



Legislation Text

File #: ORD 2022-015, Version: 1

AGENDA ITEM REPORT

TITLE:

AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY PLAYER ONE GAMING, LLC, TO PERMIT AN INDOOR ONLY AMUSEMENT CENTER, LOCATED AT 1447 LYONS ROAD, WITHIN LYONS PLAZA, LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART OF HEREOF. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

BACKGROUND:

This item was approved on First Reading at the August 25, 2022, City Commission Meeting by a vote of 3-1. The City Commission brought up various discussion points and questions for the applicant during the public hearing relating to: hours limiting alcohol sales; supervision and monitoring of minors on-site; City of Coconut Creek police officer detail on-site during City-permitted Special Events; separating the area on the floor plan where alcohol will be consumed on-site.

In some instances, the City Commission directed City staff to develop conditions of approval relating to these issues. The additional conditions, recommended by City staff, have been added to Section 3 of the draft ordinance and below in staff's recommendation for the City Commission's consideration and adoption on second reading.

The applicant, Joseph M. Hanley of Player One Gaming, LLC, on behalf of the shopping center property owner Lyons Plaza Coconut Creek, LLC, is requesting a Special Land Use to permit an indoor only amusement center located at 1447 Lyons Road, within Lyons Plaza.

Coconut Creek Plaza (CCK Plaza), located along Coconut Creek Parkway adjacent to Lyons Plaza, is currently home to two (2) existing indoor amusement centers, "Off The Wall" and "Escape Rooms Florida," which provide active indoor amusement activities. Also within Lyons Plaza are the Goldcoast Ballroom, personal service, retail, medical, and other commercial businesses.

DISCUSSION:

The proposed establishment, to be called "Gamers Heaven," will have approximately 9,824 square feet dedicated to indoor amusement, including computer "game" stations, conference rooms, stage area, and café with lounge seating among other active and passive spaces. Gaming activities will be conducted solely indoors with scheduled special or promotional events, as permitted, processed through the City's Promotional Activity permit process.

The applicant is proposing to include an indoor café, offering snacks for sale and offering beer and perhaps wine to patrons over the age of twenty-one (21). The applicant proposes facility hours of operation from 11:00 a.m. to 2:00 a.m. from Tuesday through Sunday, with times subject to change depending on schools that may request private class sessions.

The subject property, Lyons Plaza, currently has a B-4, Regional Shopping, zoning designation. Pursuant to the City's Land Development Code Section 13-621, "Master Business List - B-2, B-3 and B-4," amusement centers (indoor only) are listed as a Special Land Use.

Public Involvement:

Pursuant to Land Development Code Section 13-35(c), property owners within 500 feet of the subject property were notified by mail of the Special Land Use request and invited to attend the Planning and Zoning Board and City Commission meetings. Two hundred and thirty-one (231) notices were mailed by the City on June 29, 2022, and August 11, 2022, respectively. To date, staff has received zero (0) resident inquiries related to the project.

As part of the application review process and in addition to the above Code-required public notices, the applicant was required to perform community outreach in an effort to provide project information to neighboring property owners, as well as to hear and address concerns and issues raised through this process. The applicant has submitted a Community Outreach Summary for this project, which is included as part of the agenda backup for this application. Key efforts resulting from their outreach included a meeting held at the subject property located at 1447 Lyons Plaza on June 22, 2022, at 5:30 p.m. and concluding at approximately 8:00 p.m., which was intended to provide a forum for residents and businesses, but was open to the public.

Analysis and Findings:

Pursuant to Land Development Code Section 3-2, "Hours of Sale (Alcohol)," on premise consumption of alcohol shall not be permitted any day between the hours of 2:00 a.m. and 9:00 a.m. City staff is recommending a condition of approval limiting the hours of operation to a 2:00 a.m. closing time as outlined in the application, as amended by the applicant following the Planning and Zoning Board hearing.

Pursuant to Land Development Code Section 13-35, "Special Land Use," Subsections (f), "General standards," and (g), "Specific standards for all uses," the Planning and Zoning Board and City Commission must find that a Special Land Use meets the general and specific standards based on competent and substantial evidence. City staff finds that, subject to the conditions of approval in the Ordinance, the applicant's Special Land Use request meets the general and specific standards for special land uses, as described in the staff report in the Planning and Zoning backup available online.

RECOMMENDATION:

The Planning and Zoning Board, at its July 13, 2022 meeting, recommended approval of the Special Land Use application. Staff has reviewed the application for consistency with the above referenced standards and finds the Special Land Use request consistent with Land Development Code Section 13-35, "Special Land Use," subject to the following conditions of approval:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit.
2. Hours of operation are limited to 10:00 a.m. to 2:00 a.m. daily.
3. The proposed use is limited to 9,824 square feet as proposed in the plans submitted for public hearing. Revisions to the layout or the use of any additional square footage shall require an amendment to this approval.
4. **Alcohol sales shall end at 12:00 a.m. daily except as may be provided within a Special Event permit issued by the City pursuant to Section 16-20 of the City's Land Development Code, as amended from time to time.**
5. **Computer monitoring software shall be installed on devices provided for use by customers to ensure internet safety to protect on-site minors.**
6. **Unaccompanied minors waiting for a pick-up shall be required to wait inside the facility and shall not wait, loiter, or generally be outside of the establishment without parental consent.**
7. **Provide a physical separation on the floor plan where alcohol will be consumed on-site.**
8. **During Special Events permitted by the City pursuant to Section 16-20 of the City's Land Development Code, as amended from time to time, a City of Coconut Creek off-duty, special detail shall be provided on-site. The scope of this service shall be determined during the review of the Special Event permit as recommended by the Chief of Police, or their designee.**

FISCAL IMPACT: N/A