



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

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

**Date: August 14, 2024
Time: 7:00 p.m.
Meeting No. 2024-0814**

1. CALL TO ORDER

The meeting was called to order by Chair Colleen LaPlant at 7:02 p.m.

2. PRESENT UPON ROLL CALL:

Colleen LaPlant, Chairperson
Jeffrey Barker, Vice Chairperson
Solomon Briks
Alex Escoriaza
Jeffrey Light
Nancy Fry, Alternate

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

Deputy City Attorney Kathy 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). (2024-0710)

MOTION: Light/Barker – To approve the Minutes of the July 10, 2024, Planning and Zoning Board Meeting, as presented.

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

AGENDA ITEMS

Deputy City Attorney Mehaffey explained the City's quasi-judicial procedures that would be applied to Agenda Item 4, as follows (verbatim):

Florida courts have determined that there are certain types of matters, including Agenda Item 4 on tonight's agenda, that are to be treated differently than other items considered by the Board. In these quasi-judicial applications, the Board is applying existing rules and policies to a factual situation and is therefore acting like a Judge and Jury do in a trial held in the courtroom. In such cases, the courts have decided that due process and fundamental fairness require that more formal procedures be followed.

The Board's decision must be based on the evidence and information that is presented at the public hearing including the agenda materials, staff recommendation, testimony presented at the public hearing, and the deliberations of the Board. The quasi-judicial procedures require that

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the Board consider the evidence presented to it and base their decision on the applicable law and primarily on credible evidence presented whether by staff, the applicant, or members of the public.

In a quasi-judicial proceeding, the Board is not allowed to take into consideration public sentiment or the popularity of a particular development proposal or application. The Board may only consider competent substantial evidence. This means testimony or other evidence that a reasonable mind would accept as credible and adequate to support a conclusion. Florida courts have made it clear that mere generalized statements of opposition are to be disregarded, but fact-based testimony can be considered competent and substantial evidence. This can include eyewitness observation testimony about relevant facts and documentary evidence, including photographs, aerials, and maps. Citizens who want to participate in a quasi-judicial hearing can testify as to factual matters and any element of the case that would not require specialized training or specific academic degrees. Their testimony will be considered provided their testimony is backed up by established facts, studies, or evidence that is not conjecture or just based on a feeling. The quasi-judicial hearing process is not a popularity contest. The strict rules of evidence do not apply during the public hearing, but any comments must be relevant to the agenda item.

Everyone who seeks to speak on an item will be given an opportunity to speak. If you intend to provide testimony as to any of the applications to be considered tonight, you will be sworn in before your testimony is taken. Please know if you speak, you may be subject to cross examination; the Board may comment or ask questions of persons addressing the Board at any time. If you refuse to either be cross-examined or to be sworn, your testimony will be considered in that context and given its due weight. The general public will not be permitted to cross examine witnesses, but may request that the Board direct questions on their behalf to the applicant or staff. Will the Clerk please confirm compliance with the notice requirements?

Deputy City Clerk Marianne Bowers confirmed the public notice requirements for Agenda Item 4 had been met and swore in those wishing to give testimony.

4. MAINSTREET @ COCONUT CREEK BLOCK 9: A SITE PLAN APPLICATION TO CONSTRUCT EIGHTY (80) SINGLE-FAMILY TOWNHOMES WITHIN BLOCK 9 OF THE MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL) (PUBLIC HEARING)

Deputy City Attorney Mehaffey asked for any disclosures or ex-parte communications related to Agenda Item 4, and there were no disclosures.

Sustainable Development Director Justin Proffitt presented the item, summarizing the Block 9 Site Plan application. He discussed the applicant's ongoing public engagement and noted this request was also contingent upon final adoption of the MainStreet of Coconut Creek Development Agreement by the City Commission. He advised that staff found the site plan complied with the Site Plan application review standards, the Planned MainStreet Development District (PMDD), MainStreet Master Plan, MainStreet design standards, the City's Land Development Code, and the City's Comprehensive Plan, and recommended approval subject to the conditions as outlined, with the withdrawal of condition two (2) as it was no longer applicable.

Christina Bilenki, Miskel Backman, LLP, representing Johns Family Partners, LLLP, shared a *PowerPoint* presentation, including an overview of the MainStreet area. She highlighted the allowable and proposed densities and the intent to focus on neighborhood design. She shared elevations and renderings and commented on

features of the townhomes briefly.

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

Board Member Nancy Fry asked for clarification on the parking. Ms. Bilenki explained the parking was a combination of garages, driveways, and guest parking spaces. Mr. Proffitt noted there was also public on-street parking on the block. Ms. Fry inquired as to the operation of the gates and queuing at the gates. Ms. Bilenki explained residents would have key fobs and there would be a call box for nonresidents. She stated there was space for stacking three (3) cars and a through lane for residents. She pointed to the queuing analysis, which provided further detail. Ms. Fry asked whether there would be noise-dampening measures due to outdoor concerts at the adjacent casino. Ms. Bilenki stated there was a substantial buffer provided to help dampen the noise.

Board Member Jeffrey Light asked if there would be a Homeowners Association (HOA), who would administer it, and whether other blocks would be included in the HOA. Ms. Bilenki confirmed there would be, and the developer would administer it until there was a board in place. She advised the HOA would be self-contained for this block, and there would be a larger association for the development as a whole. Mr. Light noted all of the housing appeared to be blue and gray, and he did not see variation in the color scheme. Ms. Bilenki stated the materials vary to show differentiation between the buildings. Mr. Light inquired as to whether the garages would be large enough to accommodate not only a car, but also the items that accompany modern suburban life, such as bicycles, boogie boards, and golf clubs. Ms. Bilenki stated the HOA documents would include a restriction against using the garages as storage, but she did believe there was space for common recreational items. Landon Massel, 13th Floor Homes, shared that with the front-loaded townhomes on this block, there were two (2) car driveways and a one (1) car garage, which would be larger than a car would require. Mr. Light asked for clarification on the electric vehicle (EV) charging stations. Mr. Massel stated there would be two (2) EV spaces on site in the common areas with the electrical infrastructure provided by the developer, and all homes would be EV-ready to give the homeowner the option to have a charger installed.

Board Member Alex Escoriza noted the Development Review Committee (DRC) comments related to whether the gated community would conflict with public accessibility and public walkways throughout MainStreet. Mr. Barker clarified the block had vehicle gates but there would be pedestrian access. Mr. Proffitt and Ms. Bilenki added additional details. Mr. Escoriza asked for clarification on the variation in materials on the facades and whether they were finalized. Mr. Proffitt advised there had been discussion back and forth between staff and the applicant, and the materials as shown on the plans were final. Mr. Escoriza inquired as to how the HOA would be presented and what the eventual market presentation of the homes would be. Ms. Bilenki stated different blocks would be coming online at different times and discussed the phased sales process. Discussion continued regarding plans for HOA and Condominium Associations (COA). Mr. Escoriza asked about the variation in architecture between the different blocks in the project. Ms. Bilenki stated the blocks were intended to be different but compatible. Mr. Escoriza asked for clarification on the timeline for approvals. Ms. Bilenki clarified the anticipated timeline for the remaining applications. Mr. Escoriza inquired as to how the windows would buffer against sound. Ms. Bilenki commented on the separation between the townhouses and the casino as there was a lake, and there were also impact windows.

Board Member Solomon Briks asked about the overall concept for stormwater management plan for the site. Jay Huebner, HSQ Group, provided a brief overview of the drainage plans, including shared lakes throughout the site. Discussion continued regarding regional stormwater management and elevations.

Vice Chair Jeffrey Barker commented on the aesthetics and suggested that varied roof materials might help break up the homogenous look.

Chair LaPlant stated the EV-ready garages were impressive and asked about other blocks with this feature. Ms. Bilenki advised that all townhomes with garages would be EV-ready. Chair LaPlant asked for clarification on the timeline for turning over each block to the HOA or COA. Ms. Bilenki stated the turnover would take place in phases. Chair LaPlant inquired about plans for focal points at the northeast corner of the block. Mr. Proffitt advised it would be part of the linear park, but those plans had not yet completed the DRC process. He noted the idea was to create a plaza effect. Chair LaPlant stated she was pleased to hear there were five (5) community meetings and asked about targeted notice. Ms. Bilenki and Mr. Proffitt provided additional details.

Mr. Escoriaza asked for clarification on the definition of EV-ready and the specifications. Ms. Bilenki explained the upgrades briefly, noting the outlet would be 240 volts. Mr. Escoriaza suggested higher amps be considered for futureproofing.

Neither staff nor the applicant had closing remarks.

MOTION: Escoriaza/Barker – To recommend approval of Agenda Item 4, as presented.

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

5. COMMUNICATIONS AND REPORTS

There were no communications or reports.

6. ADJOURNMENT

The meeting was adjourned at 7:59 p.m.



Marianne E. Bowers
Marianne E. Bowers, CMC
Deputy City Clerk

9/11/24
Date