

Opposition to Rezoning Which Would  
Allow Convention Plaza District  
Development Standards on Lot 1 of the  
Existing Five Lot Hollywood Plaza  
Commercial Center.

Case No. LUP-14-10-310

## §30-38. – Purposes and Procedures in zoning of lands.

(a) The purpose of zoning is to accomplish “coordinated, adjusted, and harmonious development in accordance with existing and future needs, and to protect, promote, and improve public health, safety, comfort, order, convenience, morals, prosperity and general welfare... .”

## §30-40. – Supplementing, amending the zoning districts and zoning resolution.

- (b) “In considering any (proposed rezoning) the board of county commissioners shall take into consideration
- the development of the area,
  - the existing and anticipated needs,
  - the existing and proposed improvements in the area, and
  - the relationship between the present and proposed zoning classification . . . .”

## §30-40. – Supplementing, amending the zoning districts and zoning resolution.

- (b) “... . Changes shall be made ... with the view to conserving the value of the property in the area and encouraging the most appropriate use of land throughout the area.”
- (c)(2)f. “The past trends and present conditions with respect to population, property values, economic base, and land use of the surrounding area shall be weighed in relation to the amount, direction and kind of development proposed by the application.”

# Is the proposed rezoning coordinated and harmonious?

Property is part of an existing, master-planned, 5 lot commercial subdivision.

This lot is subject to easements and burdens in favor of the other 4 lots.

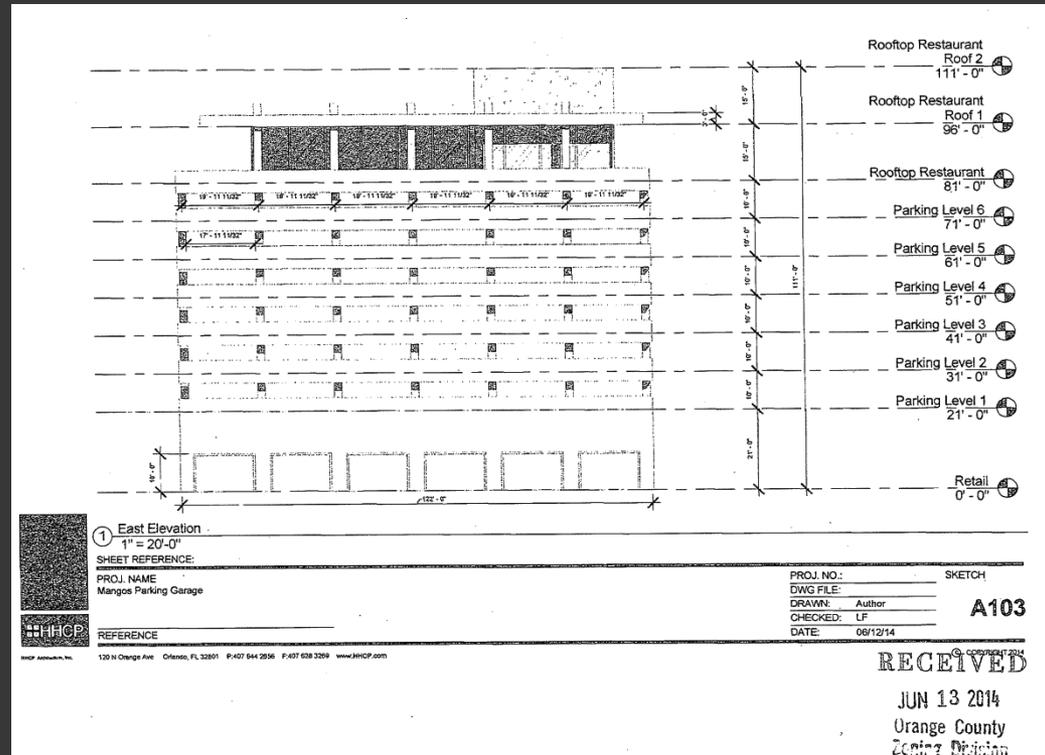
***“Historically, PD’s cannot support other properties that are not located within the PD and vice versa.”***

*(Source: Zoning Division comments submitted for 11-19-14 DRC meeting.)*

Litigation is pending to determine if the proposed garage, as well as the previously approved Mango’s nightclub, is consistent with the lawfully imposed Hollywood Plaza CC&Rs.

Litigation will also decide who legally controls the Hollywood Plaza Property Owners’ Association.

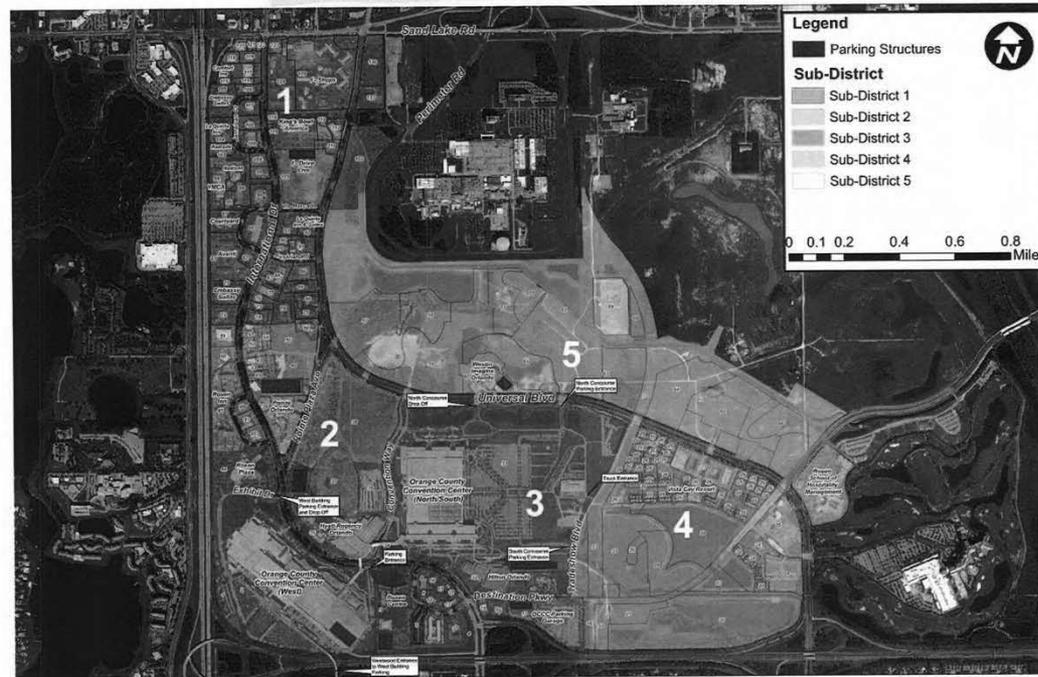
If allowed, the garage will be hugely out of proportion with existing structures.



# Is the proposed rezoning consistent with existing needs?

- Is there an existing need for a 115 foot high, 600+ space parking garage?
- The property meets all parking requirements without rezoning.  
*(source: staff report from prior variance application VA-14-09-045. “The proposed use of retail and restaurant in the parking garage, in addition to the existing uses in the shopping plaza, meet the County parking standards. Based on calculations provided by the applicant, Hollywood Plaza will have an excess of 509 parking spaces after the (proposed 115’ high, 600 space) parking garage is built.”)*
- Clearly there is no need for a 600+ space garage in Hollywood Plaza, but won’t it help solve the I-Drive parking problem?
- That’s the **\$69,970 question** – literally.
- Last year the BCC spent \$69,970 on a parking study and directed that, “[t]he analysis shall be conducted with the goals of optimizing the fiscal and functional performance of existing parking and promoting the ‘**park once**’ philosophy of being able to park one time and have convenient access to multiple venues along I-Drive.”

Figure 3: Study Area Subdistricts and Parking Structures



- Delivered in December, 2014, the study report states that the “combined demand (in subdistrict 1) is 5,932 spaces and occurs at 10:00 P.M. The practical parking supply for the land uses is 6,525 spaces and the existing supply is about 8,230 spaces.” p.28
- “parking supply is not a problem at the subdistrict (1) level in the study area for the study land uses.” p.29 Emphasis original.

# Is the proposed rezoning consistent with future needs?

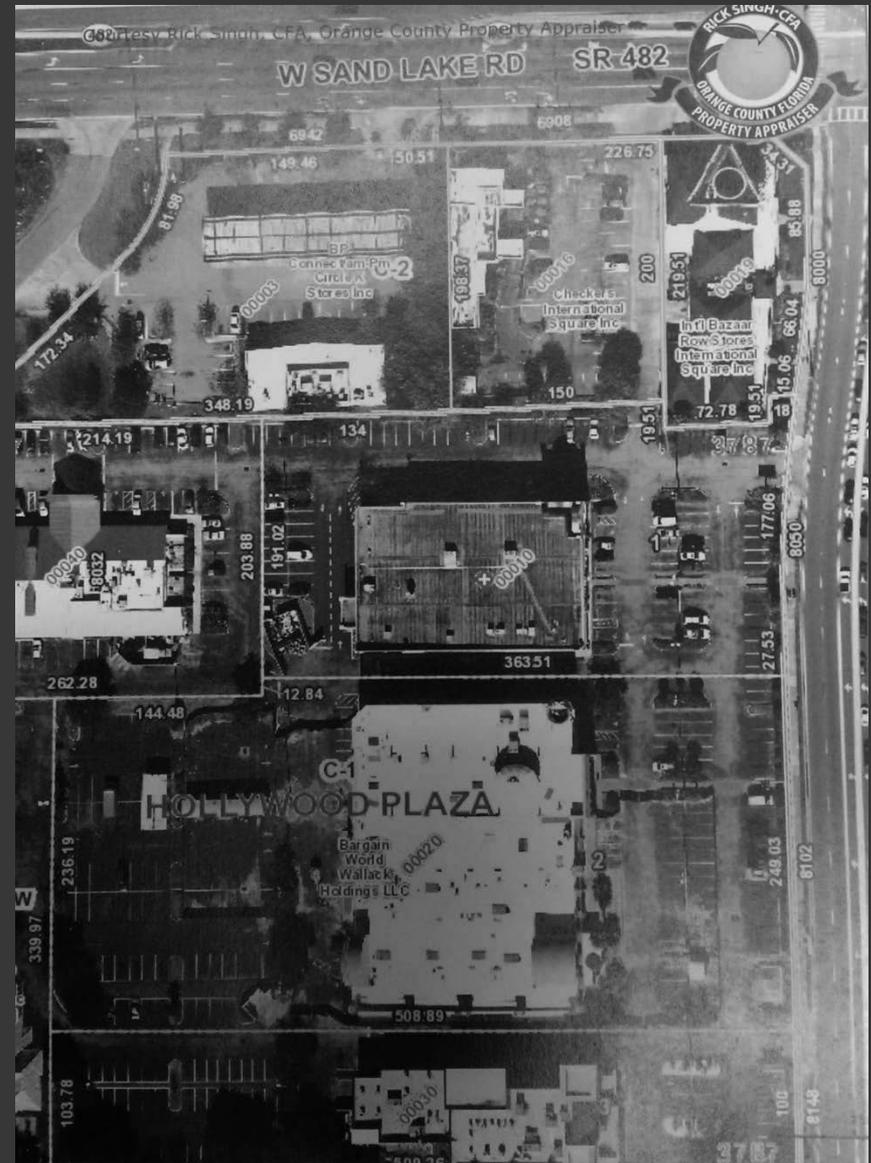
- No shortage of parking in subdistricts 1, 3, 4 or 5. pp. 28-32
- Redevelopment projects in the area, such as Wyndham Resort & Shops (a/k/a I-Shops), are providing their own large parking garages set well back from I-Drive and with multiple direct access points onto public roads.
- The only parking problem that needs to be solved to facilitate future functioning of I-Drive as envisioned by the County is located about a mile south of the applicant's property and is caused by a number of restaurants, such as Senor Frog's and Denny's, operating without adequate parking.
- Consistent with the BCC's stated objectives, the recommended solution is to have employees park in an existing, underutilized, county garage on Destination Parkway and provide a shuttle service. p. 31
- With appropriate signage this would work for visitors as well.
- A more expensive alternative would be to build a second garage in subdistrict 2 or in subdistrict 1, p.31, presumably close to the problem area.

# Does the proposed rezoning protect and promote public safety?

Proposed Land Use Plan shows only one access point onto a public road, I-Drive, approx. 200 feet south of the busy Sand Lake / I-Drive intersection.

Private egress to north dumps out on Sand Lake Road, right out only, approximately 90 feet west of that intersection.

Other private egress runs through the other Hollywood Plaza lots, conflicting with pedestrians and surface parked vehicles to get to frontage road that takes drivers to Sand Lake Road, right out only.



# **Does the proposed rezoning protect and promote economic prosperity?**

- Litigation is scheduled to go to trial in April.
- If Golden Corral is successful anything approved today may have to be removed.
- Are Convention Plaza District standards even appropriate for this area?
- BCC is studying that issue.
- Does it make economic sense to approve something that may prove to be inconsistent with the CC&Rs, inconsistent with the County's ultimate vision for the area, and inconsistent with the existing parking study?

# **Is a 115 foot high, 600+ space parking garage the most appropriate use of the property?**

- It's over 500% larger than required.
- 600 spaces – 509 surplus = 91 spaces actually required.
- 91 spaces plus retail and restaurant can fit in smaller building consistent with existing C-1 standards.
- No safe and convenient egress from garage.
- Cars will exit through other parcels in Hollywood Plaza.
- Patrons will fill in free surface spaces before paying to park in garage, driving away Golden Corral customers.

# THE FINAL QUESTION

- Does an admittedly oversized and unneeded garage with limited restaurant and retail uses outweigh the property values, economic base and land use rights established over almost two decades by the other property owners in Hollywood Plaza?
- If the answer is “no,” you should not rezone.
- If the answer is “maybe,” then the applicant hasn’t met his burden of showing the proposed zoning meets the code criteria and you should deny, or at the very least, defer the application.