



CITY OF COOPER CITY  
COMMUNITY DEVELOPMENT DEPARTMENT /  
PLANNING AND ZONING DIVISION

RECEIVED

JAN 31 2024

CITY OF COOPER CITY  
9090 SW 50 PLACE  
COOPER CITY, FL 33328  
PLANNING DIVISION  
(954) 434-4300

**SIGN PACKAGE/SIGN PACKAGE AMENDMENT APPLICATION**

**ATTENTION:** Prior to submission of application, the Petitioner &/or Owner must schedule a pre-submittal meeting with the Community Development Staff to review the proposed project, and the submittal and processing requirements. The submittal dates for DRC and P&Z Board can be found on the City's website at: [www.coopercityfl.org](http://www.coopercityfl.org).

Center Name: Cooper City Commons - TACO BELL

**INSTRUCTIONS TO APPLICANT:**

1. Please complete all requested information on this application. If not applicable, indicate with N/A.
2. A completed Notarized General Application must accompany this application.
3. Make Checks payable to the City of Cooper City per the current Fee Schedule.

**FOR STAFF ONLY:**

PETITION #: SI 1-1-24

DATE PETITION FILED:

1/31/24

**Check (✓) type of center for:**

☒ Commercial/Retail/Business  
☐ Office  
☐ Industrial  
☐ Other \_\_\_\_\_

**Check (✓) type of tenant/bay for:**

☐ Primary/Major retail use  
☐ Bay tenant  
☐ Out-lot  
☐ Other \_\_\_\_\_

**I. PROJECT DESCRIPTION – (Attach additional sheets if necessary)**

A. Please provide a narrative description of the center, which is the subject of this sign package and or sign package amendment. Provide enough detail to adequately describe all proposed uses on site as they relate to appropriate signage.  
Proposed site plan to construct a 1- story, 2,521 square foot food restaurant with a dual drive thru facility.

**II. PETITION INFORMATION - (Attach additional sheets if necessary)**

A. **COLOR:** No more than 4 colors including background color. White shall be considered a color.

	<u>Daylight</u>	<u>Illuminated</u>
Box/Cabinet/Channel	Black _____	Black _____
Letter Face	White _____	White _____
Background	_____	_____
Logo/Trademark	Light purple, dark purple, and white _____	Light purple, dark purple, and white _____

B. **ILLUMINATION METHOD:** Lighted signs not allowed in window area.

☒ Internal ☐ External ☐ Back Neon ☐ None ☐ Other

C. **LETTER STYLE:** ☒ Regular ☐ Italics ☐ Italics & Regular Mixed

D. **LETTER FONT:** \_\_\_\_\_

E. **LETTER CASE:** ☒ ALL UPPER ☐ all lower ☐ Upper & Lower Mixed

F. **MOUNTING:** ☒ Wall Mount ☐ Mansard Mount ☐ Soffit Hung

Elevation: Front , Portal, Drive Thru, Rear Elevation

Placement: ☐ Centered ☒ Other See elevation on sign package

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- G. **HEIGHT:** No wall sign shall have either letters, cabinets or border exceeding eighteen (18) inches in height, provided, however, that the height of such letters/cabinets may be increased in height one inch for each twenty-four (24) feet or major portion thereof of setback distance between the front building line and the street property line.

		Minimum	Maximum
<u>Box/Cabinet</u>	Cabinet Height	_____	_____
	Letter Height	_____	_____
	Left Side Border	_____	_____
	Right Side Border	_____	_____
	Top Border	_____	_____
	Bottom Border	_____	_____
<u>Channel Letter</u>	Letter Height	14"	42" (Logo)

- H. **LENGTH:** Maximum length of sign to be in proportion to the building/bay frontage occupied by the licensed establishment in accordance with the following:

Primary Building/Bay Frontage	Maximum Length
0 to 25 feet	10'
26 to 40 feet	12'
41 to 55 feet	14'
56 to 70 feet	16'
71 to 85 feet      75 ft	18'
86 feet and above	20'

	Minimum	Maximum
Box/Cabinet Length	_____	_____
Channel Letter Overall Length	4' - 3"	10' - 5/8"

- I. **WIDTH:** Signs projecting in excess of eighteen (18) inches from the foremost point of attachment of the sign to the structure upon which it is constructed are prohibited.

	Minimum	Maximum
Box/Cabinet Width	_____	_____
Channel Letter Overall Width	_____	_____

- J. **MAXIMUM SIGN AREA:** No wall sign shall have an area exceeding one square foot for each linear foot of building/bay frontage occupied by the licensed establishment.

- K. **MAJOR RETAIL USE:** Shall be permitted one primary wall sign on the front of the building with lettering not to exceed forty-two (42) inches in overall height and overall length not to exceed twenty-seven (27) feet. Major retail uses shall be permitted up to two (2) additional secondary signs to display types of products sold, types of services available or secondary tenants to the major retail use. The secondary sign(s) shall not exceed twenty-eight (28) inches in overall height and eighteen (18) feet in overall length.

Name/Designation of major retail use: \_\_\_\_\_

	Minimum	Maximum
Primary sign height	_____	_____
Primary sign length	_____	_____
Secondary sign(s) height	_____	_____
Secondary sign(s) length	_____	_____

- L. **WALL OR CANOPY SIGNS FOR FREESTANDING BUILDINGS NOT PART OF CENTERS:** A ground sign is permitted for a freestanding building with a minimum of one hundred (100) feet of primary frontage. In addition to a ground sign, one of the following may be selected:



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- ☒ Erect a wall or canopy sign facing the primary frontage one-half the size permitted by code.  
☐ If no ground sign is erected, the owner could erect one wall sign facing the primary frontage and 2 side wall signs in 1/3 size of the main sign.  
☐ Neither.

	<u>Primary Sign</u>	<u>Secondary Sign(s)</u>
Height		
Length		

- M. **UNDER CANOPY SIGNS:** Under canopy signs shall be no longer than fifty (50) percent of the width of the canopy up to a maximum of four (4) feet in width. Height no more than 30 inches. Minimum of 8 foot clearance from bottom of sign to walkway.
- N. **LOGO/TRADEMARK:** Shall not comprise more than twenty (20) percent of the total sign area, provided that the product or services illustrated by the trademark do not constitute the principal business of the establishment. Trademark approval does not constitute a waiver of the color requirements of the center sign package or the City Code.
- O. **INFORMATIONAL/DIRECTIONAL SIGNS:** These signs shall not exceed two (2) square feet in area and shall not be placed off the premises or in the public right-of-way. Not more than one "parking in rear" or "model parking" sign shall be permitted.

List of signs to be installed: N/A

- P. **DOOR SIGNAGE:** One nameplate or identification sign is required at the front and rear entrances with letters not in excess of three (3) inches in height and the sign area not in excess of three (3) square feet and which must state the name and address of the licensed establishment. The front door shall bear the address also.
- Q. **GROUND SIGNS FOR CENTERS OR FREESTANDING BUILDINGS:** Ground signs are permitted for freestanding buildings which are not part of a shopping center. Out-lots are not permitted individual ground signs. Only one ground box sign in a shopping center indicating the name of the center. If the center fronts on two (20) major thoroughfares of at least eighty (80) foot right-of-way a second ground sign may be permitted.

<u>Width of R-O-W</u>	<u>Max. Letters/Symbols Height</u>	<u>Max. Sign Area</u>	<u>Logo</u>
0-50'	10"	18sq.ft.	1
51-80'	14"	26sq.ft.	1
81-100'	16"	32sq.ft.	1
101-120'	20"	42sq.ft.	1
121 and above	23"	48sq.ft.	1

Width of primary frontage right-of-way:	<u>N/A</u>				
Primary ground sign:	Height: <u>N/A</u>	Width	<u>N/A</u>	Max. Sign Area	<u>N/A</u>
Primary ground sign letter height:	<u>N/A</u>				
Width of secondary frontage right-of-way:	<u>N/A</u>				
Secondary ground sign:	Height: <u>N/A</u>	Width	<u>N/A</u>	Max. Sign area	<u>N/A</u>
Secondary ground sign letter height:	<u>N/A</u>				
Lighting :	<u>N/A</u>				

**III. OUT-PARCEL INFORMATION - (Attach additional sheets if necessary)**

Center Name: Cooper City Commons *Hand Blue outline* Date Filed: \_\_\_\_\_

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Number of out-lots in this center: \_\_\_\_\_

Name/Designation of out-lot described below : \_\_\_\_\_

(Ground signs are **NOT PERMITTED**) Freestanding structures within centers shall be permitted one (1) primary wall sign in accordance with the provisions of this section and one (1) secondary wall sign. If the owner chooses not to install a primary and secondary sign, the owner shall be permitted to erect wall signs on not more than four (4) sides of the building but only at two thirds(2/3) size.

- A. **HEIGHT:** No wall sign shall have either letters, cabinets or border exceeding eighteen (18) inches in height, provided, however, that the height of such letters/cabinets may be increased in height one inch for each twenty-four (24) feet or major portion thereof of setback distance between the front building line and the street property line.

<u>Box/Cabinet</u>		<u>Minimum</u>	<u>Maximum</u>
	Cabinet Height	_____	_____
	Letter Height	_____	_____
	Left Side Border	_____	_____
	Right Side Border	_____	_____
	Top Border	_____	_____
	Bottom Border	_____	_____
<u>Channel Letter</u>	Letter Height	_____	_____

- B. **LENGTH:** Maximum length of sign to be in proportion to the building/bay frontage occupied by the licensed establishment in accordance with the following:

<u>Primary Building/Bay Frontage</u>	<u>Maximum Length</u>
0 to 25 feet	10'
26 to 40 feet	12'
41 to 55 feet	14'
56 to 70 feet	16'
71 to 85 feet	18'
86 feet and above	20'

	<u>Minimum</u>	<u>Maximum</u>
Box/Cabinet Length	_____	_____
Channel Letter Overall Length	_____	_____

- C. **WIDTH:** Signs projecting in excess of eighteen (18) inches from the foremost point of attachment of the sign to the structure upon which it is constructed are prohibited.

	<u>Minimum</u>	<u>Maximum</u>
Box/Cabinet Width	_____	_____
Channel Letter Overall Width	_____	_____

- D. **INFORMATIONAL/DIRECTIONAL SIGNS:** These signs shall not exceed two (2) square feet in area and shall not be placed off the premises or in the public right-of-way. Not more than one "parking in rear" or "model parking" sign shall be permitted.

List of other signs to be installed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**IV. COMPLIANCE - (Attach additional sheets if necessary)**

- A. Is property in compliance with all previous conditions of approval and/or applicable Code requirements?  
☒ Yes ☐ No

If No, please explain: \_\_\_\_\_

- B. Report on the status of all previous conditions of approval:

The proposed site plan is in compliance with the previous conditions of approval and the code requirements of the B-3 zoning district.

**V. OWNER ACKNOWLEDGEMENT**

I/WE: TACO BELL do hereby swear/affirm that I/we am/are the owner(s) of the property referenced in this application. I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this applications, attachments and fee become part of the official record of the Planning & Zoning Department of the City of Cooper City and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by the City of Cooper City in order to process this application.

I/We further consent to the City of Cooper City to publish, copy or reproduce any copyrighted document for any third party submitted as part of the application.

Signature(s) of Owner(s):

Eduardo L. Carcache

Print Name(s):

EDUARDO L. CARCACHE, AGENT

**VI. CONSENT STATEMENT**

(Owner to complete if using agent/representative)

I/We do hereby give consent to the aforementioned owner(s) PUBLIC to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s):

Eduardo L. Carcache

Print Name(s):

EDUARDO L. CARCACHE, AGENT

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VII. NOTARY

STATE OF Florida COUNTY OF Broward  
The foregoing instrument was acknowledged before me this January day of, 31 20 24

By (Name of Person Acknowledging) Edward L. Carcache She/he is personally known to me or has produced  
Personally - known as identification and did/did not take an oath.

NOTARY PUBLIC SIGNATURE: [Signature]  
Name - Must be typed, printed, or stamped) MARIA MONTERREY  
My Commission Expires: 4/28/26 Commission # HH 258690  
Expires April 28, 2026

VI. STAFF USE ONLY			
Petition #: <u>ST 1-1-24</u>	Staff Intake By: <u>J Chockley</u>	Intake Date: <u>1/31/24</u>	
Sufficiency Completed by: <u>J Chockley</u>	Sufficiency Date: <u>2/1/24</u>		

IX. COOPER CITY CODE

**SIGN PACKAGE/SIGN PACKAGE AMENDMENT - SUBMITTAL REQUIREMENTS**

- (a) Where a sign package/sign package amendment has been previously approved by the City Commission and is proposed by the applicant or City to be amended (revised) in any manner, a revised sign package/sign package amendment shall be submitted to the City.
- (b) The revised sign package/sign package amendment submission shall consist of the previously approved sign package/sign package amendment signed by the Mayor and a separate drawing showing the desired changes and any other drawings or information as may be required by staff.
- (c) The submittal will be reviewed by staff and by the Planning & Zoning Board, who shall evaluate the proposed revision, and current development regulations. The Planning & Zoning Board shall then recommend approval, approval with conditions, or denial to the City Commission. The Commission shall issue a revised development order to approve, approve with conditions, or deny the revised sign package/sign package amendment by development order.

\*Please visit our website at [www.coopercityfl.org](http://www.coopercityfl.org) and go to "Code of Ordinances" to review more sign code information at Article II. Signs - Section 25-19 starting on page 604.



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## SIGN WAIVER APPLICATION

**ATTENTION:** Prior to submission of application, the Petitioner &/or Owner must schedule a pre-submittal meeting with the Community Development Staff to review the proposed project, and the submittal and processing requirements. The submittal dates for DRC and P&Z Board can be found on the City's website at: [www.coopercityfl.org](http://www.coopercityfl.org).

Date of Pre-Submittal Meeting: 10/19/2023

FOR STAFF ONLY:

PETITION #: SW 1-1-24

DATE PETITION FILED:

1/31/24

### INSTRUCTIONS TO APPLICANT:

1. Please complete all requested information on this application. If not applicable, indicate with N/A.
2. A completed Notarized General Application must accompany this application.
3. Make Checks payable to the City of Cooper City per the current Fee Schedule.

## I. APPLICANT INFORMATION

Contact Name: Eduardo L Carcache

Company Name: CKE Group, Inc

Address: 17190 Royal Palm Blvd. Suite 2 City Weston ST FL Zip 33326

## II. SUBJECT SIGNAGE TYPE(S)

Indicate Subject Signage Type(s): Wall/ Canopy Signs

Details of Justification – Responses should be on a separate sheet of paper and attached.

The building is oriented at an angle due to an FPL easement. The building orientation and thick mature landscaped berm create visibility issues for the proposed signage. Refer to attached justification.

## III. WAIVER REQUEST

*Sign Waiver Requested: Please complete below or attach separate sheet as necessary:*

CODE SECTION	REQUIREMENT	REQUEST	DEGREE OF DEVIATION
25-23 (b) (1) a	Max 20" x 18' @ 2/3 per side=20sf	(2)2 lines14"x4'-3"+logo=28.4sf	+8.4 SF
25-23(b)(7)	T.M. not to exceed 20%= .2 x20= 4 SF	(2) 13.5 SF trademark	+9.5 SF

## IV. ADJACENT PROPERTIES

Adjacent Property	Land Use Plan Designation	Zoning Designation	Existing Use(s) of Property
NORTH	C	B-3	Wendy's Restaurant
SOUTH	C	B-3	FPL/Open space
EAST	C	B-3	Pine Island R.O.W.
WEST	R	PMUD-06-03-01	Cooper City Commons



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**V. COMPLIANCE - (Attach additional sheets if necessary)**

A. Is property in compliance with all previous conditions of approval and/or applicable Code requirements?

☒ Yes ☐ No If No, please explain:

B. Report on the status of all previous conditions of approval:

The proposal is in compliance with the previous conditions of approval.

**VI. OWNER ACKNOWLEDGEMENT**

I/WE: Taco Bell of America, LLC and authorized agents of Publix Super Market, Inc., do hereby swear/affirm that I/we am/are the owner(s) of the property referenced in this application.

I/We certify that the above statements and the statements or showings made in any paper or plans submitted herewith are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachment(s) and fee become part of the official record of the Community Development Department of the City of Cooper City and the fee is not refundable. I/We understand that any knowingly false information given by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. I/We further acknowledge that additional information may be required by the City of Cooper City in order to process this application.

I/We further consent to the City of Cooper City to publish, copy or reproduce any copyrighted document for any third party submitted as part of the application.

Signature(s) of Owner(s):

Eduardo L. Carcache

Print Name(s):

EDUARDO L. CARCACHE, AGENT

**VII. CONSENT STATEMENT**

(Owner to complete if using agent/representative)

I/We, the aforementioned owner(s), do hereby give consent to Taco Bell of America, LLC and authorized agents of Publix Super Market, Inc. to act on my/our behalf to submit this application, all required material and documents, and attend and represent me/us at all meetings and public hearings pertaining to the request(s) and property I/we own described in the attached application. Furthermore, as owner(s) of the subject property, I/we hereby give consent to the party designated above to agree to all terms or conditions that may arise as part of the approval of this application for the proposed use.

Signature(s) of Owner(s):

Eduardo L. Carcache

Print Name(s):

EDUARDO L. CARCACHE, AGENT

**VIII. NOTARY**

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this

31 day of January 2024

By (Name of Person Acknowledging)

Eduardo L. Carcache

She/he is personally known to me or has produced

Personally Known.

as identification and did/did not take an oath.

NOTARY PUBLIC SIGNATURE:

Name - Must be typed, printed, or stamped

MARIA MONTERREY

My Commission Expires: 4/28/26

Commission # HH 258680  
Expires April 28, 2026



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**IX. SUBMITTAL CHECKLIST**

QTY	REQUIRED *Submittal requirements not to be duplicated if request accompanying other Petitions.	YES
1	Completed Original Sign Waiver Application	<input checked="" type="checkbox"/>
1	Certificate of Title, property deed or other proof of ownership	<input checked="" type="checkbox"/>
*14	Signed Surveys and 1 Sealed & Signed Survey	<input checked="" type="checkbox"/>
*14	Architectural Plans (if applicable — check with staff)	<input type="checkbox"/>
*14	Site Plans (if applicable — check with staff)	<input type="checkbox"/>
*14	Subject Site Maps clearly delineating site boundary lines with adjacent and nearby street names labeled.	<input type="checkbox"/>
14	Justification Statements	<input checked="" type="checkbox"/>

**X. STAFF USE ONLY**

Petition #: <u>SW 1-1-24</u>	Staff Intake By: <u>J Checkley</u>	Intake Date: <u>1/31/24</u>
Sufficiency Completed by: <u>J Checkley</u>	Sufficiency Date: <u>2/1/24</u>	

**XI. COOPER CITY CODE**

***Sec. 25-29. Waiver Procedure.***

**(a) Permanent window signs.**

(1) Any person seeking a waiver from the provisions of this article for permanent window signs shall file a petition accompanied by a nonrefundable fee according to the current fee schedule.

(2) Applications for sign waivers for permanent window signs shall be reviewed by the Planning and Zoning Board. The Board shall make a recommendation to approve or deny the application to the City's Development Review Committee. The Development Review Committee will then, based on the City Code and the Board's recommendation, make a final decision to grant or deny the waiver. Applicants whose petitions are denied by the Development Review Committee may appeal that decision to the City Commission by filing a written request to the City Commission within thirty (30) days of such denial.

**(b) All other signs.**

(1) Any person seeking a waiver from the provisions of this article for signs other than permanent window signs shall file a petition accompanied by a nonrefundable fee according to the current fee schedule.

(2) Applications for waivers for signs other than permanent window signs shall be reviewed by the Planning & Zoning Board and the City's Development Review Committee. The final decision to grant or deny the waiver petition shall be made by the City Commission.

**(c) Conditions for granting waivers.** Waivers may only be granted by the City where at least one of the following criteria is determined to be met.

(1) Signs permitted under this article cannot be properly viewed due to physical site distinctions other than those imposed by city ordinances or created by the petitioner.

(2) The architectural design of a structure and/or site plan poses unique and extenuating characteristics whereby waiver of sign code provisions is in the city's best interests.

(3) Literal enforcement of this article would result in unreasonable and undue hardship upon the petitioner.

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## **SIGNAGE WAIVER JUSTIFICATION**

**TACO BELL SORE #040993**

**2500 PINE ISLAND ROAD**

**COOPER CITY, FLORIDA**

**September 27, 2024**

The existing shopping center Cooper City Commons is located on 31.95 acres at the intersection of Sheridan Street and Pine Island Road within Cooper City, Florida. The property is currently zoned B-3 General Business District with a "Commercial" future land use designation. The site currently consists of a one-story shopping center with Publix as the major retail tenant and other various commercial uses.

The owner is proposing a site plan to construct a 2,306 square foot fast food restaurant with a dual drive thru facility. The Taco Bell fast food restaurant will also provide a 215 square foot patio area for its patrons, therefore making the total square footage 2,521 square feet. The proposed site plan will be constructed within the Cooper City Master Site Plan and is in compliance with the previous conditions of approval and the code requirements of the B-3 zoning district.

Fast food restaurants today are being developed to meet the changing needs of society. The current site is currently vacant and has been part of the shopping center since 2001. The proposed site plan requires 50 parking spaces be provided and a total of 60 parking spaces is being proposed. Taco Bell is providing the total 60 parking spaces through an agreement with the adjacent property owner to allow Taco Bell the rights to use 35 additional parking spaces for overflow parking for its patrons.

The proposed site improvements, landscaping, and architectural upgrades for Taco Bell will enhance the shopping center and will be in compliance with promoting the objectives of redevelopment and increase property values with a result that better serves the public interest.

Taco Bell would like to request a Final Site Plan approval versus a Preliminary Site Plan submittal and additionally request that the address for this site be 2500 Pine Island Road, Cooper City, FL 33024.

Taco Bell is requesting a sign waiver in order to allow four wall signs and logo

A sign waiver from Section 25-23 (7) Trademark. When a trademark is incorporated within a sign, the trademark shall not comprise more than 20 percent of the total sign area, provided that the product services illustrated by the trademark do not constitute the principal business of the establishment.



An additional sign waiver from Section 25-23 (9)(a) Freestanding buildings: Shopping centers out parcels Freestanding structures within shopping centers (out parcels) shall be permitted one primary wall sign in accordance with the provisions of this section, and one secondary wall sign, which shall not exceed the size of the primary sign. If the owner chooses not to install a primary sign and secondary sign, the owner shall be permitted to erect wall signs on not more than four sides of the building, but only in the secondary size of 2/3 the size of the primary wall sign.

Taco Bell is seeking relief for the signage waivers based upon the criteria established in Section 25-29 (c)(1)(2)(3). The justification for the signage variance is listed below:

**SIGNAGE – WALL OR CANOPY SIGN**

CODE SECTION	REQUIREMENT	ALLOWED	PROPOSED	VARIANCE
Section 25-23 (9)(a) Freestanding buildings	Out parcels shall be permitted one primary wall sign in accordance with the provisions; and one secondary wall sign or secondary wall signs on four sides of the building	Wall signs on four sides of the building at 2/3 the primary size. (18"x2")x18'x 2/3 20 sf per wall sign maximum	Three wall signs at 28.4 SF One wall sign at 13.5 SF (logo)	42 % area increase for each wall sign
Section 25-23 (7) Trademark	When a trademark is incorporated within a sign, the trademark shall not comprise more than 20 percent of the total sign area.	Less than 20% Of sign area 0.20 x 20 = 4 SF	13.5 SF trademark logo	Allowable trademark signage area increased by 338%

- Signs permitted under this article cannot be properly viewed due to physical site distinctions other than those imposed by the City Ordinances or created by the petitioner building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinance would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building;**

There is a significant distance the building is setback from Pine Island Road, which limits the signage visibility from the roadway. There is a heavily landscaped tall berm with numerous mature trees along Pine Island Road that will also limit the signage visibility. In addition, Cooper City Commons does not have multitenant signs at the entrances of the shopping center that could help direct costumers to the restaurant.



- 2. The Architectural design of a structure and/or site plan poses unique and extenuating characteristics whereby waiver of sign code provisions is in the City's best interest.**

The proposed site plan layout is designed to provide exposure to both Sheridan Street and Pine Island Road for patrons in this area. The granting of the requested waivers will be in the City's best interest to continue to promote economic development Citywide. The building is oriented in a diagonal direction to line up with the FPL easement and power lines which prevents from having a full elevation oriented to Pine Island Road. In addition, going with the smaller four sides wall signs provides better visibility from inside the shopping center.

- 3. Literal enforcement of this article would result in unreasonable and undue hardship upon the petitioner.**

Taco Bell is making every effort to construct a restaurant at this site in harmony with the purpose and intent of the code and preserve its spirit. The literal enforcement of this article would limit the visibility and noted recognition of Taco Bell's brand to its patrons within the area. Granting of these waivers will not prove detrimental to the public welfare but enhance economic growth.



JAN 31 2024

CITY OF COOPER CITY  
PLANNING DIVISION



December 13, 2023

**Via Federal Express**

Taco Bell of America, LLC  
Attention: Real Estate Law Department  
1 Glen Bell Way  
Irvine, California 92618  
Site No. 316151

**Via Federal Express**

Taco Bell Corp.  
Natalya Diaz, Real Estate Manager  
1 Glen Bell Way, MD 518  
Irvine, California 92618  
Natalya.Diaz@yum.com  
Site No. 316151

Re: Ground Lease Agreement dated May 31, 2023 ("Lease"), by and between PUBLIX SUPER MARKETS, INC., a Florida corporation ("Landlord") and TACO BELL OF AMERICA, LLC, a Delaware limited liability company ("Tenant"), for certain premises containing approximately 1.00 acre lying and being in Hollywood, Broward County, Florida (as more particularly described in the Lease, the "Premises"), which Premises is known as Outparcel 4 adjacent to that certain shopping center more commonly known as Cooper City Commons, owned by Landlord (the "Shopping Center")

Ladies and Gentlemen:

This letter confirms that, notwithstanding anything contained in the General Application and/or the Site Plan Application enclosed herewith or in any other building or other permits or authorizations necessary from time to time for the performance of any construction, alteration or other work permitted to be done by Tenant under the Lease (collectively, the "Development Applications"), the following terms and conditions shall apply:

1. Notwithstanding anything to the contrary contained in any of the Development Applications, Tenant shall not be permitted to impose any terms, conditions, encumbrances, or zoning changes on the Premises, the Shopping Center, or any property adjacent thereto, without the prior express written consent of Landlord in its sole and absolute discretion.
2. Tenant's indemnity obligations as set forth in Paragraph 9.A. of the Lease shall apply to any and all liability, costs and expenses which may be imposed upon or incurred by or asserted against Landlord by any third party as to any of the matters, provisions and conditions set forth in the Development Applications, including, without limitation, Paragraph III of the General Application, Paragraph VIII of the Site Plan Application, and/or any permits or authorizations issued in connection therewith.
3. The Development Applications shall not modify or amend any provision of the Lease, including without limitation Paragraphs 9, 11, 20, or 30 of the Lease.
4. The Development Applications and any consents or limited powers granted therein are revocable at will by Publix at any time if Tenant violates the Lease and/or the terms of this letter agreement.

Taco Bell of America, LLC  
Taco Bell Corp.  
December 13, 2023  
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All capitalized terms used herein and not otherwise defined in this letter shall have the meaning ascribed to such terms in the Lease.

Please sign below where indicated to confirm Tenant's agreement to the foregoing and return to my attention. Facsimile or scanned signatures (e.g. e-mailed in PDF format) are acceptable to effectuate the terms hereof. This letter shall not be recorded in the public records.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

**PUBLIX SUPER MARKETS, INC.,**  
a Florida corporation

By: William W. Rayburn, IV  
William W. Rayburn, IV  
Vice President of Real Estate Assets

WWR/aec  
Enclosures

**ACKNOWLEDGED AND AGREED TO  
BY TENANT:**

**TACO BELL OF AMERICA, LLC,**  
a Delaware limited liability company

By: Kristina de la Rosa  
15F080E471CC4F3  
Print Name: Kristina de la Rosa  
Title: Assistant Secretary  
Date: 12/20/2023