

City of Coconut Creek InterOffice Memorandum

To: Planning and Zoning Board

Date: July 10, 2019

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

Subject: Village Shoppes of Coconut Creek
Rezoning (PCD Modification)

Applicant/Agent: Bill Pfeffer, Bowman Consulting

Owner: Village Shoppes of Coconut Creek Investments, LLC

Requested Action/Description: Rezoning

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: The applicant, Bill Pfeffer, Bowman Consulting, on behalf of the owner, Village Shoppes of Coconut Creek Investments, LLC, is requesting rezoning approval to modify existing PCD standards in order to construct a Chick-Fil-A Restaurant with dual drive-thru lanes. The subject property is located on the northeast corner of Wiles Road and State Road 7 (US 441) within the Village Shoppes of Coconut Creek shopping center.

Project Description:

The applicant, Bill Pfeffer, Bowman Consulting, on behalf of the owner, Village Shoppes of Coconut Creek Investments, LLC, is requesting rezoning approval to modify existing PCD standards in order to construct a Chick-Fil-A Restaurant with dual drive-thru lanes. The subject property is located on the northeast corner of Wiles Road and State Road 7 (US 441) within the Village Shoppes of Coconut Creek shopping center.

This item was presented to the City Commission for consideration at the October 25, 2018, City Commission Meeting. At that meeting, the City Commission expressed concerns about the overall design of the project, which will be referred to as Alternative 1 for the remainder of the discussion (Alternative 1) and all items related to the project were tabled to a date certain of December 13, 2018. In an effort to address concerns raised by the Commission at the October meeting, the applicant developed an alternative site plan where the building layout was inverted. That alternative was presented to the City Commission in the applicant's PowerPoint presentation for discussion purposes at the December meeting, however, it had not been reviewed by the DRC so staff was not able to make a formal recommendation at the meeting. With the understanding that the applicant would provide staff with a full submittal for DRC review, the Ordinance to modify the existing PCD to accommodate the construction of the Chick-Fil-A Restaurant, under Alternative 1, was approved on first reading. Upon review of the inverted plans submitted following the December 13, 2018, meeting, by the DRC, several critical design issues were identified with the site plan that resulted in the resubmittal of a modified version of the inverted layout, which will be referred to as Alternative 2 (Alternative 2).

At this time, given the numerous changes that have been made to all applications related to this project, it was determined that the appropriate course of action is to present this item, along with the companion Special Land Use Ordinance, as a new ordinance for first reading. Further, given the extensive review history for multiple design options for this project by staff, the Planning and Zoning Board, and the City Commission, there are two options to modify the PCD being presented for consideration. The first, (Alternative 1) is the original project submittal, as recommended for approval by staff and the Planning and Zoning Board. The second, (Alternative 2) is based on the latest version of the inverted layout, which has been modified by the applicant as a result of the DRC review. For reference and in an effort to highlight, summarize and compare design concerns between the two options, staff has prepared a table that presents a comparison of pertinent design and development criteria (see attached).

Public Involvement:

Per Section 13-36(c) and 13-356(h), property owners within 500 feet of the subject property were notified by mail of the rezoning request and invited to attend the City Commission meeting. Three-hundred and eleven (311) notices were mailed by the City on June 26, 2019. A notice of rezoning public hearing sign was also posted on the property 14 days prior to the City Commission meeting. To date, staff has not received

any public inquiries related to the project. The applicant also provided tenant notification within the plaza in accordance with the newly adopted provision within the Land Development Code.

Analysis and Findings:

Pursuant to Sec.13-36(e) of the Land Development Code, the Planning and Zoning Board shall consider certain standards when reviewing the proposed rezoning. Listed below are the standards and the applicant's verbatim responses as to compliance with these standards.

1) The Rezoning is not contrary to the Comprehensive Plan.

Applicant Response: The PCD Amendment/Rezoning is not contrary to the City's Comprehensive Plan. The PCD was previously determined to be in compliance with the City's Comprehensive Plan as evidenced by the City Commission's approval of the PCD on August 23, 2007. Further, the PCD approved restaurant use within the Shopping Center and specifically on Parcel/Tract B of the Alexander-Young Plat which is the parcel/tract where the Chick-Fil-A restaurant will be located. As such, the PCD Amendment/Rezoning is not contrary to the Comprehensive Plan.

(2) The Rezoning will not create an isolated zoning district, which would be unrelated and incompatible with adjacent districts.

Applicant Response: The PCD Amendment/Rezoning will not create an isolated zoning district, which would be unrelated and incompatible with adjacent districts. The Shopping Center will remain zoned PCD which is consistent and compatible with adjacent PCD, PUD and B-2 zoning designations. Thus, the PCD Amendment/Rezoning will not create an isolated zoning district, which would be unrelated and incompatible with adjacent districts.

(3) The Rezoning will not substantially impact public facilities such as schools, utilities and streets.

Applicant Response: The PCD Amendment/ Rezoning will not substantially impact public facilities such as schools, utilities and streets. The Shopping Center is already substantially developed with a variety of mixed uses pursuant to the approved PCD and served by public facilities. The PCD Amendment/Rezoning is required to amend the language of the PCD as discussed in detail above to accommodate the Chick-Fil-A restaurant. Further, the PCD Amendment/Rezoning will not change the previously approved uses located within the Shopping Center and, as such, will not substantially impact public facilities such as schools, utilities and streets.

(4) The Rezoning will be justified by external land use conditions.

Applicant Response: The PCD Amendment/Rezoning is justified by external land use conditions. The existing Shopping Center is virtually surrounded by PCD, PUD and Commercial zoning districts and land uses. As such, the PCD Amendment/Rezoning is justified by external land use conditions.

(5) The Rezoning will not create or excessively increase automobile and vehicular traffic congestion.

Applicant Response: The Rezoning will not create or excessively increase automobile and vehicular traffic congestion. As stated above, the Shopping Center is substantially developed and built out. The PCD Amendment/Rezoning will not change the existing uses previously approved for the Shopping Center. During the PCD and site plan approval process for the Shopping Center, anticipated automobile and vehicular traffic, including the proposed bank use at the time, was accounted for. As such, changing the bank use for a similarly sized restaurant use will not excessively increase or create automobile and vehicular traffic congestion. Further, the design of the Chick-Fil-A including two (2) drive-through stacking lanes providing for a substantial stacking capacity of approximately twenty-four (24) vehicles and the results of the aforementioned parking analysis demonstrate that the rezoning will not create or excessively increase automobile and vehicular traffic congestion.

(6) The Rezoning will not create a storm drainage problem for other properties.

Applicant Response: The Rezoning will not create a storm drainage problem for other properties. The primary use of the existing Shopping Center will not be affected by the PCD Amendment/Rezoning as the site is already substantially developed. As such, the PCD Amendment/Rezoning will not create a storm drainage problem for other properties.

(7) The Rezoning will not adversely affect surrounding living conditions.

Applicant Response: The PCD Amendment/Rezoning will not adversely affect surrounding living conditions. The PCD Amendment/Rezoning will not alter the existing uses currently developed within the Shopping Center and previously approved by the PCD except that the previously proposed bank use will now be restaurant use which provides an additional amenity to adjacent residents. As such, the PCD Amendment/Rezoning will support community needs and will not adversely affect surrounding living conditions.

(8) The Rezoning will not adversely affect environmental quality.

Applicant Response: The Rezoning will not adversely affect environmental quality. As noted above, The PCD Amendment/Rezoning will not alter the existing uses currently developed within the Shopping Center and previously approved by the PCD except that the previously proposed bank use will now be restaurant use. CFA will abide by all local, state and federal regulations regarding environmental quality for the use of the CFA Pad and the operation of the Chick-Fil-A restaurant. As such, the PUD [PCD] Amendment/Rezoning will not adversely affect environmental quality.

(9) The Rezoning will not adversely affect other property values.

Applicant Response: The Rezoning will not adversely affect other property values. The Shopping Center is currently developed with several high quality mixed uses that provided value to adjacent property owners. The proposed Chick-Fil-A will only enhance the dining options for adjacent property owners and has proven to be a welcome asset to the community. As such, the PCD Amendment/Rezoning will not adversely affect other property values.

(10) The Rezoning will not be a deterrent to improvement or development of other property.

Applicant Response: The PCD Amendment/Rezoning will not be a deterrent to improvement or development of other property. The PCD Amendment/Rezoning is necessary to change the bank use to a restaurant use which is a previously approved use for the CFA Pad pursuant to the approved PCD. Further, the Shopping Center is already substantially developed. As such, the PCD Amendment/Rezoning will not be a deterrent to improvement or development of other property.

(11) The Rezoning will not constitute a special privilege to an individual owner.

Applicant Response: The PCD Amendment/Rezoning will not constitute a special privilege to an individual owner. The PCD Amendment/Rezoning simply allows for CFA to exchange the previously proposed bank use for another use previously approved within the PCD. As the proposed use was previously approved by the City Commission along with the PCD, the PCD Amendment/Rezoning will not constitute a special privilege to an individual owner.

Staff Recommendation:

For the purposes of providing a clear record, Staff recommends the Planning and Zoning Board review Alternative #1 and Alternative #2 and recommend approval or denial of each of the Alternatives.

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Attachments:

Aerial Photo
DRC Report
Exhibit