

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

**Government Center  
4800 W. Copans Road  
Coconut Creek, Florida**

**Date: June 17, 2015  
Time: 7:00 p.m.  
Regular Meeting No. 2015-06**

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1. The meeting was called to order by Chairperson Chic Chase at 7:18 p.m.

2. Present upon roll call:

Debra Voorhees, Chair arrived at 7:42 p.m.

Morris Chase

Jerry Poole

Todd Rogers

Julia Price

Absent was Doug Young.

Also present: Director of Sustainable Development Sheila Rose, Deputy Director of Sustainable Development Scott Stoudenmire, City Attorney Terrill Pyburn, Assistant City Attorney Eve Lewis, City Clerk Leslie May and Deputy City Clerk Lanelda Gaskins

3. Approval of Minutes: Meeting No. 2015-05 – May 13, 2015

**MOTION:** Poole/Rogers - To approve the Minutes of Meeting No. 2015-05 – May 13, 2015. The motion passed unanimously.

The Quasi-Judicial Procedures were explained and

Deputy Director of Sustainable Development Scott Stoudenmire explained that agenda Item No. 5, Springs-McKenzie for a Rezoning Application and Item No. 6, Residence Inn by Marriott for a Site Plan Application are companion, and that the Applicant is requesting that Item No. 6, Residence Inn by Marriott, Site Plan Application be tabled to the August Planning and Zoning Board Meeting.

City Attorney Terrill Pyburn explained that the Applicant is requesting to that Item No. 6, Residence Inn by Marriott, Site Plan Application be table to the next Planning and Zoning Board Meeting.

Mr. Poole and Mr. Rogers inquired why the applicant was requesting to table Item No. 6, Residency Inn by Marriott, Site Plan Application.

Mr. Stoudenmire read an email into the record that request Item No. 6, Residence Inn by Marriott, Site Plan Application be tabled for further review.

Ms. Pyburn inquired if there was a motion to table Item No. 6, Residence Inn by Marriott, Site Plan Application.

**MOTION:** There was no motion.

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The Planning and Zoning Board moved to Item No. 4.

4. \*The Wow Factory: a special land use application to allow for an indoor commercial recreation use (bowling alley) in accordance with Section 13-35, Special Land Use, located in an existing shopping plaza at the northwest corner of the Sawgrass Expressway and Lyons Road.

Deputy Director of Sustainable Development Scott Stoudenmire presented this item. He explained that the applicant, Thomas Head of Family Fun Concepts was requesting an amendment to the previously approved Family Fun Concepts Special Land Use to expand the existing indoor commercial recreation use. The proposed expansion will include a boutique-style bowling center with ten (10) bowling lanes, virtual game area and a wine and bar area. The proposed bowling center will occupy the seven (7) vacant bays adjacent to the WOW Factory. The applicant has addressed the criteria for review and consideration as provided for in the Land Development Code. Staff has reviewed the applicant's responses to the criteria and is recommending approval subject to the following conditions: 1) Outstanding DRC comments remain effective throughout the development review process and must be addressed prior to issuance of a building permit and 2) Video and/or virtual games shall be limited to games of skill, and not for gambling. Mr. Stoudenmire explained the legislation process and noted there will be two hearings that will be tentatively scheduled for July 23, 2015 and August 27, 2015. He entered the project file into the record.

Thomas Head, the applicant of Family Fun Concepts and owner of the WOW Factory explained that he was looking to take over an additional 9,000 square feet of area adjacent to the WOW Factory for ten (10) bowling lanes with a wine and beer bar.

Mr. Chase opened public comments.

The following residence provided comments and was not in favor of adding a ten (10) lane bowling center, the wine and bar area or extending the hours of operation of the WOW Factory:

Lori Deluca, 6031 NW 44 Way

Michael Madigan, 4947 Pelican Manor

Susanne Monington, 5912 NW 47 Terrace

Beth Gorelick, 4762 NW 59 Manor

Public comments were closed.

Thomas Head, the applicant provided comments related to the public concerns regarding his proposed expansion. He welcomed the residents that provided comments about the WOW Factory proposed expansion to meet to meet with him and discuss their concerns.

Mr. Rogers asked the applicant if the bar and wine area would be located in the same area or was there a separate bar being built.

Mr. Chase asked if the bowling alley could have a bar for food and not have alcohol in the bar.

Mr. Head provided comments regarding the design of the facility and noted the bar would be in

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the new area. He explained that alcohol was currently being served at WOW Factory. He also explained that corporate businesses could utilize the bowling center for corporate events, the party rooms could be transformed into meeting/conference rooms for private group events, during the weekdays.

Mr. Rogers asked if the facility was limited to beer and wine. The applicant replied yes. Mr. Rogers inquired should this item be approved, is there a protection in place that this cannot be expanded beyond and would have to go through a similar motion in order to expand to a fuller liquor license. Mr. Stoudenmire explained that the Board could make this a condition of the Special Land Use application. Discussion ensued regarding the hours of operation.

Mr. Poole asked if the applicant would consider the beer and wine until 10:00 p.m. instead of 12:00 a.m.

Ms. Price restated that question to explain that beer and wine would stop at 10 but facility stay open to midnight. Mr. Head explained that it was tough to say due to not knowing how business will be at those times.

There was discussion regarding the proposed operating hours and alcohol and wine being served. City Attorney Pyburn explained that changes could be made to if it is set in the form of a motion.

**MOTION:** Rogers/Chase – To approve the WOW Factory special land use application to allow for an indoor commercial recreation use (bowling alley) in accordance with Section 13-35, Special Land Use, located in an existing shopping plaza at the northwest corner of the Sawgrass Expressway and Lyons Road with the conditions to allow the proposed hours of operation as stated in the Special Land Use Application, the sale of alcohol to stop at 10:00 p.m., and the plans be limited as they are presented.

Upon roll call, the motion was passed on a 5-0 vote.

5. \*Springs-McKenzie: a rezoning application to modify the existing zoning from Industrial Office (IO-1) to Planned Commerce District (PCD) to provide for a 113 room hotel, 127,900 square feet of industrial/office and a 2.07 acre dry retention area for the property located at 6401 Lyons Road north of the Sawgrass Expressway and on the west side of Lyons Road. (QUASI-JUDICIAL)

Item No. 5, Springs-McKenzie and Item No. 6, Residence Inn by Marriott were discussed together.

City Attorney Terrill Pyburn asked the Board if there were any disclosures on Item Nos. 5 and 6. Ms. Price, Mr. Poole, Mr. Chase and Vice Chair Voorhees had none. Mr. Rogers disclosed that he spoke with Ryan Zuckerman, Ron Aronson and Keith Velian.

Deputy Director of Sustainable Development Scott Stoudenmire noted that the correspondence received in support of and in opposition of this project were distributed to the board members at the beginning of the meeting and added to the record. A brief period was taken by the board to

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review the correspondence. There were no objections to Mr. Stoudenmire presenting the staff reports for Item No. 5, Springs-McKenzie for a Rezoning Application and Item No. 6, Residence Inn by Marriott for a Site Plan Application. The staff reports were read. He noted following the Planning and Board recommendations Item #5 and Item #6 will proceed to the City Commission for consideration and will tentatively be scheduled for July 23 and August 27 City Commission meeting. The project files were entered into the record.

Scott Backman, an agent on behalf of the applicant presented a PowerPoint presentation and entered a copy of the presentation into the record. He showed on the PowerPoint presentation and discussed the following:

- Property Location maps.
- Application Request.
- Other PUD developments and commercial businesses within the area.
- Currently zoning is industrial including hotels.
- Current 10-1 Zoning Permitted Uses showing what can be built currently on the property.
- Residence Inn by Marriott history, target customers and the hotel amenities.
- Intent of Planned Commerce District (section 13-355 – PCD, planned commerce district generally).
- Proposed PCD Land Uses.
- Rezoning Justification – pointed out that code says if we trip a certain threshold then we are required to provide a full blown traffic study. This was submitted and it was found that we do not exceed the limit. Presented to the Regency Lakes association and discussed concerns. Backs up to Regency Lakes and Fairmont estates.
- He quickly summarized the remaining pages of the presentation - Proposed Hotel Site Plan Approval, PCD Site Plan, Hotel Site Plan, Hotel Landscape Plan, and Hotel Rendering, Existing Resident Inns, Community Support, and Proposed PCD Development Standards.

Mr. Backman noted he received an email from a resident that resides in the Winston Park area.

Chairperson Voorhees opened public comments.

The residents/business owners listed below provided comments and were opposed to the Residents Inn by Marriott project:

Michael Madigan, 4947 Pelican Manor

Tom Carroll, 4454 NW 63 Drive

Rochelle Soffer, 4415 NW 45 Terrace

Orli Teitelbaum, property owner of the Starbucks Shopping Center

Andrew Zuckerman, member of the Sawgrass Exchange Executive Park

Wayne Bellando, 6300 NW 44 Avenue, member of HOA for Winston Park

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Steven Hall, 6214 NW 45 Terrace, representative of the residents of Winston Park

Vivian Del Pozzo, 6370 NW 42 Avenue

Ali Khatami, business owner. He stated he provided a four page letter to City Commission describing his position.

Mrs. Delucca, resides in Sorbet area

Tom Delucca, resides in Sorbet area

Steve Harrison, 4457 NW 64 Street. Mr. Harrison handed out a list of hotels within surrounding municipalities.

Tim Bligh, 4220 NW 62 Court.

Steven Levy, Swans Way, resides in Regency Lakes area

Robert Hollander, Egret Circle, resides in Regency Lakes area

Gary Blum, 5030 Heron Court, President of the Master Board of Regency Lakes. He stated he represents 717 homes.

George Hegedus, President of Mallards Landing HOA in Regency Lakes

Ms. Meyer, resides in Coco Bay area

Michele, resides in Grand Cypress area

Ms. Nelson, resides in Sunrise Estates

Victoria Botello, 4510 NW 61 Street

Norm Shulman, President of the Shores of Victoria Isles HOA

Melissa Tanese (uncertain of spelling), resides in Bayan Trails area

Verron Chasey (uncertain of spelling), resides in Bayan Trails area

Allan Hoekstra, 4460 NW 63 Drive

Ariana Bianchi, 4350 NW 54 Street

Suzie Cesarina, 4960 Egret Place

Susanne Monington, 5912 NW 47 Terrace, President of Victoria Isles HOA

Colleen LaPlant, 6153 NW 45 Avenue

Marleen Bartley, 4938 Egret Court

Jill Steinberg Bieber

Marge Malin, 6202 NW 45 Avenue, 1901 Bermuda Circle, and 5550 Club Caribe

Ryan Zuckerman, resides in Regency Lakes and a business owner

Manville Smith 6405 NW 43<sup>rd</sup> Terrace

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The residents/business owners listed below provided comments and were in favor of the Residents Inn by Marriott project:

David Price, serve as Secretary and General Counsel to Food for the Poor, Inc. He noted that Food for the Poor, Inc. owes the property and they have an obvious interest. He explained that Food for the Poor, Inc. is proud and please to be a part of the City of Coconut Creek. Hope that Food for the Poor has always been good neighbors.

Bonnie Metviner, Realtor in the Coconut Creek/Coral Springs area.

Michelle Martin, representative of the Coconut Creek Chamber of Commerce

Lisa Aronson, 5163 NW 74 Court, stated that Seth Fellman with Moreland Hospitality and developer of the Hampton Inn has proven to a very good community leader. The Hampton Inn has been almost filled to capacity since it opened. Biggest concern is the height of the hotel and it is out of line with the neighborhood. She did not know there was going to be another office building on the same property as Food for the Poor Inc. Hoping it would be a two-story, potentially a maximum of a three-story Residence Inn. She expressed concerns regarding access in and out of the property. She noted a hotel would bring tax base to the community. Need to be reworked and lower height might be more accommodating to residence.

Barry Spiegel, business owner in the city and own commercial property on 441.

Jeffrey Silverman, resides in Regency Lake area

Jeffrey Strohecker, business owner of Elite Aluminum Corporation

Ron Aronson, 5163 NW 74 Court

Malcolm Butters, 6020 Lyons Technology Circle, developed Lyons Road Technology Park

Gil Sternbach, Chief Information Officer with Morlin Hospitality Group provided comment and noted that the Morlin Hospitality Group is a vibrant community contributor, involved in the business community and contributes to the economic vitality.

Public comments were closed.

Mr. Bachman read a statement in the record regarding Quasi-Judicial Process related the decision to approve or deny an application, etc. He went through list of concerns expressed during public comments and provided comments. He introduced Stephanie Kinlen, Transportation Analysis from Kimley Horn.

Ms. Kinlen explained that a traffic analysis was conduct to review the trips that would be generated by the proposed hotel and the trips that could be generated by what is currently allowed under the existing land use, and it would be a reduction in trips on a daily and peak hour basis. They looked at the existing and projected traffic volumes that were published by Broward County Metropolitan Planning Organization. Lyons Road is currently and is projected to be in the future operating a level of service C. Ms. Kinlen discussed level of service C acceptable capacity.

Mr. Backman provided comments about the traffic along Lyons Road and noted that Lyons Road is a major thorough fare. He would be willing to prepare a full study that analyzes the impact that the proposed project would have on property values. He read an email into the

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record from residents Dan Ablett and Richard Albano and they were in favor of the Residence Inn by Marriot project.

Mr. Rogers provided remarks about residing within the City of Coconut Creek for the past 38 years and expressed that the Residents Inn by Marriott project is not the right fit for the area.

Mr. Chase provided remarks about residing within the City of Coconut Creek and expressed that he still has two think about it.

Chairperson Voorhees explained that there was two separate items to vote on and that each item will have a motion individually. City Attorney Pyburn clarified that Item No. 5 is the Rezoning Application and Item No. 6 is the Site Plan Application and they will require separate votes. She also explained that regardless of the Board's vote Item No. 5 for the Rezoning goes forward per City Code to the City Commission for two public hearings on July 23 and August 26. Based on the Board's decision for Item No. 6 for the Site Plan, it is not part of the City Code process for this item to go forward to the City Commission.

Ms. Price asked for clarification on Item No. 5 for the Rezoning Application related to the Planning Commerce District (PCD) and the dry retention area for the property and the association with Item No. 5 for the Site Plan Application. Discussion ensued regarding the rezone from Industrial Office (IO-1) to Planned Commerce District (PCD) and the design and construction standards related to the hotel. Discussion continued regarding rezoning.

Director of Sustainable Development Sheila Rose provided comments about the way the PCD is drafted and noted it is very site specific. She explained the reason that a Planned Commerce District is done to allow staff and the developers to address physical constraints.

Mr. Rogers asked if the sole reason for the rezoning is because of the hotel.

City Attorney Pyburn explained that the City Charter requires a vote in the affirmative to move a motion forward.

**MOTION:** Mr. Chase made a motion to accept the Springs-McKenzie Rezoning Application for Agenda Item No. 5.

The motion fails due to a lack of a second.

**AMENDMENT:** Chase/Price – To accept the Springs McKenzie Rezoning Application for Agenda Item No. 5.

Upon roll call, the motion failed on a 4-1 vote with Mr. Price, Mr. Rogers, Mr. Poole, and Mr. Chase voting nay.

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6. Residence Inn by Marriott: a site plan application to construct a 113 room hotel located north of the Sawgrass Expressway and on the west side of Lyons Road. (QUASI-JUDICIAL)

**MOTION:** Rogers/Chase made a motion to accept the Residence Inn by Marriott Site Plan Application.

Upon roll call, the motion failed on a 3-2 vote with Mr. Price, Mr. Rogers and Mr. Poole voting nay.

7. North Broward Preparatory School: a site plan application to construct a 3-story, 150,000 square foot Residential Village and a 1-story Office/Maintenance facility located at 7600 Lyons Road. (QUASI-JUDICIAL)

Deputy Director of Sustainable Development Scott Stoudenmire presented and provided background information on this item. The project files were entered into the record.

Craig Dittman with PGAL Architects presented a PowerPoint presentation and discussed the proposed site plan redevelopment of the Residential Village at North Broward Prep School.

City Attorney Pyburn opened public comments. As there were none, public comments were closed.

Mr. Rogers inquired about the type of buffer that would be added on the east side of the property. Mr. Dittman explained there is heavy vegetation and the current conditions will be enhanced with trees. Mr. Rogers asked how impact it would have on the traffic. Discussion ensued and none of the residential students would be allowed to own or operate cars.

Ms. Price asked if there were any allowances in the building design to accommodate students with disabilities. There was discussion regarding ADA accessibility and requirements.

**MOTION:** Price/Rogers – To approve moving forward site plan application to construct a 3-story, 150,000 square foot Residential Village and a 1-story Office/Maintenance facility, Agenda Item No. 7, North Broward Preparatory School.

Upon roll call, the motion passed on a 5-0 vote.

8. \*Land Development Code: an amendment to Chapter 13, "Land Development Code," by creating a new section 13-127 relating to the Reasonable Accommodation Procedures. (PUBLIC HEARING)

City Attorney Pyburn presented this item and discussed the proposed draft ordinance related to the Reasonable Accommodation Procedures.

**MOTION:** Rogers/Poole – To approve Item No. 8, Reasonable Accommodation Procedures for the Land Development Code.

Upon roll call, the motion passed on a 5-0 vote.



The meeting was adjourned at 11:46 p.m.

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Leslie Wallace May, MMC  
City Clerk

DRAFT