

CITY OF COCONUT CREEK
PLANNING AND ZONING BOARD MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: October 12, 2016
Time: 7:00 p.m.

1. CALL TO ORDER

The meeting was called to order by Chair Doug Young at 7:04 p.m.

2. PRESENT UPON ROLL CALL:

Chair Doug Young
Vice Chair Todd Rogers
Debra Voorhees
Jerry Poole
Alfred Delgado (alternate member)

Also present: Director of Sustainable Development Sheila Rose, Deputy Director of Sustainable Development Scott Stoudenmire, Assistant City Attorney Eve Lewis, and City Clerk Leslie Wallace May.

Absent: Morris Chase

City Clerk May informed the Board that Mr. Chase had contacted the City Clerk Department to send notice that he would be unable to attend the meeting.

3. APPROVAL OF MINUTES

A MOTION APPROVING THE MINUTES FROM PREVIOUS PLANNING AND ZONING BOARD MEETING(S). (2016-0914)

MOTION: Voorhees/Rogers - To approve the Minutes of the September 14, 2016, meeting.

The Motion passed by a unanimous voice vote.

8. PRESENTATION ON SURTAX BALLOT QUESTIONS

Chair Young asked for consensus to hear Agenda Item 8 next on the agenda. There were no objections, and this item was heard after Agenda Item 3.

Ms. Rose presented the item and provided an overview of the proposed surtax referendum questions on the November 8, 2016, ballot. She explained that the surtax is divided into a half cent for countywide transportation improvements and a half cent for local government infrastructure improvements. She commented that the county transportation improvements

could be used for operations and that the local government infrastructure improvements could only be used for capital projects. She noted that both surtax referendum questions would have to pass or both would fail. She discussed proposed transportation projects and infrastructure projects and explained the items that would be subject to the surtax. Discussion ensued regarding proposed local capital projects. Ms. Rose noted that if the surtax referendum questions pass, the funds would be distributed to the municipalities based on population. Discussion ensued regarding the funding distribution and oversight of the funds.

AGENDA ITEMS

4. **CLARITY POINTE OF COCONUT CREEK: AN UNDERGROUND UTILITY WAIVER FOR THE PROPERTY LOCATED AT 5461 JOHNSON ROAD, COCONUT CREEK, FL, 33073.**

Deputy Director of Sustainable Development Scott Stoudenmire read the staff report into the record and explained that the Applicant was seeking a waiver from the requirement for underground utilities. He noted that the agenda backup included cost estimates from Florida Power and Light (FPL), Comcast, and AT&T, and that the Applicant was proposing a payment in lieu of undergrounding utilities in the amount of \$116,890. He stated that the project site was adjacent to a corridor that is scheduled to have utility lines placed underground along Johnson Road over the next two years; and if this waiver application were approved, the funds would go toward that project. He said staff was recommending approval of the application. Discussion ensued regarding the funding of the two-year undergrounding project along Johnson Road.

Jonathan Keith of TDON Development, on behalf of Clarity Pointe of Coconut Creek, introduced himself and provided an overview of the project.

MOTION: Voorhees/Delgado – To approve Agenda Item 4, the Clarity Pointe of Coconut Creek underground utility waiver application for the property located at 5461 Johnson Road, Coconut Creek, Florida, 33073 in the amount of \$116,890.

Upon roll call, the Motion passed by a 4-1 vote, with Mr. Poole voting nay.

5. **WAL-MART: A SPECIAL LAND USE APPLICATION TO PERMIT A LIQUOR STORE LOCATED AT THE WAL-MART AT 5571 HILLSBORO BOULEVARD, COCONUT CREEK, FL 33073 (QUASI-JUDICIAL)(PUBLIC HEARING)**

Assistant City Attorney Lewis gave an overview of the quasi-judicial procedures that would be applied to agenda items 5, 6, and 7. City Clerk May confirmed that the advertising was met for agenda items 5, 6, and 7 and asked all those wishing to speak on any quasi-judicial matters to please stand and be sworn. Those wishing to speak were duly sworn. City Clerk May instructed the speakers to state their name and address clearly for the record and whether or not they were sworn-in and understood the rules of the proceedings when they come forward to speak. Assistant City Attorney Lewis asked if there were any disclosures and/or ex parte communications from the Board for Agenda Item 5, and the Board stated there were none. Assistant City Attorney Lewis explained that the quasi-judicial procedures allow for a waiver of the right to a full quasi-judicial hearing. She asked if anyone wanted to remove Agenda Item 5 from the quasi-judicial agenda. There were no

requests to remove the item from the quasi-judicial agenda.

Mr. Stoudenmire read the staff report into the record. He explained that the Board had acted on a special land use application for a Wal-Mart liquor store two previous times and provided a history on the previous applications, noting that the first approval expired before proceeding to the City Commission and the second application was denied by the City Commission. Discussion ensued.

The Applicant, Jeffrey Satfield of CPH, Inc., introduced himself and began a *PowerPoint* presentation. He described the proposed location of the liquor store inside of the existing Wal-Mart Store and modifications to the site to accommodate the liquor store. Chair Young asked what the hours of operation for the liquor store would be, and Mr. Keith noted they would be in accordance with the approved rezoning ordinance for Wal-Mart. Chair Young asked the applicant to speak about the internal security provisions at the store. Michael Rode, Market Asset Protection Manager for Wal-Mart, explained that there are eight security personnel at the Coconut Creek Wal-Mart, the Coconut Creek Police Department provides detail services six hours per day, and there are approximately 180 security cameras on-site. Discussion ensued regarding the number of police calls to the store and a new restorative justice program being implemented to reduce the number of calls. Chair Young asked the Applicant if they would be opposed to using a private security firm at the store, and the Applicant responded no. Discussion ensued.

Chair Young opened the public hearing. There were no questions or comments from the public, and the public hearing was closed.

Discussion ensued amongst the Board regarding additional security measures at the Wal-Mart Store.

MOTION: Voorhees/Rogers – To approve Agenda Item 5, the Wal-Mart special land use application to permit a liquor store located at 5571 Hillsboro Boulevard, Coconut Creek, FL 33073 with a requirement for the applicant to consult with City staff and Coconut Creek Police Department for additional security needs at the facility.

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

- 6. TEXAS ROADHOUSE: A SITE PLAN APPLICATION TO CONSTRUCT A 7,163 SQUARE FOOT, FREE-STANDING, SIT-DOWN RESTAURANT TO BE LOCATED ON THE SOUTHWEST CORNER OF SAWGRASS BOULEVARD AND LYONS ROAD ON THE VACANT PARCEL WITHIN THE EL DORADO SHOPPING PLAZA. (QUASI-JUDICIAL)(PUBLIC HEARING)**

Assistant City Attorney Lewis asked if there were any disclosures and/or ex parte communications from the Board for Agenda Items 6 and 7, and the Board stated there were none. She explained that the quasi-judicial procedures allow for a waiver of the right to a full quasi-judicial hearing and asked if anyone wanted to remove the items from the quasi-judicial agenda. There were no requests to remove the items from the quasi-judicial agenda.

Mr. Stoudenmire noted that Agenda Item 6 and Agenda Item 7 were companion items and asked to present the applications together. Consensus was given by the Board and the Applicant to hear the items together. Mr. Stoudenmire first read the staff report for Agenda Item 6 into the record. He noted that the Applicant met with the Victoria Isles Homeowner's Association to discuss the project, and the project was well received. He added that staff received two phone inquiries related to the project status. He stated that the application for site plan approval complies with the Planned Commerce District (PCD) zoning standards and staff was recommending approval. Mr. Stoudenmire read the staff report for Agenda Item 7 into the read. He explained that the sign deviation was for the logo on the main façade sign and staff was recommending approval. Vice Chair Rogers asked staff to discuss parking in the shopping plaza. Mr. Stoudenmire stated that there is a surplus of parking in the plaza by Code.

The Applicant, David Behrens of GreenbergFarrow, introduced himself and provided an overview of the Texas Roadhouse project with a *PowerPoint* presentation. He noted that they reached out to the surrounding neighborhoods, and the project was received favorably. He explained the site landscaping, green elements, lighting, architecture, and signage.

Chair Young opened the public hearing. There were no questions or comments from the public, and the public hearing was closed.

Vice Chair Rogers asked the Board to consider a recommendation for the Applicant to consult with staff on the need for traffic calming devices in the shopping plaza. Discussion ensued regarding traffic safety and parking.

MOTION: Delgado/Poole – To approve Agenda Item 6, the Texas Roadhouse site plan application to construct a 7,163 square foot, free-standing, sit-down restaurant to be located on the southwest corner of Sawgrass Boulevard and Lyons Road on the vacant parcel within the El Dorado Shopping Plaza contingent upon further discussion of traffic calming measures with Engineering and the Police Department.

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

7. **TEXAS ROADHOUSE:** A SIGN DEVIATION APPLICATION TO ALLOW A LARGER LOGO SIGN THAN WHAT IS PERMITTED BY CODE FOR THE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF SAWGRASS BOULEVARD AND LYONS ROAD ON THE VACANT PARCEL WITHIN THE EL DORADO SHOPPING PLAZA. (QUASI-JUDICIAL)(PUBLIC HEARING)

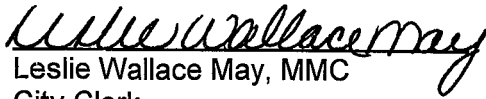
MOTION: Rogers/Voorhees – To approve Agenda Item 7, the Texas Roadhouse sign deviation application to allow a larger logo sign than what is permitted by Code for the property located on the southwest corner of Sawgrass Boulevard and Lyons Road on the vacant parcel within the El Dorado Shopping Plaza.

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

9. ADJOURNMENT

The meeting was adjourned at 8:39 p.m.

Transcribed by: Marianne Bowers


Leslie Wallace May, MMC
City Clerk

12/14/16
Date