



CITY OF COCONUT CREEK PLANNING AND ZONING BOARD MINUTES

Government Center
4800 West Copans Road
Coconut Creek, FL 33063

Date: September 11, 2024
Time: 7:00 p.m.
Meeting No. 2024-0911

1. CALL TO ORDER

The meeting was called to order by Chair Colleen LaPlant at 7:02 p.m.

2. PRESENT UPON ROLL CALL:

Colleen LaPlant, Chairperson
Jeffrey Barker, Vice Chairperson
Solomon Briks
Alex Escoriza
Jeffrey Light
Nancy Fry, Alternate

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

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). (2024-0814)

MOTION: Light/Escoriza – To approve the Minutes of the August 14, 2024, Planning and Zoning Board Meeting, as presented.

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

AGENDA ITEMS

Deputy City Attorney Mehaffey explained the City's quasi-judicial procedures that would be applied to Agenda Items 4 and 5, as follows (verbatim):

First, I want to remind everyone to silence your cell phones. Florida courts have determined that there are certain types of matters, including Agenda Items 4 and 5 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

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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. Proper decorum is required and will be maintained at all times. Please refrain from vocal outbursts, jeering, cheering or applause.

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. Will the Clerk please confirm compliance with the notice requirements?

Deputy City Clerk Bowers confirmed that the public hearing notice requirements for Agenda Items 4 and 5 had been met and swore in the witnesses.

Chair LaPlant inquired if there were any objections from Staff, the Applicant, the Board, or the public to hear Agenda Items 4 and 5 together, as they were related, and there were no objections.

4. **MAINSTREET @ COCONUT CREEK BLOCK 15A:** A SITE PLAN APPLICATION TO CONSTRUCT 172 TWO (2) AND THREE (3) BEDROOM CONDOMINIUM UNITS WITHIN BLOCK 15A OF THE MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL)(PUBLIC HEARING)
5. **MAINSTREET @ COCONUT CREEK BLOCK 15B:** A SITE PLAN APPLICATION TO CONSTRUCT A PRIVATE CLUBHOUSE WITHIN BLOCK 15B OF THE MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL)(PUBLIC HEARING)

Deputy City Attorney Mehaffey asked for any ex-parte communications or disclosures related to Agenda Items 4 and 5, and there were no disclosures.

Sustainable Development Director Justin Proffitt introduced Lizet Aguiar, Principal Planner and DRC Chair, to make the combined staff presentation. Ms. Aguiar summarized the site plan requests for Block 15A to construct 172 two (2) and three (3) bedroom condominiums and Block 15B to construct a private clubhouse for homeowners

within the MainStreet at Coconut Creek development. She noted the proximity of Blocks 15A and 15B to the City's planned civic node and the Village Center. Ms. Aguiar concluded by stating that staff found that the site plans for Blocks 15A and 15B complied with the MainStreet PMDD, the MainStreet Design Standards, site application review standards, the City's Land Development Code, and the City's Comprehensive Plan and recommended approval of both agenda items, subject to outstanding DRC comments and the conditions listed in the staff memorandum.

Scott Backman, Miskel Backman, LLP, on behalf of the applicant, shared a *PowerPoint* presentation, beginning with a summary of the progress since the developer's last appearance before the Board. He reviewed Block 15A, which proposed 172 condominiums, featuring a mix of two-story townhome style condominiums and single-story condominiums. He noted that Block 15B would serve as a private recreation area for residents, featuring a clubhouse with a fitness center, pool, and various amenities. He also highlighted the ongoing public engagement and collaboration with City staff and Commissioners and discussed sustainability features, including Electric Vehicle (EV)-ready spaces and enhanced pedestrian-friendly design. Mr. Backman concluded by expressing appreciation for the Board's efforts and indicated that additional approvals for the remaining blocks were forthcoming.

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

Board Member Nancy Fry asked for clarification on traffic safety. Mr. Backman explained that the site plan included a 28-foot-wide greenway with a multi-use pedestrian path and significant landscaping, similar to the one in front of Monarch Station and the Promenade. He noted an additional setback of approximately 40 feet from Wiles Road, with no direct access to the buildings. Ms. Fry inquired about the pedestrian pathway between the pocket park and Monarch High School, expressing concern about whether students could easily access the residential area. Mr. Backman responded, clarifying that there was a connection in place and explained the specifics of the pathway layout and access. Ms. Fry asked if the parking spaces would be dedicated for residents or if they would be first-come, first-served. Mr. Backman confirmed that there would be some dedicated spaces for residents, as well as guest parking. Ms. Fry inquired whether there was anything dividing the southeast section near Block 13 from the City parcel, such as trees or a gate. Mr. Backman responded that there was no gate, and the section abutted the City parcel. He added that discussions were ongoing regarding the potential use of the City parcel. Discussion ensued regarding the room dimensions for the residential buildings for Block 15A. Ms. Fry asked for clarification if the party room and flex room for Block 15B would be available for rent by residents and if external individuals could rent the spaces. Mr. Backman confirmed that the rooms would be available for residents to rent through the property manager, with external guests allowed only if sponsored by a resident and proof of residency required. He also confirmed capacities could be provided. Ms. Fry asked about the purpose of the kids' room next to the fitness center. Mr. Backman explained that the room was designed as a play area visible from the fitness center, allowing parents to work out while their children play. He clarified that it was not intended to function as a daycare and would not have an attendant.

Board Member Jeffrey Light asked for clarification on who would be able to utilize the clubhouse and pool on Block 15B, as well as the capacity of the pool. Mr. Backman clarified that the facilities were for use by the residents of the for-sale blocks in the MainStreet area, including Blocks 1, 5, 6, 8, 9, 11, and 15A. He noted that the pool met Department of Health standards with regard to capacity and noted that at least two (2)

additional pools were planned for other blocks, including Block 4 and Block 10, for the rental components of the MainStreet at Coconut Creek development. Mr. Light asked for clarification on the unit mix for Block 15A. Mr. Backman responded that it varied, with 24, 16, and 20-unit buildings, resulting in four (4) to five (5) units per level. Discussion ensued regarding the square footage of each of the unit types. Mr. Light inquired about access to the lake for use. Mr. Backman confirmed that the lake was for aesthetic purposes only. He added that the MainStreet community would be responsible for maintaining the lake. Mr. Light asked about the governance structure for the buildings. Mr. Backman explained that Block 15A would have one (1) condominium association overseeing all the buildings, rather than each building having its own association.

Board Member Alex Escoriza asked about overflow parking, noting that the plan provided less than two (2) parking spaces per unit. Mr. Backman confirmed the ratio was approximately 1.8 spaces per unit and stated that they believed the parking provided was sufficient based on the unit types. He added that overflow and guest parking would be available, though not necessarily in close proximity to Block 15A. Mr. Escoriza stated that multi-generational households were increasing as a demographic trend, which could result in more cars in the driveway.

Board Member Solomon Briks asked if there would be a rail where the sidewalk met the lake edge. Mr. Backman confirmed that areas with a bulkhead would have a rail, while other sections would have a gradual lake slope.

Vice Chair Jeffrey Barker asked if the townhouse units would be titled as condos, and Mr. Backman confirmed they were considered two-story condominiums.

Chair LaPlant asked whether the clubhouse and pool area would be secure and inquired about the possibility of adding pickleball courts. Mr. Backman confirmed that access to the clubhouse would be controlled by a fob, and the pool area would be fenced. He added that pickleball courts were being considered for Block 4 and possibly Block 10, with further discussions ongoing. Chair LaPlant inquired about overflow parking for the clubhouse, noting concerns about events and resident use. Mr. Backman responded that there would be on-street parking available near the clubhouse, with a fair amount of public parking.

Ms. Fry inquired about access to the City parking garage and its proximity. Mr. Proffitt confirmed that once the garage was built, there would be access, and it would be relatively walkable. Mr. Backman added that temporary parking options may be available in the future, with the potential to accommodate nearly 100 cars.

Mr. Escoriza asked about alternative transportation options, such as Freebee. Mr. Proffitt responded that the City's transportation team was working with the County and other transportation agencies to strategically place new shuttle stops as future development in MainStreet progressed. He noted that the developer had agreed to cooperate with the City on the placement of these stops, and noted that transit availability remained a priority as part of a multi-modal approach to the development. Mr. Escoriza asked what the farthest walking distance for a resident would be to the clubhouse. Mr. Backman referred to a *PowerPoint* slide to show the two (2) farthest blocks and noted it was approximately one-quarter mile, but did not have the exact calculation on hand.

Mr. Light inquired about the phasing plan. Mr. Backman explained that phase one included Blocks 1-4 and infrastructure improvements, while phases two through four

covered additional parcels and progressed from southeast to northwest.

Mr. Briks sought clarification whether a property manager had been selected to advise on long-term maintenance for the development, given its complexity. Mr. Backman responded that while no specific property manager had been selected, development partners and property management teams had been consulted to ensure proper long-term maintenance, with multiple groups involved, depending on the block.

Ms. Fry stated that she used Google Maps to measure the distance from the corner of Lyons Road and Cullum Road to the southwest corner of the lake, noting it was approximately two-thirds of a mile in a straight line, not accounting for walking paths.

Neither staff nor the applicant had closing remarks.

MOTION: Barker/Light – To recommend approval of Agenda Item 4, as presented.

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

MOTION: Barker/Escoriaza – To recommend approval of Agenda Item 5, as presented.

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

5. COMMUNICATIONS AND REPORTS

Ms. Aguiar announced that a special Planning and Zoning Board meeting had been scheduled for October 1, 2024. The plan was to present the roadways site plan for the MainStreet project area for consideration at the special meeting.

6. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Marianne E. Bowers, CMC
Deputy City Clerk

Date