



**CITY OF COCONUT CREEK  
PLANNING AND ZONING BOARD MINUTES**

**Government Center  
4800 West Copans Road  
Coconut Creek, FL 33063**

**Date: January 10, 2024  
Time: 7:00 p.m.  
Meeting No. 2024-0110**

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**1. CALL TO ORDER**

The meeting was called to order by Chair Jeffrey Barker at 7:00 p.m.

**2. PRESENT UPON ROLL CALL:**

Jeffrey Barker, Chair  
Colleen LaPlant, Vice Chair  
Alfred Delgado  
Jeffrey Light  
Nancy Fry, Alternate

Also present: Deputy City Attorney Kathy Mehaffey, Sustainable Development Director Scott Stoudenmire, Sustainable Development Assistant Director Justin Proffitt, Principal Planner Lizet Aguiar, and Deputy City Clerk Marianne Bowers.

**ABSENT:**

Mikkie Belvedere

Deputy City Clerk Marianne Bowers informed the Board that Ms. Belvedere had contacted the City Clerk Department to send notice that she would be unable to attend the meeting.

Deputy City Attorney Kathy Mehaffey noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

**3. APPROVAL OF MINUTES**

A MOTION APPROVING THE MINUTES FROM PREVIOUS PLANNING AND ZONING BOARD MEETING(S). (2023-1108)

**MOTION:** Fry/LaPlant – To approve the Minutes of the November 8, 2023, Planning and Zoning Board Meeting, as presented.

**Upon roll call, the Motion passed by a 5-0 vote.**

Deputy City Attorney Mehaffey explained the City's quasi-judicial procedures that would be applied to Agenda Item 4, as follows (verbatim):

Florida courts have determined that there are certain types of matters, including Item 4 on tonight's agenda, that are to be treated differently than other items considered by the Board. In these quasi-judicial applications, the Board is applying existing rules and policies to a factual situation and is therefore acting like a Judge and Jury do in a trial held in the courtroom. In such cases, the courts have decided that due process and fundamental fairness require that more

formal procedures be followed.

The Board's decision must be based on the evidence and information that is presented at the public hearing, including the agenda materials, staff recommendation, testimony presented at the public hearing, and the deliberations of the Board. The quasi-judicial procedures require that the Board consider the evidence presented to it and base their decision on the applicable law and primarily on credible evidence presented whether by staff, the applicant, or members of the public.

In a quasi-judicial proceeding, the Board is not allowed to take into consideration public sentiment or the popularity of a particular development proposal or application. The Board may only consider competent substantial evidence. This means testimony or other evidence that a reasonable mind would accept as credible and adequate to support a conclusion. Florida courts have made it clear that mere generalized statements of opposition are to be disregarded, but fact-based testimony can be considered competent and substantial evidence. This can include eyewitness observation, testimony about relevant facts, and documentary evidence, including photographs, aerials, and maps. Citizens who want to participate in a quasi-judicial hearing can testify as to factual matters and any element of the case that would not require specialized training or specific academic degrees. Their testimony will be considered provided their testimony is backed up by established facts, studies, or evidence that is not conjecture or just based on a feeling. The quasi-judicial hearing process is not a popularity contest. The strict rules of evidence do not apply during the public hearing, but any comments must be relevant to the agenda item.

Everyone who seeks to speak on an item will be given an opportunity to speak. If you intend to provide testimony as to any of the applications to be considered tonight, you will be sworn in before your testimony is taken. Please know if you speak, you may be subject to cross examination; the Board may comment or ask questions of persons addressing the Board at any time. If you refuse to either be cross-examined or to be sworn, your testimony will be considered in that context and given its due weight. The general public will not be permitted to cross examine witnesses, but may request that the Board direct questions on their behalf to the applicant or staff.

Deputy City Clerk Bowers confirmed the public notice requirements for Agenda Item 4 had been met and swore in the witnesses.

## **AGENDA ITEMS**

- 4. MAINSTREET @ COCONUT CREEK BLOCK 4: A SITE PLAN APPLICATION TO DEVELOP A MULTI-FAMILY PROJECT CONSISTING OF FIVE (5), FIVE (5)-STORY BUILDINGS WITH A TOTAL OF 472 RESIDENTIAL APARTMENT UNITS WITHIN THE MAINSTREET PROJECT AREA. (QUASI-JUDICIAL)(PUBLIC HEARING)**

Deputy City Attorney Mehaffey asked for any ex-parte disclosures related to Agenda Item 4, and there were no disclosures.

Sustainable Development Assistant Director Justin Proffitt presented the item, noting that the applicant was proposing to develop a 472-unit multi-family residential project on approximately eleven (11) acres of land on Block 4 of the MainStreet Master Plan. He provided a brief overview of the project, noting this was the first of four (4) site plans in the first phase of the MainStreet development.

Principal Planner Lizet Aguiar outlined the Development Review Committee (DRC) process, noting the applicant had worked with staff on four (4) rounds of review prior to

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review by the Planning and Zoning Board. She stated the applicant had held three (3) open house meetings to provide an opportunity for public input and had also launched a public website. She advised that staff found that the application complied with the requirements of the City's Land Development Code and the Comprehensive Plan and recommended approval subject to all outstanding DRC comments, as well as the conditions of approval, as outlined in the staff report.

Scott Backman, Dunay, Miskel, and Backman, LLP, representing Johns Family Partners, LLP, presented on behalf of the applicant. He introduced members of the development team present and began a *PowerPoint* presentation. He displayed photographic examples of other apartments developed by the team and explained the proposal was luxury apartment living. He reviewed the history of the MainStreet project and phasing briefly. He shared color renderings of the building, garage, and amenities. He advised that the sustainable aspects of the development would include eighty-one (81) electric vehicle (EV)-ready parking spaces and twice the bicycle spaces required.

Mr. Backman discussed the character of the buildings and the architectural components, followed by images to show how Block 4 fit into the overall massing of the project. He noted the applicant had no objections to the conditions of approval and discussed the schedule for future applications briefly.

Chair Barker opened the public hearing on the item. There were no questions or comments from the public, and Chair Barker closed the public hearing.

Board Member Jeffrey Light asked for clarification on parking for the project. Mr. Backman advised the garage had 394 parking spaces, and the balance of parking was made up of surface parking spaces in and around the project, along with six (6) individual garage spaces available for rent. Mr. Light asked how stormwater would be managed. Mr. Backman stated the entire project drains together rather than as independent development blocks with interconnected water features. Mr. Light inquired as to a reference to potential flooding in the parking garage. Mike Troxell, Thomas Engineering Group, Civil Engineer on the project, provided additional explanation of the stormwater management. He stated there were drainage pipes that interconnect the system and advised that for 25-year/3-day and other high-level storms, there would be water collected and stored on the parking lots, as was typical in South Florida. Mr. Light asked whether there would be assigned parking for residents. Rick Giles, GSR Partners, advised that the surface parking would be first-come, first-served, and the parking garage would have assigned parking for those choosing that option.

Board Member Nancy Fry asked for additional clarification on the garages. Mr. Backman explained that the tuck-under parking was effectively garage space and could be leased as part of a unit. Ms. Fry inquired as to whether there would be solar panels on top of the structured parking. Mr. Backman stated they were not designed that way. Ms. Fry asked if the overhang would be used for residents. Mr. Backman advised that there were no roof-top residential areas. Ms. Fry asked whether the public school concurrency review would be done with each block, or aggregated for the overall project. Mr. Backman stated it was aggregated for the entire Regional Activity Center (RAC) and noted there was an existing agreement with the School Board.

Vice Chair Colleen LaPlant stated she was concerned with parking, and asked how visitors would be kept from parking in the resident parking spaces. Mr. Giles stated the property management would be monitoring the use of the garage, and unauthorized vehicles would be subject to tow. He noted there would be signage. Vice Chair LaPlant asked the total number of parking spaces. Mr. Giles stated it was 807, including the

garage and surface spaces.

Chair Jeffrey Barker referenced the buildings' three (3) courtyards and asked if the pools would be at ground level. Mr. Backman confirmed this was correct. Chair Barker asked whether the EV parking spaces would also be a part of the leases and how they would be paid for. Rick Stephano, GSR Partners, stated the spaces would not be assigned. He noted some would be in the parking field and some in the garage, and residents would have access.

Vice Chair LaPlant asked for clarification on the inclusion of the single-story garages. Mr. Proffitt and Ms. Aguiar explained. Vice Chair LaPlant expressed concern that this application was premature, as the Commission had not yet approved the Development of Regional Impact (DRI) or Planned MainStreet Development District (PMDD). Mr. Proffitt provided a brief overview of the schedule for review of the items. He advised that the DRI and PMDD had been approved on first reading and was scheduled for second reading on January 25, 2024. He noted that this application was reviewed against those documents.

Board Member Alfred Delgado asked about the access gates onto NW 40<sup>th</sup> Street, including their location and whether they were limited to residents. Mr. Backman explained.

Ms. Fry asked if the gates were vehicle access only. Mr. Backman indicated the location of pedestrian access points and noted pedestrian connectivity was being encouraged as part of the project.

Mr. Light asked about parking for visitors. Mr. Backman explained ten percent (10%) of the total parking was for guests; and with the exception of the tuck-under garages and garage space, guests could park where there was an open space. Mr. Proffitt noted there would also be on-street parking surrounding the block.

Mr. Delgado inquired as to how trash would be managed. Mr. Backman explained each building would have its own separate trash chute, and recycling would be provided.

Staff nor the applicant had closing remarks.

**MOTION:** Fry/Delgado – To recommend approval of Agenda Item 4, as presented.

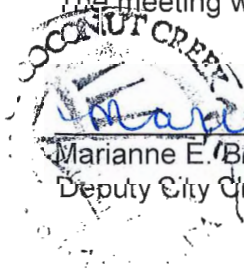
**Upon roll call, the Motion passed by a 5-0 vote.**

## 7. COMMUNICATIONS AND REPORTS

There were no communications or reports.

## 8. ADJOURNMENT

The meeting was adjourned at 7:50 p.m.

  
Marianne E. Bowers  
Marianne E. Bowers, CMC  
Deputy City Clerk

2/14/2024  
Date