



**Cooper City Commission Meeting  
Agenda Item Request Form**

**Commission Meeting/Workshop Date:** August 25, 2020

**Requesting Department:** Growth Management

**Subject:** Second Reading of Rezoning/Design Guidelines Ordinance

**Section:**

*Presentation*

*Consent*

*Regular*

*Discussion*

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

**ORDINANCE FOR SECOND READING** – Rezoning/Design Guidelines Petition # Z 11-1-19 for Monterra Parcel C-2, Monterra Commons

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

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

**REQUESTS:** To establish the Monterra PMUD Design Guidelines for the remainder commercial Blocks of Parcel C-2, Monterra Commons

[https://coopercityfl-my.sharepoint.com/:f:/g/personal/jchockley\\_coopercityfl\\_org/EoPfOSySnjJFtaZdPPDW8BUB2wpzxibvZIAdbD8MTq2n4g?e=fzhZdS](https://coopercityfl-my.sharepoint.com/:f:/g/personal/jchockley_coopercityfl_org/EoPfOSySnjJFtaZdPPDW8BUB2wpzxibvZIAdbD8MTq2n4g?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: July 28, 2020

Re: Monterra Commons  
Rezoning/ Design Guidelines Petition # Z 11-1-19

---

LOCATION: Northwest and Southwest Corners of Solano Avenue and University Drive

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

LAND USE DESIGNATION: Irregular Commercial and Residential (3.663 DU/acre)

REQUEST: To amend the Monterra PMUD Design Guidelines

This item is a rezoning request for Parcel C-2 of the Monterra Master Plan in order to establish the Commercial Design Guidelines for the Parcel. Although the Planned Mixed Use Development (PMUD) zoning district designation is not proposed to be changed, because the Design Guidelines are a function of the zoning district, the changes are technically considered a rezoning.

This petition is being processed concurrently with accompanying petitions for variances, plat and site plan amendments, and sign package/ sign waivers. These proposed guidelines would apply to Parcel C-2 only.

OVERVIEW OF CHANGES: The exhibit entitled “MONTERRA COMMONS DESIGN GUIDELINES” in the backup material reflects narrative and graphic descriptions of the proposed guidelines associated with this request. The currently approved Monterra Master Plan reflects Commercial Parcel C-2, at the northwest and southwest corners of Solano Avenue and University Drive as a singular tract. Under this request and the accompanying Site Plan, the Parcel is being subdivided into three parcels designated as Block 1 (6.99 acres), Block 2 (4.34 acres) and Block 3 (2.57 acres).

In addition to the subdivision of the parcel, the design guidelines being proposed with this request include:

- A. **The Master Plan** - In addition to reflecting the size of Blocks 1-3, the Master Plan indicates the maximum building square footage allotted to the three parcels based on the existing plat note limits: Blocks 1 and 3: 73,500 square feet of Commercial use and 10,000 square feet for Day Care; Block 2: 6,200 square feet for bank use and 63,800 for Office.

The intent for Block 1 is to provide for a commercial center comprised of several buildings interconnected by a pedestrian system with outdoor amenities to promote outdoor seating and gathering. The commercial center will promote a variety of uses including but not limited to retail, restaurants, a bank, entertainment uses and a day care center all utilizing a common parking area.

Block 2 is proposed for development of a multi-story office building with a bank use with drive thru lanes. Block 3 on the south side of Solano Avenue will provide for commercial, hotel, service station and/or office development. The southern buffer will include an 8' wall adjacent to the existing apartment buildings.

- B. **Conceptual Site Diagram, Pedestrian and Vehicular Circulation** - This exhibit demonstrates the pedestrian and vehicular circulation from adjacent roadways and parcels and reflects circulation within the overall Parcel C-2. The parcel has vehicular access points from Solano Avenue, Monterra Boulevard and University Drive, and pedestrian access between Blocks and to/from the adjacent proposed Monterra Apartments.
- C. **Landscaped Buffer Cross-sections** – are shown for the proposed Commercial-Residential buffers and the Solano Avenue, Monterra Boulevard and University Drive buffer yards. Twenty-five foot buffers are reflected along Solano Avenue and Monterra Boulevard and a twenty-foot buffer is provided along University Drive.
- D. **Open Space Planning** - This diagram illustrates that a minimum of 15% of both parcels will be set aside for open space areas as required consistent with the Overall Monterra Design Guidelines.
- E. **Zoning Requirements** - Development Standards are reflected for, among other things, permitted uses, lot size, building height, maximum floor area ratio (FAR), maximum building coverage, access, setbacks, building orientation and separation, lighting, landscaping, parking, loading, transit accommodations, pedestrian connectivity, streetscapes, safety and security measures for a proposed day care facility and entry feature/sign locations and elements.

Several deviations from previously approved design guidelines are requested with this petition, including:

1. Eliminating additional landscaped berms along Monterra Boulevard and University Drive to provide more visibility into the center.
2. Eliminating the proposed 6’ aluminum rail fence along University Drive to provide more visibility into the center.
3. Adding a second median break and turn lane on Monterra Blvd. and one median break on Solano Ave.
4. Reducing the commercial acreage from approximately 20 acres to approximately 14 acres to accommodate the removal of the acreage that was approved for the age-restricted mid-rise apartment building.
5. Eliminated the required 25’ setback from the buffer along Monterra Boulevard.

Variances are also requested concurrently with this petition, including:

1. Reducing the minimum number of parking spaces in a row from four to three to provide more flexibility of design for the center.
2. Increasing the number of buildings that may be constructed on a single commercial parcel from one to six to provide for a “village type atmosphere”.
3. Reducing the maximum spacing of dumpsters to allow flexibility for ease of access for each tenant.
4. Eliminating the required berm along Monterra Boulevard in order to maintain existing plant material.
5. Eliminating the required berm along University Drive in order to provide better visibility to the center.
6. Eliminating the required 25’ setback from the buffer along Monterra Boulevard to allow flexibility of design and better visibility to the building.

Sign Waivers and a Sign Package petition have been also been submitted concurrently with this petition and are discussed further in the accompanying staff report.

- F. **Architectural Elements** - are provided for on-site amenities including benches, site lighting, and bike racks.

CONSISTENCY WITH ADOPTED COMPREHENSIVE PLAN: Policy 1.4.4 of the City’s Comprehensive Plan states that City zoning as to permitted uses and densities must be in compliance with, or be more restrictive than, the requirements of the City Land Use Plan. The proposed Design Guidelines are consistent with the Land Use Plan designations permitted by the County and the City Future Land Use Maps.

While the amount of commercial use proposed is consistent with the square footage originally anticipated for the site as reflected on the Monterra Master Plan and original plat approval, it is now to be developed as three parcels with variance applications and Design Guideline deviations from previous approvals. Regardless of this, the rezoning/design guidelines petition can be considered consistent with the Comprehensive Plan.

LAND USE COMPATIBILITY: The proposed design guidelines may be considered compatible with surrounding properties. The requested guidelines do not change the proposed commercial use of the property. The site is bounded on the north across Monterra Boulevard by the Cascada townhomes; across University Drive to the east by existing and planned commercial uses in the Town of Davie; to the west by the proposed Monterra Apartments and the Del Prado subdivision; and to the south is the Jefferson at Monterra Apartments. As the development patterns in this area of Monterra remain the same as with previous development approvals, land use compatibility issues are not raised with this request.

TRAFFIC IMPACTS: The subject site has met all traffic concurrency regulations applicable to the site. Through the Land Use Plan Amendment and platting processes, the applicant worked closely with the Broward County Transportation Planning Division and the City to mitigate possible traffic impacts associated with the development. The approvals to date include a Traffic Concurrency Agreement and a Voluntary Regional Transportation Network Agreement resulting in funding to be used toward road improvements associated with traffic impacts of the overall Monterra development. The proposed commercial development does not increase the vehicular traffic from what has already been approved by the recorded plat.

RECOMMENDATION: The City Commission may recommend approval of the request subject to:

1. A finding that the applicant has adequately addressed the above-mentioned standards for approval.
2. Approval of the deviations from previously approved design guidelines requested with this petition.
3. Consistency with approvals of the accompanying variance requests 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 Rezoning/ Design Guidelines Petition # Z 11-1-19.

**ORDINANCE NO. 20-8-1**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING REZONING PETITION NUMBER Z 11-1-19 FOR MONTERRA PARCEL C-2 COMMERCIAL TRACTS, TO AMEND THE MONTERRA MASTER PLAN TO ESTABLISH THE DESIGN GUIDELINES FOR THE TRACTS, FOR THE PROPERTY DESCRIBED IN SECTION 2 OF THIS ORDINANCE, AND GENERALLY LOCATED ON THE WEST SIDE OF UNIVERSITY DRIVE, SOUTH OF MONTERRA BOULEVARD; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, an application has been submitted by CC Broward Property VI, LLC (property owner) and Craven Thompson and Associates, (petitioner) (collectively, the “Applicant”) to rezone/establish design guidelines for the property generally located on the west side of University Drive, south of Monterra Boulevard, by amending the Monterra Master Plan and Commercial Design Guidelines (Cooper City) (the “Petition”); and

**WHEREAS**, the Planning and Zoning Board of the City of Cooper City considered the Petition for rezoning of property described in Section 2 of this Ordinance on July 6, 2020 and recommended approval; and

**WHEREAS**, the City Commission of the City of Cooper City (“City Commission”) has conducted a public hearing in accordance with Florida law; and

**WHEREAS**, after said hearing, the City Commission deems it to be in the best interests of the City of Cooper City that said property be rezoned to amend the Monterra Master Plan and to establish design guidelines as above stated and more specifically provided in the staff report which is incorporated as part of this item.

**NOW, THEREFORE, BE IT ORDAINED 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.

**Section 2:**     That the following described property is hereby rezoned in order amend the Monterra Master Plan and to establish the Design Guidelines as provided in the staff report:

**A PORTION OF PARCELS “B” and “C-2”, MONTERRA PLAT, PLAT BOOK 175, PAGE 155 THRU 168, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED TO THIS ORDINANCE.**

**Section 3:**     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 4:**     All sections or parts of the Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same, are hereby repealed to the extent of such conflicts.

**Section 5:**     Should any section or provision of this Ordinance, or any portion thereof, of any paragraph, sentence or word, be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof, as a whole or a part thereof other than the part declared to be invalid.

**Section 6:**     This Ordinance shall become effective immediately upon its passage and final adoption.

**PASSED AND ADOPTED on First Reading this \_\_\_\_ day of \_\_\_\_\_,  
A.D., 2020.**

**PASSED AND FINAL ADOPTION on Second Reading this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2020.**

\_\_\_\_\_  
**GREG ROSS**  
Mayor

ATTEST:

\_\_\_\_\_  
**KATHRYN SIMS**  
City Clerk

Approved As To Form:

\_\_\_\_\_  
Jacob G. Horowitz  
City Attorney

**ROLL CALL**

Mayor Ross \_\_\_\_\_  
Commissioner Curran \_\_\_\_\_  
Commissioner Green \_\_\_\_\_  
Commissioner Meltzer \_\_\_\_\_  
Commissioner Pulcini \_\_\_\_\_