

City of Coconut Creek InterOffice Memorandum

To: Planning and Zoning Board
From: W. Scott Stoudenmire, AICP
Deputy Director of Sustainable Development
Date: August 12, 2015
Subject: American Top Team
Underground Utility Waiver
Agenda Item No. 4

Applicant/Agent: Eric Anderson, Anderson Architecture
Owner: Daniel Lambert & James Lambert
Requested Action/Description: Underground Utility Waiver
Location: 5000 State Road 7, Coconut Creek, FL 33073
Legal Description: Parcels A and L-1, Grove Parc Plat, according to the Plat thereof, as recorded in Plat Book 178, Page 146, of the Public Records of Broward County, Florida
Size: 7.7 acres
Existing Zoning: PCD (Planned Commerce District)
Existing Use: Hotel/Vacant
Future Land Use Plan Designation: COMM (Commercial)
Platted: Grove Parc
Plat Restriction: 30,000 sq ft of commercial use and 70,000 sq ft of office use and 105 hotel rooms.

Requested Action:

On December 22, 2005, the City Commission adopted Ordinance 2005-032, requiring the underground placement of all utilities for any new commercial, industrial, or retail development seeking site plan approval or for new residential development of 5 acres or more seeking site plan approval. All utilities, including existing overhead utilities, located within or in public right-of-way adjacent to the site must be installed underground.

In accordance with the requirements of the Ordinance, the Applicant must complete one of the following requirements; (1) provide a signed agreement between the applicant and each affected utility company demonstrating that the utility will be placed underground, (2) process an agreement with the City indicating the property owners' intent to comply with the undergrounding requirements for utilities, (3) if electrical lines with a rate load of 23k volts or higher exists, then a written detailed statement from a licensed professional engineer, qualified to verify such utility issues and, stating the rate load shall be provided, or (4) process an Underground

Utility Waiver Application, which must be processed for consideration by the Planning and Zoning Board and the City Commission.

Project Description:

On July 9th, 2014, the Planning and Zoning Board approved the site plan application for the proposed American Top Team (ATT) mixed martial arts fitness facility, within the Grove Parc PCD. For reference, the entire PCD site is approximately 7.7 acres, of which only 3.58 acres is ATT. The ATT site has approximately 323 feet of existing overhead lines running along the western boundary of the site, within the State Road 7 right-of-way. The subject property immediately abuts an existing FPL substation. Existing FPL facilities from the substation and along State Road 7 include high voltage transmission lines which are currently mounted on tall poles along the right-of-way. Pursuant to the ordinance, electrical lines with a rate load of 23k or higher shall be exempt from the undergrounding requirement. Although lower voltage FPL lines, AT&T and cable TV also exist overhead, removal of these utilities would necessitate the installation of large ground mounted cabinets which would impact ATT's approved landscape buffer, while still leaving high voltage lines and utility poles intact. Further, due to the proximity of the existing FPL sub-station, underground conversion will require greater challenges, increased coordination, additional equipment, and therefore greater expenses.

Due to these conditions, the applicant is seeking relief from this requirement in the form of a waiver, as provided for in the adopted ordinance. This agenda item was originally placed on the February 11, 2015 Planning and Zoning Board agenda. The applicant requested that the item be tabled until such time as they could verify cost estimates related to the overhead utilities. As originally presented to staff in their initial application, the cost estimate was \$174, 655.00. With their resubmittal of supporting documentation and analysis, the applicant has demonstrated that this amount reflects an unusually high per linear foot cost (\$541.00) that far exceeds other projects in the area. The applicant asserts that a more reasonable approach to determine a payment in lieu of burying the overhead lines would be to take an average of the per linear foot costs for similar projects in the City. Utilizing this methodology, the applicant has calculated a \$361.00 per linear foot cost, resulting in a revised estimate of \$116, 603.00.

Staff Recommendation:

While support documentation has been transmitted to the City reflecting a revised cost estimate of \$116, 603.00, the applicant has stated that even the reduced amount exceeds the reasonable impact of this small development and would like to discuss this issue with the board. Staff accepts the rationale for a reduced payment from that which was originally proposed and recommends a payment to the City's Underground Utility Fund in the amount of \$116, 603.00.

WSS:jw

Attachments:
Aerial Photo
DRC Report
Exhibit