

# City of Coconut Creek InterOffice Memorandum

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**To:** Planning and Zoning Board  
**From:** W. Scott Stoudenmire, AICP  
Deputy Director of Sustainable Development  
**Date:** March 11, 2020  
**Subject:** Off The Wall  
Special Land Use

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**Applicant/Agent:** Daniel Evers, Off The Wall  
**Owner:** Brixmor Property Group  
**Requested Action/Description:** Special Land Use Approval  
**Location:** 4939 Coconut Creek Parkway, Suite 47  
**Legal Description:** Parcel "A" of Coconut Creek Plaza, according to the plat thereof as filed in Plat Book 113, Page 12, of the Public Records of Broward County, Florida.  
**Size:** 26.6 +/- gross acres  
**Existing Zoning:** B-4, Regional Shopping  
**Existing Use:** Commercial  
**Future Land Use Plan Designation:** Commercial  
**Platted:** Coconut Creek Plaza Plat  
**Plat Restriction:** None

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**Requested Action:**

The applicant, Daniel Evers, Off The Wall, is requesting an amendment to the previously approved Special Land Use Ordinance to allow full liquor service as a component of their restaurant service area, where only beer and wine is currently permitted, located at 4939 Coconut Creek Parkway, Coconut Creek Plaza.

**Project Description:**

In 2002, Coconut Creek Plaza (Plaza) underwent substantial building renovations. Though several tenant spaces remain vacant, the Plaza has two new recent tenants including the Laundromart, located on the east end of the plaza and the Escape Room, immediately adjacent to Off The Wall. Other existing plaza tenants include Publix, Big Lots and Planet Fitness.

The original Special Land Use for Off the Wall was presented to the Planning and Zoning Board on May 9, 2012, and subsequently approved by the City Commission on July 12, 2012 which allowed the indoor recreation use and the sale of beer and wine. The applicant, Daniel Evers, Off The Wall, is requesting an amendment to the previously approved Special Land Use to allow onsite full liquor service where only beer and wine is currently allowed.

Off The Wall provides residents with indoor recreational activities and games, birthday party and corporate event space. The applicant is proposing interior renovations including an indoor obstacle course and bar with approximately 10 stools located at the rear of the facility in the current parents lounge to complement the existing restaurant. A 4COP-SFS liquor license is proposed which restricts liquor sales to less than half of all food sales.

The applicant also owns a similar facility in the Town of Davie, Florida, which has included full liquor service for several years. Per the applicant, liquor sales at the Davie location do not reach 25% of total food and beverage sales. During the site plan review process, the City's Police Department contacted the Town of Davie Police Department to discuss the Davie Off The Wall location which was discussed in detail during the DRC meeting. Any concerns have been addressed and no further comments have been provided by the City Police Department.

The applicant is proposing hours as follows:

10:00 AM to 11:00 PM – Sunday through Thursday

10:00 AM to 1:00 AM – Friday and Saturday

**Public Involvement:**

Per 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 meeting. One-hundred and fourteen (114) notices were mailed by the City on February 26, 2020. To date, staff has not received any public inquiries related to the project.

Further, the applicant was required to provide project information to tenants within the plaza in accordance with Land Development Code requirements. The applicant has submitted photographs of each posting, which is included as part of the agenda backup for this application.

**Analysis and Findings:**

Per Section 13-35 (f) and (g) of the City Land Development Code, 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. Listed below are these standards and the applicant's verbatim responses.

**(f) General standards. Prior to approving any special land use application, the planning and zoning board and city commission shall find based on competent and substantial evidence that:**

**(1) The proposed special land use will be in harmony with nearby uses permitted under Article III of this chapter.**

Off The Wall is a Family Entertainment Center ("FEC") concept designed for the child-consumer, three to seventeen years of age; young adults, eighteen to thirty years of age, and adults thirty years old and up. The design of the FEC provides a safe, secure and contained environment, thereby eliminating any impact on neighboring uses.

***Staff Analysis: Staff concurs with applicant response. Off The Wall is surrounded by permitted commercial uses. Immediately adjacent is the Escape Rooms amusement center, which also offers family and corporate entertainment options within a self-contained 2,400 sq ft tenant space.***

**(2) The proposed special land use will be in harmony with nearby existing uses.**

The proposed facility is designed for the use of families with children and young adults consistent with the use and occupancy of nearby residential and commercial uses.

**Staff Analysis: Staff concurs with applicant response. Area residents have a variety of permitted commercial uses including indoor recreation and entertainment at Off The Wall and Escape Rooms and fitness options at Planet Fitness. Other commercial tenants such as Publix and Big Lots may benefit from increased visitors to the plaza.**

- (3) The proposed special land use must be reasonably compatible with surrounding and adjacent uses in its function, its hours of operation, the type and amount of traffic to be generated, the building size and setbacks, and its relationships to the land values.** Off The Wall proposes the construction of full liquor bar inside our existing location, during hours limited to 10am to 11pm Sunday through Thursday, 10am to 1am Friday and Saturday. These hours of operation will cause no ill effects for surrounding uses, and the traffic generated will be no greater than those of adjacent retail tenants within the project. The project is an existing retail center which meets all sizes and setback requirements.

**Staff Analysis: Staff concurs with applicant response. Off The Wall provides indoor recreational activities and games, birthday party and corporate event space, which are compatible with other permitted uses within the plaza. The existing plaza complies with City land development code and Broward County requirements.**

**The applicant is proposing hours as follows:**

**10:00 AM to 11:00 PM – Sunday through Thursday**

**10:00 AM to 1:00 AM – Friday and Saturday**

- (4) The proposed special land use will be in the best interests of the city, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity.**

Off The Wall occupies approximately 36,464 square feet of anchor space in the Coconut Creek Plaza, quarter million square foot retail center on a hard corner. The family oriented nature of our facility undoubtedly increased the leasing activity at the Coconut Creek Plaza by attracting other family oriented tenants, and provide an immediate economic and employment boost to both the retail center and the surrounding areas.

Adding a full liquor Bar to our existing facility – the only one in the whole plaza – will further increase the activity in the shopping center by catering to a new and broader demographic.

**Staff Analysis: Staff concurs with applicant response. Off The Wall is a long standing tenant within the plaza. As proposed, the Special Land Use will allow Off The Wall to remain competitive with similar uses. A thriving business may help attract new tenants thus providing more shopping, dining and entertainment options for residents.**

**The applicant is proposing substantial interior renovations including an indoor obstacle course and bar with approximately 10 stools at the rear of the facility in the current parents lounge to complement the existing restaurant. A 4COP-SFS liquor license is proposed which restricts liquor sales to less than half of all food sales.**

- (5) The proposed special land use will contribute to the economic stability of the community.**

Off The Wall has generated, in it's almost seven years of operations, up to 100 direct jobs. To maintain this employment rate, we must keep up with the industry trends and the practices of our competition.

A complete full liquor bar addition to our facility will not only help us maintain our current team, but will also generate new jobs related to the incorporation of the bar and the expected increase in sales.

***Staff Analysis: Staff concurs with applicant response. As a long standing tenant within the plaza, a Special Land Use approval allows Off The Wall to maintain pace with similar uses, help attract new businesses and provide new job opportunities.***

- (6) The proposed special land use will not decrease public benefit or increase undesirable impacts other than those resulting from use of the site as permitted by right under Article III of this chapter or some other special land use permitted on the site.

There will be no undesirable use of the premises or the area surrounding the premises. Our use is geared to the family activities of children, parents and young adults.

***Staff Analysis: Staff concurs with applicant response. Off The Wall is a long standing tenant within the plaza increasing entertainment options in the plaza and the area.***

- (7) The proposed special land use will not result in more intensive development than what is approved by the land use element of the comprehensive plan.

The proposed use will occupy an existing space at our Family Entertainment Center. It is no more intensive than our current use.

***Staff Analysis: Staff concurs with applicant response. Off The Wall is not proposing to increase its existing facility thus there will be no increase to utility or parking demand.***

- (8) The proposed special land use will be consistent with goals, objectives, and policies of the comprehensive plan.

These have been prior met by the developer of the retail center during the development process. Our use is consistent in providing a safe, secure environment for family and young adult's activities.

***Staff Analysis: Staff concurs with applicant response. Off The Wall is located within an existing plaza that complies with City land development code requirements.***

- (g) ***Specific standards for all uses.*** Prior to approving any special land use application, the planning and zoning board and the city commission will find based on competent substantial evidence:

- (1) The proposed use will not reduce the level of service provided on any street to a lower level than would result from a development permitted by right.

This is an existing facility. All services were previously approved during the development of the retail center, and there will be no reduction thereof.

***Staff Analysis: Staff concurs with applicant response. Off The Wall is located within an existing plaza that complies with Broward County and City's land development code requirements. No expansion or change in use is proposed. Level of service will not be impacted on adjacent roadways.***

- (2) The proposed use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right.

This is an existing facility. All traffic standards were previously met during the development of the retail center, and there will be no increase in through traffic.

***Staff Analysis: Staff concurs with applicant response. Off The Wall is located within an existing plaza that complies with Broward County and City's land development code requirements. No expansion or change in use is proposed, thus there will be no additional impact to adjacent roads.***

- (3) The proposed use will not require extension or enlargement of the thoroughfare system at a higher net public cost than would result from a development permitted by right.

No extension, enlargement or reconfiguration of any thoroughfare will be required.

**Staff Analysis: Staff concurs with applicant response. Off The Wall is located within an existing plaza that complies with Broward County Engineering standards and City land development code requirements. No expansion or change in use is proposed. Thoroughfare expansion is not required.**

- (4) The proposed use will not require enlargement or alteration of utility facilities, drainage systems, and other utility systems other than what would result from a development permitted by right.

There will be no enlargement of any such systems. This is an existing facility and Off the Wall will only use those existing utilities and drainage systems that are currently in place.

**Staff Analysis: Staff concurs with applicant response. Off The Wall is located within an existing plaza that complies with Broward County and City land development code requirements. Utilities and drainage are not impacted.**

- (5) The proposed use will not demand greater municipal public safety services exceeding the demand resulting from a development permitted by right.

No addition public safety services will be required, due to the nature of our facility and the hours of operation. Our policy states that children and anyone under 18 years old should be always accompany by a parent or representative.

**Staff Analysis: Staff concurs with applicant response.**

- (6) If a special land use is combined with other special land uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks and the land uses of surrounding properties.

Special land use is not being combined with other land use in the plaza and has appropriate and adequate buffers and set back that are met by existing buffers.

**Staff Analysis: The proposed land use is not combined with other special land uses. However, the applicant is requesting an amendment to a previously approved Special Land Use Ordinance to allow full liquor service as a component of their restaurant service area, where only beer and wine is currently permitted.**

**Staff Recommendation:**

City staff has reviewed the application as to consistency with the above referenced standards and finds the Special Land Use request consistent with Section 13-35 "Special Land Use" of the City of Coconut Creek Land Development Code.

However, prior to final approval, the following comment must be addressed:

1. Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit.

LA/WSS/ae

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Attachments:

Aerial Photo

