



Cooper City Commission Meeting
Agenda Item Request Form

Date: 11/7/2016
Requesting Commissioner/Department: Growth Management
Commission Regular Meeting Date: November 22, 2016
Commission Workshop Meeting Date: N/A
BID/RFP # N/A New Renewal
Contract name/description: N/A

AGENDA

Presentation Consent Regular Discussion

BACKGROUND & RECOMMENDATION (attach backup material to Item Request Form)

First Reading of Ordinance for Text Change to Section 23-72(a) of Zoning Code of Ordinances to allow "Personal Improvement Services" in the Planned Commercial Development District. The change would allow prospective uses such as Yoga, Karate and Dance Studios and Tutoring Services all of which are currently permitted in the B-1, B-2 and B-3 zoning districts.

On May 24, 2016, the City Commission voted to bring back this item for consideration as an ordinance. The Planning and Zoning Board unanimously recommended approval of the ordinance at their meeting on September 13, 2016.

GENERAL LEDGER ACCOUNT NUMBER(S) AND AMOUNT(S):

APPROVALS:

Finance Director _____

City Manager 

City Clerk _____

ORDINANCE NO. P16-10

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE COOPER CITY CODE OF ORDINANCES BY AMENDING SECTION 23-72 “PCD, PLANNED COMMERCIAL DEVELOPMENT DISTRICT” TO PROVIDE FOR PERSONAL IMPROVEMENT SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission recognizes that changes to the adopted Code of Ordinances are periodically necessary to ensure that the City’s regulations are current and consistent with the City’s planning and regulatory needs; and

WHEREAS, Weingarten Realty has requested the addition of the “Personal Improvement Services” use to the PCD, Planned Commercial Development District, in order to allow personal improvement services such as tutoring, martial arts and similar instructional services; and

WHEREAS, Personal Improvement Services are already permitted in the B-1, B-2 and B-3 zoning districts; and

WHEREAS, the City Commission desires to amend the code to permit Personal Improvement Services in the PCD zoning district, subject to conditional use approval and certain distance limitations; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the contents of this Ordinance at a duly noticed public hearing on September 13, 2016, and recommended approval of the City Code amendments; and

WHEREAS, the City Commission conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and participation by interested members of the public and staff, the City Commission has determined that this Ordinance is consistent with the City’s Comprehensive Plan and in the best interest of the City, its residents, and its visitors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA¹:

Section 1: Recitals Adopted. That each of the above stated recitals is hereby adopted and confirmed.

Section 2: City Code Amended. That Section 23-72 “PCD, Planned Commercial Development District” of Chapter 23 “Zoning Districts” of the City of Cooper City Municipal Code of Ordinances is hereby amended to read as follows:

Chapter 23 ZONING DISTRICTS

* * *

Article IV. District Regulations

* * *

Section 23-72. PCD, Planned Commercial Development District.

(a) *Permitted uses.* In the PCD district, no building or structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than one or more of the following uses:

* * *

- (10) Personal care services, provided that dry cleaning shall be conducted within completely enclosed solvent reclaiming units;
- (11) Personal Improvement Services.

¹ Additions to existing City Code text are indicated by underlining.

(12) Recreation, indoor;

[REMAINING SUBSECTIONS TO BE RENUMBERED]

* * *

Section 3. **Repeal.** That all ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

Section 4. **Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, and they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. **Inclusion in the Code.** That it is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Cooper City; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 6: That this Ordinance shall be effective immediately upon adoption on second reading.

**PASSED AND ADOPTED on First Reading this _____ day
of _____, A.D., 2016.**

**PASSED AND FINAL ADOPTION on Second Reading this
_____ day of _____, A.D., 2016.**

GREG ROSS
Mayor

ATTEST:

SUSAN POLING
City Clerk

Approved As To Form:

DAVID M. WOLPIN
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Sims _____
Commissioner Mallozzi _____
Commissioner Curran _____
Commissioner Green _____



MEMORANDUM

To: City Commissioners

From: Matt Wood, Growth Management Director 

Through: Bruce Loucks, City Manager

Date: November 8, 2016

Re: Code Change to Allow Personal Improvement Services in the PCD District

This item is a proposed ordinance for a text amendment to Section 23-72(a) of the Zoning Code of Ordinances to allow "Personal Improvement Services" in the PCD, Planned Commercial Development District. The change would open the District to prospective uses such as Yoga, Karate and Dance Studios and Tutoring Services all of which are currently permitted in the B-1, B-2 and B-3 zoning districts. The change would allow the two PCD-zoned centers (Embassy Lakes Shopping Plaza and Embassy Lakes Professional Center) to better serve the local community and to be competitive with other centers in the standard business districts which can currently lease to such personal improvement services.

PLANNING AND ZONING BOARD (LOCAL PLANNING AGENCY)
RECOMMENDATION: At the meeting on September 13, 2016, the Planning and Zoning Board unanimously recommended APPROVAL of the proposed ordinance.

WEINGARTEN REALTY

5355 Town Center Road, Suite 802
Boca Raton, FL 33486
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954.351.7010 Fax
www.weingarten.com

April 29, 2016

Cooper City
Attn: Matthew Wood, AICP
9090 Southwest 50th Place
Cooper City, Florida 33328

RE: Embassy Lakes Shopping Center
2501-2721 North Hiatus Road, Cooper City, FL 33026
Personal Improvement Services within a PCD District

Dear Mr. Wood,

Please let this letter serve as our formal request to add back to the agenda of the next available City Commissioner Meeting our request to allow personal improvement services within Embassy Lakes Shopping Center, which is currently in a PCD District.

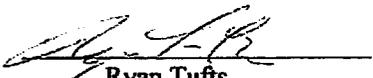
This request was previously tabled at the Commissioner's Meeting on 1/26/2016 so that we can address some of the concerns brought up during the meeting. Since then, we have met at the shopping center with Commissioner Curran and yourself to help communicate our intentions and to receive your feedback on how to effectively proceed.

Our intentions are to better serve the local community by being able to lease space to businesses that have instructional uses, such as tutoring offices and martial arts studios. In addition, we intend to simultaneously improve our signage, update our signage plan, add outdoor seating and remove a portion of a perimeter wall at the intersection of Hiatus Road and Southeast Lake Boulevard to beautify the corner with upgraded landscaping.

Your consideration is greatly appreciated. If you have any questions, please contact me at (954) 938-2590 or rtufts@weingarten.com.

Sincerely,

WEINGARTEN REALTY INVESTORS,
a Texas real estate investment trust

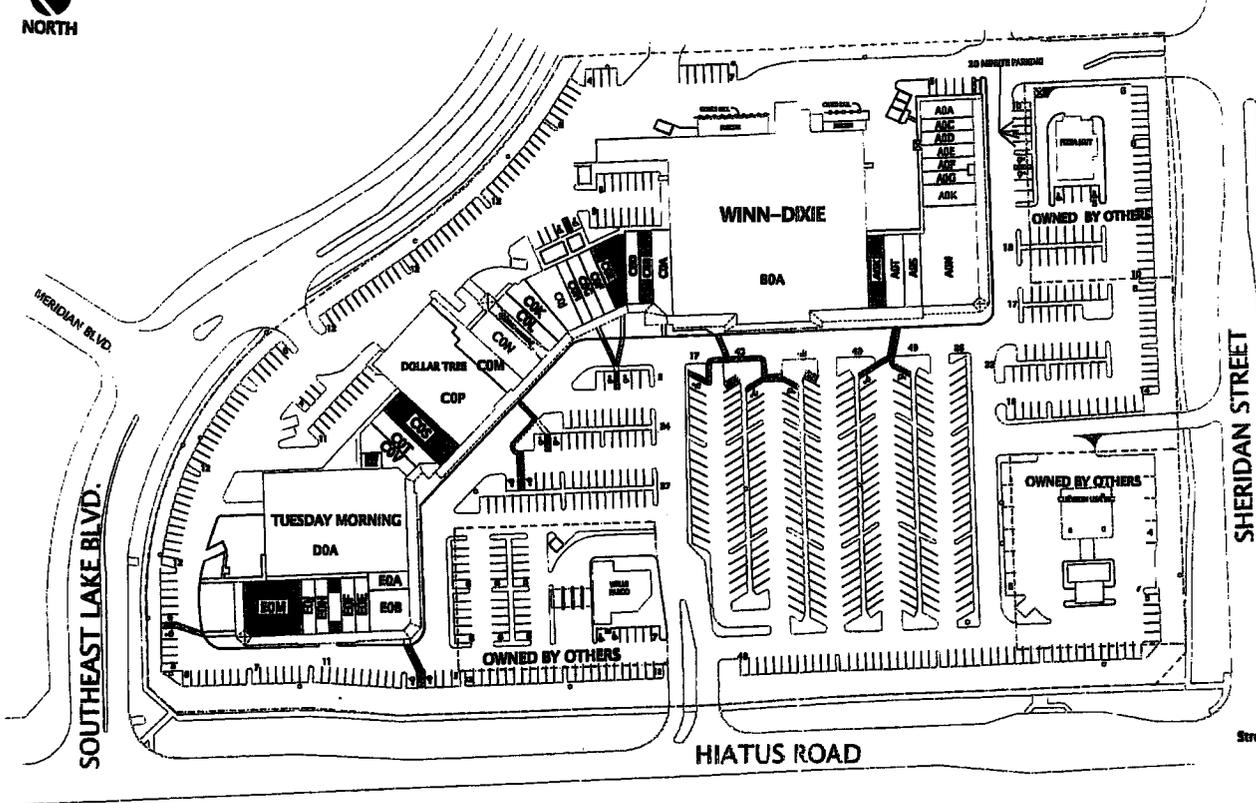
By: 
Name: Ryan Tufts
Title: Regional Property Manager

People-to-People. Coast-to-Coast.

Weingarten Realty is the trade name of Weingarten Realty Investors (the "Trust") which is an unincorporated trust organized under the Texas Real Estate Investment Trust Act. Neither the shareholders of the trust, nor its trust managers, officers, employees or other agents are personally, corporately or individually liable for any debt, act, omission, or obligation of the trust, and all persons having claims of any kind against the trust must look solely to the property of the trust for the enforcement of their rights.

EMBASSY LAKES

Hiatus Road & Sheridan Street
Cooper City, Florida 33026



SITE SUMMARY

Building Area	131,723
A0A Subway *	1,240
A0B Shoe Repair & Alterations	90C
A0D Hope's Comics	90C
A0E NO. 1 WOK %	90C
A0F Clipper King's Barber Shop	90C
A0G Accessory Obsession	90C
A0K Italian Restaurant *	1,500
A0N True Value	7,000
A0S Creative Chiropractic	1,620
A0T Akana Sushi *	1,620
A0X Available (20' x 81')	1,620
B0A Winn-Dixie	46,324
C0A Toni's Hair Salon	1,814
C0B Available (15' x 81'6")	1,224
C0D Coral Shores Realty & Bancplus	1,220
C0E Available (29' x 75')	2,17
C0F Optical Impressions	1,118
C0G Katz Nails & Spa	1,118
C0H Dry Cleaner	93'
C0J Bogart's Bagels *	2,11C
C0K T-Mobile	1,625
C0L GNC	1,274
C0M Allstate Insurance	2,374
C0N La Brochette Bistro *	2,494
C0P Dollar Tree	11,128
C0S Available (30'7" x 90')	2,75C
C0T Animal Hospital	1,538
C0V Dr. James Shore	1,477
D0A Tuesday Morning	18,645
E0A Discount Beauty Supply	907
E0B Sprint	2,028
E0E Vape Masters, Inc.	905
E0F Embassy Hair	905
E0G Available (15' x 60'4")	905
E0H Classy Clippers	905
E0J Ray's New York Pizzeria *	905
E0M Available (63'4" x 60'4")	3,823

This site plan is prepared solely for the purpose of showing the proposed location and size of the building project contemplated by the owner. It is not intended to be used for any other purpose, and it is not intended to constitute a contract or any other legal instrument. The owner warrants that the information contained herein is true and correct to the best of their knowledge and belief. The owner also warrants that the information contained herein is not intended to be used for any other purpose, and it is not intended to constitute a contract or any other legal instrument.

Land Area: 617,724 sf. / 14.19 Acres
 Building Area: 131,723 sf.
 Parking: 613 Spaces @ 4.85 /1000sf.

Scale: 1" = 50'
 Rev.: 03-01-2016

WEINGARTEN REALTY
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