

City of Coconut Creek

InterOffice Memorandum

To: Planning and Zoning Board
From: W. Scott Stoudenmire, AICP
Deputy Director of Sustainable Development
Date: September 12, 2018
Subject: Village Shoppes of Coconut Creek
Rezoning (PCD Modification)

Applicant/Agent: Bill Pfeffer, Bowman Consulting

Owner: Dagmar Rivera, 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: 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, Dagmar Rivera, 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-thrus. The subject property is located on the northeast corner of Wiles Road and State Road 7(US 441).

Project Description:

On February 8th, 2006 and March 23rd, 2006, the Planning and Zoning Board and City Commission, respectively, recommended approval of a rezoning request made by the prior owner, to combine the Spear PCD and Alexander Young PCD into one unified site, renamed as Village Shoppes of Coconut Creek. A master site plan was approved by the Planning and Zoning Board on July 10, 2010, that included a retail shopping center with professional offices, a bank and restaurant, both with drive-thru service lanes. While the approved restaurant site adjacent to Wiles Road was ultimately constructed as a free-standing commercial retail building, the bank site adjacent to State Road 7 remains and is the last undeveloped parcel within the PCD.

Pursuant to the approved master site plan, as referenced above, the approved bank proposed a 3,831 square foot building footprint with four (4) drive-thru lanes able to accommodate up to twenty-one (21) vehicles without any drive-aisle encroachments.

As proposed, the applicant is seeking a modification (rezoning) to the previously approved Village Shoppes PCD to accommodate a specific development program. The applicant is proposing to construct a free-standing Chick-Fil-A (CFA) restaurant with dual drive-thru lanes adjacent to State Road 7 at the approved bank site location. The new 4,151 square foot CFA restaurant includes dual drive-thru lanes to accommodate up to twenty-four (24) vehicles.

Additional proposed modifications to the existing PCD are itemized below:

- Repeal current list of permitted uses and provide specific reference to Land Development Code Master Business List.
- Overall document clean-up to reflect current conditions.
- Development standards for proposed Chick-Fil-A restaurant including;
 - Monument sign
 - Menu-board signage
 - Dual drive-thru
 - Setbacks
 - Foundation plantings and parking islands

Concurrently with this rezoning application, the applicant is seeking a site plan approval and special land use approval to permit a drive-thru as required by the Land Development Code.

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. Two-hundred and ninety-nine (299) notices were mailed by the City on August 29th, 2018. A notice of rezoning public hearing sign was also posted on the property 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 a Community Meeting report for this project, which is included as part of the agenda backup for this application. Key efforts resulting from their outreach include a meeting held at the onsite child day care facility at 5876 Wiles Road, which was intended to provide a forum for residents but was open to the public. The Community Meeting was held on August 21st, 2018 at 6:00 pm.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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 Amendment/Rezoning will not adversely affect environmental quality.

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

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.

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.

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:

City staff has reviewed the application as to consistency with the above referenced standards and finds the rezoning request, subject to the above condition, 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.

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Attachments:

Aerial Photo
DRC Report
Exhibit