



## CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center  
4800 W. Copans Road  
Coconut Creek, Florida

Date: July 13, 2023  
Time: 7:00 p.m.  
Meeting No. 2023-0713R

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### CALL TO ORDER

Mayor Joshua Rydell called the meeting to order at 7:08 p.m.

### PRESENT UPON ROLL CALL:

Mayor Joshua Rydell  
Vice Mayor Sandra L. Welch  
Commissioner Jacqueline Railey  
Commissioner John A. Brodie  
Commissioner Jeffrey R. Wasserman  
City Manager Karen M. Brooks  
City Attorney Terrill C. Pyburn  
City Clerk Joseph J. Kavanagh

Mayor Rydell asked all to rise for the Pledge of Allegiance led by resident Morris "Chick" Chase.

Mayor Rydell noted that the meeting was being conducted live with a quorum physically present, and City Attorney Terrill C. Pyburn explained the procedures for public participation and comment for the meeting.

### PRESENTATIONS

1. **23-135** A PRESENTATION HONORING MORRIS "CHICK" CHASE ON HIS 100<sup>TH</sup> BIRTHDAY.

Commissioner Railey read the proclamation into the record and presented it to Mr. Chase. She shared brief personal remarks regarding his hard work and service as an inspiration to others. Mayor Rydell commented that Mr. Chase had a servant heart, serving both the country and community throughout his life. Mr. Chase spoke briefly regarding the heroes who gave their lives during the war and expressed his appreciation for the recognition.

### INPUT FROM THE PUBLIC

Susan Steinhauser, 5842 Eagle Cay Circle, Coconut Creek, thanked Mr. Chase for his service. She discussed Plastic Free July, an initiative of the Plastic Free Foundation, and shared that Hollywood was hosting a Sustainable Product Expo on Monday, July 24. She addressed the Broward County Solid Waste Interlocal Agreement and commented that waste-to-energy was included in the agreement, but there remained an opportunity to fight against incineration. She noted other communities considered resolutions against incineration. Continuing, she discussed the reduction of plastic waste at the start of the consumer process.

**CONSENT AGENDA (Items 2 through 6)**

Mayor Rydell read each of the titles of the Consent Agenda Items into the record.

2.     **23-125**         A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2023-0608R)
  
3.     **RES**  
       **2023-121**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT WITH DRC EMERGENCY SERVICES, LLC TO PROVIDE EMERGENCY FOOD SERVICES FOR AN EXTENDED NINETY (90) DAY PERIOD PURSUANT TO RFP NO. 06-10-15-11.
  
4.     **RES**  
       **2023-124**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A WORK AUTHORIZATION WITH R.J. BEHAR & COMPANY, INC., A CONSULTING COMPANY FROM THE CITY'S POOL OF CONSULTANTS SELECTED THROUGH THE CONSULTANTS COMPETITIVE NEGOTIATION ACT (CCNA) RFQ NO. 03-25-20-02, FOR PROFESSIONAL SERVICES TO PROVIDE AS-BUILT DRAWINGS FOR THE EXISTING WASTEWATER TRANSMISSION LINE ON COPANS ROAD FOR INVESTIGATION PURPOSES.
  
5.     **RES**  
       **2023-126**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH WEEKLEY ASPHALT PAVING, INC. FOR THE RELOCATION AND REPLACEMENT OF CITY HYDRANTS AND VALVES ON COPANS ROAD.
  
6.     **RES**  
       **2023-125**         A RESOLUTION EXPRESSING OPPOSITION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION'S EXPANSION PLAN TO ADD FOUR (4) NEW LANES TO THE WEST OF THE CENTER LINE OF THE ROAD OVER A 5.5 MILE SEGMENT OF FLORIDA'S TURNPIKE/STATE ROAD 91 FROM ATLANTIC BOULEVARD TO WILES ROAD UNDER PROJECT NO. 442212-1.

**MOTION:** Welch/Wasserman – To approve Consent Agenda Items 2, 3, 4, 5, and 6.

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

**REGULAR AGENDA**

**Public Works Department**

7.     **RES**  
       **2023-120**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH VISUALSCAPE, INC. FOR LYONS ROAD MEDIAN IMPROVEMENTS PURSUANT TO IFB NO. 05-16-23-11.

Mayor Rydell read the Resolution title into the record.

**MOTION:**     Welch/Railey – To approve Resolution No. 2023-120.

Public Works Director Harry Mautte presented the item, explaining the project would enhance the Lyons Road median from Coconut Creek Parkway to Atlantic Boulevard. He noted it was the last remaining median section which had not been improved in the past 20 years. He discussed

consideration of project development on the design and noted past work with the vendor. Vice Mayor Welch thanked staff for including color in the design, and Mayor Rydell highlighted the advanced planning which had gone into the item.

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

### **Finance and Administrative Services**

8. **RES 2023-127** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH QUANTA TECHNOLOGY, LLC TO PROVIDE CONSULTING SERVICES RELATED TO AUTOMATED METER READING (AMR) AND ADVANCED METERING INFRASTRUCTURE (AMI) ENHANCEMENTS AND DEPLOYMENT PURSUANT TO RFP NO. 09-19-22-11.

Mayor Rydell read the Resolution title into the record.

**MOTION:** Welch/Railey – To approve Resolution No. 2023-127.

Finance and Administrative Services Director Peta-Gay Lake presented the item, noting the City currently had more than 12,000 water meters, which were read manually. She commented that the automation conversion would be more cost-effective and provide resources to identify leaks earlier and assist customers with proactively managing their water consumption. She briefly explained the process the consultant would follow.

Commissioner Wasserman asked whether some residents would be facing price hikes as it was possible water had been metered incorrectly. Ms. Lake stated this was correct and the new system would be more accurate as it would address the issue of older meters being slower. She explained the plan was to work with the consultant to also update the water rate study so that customers would not feel the effect of that change.

Commissioner Brodie asked whether the update took the employee that reads meters out of the equation. Ms. Lake stated the automated system would reduce the need to have meter readers, but staff would look at changing the roles of the existing employees.

Vice Mayor Welch noted this project had been pending for a number of years, and this step was just the beginning of getting to the end result of automated meters. She asked whether an employee or contractor was used to read the meters. City Manager Karen Brooks explained a contractor had been used for many years, but there were no longer companies that offered the service, so employees had been brought in to read meters part-time.

Mayor Rydell stated the existing system identifies high water usage weeks later, but the new system would provide a more real-time service to residents.

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

### **Sustainable Development**

9. **RES 2023-118** A RESOLUTION APPROVING THE ARUBA CONDOMINIUM ASSOCIATION, INC. APPLICATION FOR MATCHING GRANT FUNDS FROM THE NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM FOR SECURITY ENHANCEMENTS.

Mayor Rydell read the Resolution title into the record.

**MOTION:** Welch/Brodie – To approve Resolution No. 2023-118.

Commissioner Railey recused herself from the item and abstained from the vote due to a conflict as President of the Wynmoor Community Council.

Sustainable Development Director Scott Stoudenmire presented the item, stating the matching funds were requested in the amount of \$10,000 for security enhancements, and this was the fifth grant request for the program during this fiscal year. He noted staff recommended approval.

Mayor Rydell asked that staff outline the details of the program for the benefit of the public in attendance, and Mr. Stoudenmire summarized the grant program and eligible projects.

**Upon roll call, the Resolution passed by a 4-0 vote, with Commissioner Railey abstaining, a copy of which Form 8B is attached hereto and incorporated herein.**

10. **RES 2023-119** A RESOLUTION APPROVING THE ANTIGUA II NEIGHBORHOOD ASSOCIATION APPLICATION FOR MATCHING GRANT FUNDS FROM THE NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM FOR SECURITY ENHANCEMENTS.

Mayor Rydell read the Resolution title into the record.

**MOTION:** Brodie/Wasserman – To approve Resolution No. 2023-119.

Commissioner Railey recused herself for the item and abstained from the vote due to a conflict as President of the Wynmoor Community Council.

Mr. Stoudenmire stated the request was also for security enhancements in the amount of \$8,757.09 in matching funds from the grant program and staff recommended approval. Discussion ensued regarding the remaining budget available and efforts to promote the program in the community.

**Upon roll call, the Resolution passed by a 4-0 vote, with Commissioner Railey abstaining, a copy of which Form 8B is attached hereto and incorporated herein.**

City Attorney Pyburn explained the City's quasi-judicial procedures that would be applied to Agenda Items 11, 12, and 13. City Clerk Kavanagh confirmed that the public notice requirements had been met for Agenda Items 11, 12, and 13 and swore in the witnesses.

Mayor Rydell asked if there were any objections from the applicant, staff, Commission, or the public to hear Agenda Items 11, 12, and 13 together, as they were related, and there were no objections.

11. **ORD 2023-012** AN ORDINANCE APPROVING THE REZONING REQUEST MADE BY COOLIDGE, INC. TO AMEND AND RENAME THE EXISTING COCOMAR PLAZA PLANNED COMMERCE DISTRICT (PCD) TO THE GREYSTAR COCOMAR PCD AND TO REVISE DEVELOPMENT STANDARDS AND THE LIST OF PERMITTED AND SPECIAL LAND USES IN ORDER TO CONSTRUCT A LIGHT INDUSTRIAL, FLEX SPACE, AND WAREHOUSE DEVELOPMENT FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ATLANTIC BOULEVARD AND LYONS ROAD, LEGALLY

DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO AND MADE A PART  
HEREOF. (QUASI-JUDICIAL)(FIRST READING)(FIRST PUBLIC HEARING)

12. **ORD  
2023-013** AN ORDINANCE AMENDING 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 13-624, “MASTER BUSINESS LIST - PLANNED COMMERCE DISTRICT” TO ADOPT THE PERMITTED AND SPECIAL LAND USES FOR THE GREYSTAR COCOMAR PLANNED COMMERCE DISTRICT. (QUASI-JUDICIAL)(FIRST READING)(FIRST PUBLIC HEARING)
13. **RES  
2023-097** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF COOLIDGE, COOLIDGE, INC. FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ATLANTIC BOULEVARD AND LYONS ROAD, LEGALLY DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL)(PUBLIC HEARING)(TO BE CONSIDERED ON SECOND READING OF REZONING ORDINANCE NO. 2023-012)

City Attorney Pyburn read the Ordinance titles into the record, and Mayor Rydell read the Resolution title into the record.

Vice Mayor Welch made a motion to move Item 11 for discussion, seconded by Commissioner Brodie.

Vice Mayor Welch made a motion to move Item 12 for discussion, seconded by Commissioner Wasserman.

Commissioner Railey made a motion to move Item 13 for discussion, seconded by Commissioner Brodie.

Mayor Rydell asked Dennis Mele, Greenspoon Marder LLP, attorney for the applicant, Coolidge, Inc., to confirm that he was waiving the right to cross-examine witnesses who had submitted written comments and had submitted a written statement confirming this fact, and Mr. Mele confirmed, a copy of which is attached hereto and made a part hereof as Exhibit “1.”

City Attorney Pyburn asked if there were any applicable ex-parte communications or disclosures from the Commission for Items 11, 12, or 13, and the following disclosures were made:

- Commissioner Wasserman stated he had met with Jon Ahlbum and neighbors in February during his Commission campaign, residents Mark Martone and Henri Hage in July, and with the developer and their attorney.
- Commissioner Brodie stated he had met with the developer at City Hall, attended a community outreach meeting between the developer and the community, and had spoken briefly with Attorney Mele earlier in the day.
- Commissioner Railey stated she also spoke with the developer and their attorney and had attended the community outreach meeting. She noted she had met with a group of residents at the beginning of the week and had also had a discussion earlier in the day with Henri Hage. City Attorney Pyburn clarified the group of residents had included Mark Martone, Henri Hage, Stephen Goldrick, and Marianly Primmer.
- Vice Mayor Welch stated she had also met with the group of residents that City Attorney Pyburn had listed, as well as with Attorney Mele, project developer Herbie Klotz, and

- property owner Rodrigo Diaz.
- Mayor Rydell stated he had met and spoken with Attorney Mele and his client several times on Zoom and each call was logged with the City. He noted he had met with a group of residents in April that included Mr. Hallman, Ms. Allam, and Mr. Tavares, and had met with Mr. Martone, Mr. Hage, and Ms. Primmer on July 11. He stated he had been to the site and also received an email from Margate City Commissioner Antonio Arserio.

Sustainable Development Director Scott Stoudenmire presented the item and introduced Sustainable Development Assistant Director Justin Proffitt and Senior Project Manager Michael Righetti. He submitted resumes for himself, Mr. Proffitt, and Mr. Righetti, as well as the Goals, Objectives, and Policies of the City's Comprehensive Plan, as amended since 2007, for the record. He noted the City's Code of Ordinances, including the Land Development Code (LDC), was codified on Municode. City Clerk Kavanagh confirmed receipt of the items into the record.

Mr. Stoudenmire summarized the three (3) applications before the City Commission, explaining the applicant was seeking a rezoning and site plan approval to construct a light industrial flex space warehouse development, consisting of three (3) separate buildings totaling 383,905 square feet to be known as the Cocomar Logistics Business Park. He stated the 36-acre property was currently vacant and located at the northwest corner of the intersection of Lyons Road and Atlantic Boulevard. He explained the parcel had a Future Land Use designation of Commercial, and a current zoning of Planned Commerce District (PCD).

Mr. Stoudenmire provided a brief history of the property, noting the City Commission had approved what was then known as the Cocomar PCD in 2008. He stated that approval included a PCD and a site plan to include a Lowe's home improvement store with outdoor garden center, a two (2) story Kohl's department store, and up to an additional 68,351 square foot outparcel development near the intersection. He stated the site plan and PCD zoning were still in effect and had not expired.

Mr. Stoudenmire explained the new applications proposed to rezone the property to provide new development regulations, a new list of permitted uses, an amendment to the LDC to allow the new uses in the City Code, and site plan approval for the proposed development. He clarified that the proposal did not include the approximately 10 acres at the west end of the site under the jurisdiction of the City of Margate. He noted this area was included in the previous applications from 2008.

Mr. Stoudenmire stated that prior to the meeting, multiple meetings and reviews by the City's Development Review Committee (DRC) were held to review and discuss comments on all of the applications. He noted the applications went through five (5) rounds of DRC reviews over a period of 13 months; and in April 2023, the applications went before the Planning and Zoning Board. He stated that the Planning and Zoning Board had recommended approval, subject to conditions. Mr. Stoudenmire explained the applicant had also held public outreach meetings in September 2022, May 2023, and on July 12, 2023. He noted a summary of the first two (2) meetings was included in the backup materials, and the applicant would provide additional detail on the July 12 public outreach meeting during their presentation.

Mr. Stoudenmire summarized that staff had reviewed the applications pursuant to the City's LDC and Comprehensive Plan and recommended approval subject to the Commission finding that the proposed business uses were deemed appropriate and subject to the conditions listed in the Rezoning Ordinance and Site Plan Resolution. He clarified that the findings of the Commission as to the uses being deemed appropriate was a requirement of the City's Comprehensive Plan. He reviewed the 2014 Ordinance, which amended the permitted uses in a Commercial Land Use

Category to include wholesale, storage, light fabricating, and warehouse uses if deemed appropriate by the City. He discussed efforts that could be taken to make a particular use appropriate for a site.

Mr. Mele presented on behalf of the applicant, and began a *PowerPoint* presentation, showing images of the design masterplan consistent with the PCD approved in 2008 and the proposed site plan for the new warehouse development.

Herbie Klotz, Development Director, Greystar, provided a brief overview of the three (3) public outreach meetings hosted by the developer. He asserted the team had taken the input of the residents very seriously and stated it had been crystal clear that the proposal needed to be adjusted according to the feedback received. He discussed ways in which the project was amended as a result, including landscaping considerations, and options that were shared with the residents regarding the location of the buffer wall, including keeping it on the north property line or pulling it south. Mr. Klotz stated additional meetings were planned to further discuss the wall to screen residential properties from the traffic on Lyons Road. He noted the potential for an additional wall west to Banks Road for consistency along the property line. He reviewed plans for landscaping prior to the start of construction and shared commitments to support and partner with several Coconut Creek non-profit organizations. He closed by thanking the neighbors for their feedback, comments, and directions to fundamentally transform the proposal.

Mr. Mele explained the site had existing zoning and a site plan in place, and as a result, the presentation was a comparison between the zoning that the applicant already had, and what was proposed. He noted the intent was to show the current proposal had far less impact than what was already approved.

Mr. Mele referenced the recently adopted Senate Bill 102, known as the “Live Local Act,” and explained the provisions of the law for affordable residential development without any public hearings. He stated the property owner, Rodrigo Diaz, would be discussing a proposal he received to purchase the property for a development under that act. He briefly pointed out the property tax reductions which came with this type of development. Mr. Mele stated as a result of the legislation, there were three (3) options available on the property at this time, including the proposed project, the previously-approved project, and an affordable housing residential development under the “Live Local Act.” He continued with a review of the proposed green space and landscaping. Mr. Mele commented that, based on the discussion and feedback received at the third community outreach meeting, a proposal to move the buffer wall 12 feet south could be integrated between first and second reading.

Mayor Rydell asked for clarification on what was being offered, and Mr. Mele stated an easement or fee simple title could be conveyed as long as it did not adversely affect the plan. He noted his experience with similar conveyances in other projects he had worked on. He added that the idea had not been reviewed by staff, as it had come out of a public meeting the previous evening.

Mr. Mele reviewed line-of-sight renderings from each angle, discussed buffers and landscaping planned for each area, as well as the buffer wall, a meandering walking trail in addition to the existing sidewalks, public art piece, and a solar tree.

Mr. Mele reviewed the traffic study briefly. He discussed the property rights element required by State law and noted a reduction in total trips with the proposed plan as compared to the previously approved project. He explained that with the “Live Local Act,” more than 800 residential units could be placed on the property. Continuing, Mr. Mele discussed the fiscal impact of each proposal, including property taxes to the City, County, and School Board, one-

time revenues, and creation of jobs. He addressed the homeless encampment on the site and noted ongoing issues as a result. He stated with the construction concentrated next to the canal, that encampment would no longer be on the site.

Mr. Mele provided for the record a list of 85 emails, letters, and petitions in support of the project, accompanied by copies of the documents. Mr. Mele stated the Diaz family had purchased the property in 1983 and noted they previously owned what is now Coco Palms (sold in 1991), Vista Verde apartments (sold in 2001), and had dedicated the southern part of Windmill Park to the City in 1985. He briefly discussed past Coconut Creek developments that had resulted in large community response and which were now positive additions to the City.

Mayor Rydell opened the public hearing on Items 11, 12, and 13 together.

Jamie Redmond, 4320 NW 12 Street, Coconut Creek, commented that projects were being built and may remain unoccupied. She commented on potential issues with traffic, including how tractor trailers would access the site during morning hours. She commented that the developer kept talking about what they were allowed to do and asked why they had not done it.

Resident Jorge Mederos commented on “jake brakes,” and shared two (2) audio clips of the brakes used to slow tractor trailers while minimizing the use of their brakes. He stated 18-wheelers would be arriving on site at night and asserted that he questioned the idling rules being imposed as part of the development.

Resident Angelina Mederos yielded her time to Mr. Mederos. Mr. Mederos stated he had originally supported the project due to the tax revenue but found a disproportionate number of residents would be adversely impacted.

Mark Martone, 4770 NW 9 Street, Coconut Creek, requested 15 minutes to speak to share a *PowerPoint* presentation, outlining his concerns with the project. Mayor Rydell explained the time provisions for public comments during quasi-judicial proceedings, and the following residents yielded their time to Mr. Martone:

Wanda Calix, 850 Banks Road, Coconut Creek;  
Ariel White, 670 NW 49 Avenue, Coconut Creek;  
Perry Egelsky, 4958 NW 6 Street, Coconut Creek; and  
Carlos Silva, 680 NW 49 Avenue, Coconut Creek.

Mr. Martone commented that concerns related to the elementary school and church nearby had not been addressed and noted that six (6) residential communities surrounding the project would be impacted. He discussed projected ingress and egress of truck traffic. He commented the perspectives shown in Mr. Mele’s presentation were not accurate and landscaping would take 100 years to grow to match what was shown. He commented that a gas station could not be placed in the center of residential communities, no matter the buffer. He asserted added buffers did not answer the questions from residents and staff. Mr. Martone’s presentation was submitted into the record.

City Attorney Pyburn confirmed that Mr. Mederos’ presentation was also made a part of the record. City Attorney Pyburn stated that Rachel Tabacnic had submitted a written comment and also signed in to speak. She gave the option to speak publicly or have her written comment read into the record. Ms. Tabacnic chose to speak, and City Attorney Pyburn noted the written comment would be made a part of the record.



Rachel Tabacnic, 3830 Lyons Road, #203, Coconut Creek, commented that she loved to see Coconut Creek growing. She commented that what Greystar had planned would benefit the community and bring in additional employment opportunities.

Roni Saiegh, 1130 Coconut Creek Boulevard, Coconut Creek, stated he had been part of Junior Achievement for two (2) years, and through that program had been connected with Greystar and their summer internship program. He discussed the experience he had gained through his internship and asked the Commission to vote in favor of the project.

Yuri Quispe, 9092 Kings Moor Way, Lake Worth, sought additional time, and Peter Sheridan, 759 NE 4 Avenue, Fort Lauderdale, yielded his time to Mr. Quispe. Mr. Quispe discussed his experience facilitating communication between developers and residents on other projects. He addressed concerns related to property values and empty buildings in other locations, noting strategic efforts took place behind the scenes to have the most financial benefit to the community. He commented on concerns with truck noises and pointed out that the next generation of electric vehicles was coming to commercial trucks. He stated Greystar had a track record of caring about the community. Mr. Quispe shared three (3) posters depicting similar projects in the area, which were submitted into the record.

Austin Judd, 405 NE 2 Street, Fort Lauderdale, spoke representing Greystar. He stated that as a result of community input this project had been evolving constantly since it was first proposed. He noted the “Live Local Act” removed the voice of the people, and he was not a fan of that process. He pointed out that if the project was not approved, something else would likely be built on the site.

Stephen Goldrick, 685 NW 49 Avenue, Coconut Creek, stated he had not received notice of the public meeting by mail. He commented that he had been a professional truck driver for 25 years, and traffic was already a nightmare on Lyons Road. He commented that the project would add more trucks to an already busy road. He questioned how trucks would navigate the proposed ingress and egress, expressed concern with the safety of local children, and discussed facilities for parked trucks.

Henri Hage, 671 NW 48 Avenue, Coconut Creek, commented that the moment you enter Coconut Creek you see a sign that reads, “Butterfly Capital of the World;” but if the project moved forward, a massive industrial structure would be the first thing seen. He commented that the project did not belong near the main entrance to the City or in a residential neighborhood. He added that it was speculative, so it would result in an empty building.

Roberto Pesant, 1111 Brickell Avenue, Miami, spoke representing the land owner. He stated the property was under contract and was not being advertised, but they were receiving a large number of unsolicited calls from residential developers interested in building a high-density residential project on the site under the “Live Local Act.” He noted the density was highly desirable for developers in the area.

Julie Price, 4784 NW 5 Court, Coconut Creek, shared that she had long built up the landscaping on her property to protect herself from a potential neighboring development. She commented that as a homeowner on the property line, she had experiences that left her feeling the property behind her was unsafe due to the homeless population. She noted that she was most interested in the proposed project and thanked Greystar for having the neighborhood’s concerns in mind.

Rodrigo Diaz, 1425 Brickell Avenue, Miami, stated he and his family had owned the property since 1983. He explained the wide number of proposals received for the property over the years,

and that they had filtered through and determined that Greystar was the best to work with. He discussed their portfolio briefly and stated why Greystar would be best for the community.

Marianly Primmer, 4785 NW 7 Manor, Coconut Creek, stated she lived in Coco Palms with her children. She commented that she understood the property owner had a right to develop the property, but amending the zoning would bring traffic, endanger lives, and essentially turn their backyards into a truck stop. She commented that the entrance and exit were among the most concerning points of the development, due to school traffic and the school bus stop. She commented the site was an accident waiting to happen.

Jon Ahlbum, 660 NW 49 Avenue, Coconut Creek, yielded his time to Ms. Primmer. Ms. Primmer stated stipulations on the lease agreement not allowing trucks to idle did not mean anything. She noted Mr. Mele had said 85 people supported the project, but there were more than 700 people who had signed a petition against it. She stated the residents wanted more tax revenue for the City but thought there were better ways to do it.

Lewis Stoneburner, 788 East Las Olas Boulevard, Suite 201, Fort Lauderdale, spoke representing Greystar. He thanked the neighbors for their time and stated the company did not take these projects lightly. He asserted they took a collaborative approach and empathized with those who do not support it. He noted that feedback helps to build a better project for everyone as they integrate the feedback into an economically viable project that would stand the test of time. He discussed the project's compatibility and benefits to the community.

Melissa Castaneda, 620 NW 43 Avenue, Coconut Creek, commented that residents had previously brought up their concerns on the project, but the Commission voted to proceed. She expressed concern with developing an open space that served as a water reservoir for rain. She commented that they did not know if homes would be flooded if the property was developed. She discussed the homeless encampment briefly and commented that the residents had been failed.

Mayor Rydell invited comments from any members of the public who had not signed in to speak.

Cathy Green, 4767 NW 5 Court, Coconut Creek, commented her house would look at the buildings, and she had no problem with that, considering the alternatives. She added that she approved of the proposed development.

Lorena Castaneda, 1060 NW 45 Avenue, Coconut Creek, commented that there was blatant disrespect demonstrated by the development team at this and previous meetings and that most of those who spoke in support of the project did not live in the area. She asserted the residents want a better study of the potential impacts before allowing any development to move forward.

Mayor Rydell clarified that this was the first time this issue had come before the Commission.

Sharon Stennett, 554 NW 47 Lane, Coconut Creek, commented that she loved the community of Coconut Creek and felt they do a phenomenal job; but with all the industrial development, she was getting a little disenchanted. She asked what the community should expect during the construction phase and pointed out it was difficult to get out of the neighborhood because of traffic. She stated she would have preferred to see a residential development.

With no further live public comment, City Clerk Kavanagh read the following advanced written comments submitted via email into the record, attached hereto and made a part hereof as Exhibit "2."

Grace Allen, on behalf of the Cocopalms Homeowners Association Board of Directors, wrote in objection to the proposed project, stating a logistics park adjacent to residential properties did not fit with the goals and priorities of the City of Coconut Creek. The Board wrote regarding concerns with trucks, traffic, property values, pollution, and noise, as well as with the image of the property as the first thing seen when entering Coconut Creek. Attached to Ms. Allen's email, City Clerk Kavanagh read a petition in opposition to the project and stated it was signed by 66 individuals.

Ana Arestegui wrote in objection to the proposed project, expressing concern about an industrial use adjacent to residential, traffic, and safety.

Diane Banni wrote in objection to the proposed project, asking that the Commission protect Cocomar and not give any more of the City to developers.

Mildred Coyne, Broward College, wrote in support of the proposed project. She stated Broward College cultivates partnerships with industry leaders that focus on education, community involvement, and sustainable development, and noted that Greystar had been unwavering in its commitment to these shared values. She explained a Memorandum of Understanding had been created, and students would benefit widely.

Kathleen Crotty wrote asking that the Commission vote no. She stated she had watched the growth of the City and enjoyed seeing it continue as a family-oriented community. She asked that a better use of the land be sought.

Briana Drabik, 3773 Woodfield Drive, Coconut Creek, wrote in support of the proposed project. She stated the land had long been empty and the project was overdue, as it was a win-win for the community.

Joan French forwarded a link to an article on the Community & Environmental Defense Services website regarding warehouses.

Max Gordon wrote in objection to the proposed project, following the Planning and Zoning Board meeting on the proposed development. He noted Coconut Creek was the "*Butterfly Capital of the World*" and a well-planned City with a focus on unique environmental consciousness. He commented that the City was a top place to live because of its green spaces and upscale neighborhoods. He detailed the history of the site and commented the project was not compatible with the City's vision.

Sonia Grunbaum, 4384 NW 41 Place, Coconut Creek, wrote in support of the project. She stated it was important to consider the entire constituency, and that Cocomar Industrial Park was the right choice for Coconut Creek.

Dawn Hanna wrote in opposition to the project. She asked that development not be allowed on the property.

Linda Barrio wrote in objection to the proposed project, commenting that residents and environmentalists had fought hard to prevent Kohl's and Lowe's going into one of the last remaining hardwood hammocks in Broward County. She stated the project would impact an important site, and the addition of a solar tree would hardly make up for the loss of so much nature.

Dan and Joanne Laak, 3601 Cocoplum Circle, Coconut Creek, wrote in support of the project. They wrote that the revenue from development of the valuable property would be beneficial to

the community and would be more aesthetically pleasing.

Kerri Lichty, 3205 Portofino Point, C2, Coconut Creek, wrote in support of developing the vacant site. She stated some neighbors would prefer nothing was built on the site, but that was not a realistic option.

Fernando Mazaira, 4910 NW 55 Court, Coconut Creek, wrote in opposition to having an industrial use adjacent to the residential neighborhood and stated he hoped it was not approved. He stated it was not responsible urban planning and highlighted potential adverse effects. He asked that the Commission consider alternative solutions that would maintain the residential area.

Ryan Meldrum, 641 NW 48 Avenue, Coconut Creek, wrote in opposition to the Greystar development. He asked that the Commission vote no, as he did not believe it was in the best interest of the residents. He asserted traffic was being underestimated and expressed concern for trees, drainage, and property values.

Jorge and Gloria Mera, 540 NW 47 Avenue, Coconut Creek wrote in objection to the rezoning, stating the plan was contrary to the Future Land Use map published in Vision 2030 and mixed land use would be more appropriate. They expressed concern with industrial traffic.

Roody Numa, 514 NW 47 Avenue, Coconut Creek, wrote in support of the proposed project. He urged approval of the project, noting he was opposed until he saw the efforts Greystar was making to meet the needs of the residents. He stated numerous concessions had been made, and the homeless encampment was unsafe.

Mariane DiPierro Pavelic, 4501 Glenwood Drive, Coconut Creek, wrote in opposition to the proposed project. She wrote that the development would be 1,100 feet away from her home, and noted the noise of the truck traffic and commercial nature of the site.

Gail Sinclair Rogers, 661 NW 48 Avenue, Coconut Creek, wrote in opposition to the proposed development. She stated anyone visiting the area would see that traffic was already an issue, and warehouses would make it unsafe.

Jennifer Sabo wrote in opposition to the proposed project. She commented that approval of the development would contradict everything the City of Coconut Creek preaches. She expressed sadness Coconut Creek had lost its focus if they allowed the development.

Sharon Smith wrote to ask the Commission to vote no on the project.

Claudio Soares, 4101 Coral Tree Circle, Apartment 317, Coconut Creek, wrote in support for the proposed project, noting there would be additional jobs and tax revenue. He stated the site was zoned commercial and was not a City park for residents to enjoy. He urged the Commission to support the project.

Joseph Tavares, 4775 NW 5 Place, Coconut Creek, wrote in opposition to the rezoning, noting the impacts to surrounding neighborhoods related to quality of life, property values, and safety.

Scott Thomas wrote in opposition to additional development in the City due to strain on infrastructure and increased traffic and crime.

Margaret Trimino wrote in opposition to the proposed project. She commented that the area was

residential and a change would cause extreme safety issues, as well as additional traffic, noise, and damage to wildlife.

Helen Weissman wrote in support of the proposed project, noting her expertise in Broward County-based commercial real estate. She shared regarding the unprecedented demand for this type of development throughout south Florida and urged approval of the project as a benefit to the market in the City and Broward County.

Emily Wirley, 3150 NW 42 Avenue, Apartment E406, Coconut Creek, wrote in support of the proposed project. She stated it had been vacant for a long time and attracted the homeless population, and noted the project was attractive and would create revenue growth for the City without an increased traffic burden.

Brian D. Albaum, Esq., Law Offices of Tucker & Lokeinsky, representing Cocopalms Homeowners Association, Inc., wrote in opposition to the development citing the concerns of the HOA.

City Clerk Kavanagh read a petition in support of the development project into the record, attached hereto and made a part hereof as Exhibit “3,” signed by Matthew Cutler, Maria Florez, Jarrett Hasannah, Amalia Irizarry, Maria Isaza, Savannah Jessler, Alana Lewis, Nicole Ortega, Katherine Owens, Alana Pearlman, Ricardo Pena, Gladys Rodriguez, Jennifer Rollins, John Seminario, David Stephens, Monica Trepiccione, and Morgan Welker.

City Clerk Kavanagh read a second petition in support of the development project into the record, attached hereto and made a part hereof as Exhibit “4,” signed by Krystina Annis, Sophie Berger, Ian Brundrett, Alison C., Kaylee Deloian, Briello Florio, Veronica Giron, Jadn JeourJorcques, Anita Lattery, Michayila Lafontant, Lydia Melchior, Brayan David Mora, Jaheily Peralta, Yen Phen, Bruna Pinto, Valeria Rodriguez, Laura Rosa, Georgina Vaela, and Kim (no last name provided).

City Clerk Kavanagh read a letter of support for the development project into the record, attached hereto and made a part hereof as Exhibit “5,” signed by Michelle Ferro and Shane Francis.

City Clerk Kavanagh read postcards in opposition to the proposed project into the record, attached hereto and made a part hereof as Exhibit “6,” received from Phil and Dawn Barrett, Linda Kauthen, J. Rogliano, and Sedley Lawrence.

City Clerk Kavanagh played two (2) voicemails received in advanced of the meeting, as follows:

Maureen Schaal spoke in support of the proposed project and outlined reasons she thought it would be a benefit to the community, including job creation, tax benefits, and growth.

Lissette Cherill, 4743 NW 7 Manor, Coconut Creek, spoke in opposition to the proposed project, citing noise, traffic, and air quality among the reasons.

City Clerk Kavanagh confirmed this was a full recitation of all of the advanced public comments submitted for the hearing.

There were no further questions or comments from the public, and Mayor Rydell closed the public hearing.

Staff had no closing remarks.

Mr. Mele provided closing remarks in response to public comments regarding access points, industrial demand, traffic and truck traffic, the protections provided by conditions of approval, perspective photos, and the previously-approved commercial project. He reiterated that the zoning and land use of the property was commercial, not residential, and stated it had been for 40 years.

Mr. Mele explained the hardwood hammock argument had been proven false in 2008 when the same claim was made. He noted the environmental study that was undertaken, explaining there were no endangered animals or plants on the site, and the small area of wetlands was being preserved and enhanced in the proposed plan. Continuing, Mr. Mele stated the *PowerPoint* presentation shown by Mr. Martone had referenced only the first round of DRC comments but had not acknowledged that those items were addressed through subsequent reviews. He noted that a total of five (5) rounds of DRC comments had been issued, and the committee had recommended approval.

Mayor Rydell opened the Commission discussion.

Commissioner Wasserman spoke to the requirement for the Commission to make a finding that the change to the PCD would not create an isolated zoning district that was not compatible with the surrounding area. He stated the residential neighborhoods and community facilities nearby were not compatible with a change to light industrial. He spoke about the intersection at Atlantic Boulevard and Lyons Road and commented that the change would create additional congestion. He stated the residents had brought up many arguments that the project would adversely affect their living conditions, including impact on them coming and going, walking to school, as well as daily life due to traffic and noise. Commissioner Wasserman commented on the letter from a Commissioner in a neighboring City, who was not in support of the development, and said they had not been spoken to about the project. He commented that once land was developed, it was hard to go back, and stated he was also concerned about what else could happen on the site.

Commissioner Brodie stated the Commission had received a lot of emails and phone calls and noted he understood everyone's concerns. He commented that he had been in the area many times, and the most impactful thing for him was to see the homeless population going to sleep there. He noted Ms. Price's comments regarding her safety, and stated it was not going to get better without solutions. Commissioner Brodie discussed fears that come up in relation to new developments, and stated his feeling was that the developer had gone out of their way to make people comfortable. He noted a recent report that showed the number of empty properties in Coconut Creek was well below average. He stated development of the property could not be stopped, and this project was the best middle ground the neighborhood was going to find. He noted the non-native vegetation on the site and stated he was looking for the win-win for Coconut Creek.

Commissioner Railey stated what stood out most in her mind were the schools, parks, and residential area at the corner. She commented on the current traffic in the area and noted that adding more truck traffic was an issue. Commissioner Railey stated the issues with the homeless population were heart wrenching, but they also had to consider the surrounding area. She noted she would not mind seeing an office building there.

Vice Mayor Welch expressed appreciation for all of the residents who had come out in earnest to learn more about the project and to share their thoughts. She stated initially she saw the project resulted in less trips and less impact on emergency services than what could be there, but truck trips and car trips were different. She discussed the ingress and egress from the site, and noted the space needed a truck turn. Vice Mayor Welch stated she was not able to confirm the school

bus stops on Banks Road but had been told there were two (2). She added that it would be awkward for buses to be stopping at the same place as trucks needing to turn. Vice Mayor Welch stated she had an issue with the logistics of tractor trailers accessing the truck bays on site. She added that she wished that a traffic light could be considered. Mr. Mele stated the developer would post a bond and pay for the traffic light if it were approved. Mr. Stoudenmire explained it was a difficult process when the light was found to be not warranted. Vice Mayor Welch stated she was surprised to hear the developer offer the additional 12 feet for the buffer wall. She noted she didn't know how the residents felt about it, but felt it was generous. Vice Mayor Welch referenced concerns with trucks idling and asked whether there would be security or locked gates on site outside of regular hours. Mr. Mele stated the condition against idling existed on other projects in the City, and it appeared to be working. He added that if there was a security measure that the City wanted, the developer would implement it. Vice Mayor Welch stated there were a lot of plusses with the concessions, but a lot of negatives associated with the truck traffic without a traffic light.

Mayor Rydell noted for the record that Margate staff had input in the DRC process. He stated there was a disconnect between the staff input and Commission input and pointed out that the adjacent Margate parcel that was not included in the proposed development. He stated there may be a change to the analysis related to a traffic light if the parcel were included.

Senior Project Manager Michael Righetti stated it would be helpful to have the applicant's traffic engineer identify what the warrant analysis would consist of. He pointed out Atlantic Boulevard was a State road with signals owned and operated by Broward County, and Lyons Road was a County Road. Mayor Rydell stated the safety issues surrounding the homeless encampment was not something he had anticipated in this discussion. He noted the responsibility of the property owner and stated the City should be involved. Mr. Mele highlighted issues with a similar situation at a site owned by the County in Pompano Beach, noting homeless populations were moved, but they returned a few days later. Discussion ensued, and Mr. Mele responded that the property owner was willing to coordinate with the Police Department to address the issue right away. Mayor Rydell spoke to the developer's offer to move the buffer wall 12 feet, commenting he had not seen a developer offer to give adjacent owners land. Discussion ensued regarding the homes impacted along the property line. Mr. Mele explained the intent was to work out the details of the issue between first and second reading.

Mr. Mele discussed his experience trying to get a traffic light based on a projection of traffic. He reiterated that the developer was willing to put up a bond and pay for the light if it was determined to be warranted.

Mayor Rydell stated he had a tremendous amount of concern with trucks driving along the educational corridor on Coconut Creek Parkway and Lyons Road. He asserted he also had concern with the number of users, and the lack of control the City had over tenants. Mayor Rydell asked the maximum height of what was currently approved. Mr. Stoudenmire stated the maximum height of Kohl's was 43 feet and the height of Lowe's was 49 feet. Mayor Rydell inquired as to whether a project that included the Margate parcel could have the entrances and exits moved to that parcel. Mr. Stoudenmire confirmed there were platted access points on that piece of land. Mayor Rydell commented on the currently planned entrance and exit and posited whether some reevaluation of the plan could move the entrance west. Mr. Stoudenmire responded that he could not answer that question with any certainty. Mr. Mele stated that parcel was closer to the Banks Road intersection and less likely to get a light approved than the planned entrance. Mayor Rydell stated the excess truck traffic was significant to him. He noted that the relationship with Margate was also a consideration, and this node was theoretically an entrance to both cities. Discussion ensued regarding other shared entrances between the two (2)

cities and proactively addressing the homeless encampment on the site.

Commissioner Railey stated that care be exercised in approving development, as it lasted a lifetime. She asked the applicant for additional clarification on the 12 foot buffer. Mr. Klotz explained that the discussion of the buffer had been a large part of the previous evening's outreach meeting. He noted the development team had been crystal clear that consensus was needed among the impacted residents to move forward with the idea.

Vice Mayor Welch stated she took exception to the reference to the possibility of a residential project under the "Live Local Act," because when she spoke to staff, the reference point she was given was 10 units per acre, not 800 units. Mr. Mele noted that was not the highest density in Coconut Creek. Mr. Stoudenmire stated the legislation had only become effective July 1, and everyone was still evaluating it. He asserted no one could say for sure what the maximum allowable density would be on the parcel, but the factor of removing the local government from the equation was real. City Attorney Pyburn added additional clarification that there would be a requirement that the project was mixed-use, not all residential, if it were built under the "Live Local Act." Mr. Mele stated a minimum of 65 percent residential was required, and there was no minimum commercial percentage. He asserted that was not what the applicant wanted to do, but every different alternative tried was rejected by the neighborhood. He reviewed past projects briefly and stated the "Live Local Act" was what was left.

Commissioner Brodie asked what the tax deferral under a "Live Local Act" project would be, and Mr. Mele stated it was 30 years. Commissioner Brodie asked whether the application should be deferred to the next meeting. Discussion continued regarding deferral.

Mr. Mele stated if the item was deferred, the applicant would meet with the City and neighbors in the intervening period to work out some of the outstanding concerns.

Commissioner Railey commented that her concern was that the traffic patterns could not be changed. She suggested something be done with the height and the bays. Attorney Mele asserted that the applicant had heard the concerns and understood what needed to be looked at.

Vice Mayor Welch stated she would like to give the applicant an opportunity to make changes to make the project more compatible. Discussion continued regarding traffic patterns.

Commissioner Wasserman asked for additional clarification on the process for getting a traffic light. Mr. Stoudenmire stated without the project being built, the chances were slim, but a traffic analysis following the construction was possible. He noted the project had reduced traffic compared to what was previously approved. Mr. Righetti provided additional detail regarding the patterns of distribution of traffic in the site plan. He pointed out the applicant had agreed to put up a bond to pay for the design and construction of a traffic signal at the intersection in case it was determined it was warranted. He explained the thresholds for the criteria were clear engineering standards.

Mayor Rydell stated he agreed with Commissioner Railey that the traffic patterns and truck traffic were not going to change. He noted the City had never had a developer offer land to the neighboring residents, and he believed the residents should be given an opportunity to have good faith discussions regarding the option.

Commissioner Railey thanked Mr. Mele and the developers for trying to do the best they could for the community. She stated the majority of the issues could not be changed and asked whether it was fair to let the 14 residents impacted by the wall decide the fate of the



neighborhood.

**MOTION:** Welch/Brodie – To table items 11, 12, and 13 to the September 14, 2023, meeting.

**Upon roll call, the Motion passed by a 3-2 vote, to table items 11, 12 and 13 to a date certain of September 14, 2023, with Commissioner Wasserman and Commissioner Railey voting nay.**

Mayor Rydell stated all oral and written comments from the meeting would be made a part of the record for the September 14 meeting, along with any subsequent comments received.

## **CITY MANAGER REPORT**

City Manager Brooks sought consensus to submit rates to the Broward County Property Appraiser's office for the annual TRIM notices. She stated as it related to the Millage Rate, staff recommended submitting the current Millage Rate of 6.4463 mills to be advertised on the TRIM. Mayor Rydell clarified that the rate was not the roll back rate, but the current rate, and no increase in millage was being proposed.

City Manager Brooks stated the staff recommendation for the Fire Assessment Rate was a 10 percent increase as prescribed by the fire assessment study. She explained that for a single-family residence, the assessment would go from \$257.40 to \$283.14, the multi-family rate would go from \$231.66 to \$254.83, and mobile home parks would go from \$128.70 to \$141.57.

City Manager Brooks explained the staff recommendation for the Solid Waste Assessment was a 15 percent increase from the current single-family rate of \$329.70 to \$380.40. She noted this rate would allow for transport to the south Wheelabrator facility if the Commission chose in the future. She stated the Commission would have the opportunity to approve a lower rate during budget hearings but would not be able to increase from that number. Consensus was given for staff's recommendations for the Millage Rate and Fire Assessment Rate to be advertised in the TRIM notice.

Mayor Rydell stated he did not support a 15 percent increase to the Solid Waste Assessment rate and asserted there needed to be a larger discussion on the matter. Commissioner Brodie agreed. City Manager Brooks clarified that this was not determining the final rate, but providing notice to the public of the maximum possible rate. Discussion ensued. Finance Director Peta-Gay Lake and City Manager Brooks provided additional detail on the rates provided by the City's waste hauler, Republic Services, and hauling costs. City Manager Brooks noted consensus to submit staff's recommendation for the Solid Waste Assessment Rate to be advertised in the TRIM notice.

City Manager Brooks shared the results of the recent employee survey, reporting there had been a response rate of 71 percent. She noted the results were overall positive, with opportunities for improvement identified including health insurance, compensation, professional leadership development, and growth opportunities. She stated there were also department-specific concerns raised, and meetings with each Commissioner will be scheduled once staff had fully evaluated the results. Commissioner Brodie suggested a third-party human resources consultant or attorney be brought in to evaluate the results. City Manager Brooks agreed to explore that option. Mayor Rydell stated the Commission needed more clarity on the issues, and then could choose how to move forward as a Commission.

**CITY ATTORNEY REPORT**

City Attorney Pyburn provided an update on the Seminole compact with the State of Florida. She stated there was an opinion issued, wherein the United States Court of Appeals reversed the District Court decision regarding online sports betting. She reviewed the decision briefly and noted at this point, the Compact from 2021 remained. City Attorney Pyburn stated she and Assistant City Attorney Eve Lewis had spoken at the Florida Municipal Attorneys Association conference in Boca Raton the previous week regarding contract drafting and that they were well-received and she thanked the Commission for their support.

**COMMISSION COMMUNICATIONS**

Commissioner Wasserman highlighted three (3) members of the Police Department who were in the Pride parade and commented he was grateful for the City’s inclusive culture. He noted he had spoken with Community Relations Director Yvonne Lopez regarding the City’s social media presence and using the Commission more to share information, and there was Commission consensus. Commissioner Wasserman stated the issue of building an aquatic center had come up several times recently and asked if there had ever been consideration of developing a relationship with the Township regarding their pool. City Manager Brooks stated there was nothing that she was aware of and noted they had tried to build a partnership regarding the theater without success. Mayor Rydell noted there was a Coconut Creek swim team that was based at the Township aquatic center.

Commissioner Brodie shared that the owner of the company he worked for recently passed away following a short battle with cancer. He stated it had reminded him of the fragility of life and encouraged everyone to cherish the moments in their lives.

Commissioner Railey thanked everyone for the birthday wishes and wished Chick Chase a happy 100<sup>th</sup> birthday. She thanked staff for speaking at Wynmoor regarding the potential to use of the Coconut Creek Police Department for traffic management within Wynmoor.

Vice Mayor Welch highlighted the Ambassador Program earlier in the evening and the robust discussion. She noted there would be a community meeting to discuss the Spitfire Equestrian Farm at the end of the summer.

Mayor Rydell encouraged the Commission to visit the Farm if they had not been to the site.

**ADJOURNMENT**

The meeting was adjourned at 12:40 a.m.

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Joseph J. Kavanagh, MMC  
City Clerk

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Date