

RESOLUTION NO. 20-8-7

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT PURSUANT TO PETITION #PA 5-1-18 FOR THE APPROXIMATELY 6.99 ACRES OF REAL PROPERTY KNOWN AS THE MONTERRA PARCEL C-2 – SHOPPES OF MONTERRA GARDENS GENERALLY LOCATED ON THE SOUTHWEST CORNER OF UNIVERSITY DRIVE AND MONTERRA BOULEVARD IN COOPER CITY, FLORIDA TO AMEND THE NON-VEHICULAR ACCESS LINE (“NVAL”) ALONG UNIVERSITY DRIVE BY ALLOWING FOR A FIFTY FOOT (50’) SOUTH BOUND OPENING (RIGHT TURNS ONLY), WITH THE CENTERLINE TO BE LOCATED APPROXIMATELY ONE HUNDRED SIXTY-FIVE FEET (165’) NORTH OF THE EXISTING PLATTED OPENING; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, CC Broward Property VI, LLC (the “Applicant”), through its agent, Craven Thompson and Associates, filed Petition #PA 5-1-18 (the “Petition”), seeking a plat note amendment for the approximately 6.99 acres of real property generally located on the southwest corner of University Drive and Monterra Boulevard (the “Property”); and

WHEREAS, the City Commission of the City of Cooper City previously approved the Monterra Plat; and

WHEREAS, the City’s professional staff, as detailed on the Staff Report attached hereto as Exhibit “A” and incorporated herein, recommends approval of the Applicant’s petition for a plan note amendment, subject to certain conditions; and

WHEREAS, pursuant to the City’s Code of Ordinances and applicable law, a public meeting has been advertised setting forth the date, time and place of the meeting regarding the review of the Petition; and

WHEREAS, the City Commission has examined the Petition and staff recommendations and determined that the Petition is in compliance with the City Code and applicable design guidelines for the Property; 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 Petition pursuant to staff's recommendation; and

WHEREAS, the City Commission finds that approving the Petition for final site plan approval 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 #PA 5-1-18 is approved, subject to the conditions set forth in the Staff Report attached hereto as Exhibit "A." The amendment to the plat note changes the non-vehicular access line (NVAL) long University Drive by providing that the NVAL opening in Parcel "C-2" would be a fifty feet (50') south bound opening (right turns only), with the centerline to be located approximately one hundred sixty-five feet (165') of the existing platted opening.

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.

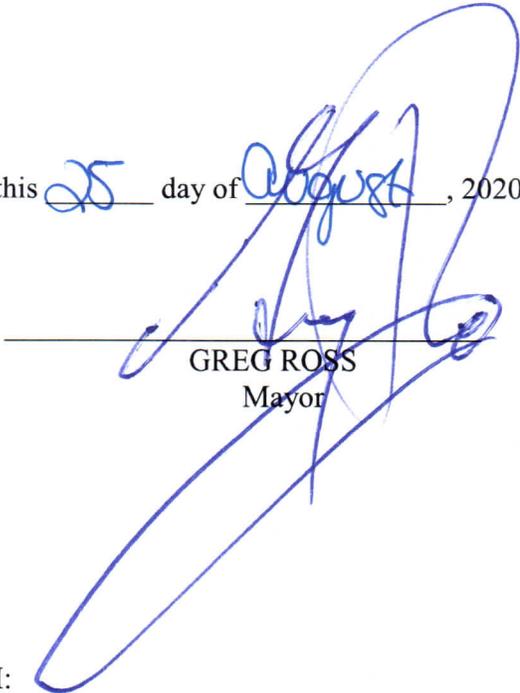
Section 4. **Conflicts.** All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 5. **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 6. **Effective Date.** This Resolution shall become effective upon its passage and adoption by the City Commission.

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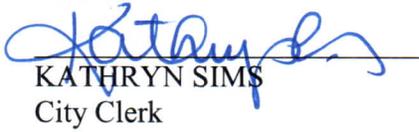
PASSED AND ADOPTED this 25 day of August, 2020



A large, stylized blue ink signature of Greg Ross, written over a horizontal line.

GREG ROSS
Mayor

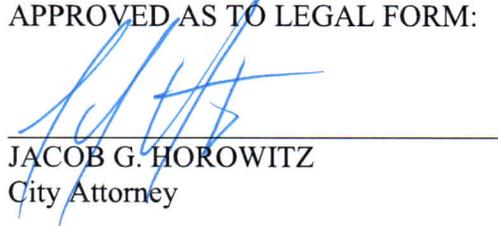
ATTEST:



A blue ink signature of Kathryn Sims, written over a horizontal line.

KATHRYN SIMS
City Clerk

APPROVED AS TO LEGAL FORM:

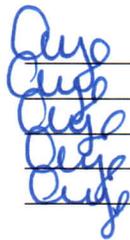


A blue ink signature of Jacob G. Horowitz, written over a horizontal line.

JACOB G. HOROWITZ
City Attorney

ROLL CALL

- Mayor Ross
- Commissioner Pulcini
- Commissioner Meltzer
- Commissioner Curran
- Commissioner Green



Five blue ink initials, each written over a horizontal line, corresponding to the roll call list.



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

Commission Meeting/Workshop Date: August 25, 2020

Requesting Department: Growth Management

Subject: Plat Amendment Petition for Monterra Parcel C-2,
Monterra Commons

Section:

<i>Presentation</i>	<i>Consent</i>	<i>Regular</i>	<i>Discussion</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Plat Amendment Petition # PA 5-1-18 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

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

Approvals:

Finance Director _____ City Manager _____ City Clerk _____

Joseph Napoli

Digitally signed by Joseph Napoli
DN: cn=Joseph Napoli, o=Cooper City, ou=City Manager,
email=jnapoli@coopercityfl.org, c=US
Date: 2020.08.13 17:41:41 -0400



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 Nos. SP 1-1-20 and PA 5-1-18
Site Plan and Plat Amendment for Monterra Parcel C-2 – Shoppes of
Monterra Commons

LOCATION: Southwest corner of University Drive and Monterra Boulevard

SIZE/ACRES: 6.99 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 being presented for plat amendment and final site plan approval pursuant to a pre-annexation agreement for the Monterra properties, which allows site plans to be reviewed as final site plans at the initial stage of review. Proposed design guidelines, several variance requests, a sign waiver and sign package, and a have been submitted concurrently with these petitions.

The subject site is located at the southwest corner of University Drive and Monterra Boulevard. It borders the previously approved Monterra Apartments senior living facility to the north and west. The plans reflect a the shopping center consisting of five separate one story buildings with a mix of uses including but not limited to retail, day care, entertainment office and restaurant uses. The maximum height for the buildings is 24' or 38'8" counting the proposed architectural projections. The total square footage proposed for the five buildings is over 48,800 square feet with building sizes ranging from a minimum of 4,000 square feet for Building 1 to a maximum of 18,400 square feet for Building 4.

There are 310 parking spaces required and provided. Vehicular access is provided from a full-turning movement intersection at Monterra Boulevard to the north and a right-in, right-out intersection with University Drive to the east. Access to the Solano Avenue driveways is provided via a cross-access agreement through the Brightstar Credit Union Headquarters to

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SITE PLAN AMENDMENT # SP 1-1-20 AND PLAT AMENDMENT # PA 5-1-18

the south. Pedestrian connectivity is also provided to/from the proposed Brightstar Credit Union as well as to the Monterra Apartments senior living facility.

An Operations Plan has been submitted for the proposed day care use that addresses hours of operation, capacities, parking and traffic demands, drop-off and pick-up policies and safety and security measures proposed. The plans reflect a gated outdoor playground and a one-way drive aisle at the drop-off and pick-up area.

The applicant's Solano Avenue Traffic Capacity Analysis was reviewed by the City's traffic consultant. Based on the results of the analysis the study concluded that the east driveway on Solano Avenue should be restricted to right turns only and that the center and west driveways can allow all movements to occur. The proposed site plan and traffic analysis reflects conformance with the traffic study conclusions and with all the City's traffic review comments.

Landscaped buffers are provided along the north, east, and west sides of the project. An existing 8' wall with a 20' landscape buffer will separate the property from the existing Del Prado subdivision in Monterra to the west. Open space will encompass approximately 26% of the site.

Amenities on site will include outdoor seating plazas with overhead canopies and paver decks. Paver crosswalks are proposed with a pedestrian connections including seating benches and trash receptacles. Final engineering, landscape, sign plans, floor plans, and architectural elevations are also included with this Final Site Plan petition.

PLAT AMENDMENT

The plat amendment application proposes to amend the Non-Vehicular Access Line (NVAL) along University Drive. The existing University Drive opening in Parcel "C-2" is a 50' southbound opening (right turns only) located north of NW 33rd Street with 190' of storage and 50' of transition. The proposed NVAL opening in Parcel "C-2" would be a 50' south bound opening (right turns only), with the centerline to be located approximately 165' north of the existing platted opening. The existing opening is in conflict with the existing canal running along University Drive. The Central Broward water Control District previously rejected the existing opening due to concerns with the modification of the canal drainage culverts. The requested relocation of the opening 165' to the north is consistent with FDOT's recommendation and approval.

DEVELOPMENT REVIEW COMMITTEE RECOMMENDATION: The Final Site Plan petition has been reviewed by the DRC for conformance with the applicable zoning district regulations and Design Guidelines and is in conformance with those provisions subject to the conditions listed below. Staff recommends APPROVAL of the Final Site Plan petition subject to the following:

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1. The applicant shall receive approval of the following items prior to City Commission approval of the final site plan:
 - a. Engineering Department approval of the water and sewer agreement and payment of ERC fees with the final site plan petition.
 - b. Central Broward Water Control District approval of the drainage plan.
 - c. City Commission approval of the accompanying rezoning petition to amend the PMUD Design Guidelines.
 - d. City Commission approval of the requested variances, sign waivers, sign package and NVAL amendment submitted concurrently with this petition.

2. Approval of the following items prior to permit issuance:
 - a. Broward County approval and ultimate recordation of the NVAL Amendment.
 - b. Payment of any additional general government impact fees or any outstanding Broward County fees.
 - c. Broward County Environmental Protection and Growth Management Department approval of the sewer collection/transmission system.
 - d. Health Department approval of the water distribution system.
 - e. Protection of any active burrowing owl nest(s) pursuant to Federal regulations and/or receipt of a permit to destroy any inactive nests by the Florida, Fish and Wildlife Conservation Commission.
 - f. Execution and recordation, in the Broward County records, of a cross-access agreement with the Brightstar Corporate Headquarters parcel to the south.

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