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Vista Garden Ballroom

Special Land Use Justification

Vista Garden Ballroom LLC (“Petitioner”) is the owner of the +/- 1.6 acre parcel generally located on the north side of Hillsboro Boulevard, approximately 1,650 feet west of Lyons Road (folio # 484206010051, 484206010050, 484206010060) and the contract purchaser of the +/- 0.81 acre parcel immediately west (folio # 484206330010) (“City Parcel”) (the Vista Parcel and City Parcel are collectively referred to herein as the “Property”) in the City of Coconut Creek (“City”). The Vista Parcel currently has a City land use designation of Office/Professional and zoning designation of A-1, Agricultural District. The City Parcel currently has a City land use designation of Conservation and a zoning designation of P, Park and Recreation District. The Vista Parcel is the location of the former Deenie’s Hideaway restaurant. Petitioner is proposing to demolish the existing building and redevelop the Property with a +/- 7,743 square foot catering hall for special events (“Project”), which includes +/- 7,200 square foot of ground floor area and a +/- 543 square foot mezzanine equipment and control room. In order to develop the Project, Petitioner is proposing to rezone the Property to the B-3, Community Shopping, zoning district. The B-3 district permits catering and meeting halls subject to approval of a Special Land Use (“SLU”).

The Project is intended as a venue to host a variety of functions, primarily weddings, bar-bat mitzvahs, birthdays and corporate events. While most activities will occur within the building itself, there is a small outdoor space that can be utilized for wedding ceremonies, cocktails and pictures. This area is buffered by attractive landscape and green space. The limited nature of the event space model allows for only one (1) event per day, and events will be primarily held on Friday and Saturday evenings and Sundays. While some instrumental music may be permitted for wedding ceremonies or a cocktail hour during the afternoon and early evening hours, no amplified music will be permitted outdoors. Aside from these uses, the outdoor space will function mainly as a passive area where guests may get some fresh air or find a quiet space to escape the festivities being held within the building itself. Any bands or DJs providing music for an event will be set up inside the building and their music will be contained within the building itself. Further, while the proposed use would only require thirty three (33) parking spaces pursuant to the City’s Code of Ordinances (“Code”), Petitioner is proposing seventy three (73) parking spaces, which will exceed the demand for events being held on the Property. Petitioner has also submitted a traffic statement demonstrating that the Project will have a minimal effect to the surrounding street system (one new peak-hour trip every three and one-half minutes). The traffic statement also concludes that ample roadway capacity is available near the Property in order to absorb the minimal traffic impacts generated by the Project. The Project is compatible with the development on adjacent properties that generally include community retail, commercial business and higher density, multi-family developments to the east and west along Hillsboro Boulevard. The Project will add to the character of the Hillsboro Boulevard corridor by removing a blighted, old building and transform the Property into a vibrant, new development that will serve the community. It will also expand the economic base of the City by adding to the commercial sector

of its economy, creating both temporary jobs during the construction phase and long term jobs with the added employer that will come to the City as a result of the Project.

Special Land Use Criteria

Pursuant to Section 13-35(f) of the City's Code of Ordinances ("Code"), Petitioner will demonstrate compliance with the general standards for a SLU as follows: (1) the proposed SLU is in harmony with nearby uses permitted under Article III of this chapter; (2) the proposed SLU is in harmony with nearby existing uses; (3) the proposed SLU is 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 relationship to the land values; (4) the proposed SLU is 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; (5) the proposed SLU will contribute to the economic stability of the community; (6) the proposed SLU 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 SLU permitted on the site; (7) the proposed SLU will not result in more intensive development than what is approved by the land use element of the comprehensive plan; and (8) the proposed SLU is consistent with the goals, objectives and policies of the comprehensive plan.

In addition, pursuant to Section 13-35(g) of the City's Code, Petitioner will demonstrate compliance with the specific standards for all uses for a SLU as follows: (1) the proposed use will not reduce the level of service provided on any street to a lower level than work result from a development permitted by right; (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; (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; (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; (5) the proposed use will not demand greater municipal public safety services exceeding the demand resulting from a development permitted by right; and (6) if a SLU is combined with other SLU 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.

General Standards.

(1) The proposed SLU is in harmony with nearby uses permitted under Article III of this chapter.

The SLU is in harmony with nearby uses permitted under Article III of the City's Code. Adjacent zoning districts include the Local Office District (O-2), Park and Recreation District (P) and Planned Unit Developments (PUD). Other zoning districts located along Hillsboro Boulevard also include Community Shopping (B-3) and Planned Commerce District (PCD). Permitted uses within the Community Shopping (B-3) zoning district include financial institutions, general retail, employment agencies, gyms and exercise clubs, hardware stores, places of worship, medical offices and surgical centers, professional offices and restaurants. The local office district (O-2) allows for ambulatory surgical centers, clinics, financial institutions, houses of worship, business, medical and professional offices, and restaurants. The Planned Unit Developments (PUD) are primarily development with multi-family uses, while the Planned Commerce

District (PCD) allows primarily for a variety of commercial uses. The proposed SLU is in harmony with these proposed uses, offering a catering venue for residents in the area to host special events and family functions, or hosted by nearby offices for corporate events. It will add to the diversity of commercial uses along Hillsboro Boulevard, allowing for a new business that will fulfill a community need. As it is located across from a new house of worship, there may be a symbiotic relationship between these uses, where individuals may have their weddings, baptisms or other religious ceremonies performed at the church, and utilize the catering hall for a family gathering to follow. Nearby residents will also have a local venue available for special family functions. As most events will typically take place during evening and weekend hours, the hours of operation will not conflict with office hours for neighboring businesses. As the Project will offer a new, community-serving use that is compatible with the uses permitted in nearby zoning district, the SLU is in harmony with the permitted uses under Article III.

(2) The proposed SLU is in harmony with nearby existing uses.

The SLU is in harmony with nearby existing uses and compatible with the development on adjacent properties that generally include community retail, commercial business and higher density, multi-family residential developments. The Property is immediately adjacent to an office park to the east, the Saw Palmetto natural area to the north and west, a church (currently under construction) to the south and a preserve area immediately north. A variety of other commercial uses and higher-density residential developments line Hillsboro Boulevard. As noted above, the proposed SLU is in harmony with these existing uses, offering a catering venue for residents in the area to host special events and family functions, or hosted by nearby offices for corporate events. It will add to the diversity of commercial uses along Hillsboro Boulevard, allowing for a new business that will fulfill a community need. As it is located across from a new house of worship, there may be a symbiotic relationship between these uses, where individuals may have their weddings, baptisms or other religious ceremonies performed at the church, and utilize the catering hall for a family gathering to follow. Nearby residents will also have a local venue available for special family functions. As most events will typically take place during evening and weekend hours, the hours of operation will not conflict with office hours for neighboring businesses. As the Project will offer a new, community-serving use that is compatible with the uses permitted in nearby zoning district, the SLU is in harmony with the permitted uses under Article III.

(3) The proposed SLU is 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 relationship to the land values.

The SLU is reasonably compatible with surrounding and adjacent uses. As previously noted, Petitioner is proposing to demolish the existing building and redevelop the Property with a vibrant, new community-serving use. As part of the Project, Petitioner will be removing the existing non-conformities on site and redeveloping the Property to the standards outlined in the City's Code. As part of this redevelopment, a new, attractive building will be constructed with significant landscaping that will add to the aesthetics of the Property. The Project will also meet all applicable setbacks and development standards for the B-3 zoning district. As events will typically occur during evening and weekend hours, most activities will fall outside of regular business hours and rush-hour traffic periods. As part of the applications for the Project,

Petitioner has also submitted a traffic statement demonstrating that the Project will have a minimal effect to the surrounding street system (one new peak-hour trip every three and one-half minutes). The traffic statement also concludes that ample roadway capacity is available near the Property in order to absorb the minimal traffic impacts generated by the Project.

Although there is an existing single-family home community located approximately three hundred thirty (330) feet north of the Property, the Project will limit any impacts to this area. The Property is currently separated from this community by the Saw Palmetto Natural Area. While this portion of the natural area is primarily used for parking and is not as heavily vegetated as the area to the west of the Property, it still provides a natural separation from the single-family residences. The Project proposes an additional separation of approximately one hundred (100) feet from the rear Property line to the building creating further distance to the building. While most activities will occur within the building itself, there is a small outdoor space that can be utilized for wedding ceremonies, cocktails and pictures. This area is buffered by attractive landscape and green space. The limited nature of the event space model allows for only one (1) event per day, and events will be primarily held on Friday and Saturday evenings and Sundays. Some instrumental music may be permitted for wedding ceremonies or a cocktail hour during the afternoon and early evening hours, however no amplified music will be permitted outdoors. Aside from these uses, the outdoor space will function mainly as a passive area where guests may get some fresh air or find a quiet space to escape the festivities being held within the building itself. Any bands or DJs providing music for an event will be set up inside the building and their music will be contained within the building itself.

The Project will also be compatible with the surrounding uses with respect to land values. The Project will add to the character of the Hillsboro Boulevard corridor by removing a blighted, old building and transform the Property into a vibrant, new development that will serve the community and increase the value of the Property and those in the area. It will also expand the economic base of the City by adding to the commercial sector of its economy, creating both temporary jobs during the construction phase and long term jobs with the added employer that will come to the City as a result of the Project. As such, the SLU is 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 relationship to the land values.

(4) The proposed SLU is 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.

The SLU is in the best interests of the City. The Property is currently developed with a building that was constructed circa 1977 and has significantly deteriorated since. It was previously utilized as an adult entertainment facility. Demolishing this old, dilapidated structure and redeveloping it with the Project is in the best interests of the City, community and the public, as the Project will remove a blighted, old building and transform the Property into a vibrant, new development that will serve the community. It will add to the character of the Hillsboro Boulevard corridor, improving the appearance of this commercial corridor. As part of the Project, Petitioner will be removing the existing non-conformities on site and redeveloping the Property to the standards outlined in the City's Code. The redevelopment will not only include the construction of a new, attractive building, but will further enhance its appearance with significant landscaping that will add to the aesthetics of the area. The Project will also expand the economic base of the City by adding to the commercial sector of its economy, creating both temporary

jobs during the construction phase and long term jobs with the added employer that will come to the City as a result of the Project. As such, the SLU is 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.

(5) The proposed SLU will contribute to the economic stability of the community.

The SLU will contribute to the economic stability of the community. As previously noted, the Project will add to the character of the Hillsboro Boulevard corridor by removing a blighted, old building and transform the Property into a vibrant, new development that will serve the community. As such, it will increase the City's tax base. It will also expand the economic base of the City by adding to the commercial sector of its economy, creating both temporary jobs during the construction phase and long term jobs with the added employer that will come to the City as a result of the Project.

(6) The proposed SLU 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 SLU permitted on the site.

The SLU will not decrease public benefit or increase undesirable impacts from uses permitted by right. As noted, the Property it was previously utilized as an adult entertainment facility. Demolishing this old, dilapidated structure and redeveloping it with the Project is in the best interests of the City, community and the public, as the Project will remove a blighted, old building and transform the Property into a vibrant, new development that will serve the community. It will add to the character of the Hillsboro Boulevard corridor, improving the appearance of this commercial corridor. As part of the Project, Petitioner will be removing the existing non-conformities on site and redeveloping the Property to the standards outlined in the City's Code. The redevelopment will not only include the construction of a new, attractive building, but will further enhance its appearance with significant landscaping that will add to the aesthetics of the area. The Project will also expand the economic base of the City by adding to the commercial sector of its economy, creating both temporary jobs during the construction phase and long term jobs with the added employer that will come to the City as a result of the Project. As such, the SLU will not decrease public benefit or increase undesirable impacts, rather it will reduce undesirable impacts from use of the existing building with a commercial use that would otherwise be permitted by right.

In addition, Petitioner is taking additional steps from an operational perspective in order to limit any impacts to nearby uses. As previously noted, the Project is intended as a venue to host a variety of functions, primarily weddings, bar-bat mitzvahs, birthdays and corporate events. While most activities will occur within the building itself, there is a small outdoor space that can be utilized for wedding ceremonies, cocktails and pictures. This area is buffered by attractive landscape and green space. The limited nature of the event space model allows for only one (1) event per day, and events will be primarily held on Friday and Saturday evenings and Sundays. While some instrumental music may be permitted for wedding ceremonies or a cocktail hour during the afternoon and early evening hours, no amplified music will be permitted outdoors. Aside from these uses, the outdoor space will function mainly as a passive area where guests may get some fresh air or find a quiet space to escape the festivities being held within

the building itself. Any bands or DJs providing music for an event will be set up inside the building and their music will be contained within the building itself. As such, Petitioner is taking significant steps to minimize any potential impact that could result from the proposed use of the Property. Other uses permitted by right within the B-3 zoning district, such as restaurants, urgent care facilities, and gym and exercise clubs may have more significant and undesirable impacts due to the nature of their operations.

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

The SLU will not result in a more intensive development than what is approved by the land use element. As part of the Project applications, Petitioner submitted a local land use plan amendment to the City in order to amend the future land use designation on the Property from Office Professional to Commercial. Based upon this analysis, the maximum allowable development on the subject property is 25,000 square feet of commercial development. This may be used for a variety of more intense commercial uses, including restaurants, urgent care facilities, hardware stores, and gym and exercise clubs are all uses permitted by right within the B-3 zoning district. Petitioner is proposing a moderate-scale development of the Property with a +/- 7,743 square foot building and a use that operates primarily during off-peak evening and weekend hours. As such, the SLU will not result in a more intensive development than what is approved for the commercial land use designation.

(8) The proposed SLU is consistent with the goals, objectives and policies of the comprehensive plan.

The SLU is consistent with the City's Comprehensive Plan. More specifically, the SLU furthers the following goals, policies and objectives:

- Goal II-5.0.0: Phase growth consistent with the provision of adequate regional and community services and facilities.
- Objective II-5.1.0: Coordinate future land uses with the availability of regional and community facilities and services sufficient to meet the current and future needs of Coconut Creek's population and economy without endangering its environmental resources.
- Policy II-5.1.1: Continue to maintain in the Code current adopted level of service standards and procedures to ensure that facilities and services meet established countywide and municipal level of service standards and are available consistent with concurrency requirements and Section 163.3180 Florida Statutes (1993), pursuant to Objective II-5.4.0.
- Policy II-5.1.2: Retain and continue to implement Code provisions which require that development permits be consistent with the Development Review Requirements subsection of the Plan Implementation Requirements section of the City's Comprehensive Plan.
- Policy II-5.1.3: Retain and continue to implement growth management procedures established within the Code to identify and monitor the cumulative impacts of proposed development on public services and facilities.
- Objective II-5.3.0: Discourage urban sprawl and encourage a separation of urban and rural land uses by directing new development into areas where necessary regional and community facilities and services exist.

- Policy II-5.3.1: Maintain and continue to implement provisions in the Code designed to ensure that new development is directed to areas which have the land use, water resources, fiscal abilities and service capacity to accommodate growth in an environmentally acceptable manner.
- Policy II-5.3.2: Promote infill development through the continued provision of adequate potable water and sanitary sewer service to development portions of the City.

Specific Standards for All Uses.

(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.

The Project will not reduce the level of service provided on any street to a lower level than would result from a development permitted by right. As previously noted, Petitioner has submitted a traffic statement demonstrating that the Project will have a minimal effect to the surrounding street system (one new peak-hour trip every three and one-half minutes). The report also notes that the current segments of Hillsboro Boulevard in the vicinity of the Property operate at a current level of service C, which is not expected to change with the inclusion of the project. The traffic statement also concludes that ample roadway capacity is available near the Property in order to absorb the minimal traffic impacts generated by the Project. Restaurants, urgent care facilities, hardware stores, and gym and exercise clubs are all uses permitted by right within the B-3 zoning district that may result in a greater impact to the level of service.

(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.

The Project will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right. Petitioner has submitted a traffic statement as part of the Project applications demonstrating that the Project will have a minimal effect to the surrounding street system (one new peak-hour trip every three and one-half minutes). The traffic study estimates the Project will generate a total of two hundred eight (208) daily trips with thirteen (13) AM peak hour and seventeen (17) PM peak hour trips. The traffic statement also concludes that ample roadway capacity is available near the Property in order to absorb the minimal traffic impacts generated by the Project. Many uses permitted by right would generate higher daily and peak hour trips than that proposed by the Project. Restaurants, urgent care facilities, hardware stores, and gym and exercise clubs are all uses permitted by right within the B-3 zoning district that may generate more traffic on local streets.

(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.

The Project 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. As previously noted, Petitioner has submitted a traffic statement demonstrating that the Project will have a minimal effect to the surrounding street system (one new peak-hour trip every three and one-half minutes). The report also notes that the current segments of Hillsboro Boulevard in the vicinity of the Property operate at a current level of service

C, which is not expected to change with the inclusion of the project. The traffic statement also concludes that ample roadway capacity is available near the Property in order to absorb the minimal traffic impacts generated by the Project. Restaurants, urgent care facilities, hardware stores, and gym and exercise clubs are all uses permitted by right within the B-3 zoning district that may require extension or enlargement of the thoroughfare system at a higher net public cost.

(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.

As part of the various applications associated with the Project, a local land use plan amendment was submitted to the City, which required an analysis of the available capacity of the utility facilities and drainage systems in the City. Based upon that review, there is sufficient capacity available to serve a 25,000 square foot commercial development, which could be developed on the Property by right. The Project only a +/-7,743 square foot catering facility that mainly operated during evening and weekend hours. The demand resulting from the Project is anticipated to be less than the commercial development that could otherwise be developed on the Property by right. The Project does not require an enlargement to the utility facilities or systems that currently serve the Property.

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

The SLU will not demand greater municipal public safety services. As previously noted, the SLU will primarily be used to host a variety of functions, primarily weddings, bar-bat mitzvahs, birthdays and corporate events. While most activities will occur within the building itself, there is a small outdoor space that can be utilized for wedding ceremonies, cocktails and pictures. The limited nature of the event space model allows for only one (1) event per day, and events will be primarily held on Friday and Saturday evenings and Sundays. Aside from vendors setting up for events, main activity on the Property will be limited to those time when events are taking place. Certain uses permitted by right may have a greater demand on municipal public safety services due to their constant operations and number of customers visiting on a daily basis.

(6) If a SLU is combined with other SLU 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.

The Project does not propose a combination of uses with other SLU or permitted uses. Only the +/- 7,743 square foot catering facility is proposed on the Property. As such, this is not applicable.