



CITY COMMISSION ORDINANCE/RESOLUTION

TITLE: Resolution 21-51 (Community Development Department)

DESCRIPTION: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING THE CONDITIONAL USE PETITION #CU 6-3-21, FROM SPG COOPER CITY II TR (OWNER) AND DIANE FERNANDEZ (PETITIONER) FOR THE APPROXIMATELY 8.5 ACRES OF REAL PROPERTY GENERALLY LOCATED AT 12399 S.W. 53rd STREET, SUITE 102; APPROVING AND AUTHORIZING THE USE OF THE PROPERTY FOR A VOCATIONAL EMPLOYMENT AND LIFE SKILLS TRAINING CENTER FOR ADULTS WITH DEVELOPMENTAL DISABILITIES; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

BACKGROUND OF ITEM:

Three Hearts ADT is a vocational employment and life skills training center for adults with developmental disabilities. They train individuals with development disabilities to participate productively in society. The adult day training program provides participants with both functional academic and vocational training skill to prepare them for volunteer and employment opportunities.

The program, has a max capacity of 145 pupils and a staff of 29. The hours of training are from 8am to 3pm Monday-Friday. The program participants do not drive individually to the site. All of the pupils arrive by their parent/guardian, private transportation, Broward County TOPS vans, or by a passenger van owned by Three Hearts. Drop-off period is from 8am-9am, pick-up period is from 2pm-3pm. The applicants have committed to a very specific pick up and drop off protocol in the rear of the building with schedules and 4 staff members located at the drop off site to ensure an orderly operation. A very detailed operation plan is provided in the backup materials.

The applicant indicates that the traffic impact should be minimal given the pupils will be dropped off by bus within specific time windows and the start time of the drop-offs and pick-ups are scheduled not to overlap with Archbishop McCarthy High School on the west side of Flamingo Road. A vehicle stacking plan and schedules are provided in the backup materials. All employees

of the facility are required to park in the east side parking lot around the drop-off and pick-up area to avoid conflicts with adjoining tenants.

The proposed use complies with all applicable regulations and specific standards in the Code with the exception of the variances requested in the accompanying variance petition. The variances requested include:

1. Parking spaces required for Community Assembly Uses – To reduce the parking requirement from 147 spaces to 32 spaces(29 staff, 2 visitor, 1 converted to ADA ramp).
2. Increase the max allowance of Community Assemble for the complex from 25% to 36%.

A variance petition has been submitted concurrently with this petition and provides justification statements for these requests.

ANALYSIS:

Staff is recommending approval of this resolution as is it will allow Three Hearts ADT, to operate in Cooper City Commerce Center.

PLANNING AND ZONING BOARD RECOMMENDATION:

At the meeting on October 18, 2021, the Planning and Zoning Board unanimously recommended **APPROVAL** of the Conditional Use with a 10/0 Vote **per the commitments within the operation plan and with the condition that a sale or transfer of ownership would require approval of a new conditional use request.**

FISCAL IMPACT:

There is no fiscal impact related to this conditional use request.

<u>General Ledger Acct. Number</u>	<u>Budgeted Amount</u>	<u>Requested Amount</u>	<u>Remaining Amount</u>

ALTERNATIVES:

If the City chooses not to approve this conditional use request the applicant, Three Hearts ADT, would not be able to locate within the Commerce Center.

ATTACHMENTS:

- 1) Resolution for Conditional Use
- 2) Item Backup
 - Staff Report for Conditional Use
 - Minutes of 11/18/21 P&Z Meeting
 - Petitioner Application, Justification Statements, Operation Plan and Drop-off/Pick-up plan/procedures