



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

**Government Center
4800 West Copans Road
Coconut Creek, FL 33063**

**Date: October 11, 2023
Time: 7:00 p.m.
Meeting No. 2023-1011**

1. CALL TO ORDER

The meeting was called to order by Chair Jeffrey Barker at 7:02 p.m.

2. PRESENT UPON ROLL CALL:

Jeffrey Barker, Chair
Colleen LaPlant, Vice Chair
Jeffrey Light
Nancy Fry, Alternate

Also present: Deputy City Attorney Kathy Mehaffey, Sustainable Development Director Scott Stoudenmire, Sustainable Development Assistant Director Justin Proffitt, Principal Planner Lizet Aguiar, and Deputy City Clerk Marianne Bowers.

ABSENT:

Mikkie Belvedere
Alfred Delgado

Deputy City Clerk Bowers informed the Board that Ms. Belvedere and Mr. Delgado had contacted the City Clerk Department to send notice that they would be unable to attend the meeting.

Deputy City Attorney Mehaffey noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

3. APPROVAL OF MINUTES

A MOTION APPROVING THE MINUTES FROM PREVIOUS PLANNING AND ZONING BOARD MEETING(S) (2023-0913).

MOTION: Fry/Light – To approve the Minutes of the September 13, 2023, Planning and Zoning Board Meeting, as presented.

Upon roll call, the Motion passed by a 4-0 vote.

AGENDA ITEMS

Deputy City Attorney Mehaffey explained the City's quasi-judicial procedures that would be applied to Agenda Items 4, 5, and 6. Deputy City Clerk Bowers confirmed the public notice requirements for Agenda Item 4, 5, and 6 had been met and swore in the witnesses.

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Chair Barker asked if there were any objections to hear Agenda Items 4, 5, and 6 together, as they were related, and there were no objections.

4. **MAINSTREET @ COCONUT CREEK: AN AMENDMENT TO THE ORIGINAL DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER ORDINANCE NO. 2010-006 FOR THE PROPOSED MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL)(PUBLIC HEARING)**
5. **MAINSTREET @ COCONUT CREEK: A REZONING APPLICATION FROM AGRICULTURAL (A-1) AND PLANNED COMMERCE DISTRICT (PCD) TO PLANNED MAINSTREET DEVELOPMENT DISTRICT (PMDD) TO INCLUDE NEW DEVELOPMENT AND DESIGN STANDARDS AND A LIST OF PERMITTED AND SPECIAL LAND USES. (QUASI-JUDICIAL)(PUBLIC HEARING)**
6. **MAINSTREET @ COCONUT CREEK: AN AMENDMENT TO THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 8, "MASTER BUSINESS LIST," TO AMEND SECTION 13-626, "MASTER BUSINESS LIST - PLANNED MAINSTREET DEVELOPMENT DISTRICT" TO ADOPT THE LIST OF PERMITTED AND SPECIAL LAND USES FOR THE MAINSTREET @ COCONUT CREEK PLANNED MAINSTREET DEVELOPMENT DISTRICT. (QUASI-JUDICIAL)(PUBLIC HEARING)**

Deputy City Attorney Mehaffey asked for any ex-parte disclosures related to Agenda Items 4, 5, and 6. Ms. Fry stated she had met with the applicants prior to her time on the Planning & Zoning Board, and she had attended the applicant's community meeting on September 19, 2023. There were no other disclosures.

Sustainable Development Assistant Director Justin Proffitt presented the items, stating the applicant proposed to develop approximately 200 acres of land with a mixed-use development, consisting of a maximum of 2,360 multi-family residential units and 225,000 square feet of non-residential use. He noted the project would encompass 16 new development blocks, featuring all of the proposed land uses, new and interconnected open spaces, parks, trails, roads, bicycle lanes, and sidewalks, plus City facilities, including a permanent home for Fire Station 113 and other public safety infrastructure as needed and determined by the City. He explained the proposal at this time included 540 for-sale townhouse or villa units, 380 for-sale garden condominiums, 1,375 rental apartments, and 105,000 square feet of non-residential use, consisting of retail, personal services, restaurants, and other neighborhood-serving establishments. Mr. Proffitt outlined the zoning approvals requested, including:

- Amendment to the Development of Regional Impact (DRI) development order ordinance adopted in 2010 to reflect the current proposed project;
- Rezoning of the land to Planned MainStreet Development District (PMDD), including adoption of the MainStreet at Coconut Creek development standards; and
- Land Development Code amendment to add the PMDD's list of permitted and special land uses in the City's Master Business List.

Mr. Proffitt further explained the parameters of the PMDD briefly. He noted that a replat of the property was also required and would come before the Board at a future meeting, as would the Public Roadway Master Site Plan, Public Parks Site Plan, and all of the individual development block site plans. He stated the applications were currently under review by staff and would need to be consistent with the items on this meeting's agenda.

Mr. Proffitt advised that prior to this hearing, the applicant held several community meetings, met with the Development Review Committee (DRC) on multiple occasions, presented at Commission workshops, and created a project website. He stated that a summary of the community meetings and link to the applicant's project website were included in the backup materials for the meeting. He stated staff found the applications consistent with the City's MainStreet design standards, Land Development Code, and Comprehensive Plan, and recommend approval subject to the condition of approval on each application, which related to outstanding DRC comments. Mr. Proffitt noted the ultimate objective was to create a sense of place for the City's MainStreet area. He stated the project would serve as a hub where Coconut Creek residents could live, work, and play in a sustainable, mixed-use, and interconnected environment. He pointed out all of the work the City had done through multiple iterations of the project over the last 20 years, which revolved around creating that sense of place and community.

Jeffrey Light asked for clarification regarding the reduction in the approved DRI density but not total entitlements. Mr. Proffitt explained that when the DRI ordinance was originally approved, it included a larger number of residential units and a larger amount of non-residential square footage to be potentially developed, but this applicant was not proposing to maximize that. He stated there were multiple properties within the development project, and one (1) parcel along Sample Road was not owned by the developer, or under contract or leased to the developer, so the developer could not change that owner's development rights. He advised that instead, the developer was establishing what they were proposing for their own properties. Mr. Light asked for clarification on the process if the other property owner were to decide to develop, and Mr. Proffitt explained briefly. He stated the remaining entitlements should be enough to develop the one (1) acre property.

Attorney Scott Backman, Dunay, Miskel, and Backman, LLP, representing Johns Family Partners, LLP, presented on behalf of the applicant. He introduced members of the development team present and highlighted the four (4) partners, all of whom were involved in large developments throughout South Florida. He began a *PowerPoint* presentation, providing a brief history of the entire Regional Activity Center (RAC), as well as the property owned by the Johns family. Continuing, he discussed efforts to create a cohesive brand concept, and shared images from the marketing campaign to give the project an identity and sense of place. Mr. Backman reviewed the original DRI and the items included in the proposed DRI amendment, including:

- Reduction in the overall density and intensity;
- Allowance for a phased development through establishment of a phasing plan;
- Adjustment of the buildout date to align with the effective date of the amended DRI ordinance;
- Encouragement of the use of littoral plantings along lake edges to provide improved natural habitat;
- Elimination of natural gas requirement per City request given new information regarding negative impacts of natural gas on the environment;
- Change to annual reporting (in lieu of biennial) per request of City staff; and
- Modification of transportation requirements to ensure appropriate facilities were provided concurrent with each phase of development.

Mr. Backman discussed the commercial, residential, and office square footage in the approved plan versus the current application, proposed minimum green space, and roadway improvements, explaining the project would fill in the roadway grid in a substantial area of Coconut Creek. He highlighted the importance of pedestrian and

bicycle connectivity within the master plan and the effort that went into making sure this component was practical in implementation. Continuing, Mr. Backman reviewed the PMDD rezoning request. He shared an image of the proposed Master Zoning Plan in lieu of the existing Sub-District Map and discussed definitions and densities in each type of use, followed by conceptual images of the site. He explained the collaborative process to ensure the development was active and complementary. He reviewed the sustainability elements planned for the development, with corresponding maps and sample illustrations. He highlighted the high standards of the City of Coconut Creek, including its Sustainable Development Department and leadership on issues of sustainability. Mr. Backman provided an anticipated approval schedule and a list of the approvals required, beginning with this meeting and moving through 2024. He reviewed the staff recommendations briefly, reiterating that staff recommended approval of all three (3) applications before the Board.

Chair Barker opened the public hearing on the items. There were no questions or comments from the public, and Chair Barker closed the public hearing.

Mr. Light asked who would be responsible for the parks, walkways, and common areas in the plan. Mr. Backman stated there would be a Master Property Owners' Association, which would be responsible for ensuring the overall governing and maintenance of the common area. Mr. Light asked if individual pieces would be sold off to be developed, and Mr. Backman explained the development team in the room included residential and commercial developers, who were working as a group to bring the project forward. Mr. Light commented on the number of school children that would be generated by the 2,300 units in the development. He noted the document indicated that three (3) schools served the area and commented that all three (3) schools referenced were already overloaded. He asked how the impact on the schools would be addressed. Mr. Backman stated that an agreement with the Broward County School Board for the full 6,500 units was entered into years ago to ensure these students were already counted. He advised there were ongoing conversations regarding the possibility of a charter school being part of this project, though it was not included at this time and other opportunities were being explored. Mr. Light asked if the roadways within the development would be dedicated public roads, and Mr. Backman confirmed that they were open and accessible public roads, aside from gated communities on blocks nine (9) and one (1).

Ms. Fry asked if there was a space where a charter school could potentially be located within the plan. Mr. Backman showed the previously planned location for a school and stated, for a number of reasons, it was not currently feasible and had been removed from the plan in that location. He stated there may be another opportunity, but at this point, it would need to be on property owned by the City. Ms. Fry inquired as to whether the roadways would be Complete Streets compatible, and Mr. Backman stated they would. Ms. Fry commented on the parking availability for the retail use and asked whether a reduction in parking would be requested. Mr. Backman stated the plan met the Code requirements for parking, and it was important to the developers that adequate parking was available for residents and visitors to the area.

Ms. LaPlant asked for clarification on what would be in the civic node. Mr. Proffitt explained the space would be a downtown gathering place with parking and park space, but staff was still evaluating final plans.

Mr. Backman shared information regarding the projected generation of students provided by the School Board. He stated the projections were for an additional 104 elementary school students, 59 middle school students, and 94 high school students. He

noted the projections were further broken down by unit type. Mr. Proffitt added that the development was also subject to an interlocal agreement with the School Board, which included impact fees to mitigate the cost of additional student population. Mr. Backman stated that agreement vested the full number of units which could be built based on the 2010 plans, so he believed the number was already counted in the student population.

Chair Barker congratulated the applicant and staff on having brought forward something decades in the making. He stated it was very exciting and a lot of people were looking forward to it. He stated it sounded like the school topic was out of the developers' hands to some extent, but he stated that looking into other school options was a good idea. He commented on the number of residential properties within a two (2) mile radius and stated it seemed like a positive thing for the City to have a charter school in the middle of MainStreet. Chair Barker stated the backup materials addressed alternative development standards and asked the process for those approvals. Mr. Backman stated the standards were being approved as part of these applications, and then would be implemented in each of the site plans that come before the Board over the next year. Mr. Proffitt added that the design solutions and various justifications were outlined in Exhibit P in the backup materials. He noted any future changes would require an amendment.

Mr. Light asked for clarification on the amendment to the DRI and the process followed to approve the amendment. Mr. Proffitt explained the process staff follows to vet the changes and the subsequent recommendation to the Planning and Zoning Board and the Commission. Deputy City Attorney Mehaffey provided additional clarification, explaining the DRI was a broad-brush development concept, and the PMDD contained the zoning regulations, which were all new. Mr. Proffitt summarized the changes to the DRI briefly. Discussion ensued, and Mr. Light asked for clarification on the proposed changes to Section T.2 Internal Roadway Network of the draft DRI ordinance amendment, regarding funding the roadway network. Mr. Backman stated he believed the inconsistency was an error. He explained the DRI previously allowed multiple options, and the plan was now that the Master Developer would construct that section of roadway, not pay for someone else to do it. He noted the changes were more restrictive than the previous language. Discussion ensued, and it was determined the inconsistency was a scrivener's error.

Chair Barker asked for clarification on the reserved development rights. He asked whether the reserved units would allow for office space, as that had been completely removed from the plan, and how and when the reserved units might be added back into the Master Plan. Deputy City Attorney Mehaffey clarified that the office use was not being removed from the DRI, but from the PMDD. Attorney Backman provided further explanation, and stated what was reserved could not be used without going through the full approval process again. Discussion continued. Chair Barker asked whether any of the roadway improvements were being funded with bonds that would be charged to the eventual owners. Mr. Backman responded that they hoped so, but could not confirm yet. He noted that with the assistance of the City, the project had been able to pursue matching grant dollars. Chair Barker suggested there may be an opportunity in the Florida Power & Light (FPL) right-of-way for recreational mountain biking, and Mr. Backman stated they would consider it. Chair Barker asked whether the proposal had a more intense density or height than elsewhere in the City, which would open the door to projects under the Live Local Act. Mr. Proffitt noted the MainStreet area had the highest density and height regulations in the City.

Ms. Fry highlighted the recycling containers included in the plan and stated Coconut Creek did not currently have curbside recycling. She asked whether the development

would be taking on the collection of the containers and delivery to the recycling center. Mr. Proffitt stated the applicant was committing to participation in a City-wide program. He noted the goal was to have a better solid waste program for every City in Broward County and get recycling going again.

Mr. Proffitt shared brief closing remarks, regarding the school question and assured that an analysis from the School Board would be brought forward in the future as site plans for residential units were reviewed.

Mr. Backman closed with his appreciation for the opportunity to present and reinforced the importance of the civic node to the project.

MOTION: Fry/LaPlant – To recommend approval of Agenda Item 4, as presented.

Upon roll call, the Motion passed by a 4-0 vote.

MOTION: Fry/LaPlant – To recommend approval of Agenda Item 5, as presented.

Upon roll call, the Motion passed by a 4-0 vote.

MOTION: Light/LaPlant – To recommend approval of Agenda Item 6, as presented.

Upon roll call, the Motion passed by a 4-0 vote.

7. COMMUNICATIONS AND REPORTS

Deputy City Attorney Mehaffey reminded the Board that these applications were the first of a very long process with related applications coming before them in the future, and asked the Board to keep Sunshine Laws in mind as the project progressed.

8. ADJOURNMENT

The meeting was adjourned at 9:00 p.m.



Marianne E. Bowers 11/8/23
Marianne E. Bowers, CMC Date
Deputy City Clerk