



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:		1 st Reading	2 nd Reading
8/20/2024	25-311	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Other	Ordinance Reading	N/A	N/A
			Public Hearing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Advertising Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Quasi-Judicial:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:		
N/A	N/A	N/A	N/A		
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Vanessa Leroy	Sustainable Development		
Strategic Plan Focus Areas:					
<input type="checkbox"/> Fiscal Stability	<input type="checkbox"/> Resident Services	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Infrastructure & Mobility	<input checked="" type="checkbox"/> Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: 8/20/2025			Estimated End Date: 8/20/2025		

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, CONSIDERING APPLICATION # CU-25-03650 BY 525 W. PEMBROKE ROAD LLC, FOR CONDITIONAL USE APPROVAL AND APPLICATION V-25-03651 REQUESTING A VARIANCE TO PERMIT THE PROPOSED CAR WASH USE IN THE WEST REGIONAL ACTIVITY CENTER / PEMBROKE ROAD SUBDISTRICT; AND PROVIDING AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

525 W. Pembroke Road LLC is requesting Conditional Use approval and a Variance to build the M Car Wash project consisting of 3,882 square feet of commercial space at the property located at 525 W. Pembroke Road.

The applications filed with the City are as follows:

1. Application # CU-25-03650 for Conditional Use approval pursuant to Section 32-32-160.b of the City Land Development Code (the "Code") to permit the proposed car wash use in the West Regional Activity Center /Pembroke Road Subdistrict.
2. Application V-25-03651 requesting a Variance from the following provision:
Code Section 32-160, Table 32-160(a) requires that service stations/auto-related businesses shall have a 1,500-foot separation from other auto-related uses.

Staff recommends that the City Commission consider the proposed Resolution.

Background:

On July 15, 2025, the Planning and Zoning Board heard the Conditional and Variance applications. The applicant agreed to operate the business from 8:00 am to 8:00 pm. The Board recommended approval of the applications by a vote of 4 to 0, subject to staff's conditions of approval. The Planning and Zoning Cover Memo and Minutes of the Meeting are attached as Exhibits 2 and 3.

Current Situation:

The applicant is seeking to develop the property with a drive-through car wash on the site and has been going through the site plan review process since November 2022, addressing both FDOT and staff comments. During the review of the application, the City's Zoning regulations for the West RAC/Pembroke Road subdistrict were amended, thereby requiring a Conditional Use application and a distance separation requirement of 1,500 feet to other auto-related uses, including car washes. Consequently, the owner filed the subject applications to continue forward with the proposed development.

The subject property is currently vacant. The applicant's request to construct the proposed car wash has undergone extensive review through the minor development review process. However, section 32-205 states that conditional use and variance requests in the RAC shall be considered by the Planning and Zoning Board and approved by the City Commission. The applicant worked extensively with Staff to eliminate or decrease identified variances. After several revisions, the applicant was able to reduce the requested variance to the minimum necessary.

There are two (2) auto-related establishments in the City of Hallandale Beach located within 1,500 feet of the subject site:

1. Orion Fuel Station, 10011 NW 8th Avenue - 1,398 feet from the subject property.
2. J&J Discount Tire, 621 Pembroke Road - 238 feet from the subject property.

Related Actions

The applicant has also filed application # DB-22-06150 for Minor Development Review approval.

As part of the review of the Minor Development application, staff conducted a concurrency evaluation of the project relative to its impact on water, sewer, solid waste, drainage, schools, transportation, and traffic. Staff has determined that concurrency requirements have been met. A Traffic Study was conducted as required by the City's Comprehensive

Plan Transportation Element for projects generating 100 daily trips or more. The City's traffic consultant's report is attached for informational purposes.

Development Details

The applicant's plans and backup depict the following:

- Site Area:
The subject property consists of approximately 41,003 square feet (0.941 acre), encompassing Lots 7 through 13, Block 1 of the Lincoln Park Subdivision, located at the southwest corner of Pembroke Road and NW 6th Avenue. After the required right-of-way dedication along Pembroke Road, the net site area will be approximately 40,040 square feet (0.919 acre).
- Proposed Development:
The applicant proposes a two-story commercial car wash, totaling 3,867 square feet.
- Parking:
The project provides a total of 5 parking spaces, meeting the minimum requirement. Additionally, 14 vacuum parking spaces are provided, with vacuums connected via overhead arches.
- Bicycle Facilities:
The proposed principal building includes a bike room, and 2 short-term bicycle parking spaces are provided on-site.
- Screening and Buffering:
An 8-foot-high masonry wall is proposed along the south property line, as required where commercial uses abut residentially zoned properties.
- Landscaping:
The project proposes 23.01% landscaping coverage, exceeding the minimum 10% requirement.
- Tree Requirements:
40 trees for credit are proposed on-site (27 trees required).
5 off-site trees (Silver Buttonwood species) are also proposed.

Comprehensive Plan Considerations

The property is designated Regional Activity Center on the City's Future Land Use Map. The proposed commercial use is permitted under the land use category. The proposed development will assist in furthering the following goals, objectives, and policies of the City's Comprehensive Plan, detailed in the Planning and Zoning Cover Memo incorporated herein by reference.

Applicable Codes and Ordinances

1. The proposed commercial building consists of 3,882 square feet of commercial space and requires conditional use approval based on the present zoning of the property, West RAC Zoning District/Pembroke Road Subdistrict.
2. The proposed car wash/auto-related use is permitted when located 1,500 linear feet from another auto-related use. The applicant's distance survey has identified 2 auto

uses within the specified separation: Orion Fuel Station located at 1101 NW 8th Avenue (1,398 feet), and J&J Tires (238 feet). As a result, the applicant also seeks a variance from this requirement.

3. Pursuant to Section 32-455 and the City's Administrative Parking Document, 5 spaces are required for the use and 5 spaces are provided. In addition, 14 parking spaces reserved for vacuuming the vehicles are provided.

Conditional Use Review Criteria

Pursuant to Section 32-964, applications for conditional uses shall be reviewed with consideration given to the following:

1. That the use is compatible with the existing natural environment and other properties within the neighborhood.

The intent of the West RAC District is to provide neighborhood-scale uses that can occur without sacrificing the character of the surrounding neighborhood. The proposed use, while being closer than the required separation in the Code, would offer a compatible and convenient service to the neighborhood.

2. That the use will create no substantial detrimental effects on property values in the neighborhood.

The use would not create a substantial detrimental effect on property values. Rather, the proposed use would provide for a service that would be convenient to surrounding residents and the community. The intent of the West RAC District is to facilitate the development of projects that are well-planned, suitable, and appropriate developments along the Pembroke Road corridor.

3. That there are adequate public facilities such as schools, roads, parks and utilities within the service areas involved.

The proposed commercial use will have no adverse impacts on public facilities. As part of staff's review of the Minor Development application for the project, it has been determined that adequate facilities exist within the service areas involved.

4. That there will be adequate provisions for the traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

The proposed redevelopment of the site entails the installation of sidewalks and adequate means of ingress and egress for proper circulation internal and external to the site.

5. That there will be adequate drainage systems to service the use with particular attention to the necessity for on-site retention systems to alleviate drainage and pollution problems.

The proposed redevelopment will provide adequate on-site retention and filtration. In addition, according to the applicant, the project incorporates a water

reclamation system that will recycle water utilized in the operation.

6. There are adequate setbacks, buffering and general amenities in order to control any adverse effects of noise, light, dust and other nuisances.

The proposed development is designed with the required setbacks for structures in the Pembroke Road subdistrict. It also provides for adequate buffering to neighboring properties, consisting of screen walls and extensive landscaping.

7. That the land area is sufficient, appropriate and adequate for the use and for any reasonably anticipated expansion of the use.

The land area is sufficient for the proposed Project as the project has been designed in accordance with the established criteria of the Code. Any proposed expansion would need to be reviewed under the Land Development Code to ensure adequate land area for increased footprint or building expansion.

8. Any other conditions as may be stipulated and made a requirement in granting any application for a conditional use, when it is considered necessary to further the intent and general welfare, including, but not limited to:
 - a. Limitations on the hours of business operations.
 - b. Limitations on the number of occupants of any building at any one time.

It is recommended that the business hours be limited to 10 PM.

Variance Criteria

Pursuant to Section 32-965, In order to authorize any variances to the terms of this chapter, it must be found that:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not generally applicable to other lands, structures, or buildings in the same zoning district.

The applicant acquired the property prior to the adoption of the current zoning regulations requiring a 1,500-foot separation between auto-related uses within the Pembroke Road subdistrict. While there are 2 existing auto-related businesses within the specified Code separation distance, this situation does not constitute a unique condition not applicable to other properties. Zoning Code standards are subject to change as they are designed to evolve in response to shifting needs, priorities and standards of the community.

2. The special conditions and circumstances do not result from the actions of the applicant.

Special conditions and circumstances do not result from the actions of the Applicant. Although the property was purchased by the applicant prior to the present 1,500 foot separation requirement between auto-related uses established prior to the current code criteria, the City's Code of Ordinances Code may change over time as the community needs and standards evolve. There is no guarantee

that code standards will remain unchanged in the future as the needs and planning of the community develop.

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same district.

Although the applicant's plans comply with the City's zoning design criteria for both the land and proposed structure, the variance requested is based solely on the proximity of existing auto-related uses that were established prior to the current 1,500-foot separation requirement. This condition is not unique to the subject property. As such, granting the variance may confer a special privilege that is not afforded to other properties subject to the same standard.

4. Literal interpretation of the provisions of this chapter would deprive the applicant of the rights commonly enjoyed by the properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardships on the applicant.

The proposed car wash is permitted by a conditional use permit, subject to the code-specified distance separation. All auto-related uses are subject to the distance separation specified by the Code.

5. The variance granted is the minimum variance that will make possible reasonable use of the land, building or structure.

The applicant has requested the minimum variance needed to make reasonable use of the subject property to align with their needs. The applicant explored multiple iterations of the proposed site plan to eliminate variances that resulted from FDOT's denial of access to the project from Pembroke Road.

6. The grant of the variance will be in harmony with the general intent and purpose of this chapter.

The granting of the variance will be in harmony with the general intent and purpose of this chapter. The Pembroke Road Subdistrict allows for a mix of uses along one of the City's main east-west corridors. The two auto-related establishments within the specified separation distance differ in nature and function from the applicant's proposed use. Also, the intent of the subdistrict is to promote well-designed commercial and mixed-use developments along the Corridor. The applicant's proposal complies with the applicable site design criteria set forth in the Code.

7. Such variance will not be injurious to the area involved or otherwise detrimental to the public welfare

The proposed variance will not be injurious to the area involved or otherwise detrimental to public welfare.

Why Action is Necessary

The proposal is requesting a Conditional Use Permit and a variance. Pursuant to Section 32-160, Section 32-964, and 32-965 of the Zoning and Land Development Code, City

Commission consideration and action are required for applications requesting conditional use or variances.

Cost Benefit:

There is no cost to the City associated with the request.

PROPOSED ACTION:

Variance Application:

While staff finds that the request does not meet all criteria, the applicant has made a significant effort to comply with the site development standards for properties within the Pembroke Road Subdistrict and eliminated the need for variances previously identified by staff.

The requested variance is limited to the distance requirement between auto-related businesses as specified in the Code – a fueling station 1,398 feet away and a tire shop within 238 feet- these existing uses are of a different nature and function than the proposed car wash center.

Staff recommends that the City Commission consider the requested variance.

Conditional Use Application

The Code permits auto-related uses in the Pembroke Road subdistrict by a conditional permit. The proposal includes the required masonry fence to screen the use from adjacent properties supplemented with extensive landscaping to screen the use from the residential properties to the south. Due to the proximity to nearby residential uses, the nature of the business, in staff's opinion, the hours of operation should be limited.

Staff suggest approval of the Conditional Use Permit be subject to the following conditions:

1. The Applicant shall execute a Unity of Title covenant tying the subject lots prior to the issuance of the building permit for the development.
2. The business shall not operate in the evening hours later than 10:00 PM.
3. The applicant shall maintain compliance with all approval requirements of the City and other approving regulatory entities.

ATTACHMENT(S):

Exhibit 1 – Resolution

Exhibit 2 – July 15, 2025, Planning and Zoning Board Cover Memo

Exhibit 3 – July 15, 2025, Planning and Zoning Board Minutes

Exhibit 4 – Aerial & Zoning Map

Exhibit 5 – Applicant's Letters and Backup

Exhibit 6 – City Traffic Consultant Report
Exhibit 7 – Presentation

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