

# City of Coconut Creek

## InterOffice Memorandum

**To:** Planning and Zoning Board

**Date:** September 14, 2016

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

**Subject:** Little Wonders  
Special Land Use  
Agenda Item No. 5

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<b>Applicant/Agent:</b>	Hector B Roa
<b>Owner:</b>	Alberto Dayan, Lyons Plaza Coconut Creek
<b>Requested Action/Description:</b>	Special Land Use
<b>Location:</b>	1487 Lyons Road
<b>Legal Description:</b>	Parcel A of LYONS PLAZA, according to the Plat thereof as recorded in Plat Book 122, Page 31 of the Public Records of Broward County, Florida
<b>Size:</b>	10.23+/- gross acres
<b>Existing Zoning:</b>	B-4 (Regional Shopping)
<b>Existing Use:</b>	Commercial
<b>Future Land Use Plan Designation:</b>	COMM (Commercial)
<b>Platted:</b>	Lyons Plaza Plat
<b>Plat Restriction:</b>	None

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**Requested Action:**

The applicant, Hector Roa, of Little Wonders Preschool, is requesting a special land use approval, consistent with Sec.13-35, to operate a child daycare center at 1487 Lyons Road. The subject property, commonly known as Lyons Plaza, is located on the west side of Lyons Road and north of Coconut Creek Parkway.

**Project Description:**

Little Wonders Preschool is proposing to occupy 2,889+/- square feet of vacant tenant space within Lyons Plaza. Additionally, a 1,084+/- square foot outdoor playground area is proposed at the rear (north) of the building within an existing parking area. No other preschool currently exists within Lyons Plaza. The closest existing child care center is the Coconut Creek Academy located at 4931 Coconut Creek Parkway within Coconut Creek Plaza.

Little Wonders Preschool is proposing a Free VPK program providing a convenient service for single parents. The Preschool will be affiliated with Family Central which will provide low cost meals to children as well as provide specialized training for staff in innovative learning systems. Through these efforts, the applicant proposes to seek a Gold Seal Accreditation Award by The Florida Department of Children and Families.

Little Wonders Preschool will provide child care services for up to 65 pre-school age children. Proposed hours of operation are Monday through Friday from 7:00 am to 6:00 pm. Drop-off and pick-up traffic associated with the school will utilize the existing parking lot located in front of the subject tenant space. Currently under staff review, the applicant is seeking an Administrative Approval to modify the existing site plan and remove five (5) to six (6) parking spaces to provide an area for the outdoor playground. Upon review of the current site plan for Lyons Plaza, staff has determined that a surplus of twenty-seven (27) parking spaces exist plaza wide. Applicant will be required to complete the Administrative Approval as part of the Special Land Use approval.

#### **Analysis and Findings:**

Per Section 13-35 (f) and (g) of the City Land Development Code, the Planning and Zoning Board and City Commission must find that a special land use meets the general and specific standards based on competent and substantial evidence. Listed below are these standards and the applicant's verbatim responses.

#### **GENERAL STANDARDS**

##### **(1)The proposed special land use will be in harmony with nearby uses permitted under Article III of the Land Development Code.**

The proposed Special Land Use for Approval for the Child Daycare Center will be in harmony with the nearby uses permitted under Article III of the Development Code because;

1. The Child Daycare Center, instead of having customers in and out as the regular retail business, such as, the nail shop, the grooming pet shop, dance school, among others; it will only have children to care and teach inside the promises, that means the Children at the Child Daycare Center would not interfere with the regular business in the shopping plaza.
2. The Child Daycare Center will not interfere in any way in the development of the daily businesses at the shopping plaza, instead, the Child Daycare Center will help to the workers at Lyons Plaza Coconut Creek and Coconut Creek Plaza to have nearby a Daycare Center where they can leave their children while working.

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

The proposed Special Land Use for Approval will be in harmony with nearby existing uses, because the Child Daycare Center is going to be a unique business in the plaza as there is no other business intended as a Child Daycare Center, school, or anything related to the Child Daycare business, therefore, it would not interfere or jeopardize the development of any business already established at the Shopping Plaza. After all that has been said, the Child Daycare Center will function in complete harmony with all businesses established in the plaza.

##### **(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.**

1. The Child Daycare Center will operate fully compatible with the adjacent business, the nail saloon which is located at the west side of the building, the front of the Child Daycare Center is located at the South side of the building which will be the Main Entrance and no modification of any kind will be performed in front; the East side of the building is an empty space 1501, which was acquired by the Child

Daycare Center for future expansion, and it is not part of this Special Land Use approval or other diligence at this time.

2. On the other hand, the hours of operation, as it was stated before will be:  
From: 7:00 am to 6:00 pm Monday through Friday, these hours are compatible with over 75% of the shopping plaza business.
3. The type of traffic is the regular drop off and pick up of about sixty five (65) children, this amount is for the Child Daycare Center working at full capacity, taking into consideration, that five (65) children dropping off and picking up does not mean sixty five (65) vehicles, there are families that have two (2) or even three (3) children. All the Drop off of children will start at 7:00 am in which none of the businesses have opened to public yet, until 9:30 am, between 8:30 am to 9:30 there are very few dropping off. In the afternoon the picking up of children would start around 4:00 pm until 6:00 pm, at these hours all the business are still open to public and will have exposure to the parents.
4. The Gross Leasable Area for the plaza building is 70,627 SF, the Child Daycare Center is occupying 2,889 SF in the main shopping plaza building. There will not setbacks issues with any tenant in the immediate adjacent with the construction of the Playground in the North side of the building. The land value of the building will have no impact with the Child Daycare Center operation, unlike will be more attractive for other type of business to start operation in the plaza due to the variety of business and the quality of visitors in Lyons Plaza Coconut Creek.

**(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.**

The proposed Special Land Use for Approval for the Child Daycare Center will be built for the adjacent families which both parents are working and need to leave their child save in a Daycare, and for those single working mothers that are alone and need a daycare for their child, for those workers around the area that even though, already have a Daycare far from their jobs, will have one convenience Child Daycare Center just nearby without going through the traffic. The Child Care Center will have a Free VPK program which is convenient for parents and single mothers at no cost. Also The Child Daycare Center will be affiliated with Family Central which will provide meals to children a low cost. This programs, and the specialized training of the staff, and innovative learning systems, the Child Daycare Center will be cutting edge in terms of child development. Little Wonders Preschool not only will be there for the profit that could generate the Center, but also for the passion of being the first steps in the children process of learning, to give an exceptional quality of care. The goal of the Center is to be granted as a Gold Seal Accreditation be The Florida Department of Children and Families. With this award, the program that will be offered to parents, and single mothers will impact positively the area.

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

The proposed Special Land Use for Approval Child Daycare Center will generate ten (10) direct employments, such as, teachers, office, and maintenance staff, and at least twenty (20) indirect employments, such as, Air Condition maintenance, water delivery, meals delivery by Family Central, cooks, accounting, office supply deliveries, Restaurant food orders for children parties. The Child Daycare Center will bring stability to the community by hiring staff from the community, if they have or are willing to have staff credential for this type of job. Along with this facts, the Child Daycare Center will generate clientele to the other businesses in the plaza, and the other plaza as well.

**(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 the Land Development Code or some other special land use permitted on the site.**

The Child Daycare Center by having a VPK (Voluntary Prekindergarten) program which is a Government program, also low cost meals for children, and programs from Government help of Child Care that give help for parent to pay their child care needs. Little Wonders Preschool is applying as a Child Daycare Center, and this is the primary and only use that the promises will have. The proposed special land use for approval is not intended in any way in the development of its operations to create conflicts or cause any negative impact that could result from the Child Care Center special land use.

**(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.**

The proposed special land use for approval for the Child Daycare Center, while it is true, Little Wonder Preschool is intended to build a Child Daycare Center by making some modifications in the interior of the space 1487 at Lyons Plaza by taking out some walls which are not part of the building structure and building some in the same way the others were constructed to make the Child Daycare Center viable and with strict compliance with the regulation and codes that may apply to the Child Care Centers in the City of Coconut Creek, the State of Florida, and the Federal Government Regulations. Also, a Playground is intended to be built in the North side of the building which is the back of the said building as part of the Child Daycare Center, the playground will be fenced in an area of approximate 1,672 SF (See attached Site Plan for details). The playground will be built over five parking spaces (19'-0" width by 88'-0"), just right behind the building space, also will be fenced the portion of landscape right behind the space 1501 that also belongs to Little Wonders Preschool for future development, it needs to be said that Little Wonders Preschool has an agreement with the landlord for the portions of land behind of the said spaces and a separate lease payment has been set forth for the portions of parking spaces and the landscape used for the playground. Likewise, there is a dumpster space that will be remove, and placed in different area;

1. The dumpster space is not being used for years.
2. The Child Daycare Center needed the space along with the two (2) trees that are in that side (East).
3. The only significant changes to the landscape is that it will have a better look.

As can be seen, the Child Daycare Center is intended to work in harmony with all entities involved, by no means will the Center take a detour in its entired objectives.

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

The Child Daycare Center is intended to function as a Daycare which will provide direct and indirect employments, will give options to parents in their daycare needs, and will have a high standards staff to prepare the children to improve their learning skills. The Child Care Center, the owners and the Director-owner, are well aware of the delicate and the high responsibility in having children in the Daycare, and the parent trust in leaving their children at the Center. The Child Daycare Center goal is to succeed and keep it for years to come, to succeed the Child Daycare Center Director and the Administration staff have established a very well define plan that include; a Curriculum for the Child Daycare Center, which will give the staff the directions to care

and teach with love and professionalism, innovative computer lab to start the children with technology and teach them the best way to use it, the parents can be part of the progress of their children in real time, and interact with them if that is the case. All that can be possible by establishing internal rules for staff and parents in a Little Wonders Preschool Handbook.

## **SPECIFIC STANDARDS**

**(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 Child Daycare Center will not in any means modify or interfere with the free development of businesses, when we stated that we will work in harmony with all parties involved and including surrounding areas, and streets.

**(2) The proposed use will not result in significantly greater amount of through traffic on local streets than would result from a development permitted by right.**

The Child Daycare Center will only generate at full capacity sixty (60) to Sixty five (65) vehicles, as was stated, this amount is if every parent has one child, in some cases parent drive two (2) or even three (3) children. There will not traffic impact at any hour, in the hypothetical fact of 65 vehicles dropping off or picking up in a range of two hours that is one (1) vehicle every two (2) minutes. This amount of cars will not in any means would affect the through traffic on the adjacent main street Lyons Road, or the inside of the Lyons Plaza, which it is an ideal for the others businesses to have traffic and exposure to new customers.

**(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 Child Daycare Center will not require any extension or enlargement of the thoroughfare system.

**(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.**

The Child Daycare Center will build a fenced Playground area which it needs a drainage for the raining water from the playground, for that purpose we will use an existing sewer located on the floor of the dumpster place. (For details please refer to the playground elevation on the floorplans).

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

The Child Daycare Center will have seven (7) doors and all of them will not open from the outside unless are opened with a key, from the inside can be easily opened by an adult by pushing them, beside that the facility will have surveillance cameras running 24/7 by motion detection through the facility, also the facility will count with burglary alarm system with live people talking to the burglar in case of any person illegally trespass the promises, the main entrance will have a camera located heading the main entrance, also people at the door are filtered by the person at the Office-lobby. One of the most important matter that we really care about is the security of the children, we

will also have a Fire Alarm System which will be monitored by the security company 24/7. The Child Daycare Center due to the nature of the business will need the regular patrol, without any additional services.

**(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.**

The Child Daycare Center falls into a unique business in the Lyons Plaza Coconut Creek, however, the special land use approval will not have any issue or any interference with the proposed buffer which will be in harmony with the environment and the businesses, regarding the setbacks, as was stated before there will be no issues with the adjacent tenants; the surrounding properties will not be issues at all, because the Plaza is standalone facility which is divided all around by a wall that keep their and our privacy, and no view at all to the properties at the North side of the building.

In summary, the Special Land Use application is in substantial compliance with the City's 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.
2. A special land use approval shall expire eighteen (18) months following the date of approval unless a building permit for a principal building as required by the applicable Florida Building Code has been issued to the applicant and kept in force.
3. Complete Administrative Approval application for outdoor playground.

**Staff Recommendation:**

City staff has reviewed the application as to consistency with the above referenced standards and finds the Special Land Use request, subject to the above conditions, consistent with the Section 13-35 "Special Land Use" of the City of Coconut Creek Land Development Code.

LA/WSS/jw

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**Attachments:**

Aerial Photo  
DRC Report  
Exhibit