.

If you have any questions regarding the foregoing, please do not hesitate to contact me at 954-468-1391.

Sincerely,

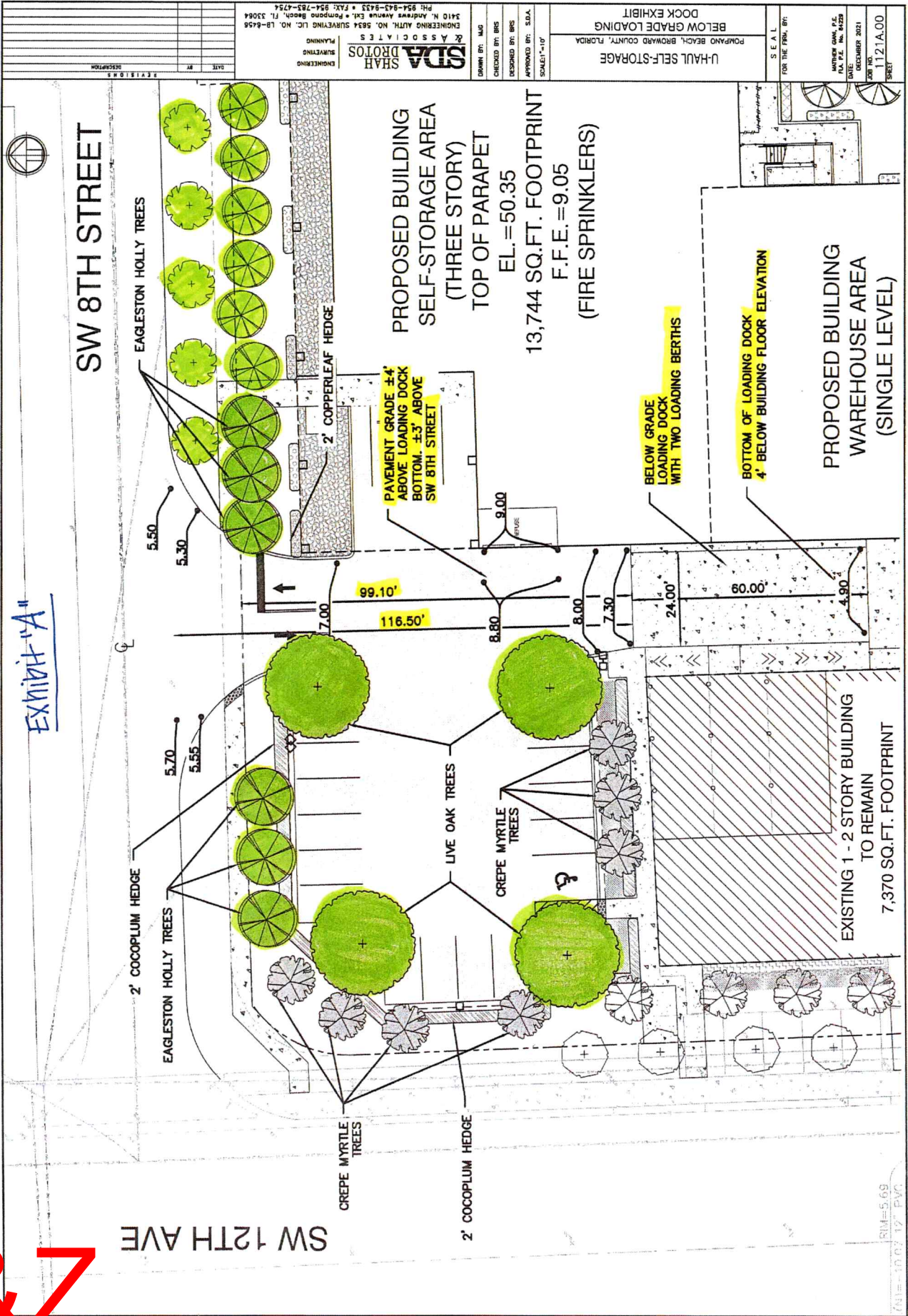
/s/ Heidi Davis Knapik

Heidi Davis Knapik

Enclosure

cc: Jennifer Gomez
Matt Giani
Mario Martinez
Davina Bean

Exhibit "A"



P&Z

