



Cooper City Commission Meeting Agenda Item Request Form

Commission Meeting/Workshop Date: August 25, 2020

Requesting Department: Growth Management

Subject: Variance Petition for Monterra Parcel C-2,
Brightstar Credit Union Headquarters

Section:

Presentation

Consent

Regular

Discussion

Background and Recommendation (attach backup material to Item Request Form):

Variance #V 3-1-20 for Monterra Parcel C-2, Brightstar Credit Union Headquarters

LOCATION: West side of University Drive, south of Monterra Boulevard

PETITIONERS: CC Broward Property VI, LLC, Owner,
Craven Thompson and Assoc., Agent

REQUEST: The variance request is to reduce the number of required loading spaces from 2 to 1 space and to reduce the dimensions of the space from 12' by 45' to 12' by 30'.

https://coopercityfl-my.sharepoint.com/:f/g/personal/jchockley_coopercityfl_org/EoPfOSySnjJFtaZdPPDW8BUB2wpzxibvZ1AdbD8MTq2n4g?e=fzhZdS

General Ledger Account Number(s) and Amount(s):

Approvals:

Finance Director _____ City Manager _____ City Clerk _____



MEMORANDUM

To: City Commission Members

From: Matt Wood, Growth Management Director

Thru: Kathryn Sims, Assistant City Manager, City Clerk
Joe Napoli, City Manager

Date: August 11, 2020

Re: Petition No. V 3-1-20
Variance for Monterra Parcel C-2 – Brightstar Credit Union Corporate Headquarters

PETITION: Variance for Monterra Parcel C-2 – Brightstar Credit Union Corporate Headquarters

LOCATION: Northwest corner of University Drive and Solano Avenue

SIZE/ACRES: 4.34 acres

OWNER/AGENT: CC Broward Property VI, LLC/Craven Thompson and Assoc., agent

FUTURE LAND USE PLAN DESIGNATION: Commercial

ZONING DESIGNATION: PMUD, Planned Mixed Use Development District

ANALYSIS: This petition is a variance request relative to required loading zones. A proposed site plan, design guidelines and a sign waiver petition have been submitted concurrently with this petition.

The subject site is located on the northwest corner of University Drive and Solano Avenue. The plans reflect a three-story office building at 45' in height (56'5" including the architectural projection over the roof) that will serve as the new headquarters building for Brightstar Credit Union. A Brightstar branch with four drive thru lanes is also proposed.

The variance request is from Section 25-7(c) to reduce the number of required loading spaces from 2 to 1 space and to reduce the dimensions of the space from 12' by 45' to 12' by 30'. The applicants justify the variance request based on a number of considerations including but not limited to the following:

Since the building is a single-user occupant, Brightstar understands their loading requirement needs and have determined that one 12' by 30' loading zone is sufficient for the use. They will

not be receiving any deliveries via a semi-tractor trailer. All deliveries will be via a box truck which can easily fit in a 12' by 30' loading zone.

STAFF FINDING: Staff has determined that the variance application may be recommended for approval based on the following findings:

1. Granting the variance would not be detrimental to the public or injurious to properties in the general vicinity given the variance are expected to allow a greater flexibility of design
2. The variance if granted would allow a reasonable use of the property for development of an office building with drive-thru lanes which may be hard pressed to meet the literal intent of the Code such as with the number of required trees in the compact development, or with the need for the required number of parking spaces in an age-restricted community.

Should the City Commission recommended approval of the variance requests, staff recommends an approval be subject to:

1. Approval of the site plan, design guidelines and sign waiver petitions that have been submitted concurrently with this petition.

PLANNING AND ZONING BOARD RECOMMENDATION: The Planning and Zoning Board, at their meeting of July 6, 2020, unanimously recommended approval of the Variance petition.

RESOLUTION NO. 20-8-9

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING THE REQUEST FOR VARIANCE PETITION #V 3-1-20, FROM CC BROWARD PROPERTY VI, LLC / CRAVEN THOMPSON AND ASSOCIATES (AGENT) FOR THE APPROXIMATELY 4.34 ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF UNIVERSITY DRIVE AND SOUTH OF MONTERRA BOULEVARD IN COOPER CITY, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 29, 2020, CC Broward Property VI, LLC (the “Applicant”), through its agent, Craven Thompson and Associates, filed Petition #V 3-1-20, seeking two (2) variances, as detailed herein, for the approximately 4.34 acres of real property generally located on the west side of University Drive, South of Monterra Boulevard (the “Property”); and

WHEREAS, the City’s professional staff, as detailed on the Staff Report attached hereto as Exhibit “A” and incorporated herein, has determined that granting the variances would not be detrimental to the public or injurious to properties in the general vicinity of the Property; and

WHEREAS, the City’s professional staff has further determined that, if granted, the variances would allow for a reasonable use of the Property for the development of a mid-rise, multifamily development; and

WHEREAS, a Public Hearing on this request was held by the Planning & Zoning Board on July 6, 2020, after due notice of publication; and

WHEREAS, the Planning & Zoning Board has submitted to the City Commission their recommendation, a copy of which is included in the Staff Report, and recommends the approval of the variance requests, subject to certain conditions; and

WHEREAS, the Applicant has provided sufficient justification demonstrating compliance with the approval criteria to meet the requirements of the City Code for the variances that have been recommended for approval; and

WHEREAS, public notice was provided in accordance with law; and

WHEREAS, the City Commission finds that approving Variance Petition #V 1-1-20 is in the best interests of the citizens and residents of the City of Cooper City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:

Section 1: **Recitals Adopted.** That each of the above stated recitals is hereby adopted and confirmed. All exhibits attached hereto and incorporated herein and made a part hereof.

Section 2: **Approval.** That Petition #V 3-1-20 is approved as follows:

- a) Section 25-7(c) to reduce the number of required loading spaces from 2 to 1 space and,
- b) Section 25-7(b) to reduce the dimensions of the space from 12' by 45' to 12' by 30'.

Section 3: **Conditions.** All applicable state and federal permits must be obtained before commencement of the development.

Section 4. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal

agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 5. **Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 6. **Severability.** If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this resolution.

Section 7. **Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

PASSED AND ADOPTED this _____ day of _____, 2020

GREG ROSS
Mayor

ATTEST:

KATHRYN SIMS
City Clerk

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Pulcini _____
Commissioner Meltzer _____
Commissioner Curran _____
Commissioner Green _____