



Legislation Details (With Text)

**File #:** ORD 2019-016      **Name:** Chick-Fil-A Rezoning

**Type:** Ordinance      **Status:** Passed

**File created:** 6/13/2019      **In control:** City Commission

**On agenda:** 8/8/2019      **Final action:** 8/8/2019

**Title:** AN ORDINANCE PROPOSING TO CHANGE THE LIST OF PERMITTED, SPECIAL AND PROHIBITED USES AND TO MODIFY SITE DESIGN STANDARDS WITHIN THE VILLAGE SHOPPES OF COCONUT CREEK PLANNED COMMERCE DISTRICT (PCD) BY AMENDING ORDINANCE NO. 2007-011, WHICH APPROVED THE VILLAGE SHOPPES OF COCONUT CREEK PLANNED COMMERCE DISTRICT (PCD) GENERALLY LOCATED AT 4670 STATE ROAD 7 (441), AT THE NORTHEAST CORNER OF WILES AND STATE ROAD 7 PURSUANT TO THE PROVISIONS OF SECTIONS 13-36, 13-355, AND 13-356, COCONUT CREEK CODE OF ORDINANCES. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

**Sponsors:**

**Indexes:** Ordinance, PCD, Planning and Zoning, REZONING

**Code sections:**

**Attachments:** 1. ORDINANCE 2019-016-Chick-Fil-A Rezoning, 2. BACKUP-PCD Clean From 2007 to 07-11-19 hearing, 3. BACKUP-PCD Strike thru from 2007 to 07-11-19 hearing, 4. BACKUP-Map-Chick-Fil-A Rezoning, 5. BACKUP-Ordinance No. 2007-011, 6. BACKUP-Applicant Presentation-Chick-Fil-A Alternative #2, 7. MINUTES-2018-0912 PZ Mtg, 8. MINUTES-2018-1025 Regular, 9. MINUTES-2018-1213 Regular, 10. MINUTES-Draft PZ Mtg Excerpt 2019-0710-Chick-Fil-A

Date	Ver.	Action By	Action	Result
8/8/2019	1	City Commission		
7/11/2019	1	City Commission		

AGENDA ITEM REPORT

**TITLE:**

AN ORDINANCE PROPOSING TO CHANGE THE LIST OF PERMITTED, SPECIAL AND PROHIBITED USES AND TO MODIFY SITE DESIGN STANDARDS WITHIN THE VILLAGE SHOPPES OF COCONUT CREEK PLANNED COMMERCE DISTRICT (PCD) BY AMENDING ORDINANCE NO. 2007-011, WHICH APPROVED THE VILLAGE SHOPPES OF COCONUT CREEK PLANNED COMMERCE DISTRICT (PCD) GENERALLY LOCATED AT 4670 STATE ROAD 7 (441), AT THE NORTHEAST CORNER OF WILES AND STATE ROAD 7 PURSUANT TO THE PROVISIONS OF SECTIONS 13-36, 13-355, AND 13-356, COCONUT CREEK CODE OF ORDINANCES. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

**BACKGROUND:**

**Alternative 2 was approved on First Reading at the July 11, 2019, City Commission Meeting (Alternative 1 failed for lack of a motion).**

**The applicant has provided an updated PCD Plan showing the final revisions discussed at**

**First Reading. Two attachments are provided:**

- 1. A clean document showing the changes between First and Second Reading in strikethrough and underline; and**
- 2. A strikethrough and underline document showing the changes from 2007 to Second Reading.**

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).

**DISCUSSION:**

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.

**RECOMMENDATION:**

The Planning and Zoning Board recommended approval of Alternative 2 at its July 10, 2019, meeting. The Commission approved Alternative 2 at First Reading but did not approve Alternative 1 (failed for lack of a motion). The ordinance attached for your consideration reflects those actions by denying Alternative 1 and approving Alternative 2.

**FISCAL IMPACT:** N/A