

CITY OF COCONUT CREEK

PLANNING AND ZONING BOARD MINUTES

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

**Date: January 14, 2015
Time: 7:00 p.m.
Regular Meeting No. 2015-01**

1. The meeting was called to order by Chair Doug Young at 7:00 p.m.
2. Present upon roll call:

Chair Doug Young
Vice Chair Steve Harrison
Debra Voorhees
Colleen LaPlant
Jerry Poole

Absent: Morris Chase

Also present: Deputy Director of Sustainable Development Scott Stoudenmire, City Attorney Terrill Pyburn and Deputy City Clerk Jacquelyn Cook.

3. Approval of Minutes: Meeting No. 2014-09 – December 10, 2014

MOTION: Voorhees/Harrison – To approve Minutes of Meeting No. 2014-09.

Upon roll call, the motion was passed on consensus.

4. North Broward Preparatory School: a Site Plan application to develop a two-story Athletic and Wellness Center located at 7600 Lyons Road. (QUASI-JUDICIAL) (PUBLIC HEARING)

City Attorney Terrill Pyburn inquired if the Board had any disclosures to either Agenda Item No. 4 or 5.

Mr. Harrison advised that on November 13, 2014, he met with Craig Ditman, Ian Nessler, Sam Ferrari, and Julie Edwins and viewed drawings of the project.

Chair Young requested all speaking on this item be sworn by the Clerk.

Deputy Director of Sustainable Development Scott Stoudenmire noted that Agenda Item Nos. 4 and 5 were companion items and requested, with the Board's approval, they are presented together.

Agenda Item No. 4 is the Site Plan request for the construction of a new 40,000 square foot athletic and wellness center, which includes components of redeveloping and relocating several of the ball fields.

Agenda Item No. 5 is a request for an underground utility waiver for the North Broward School Plat. Mr. Stoudenmire briefly reviewed the City's ordinance regarding the undergrounding of utilities in conjunction with Site Plan approval. There are existing overhead utility lines along Lyons Road, which are subject to the ordinance. The

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applicant is requesting to make a payment of \$304,100 in lieu of placing the lines underground.

Craig Ditman, PGAL Architects, noted this is the first new building at North Broward in ten years. The last building was in 2005, which was a lower school addition to the elementary school. He reviewed the project's goals and benefits. One of the biggest issues was traffic, which has been addressed with Chris Hagen, the traffic engineer for Kimley-Horn.

Mr. Ditman said there are 14.5 acres of redevelopment on the west side of the campus including relocating a bus drop off. He reviewed program items displaying the conceptual site plan as well as graphics of the existing campus. He noted there will be a dedicated fire lane around the campus to allow fire and police personnel to have access to the campus at all times. He briefly discussed a relocation of the baseball field and a small shift of the softball field.

The building is a two-story, 40,000 square foot facility with a gymnasium including bleacher seating. Located on the first floor will be a weight room and dance and yoga rooms. On the second floor there will be wellness classrooms as well as athletic administrative offices.

Mr. Ditman briefly discussed the campus layout. He said the buses will be brought into campus to connect with an existing covered walkway. He reviewed twelve items that have been addressed with the new footprint of the campus including security improvements to include guard booths at the north and south entries. There will be controlled security barrier arms to provide screening during off peak hours. There are also new LED walkway and parking lot fixtures, which comply with the City's Code. Mr. Ditman noted that this is an international school representing over 34 countries and upon arrival at north campus the flag from each country is flying.

Jason Webber, Kimley-Horn, addressed the request for the utility waiver. He said there are Florida Power and Light (FPL), AT&T, and Comcast utility lines in the area. He said the property owners to the north and south of the property would have to be in agreement with the undergrounding as there would be equipment on their properties. Normally FPL will only underground very long stretches of lines, not a short segment as this requires. He said the property owners have not been approached regarding this project.

Discussion ensued with the Board regarding exploring contact with the property owners rather than just immediately issuing this waiver. Mr. Stoudenmire confirmed that FPL is more agreeable when there are longer stretches of line being put underground, which is more cost effective. Discussion continued regarding a resolution of this issue.

Bonnie Miskel, representing North Broward Preparatory, suggested providing a condition that prior to issuing a building permit, the neighbors will be approached on the north and south side of the property regarding their approval of undergrounding the utility lines.

Ms. Pyburn clarified that each Agenda item would be voted on separately with the Board's conditions reflected on Agenda Item No. 5.

Mr. Harrison inquired that regarding Agenda Item No. 4, with the baseball field being so close to Lyons Road, what is being done to protect the street from balls entering the street area.

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Mr. Ditman reviewed the area and the orientation of the ball field, noting there is a significant amount of distance to Lyons Road.

Mike Ostrowski, Athletic Director at North Broward Preparatory School, explained a new ordinance passed in 2012 called BB Core System, which decreases the distance a ball can travel. He noted there are berms, trees, and an elevation change as well as a fence, which should also increase protection from balls hitting Lyons Road.

Ms. Laplant commented that it is a beautiful project and will be a wonderful asset to the school.

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

MOTION: Harrison/Laplant – To approve Agenda Item No. 4, Site Plan application for North Broward Preparatory School.

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

5. *North Broward Preparatory School: an Underground Utility Waiver Application for the project located at 7600 Lyons Road. (QUASI-JUDICIAL) (PUBLIC HEARING)

MOTION: Voorhees/Laplant – To approve Agenda Item No. 5, Underground Utility Waiver; with the condition that prior to the issuance of building permit the applicant shall ask the neighboring property owners to the north and south if they are willing to underground the utility lines in conjunction with coordinating with FPL and if not in the alternative the applicant will pay the \$304,100 to the Utility in Lieu Trust Fund.

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

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

6. *Land Development Code: an amendment to Chapter 13, "Land Development Code," amending Sections 13-295 and 13-621 as it relates to the location of retail electronic cigarette/vaporizer stores and smoking lounges. (QUASI-JUDICIAL) (PUBLIC HEARING)

Mr. Stoudenmire provided a brief background and noted the growing popularity of this industry. Staff has developed appropriate definitions of the vapor product and its' use. There are also amendments to the City's Master Business List to address this issue. Vapor stores, lounges, and hookah lounges are not prohibited but are considered a Special Land Use. The facilities would be approved by ordinance after review by the Planning and Zoning Board and the City Commission. At present, there are not vapor stores, lounges or hookah lounges in the City. There are stores that sell vapor products but not as a primary use. Ms. Pyburn clarified this limits the use that if more than 50 percent of floor area is dedicated to the sale of vapor product; it requires a Special Land Use process.

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Chair Young opened the public hearing. There were not questions or comments, and the public hearing was closed.

MOTION: Harrison/Voorhees – To approve Agenda Item No. 6, amendment to Chapter 13 of the City’s Land Development Code relating to cigarette/vaporizer stores and smoking lounges.

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

7. *Land Development Code: an amendment to Chapter 13, “Land Development Code,” by creating a new section 13-1000 relating to regulations pertaining to certain practices in the exploration and extraction of oil and natural gas. (QUASI-JUDICIAL) (PUBLIC HEARING)

Mr. Stoudenmire noted this amendment pertains to the exploration and extraction of oil and natural gas also referred to as “fracking”. He explained this practice has negative environmental impacts and recently the City Commission adopted a resolution opposing any type of drilling or fracking in the City. Mr. Stoudenmire further explained that the City Commission desired to take a stronger position and directed staff to develop regulations for consideration.

Ms. Pyburn noted that there should be a correction in Section 13 – 1001, Penalties on page 3; it should reference Section 13-1000. She also noted the third whereas clause would be changed to add in language with regards to toxic additives.

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

MOTION: Voorhees/Poole – To approve Agenda Item No. 7, amendment to Chapter 13 of the City’s Land Development Code relating to the exploration and extraction of oil and natural gas, with changes as noted.

Upon roll call, the motion was passed on a 4-1 vote, with Chair Young voting nay.

For the record, Mr. Harrison noted that he has qualified to run for City Commission Seat E and upon clarification from Ms. Pyburn he does not resign from the Planning and Zoning Board until he takes the oath as a City Commissioner.

8. Adjournment

The meeting was adjourned at 7:55 p.m.