



## CITY COMMISSION ORDINANCE/RESOLUTION

**TITLE:** Ordinance 24-14 – (Community Development)

**DATE:** May 28, 2024

**DESCRIPTION:** AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING REZONING PETITION #Z 9-2-23; PROVIDING FOR THE REZONING OF THE APPROXIMATELY 19.23 GROSS ACRES OF REAL PROPERTY GENERALLY LOCATED ON THE SE CORNER OF GRIFFIN ROAD AND SW 106th AVENUE IN COOPER CITY, FLORIDA; REZONING THE SUBJECT PROPERTY FROM A-1, AGRICULTURE (BROWARD COUNTY) TO R-1-D, SINGLE FAMILY 6000SQ/FT (COOPER CITY) TO BUILD THIRTY-EIGHT (38) HOUSES; PROVIDING FOR THE ALLOCATION OF NINETEEN (19) FLEX UNITS TO THE SUBJECT PROPERTY; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

### **CITY MANAGER RECOMMENDATION:**

The City Manager recommends approval of Ordinance 24-14, the Rezoning Application for Hanson Park be approved on 1<sup>st</sup> reading. The Planning and Zoning Board recommended approval of the R-1-D Rezoning and Flex Unit request with an 8-0 vote at its February 29, 2024, meeting.

### **BACKGROUND OF ITEM:**

PETITION: Hanson Park – Rezoning #Z 9-2-23 (A-1 to R-1-D)  
Flex Unit Rezoning # Z 9-2-23 (19 Flex Unit)

LOCATION: SE Corner of Griffin Rd and SW 106<sup>th</sup> Avenue, Cooper City, Florida

OWNERS/PETITIONERS: Hanson Homestead LLC (Owner)  
CC Homes at Cooper City LLC (Agent)

LAND USE  
DESIGNATION: E – estate

REQUEST: Rezone from A-1 Broward County (Agriculture) to R-1-D Cooper City

(Single-family 6000 sq./ft.) to build 38 houses on 19.23 gross acres.

Apply 19 Flex Units to the subject site.

### **BACKGROUND AND PROPERTY DESCRIPTION:**

The subject site is 19.23 gross acres in size and is presently vacant. The property was annexed into the City on September 15, 2004, and is part of the Royal Palm Ranches Preservation annexation agreement. The existing zoning and Land Use Plan designations were inherited from Broward County and are the same as before the property was annexed into the City. The pre-annexation agreement that applies to the subject site states that all zoning changes must first come before the Preservation Board for a recommendation and must be approved by a super-majority vote of the City Commission.

The property is bound on the North by Griffin Rd, on the East by an office park and single-family homes, on the South by single-family homes, and on the West by both an office park and single-family estate homes (Davie).

The rezoning(s) are necessary in order for the lot to be developed with 38 single-family homes on 19.23 gross acres. The underlining land use permits one (1) unit/acre by right, and the applicant requests an additional 19 Flex Units. Cooper City's Comprehensive Plan allows the utilization of flex units to be applied through a rezoning without the need for a Land Use Plan Amendment subject to compliance with the "flex" rules established by the City Future Land Use Element and the Broward County Administrative Rules Document for allocation of such flex units. The City currently has 260 flex units available.

**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 comply with, or be more restrictive than, the requirements of the City Land Use Plan. The subject request is consistent with this policy and Article VI, Section 3 of the Future Land Use Implementation Section of the Cooper City Comprehensive Plan, which allows the application of flex units to the site as allowed on the Future Land Use Map and in accordance with the subject request. Accordingly, the request can be considered consistent with the Comprehensive Plan.

**Land Use & Neighborhood Compatibility:** The general area of the site has been transitioning from predominantly agricultural uses to more low-density residential developments as proposed under the subject request. The proposed lot sizes on the subject site will transition the allowed development density from higher in the east to lower in the west. A lake and littoral shelf are proposed to ensure proper site drainage and enhance buffering and separation from some surrounding properties. The proposed zoning may, therefore, be considered compatible with the surrounding land uses.

CC Homes has provided letters of support from residents of the Pine Lake community.

**Traffic Impacts:** A full traffic report was completed with this petition and was reviewed and accepted by the City's consultant. The rezoning request would allow the construction of 38 single family homes on the subject site with access by a right-in and a right-out via Griffin Road and is expected to generate 414 vehicle trips per day per their engineers' calculations.

**School Impacts:** The Broward County School Board requested and submitted to the City a SCAD (School Capacity Availability Determination) Letter outlining the anticipated student generation

numbers for this community and the future enrollment numbers for the surrounding schools. The report indicated 18 students being generated in this development (8 elementary, 4 middle, 6 high). A copy of the actual SCAD letter is included in the backup.

**Staff Finding:** Staff recommends APPROVAL of the “Flex” rezoning request from the A-1, Broward County district to the R-1-D district based on a finding that the petition can be considered consistent with the Comprehensive Plan and compatible with the surrounding land uses. Staff finds that the proposed development of the site for 38 single-family homes is expected to be an asset to the community, will not deter the improvement of surrounding properties in accordance with existing regulations, and will not otherwise adversely affect traffic conditions or public safety.

**ROYAL PALM RANCHES PRESERVATION BOARD RECOMMENDATION:**

At the February 24, 2024, meeting, the R.P.R.P.B. recommended APPROVAL of the R-1-D Rezoning and Flex Unit request with a 5-0 Vote.

**ATTACHMENTS:**

1. Ordinance 24-14
2. Hanson Subdivision Rezoning App & Justification
3. Griffin 106 Subdivision Plans (Site, Landscape, Electrical & Civil)
4. Griffin 106 Subdivision Plans (Architecture)
5. Griffin 106 Subdivision Plat
6. Griffin 106 Subdivision Plat Survey
7. Hanson Site Traffic Evaluation
8. Griffin 106 Subdivision Renderings
9. SCAD letter from Broward County School Board
10. Support Letters
11. Hanson Wetlands Permitting Status
12. 2-29-24 – P&Z Minutes
13. 2-22-24 – RPPB Minutes
14. Flex Unit Rezoning App & Justification