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CITY COMMISSION
ORDINANCE/RESOLUTION

TITLE: **Resolution 26-55 (Community Development Department)**

DATE: **October 27, 2026**

DESCRIPTION: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, GRANTING THE REQUEST FOR VARIANCE PETITION #PZ26-0301 SUBMITTED BY STIRLING PROPERTY INVESTMENT LLC FOR THE PROPERTY GENERALLY LOCATED AT 8631-8861 STIRLING ROAD, COOPER CITY, FLORIDA, TO INCREASE THE REQUIRED PARKING FOR THE PROPERTY FROM 284 SPACES TO 293 SPACES; PROVIDING FOR CONDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUBMITTED BY: Signed by: Jason Chockley 05EDE4AA0738466... October 15, 2026

LOCATION: 8631-8861 Stirling Road

SIZE/ACRES: 5.9 acres

AGENT: Hope Calhoun Esq.

OWNER: Stirling Property Investment LLC

FUTURE LAND USE PLAN DESIGNATION: C-Commercial

ZONING DESIGNATION B-2, Planned Community Business Center District

ANALYSIS:
This item is a Variance petition regarding parking at Stirling Town Center (the "Center"). The Center received site plan approval as a "retail center" with a required parking ratio of one space per 200 square feet for the 53,821-square-foot Center. A retail center is limited to establishments classified as retail (sale of merchandise). The owner/developer at the time of site planning chose to voluntarily restrict the Center to retail rather than a general shopping center because approval as a shopping center would require additional parking.

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In 2011, the City approved Variance Petition No. V10-1-10 ("2011 Variance"), which authorized the Center to accommodate a broader range of tenants as a “shopping center” while maintaining the existing parking supply of 284 spaces and the established ratio of one (1) parking space per 200 square feet. In recommending approval of the 2011 Variance, City staff recognized that a more diverse tenant mix, including restaurants, would contribute to the Center’s success and provide desired services to the surrounding community.

Over the years since the Center was constructed, and as ownership of the Center has changed, the City has worked with the Center's owners on various aspects, including the tenant mix, to help the Center remain vibrant and successful.

REQUEST:

The petitioner proposes to lease approximately 961 square feet of vacant space within the Center to Rabbi Maoz Itshakov and the Eliyahu Hanavi Synagogue. The proposed Synagogue will occupy approximately 960 square feet of vacant tenant space within the Center and provide religious and community services to area residents. As a result of the parking framework established on the property, the addition of the Synagogue increases the Center's required parking from 284 to 293 spaces. Accordingly, the petitioner requests a variance of nine (9) parking spaces.

The requested Variance is limited and reflects the Synagogue's unique operational characteristics. The Synagogue will be used solely for religious services. Religious services will be held Sunday through Friday from 7:30 a.m. to 8:45 a.m., and on Saturdays from 9:00 a.m. to 12:00 p.m. and 6:00 p.m. to 9:00 p.m. These operating hours generally fall outside the Center's peak commercial hours, thereby reducing the potential for parking conflicts between the Synagogue and the retail tenants. Additionally, during Shabbat (every Friday evening at sundown until Saturday after nightfall) and on Jewish holidays, congregants customarily walk to services in accordance with their religious observances rather than travel by automobile.

The owner of Stirling Town Center also owns the Dollar Tree building immediately to the east, which shares the easternmost entrance off Stirling Road. As an additional layer of protection, a cross-parking agreement has been drafted and will be recorded if this petition is approved. The agreement will provide an additional sixty-eight (68) parking spaces to accommodate occasional overflow demand.

JUSTIFICATION CRITERIA & STATEMENTS FROM THE APPLICANT:

(1) Special and unique conditions exist which are peculiar to the petitioner’s case, and which are not generally applicable to other property located in the zoning district.

Special and unique conditions are peculiar to the property and are not generally applicable to other properties within the B-2 zoning district. The property has a unique approval history stemming from its original parking classification and the subsequent approval of the 2011 Variance. When the Center was originally approved, it was developed as a retail center rather than a shopping center, which reduced the parking requirement applicable to the property at the time of construction but also limited the range of tenants that could occupy the Center.

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Recognizing the need for greater flexibility, the City approved the 2011 Variance to allow the Center to accommodate a broader range of tenants without increasing the existing number (284) of parking spaces and to satisfy its parking requirements at a ratio of one (1) parking space per 200 square feet.

Applying the parking framework to the property results in a technical deficiency of nine (9) parking spaces for the proposed Synagogue. This deficiency stems from the property's unique approval history and existing parking configuration, which are not generally applicable to other properties within the B-2 zoning district. Additionally, at the City's request, the petitioner will record a cross-parking agreement with the adjacent property at 8625 Stirling Road, which is also under common ownership. This unique arrangement provides an additional sixty-eight (68) parking spaces that are not otherwise available to most similarly situated commercial properties and further distinguishes the property from other properties within the B-2 zoning district.

(2) The special and unique conditions are not directly attributable to the actions of the petitioner.

The special and unique conditions described above are not directly attributable to the petitioner's actions. Rather, they stem from the property's longstanding approval history, predating the petitioner's ownership. The Center was originally developed as a retail center rather than a shopping center, which reduced the property's parking requirement and limited the range of tenants that could occupy the Center. Recognizing the need for greater flexibility, the City subsequently approved the 2011 Variance, allowing the Center to accommodate a broader range of tenants while maintaining the existing parking supply and meeting its parking requirements at a ratio of one (1) parking space per 200 square feet.

As a result, the property is subject to a unique set of development approvals and parking requirements that predate both the petitioner's ownership of the property and the Synagogue's proposed occupancy of the tenant space. The requested Variance is therefore necessitated by circumstances not created by either the petitioner or the Synagogue.

(3) The literal interpretation of the zoning code, as applied to the petitioner, would deprive the petitioner of rights commonly enjoyed by the owners of other property in the zoning district.

The property has operated under a reduced parking framework approved by the City for more than a decade. By approving the 2011 Variance, the City recognized that the Center could accommodate a broader range of tenants without increasing its existing parking supply and authorized the Center to satisfy its parking requirements at a ratio of one (1) parking space per 200 square feet.

A literal application of that parking framework to the proposed Synagogue would result in a deficiency of nine (9) parking spaces. Denying the requested Variance would prevent occupancy of an existing vacant tenant space, despite the Center's longstanding operation under the City's reduced parking framework. As a result, the petitioner would be deprived of the ability to use

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and lease the property in a manner consistent with the development approvals applicable to the Center.

(4) The variance granted is the minimum variance necessary for the petitioner to make reasonable use of the property.

The requested Variance is the minimum variance necessary to allow reasonable use of the property. The petitioner seeks relief for nine (9) parking spaces to permit occupancy of an existing vacant tenant space by the Synagogue. The Synagogue's actual parking demand is expected to be substantially less than that contemplated by the City's parking regulations. The Synagogue occupies only +/- 961 square feet, does not operate a school, and conducts services on a limited schedule. In addition, congregants customarily walk to services during Shabbat and Jewish holidays in accordance with their religious observances, thereby reducing parking demand during many of the Synagogue's principal worship periods.

Additionally, at the City's request, the petitioner will record a cross-parking agreement with the adjacent property at 8625 Stirling Road, which contains sixty-eight (68) additional parking spaces. The agreement will ensure those spaces are available to accommodate occasional overflow demand. Given the limited scope of the request, the Synagogue's operational characteristics, and the availability of additional parking on the adjacent property, the requested Variance represents the minimum relief necessary to allow occupancy of the tenant space.

(5) Granting the variance is not detrimental to the public welfare, or injurious to property or improvements in the zoning district or neighborhood involved.

Granting the requested Variance will not be detrimental to the public welfare or injurious to property or improvements within the zoning district or the surrounding neighborhood. The requested Variance is limited to nine (9) parking spaces and relates to the occupancy of an existing tenant space within an established commercial center. No physical modifications to the Property are proposed, and no additional intensity of development is requested.

The parking demand generated by the Synagogue is expected to be substantially less than that contemplated by the City's parking regulations. The Synagogue occupies only +/- 961 square feet, does not operate a school, and holds services on a limited schedule. Additionally, congregants customarily walk to services during Shabbat and Jewish holidays in accordance with their religious observances, reducing vehicle trips during many of the Synagogue's principal worship periods. At the City's request, the petitioner will record a cross-parking agreement with the adjacent property at 8625 Stirling Road, thereby making an additional sixty-eight (68) parking spaces available to serve the Center and the proposed Synagogue.

STAFF FINDING:

DRC Staff have no outstanding comments. Staff have determined that the variance application meets the sufficiency requirements and may be considered for approval based on the following findings:

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1. Granting the variance would be neither detrimental to the public nor injurious to properties in the general vicinity, as the variance is expected not to increase current parking demand or vehicular traffic.
2. The draft cross-parking agreement, which will provide overflow parking if needed, will be recorded upon approval of this petition.

CODE COMPLIANCE / OUTSTANDING VIOLATIONS:

This property has a current code enforcement violation. This Synagogue started and continues to operate without a Business Tax Receipt (BTR) and a Certificate of Occupancy (CO). The case has already been before the Special Magistrate.

Separate from this location, Rabbi Maoz Itshakov is involved in another buildout/operation at the Embassy Lakes Professional building, conducted without permits or a BTR. They are currently preparing the submittal and documentation for a Zoning Certificate of Use (ZCU).

PLANNING & ZONING BOARD RECOMMENDATION:

At the October 5, 2026, meeting, the Planning and Zoning Board recommended APPROVAL by a 8-0 vote.

STRATEGIC PLAN:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

If the variance is not approved, the proposed tenant could not obtain a Certificate of Occupancy to operate within that suite.

ATTACHMENTS:

1. Applications & Justification
2. Resolution 26-55
3. Draft Cross Parking Agreement
4. DRC Comments
5. Tenant Map