



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

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

**Date: December 11, 2019
Time: 7:00 p.m.
Meeting No. 2019-1211**

1. CALL TO ORDER

The meeting was called to order by Chair Jerry Poole at 7:00 p.m.

2. PRESENT UPON ROLL CALL:

Chair Jerry Poole
Vice Chair Doug Young
Thomas Casey
Debra Voorhees
Jeffrey Barker, Alternate

Absent: Steve Hall

Also present: Deputy City Attorney Kathryn Mehaffey, Sustainable Development Deputy Director Scott Stoudenmire, and Deputy City Clerk Marianne Bowers.

3. APPROVAL OF MINUTES

A MOTION APPROVING THE MINUTES FROM PREVIOUS PLANNING AND ZONING BOARD MEETING(S). (2019-1016)

MOTION: Young/Casey - To approve the Minutes of the October 16, 2019, meeting.

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

AGENDA ITEMS

Deputy City Attorney Kathryn Mehaffey gave an overview of the quasi-judicial procedures that would be applied to Agenda Items 4 through 8. Deputy City Clerk Marianne Bowers confirmed that the public notice requirements were met for Agenda Items 4 through 8 and swore-in the witnesses.

4. CHICK-FIL-A: AN UNDERGROUND UTILITY WAIVER APPLICATION FOR THE PROPERTY LOCATED AT 4690 NORTH STATE ROAD 7. (QUASI-JUDICIAL) (PUBLIC HEARING)

Chair Poole noted that Agenda Item 4 was an underground utility waiver application for the property located 4690 North State Road 7. Deputy City Attorney Mehaffey asked if there were any disclosures and/or ex parte communications from the Board for Agenda Item 4, and there were none.

Sustainable Development Deputy Director Scott Stoudenmire read the staff report into the record and explained the requirements of the City's Underground Utility Ordinance. He commented that the applicant had submitted a waiver request for the Chick-Fil-A project and discussed the utility lines that were on the subject site. Mr. Stoudenmire explained that the Florida Power & Light (FP&L) transmission lines were exempt from the underground requirement because they were high voltage lines and added that the FP&L distribution lines and AT&T lines were not exempt. He stated that the applicant had submitted a cost estimate for burying the lines in the amount of \$50,056.53 and that staff was recommending approval of the cost estimate and payment in lieu of undergrounding. In response to questions from the Board, Mr. Stoudenmire noted that the Chick-Fil-A project had been approved by the City Commission and that the Underground Utility Ordinance was not in place when the original Village Shoppes at Coconut Creek shopping plaza was developed.

Attorney Dwayne Dickerson of Dunay, Miskel, and Backman, 14 SE 4 Street, Boca Raton, on behalf of the applicant, commented that undergrounding was not feasible for the site and that the FP&L transmission lines would remain. Mr. Dickerson displayed a site plan of the subject site, depicting the property location and photographs of the existing utility lines fronting State Road 7. Mr. Stoudenmire confirmed that payments made in lieu of undergrounding utility lines were earmarked for the Underground Utility Trust Fund to be used for future undergrounding projects. Staff and the applicant had no closing remarks.

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

MOTION: Barker/Young – Move to approve Agenda Item 4.

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

Chair Poole asked if there were any objections from the board, applicant, or staff to hear Agenda Items 5, 6, 7, and 8 together as they were related, and there were no objections. Deputy City Attorney Mehaffey noted that the items included a plat application, a rezoning application, a special land use application, and a site plan application to allow for the development of a convenience store with fuel sales for the property located at 4960 and 4990 Coconut Creek Parkway. She asked if there were any disclosures and/or ex parte communications from the Board for the four items, and there were none.

5. **7-ELEVEN:** A PLAT APPLICATION TO ALLOW FOR THE DEVELOPMENT OF A CONVENIENCE STORE WITH FUEL SALES LOCATED AT 4960 AND 4990 COCONUT CREEK PARKWAY. (QUASI-JUDICIAL)(PUBLIC HEARING)
6. **7-ELEVEN:** A REZONING APPLICATION FROM B-2 (CONVENIENCE SHOPPING) TO B-3 (COMMUNITY SHOPPING) FOR THE DEVELOPMENT OF A CONVENIENCE STORE WITH FUEL SALES LOCATED AT 4990 COCONUT CREEK PARKWAY. (QUASI-JUDICIAL)(PUBLIC HEARING)
7. **7-ELEVEN:** A SPECIAL LAND USE APPLICATION TO PERMIT A CONVENIENCE STORE WITH FUEL SALES TO BE LOCATED AT THE SOUTHEAST CORNER OF COCONUT CREEK PARKWAY AND BANKS ROAD. (QUASI-JUDICIAL)(PUBLIC HEARING)

8. **7-ELEVEN: A SITE PLAN APPLICATION TO DEVELOP A CONVENIENCE STORE WITH FUEL PUMPS LOCATED AT 4960 AND 4990 COCONUT CREEK PARKWAY. (QUASI-JUDICIAL)(PUBLIC HEARING)**

Mr. Stoudenmire read each of the staff reports for the four agenda items into the record and noted that staff was recommending approval for all the applications. He discussed the architecture of the convenience store, commenting that the applicant and staff worked together to enhance the design. He noted that the site design included a wide pedestrian path and enhanced landscaping along Coconut Creek Parkway consistent with the design features of the Coconut Creek Parkway Education Corridor.

Attorney Heidi Davis of Gunster Law, 450 East Las Olas Boulevard, Suite 1400, Fort Lauderdale, on behalf of the applicant, began a *PowerPoint* presentation. She gave a brief overview of the subject site and explained that the site consisted of two zoning districts, which the applicant proposed to rezone to one district, B-3, for consistency. Ms. Davis showed pictures of the existing site, which included a former gas station and a retail tool rental establishment, and showed renderings of the proposed 7-Eleven with eight fuel pumps. She highlighted the key site plan features, including a dedicated turn lane into the site to minimize traffic impacts on Coconut Creek Parkway, lush landscaping, unique architecture, and a butterfly garden and green screen on the north facade. She noted that all the applications were in compliance with City Code and compatible with the surrounding uses. Discussion ensued regarding the existing site conditions and access to the site from west Coconut Creek Parkway. Mr. Stoudenmire noted that the applicant was consolidating the existing curb cuts. Board Member Thomas Casey suggested that the location of the shading devices on the windows be lowered to provide proper shading and reduce heating, and Ms. Davis noted that she would have the architect review the design. In response to a question from the Board, Mr. Stoudenmire commented that the proposed signage was in compliance with City Code. Staff and the applicant had no closing remarks.

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

MOTION: Young/Barker – Move to approve Agenda Item 5.

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

MOTION: Young/Voorhees – Move to approve Agenda Item 6.

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

MOTION: Casey/Voorhees – Move to approve Agenda Item 7.

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

MOTION: Voorhees/Young – Move to approve Agenda Item 8.

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

Mr. Stoudenmire note that the applications would proceed to the City Commission for final consideration.

9. **LAND DEVELOPMENT CODE:** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS, COMMISSIONS AND COMMITTEES," DIVISIONS 1, "IN GENERAL," 2, "PARKS AND RECREATION ADVISORY BOARD," 4, "ENVIRONMENTAL ADVISORY BOARD," 6, "EDUCATION ADVISORY BOARD," 7, "COMMUNITY OUTREACH BOARD," AND 8, "PUBLIC SAFETY ADVISORY BOARD," IN ORDER TO REVISE BOARD MEMBERSHIP REQUIREMENTS, BOARD MEETING ATTENDANCE REQUIREMENTS, BOARD MEMBER REMOVAL REQUIREMENTS, CLARIFY PROCEDURES IN THE EVENT OF A BOARD VACANCY, AND UPDATE DEPARTMENT NAMES, BOARD FUNCTIONS, AND MEETING SCHEDULES FOR THE PARKS AND RECREATION ADVISORY BOARD, ENVIRONMENTAL ADVISORY BOARD, LOCAL HOUSING ASSISTANCE PROGRAM, EDUCATION ADVISORY BOARD, COMMUNITY OUTREACH ADVISORY BOARD, PUBLIC SAFETY ADVISORY BOARD, AND PLANNING AND ZONING BOARD; AND BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE I, "ADMINISTRATION, REGULATIONS AND PROCEDURES," DIVISION 2, "ADMINISTRATION," SECTION 13-16, "PLANNING AND ZONING BOARD," TO REVISE PLANNING AND ZONING BOARD MEMBERSHIP AND MEETING SCHEDULE REQUIREMENTS. (PUBLIC HEARING)

Deputy City Attorney Mehaffey noted that this item had been before the Board several months earlier to amend the City's Code of Ordinances related to advisory board membership requirements. She summarized the changes that were included in the draft ordinance previously considered by the Board, explaining that the changes provided for consistency and streamlining provisions among the various advisory boards. She commented that after the Board's recommendation of approval of the proposed amendments, the City Commission held a workshop in October to discuss the changes and recommended that staff make additional changes to the draft ordinance related to membership eligibility, which included:

- expanding board member eligibility to include City business owners, but removing the proposed change to allow property owners within the City to serve on advisory boards;
- adding specific board member qualifications for each board related to the board's functions; and
- providing for an alternative demonstration of commitment if the recommended qualifications were unable to be met.

Deputy City Attorney Mehaffey read into the record the proposed membership qualifications for each board, including the Environmental Advisory Board, Education Advisory Board, Community Outreach Advisory Board, Public Safety Advisory Board, Planning and Zoning Board, and Parks and Recreation Advisory Board.

Board Member Casey suggested that the qualifications for the Environmental Advisory Board listed in Section 2-242(b)(1) should be added to the qualifications for the Parks and Recreation Advisory Board listed in Section 2-208(c).

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

MOTION: Young/Barker - Move to approve Item 9 subject to adding the Environmental Advisory Board qualifications listed in Section 2-242(b)(1) to the Parks and Recreation

Advisory Board qualifications listed in Section 2-208(c).

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

10. COMMUNICATIONS AND REPORTS

Mr. Stoudenmire wished everyone happy holidays.

11. ADJOURNMENT

The meeting was adjourned at 7:52 p.m.

Marianne E. Bowers

Marianne E. Bowers, CMC
Deputy City Clerk

1/8/2020

Date

