

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: 7-Eleven #34941 – Rezoning

Applicant/Agent: Keith and Associates
Owner: 7-Eleven Inc.
Requested Action/Description: Rezoning to B-3 (Community Shopping)
Location: 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: .62+/- acres
Existing Zoning: B-2 (Convenience Shopping)
Existing Use: Commercial
Future Land Use Plan Designation: 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 rezoning approval from B-2 (Convenience Shopping), to B-3 (Community Shopping). The subject property is located at 4990 Coconut Creek Parkway, at the southeast corner of Coconut Creek Parkway and Banks Road.

Project Description:

Overall, the project consists of two separate parcels. The western parcel and subject of this application, is located at 4990 Coconut Creek Parkway. The applicant, on behalf of the owner 7-Eleven Inc., is requesting rezoning approval from B-2 (Convenience

Shopping) to B-3 (Community Shopping) for the subject property. The adjacent eastern parcel, located at 4960 Coconut Creek Parkway, will maintain its current B-3 (Community Shopping) zoning designation.

Currently, both parcels are developed with an existing Mobil Gas station with convenience store and car wash at the corner and Kyle Discount Tool Rental on the eastern site. 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, site plan and special land use applications are also under review and consideration. Once platted, the combined parcels will total approximately 1.3277+/- gross acres.

For reference, both sites are currently designated Commercial on the City of Coconut Creek Land Use Plan map. Rezoning the subject property to B-3 (Community Shopping) is consistent with the current Commercial land use designation.

Public Involvement:

Per Section 13-36(c), property owners within 500 feet of the subject property were notified by mail of the rezoning request and invited to attend the Planning and Zoning Board meeting. Fourteen (14) public notices were mailed by the City on November 27, 2019. Two (2) notices of rezoning public hearing signs were 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 inquires 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 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:

Pursuant to Section 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 applicants' verbatim responses as to compliance with these standards.

(1) Is not contrary to the comprehensive plan;

Applicant Response: *The proposed B-3 district is consistent with the underlying Commercial (C) Future Land Use Map designation. The proposed rezoning is also consistent with the City's Comprehensive Plan including, but not limited to, the following Objectives and Policies from 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 includes retail and 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 and 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 Analysis: Staff concurs with applicant response.

(2) Will not create an isolated zoning district which would be unrelated and incompatible with adjacent districts;

***Applicant Response:** The proposed B-3 zoning district is the same as and thus compatible with the adjacent B-3 zoning district.*

Staff Analysis: Staff concurs with applicant response. While the subject property has B-2 zoning, it abuts B-3 zoning on the south and east.

(3) Will not substantially impact public facilities such as schools, utilities and streets;

***Applicant Response:** The proposed rezoning to B-3 is intended to facilitate the development of a convenience store with fuel sales. The proposed use will not have a negative impact on utilities or streets. Further, the proposed redevelopment will not include a residential component and thus will not impact schools.*

Staff Analysis: Staff concurs with applicant response.

(4) Will be justified by external land use conditions;

***Applicant Response:** The conditions of the land do not prohibit or affect the proposed redevelopment. The proposed redevelopment will replace an existing convenience store with fuel sales with the same use and an existing commercial building currently being used for tool rentals.*

Staff Analysis: Staff concurs with applicant response.

(5) Will not create or excessively increase automobile and vehicular traffic congestion;

Applicant Response: Consistent with the trip generation analysis submitted to the City by KEITH, the Applicant is providing a new turn lane to improve the flow of traffic at the intersection of Coconut Creek Parkway and Banks Road.

Staff Analysis: Staff concurs with applicant response.

(6) Will not create a storm drainage problem for other properties;

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.

Staff Analysis: Proposed development has been reviewed by City engineering staff who will require complete storm drainage calculations for final engineering review and permitting which must meet all requirements prior to permit issuance.

(7) Will not adversely affect surrounding living conditions;

Applicant Response: The subject property is not located adjacent to residentially zoned property and, therefore, will not directly impact residential development. The proposed redevelopment will create new structures that improve the aesthetics of the property and adds landscaping enhancements that improve the natural environment. The site reduces curb cuts along Coconut Creek Parkway. The resulting new development improves living conditions for the City as a whole.

Staff Analysis: Staff concurs with applicant response. Proposed development complies with minimum B-3 zoning development standards.

(8) Will not seriously affect environmental quality;

Applicant Response: Both the existing B-2 zoning district and the proposed B-3 zoning district require a minimum of 15 percent open space; therefore, the change in zoning will not result in a reduction of the required open space on the property. The proposed site plan increases the amount of open space beyond the amount that currently exists on the property. Specifically, the site plan includes 46 percent open space, which is greater than the 15 percent open space required by both the B-2 and B-3 zoning districts. The proposed project removes an existing convenience store with fuel sales establishment, an automatic car wash, and an existing commercial structure and replaces these uses with a convenience store and gas station. Therefore, the intensity of the number of uses is being reduced. The landscape plan includes enhanced buffers and new vegetation, which increases environmental quality. The proposed redevelopment will include the removal of existing fuel tanks and the replacement with new fuel tanks that utilized improved technology that improves environmental quality versus the previous condition. The proposed rezoning is not anticipated to affect environmental quality.

Staff Analysis: Staff concurs with applicant response.

(9) Will not adversely affect other property values;

Applicant Response: The proposed rezoning and redevelopment will allow the improvement of the property and is expected to increase the property value. The proposed redevelopment will be the same use as the existing property. No adverse

effects on property values are anticipated. The subject property is not located adjacent to residentially zoned property and, therefore, will not impact residential development.

Staff Analysis: Staff concurs with applicant response. Proposed development provides for the re-development of an aging facility in compliance with B-3 zoning requirements.

(10) Will not be a deterrent to improvement or development of other property;

***Applicant Response:** The proposed project is self-contained and will have no impact on development decisions on nearby properties. The proposed rezoning is consistent with the larger, contiguous B-3 district. This project will improve an important corner in the City and will be a catalyst for additional, new development in the area.*

Staff Analysis: Staff concurs with applicant response.

(11) Will not constitute a special privilege to an individual owner.

***Applicant Response:** The proposed rezoning makes the parcel consistent with the larger, contiguous B-3 zoning district. The proposed rezoning will not result in spot zoning, as the B-3 district is already adjacent to the parcel proposed to be rezoned. The proposed project intends to redevelop the property's existing use. Therefore, rezoning will not confer a special privilege to the owner.*

Staff Analysis: Staff concurs with applicant response. Subject property abuts B-3 zoning on the south and east property lines.

Staff Recommendation:

City staff has reviewed the application as to consistency with the above referenced standards and finds the rezoning request, subject to outstanding DRC comments, consistent with Section 13-36 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.

LAWSS/ae

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Attachments:

Aerial Photo
DRC Report
Exhibits