



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

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

**Date: August 12, 2020
Time: 7:00 p.m.
Meeting No. 2020-0812**

1. CALL TO ORDER

The meeting was called to order by Sustainable Development Director Scott Stoudenmire at 7:00 p.m.

2. PRESENT UPON ROLL CALL:

Thomas Casey
Steven Hall
Jerry Poole
Debra Voorhees
Doug Young
Jeffrey Barker, Alternate

Also present: Deputy City Attorney Kathryn Mehaffey, Sustainable Development Director Scott Stoudenmire, and City Clerk Leslie Wallace May.

City Clerk May explained that Governor Ron DeSantis' Executive Orders 20-52 and 20-69, as continuously extended, and Section 252.38, Florida Statutes, authorized all local governments to waive procedures and formalities otherwise required by both state and local law as necessary to allow local governments to continue to perform public work and take whatever prudent action is necessary to ensure the health, safety, and welfare of the community. She noted that the meeting was being conducted live with a quorum physical present. Deputy City Attorney Mehaffey explained the procedures for public participation and comment for the meeting.

3. OATH OF OFFICE

The Oath of Office was administered by City Clerk May.

4. ELECTION OF CHAIR AND VICE CHAIR

Mr. Stoudenmire opened the nominations for Board Chair. Ms. Voorhees nominated Doug Young to serve as Chair, seconded by Mr. Casey. With no other nominations on the floor, Mr. Young was seated as Chair.

Chair Young opened the nominations for Board Vice Chair. Mr. Casey nominated Jerry Poole to serve as Vice Chair, seconded by Ms. Voorhees. With no other nominations on the floor, Mr. Poole was seated as Vice Chair.

5. APPROVAL OF MINUTES

A MOTION APPROVING THE MINUTES FROM PREVIOUS PLANNING AND ZONING BOARD MEETING(S). (2020-0311)

MOTION: Poole/Hall - To approve the Minutes of the March 11, 2020, meeting.

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

AGENDA ITEMS

Deputy City Attorney Mehaffey gave an overview of the quasi-judicial procedures that would be applied to Agenda Items 6, 7, 8, and 9. City Clerk May confirmed that the public notice requirements were met and swore in the witnesses.

Chair Young asked if there were any objections from the Board, applicant, or staff to hear Agenda Items 6, 7, 8, and 9 together as they were related, and there were none. Deputy City Attorney Mehaffey asked if there were any disclosures and/or ex parte communications from the Board, and the following disclosure was made:

- Mr. Hall had spoken to several members of the community regarding the item.

- 6. VISTA GARDENS:** A PLAT APPLICATION TO ALLOW FOR THE DEVELOPMENT OF 7,743 SQUARE FEET OF COMMERCIAL USE LOCATED AT 5011 WEST HILLSBORO BOULEVARD. (QUASI-JUDICIAL)(PUBLIC HEARING)
- 7. VISTA GARDENS:** A REZONING APPLICATION FROM A-1 (AGRICULTURAL) AND O-2 (LOCAL OFFICE) TO B-3 (COMMUNITY SHOPPING) LOCATED AT 5011 WEST HILLSBORO BOULEVARD. (QUASI-JUDICIAL) (PUBLIC HEARING)
- 8. VISTA GARDENS:** A SPECIAL LAND USE APPLICATION TO PERMIT A CATERING AND MEETING HALL AT 5011 WEST HILLSBORO BOULEVARD. (QUASI-JUDICIAL) (PUBLIC HEARING)
- 9. VISTA GARDENS:** A SITE PLAN APPLICATION TO CONSTRUCT 7,743 SQUARE FOOT MEETING HALL, TO BE LOCATED AT 5011 WEST HILLSBORO BOULEVARD. (QUASI-JUDICIAL) (PUBLIC HEARING)

Mr. Stoudenmire clarified the ownership of the subject parcels, noting that the applicant acquired the former Deenie's Hideaway property for the purposes of redevelopment and the City of Coconut Creek had acquired the adjacent property to the west to facilitate the redevelopment. He further clarified that the applicant had a contract to purchase the City-owned parcel in place should the project receive approval. He provided a brief history of the land use of the properties, and reminded the Board that they approved a land use plan amendment application for the project in September of 2019. Mr. Stoudenmire read the staff report for each item into the record and stated that staff was recommending approval of each application as they were in compliance with the Land Development Code. He noted for the record that the proposed plat restriction was 15,000 square feet, not the 8,000 square feet provided in the memo. He stated outstanding DRC comments remain in effect and must be addressed prior to issuance of building permits.

Attorney Christina Bilenki of Dunay, Miskel, and Backman, 14 Southeast 4th Street, Boca Raton, on behalf of the applicant Vista Gardens, introduced herself and began a *PowerPoint*

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presentation. She discussed the site location, current zoning, and vested plat entitlements for the subject site. She reviewed the current site conditions and noted the applicant was proposing to tear down the current building and enhance the corridor with a new building.

Ms. Bilenki summarized each of the application requests for plat, rezoning, special land use, and site plan approval to construct a catering hall. She explained the proposed plat included both the property owned by Vista Gardens and the property owned by the City. She noted its compatibility with other commercial uses along the corridor, and symbiotic use with the church being constructed across the street as well as expected uses of the property. Ms. Bilenki stated hours of operation would be limited to 11 p.m. Sunday through Thursday and 2 a.m. on Friday and Saturday. She outlined considerations of the residential properties located to the north of the property, including additional rear setback, fence with privacy screening, a continuous hedge, and landscaping. She noted there would be no amplified music permitted outside, a police officer would be onsite for gatherings of more than 75 people, and security cameras would be in place.

Ms. Bilenki shared photos of proposed landscaping along Hillsboro Boulevard and the north side of the property, along with pictures of the applicant's facility located in Miami, Vista Lago, to portray the elevations of the proposed building. She discussed the community outreach efforts conducted throughout the application process, explaining the applicant had scheduled meetings and interacted with members of the nearby residential community, and noted the concessions made within the plan to alleviate resident concerns. Ms. Bilenki stated the applicant was voluntarily committing to use restrictions if the rezoning to B-3 was approved.

Chair Young opened the public hearing.

Lauren Linville, 7124 NW 47 Place, Coconut Creek, thanked the applicants for working with the community. She outlined the history of the property and noted concerns of the three residential neighborhoods adjacent were addressed. She referenced a memo submitted in March by the North Creek Community Committee representing the three communities and said if the considerations of the memo and restricted use was adhered to, the communities would be supportive of the project moving forward.

Artur Amaral, 5006 Pine Creek Place, Coconut Creek, thanked the applicants for working with the community. He asked the Board to consider the North Creek Community Committee memo and highlighted the key aspects outlined in the memo. He requested a significant landscape buffer on the north side of the property to protect the surrounding neighborhood.

City Clerk May played a voicemail public comment received in advance of the meeting from David Dweck, a business owner at 4851 West Hillsboro Boulevard, who spoke in support of having Vista Gardens as a neighbor.

City Clerk May stated that there were three public comments received via email: one from Artur Amaral, one from Lauren Linville which included the North Creek Community Committee Memo, and one from Wilbert (William) Delgado. She read each email into the record, which are attached hereto and made a part hereof as Exhibit 1.

Chair Young closed the public hearing.

Mr. Stoudenmire clarified the preserves adjacent to the property were County-owned, and not within the purview of the City. He noted the Board had recommended approval of the commercial land use, not zoning, at the September 2019 meeting.

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Discussion ensued regarding staff on location and ADA compliance of the second floor of the building. Ms. Bilenki explained the upstairs area was primarily storage and would be accessed only by staff. Mr. Stoudenmire stated storage use of the second floor was a distinguishing factor, but detailed construction drawings would be reviewed by the ADA compliance officer during the building permitting process.

Discussion continued regarding preserving for the record the concessions made to residential neighbors, and Ms. Bilenki commented that some of the issues were addressed through the site plan design and that there was draft Declaration of Restrictive Covenants specific to the uses in the B-3 zoning district that the surrounding residential neighborhoods were concerned with, noting that the declaration would run in perpetuity with the land. She noted the applicant was amenable to conditions of approval related to hours of operation and police detail for events over 75 people. Deputy City Attorney Mehaffey asserted that the Declaration of Restrictive Covenants would be included as part of the ordinance before the City Commission and suggested that the other conditions should be submitted as a letter to the City so it could also be incorporated with the approval.

The Board and Mr. Stoudenmire discussed Code requirements surrounding restricted times of construction. In response to a question regarding the capacity of the event space, Ms. Bilenki explained the facility was intended for use by a single event in any given day.

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

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

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

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

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

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

MOTION: Hall/Poole – Move to approve Agenda Item 9 as amended in the discussion to ensure the City Attorney receives the required documentation related to restrictive covenants and community concessions.

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

10. COMMUNICATIONS AND REPORTS

Mr. Stoudenmire provided the Board members with a packet of Board responsibilities, guidelines, and specific board member criteria provided in the Land Development Code. Discussion ensued regarding the delivery format for Board packets.

11. ADJOURNMENT

The meeting was adjourned at 8:26 p.m.

Transcribed by: C. Parkinson, Prototype



Leslie Wallace May
Leslie Wallace May, MMC
City Clerk

9/9/2020
Date

EXHIBIT 1

From: [Edwards, Amy](#)
To: [Artur Amaral](#); [DRC](#)
Cc: [Rydell, Joshua](#); [Stoudenmire, Scott](#); [Lauren Linville](#); [Public Records](#)
Subject: RE: Planning & Zoning Board Meeting August 12, 2020
Date: Tuesday, August 11, 2020 8:02:19 AM
Attachments: [image004.png](#)
[image005.png](#)
[image007.png](#)

Thank you, this email will be included and read into the record at the meeting.

Amy Edwards
Development Review Specialist
City of Coconut Creek
Butterfly Capital of the World
4800 W. Copans Road
Coconut Creek, FL 33063
954-973-6756
954-956-1424 fax
www.coconutcreek.net



From: Artur Amaral <arturamaral@hotmail.com>
Sent: Monday, August 10, 2020 7:33 PM
To: DRC <DRC@coconutcreek.net>
Cc: Rydell, Joshua <JRydell@coconutcreek.net>; Stoudenmire, Scott <SStoudenmire@coconutcreek.net>; Lauren Linville <linvillelauren217@gmail.com>; Edwards, Amy <AEwards@coconutcreek.net>
Subject: RE: Planning & Zoning Board Meeting August 12, 2020

Dear Development Review Committee,
I would like to ask you to consider the email below as part of your review at the meeting.
Hi Amy, Josh and Scott,

I appreciate the open dialogue between us (neighbors), the city and the owners of Vista Banquet Hall. We have accomplished a lot so far!

As per my email sent to the owners of Vista Gardens on Monday, 04-20-20, we still express our concern on how visually open the north side of their property will be to our neighboring communities. The Natural Area park to the north of them consists mostly of low-lying plants. The existing 6 or 8 foot fence is just a security screen. Vista is currently proposed a 5-foot hedge...

We would love to see the possibility of a wall and or a true 15-foot landscape buffer created either on the Vista Gardens land or the park's land.

I did read the paragraph provided in your memo below but we do like to ask again if the buffer and or wall could be considered by the city as part of the approval with Vista Gardens.

We had also expressed a concern with the hours of operation which I do not see in any of the attached memos that was provided. Will or can the city impose restrictions to hours of operation during week nights and weekends?

Let us know your thoughts on that.

The proposed building exceeds minimum rear (143' vs 25') and west side (65' vs 20') setback requirements thus providing large open spaces between the venue and the natural preserve and parking will be located on the south along Hillsboro Blvd and on the east adjacent to the existing Hillsboro Executive Office park and away from the preserve and residential uses. Although the subject property does not immediately abut the existing Secret Pond residential community to the north, the natural areas and increased setbacks provides additional buffering.

From: Artur Amaral <arturamaral@hotmail.com>
Sent: Monday, April 20, 2020 8:47 PM
To: raqueisalcido@pevent.com; Lauren Linville; James Paugh; mjs1076@gmail.com
saladrigas@gmail.com; alberto.j.flores@sprint.com; rbetten@gmail.com
Cc: Rose, Sheila
Subject: RE: Vista Gardens

Hi Raquel, Jose and Sheila,

I have reviewed the plans provided and want to thank you for the progress and willingness to work with us so far.

I have also reviewed the Minimum landscape requirements by the city as shown below and I am hoping that we could see some improvements made to the landscaping on the north side of the property.

The city requirements state that a 6-foot wall shall be provided where said commercial property abuts a residential district. I know that we have a preserve park to the north of the site (picture below) and I guess the 90-foot rule shown in the requirement below would no longer make the site have to comply but the park itself is bare in landscaping with no hedges, berms or trees and would not provide enough of a visual, sound and light buffer from a 30-foot-plus building as the banquet hall.

Could we discuss the addition of a 6-foot wall and/or a 15-foot landscape buffer within the Banquet Hall property that would include tall hedges, shrubs, and 15-foot canopy trees? The plans only specify a 8-foot chain-link fence, 5-foot hedges and 12-foot high Oak Trees every 40 feet with a 5-foot canopy.

We would also like to be able to review the Lighting Site Plan and Photometric Study when they are available if feasible.

Thank you for all the hard work so far!



Much appreciated!

Best regards,

Artur Amaral

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From: Edwards, Amy
Sent: Wednesday, August 05, 2020 5:23 PM
To: jhpaugh12@gmail.com; mjs1076@gmail.com; Saladrigas@gmail.com; arturamaral@hotmail.com; alberto.j.flores@sprint.com; rbetten@gmail.com; linvillelauren217@gmail.com; brooks.chuck@outlook.com; Rydell, Joshua <JRydell@coconutcreek.net>
Cc: Stoudenmire, Scott <SStoudenmire@coconutcreek.net>
Subject: Planning & Zoning Board Meeting August 12, 2020

Good afternoon,

Please see the attached meeting notices and agenda summary related to Vista Gardens.

Thank you,

Amy Edwards

Development Review Specialist

City of Coconut Creek

Butterfly Capital of the World

4800 W. Copans Road

Coconut Creek, FL 33063

954-973-6756

954-956-1424 fax

www.coconutcreek.net



Under Florida law, most e-mail messages to or from Coconut Creek employees or officials are public records, available to any person upon request, absent an exemption. Therefore, any e-mail message to or from the City, inclusive of e-mail addresses contained therein, may be subject to public disclosure.

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From: [Edwards, Amy](#)
To: [Public Records](#)
Subject: FW: Planning & Zoning Board Meeting August 12, 2020
Date: Monday, August 10, 2020 2:59:29 PM
Attachments: [image002.png](#)
[image003.png](#)
[image006.png](#)
[image005.jpg](#)
[North Creek Community Committee Memo 03.15.20 \(2\).pdf](#)

Planning and Zoning- 08/12/20

From: Lauren Linville

Sent: Monday, August 10, 2020 2:40 PM

To: DRC

Cc: Edwards, Amy ; jhpaugh12@gmail.com; mjs1076@gmail.com; Saladrigas@gmail.com; alberto.j.flores@sprint.com; rrbetten@gmail.com; brooks.chuck@outlook.com; Rydell, Joshua ; Stoudenmire, Scott ; Artur Amaral

Subject: Re: Planning & Zoning Board Meeting August 12, 2020

Good Afternoon,

Couple questions, do we have a rendering of the area that can be shared prior to the meeting? In addition, so we have a zoom meeting option for those that cannot attend in person? A few of us do plan to attend in person.

Also, can we also have the written memo we submitted as part of the conversation - this memo was documentation from our conversations with the owners. Please see attached.

Thank-you!

Lauren Linville

On Wed, Aug 5, 2020 at 9:40 PM Artur Amaral <arturamaral@hotmail.com> wrote:

Hi Amy, Josh and Scott,

I appreciate the open dialogue between us (neighbors), the city and the owners of Vista Banquet Hall. We have accomplished a lot so far!

As per my email sent to the owners of Vista Gardens on Monday, 04-20-20, we still express our concern on how visually open the north side of their property will be to our neighboring communities. The Natural Area park to the north of them consists mostly of low-lying plants. The existing 6 or 8 foot fence is just a security screen. Vista is currently proposed a 5-foot hedge...

We would love to see the possibility of a wall and or a true 15-foot landscape buffer created either on the Vista Gardens land or the park's land.

I did read the paragraph provided in your memo below but we do like to ask again if the buffer and or wall could be considered by the city as part of the approval with Vista Gardens.

We had also expressed a concern with the hours of operation which I do not see in any of the attached memos that was provided. Will or can the city impose restrictions to hours of operation during week nights and weekends?

Let us know your thoughts on that.





Much appreciated!
Best regards,

Artur Amaral

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From: Edwards, Amy

Sent: Wednesday, August 05, 2020 5:23 PM

To: jhpaugh12@gmail.com; mjs1076@gmail.com; Saladrigas@gmail.com; arturamaral@hotmail.com; alberto.j.flores@sprint.com; rrbetten@gmail.com; linvillelauren217@gmail.com; brooks.chuck@outlook.com; Rydell, Joshua <JRydell@coconutcreek.net>

Cc: Stoudenmire, Scott <SSstoudenmire@coconutcreek.net>

Subject: Planning & Zoning Board Meeting August 12, 2020

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Thank you,

Amy Edwards

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NORTH CREEK COMMUNITY COMMITTEE

Memo

To: Jose & Raquel Salcedo, Vista Gardens Ballroom

From: Pinecreek Estates HOA Board, Secret Pond HOA Board, Hidden Lake HOA Board

cc: City Commission, City Manager, City Attorney & Sustainable Development - City of Coconut Creek

Date: March 15, 2020

Re: **Vista Banquet Hall Preliminary Agreement**

The purpose of this memo is to allow all involved to have a record of items that have been discussed throughout multiple conversations with the following: The North Creek Community Committee (I.e. Pine Creek, Secret Pond, Hidden Lakes HOAs), the owners of the Vista Banquet Hall (Jose and Raquel Salcedo - Vista Gardens Ballroom), Coconut Creek's Sustainable Development Department and Coconut Creek's City Commission.

The details below are a preliminary list of items that have been discussed and agreed upon between the North Creek Community Committee and Vista Gardens Ballroom (Jose & Raquel Salcedo). We understand that the City Commission will ultimately be voting on this issue, however, we would like this statement on record for the upcoming Planning and Zoning Board and Commission Meeting when put to vote. We would also like all parties to know that since our first 'Public Resident Input Meeting' we have seen tremendous progress and a willingness to listen to our concerns. Additionally, we feel that the terms listed below would not only make us whole in this process but could allow for the goal of a banquet hall to be approved for construction. We are hopeful that these discussions will not be overlooked during the Land-Use Application, Planning & Zoning meeting and the critical City Commission voting.

PRELIMINARY AGREED ITEMS:

1. Relocation of the *physical building* within the site so it reflects the max allowable footage between the building and saw palmetto property line to the north...i.e. the building should be so far from the Saw Palmetto property line or neighboring homes. *FINAL Site plan has not been reviewed by committee and may warrant additional input.*
2. Eliminating any type of walk-through access, or gate, from Banquet Hall site to Saw Palmetto Natural area. This is Broward County property and with limited resources for clean-up and security, we do not want to see the park fall victim to neglect.
3. Hours of operation. Vista Gardens will need to limit closing time to 11 pm Sunday through Thursday and between 1 and 2 am Friday and Saturday nights.

4. Have an off-duty Coconut Creek Police Officer present during evening events (sunset or later) for events with 75 people or more.
5. Approximate 7,200 square foot building with 200 people max.
6. No Amplified music outside, DJ, Bands...etc.
7. Sound reducing construction, 12" CBS walls, Impact and sound resistant Windows, Twin Tees roof slab.
8. **Most Importantly:** Rezoning the land from an O2 to a "limited use" or "restricted" B3. This would allow the Banquet Hall to be built but would not allow a certain type of business in the future. We would like the following stricken from the B3 zoning:
 - Ambulatory Surgical Center
 - Medical Marijuana Dispensary
 - Motorcycle & Rec Vehicles sales & Services
 - Automobile Dealerships, Parts, Rental, Tag Agency
 - Hotels/Motels
 - Liquor Stores
 - Video Stores
 - Coin Operated Laundromats
 - Private Clubs and Lodges
 - Retail electronic-Cigarette/Vaporizer Store

The Nork Creek Community Committee would like to extend our sincere thanks to Jose & Raquel Salcedo for their sincere efforts to ensure all parties are satisfied with their new business. We look forward to many years with Vista Gardens Ballroom being a Coconut Creek community member.

Sincerely,

North Creek Community Committee

From: [Edwards, Amy](#)
To: [wilbert_delgado](#)
Cc: [Public Records](#)
Subject: RE: Request for rezoning
Date: Tuesday, August 11, 2020 9:59:40 AM
Attachments: [image001.png](#)

Thank you, this email will be included and read into the record at the meeting.

Amy Edwards
Development Review Specialist
City of Coconut Creek
Butterfly Capital of the World
4800 W. Copans Road
Coconut Creek, FL 33063
954-973-6756
954-956-1424 fax
www.coconutcreek.net



From: wilbert delgado <wilbert_delgado@hotmail.com>
Sent: Tuesday, August 11, 2020 9:56 AM
To: DRC <DRC@coconutcreek.net>
Subject: Request for rezoning

My name is William Delgado, a Coconut Creek resident for the past 24 years. I currently live at 5012 Pinecreek place, Pine Creek Estates, the zoning change to operate a ballroom, will only bring problems and insecurity to a residential area, with people coming from other places at late night hours. There is already a problem in the surrounding area, a park on NW 71st Street, at the Saw Palmetto Natural Area, where the City or County destroyed a natural habitat to create a parking lot without any meaning or benefit to the community, it is always isolated, and where at night time vehicles arrive from other areas to do unknown activities. This area, being adjacent to the proposed ballroom would tremendously aggravate this situation, since nothing will prevent the visitors to get into this non secured area. Therefore, we, the neighbors are opposed to rezoning, unless it considers another nature of business, such as offices or activities during daylight hours.

Kindest regards

WILBERT DELGADO

5012 Pinecreek Place

Coconut Creek, FL 33073

Ph. 954-803 5264 F. 954- 418 0744

wilbert_delgado@hotmail.com