



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: October 14, 2021
Time: 7:00 p.m.
Regular Meeting No. 2021-1014R

CALL TO ORDER

Mayor Rebecca A. Tooley called the meeting to order at 7:05 p.m.

PRESENT UPON ROLL CALL:

Mayor Rebecca A. Tooley
Vice Mayor Joshua Rydell
Commissioner Lou Sarbone
Commissioner Sandra L. Welch
Commissioner Jacqueline Railey
City Manager Karen M. Brooks
City Attorney Terrill C. Pyburn
Interim City Clerk Marianne Bowers

Mayor Tooley asked all to rise for the Pledge of Allegiance.

Mayor Tooley noted that the meeting was being conducted live with a quorum physically present, and explained that, in light of the pandemic, accommodations were made to allow the public to provide advanced comments without the need to attend the meeting. City Attorney Terrill Pyburn explained the procedures for public participation and comment for the meeting.

Mayor Tooley noted that staff had requested Agenda Item 1 be postponed to a future agenda and Agenda Item 20 be moved to the October 28 meeting for second reading of the ordinance.

PRESENTATIONS

1. ~~21-235~~ A PRESENTATION RECOGNIZING SERGEANT BRIAN MULLIN FOR THE FLORIDA POLICE CHIEF'S ASSOCIATION (FPCA) LIFESAVING AWARD.

Item was postponed and not heard on the agenda.

2. 21-224 A PRESENTATION RECOGNIZING FOURTH QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2021.

Human Resources Director Pamela Kershaw recognized the following employees who had reached a milestone anniversary during the fourth quarter of Fiscal Year 2021.

Five (5) Year Anniversary:

Ricardo Padron, Police Officer, Police Department
Andrew Reynolds, Police Officer, Police Department
Nicholas Scherr, Police Officer, Police Department
Briana Capone, Senior Code Compliance Officer, Sustainable Development

Ten (10) Year Anniversary:

Maureen DeLaunay, Executive Administrative Assistant, City Manager's Office

Fifteen Year Anniversary:

Tair Herron-McCloud, Customer Service Representative, Parks & Recreation
Darren Karp, Police Lieutenant, Police Department
Robert Lee, Police Officer, Police Department
Gregory Woolley, Police Officer, Police Department
Brian Rosen, Public Works Project Manager, Public Works

Twenty Year Anniversary:

Colette Okamoto, Parks & Recreation Supervisor, Parks & Recreation
Valencia Massey, Business Process Analyst, Sustainable Development

Twenty-Five Year Anniversary:

Daniel Laurie, Senior Recreation Programmer, Parks & Recreation
Michael Zombek, Police Officer, Police Department

3. **21-233** A PROCLAMATION RECOGNIZING COCONUT CREEK RESIDENT FRANKLIN E. RENWICK, JR. FOR HIS EFFORTS TO HELP COCONUT CREEK YOUTH SUCCEED IN FINANCIAL LITERACY.

Vice Mayor Rydell read the proclamation into the record and presented it to Franklin E. Renwick, Jr. in recognition of his efforts.

4. **21-240** A PROCLAMATION RECOGNIZING OCTOBER 2021 AS "DOMESTIC VIOLENCE AWARENESS MONTH."

Commissioner Sarbone read the proclamation into the record and presented it to Coconut Creek Police Department Victim Advocate Tara Arena.

5. **21-229** A PROCLAMATION RECOGNIZING OCTOBER 2021 AS "BREAST CANCER AWARENESS MONTH."

Mayor Tooley read the proclamation into the record and presented it to Tracy Milgram-Posner, Founder of BRCAStrong.

Police Chief Albert "Butch" Arenal presented each of the Commissioners with a Challenge Coin in recognition of those fighting breast cancer and the survivors. He stated the Commissioners were the first recipients and the coins would be given throughout the City.

INPUT FROM THE PUBLIC

Nancy Fry, 5341 Flamingo Place, Coconut Creek, requested the Commission pass a resolution affirming the reproductive rights of people in Coconut Creek and throughout Florida. She discussed pending legislation in Tallahassee and shared statistics related to reproductive rights.

Interim City Clerk Bowers read the following two written advanced public comments into the record, copies of which are attached hereto as Exhibit 1, and made a part hereof these minutes:

Linda Bloomfield wrote an email asking the Commission to act in support of reproductive rights.

Yordanos Molla, Deputy Field Director at Equality Florida, wrote an email asking the Commission to support a resolution affirming the right to reproductive rights and healthcare in the face of proposed abortion bans.

CONSENT AGENDA (Items 6 and 7)

Mayor Tooley read each of the titles of the Consent Agenda Items into the record.

6. **21-228** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2021-0909WS, 2021-0909R, AND 2021-0913SP)

7. **RES**
 21-202 A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY TO CONTINUE PROVIDING COST-SHARE SUPPORT OF A WATER CONSERVATION INCENTIVES PROGRAM COORDINATED BY BROWARD COUNTY, AND AUTHORIZING BROWARD COUNTY TO CONTINUE CONDUCTING SPECIFIC MEDIA PROMOTION, OUTREACH, ADMINISTRATIVE, AND OTHER ACTIVITIES ASSOCIATED WITH FOSTERING A COUNTY-WIDE WATER CONSERVATION ETHIC.

MOTION: Rydell/Welch – To approve the Consent Agenda Items 6 and 7.

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

REGULAR AGENDA

Utilities and Engineering

8. **RES**
 2021-204 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A SOLE SOURCE AGREEMENT WITH ODYSSEY MANUFACTURING CO. FOR THE PURCHASE AND INSTALLATION OF A MONOCLOR RESIDUAL CONTROL SYSTEM (MRCS).

Mayor Tooley read the Resolution title into the record.

MOTION: Sarbone/Welch – To approve Resolution No. 2021-204.

Utilities & Engineering Director Osama Elshami presented the item, explaining the system was invaluable in providing safe control of chemicals in the water for the residents. He noted the City already had the system in one of its water tanks.

Commissioner Welch clarified the Hilton Road storage tank and Johnson Road storage tank were the only water tanks in the City, and Mr. Elshami confirmed that was correct.

Vice Mayor Rydell asked for clarification on the warranty period, noting it was 12 months rather than five years which other water-related capital purchases had carried. Mr. Elshami responded that there had not been any issues with the existing equipment. He stated he did not have warranty details, but the manufacturer was present to answer questions. Pavol Plecenik, Technologies Manager, Odyssey Manufacturing, stated there was an optional five-year warranty, but the standard warranty was one-year. Discussion ensued regarding the cost of the additional warranty, and Vice Mayor Rydell stated this may be an expenditure where the City would want

the five-year warranty. Mr. Elshami responded that he would look into costs, but staff had chosen the one-year option based on experience with the product.

Commissioner Sarbone asked if the warranty could be added later, and Mr. Elshami stated staff could evaluate and add the warranty if the cost was appropriate. Commissioner Sarbone stated he was comfortable moving forward and allowing staff to look at the warranty following approval.

Commissioner Railey asked what the performance had been on the system on the Johnson Road tank. Mr. Elshami stated it had been steady, with minor corrections required, and reiterated that he was comfortable with the warranty as presented.

Vice Mayor Rydell asked whether the warranty could be added as a separate purchase following the approval of the resolution, and City Attorney Pyburn explained the process to proceed with the option to amend the contract later to add the warranty if staff deemed the cost appropriate.

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

Police Department

9. **RES 2021-200** A RESOLUTION AUTHORIZING THE USE OF FEDERAL LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000) TOWARD SCHOOL RESOURCE OFFICERS' SALARIES FOR FISCAL YEAR 2022; AND AUTHORIZING THE USE OF STATE LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT OF THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500) FOR APP ARMOR SOFTWARE.

Mayor Tooley read the Resolution title into the record.

MOTION: Sarbone/Rydell – To approve Resolution No. 2021-200.

Police Chief Arenal presented the item. He explained the App Armor software was a major component of the Police Department's technology platform, which provides the ability to interact with citizens in real time, including a panic button, push messages, and crime reporting. He discussed potential uses for the application.

Commissioner Welch asked if the application was something that could be used in schools. Police Chief Arenal stated it could be and noted there are other notification apps used in the school system. He noted this application would be specific to Coconut Creek residents, and explained billing is by population.

Vice Mayor Rydell commented on the benefits of the software in regards to community policing and resident engagement.

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

10. **RES 2021-205** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE INTERAGENCY AGREEMENT WITH THE STATE ATTORNEY'S OFFICE, 17TH JUDICIAL CIRCUIT, FOR CRIMINAL JUSTICE INFORMATION EXCHANGE AND USE.

Mayor Tooley read the Resolution title into the record.

MOTION: Rydell/Welch – To approve Resolution No. 2021-205.

Police Chief Arenal presented the item, noting in April 2019, the Commission had approved an information sharing agreement to communicate crime-related juvenile information, and this was a renewal of that agreement under the name of the new State Attorney.

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

Sustainable Development

City Attorney Pyburn read aloud the City's Quasi-Judicial procedures that would be applied to items 11 through 17. Interim City Clerk Bowers confirmed public notice requirements had been met for the Quasi-Judicial items 11 through 17 and swore in the witnesses. City Attorney Pyburn confirmed there were no objections to hearing items 11 through 15 together, as they were related.

- 11. ORD 2021-021** AN ORDINANCE CHANGING THE LIST OF PERMITTED AND SPECIAL LAND USES AND MODIFYING SITE DESIGN STANDARDS AND DEVELOPMENT REGULATIONS, BY REZONING THE PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF HILLSBORO BOULEVARD AND LYONS ROAD, AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, FROM PCD (MARKETPLACE AT HILLSBORO), PLANNED COMMERCE DISTRICT, TO PCD (MARKETPLACE AT HILLSBORO II), PLANNED COMMERCE DISTRICT, AMENDING ORDINANCE NO. 144-96 TO THE EXTENT SUPERSEDED BY THIS REZONING, PROVIDING FOR FINDINGS. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)
- 12. ORD 2021-022** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY HILLSBORO MARKETPLACE INVESTMENTS, LLC TO PERMIT A DRIVE-THRU FOR A CALI COFFEE RESTAURANT FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF HILLSBORO BOULEVARD AND LYONS ROAD (WEST OUTPARCEL), AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)
- 13. RES 2021-163** A RESOLUTION VACATING, RELEASING, AND ABANDONING A PORTION OF A 12-FOOT-WIDE SEWER EASEMENT FOR THE PROJECT KNOWN AS HILLSBORO MARKETPLACE, GENERALLY LOCATED AT THE NORTHEAST CORNER OF HILLSBORO BOULEVARD AND LYONS ROAD, WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL)(PUBLIC HEARING)
- 14. RES 2021-164** A RESOLUTION VACATING, RELEASING, AND ABANDONING TWO PORTIONS OF A 12-FOOT-WIDE WATER EASEMENT FOR THE PROJECT KNOWN AS HILLSBORO MARKETPLACE FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART OF. (QUASI-JUDICIAL)(PUBLIC HEARING)
- 15. RES 2021-165** A RESOLUTION VACATING, RELEASING, AND ABANDONING A PORTION OF A 12-FOOT-WIDE WATER EASEMENT FOR THE PROJECT KNOWN AS HILLSBORO MARKETPLACE, GENERALLY LOCATED AT THE NORTHEAST CORNER OF HILLSBORO BOULEVARD AND LYONS ROAD, WITH SAID

EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO.
(QUASI-JUDICIAL)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance titles and Mayor Tooley read the Resolution titles into the record.

Commissioner Welch made a motion to hear Agenda Items 11 through 15, seconded by Commissioner Railey.

City Attorney Pyburn asked if there were any ex-parte disclosures on behalf of the Commission since the first reading of the items, and there were none.

Mr. Stoudenmire presented the items and shared progress on the dedication of the Post Office within the development to Daniel Agami, a former Coconut Creek Police Explorer and Army veteran killed in the line of duty 2007.

Douglas Mummaw, Architect with Mummaw and Associates, presented the conceptual Specialist Daniel Agami Memorial at the Marketplace at Hillsboro, which was created after meeting with the Agami family. He noted the design would require further collaboration with the family and City staff.

Mayor Tooley opened the public hearing.

Ilan Agami, 5843 NW 40 Avenue, Coconut Creek, spoke regarding the effort to honor his brother.

Beth Agami, Boca Raton, added her thanks to the developers, architect, and City for their support. She stated they were deeply grateful for the conceptualized design and looked forward to the completion of the project.

There were no further questions or comments from the public, and Mayor Tooley closed the public hearing.

Each of the Commissioners spoke favorably of the memorial honoring Specialist Daniel Agami and the redevelopment project.

MOTION: Rydell/Welch – To adopt Ordinance No. 2021-021.

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

MOTION: Rydell/Welch – To adopt Ordinance No. 2021-022.

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

MOTION: Sarbone/Railey – To approve Resolution No. 2021-163.

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

MOTION: Rydell/Sarbone – To approve Resolution No. 2021-164.

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

MOTION: Welch/Railey – To approve Resolution No. 2021-165.

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

Mayor Tooley asked if there were any objections by the Commission, staff, the applicant, or the public to hear Agenda Items 16 and 17 together as they were related, and there were none.

16. **ORD 2021-026** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY POMPANO AUTOPLEX, LLC TO PERMIT THE CONSTRUCTION OF A NEW MAZDA AUTOMOBILE DEALERSHIP WITH SHOWROOM, INDOOR SERVICE BAYS, AND THREE (3) STORY PARKING STRUCTURE GENERALLY LOCATED AT THE NORTHWEST CORNER OF SAMPLE ROAD AND CORAL TREE CIRCLE. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)
17. **RES 2021-196** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF POMPANO AUTOPLEX, LLC FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SAMPLE ROAD AND CORAL TREE CIRCLE. (QUASI-JUDICIAL)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title and Mayor Tooley read the Resolution title into the record.

Vice Mayor Rydell made a motion to hear Agenda Items 16 through 17, seconded by Commissioner Sarbone.

City Attorney Pyburn asked if there were any disclosures on behalf of the Commission for the items, and the following disclosures were made:

- Mayor Tooley stated she had spoken with the applicant a few days prior in City Hall.
- Commissioner Railey stated she had spoken with the applicant.
- Commissioner Welch stated she had spoken with the applicant and visited the site.
- Vice Mayor Rydell stated he had spoken with Tom Curtain on the matter.

Mr. Stoudenmire presented the items, explaining the subject property was part of the Tartan PUD, more commonly known as the Township PUD, which included all residential parcels in the Township as well as the commercial parcels along Sample Road. He further explained that within that zoning, an automobile dealership is listed as a Special Land Use. Mr. Stoudenmire stated the project had gone through the Development Review Committee (DRC) and the Planning and Zoning (P&Z) Board, which both recommended approval. He explained it was before the Commission for final consideration.

Mr. Stoudenmire briefly discussed past Special Land Use applications for car dealerships and stated there were a number of conditions already listed in the Ordinance as a result, as well as two conditions of approval added by the P&Z Board. He stated the applicant had an extensive presentation regarding the site plan, but he wanted to note the existing building was to be demolished and the site brought up to B-3 zoning standards, including lighting, utilities, and setbacks. He added that very often with PUDs, developers are looking for consideration or relief, but in this instance the applicant had not asked for that, and the application meets the requirements of the Land Development Code.

Attorney Dick Coker, Coker & Feiner, made a presentation on behalf of the applicant. He introduced Tom Curtain, the Principal and General Manager of Pompano Autoplex, LLC, along

with Engineer Mike Gai, Architect Jose Obeso, Landscape Architect Lynn Bender, and Traffic Engineer Joaquin Vargas. He discussed the Special Land Use application, noting the B-3 zone allows for a wide range of general retail uses and reviewed the commercial nature of the row where the five-acre parcel is located. Mr. Coker showed the site plan and discussed the building specifications and access points. He explained Mr. Vargas had completed two traffic analyses and noted that all access, except in an emergency, would be via Sample Road. He discussed concerns regarding the test drive route and stated there would be no test drives on Coral Tree Circle.

Mr. Coker stated the maintenance of the existing tree canopy was important to the developer and reviewed the landscape plan briefly. He discussed the automatic bay doors and explained they were virtually silent. He reviewed the elevations and discussed the job creation related to the location. He stated there were approximately 80 high paying jobs associated with the dealership and hiring would be from the community. Mr. Curtain stated the plan was to make the dealership a luxury, boutique-style location in an attempt to address issues the community may have. He shared details of his background working in urban areas. He explained the location was in the process of changing the address to clarify access was off Sample Road.

Mayor Tooley opened the public hearing.

Christian Amaya, 8415 SW 42 Court, David, Florida, stated he was the property manager for the adjacent Olivine community. He asserted neither he nor the approximately 30 residents he had spoken with had been spoken to regarding their concerns about the project until the past 24 hours. He expressed concern regarding the safety of the school bus stop, noting it is already unsafe without additional traffic. He asked what would be done to make the children at the bus stop safer.

Interim City Clerk Bowers read the following four written advanced public comments into the record, copies of which are attached hereto as Exhibit 2, and made a part hereof these minutes:

Camille Greco wrote to state the project was not wanted within the Bayview section of the Township and should be built somewhere else. She commented traffic would be an issue and not kept under control.

Josh A. McCreary, General Council for National Health Realty, LLC, owner of an adjacent building operating as Solaris Healthcare Coconut Creek, stated the company does not believe the proposed use was compatible with the surrounding area in functionality, traffic, and property values.

An anonymous resident stated they were a condominium owner in the community and did not want commercial development as a neighbor.

Andrew Woolwich wrote in opposition to the project, stating a nature trail or dog walking park would be a better option for the property.

Interim City Clerk Bowers played the following two voicemails received into the record:

Matt Schlusel, 4111 Coral Tree Circle, Coconut Creek, expressed concern regarding the traffic impact of the project and the safety of roads in the neighborhood.

Kathy Grande, 4111 Coral Tree Circle, Coconut Creek, stated she was not in favor of the project. She asserted it would cause issues for the quiet area.

There were no further questions or comments from the public, and Mayor Tooley closed the public hearing.

Mr. Coker responded briefly to the public comments, noting with respect to public outreach, 310 written notices with a full explanation of the project were mailed. He stated Olivine was unusual because the large majority of units are rentals, and the notice went to the owners and management company. He noted there was a public meeting, and four people showed up. Mr. Coker explained as the application progressed, every time someone expressed an interest and shared an email address, they were sent the full presentation. He stated with respect to the nursing home next door, he had provided the information regarding impact, which was requested by staff. He stated the applicant had done everything possible to mitigate impact.

Mr. Coker asserted everyone wants to live next to a bird sanctuary, but at some point, this property would be developed. He stated the comparison was not between an undeveloped property and a car dealership, it was about the ultimate commercial development of this site.

Mr. Vargas discussed the traffic analysis. He stated the initial traffic analysis showed the level of service was met, and a more detailed analysis of the intersection of Coral Tree Circle and Sample Road was conducted. He addressed the concern regarding left turns onto Coral Tree Circle and noted there were dedicated lanes for each movement, as well as adequate visibility. He shared the current traffic counts and explained the dealership's expected impacts. Mr. Vargas stated there had been a meeting with the Florida Department of Transportation (FDOT), as Sample Road is under their jurisdiction, and FDOT had reviewed the conditions as well. He noted that committee approved the site plan.

Mr. Coker noted one of the callers was rightfully distressed about the potential for traffic disruptions from test drives, but the applicant had addressed the issue; and he reiterated that test drives would utilize the Sample Road entrance and would not go onto Coral Tree Circle, either coming or going.

Mr. Curtain addressed the concerns over the bus stop, noting they were working on solutions to make the stop safer, such as a police detail. He noted it would be a priority over the next week or two to figure out how to help the community in that way. Mr. Curtain stated there was a lot of comparison between the proposed Mazda dealership and Vista BMW, but the operations of the dealerships were very different. He explained the operation would be a fraction of the size of the BMW dealership.

Mr. Curtain responded to comments regarding construction noise, explaining the building was being built off-site. He stated the demolition was scheduled to take approximately one week, and the building would be completed in approximately three weeks.

Commissioner Sarbone asked Mr. Stoudenmire to comment on what type of businesses would be allowable on the property if there was not a Special Land Use. Mr. Stoudenmire stated medical buildings, office buildings, and grocery stores up to 75,000 square feet are outright permitted on the site and would not require any type of Special Land Use.

Commissioner Sarbone stated there were property rights that land owners have, and he has to agree that the project cannot be compared to an empty lot, because it would not remain that way. He noted there had been test drive problems throughout the community and shared a personal example. He stated the management would have to monitor it. He discussed delivery of new vehicles utilizing only trailers behind a pick-up truck rather than a car hauler and asked that the applicant provide additional information. Mr. Curtain responded that there are two companies

that offer trucking from the Mazda port in Jacksonville, and in conversations with those owners, he was seeking a designated driver to avoid any issues.

Commissioner Sarbone noted traffic issues caused by deliveries to dealerships on 441, specifically trucks waiting for the dealerships to open, and stated he wanted to make sure those types of things would not happen. Mr. Curtain stated within a week of taking over the dealership at North Lake, that was the first thing he had addressed. He asserted they were aware of the needs of the neighborhood and have planned a drop-off lane at the front of the dealership to allow vehicles to be unloaded whether the dealership was open or not.

Commissioner Sarbone stated the dealership would not be able to get their used inventory exclusively from trades and asked how transport from auction would be handled. Mr. Curtain explained his instructions to the auction company to contact him prior to delivery.

Commissioner Sarbone asserted he was a proponent of having a car dealership and thought it was a clean business to have in the community. He noted there would not be loud speakers or a side gate on the property. He stated the elevations looked great and said he likes the urban feel of it but wants the applicant to be aware that if problems arise, there would be enforcement consequences. Mr. Curtain shared experiences with other locations and stated they know exactly what to expect.

Commissioner Welch noted Commissioner Sarbone was a subject matter expert and she appreciated the insight. She commented that everything she had received comment on had been addressed with the exception of the bus stops. She discussed the pick-up and drop off locations and noted safety concerns. She stated the cut-through traffic and speeding were a significant issue prior to the project. She explained, in her conversation with Mr. Curtain, he had offered resolutions to some of the issues, including the possibility of providing a crossing guard. She stated the City had a Request for Proposals (RFP) in place for crossing guard services. She suggested an extension of a community improvement that would provide children a covered seating area. Commissioner Welch stated she felt the applicant had gone to many extents to make the project as amenable as possible, but she thought it would be significant if those additions were offered. She added that traffic calming on Coral Tree Circle was needed before there was a disaster and asked if that was feasible. Mr. Stoudenmire responded that he would like to take the matter to the traffic management team to evaluate.

Commissioner Railey stated the applicant had been very thorough in trying to accommodate the residents, but she had concerns regarding the children at the bus stops. She noted she would like to see the applicant go the extra mile to ensure the safety of the children. She expressed concern regarding the service bay areas. She asked how many doors across there would be. Mr. Coker displayed the renderings and stated there were three bays. Commissioner Railey asked about whether the Coral Tree side of the project would be covered in shrubs and trees so they would not see the dealership. Mr. Coker stated that it would have trees and a wall.

Vice Mayor Rydell inquired as to the change of address and asked how the City could help facilitate the change. Mr. Stoudenmire stated that he assigns the addresses for the City so it would start with a request from the applicant. He commented that it was a fairly straightforward process, and staff would work with agencies internal and external to the City at the same time.

Vice Mayor Rydell addressed the community outreach, asking staff to verify that the notices were sent out and the matter was posted before the P&Z and Commission meetings, and Mr. Stoudenmire stated that was correct. Vice Mayor Rydell asserted he had driven by, and there was significant signage. He noted there was also mailed notice, which was a certification by the

developer to staff. Mr. Stoudenmire responded that the applicant had gone above and beyond the requirements of the community outreach policies in the Code.

Vice Mayor Rydell stated this was probably going to be the lowest impact dealership in the City. He noted he had been surprised to see they were trying to build a boutique dealership and gave credit for that. He asserted he was attuned to safety at a bus stop but was not a fan of mandating a developer to provide crossing guards. He noted bus stops would move year to year depending on the School District's needs. Vice Mayor Rydell stated there were mechanical devices that could be installed, such as something that flashes during school hours and during drop-off. He noted Police Chief Arenal was present, and the traffic concerns in the area were something the Police Department could easily take care of.

Vice Mayor Rydell asked Mr. Curtain if he was comfortable with the restriction on hours of operation, noting some of the dealerships in the City open before 9 a.m., and Mr. Curtain confirmed the hours of operation were acceptable. Vice Mayor Rydell agreed with Commissioner Welch's request for traffic calming devices and stated he did not necessarily agree with the findings of the traffic engineer regarding the road.

Mayor Tooley added that she was very impressed with the applicant's interest in the community and the things they wanted to do for the community. She stated that was what sold her on the idea and noted she could certainly talk about speeding and schools. She noted she was not for putting a bench there for school kids and agreed the bus stops get changed frequently.

Mr. Curtain stated in regard to the bus stop, he was looking at ideas such as putting the gate further into the property to give space for drop-off. He noted he had no issue with putting a seating area out, but he had concern about drawing students to the building. Discussion ensued on the matter. Mr. Stoudenmire stated if the item were to move forward favorably on first reading, all of the parties could discuss what does and does not make sense, and report back to the Commission on second reading.

MOTION: Sarbone/Welch – To approve Ordinance No. 2021-026 on first reading.

Upon roll call, the Ordinance passed on first reading by a 5-0 vote.

MOTION: Railey/Sarbone – To approve Resolution No. 2021-196.

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

18. **RES 2021-080** A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR PREPARATION, IMPLEMENTATION, AND ADMINISTRATION BY BROWARD COUNTY OF THE CITY'S STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM, TO PROVIDE FOR CREATION OF A JOINT AFFORDABLE HOUSING ADVISORY COMMITTEE.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Railey – To approve Resolution No. 2021-080.

Mr. Stoudenmire presented items 18 and 19 together, noting the first resolution was an amendment to the interlocal agreement with Broward County signed in 2020, and the second

resolution would provide for a joint Affordable Housing Advisory Committee with Broward County, which was determined to be the most effective way to meet Statutory requirements. He shared challenges in the past with maintaining a City-level committee.

Mayor Tooley opened the public hearing. Interim City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

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

19. **RES 2021-198** A RESOLUTION ADOPTING THE BROWARD COUNTY AFFORDABLE HOUSING COMMITTEE INCENTIVE STRATEGIES REPORT. (PUBLIC HEARING)

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Rydell – To approve Resolution No. 2021-198.

Mayor Tooley opened the public hearing. Interim City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

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

- ~~20. **ORD 2021-020** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION I, "GENERALLY," SECTION 13-295, "DEFINITIONS," TO PROVIDE FOR DEFINITIONS; AMENDING DIVISION 2, "ZONING CLASSIFICATIONS AND GENERAL REQUIREMENTS," BY CREATING A NEW SECTION 13-323, "HOTELS," AMENDING DIVISION 4, "ACCESSORY USES AND STRUCTURES," SUBDIVISION II, "PARKING REGULATIONS AND REQUIREMENTS," SECTION 13-400, "RESIDENTIAL USE PARKING SPACE REQUIREMENTS," TO PROVIDE UPDATED HOTEL AND EXTENDED STAY HOTEL PARKING REQUIREMENTS AND SECTION 13-409, "OFF-STREET LOADING REQUIREMENTS," TO PROVIDE UPDATED LOADING SPACE REQUIREMENTS; AND AMENDING DIVISION 8, "MASTER BUSINESS LIST," SECTION 13-621, "MASTER BUSINESS LIST B-1, B-3, AND B-4," AND SECTION 13-623, "MASTER BUSINESS LIST O-2, O-3," TO IDENTIFY SPECIAL LAND USE REQUIREMENTS AND PROVIDE FOR EXTENDED STAY HOTELS AS SPECIAL LAND USES.~~

Agenda Item 20 was postponed to the October 28, 2021, Commission meeting.

City Attorney

21. **ORD 2021-025** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 12, "GARBAGE AND REFUSE," ARTICLE III, "RECYCLABLE WASTE," DIVISION 1, "RESIDENTIALLY ZONED AREAS," BY REPEALING SECTION 12-51, "SEGREGATION OF RESIDENTIAL RECYCLABLE WASTE," AND 12-52, "COLLECTION OF RESIDENTIAL RECYCLABLE WASTE," IN THEIR ENTIRETY TO REFLECT CHANGES IN

RECYCLING PROCESSES. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Railey – To adopt Ordinance No. 2021-025.

Mayor Tooley opened the public hearing. Interim City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

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

22. **ORD 2021-027** AN ORDINANCE ACCEPTING THE CONVEYANCE OF TITLE TO PORTIONS OF THE RIGHT-OF-WAY OF NW 15TH STREET AND NW 44TH AVENUE FROM BROWARD COUNTY. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Welch – To approve Ordinance No. 2021-027 on first reading.

City Attorney Pyburn explained the item was clean-up of ownership and stated the City had continuously provided maintenance of the rights-of-way.

Interim City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak.

Upon roll call, the Ordinance passed on first reading by a 5-0 vote.

CITY MANAGER REPORT

City Manager Brooks had no report.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Sarbone invited everyone to the upcoming Farmer's Market on Saturday and commented on the success of the first market of the season.

Commissioner Welch stated that John Hartzel, Mayor Tooley, and Vice Mayor Rydell should win an award for their Breast Cancer Awareness video. She reported on the in-person Metropolitan Planning Organization (MPO) meeting, noting interesting statistics on a project in Wilton Manors and a discussion on open streets. She discussed accountability funds being used for college preparation at Monarch High School and stated she was hoping that the Seminole Education Foundation funding could help. Commissioner Welch also encouraged attendance at the Farmer's Market, and commended the Butterfly Express trolley driver Luke Zimmerman for promoting the City.

Commissioner Railey thanked Police Chief Arenal and stated the app he had discussed was phenomenal. She stated she was seeing a lot of bicycle riders on the sidewalks and hoped there would be bike lanes soon.

Vice Mayor Rydell congratulated Police Chief Arenal on the Police Department's reaccreditation. He thanked him for sending the accommodations and highlighted an email about an officer killing a spider in a car. He stated he had spoken with Representative Christine Hunschofsky and Senator Tina Polsky, and they had asked that the City pass a resolution regarding reproductive rights. He noted it was on the agenda for three neighboring cities. He did not receive consensus to put the item on a future agenda.

Mayor Tooley stated she had attended an event to honor Representative Christine Hunschofsky, as her last day as Mayor of Parkland had been during the pandemic. She asserted she had done a fantastic job as Mayor and in her first year as State Representative. Mayor Tooley reported on the Broward League of Cities meeting the previous week and stated they would be holding an ethics class. She thanked Public Works for doing a great job repainting the doors at Fire Station 50. She attended the "Pink Out Cancer" event at Coconut Creek High School with Police Officer Ku, and commented on the high level of participation. She discussed the police car in support of survivors of breast cancer and stated early detection saves lives.

Vice Mayor Rydell stated his wife's objective was to change the law to cover mammograms for women under the age of 40 during the next legislative session.

ADJOURNMENT

The meeting was adjourned at 9:50 p.m.

Marianne Bowers
Marianne Bowers, CME
Interim City Clerk

11/18/21
Date



EXHIBIT "1"

From: [Linda Bloomfield](#)
To: [CommissionComments](#)
Subject: The resolution
Date: Wednesday, October 13, 2021 4:01:37 PM

A women's body is more than a container for a fetus. Women have a moral and legal right to decide what to do with their bodies, just like men do.

Banning abortion puts women at risk by forcing them to use illegal abortionists. We are asking the Coconut Creed Commission to stop politicizing women's bodies and support the law upholding the right to abortion.

You are not obligated to complete the work but neither are you free to abandon it.

EXHIBIT "1"

From: [Yordanos Molla](#)
To: [CommissionComments](#)
Subject: Public Comment to Support Reproductive Rights Resolution
Date: Wednesday, October 13, 2021 5:41:59 PM

Hello,

I am Yordanos Molla, the Deputy Field Director at Equality Florida. Equality Florida is the largest organization in Florida dedicated to securing full equality for the LGBTQ community and holds a strong membership base in Coconut Creek and throughout Broward County. We have always understood that the movements for abortion rights and LGBTQ equality are causes in common. Equality Florida is a founding member of the Floridians for Reproductive Freedom Coalition, a statewide coalition to advocate for reproductive rights, justice, and freedom on the state and local level. The Floridians for Reproductive Freedom Coalition believes that everyone should have access to safe, affordable, quality and comprehensive reproductive health care. We are working towards passing a resolution affirming the right to reproductive rights and healthcare in the face of the proposed abortion bans throughout the country, and right here in Florida. This proposed legislation is a bold violation of the fundamental rights of your constituents, and all Floridians, as determined by the Supreme Court. The decision to become, or not become, a parent is incredibly personal and should only be made by a patient and their healthcare providers. It is imperative that local elected officials protect the constitutional right to agency and freedom over an individual's own healthcare and send a message to the state legislature to end attacks on abortion. Thank you.

--

Yordanos Molla
DEPUTY FIELD DIRECTOR
pronouns: she/her
904.625.8585

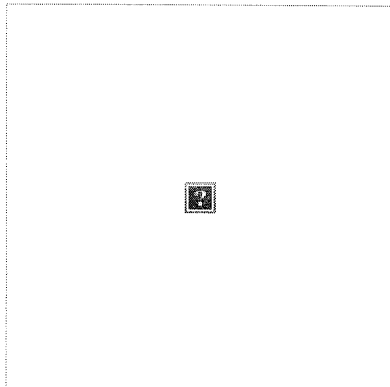


EXHIBIT "2"

From: [Camille Greco](#)
To: [CommissionComments](#)
Subject: TRAFFIC/NOISE/OH MY GOD!
Date: Sunday, October 3, 2021 1:20:49 PM

NOT WANTED HERE...

This message is in response to the notice received about the possibility of an auto dealership to be planted within the Bayview Section of the Township. Build it somewhere else.

How dare you consider this project. Most likely it's for the \$\$\$\$\$ you want to make. You don't even take care of the things at present. Example: 2 years ago a drunken woman knocked down the speed sign right across from the entrance of Bayview. The sign layed there for a while, then taken away. To date no new sign was ever put up. The traffic does not obey the speed limit anyway, even with the sign there, so I guess it doesn't matter about a missing sign.

So what makes you think the traffic will be under control. Now they speed their souped up cars & cut thru from Sample Road to avoid the traffic lights leading to Lyons. I have lived at Bayview since it was built, 27 years and still the same owner. My unit is directly across from the entrance, so I see all the traffic, speeding, racing and hear the noise. AHHHH.. And now with additional traffic, GOD help us. With that apartment complex next door there are tons of children walking, school buses, etc.

There has to be totally no access to that dealer from Coral Tree Circle. If they still insist on building it, entrances, ingress and regress must be from

SAMPLE ROAD ONLY.

Put your brains in motion and think about this. Think about the citizens first instead of how much money you can put in the coffers. It's bad enough there is going to be another big monstrosity built where all the farmland once was on Lyons. What has happened to Coconut Creek. It was once a nice community. You're encroaching every single community.

Signed, An irate Coconut Creek home owner.



October 12, 2021

BY EMAIL TO COMMISSIONCOMMENTS@COCONUTCREEK.NET

City Commission of the City of Coconut Creek
4800 W Copans Road
Coconut Creek, FL 33063

Re: Pompano Autoplex, LLC Site Plan and Special Use Application

Dear City Commissioners:

I write on behalf of National Health Realty, LLC ("NHR"), an affiliate of National HealthCare Corporation. NHR owns the property located at 4125 W. Sample Rd, Coconut Creek, FL, which is leased to the Solaris Foundation ("Solaris") and upon which Solaris operates Solaris Healthcare Coconut Creek ("Solaris Healthcare").

NHR has become aware of the Pompano Autoplex, LLC Site Plan and Special Use Application submitted for the construction of a proposed Coconut Creek Mazda (the "Auto Dealership"). This proposed Auto Dealership, if approved, will be located adjacent to our property where Solaris Healthcare operates. We do not believe the proposed use is compatible with the adjacent surrounding uses in its functionality, or its impact on traffic and land values.

Solaris Healthcare, while providing healthcare services, functions as the sometimes temporary and oftentimes permanent 24-hour home for its residents. Therefore, it is more appropriate to limit noise and light pollution comparable to residential settings than commercial ones. We are justifiably concerned that a fully operational adjacent Auto Dealership will negatively impact and disrupt our setting and services. The Auto Dealership will also increase traffic in the area and, by extension, negatively impact our property. We are confident that the proposed Auto Dealership next door will have a negative impact on property/rental value should we have to find another nursing home operator tenant at the conclusion of Solaris' lease.

We ask that you deny the application. Should you choose to approve it, please ensure all available steps are taken to enhance buffers, reduce noise, and divert or reduce light pollution. We also ask that you consider carefully the traffic impact and patterns, so as to diminish the negative impact on Solaris Healthcare and our property.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh A. McCreary", is written over a horizontal line.

Josh A. McCreary
SVP | General Counsel

EXHIBIT "2"

From: [no no](#)
To: [CommissionComments](#)
Subject: Mazda
Date: Wednesday, October 13, 2021 2:27:26 PM

I'm a resident and owner of a condos in this community my comment about the building of a Mazda dealership are, I do not want any commercial development for my neighbor, there is plenty of other businesses around..this is a tranquil and quiet neighborhood we don't need the added traffic neither the lost of our beautiful trees, we want the area free of more pollution and unwanted noise and construction, this is a wild life habitat city therefore, my vote is a definite NO.

Thanks for your time
P

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Sent from myMail for Android

EXHIBIT "2"

From: [Andrew Woolwich](#)
To: [CommissionComments](#)
Subject: Mazda Auto Dealership
Date: Wednesday, October 13, 2021 5:55:30 PM

We are homeowners and have lived in Olivine at the Township since March 2006, Coral Tree Circle is a quiet, serene, residential area with little thru traffic, we do not want to see the trees torn down and the area turned into a construction zone or a high traffic area, there are plenty of other areas for a car dealership, and we would like our area to remain residential, maybe to turn that area into a nature trail or dog walking park would be a better option...A few questions...what benefits or consolation would there be for the homeowners and residents of our area, job preference, property values, it was stated in the last meeting that someone went around to contact some of the people in this community to reach out to us, maybe we should address the issues of traffic, construction, the trees and the environment and consider a nature or dog walking park instead of a car dealership in our neighborhood Thank You For Your Time And Consideration