

City of Coconut Creek InterOffice Memorandum

To: Planning and Zoning Board

Date: December 11, 2019

From: W. Scott Stoudenmire, AICP
Deputy Director of Sustainable
Development

Subject: **7-Eleven #34941 –
Special Land Use**

Applicant/Agent: Keith and Associates

Owner: 7-Eleven Inc.

Requested Action/Description: Special Land Use

Location: 4960 and 4990 Coconut Creek Parkway

Legal Description: A portion of Tract 3, Block 94, Palm Beach Farms Company Plat No.3, in Section 31, according to the plat thereof, as recorded in Plat Book 2, Page 54, of the Public Records of Palm Beach County, Florida.

Size: 1.3277+/- gross acres

Existing Zoning: B-2 (Convenience Shopping) / B-3 (Community Shopping)

Existing Use: Commercial / Commercial

Future Land Use Plan Designation: Commercial / Commercial

Platted: 7-Eleven #34941 (**proposed**)

Plat Restriction: Convenience store with 16 fueling positions (**proposed**)

Requested Action:

The applicant, on behalf of the owner, 7-Eleven Inc., is requesting a special land use approval to permit a Mobil Gas station with convenience store to be located at 4990 and 4960 Coconut Creek Parkway, at the southeast corner of Coconut Creek Parkway and Banks Road.

Project Description:

The subject property consists of two separate parcels. The western parcel, approximately .62+/- acres is located at 4990 Coconut Creek Parkway. The eastern parcel,

approximately .70+/- acres is located at 4960 Coconut Creek Parkway. Once platted, the combined parcels will total approximately 1.3277+/- gross acres.

Currently, both parcels are developed with an existing Mobil Gas station with convenience store and car wash on the west and Kyle Discount Tool Rental on the east. Both facilities will be demolished for the construction of a new 7-Eleven convenience store with sixteen (16) fueling stations.

Concurrent with this application, plat, rezoning and site plan applications are also under review and consideration.

Public Involvement:

Per Section 13-36(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 City Commission meeting. Fourteen (14) notices were mailed by the City on November 27th, 2019. Two notices of special land use public hearing signs were as also posted on the property adjacent to each right-of-way 14 days prior to the Planning and Zoning Board meeting. To date, staff has not received any public inquiries related to the project.

In addition to code required public notices and as part of the application review process, the applicant was required to perform community outreach in an effort to provide project information to neighboring property owners and neighborhood associations as well as hear and address concerns and issues raised through this process. The applicant has submitted information related to that effort, which is included as part of the agenda backup for this application. Key efforts resulting from their outreach included a meeting held at the City of Coconut Creek Community Center located at 1100 Lyons Road, which was intended to provide a forum for residents but was open to the public. The Community Meeting was held on Wednesday, October 16th, 2019 at 6:00 pm.

Analysis and Findings:

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

Applicant Response: *The convenience store with fuel sales use is appropriate at this location because it is located at the intersection of two roads: an arterial roadway and a collector roadway pursuant to the Broward County Trafficways Plan. The property is not adjacent to residential development but provides residents of the area a convenient location for vehicle refueling and purchasing convenience items. The same convenience store with fuel sales special land use currently exists on the property and is currently in harmony with nearby uses.*

Staff Response: ***Staff concurs with applicant response. Subject property is surrounded by permitted commercial uses.***

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

Applicant Response: *The existing use, which is also classified as a special land use, is in harmony with nearby existing uses. The proposed use and development program improve on the existing development and will also be in harmony with nearby existing uses.*

Staff Response: ***Staff concurs with applicant response. Similar commercial uses exist on west, south and east sides with public right-of-way on the north.***

(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;

Applicant Response: The proposed special land use is compatible with the surrounding adjacent uses. Its function, to provide a convenience service to residents and travelers, is consistent with nearby auto oriented uses and other surrounding uses. The development is proposed to operate 24-hours. The site is not adjacent to residential development and the 24-hour operation will not impact residential development. The proposed building size is proportionate to the site and the buildings meet or exceed the City's setback requirements for the B-3 zoning district. The proposed development is anticipated to increase the value of the property by demolishing the older, existing structures and replacing them with modern, aesthetically appealing structures that are consistent with the City's vision.

Staff Response: Proposed development complies with minimum B-3 zoning development standards. No variances to code requirements are proposed or necessary.

(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;

Applicant Response: The proposed convenience store is ideally suited to provide an enhanced level of convenience for the community. The site's updated design will be in the best interest of the surrounding properties, communities, and the City. The proposed redevelopment includes replacing existing fuel tanks and pumps, creating a state-of-the art facility with clean technology, which is in the best interests of the City, community and public welfare.

Staff Response: Proposed development includes demolition of an aging facility and removal of underground fuel tanks with re-development of a like use that meets city and other regulatory requirements for fuel service stations.

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

Applicant Response: The proposed special land use is a commercial use that will provide a service, create jobs, and generate tax revenues, which will enhance the economic stability of the community.

Staff Response: Staff concurs with applicant response.

(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;

Applicant Response: The proposed special land use replaces and effectively continues a commercial business with the same convenience store and fuel sales services. The new structures that utilize the City's aesthetic vision will increase the public benefit.

Staff Response: Staff concurs with applicant response.

(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.

Applicant Response: *The proposed use is consistent with the intensity standards of the land development code and comprehensive plan. The Comprehensive Plan allows a maximum of 1.5 FAR. The B-3 zoning district limits sites to 0.5 FAR. The redevelopment project proposes 0.06 FAR.*

Staff Response: *Staff concurs with applicant response. Moreover, proposed development will decrease square footage by 2,100 square feet+/- overall.*

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

Applicant Response: *The proposed special land use is consistent with the goals, objectives and policies of the comprehensive plan including, but not limited to, the following objectives and policies in the Future Land Use Element.*

Objective II-2.1.0 Accommodate office, retail and other activities needed for the provision of goods and services to permanent and seasonal populations. (B.C.P.C. 2.01.00)

- *The proposed special land use provides goods and services to the community.*

Policy II-2.1.5 Include in the Land Development Code separate zoning categories for neighborhood, community and regional commercial development which set forth intent, location criteria and development standards consistent with the following policies:

b. Community commercial uses are those which serve the needs of several neighborhoods and are most appropriately located on major thoroughfares with adequate buffering from residential development.

- *The proposed project zoning is community shopping district (B-3) and the proposed special land use provides commercial services to the community. Additionally, the site is located on an arterial roadway and a collector roadway pursuant to the Broward County Trafficways plan. The site is not located adjacent to residential, but it is appropriately buffered with vegetation along street frontages and property lines.*

Policy II-2.5.2 Continue to ensure through the Land Development Code that all future commercial uses are subject to site plan review standards which mitigate adverse impacts on adjacent land uses. (B.C.P.C. 2.04.09, 2.04.02)

- *The proposed development is consistent with the City's Land Development Regulations.*

Staff Response: *Staff concurs with applicant response.*

Additionally, pursuant to Code Section 13-35(g), the City shall make a determination based on evidence related to the following items. Applicant and staff responses to each item below are provided below.

(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.

Applicant Response: *The proposed use will improve the flow of traffic on Coconut Creek Parkway with the addition of a turn lane and by reducing the number of curb cuts from three to one. Furthermore, the proposed use is very similar to the existing*

use on the subject property and is not expected to reduce the level of service provided on any street to a lower level than would a development permitted by right.

Staff Response: *Staff concurs with applicant response. Specifically, access onto adjacent roadways have been designed consistent with Broward County access management requirements.*

(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.

Applicant Response: *The proposed development replaces an existing fuel tank station and accessory uses with a new one. The amount of traffic generated by this request would not be significantly greater than what is generated by the current site.*

Staff Response: *Staff concurs with applicant response. Specifically, access onto adjacent roadways have been designed consistent with Broward County access management requirements.*

(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.

Applicant Response: *Thoroughfare improvements that are necessitated by this development will be paid for by the applicant at no cost to the public.*

Staff Response: *Staff concurs with applicant response. Roadway and pedestrian improvements consistent with Broward County and Education Corridor are designed and included in the project.*

(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.

Applicant Response: *Pre-development vs. post-development calculations shall be prepared to show that the proposed drainage system will not adversely impact adjacent properties or rights-of-way. Stormwater pre-treatment and stormwater quality treatment shall be provided on-site by way of dry retention areas and exfiltration trenches. The proposed drainage system shall consist of drainage structures located at low points in the drive aisles. Site grading will direct stormwater to the drainage structures which will in turn convey the stormwater into exfiltration trench and dry retention areas for percolation into the ground. The site has been graded so that it slopes from west to east, directing stormwater away from the proposed parking spaces.*

Staff Response: *City Engineering Department will work with applicant and City of Margate (provides water and wastewater service) as part of final engineering review and permitting.*

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

Applicant Response: *The proposed use will not demand greater municipal public safety service exceeding those resulting from a development permitted by right. The proposed development decreases the level of development that currently exists on the site by 2,112 square feet (5,617 sf total existing; 2,772 sf existing convenience store & 2,845 sf existing commercial). The proposed redevelopment will also reduce the total number of businesses operating on the property from two (2) to one (1). The*

Applicant anticipates that the reduction in intensity will result in a reduction of services required by the development.

Staff Response: City Engineering Department will work with applicant and City of Margate (provides water and wastewater service) as part of final engineering review and permitting.

(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.

Applicant Response: *The scale of the proposed development is appropriate for the site. The B-3 district establishes a maximum floor area ratio of 0.5, which could allow a building with a permitted use up to 28,699 square feet. The proposed convenience store building is 3,505 square feet. The proposed development decreases the level of development that currently exists on the site by 2,112 square feet (5,617 sf total existing; 2,772 sf existing convenience store & 2,845 sf existing commercial).*

Staff Response: Staff concurs with applicant response. Specifically, proposed development will decrease square footage by 2,100 square feet+/- overall.

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 comments 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
DRC Report
Exhibits