

# City of Coconut Creek InterOffice Memorandum

---

**To:** Planning and Zoning Board  
**From:** W. Scott Stoudenmire, AICP,  
Deputy Director of Sustainable  
Development

**Date:** December 11, 2019

**Subject:** Village Shoppes of Coconut Creek  
Underground Utility Waiver

---

**Applicant/Agent:** Bill Pfeffer, Bowman Consulting

**Owner:** Village Shoppes of Coconut Creek Investments, LLC

**Requested Action/Description:** Underground Utility Waiver

**Location:** 4690 State Road 7

**Legal Description:** Tract B of the Alexander Young Plat, according to the Plat thereof, as recorded in Plat Book 164, Page 10, of the Public Records of Broward County, Florida & Tracts A, A-1, and B-1 of Spear Plat, according to the Plat thereof, as recorded in Plat Book 170, Page 82, of the Public Records of Broward County, Florida

**Size:** 6.13 +/- acres

**Existing Zoning:** PCD, Planned Commerce District

**Existing Use:** Commercial

**Future Land Use Plan Designation:** C (Commercial) and EC (Employment Center)

**Platted:** Alexander-Young Plat & Spear Plat

**Plat Restriction:** (Alexander Young Plat) One service station use on Tracts A and A-1 and 14,679 square feet of office use on Tract B.  
(Spear Plat) Tract A and B are restricted to 45,000 square feet of commercial use and 3,500 square feet of office use.

---

**Requested Action/Description:**

Section 13-142 of the City's Land Development Code addresses the requirements for undergrounding of utilities within or in the public rights-of-way adjacent to a new development. In accordance with the requirements of the Section, 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 under-grounding 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. **At this time, the applicant is requesting an Underground Utility Waiver, as discussed below.**

**Project Description:**

On September 12, 2019, the property owner received site plan approval by the Planning and Zoning Board for the construction of a Chick-Fil-A restaurant. As approved, the restaurant is to be located on the west side of the property, adjacent to State Road 7.

Along State Road 7, the subject property contains approximately 235 linear feet of frontage, which includes FPL transmission and distribution lines, as well as fiber optic cable lines. The FPL transmission lines carry voltages of 138,000 (138KV) and are exempt from the requirements of Section 13-142. However, the lower voltage FPL distribution lines and the fiber optic cable lines are subject to the requirements of this section. As discussed in the applicant's waiver request, FPL has indicated that their lines on the transmission poles in this area are not anticipated to be placed underground. Further, the fiber optic cable lines would require constructing a directional bore under Wiles Road and construction of a new line along State Road 7 extending up to the Sawgrass Expressway, which is approximately one mile northward from the subject property. As such, the applicant is requesting a waiver given the technical and practical infeasibility.

**Staff Recommendation:**

The applicant has completed the required waiver application and at this time is requesting to make a payment to the City's Underground Utility Fund in the amount of \$50,056.53 in lieu of placing the adjacent utilities underground. This proposed payment in lieu of undergrounding reflects the estimated costs of undergrounding the existing utilities that are subject to this requirement.

Staff accepts the rationale for the proposed payment and recommends a payment by the applicant to the City's Underground Utility Fund in the amount of \$50,056.53.

WSS\ae

\\pdc\data\Development Services\Common\Documents\PLANNING & ZONING\Project Coordinator\P&Z memos\m-19143 Chick Fil A Uuw (revised).docx

**Attachments:**

- Aerial Photo
- DRC Report
- Exhibits