



Legislation Details (With Text)

File #: ID 2021-060 **Version:** 1 **Name:**
Type: Quasi-Judicial Resolution **Status:** Agenda Ready
File created: 2/3/2021 **In control:** Regular City Commission Meeting
On agenda: 2/17/2021 **Final action:**
Title: A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE TO PERMIT A COFFEE BAR WITH DRIVE THROUGH WITHIN THE TOC-G GATEWAY ZONING DISTRICT FOR CLUTCH COFFEE, LOCATED AT 5300 COCONUT CREEK PARKWAY, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE.

Sponsors:

Indexes:

Code sections:

Attachments: 1. RESOLUTION, 2. BACKGROUND: APPLICATION, 3. BACKGROUND: SITE PLAN, 4. BACKGROUND: JUSTIFICATION STATEMENT, 5. BACKGROUND: BROKER LETTER, 6. BACKGROUND: TRAFFIC STATEMENT, 7. BACKGROUND: PARKING STATEMENT, 8. BACKGROUND: APPLICANT RESPONSE TO DRC COMMENTS, 9. BACKGROUND: STAFF REPORT, 10. BACKGROUND: PRESENTATION

Date	Ver.	Action By	Action	Result
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TO: Mayor and City Commission

FROM: Cale Curtis, City Manager

DATE: February 17, 2021

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE TO PERMIT A COFFEE BAR WITH DRIVE THROUGH WITHIN THE TOC-G GATEWAY ZONING DISTRICT FOR CLUTCH COFFEE, LOCATED AT 5300 COCONUT CREEK PARKWAY, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE.

BACKGROUND:

CONSIDERATION OF A **SPECIAL EXCEPTION USE**, TO ALLOW A COFFEE SHOP WITH DRIVE-THROUGH FACILITIES.

LOCATION: 5300 COCONUT CREEK PARKWAY

ZONING: TRANSIT ORIENTED CORRIDOR-GATEWAY (TOC-G)

LEGAL DESCRIPTION: A PORTION OF TRACT "A", "BRANDON-FARRIS DEVELOPMENTS PLANT NO. 2", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 110, PAGE 19 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PETITIONER: MATTHEW SCOTT, ESQ., AGENT FOR JOHN ANDERSON, CLUTCH COFFEE EXPANSION, LLC.

The petitioner is requesting permission to allow a coffee shop with a drive through located at 5300 Coconut Creek Parkway. The building was previously built for a bank with drive through facilities, and is currently vacant. The City Commission reviews all applications for special exception uses in accordance with Section 31-54(f) and (g) of the Code of the City of Margate, as follows:

"(f) Review by city commission. The city commission shall review all special exception applications. The director of development services shall transmit to the city manager a copy of the complete application and a written staff report summarizing the facts of the case including all relevant documents and the recommendations of the planning and zoning board, if applicable. The city manager shall schedule the proposed special exception application for the next available city commission meeting providing the required notice procedures are met.

(1) Public hearing. The city commission shall hold one (1) public hearing on the proposed special exception.

(2) Action by city commission. In considering a special exception request, the city commission shall review the proposed special exception, based on the general purpose and standards of review set forth in this section, the report of the administration and recommendation(s) of the planning and zoning board, and any oral and written comments received before or at the public hearing. Based upon the record developed at the public hearings, the city commission may:

a. Adopt the proposed special exception by resolution, with or without conditions;

b. Deny the proposed special exception by resolution; or

c. Refer the matter to the planning and zoning board or administration for further consideration.

(g) Conditions. The city commission may attach such conditions to the approval as it deems necessary to ensure the proposed use conforms to the standards set forth in [section 31-54](#)

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(c) general standards of review and to prevent or minimize adverse effects on other property in the neighborhood, including, but not limited to: architectural design guidelines, limitations on size, bulk and location; duration of construction period; requirements for landscaping, signage, outdoor lighting, and the provision or limitation of ingress and egress; duration of the approval; hours of operation; and the mitigation of environmental impacts."

RECOMMENDATION: The Planning and Zoning Board held a public hearing on February 2, 2021 to review this item. At the P&Z hearing, the Board recommended that the City Commission approve the application, subject to conditions A and B (excluding conditions C and D) as provided in the Staff Report. Condition "D" was removed from the Staff Report after the Planning and Zoning Board meeting. Staff recommends a conditional approval. See attached Staff Report.

FISCAL IMPACT: N/A

CONTACT PERSON: Elizabeth Taschereau, Director of Development Services