

MINUTES
BROWARD COUNTY PLANNING COUNCIL
April 23, 2015

MEMBERS Anne Castro, Chair
PRESENT: Commissioner Michael S. Long, Vice Chair
Mayor Daniel J. Stermer, secretary
Commissioner Richard Blattner
Commissioner Angelo Castillo
Michael Friedel
Commissioner Michelle J. Gomez
School Board Member Patricia Good
Vice Mayor Martin D. Kiar
Vice Mayor Rita Mack
Commissioner Shari L. McCartney
Robert McColgan
Bernard Parness
Mayor Michael J. Ryan

MEMBERS Neal R. de Jesus
ABSENT: Commissioner Bill Ganz
Mary D. Graham
Nicholas Steffens

ALSO Barbara Blake Boy, Planning Council Executive Director
PRESENT: Andy Maurodis, Legal Counsel
Nancy Cavender, The Laws Group

A meeting of the Broward County Planning Council, Broward County, Florida, was held in Room 422 of the Government Center, Fort Lauderdale, Florida, at 10:00 a.m., Thursday, April 23, 2015.

(The following is a near-verbatim transcript of the meeting.)

CALL TO ORDER:

Chair Anne Castro called the meeting to order.

CHAIR CASTRO: Okay. We're going to call this Broward County Planning Council regular meeting and Public Hearing for April 23rd to order.

PLEDGE OF ALLEGIANCE:

CHAIR CASTRO: Please, if everybody would stand for the Pledge of Allegiance, Mayor Stermer will lead us.

(THE PLEDGE OF ALLEGIANCE WAS LED BY MAYOR DANIEL STERMER.)

ROLL CALL:

CHAIR CASTRO: Thank you for everybody being punctual. Next, we're going to do the roll call, and we have Nancy doing the minutes here today and also the roll call, please.

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Here.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes.

THE REPORTER: Mr. Neal de Jesus. Mr. Michael Friedel.

MR. FRIEDEL: Here.

THE REPORTER: Commissioner Bill Ganz. Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: Here.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Here.

THE REPORTER: Ms. Mary D. Graham.

CHAIR CASTRO: Ms. Graham was supposed to be phoning in. Ms. Graham, are you on the line yet? No. Go ahead. Thank you.

THE REPORTER: Vice Mayor Martin Kiar.

VICE MAYOR KIAR: Here.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: Here.

THE REPORTER: Vice Mayor Rita Mack.

VICE MAYOR MACK: Here.

THE REPORTER: Commissioner Shari McCartney.

COMMISSIONER MCCARTNEY: Here.

THE REPORTER: Mr. Robert McColgan.

MR. MCCOLGAN: Here.

THE REPORTER: Mr. Bernard Parness.

MR. PARNESS: Here.

THE REPORTER: Mayor Michael J. Ryan.

MAYOR RYAN: Present.

THE REPORTER: Mr. Nicholas Steffens. Mayor Daniel J. Stermer.

MAYOR STERMER: Here.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Here.

CONSENT AGENDA ITEM C-4 - EXCUSED ABSENCE REQUESTS:

CHAIR CASTRO: While we're on the roll call, we have excused absent requests for Mr. Neal de Jesus, Commissioner William Ganz, and Mr. Nicholas Steffens. Are there any others?

MAYOR STERMER: So moved to excuse those absences.

CHAIR CASTRO: We have a motion –

MS. GOOD: Second.

CHAIR CASTRO: -- and a second. All in favor? Any opposed? Seeing none, carries unanimously.

VOTE PASSES UNANIMOUSLY.

CHAIR CASTRO: I will remind you, even though I wasn't told I had to do it today, I could skip it, we have a bagel fund, so if you're eating and drinking or whatever, if you could throw a few dollars in the fund that would be very, very helpful.

OATH OF OFFICE:

CHAIR CASTRO: Okay. We're moving now to the oath of office for our latest and newest member. Mr. Friedel, if you'd like to step up here, please, with me. Again, our photographer I don't think is here yet, so –

MS. BOY: I'll take some pictures.

CHAIR CASTRO: Okay. We have a photographer.

UNIDENTIFIED SPEAKER: There you go.

CHAIR CASTRO: Raise your right hand, please. I do solemnly swear –

MR. FRIEDEL: I do solemnly swear –

CHAIR CASTRO: -- that I will support, protect, and defend –

MR. FRIEDEL: -- I will support, protect, and defend --

CHAIR CASTRO: -- the Constitution and government of the United States –

MR. FRIEDEL: -- the Constitution and government of the United States –

CHAIR CASTRO: -- and of the State of Florida –

MR. FRIEDEL: -- and of the State of Florida –

CHAIR CASTRO: -- that I'm duly qualified to hold office –

MR. FRIEDEL: -- that I am duly qualified to hold office –

CHAIR CASTRO: -- under the Constitution of the State –

MR. FRIEDEL: -- under the Constitution of the State –

CHAIR CASTRO: -- and the Charter of Broward County –

MR. FRIEDEL: -- and the Charter of Broward County –

CHAIR CASTRO: -- and that I will well and faithfully perform –

MR. FRIEDEL: -- and that I will well and faithfully perform –

CHAIR CASTRO: --the duties of a member of the Broward County Planning Council –

MR. FRIEDEL: -- the duties of a member of the Broward County Planning Council –

CHAIR CASTRO: -- on which I am now about to enter –

MR. FRIEDEL: -- on which I am now about to enter –

CHAIR CASTRO: -- so help me God.

MR. FRIEDEL: -- so help me God.

CHAIR CASTRO: Congratulations.

(Applause.)

CHAIR CASTRO: Do you want to do a group photo next month, then, since we can have a professional here?

MS. GOOD: Hey, I'm here.

UNIDENTIFIED SPEAKER: If somebody can take it for us.

MS. BOY: If somebody –

CHAIR CASTRO: Okay.

MS. BOY: -- can show me how, I will.

MS. GOOD: I will show you.

CHAIR CASTRO: Come on back, Mr. Friedel. You're going to be coming front and center.

(Picture taken.)

CHAIR CASTRO: Before everybody breaks 1wait. Before everybody breaks, come back. Can we have Jan come up for one photo, please?

(Applause.)

Planning Council

4/23/2015

LR/NC/DH/PL

(Picture taken.)

CHAIR CASTRO: Okay, great.

UNIDENTIFIED SPEAKER: Beautiful.

(Applause.)

CHAIR CASTRO: As you take your seats, I'm going to go down to do Jan's Proclamation, but maybe Mr. Friedel would like to say a few words.

MR. FRIEDEL: Yes, thank you very much. I'd like to thank Commissioner Beam Furr for appointing me to the Council, and I'm honored to serve. I'd also like to thank my principal at Blanche Ely High School, Karlton O. Johnson, for allowing me to take the day off to serve. Thank you.

(Applause.)

VICE MAYOR KIAR: They're very strict. I don't have a microphone.

CHAIR CASTRO: Commissioner, that's part of the new that's part of the new power sharing arrangement; County Commissioners are quiet. Just kidding.

PROCLAMATION – Janice Wells-Jones

CHAIR CASTRO: We've talked about this before, people coming and welcoming those, and then the departures. And the departures are always a little tougher, but this one, obviously, is a very, very special case. So it's my privilege to sit here and read this Proclamation today.

Whereas Janice Wells-Jones grew up third of eleven children, learning thoroughly the value and necessity of hard work and dependability; and Whereas Janice graduated from Pompano Beach High School in June 1977, and was employed by the Broward County Records Division shortly thereafter as Clerk Typist I on Valentine's Day, February 14th, 1978; and Whereas because of Janice's excellent work in the Records Division and her amazing typing skills, she was recruited to join the staff of the Broward County Planning Council as Word Processing Secretary on May 11th, 1981. You don't hear those words, word processing, anymore, do you?

Whereas Janice continued to demonstrate her excellence as an employee by mastering a succession of new skills, even as the standards for state of the art office equipment changed from ditto machines to liquid toner, slick paper copy machines to high-speed double-sided collating copiers, and from manual typewriters -- that's aging -- to self-correcting electric typewriters to word processors to computers, not to forget payroll processing, accounting and purchasing software, email; and Whereas Janice was promoted to Secretary II in November 1990, and faithfully served in the position seven

years until the retirement of previous office manager; and Whereas Janice stepped into the void and was promoted to the office manager position, a position she has held for the last seventeen and a half years; and Whereas Janice has worked with five Executive Directors, scores of Planning Council staff, and over 100 Planning Council members; and

Whereas Janice has demonstrated her leadership ability and professionalism by generously sharing her time, skills, and knowledge with her coworkers; and Whereas Janice has demonstrated her commitment to Broward County and her work, despite adopting and raising a young child into a fine young man and American soldier –

MS. WELLS-JONES: Yes.

CHAIR CASTRO: -- becoming a grandmother of five beautiful girls, devoting countless hours to her church and community, and her generosity of spirit, her constant encouragement and support of the Planning Council family; Whereas Janice's love and affection for barbecue ribs –

MS. WELLS-JONES: Yeah.

CHAIR CASTRO: -- spicy chicken wings, and all the baked goods sugary and sweet is legendary among her friends and coworkers, especially at the annual holiday luncheon; Whereas the impending retirement of Janice on May 22nd, 2015 will leave an unfillable void in Room 307 of the Broward County Government Center;

Be it resolved by the Broward County Planning Council of Broward County, Florida that the Planning Council hereby extends its sincere appreciation to Janice for her loyalty, dedication, and professionalism, and service to Broward County Planning Council, and hereby declares Thursday, April 23rd, 2015 as Janice Wells-Jones Planning Council Appreciation Day.

(Applause.)

MS. WELLS-JONES: Thank you so much. That was just beautiful. Thank you. Hello, everyone.

UNIDENTIFIED SPEAKER: Hello.

MS. WELLS-JONES: I'd like to thank the Broward County Planning Council, Board of Commissioners, administrators, and the staff. And I would like to thank my mother, who's since deceased, 2004, my father. I didn't know all this was going to happen. I would have had them here today.

But however, I thank God for everyone and for me, and for getting the understanding and the chances I had with the great Executive Director. I came under Colonel Willard W. Wilson, and Mike Wanchick, Susan Tramer, Henry Sniezek, and Barbara Blake Boy.

Did I miss anyone? But they all gave me the chance and the opportunity, and I was glad to use it and to share it with the rest of Broward County. Thank you.

(Applause.)

(Picture taken.)

UNIDENTIFIED SPEAKER: So everything else is superfluous. Motion to adjourn.

(Laughter.)

CHAIR CASTRO: Okay. I almost want to go with that and say, okay.

CONSENT AGENDA

AGENDA ITEM C-1 - APPROVAL OF FINAL AGENDA FOR APRIL 23, 2015

AGENDA ITEM C-2 - APRIL 2015 PLAT REVIEWS FOR TRAFFICWAYS PLAN COMPLIANCE

AGENDA ITEM C-3 - APPROVAL OF MINUTES OF MARCH 26, 2015

CHAIR CASTRO: We're moving on to the Consent Agenda. C-1, C-2, approval of minutes. Excused absences, we've already done. Do I have a motion to move the Consent Agenda?

MAYOR STERMER: So moved.

COMMISSIONER GOMEZ: Second.

CHAIR CASTRO: We have a motion and a second. All in favor? Any opposed? Seeing none, motion carries.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1 - FISCAL YEAR 2016 BUDGET PROPOSAL:

CHAIR CASTRO: Now we're on to the Regular Agenda. We'll start with the fiscal year budget proposal.

MS. BOY: Good morning. The Executive Committee actually reviewed the fiscal year 2016 budget and made a recommendation for approval of the presented budget. But they also made some additional recommendations, which I'm going to defer to Chair Castro and Secretary Stermer to further define those.

CHAIR CASTRO: And I'm going to defer to the Secretary, since he's the one who made the motion. So he'll probably be able to word it better than I would.

MAYOR STERMER: Members, what happens is the agency submits a budget request of a little over a million dollars, which, presumptively, the County will approve. What then happens is during the next fiscal year, this agency generates revenue based on what it reviews, and that money is given back to the County, and that goes back into the General Fund.

So, in some respects, while the County allocates a million dollars, at the end, it doesn't spend a million dollars because part of what we do is cost recovery. Over the past few years, we understand the Great Recession came and went, and the County pushed hard to get reductions in every agency that works within the County.

But now things are back on the upswing, and things are better, including the County's ad valorem. So my recommendation, which passed at the Executive Committee, was to approve the budget as submitted, but to then also note a request by this agency that says a certain dollar amount of what is cost recovered remain in the agency for a couple of different things.

One is for capital improvements. This -- if we need a new printer, the agency doesn't have a penny, because there's no budget line for capital improvements. And we will need, with everything going on with Broward Next, some capital improvements, simply printers, color printers to do what we need to do. Currently, there's zero allotted for that. Over the past few years, there's been no training, no outside education done by any of our staff. And with everything that keeps changing out there, our staff needs to keep up with it, understanding the importance of the agency.

So what I would ask we do is that the budget be submitted in the amount it is, but that there be an addition made to it that the agency be allowed to keep ten percent of what cost recovery is, of which the first \$5,000 would go to a capital line, because our capital budget needs to be done in February, and we don't do mid-year budget adjustments. So, Barbara, correct me if I'm wrong, that happens in February where the capital line could be added.

MS. BOY: Where you start -- where you request the -- the addition of a capital line.

MAYOR STERMER: Right. So I want to have some of it go purely to capital. And then the balance of what's recovered to be used by the Executive Director for the benefit of the agency, those that use the agency, and those that work at the agency, as the Executive Director determines in the best interest of the agency.

CHAIR CASTRO: Any questions? Commissioner Kiar. Excuse me, Vice Mayor.

VICE MAYOR KIAR: No, no, no. Marty.

CHAIR CASTRO: Marty.

VICE MAYOR KIAR: Actually, I want to say I think Mayor Stermer's recommendation sounds reasonable. And if it is the will of this Board to recommend that to the County Commission, when it does come up and we start really reviewing our budgetary process, I'll advocate for it if it becomes an issue.

MAYOR STERMER: Appreciate it.

CHAIR CASTRO: Appreciate it.

COMMISSIONER MCCARTNEY: Madam Chair?

CHAIR CASTRO: Yes.

MS. BOY: Is there a second?

COMMISSIONER CASTILLO: Yes, second.

COMMISSIONER MCCARTNEY: I have a quick question. It sounds reasonable to me, as well, but my question is so is it completely discretionary for the Commission to honor the request or not for the holdback on costs?

Do we want to limit it? I mean, when you're talking about the recoupment, you know, I understand that is discretionary, and it's a limited amount, but maybe we should be recouping more.

MAYOR STERMER: Well, the issue is, one, putting forth this request at all in that it's an addition to the budget that -- the form that Ms. Boy needs to submit, and the County can look at the whole request and say, hey, thanks, but –

COMMISSIONER MCCARTNEY: Right.

MAYOR STERMER: -- no thanks.

COMMISSIONER MCCARTNEY: Right.

MAYOR STERMER: Which is why I tried to at least explain why -- what it would be used for, whether it's capital, or education related, or travel related, things that benefit this agency. And everything that's going on with Broward Next and where this County is going with regard to its land development code, having our staff not have the ability to get additional education or to participate in seminars or events that are outside of Broward County and cost something is difficult. So I think we're missing out on something.

COMMISSIONER MCCARTNEY: I think it's actually up to their discretion, if that's a Planning Council
4/23/2015
LR/NC/DH/PL

direct request.

MAYOR STERMER: Yeah, that's the problem. It's –

COMMISSIONER MCCARTNEY: I support it, yeah.

MAYOR STERMER: Yeah.

CHAIR CASTRO: Yeah, and just to follow up on that again, the cost recovery is a moving target because of the economy and what projects are coming down. But I think the -- and I'm speaking on behalf of the board meeting, the Executive Board we just had, I think the feeling was the County doesn't often give credit for that recovery, that they just get the money back, and it's not really calculated in the ongoing budget process that some of that money's coming back. So rather than say, hey, we're not going to do your three percent aspiration, we're not going to do this, we want to put a formal item in there that gives her the ability to do that. So, yes, ma'am.

MS. GOOD: And the cost recovery figure was -- it potentially could be how much? Just out of curiosity.

MS. BOY: For fiscal year 2014, we recovered just over \$220,000, so at the rate that Mayor Stermer's speaking of, ten percent of that would be about \$22,000.

It would vary from year to year, because our revenue estimates, you know, it depends on how many Land Use Plan amendments are filed and the fees collected with those, and if there's any exceptions to that. So there -- it -- it could be a range, that ten percent. It could be as little -- we've had as low as 70 or \$80,000 collected, and as high as \$325,000 collected.

MS. GOOD: According to what Mayor Stermer said, we would be asking them to give us all the cost recovery –

MAYOR STERMER: No.

MS. GOOD: -- or just ten percent?

MAYOR STERMER: Ten percent.

MS. BOY: Ten percent –

MS. GOOD: Ten percent.

MS. BOY: -- of the cost recovery.

MS. GOOD: Because you referenced 5,000, so I just –

MAYOR STERMER: Of that, what I want to do is start funding a capital line –

MS. GOOD: Okay.

MAYOR STERMER: -- specifically of whatever percentage they allow us to take -- or keep –

CHAIR CASTRO: Yeah.

MAYOR STERMER: -- should they decide to do that, that some of it would fund a capital line, because right now there's zero. There's no line for capital.

MS. GOOD: Okay. So we would keep ten percent of the cost recovery. The rest will remain with the County through the general –

MS. BOY: Yes.

MS. GOOD: Okay. Thank you.

CHAIR CASTRO: Any other issues? Any other questions? And I think we had a motion –

MAYOR STERMER: Yes.

CHAIR CASTRO: -- to approve it, and a second? All in favor? Any opposed? Seeing none, carries unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM R-2 - COUNSEL'S REPORT:

CHAIR CASTRO: Counsel's Report.

MR. MAURODIS: None today, but next month we will provide a summary of what legislation impacting land use was adopted at the legislative session.

CHAIR CASTRO: Thank you.

AGENDA ITEM R-3 - EXECUTIVE DIRECTOR'S REPORT:

CHAIR CASTRO: Executive Director's Report.

MS. BOY: Good morning again. I just have a couple items. First, I'd like to say congratulations again to Jan. Her official retirement is May 22nd. I sent you all an email announcing we're going to have a luncheon and an open house on May 22nd. If anyone would like to attend, just let us know, and we'll get you on the list.

For the open house, you don't have to RSVP. You can just stop by. It'll be in Room 302. But Jan's been with the Council since I started, obviously since before I started in 2000. But she's a great asset, and her personality and wisdom will certainly be missed by everyone that comes in the office and everyone that works in the office. So I just wanted to say that.

Also, just want to mention yesterday was Administrative Professionals Day, and we have a great administrative staff, Ginette, Jan, and Terry. They do a terrific job, and they keep us going and moving and get all your materials out to you, and I'd like to just say a special thanks to them for that. So if you'd stand up, please.

(Applause.)

MS. BOY: They're all shy. Welcome to our new member, Mr. Friedel. We had met. We've, you know, gone through the new member package, so he's going to be a great member. So I look forward to working with him on that.

An update, quick update just with the Broward Next, I want to let you all know that we've determined a date for the next ad hoc steering committee. That's going to be in the middle of May. And at that meeting, we're actually going to present a draft of one of the regional items, and -- as well as a detailed outline of how we're planning on proceeding to get the blessing of that steering committee.

And we're continuing with public participation. We'll have more outreach meetings once the ad hoc steering committee agrees that those formats and those drafts are okay. So that's what's going on with that. And other than that, I don't have anything else for the report.

CHAIR CASTRO: Okay. I'm going to augment a little bit to make you all aware. Except for Vice Mayor Kiar, I'm meeting with all the different members of the County Board of Commissioners about Broward Next, just making sure they're aware of it, especially because I know at least one new Commissioner. Do they have any specific issues they want to see, you know, definitely considered, answering any of their questions, talking about how we've been proceeding so they know that this has been a comprehensive process that we've been following.

So if somebody later comes and says, hey, I didn't know or, you know, nobody called me, well, you probably had to be living under a rock, which we all hear. I know as a former elected official, you hear all the time, even though you do 500 notices to the world. So I'm meeting with them just individually for 15, 20 minutes and, you know, talking to them about it, just to, again, have another point of contact and just reiterate what we're working on and how big it is and how important it is to the future of the County, so that they all have an opportunity to participate directly.

So I want to let you know that. On Jan, you know, when I started coming here about I guess eight or nine years ago now, one of the nicest things was every morning when I came in was a smiling face and said can I get you a glass of water, can I validate your

parking ticket. So Barbara's right. Your personality and your spirit are going to be greatly missed.

We have a fantastic planning staff. We all talk about it all the time. For my money, it's one of the best government agency staffs in the world that I've come across. But you have certainly been an integral part of it, and we're going to miss you.

MAYOR STERMER: Best of luck.

COMMISSIONER CASTILLO: Madam Chair?

CHAIR CASTRO: Yes, sir.

COMMISSIONER CASTILLO: Jan and I graduated from different high schools together.

(Laughter.)

COMMISSIONER CASTILLO: And –

MAYOR STERMER: Angelo, turn your mic on.

COMMISSIONER CASTILLO: Oh.

CHAIR CASTRO: Thank you.

COMMISSIONER CASTILLO: That on?

MAYOR STERMER: Yeah.

MS. BOY: Yes.

COMMISSIONER CASTILLO: And 1977 was a great year. And –

VICE MAYOR KIAR: The year I was born.

COMMISSIONER CASTILLO: -- she –

(Laughter.)

CHAIR CASTRO: Ow. Ow, ow, ow.

UNIDENTIFIED SPEAKER: I've never seen Angelo blush before.

UNIDENTIFIED SPEAKER: Go ahead, Dad.

COMMISSIONER CASTILLO: Ain't that a kick. And she and I would probably agree
Planning Council
4/23/2015
LR/NC/DH/PL

that, indeed, the greatest class taught in those days in high school was typing.

UNIDENTIFIED SPEAKER: Yeah.

COMMISSIONER CASTILLO: And she and I never lost our mutual love affair for IBM Selectric 3's.

MS. WELLS-JONES: Yeah.

COMMISSIONER CASTILLO: And there was something about the rattle of that ball, dun-da-dun-dun-dun, that's just -- that just still resonates still. I want to thank you for your service to this County, and for constantly being an amazing and just lovely person.

CHAIR CASTRO: Yes.

COMMISSIONER CASTILLO: And I just -- we're going to miss you very, very much, and hope you do well.

MS. WELLS-JONES: Thank you.

COMMISSIONER CASTILLO: On the business side of it, I did have one question, because cities sometimes get testy. Are we absolutely sure that every city can never say that they weren't invited and given every participation opportunity in this endeavor?

MS. BOY: As far as the outreach effort, we've done a couple different things. You know, we have our mailing list, which is about 1500 individuals, and on that list includes municipal managers, the municipal planning staff, not just the municipal -- you know, the head municipal planner, and the municipal mayors in -- I'm sorry, all the elected officials. All the elected official in the County are in it, all of the County Commission. So they're invited to each of the meetings. They receive these outreach emails. And then we also have the website set up. We've been invited to several and participated in several Commission, City Commission meetings and Planning and Zoning meetings. We've been going to those the past several months, giving them a quick overview of the process, inviting them to make sure that their staff is participating, that they participate.

So I feel like if a municipality said that they weren't sure, you know, what was going on with Broward Next or what it was, it wasn't for lack of trying or lack of invitation. One of the things that we're also going to talk about at the ad hoc steering committee in May -- I talked to Chair Castro about it yesterday -- I had received an inquiry from a municipality specifically about, well, how is Broward Next, how could that ultimately impact our municipal Land Use Plan?

So I'm putting together -- I sent them a draft letter just to kind of explain the process to them, and we decided that we'll put on the agenda that actual correspondence to be sent out. So even though they've been aware of it the entire time, they'll receive an actual letter that says, you know, this could impact your Land Use Plan, and kind of this

is the remaining time frame in this process. Would you please be involved?

CHAIR CASTRO: If you have any other suggestions or ideas, by all means.

COMMISSIONER CASTILLO: No. I just -- I just --

CHAIR CASTRO: And there might be. There might be something like all of us reaching out and taking three cities and calling them. You know, we can do whatever we can do

—

COMMISSIONER CASTILLO: And --

CHAIR CASTRO: -- to make sure.

COMMISSIONER CASTILLO: -- the Chair knows where I'm going. I want to make sure that no city can stand forward and say, I didn't know about this.

MAYOR STERMER: Unless -- unless someone's --

COMMISSIONER CASTILLO: I had no involvement in this.

MAYOR STERMER: -- unless someone's firewall is blocking the email --

COMMISSIONER CASTILLO: Okay.

CHAIR CASTRO: But they're also going to get a paper letter, as well, which is good.

UNIDENTIFIED SPEAKER: Yeah.

CHAIR CASTRO: But, to your point, you can send it to five different people in the city, and then you never know if somebody's going to pick up the flag and run.

COMMISSIONER CASTILLO: Yeah.

CHAIR CASTRO: And that's really a function of what the city's interested in, what they are working on --

COMMISSIONER CASTILLO: Okay. Right.

CHAIR CASTRO: -- until it's later.

COMMISSIONER CASTILLO: Okay.

CHAIR CASTRO: There's also an app for that. There is an app that'll make your phone or your computer sound -- no, sound like an IBM 3 Selectric, if you need to go back to those days.

COMMISSIONER CASTILLO: I just loved that machine.

CHAIR CASTRO: I'll look it up for you, and I'll send it to you.

COMMISSIONER CASTILLO: I actually -- I actually miss it.

CHAIR CASTRO: You can put it on your computer. It'll make your computer keyboard sound like that. So we can fix you up.

MAYOR STERMER: We'll have one in your office by noon today. Just letting you know there's an app for that.

PUBLIC HEARING

AGENDA ITEM PH-1 - RECERTIFICATION PCR 15-9

AGENDA ITEM PH-2 - AMENDMENT PC 15-3

AGENDA ITEM PH-5 - AMENDMENT PCNRM 15-1

**AGENDA ITEM PH-6 - AMENDMENT TO THE BROWARD COUNTY TRAFFICWAYS
PLAN - COUNTY LINE ROAD/HILLSBORO BOULEVARD - PCTW 15-1**

CHAIR CASTRO: We're going on to the Public Hearing Agenda. Remember the quasi-judicial, has anybody been contacted or are they waiving it or?

MS. BOY: PH-1, the quasi is waived for PH-1.

CHAIR CASTRO: Okay.

MS. BOY: And then Items 3 and 4, there are members of the public signed in to speak. The remaining items, so 1, 2, 5, and 6, there's no one signed in to speak on those items.

MAYOR STERMER: Move PH-1, 2, 5, and 6.

CHAIR CASTRO: Do we have a second?

COMMISSIONER LONG: Second.

CHAIR CASTRO: I have a motion and second. All in favor? Any opposed?

COMMISSIONER BLATTNER: Madam Chair?

CHAIR CASTRO: Yes, sir.

COMMISSIONER BLATTNER: I was contacted on Item 4 of the denial.

UNIDENTIFIED SPEAKER: 3?

COMMISSIONER BLATTNER: -- 3.

CHAIR CASTRO: Okay. So was I.

MR. MAURODIS: Well, 3 is a land plan amendment, so it's not a need to disclose here.

CHAIR CASTRO: Right. But I was also, so that's fine. I'd rather disclose than not. So that's fine.

UNIDENTIFIED SPEAKER: Yeah, I was contacted on 4.

CHAIR CASTRO: Well, 3, maybe it was 4. But we'll start with PH-3. Yeah, it's 3 or 4.

COMMISSIONER BLATTNER: I think it was 4.

CHAIR CASTRO: Yeah, it was 4.

COMMISSIONER BLATTNER: Yeah.

COMMISSIONER CASTILLO: 4?

COMMISSIONER BLATTNER: Yes.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-3 - AMENDMENT PC 15-8:

MS. BOY: Okay. Item PH-3 is a proposed Land Use Plan amendment. It's actually in unincorporated Broward County. It's surrounded by the City of Cooper City. It's on the north side of Sheridan Street, just east of Pine Island Road.

The proposed change is from estate 1 residential to irregular 3.3 residential. As you can see on the -- the aerial map that's above you, now this is the land use map, it's surrounded by irregular 3.663 residential. The proposed amendment is not anticipated to have any negative impact on public facilities and services. There is a wetlands mitigation area just to the west of the site, and we received verification from the applicant that they're going to do what they are supposed to do with the permitting and those sorts of things not to impact that.

There's also wetlands on the site, and they will also go through the permitting process as they pull permits to ensure that they're not negatively impacting the wetlands. The Planning Council staff recommended approval. This is the second Public Hearing, as this is a small scale amendment. The Planning Council heard this item last month, and also recommended approval of the item. I have two speakers signed in on the item, Hope Calhoun on behalf of the property owner, and Mr. Carlos Jimenez -- Jimenez -- Jimenez?

MS. GOOD: Jimenez.

MS. BOY: Jimenez.

CHAIR CASTRO: I assume Ms. Calhoun's just here for questions, if there are some?

MS. CALHOUN: Yes, just for questions.

CHAIR CASTRO: Okay.

MS. BOY: Yeah, I just wasn't sure if you wanted to –

CHAIR CASTRO: Okay.

MS. BOY: Okay. So –

MS. CALHOUN: I'd like, if I need, to just respond to any comments raised. I'm happy to respond. Thank you.

CHAIR CASTRO: Mr. Jimenez.

MR. JIMENEZ: Good morning. Good morning. I am the owner of the house in Monterra, just beside -- just behind the new community. I have been reading all the things, and most of my concerns are already covered, but there is one, too, that is wringing my hand, still, is that there is a lot of wild animals in that area. There is big trees, a lot of birds, a lot of different things, very weird animals, I can say. So that my concern is what is going to happen with those animals, because I have been seeing that the trees are going to move and it -- so it's going to be a big impact in there.

And the second concern was that when we bought that house in Monterra site, they tell us -- told us that that area was going to be agriculture. So that's why we thought that we're going to have that nice things for every -- ever. But look like that was not true, and that was not a fault of me -- of ours. So that's it. That's more or less the concern.

CHAIR CASTRO: Okay. Thank you.

MR. JIMENEZ: Thank you.

CHAIR CASTRO: Just on your second concern, I'm sorry to hear that. Unless that developer who did Monterra owned it and gave you something in writing they were never planning to sell it to somebody else who could use it, that was probably a guarantee that you couldn't have banked on, unfortunately, because it's, you know, like buying a car. Land is land and -- and property rights -- property owners have rights.

So there's not much we can do about that. As far as animals go, whenever -- and anybody jump in, I'm just going to jump in on these -- when construction happens in

South Florida, animals tend to migrate, and they find other green areas. A good example of that is out in Miramar, where I used to work, they put a wetlands area as part of a development, and the animals actually left the public works plant and came over to the nicer neighborhood, in that case. So animals have a tendency to gravitate, but I don't think there's any plan to hurt or, you know, do anything bad to any animals, like trap or kill or whatever. They do go in and do what they do.

If there's any -- and I assume, and the applicant can probably tell me, there's nothing, protected species or any type of species of animal that we have to be worried about here that's on the endangered list or anything like that, no snails or –

MS. CALHOUN: Not that we're aware of.

CHAIR CASTRO: -- burrowing owls or anything like that.

MS. CALHOUN: Not that we're aware of.

CHAIR CASTRO: Okay. Have you done a study or are you going to do a study or –

MS. CALHOUN: One will be conducted if necessary, yeah, but not that we're aware of right now. Again, the wetland mitigation area's just to our west, so they will –

CHAIR CASTRO: Right.

UNIDENTIFIED SPEAKER: Right next to it.

CHAIR CASTRO: So they'll –

MS. CALHOUN: -- they'll probably go there.

CHAIR CASTRO: -- kind of move to the nicer neighborhood again.

MS. CALHOUN: That's right.

CHAIR CASTRO: Probably better for the animals, in the end. They'll be on the water, so that's good. Okay? All right? Anything else?

MS. CALHOUN: Thank you.

MAYOR STERMER: Move approval of PH-3.

COMMISSIONER CASTILLO: Second.

CHAIR CASTRO: Got a motion and a second. Any other discussion up here? Seeing none, all in favor? Any opposed? Carries unanimously.

MS. CALHOUN: Thank you.

COMMISSIONER CASTILLO: Madam Chair?

CHAIR CASTRO: Yes, sir.

COMMISSIONER CASTILLO: Separately, if we could -- and this is, I guess, a concern of mine, because I'm just catching -- re-catching up with -- with this committee.

Could you memo us, possibly, and let us know what the status is of the annexations? We're under -- there's a state law that says that we were supposed to annex all unincorporated areas into cities. Could you let us know what the status of that is? Thanks.

MS. BOY: Sure. We can get the information from the County staff that handles that information.

COMMISSIONER CASTILLO: Thank you.

CHAIR CASTRO: And you know I have to make a comment, just because I'm here and I have to, but there's a lot of County areas that are around the airport that probably need to be annexed back into Dania Beach. Just saying. Sorry. Pursuant to an interlocal agreement from 1995 that we're still holding out on, so just saying. Thank you for that, Commissioner. That was very helpful for me, so I appreciate that.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-4 - AMENDMENT PC 15-9

CHAIR CASTRO: PH-4.

MS. BOY: Thank you. Item PH-4 is a proposed small scale amendment, so it's less than ten acres. It's approximately four acres, and it's located in the City of Coconut Creek. The proposed change is from estate 1 residential, which is one dwelling unit per acre, to low 5 residential, five dwelling units per acre. So the change would allow 20 dwelling units on the parcel where four dwelling units are currently permitted.

Planning Council staff analysis shows that there are sufficient public facilities and services available to serve the proposed land use. However, staff has identified a concern with compatibility, as the area land uses are estate 1 on three sides of the -- of the proposed land area, and irregular 5.5 residential to the south. I'm -- we're waiting for -- there you go. Thank you. Well, this is what the map would look like if it's right there in the center -- if it's changed to low 5 residential. The resolution isn't great on the big screen, but it's much better on the smaller screens. The four acre size of the parcel creates a concern with setting a precedent for the area's municipal boundaries up here. As you can see, unincorporated area to direct east and west of this, as well as to the

northwest corner. So it's kind of a checkerboard between Coconut Creek and unincorporated Broward County up here on the side of the property.

We've received several letters of objection that are included as part of your backup. In addition, we sent some to you yesterday as additional agenda material. In addition to those letters, we received five more letters since the information went out yesterday afternoon or morning, so those will also be included in the report before you see it next month. So we have those letters of objection.

Staff is recommending denial of the amendment based on Broward County Land Use Plan Policy 14.02.03, which speaks to compatibility based on the established character of the developed area. As you see -- saw in our staff review and analysis, this area has been developed at a -- at a fairly low density, and we feel like this proposal would be incompatible with that development.

As an alternative, we gave -- we laid out a couple different options for you in the backup material: recommending denial, alternative of a lower density, or, if you want to support the low 5 application that was transmitted by the city, we would suggest that there would be some parameters to that, because as the city transmitted to us, that transmittal was made on the idea that, you know, setbacks, buffering, architectural standards.

I had a discussion with Andy about how deeply do you -- does the Council and County Commission really want to get into that. So we do have to make some sort of decision, you know, if you're just going to recommend low 5 or if you want some sort of parameters on that. I have several speakers signed in to speak on the item. One, two, three -- I have -- I have five speakers. You want me to start calling them? Okay. First up is Dennis Mele, followed by James Waldman, followed by Robert Annenberg.

MR. MELE: Good morning. My name is Dennis Mele, 200 East Broward Boulevard, on behalf of the applicant. Could I ask to put up the aerial photograph, please? So this is the aerial photograph that's the second page in your backup, and what I wanted to show here -- and if you had a larger aerial you would even see, as we go west of Lyons Road, that you do have this kind of checkerboard pattern that Ms. Boy was referring to, where a lot of this property is in the City of Coconut Creek, but there's small pockets that are still unincorporated.

We know that -- and I think Commissioner Castillo might have been referring to it earlier -- we've had a long-standing policy in Broward County encouraging almost all -- almost all unincorporated property to be annexed into a city. The only exceptions are facilities that are deemed to be of regional importance. I won't mention which ones they are, but they're not small pieces of land like this.

So, at any rate, we do have -- most of the property in this area is in the City of Coconut Creek, but there are small pieces that are still unincorporated. The unincorporated properties are on wells and septic tanks, and many of them are on unpaved roads.

So as Coconut Creek has annexed large areas up here, they've put in water. They've put in sewer, and they've put in paved roads. I think the importance of that is that, obviously, well and septic tank is not the right environmental solution. Municipal water and sewer is.

In order for people to annex, there's got to be some incentive to do so. I -- 30 years ago, I was the City Manager of Coconut Creek. The city was about half the size geographically as it is today. There were large sections of Coconut Creek north of Sample Road that were unincorporated.

And, over time, Coconut Creek has annexed those areas and more than doubled the geographic size of the city. And the major impetus for doing that was putting in a water and sewer system that had not existed in that whole area between Sample, the County line, the turnpike, and 441 until Coconut Creek got together with the unincorporated property owners who annexed and put in those facilities.

I also wanted to show you a little bit of history on the maps. And I apologize that all these maps are in a different format. These are the official Broward County Land Use Maps from a variety of years. At the top, I have the 1989 map, the 1977 map, and the current map. And these two are out of order for a reason.

And what I want to show you on the 1989 map -- and this was a map that was done at the time when the County was taking all the municipal maps around the County and reconciling them to the County map to get everything in sync. But what has happened since that time, all of these parcels that you see with the green crosshatching were purchased through the County's Open Space bond program, and these are now all conservation areas. Some of these parcels were commercial, some of them were residential, some of them were high density, but they're all conservation now.

Also, right here, recreation open space is a very large golf course that is right across the street almost from our site. So the reason I'm showing this is, yes, we've had increases in land use in this area since 1989, going from one unit per acre to three, or one unit per acre to five and a half, like the property just south of us, but we've also had large areas taken out of development and preserved.

And the reason I think that's important is I saw some of the letters that we received from neighbors talking about traffic. Well, this area is an area that has very little traffic, because it is up in the northern end of the County. You've got the Hillsborough Canal. You have two places to cross that canal, Lyons Road and 441. You could also cross it at the turnpike, but I don't really count that, because then you're on a longer trip.

But the traffic in this area's very low. As Ms. Boy told you, we meet each and every one of your requirements for a land use amendment except one, in the opinion of staff, and that is compatibility. And the concern there is that we have one unit per acre land west, north, and east, but we have 5.5 unit per acre land to the south. And that 5.5 is in the City of Coconut Creek. The three parcels that are north, west, and east of us are all

unincorporated area.

And so the other thing that is happening, because these unincorporated parcels are so small, on your aerial photo, which is the second page of your backup, or the map, which is the third page, you see those areas outlined in red that show unincorporated. Generally, those parcels are about five acres, because this is the old Palm Beach Farms plat, where each of these lots were 330 feet by 660 feet.

So those small unincorporated pockets are, for the most part, five unit per acre parcels. And then, obviously, you see the bulk of the property around it is -- is in the city. And I think the continuing trend of having this property annexed to the city, where you have proper municipal services, is the way we want to go. In this area now, because these unincorporated pockets are so small, it is very different -- difficult for the County service providers to provide service. For the Sheriff, for the fire department.

And so we, of course, have mutual aid among the various cities in the County, but, many times, the City of Coconut Creek will respond to these areas because they can just get there a lot faster. So, again, it makes sense to encourage annexation. And the way to encourage annexation and to pay for the cost of water and sewer and paved roads is to give people some kind of an incentive to do it. And so if you have any questions, I'll be happy to answer them. I know there's other speakers. I'd like the opportunity to come up at the end and respond. Thank you very much.

CHAIR CASTRO: Any questions for Mr. Mele now? We'll finish with the speakers and we'll bring him back up. Next speaker?

MS. BOY: Mr. James Waldman, followed by Mr. Robert Annenberg, followed by Mr. James Reynolds.

MR. WALDMAN: Good morning. James Waldman. I'm the applicant. It's nice to be here. I just wanted to just say a couple of things. First of all, to let you know that the City of Coconut Creek, this was heard twice in two Public Hearings. It was heard by Planning and Zoning Commission, and they passed it, and it was heard by the City Commission, and they also passed it. So the city is supportive of it.

As it relates to some of the other issues, the compatibility, which I guess is the -- really the only issue to speak about today, for the most part, the compatibility, as Dennis said, the property just to south of mine is already zoned five and a half units to the acre, and those are single family homes that you see, and you can see in the picture that he had.

The property to the west of me, which is a five acre parcel, the property owner is here, and the property owner, I believe, I feel pretty confident, is going to be speaking in favor of this. And the property owner across the street, west and to the north of me, who also owns a five acre parcel, he is also here to speak in support. So the properties immediately surrounding, with the exception of the property to the east, which is only one single family home, are supportive of this.

I'd be happy to answer any questions. I'd also like to be able to reserve any opportunity to come back if -- and to counter any points that may be made by some of my neighbors who may be in other areas. Thank you.

MS. BOY: Mr. Robert Annenberg, followed by Mr. James Reynolds, followed by Mr. Richard Seaman.

MR. ANNENBERG: Hi. Robert Annenberg. I'm the neighbor to Jim Waldman. I simply support the project and the subdivision. I think they pretty much said it all, so I'm in favor of it.

CHAIR CASTRO: And you --

MR. ANNENBERG: Thank you.

CHAIR CASTRO: -- I'm sorry. You said you're a neighbor?

MR. ANNENBERG: Next door. I am at --

CHAIR CASTRO: East, west, or?

MR. ANNENBERG: Oh, I --

CHAIR CASTRO: You own a parcel, a house? I'm sorry.

MR. ANNENBERG: -- I am to the west. Five acre site.

CHAIR CASTRO: Okay.

MR. ANNENBERG: Thank you.

MS. BOY: Mr. James Reynolds, followed by Mr. Richard Seaman.

MR. REYNOLDS: Good morning. I'm Jim Reynolds. I, too, am a neighbor. I am three parcels to the west of Mr. Waldman's property. Mr. Annenberg's property is due west of that. There's a County/City combined quiet park that they just finished building, and then my property is actually a horse farm. I've been there since 1994.

And I am speaking mainly to the compatibility. I don't know if any of you had the opportunity to drive in the neighborhood. It is very rustic. Non-sidewalk, non- -- you know, sewers. I mean, Dennis referred to water on septic and sewers, et cetera.

The water system hasn't even been completed. Just recently they ran the loop in there to get good fresh water, because it was basically, according to the city, rotting in the pipes. So some of the neighborhood hasn't hooked up to the water yet. I'm one of them, but I'm planning on doing it. So just to look at the neighborhood and the

compatibility of farms and homes and a rustic life, and then know that there's going to be five four-story, for lack of a better term, condos built on a piece of property that's an acre less than mine, it just doesn't fit. And I'm against it.

CHAIR CASTRO: Can I ask you, your horse farm, is it a farm where you just maintain horses, or are there riders, and are people riding in the streets, the trails, or anything like that?

MR. REYNOLDS: We used to ride in the streets and trails. And -- and thank you for bringing that up. To the other point of there not being a lot of traffic in there, the northern part of Northwest 74th Street is the North Broward Preparatory School, K-12 now, and there's a lot more traffic in there now, of course, since it's 2015 versus when I moved in in 1994. But we used to ride all the way down to 39th Avenue, where the Adios Golf Course is, and up and down there. But you can't do it anymore. There's just too much traffic going in and out.

CHAIR CASTRO: Okay.

MR. REYNOLDS: Also, one of my neighbors came in. He was late. Can Mike Covelli talk?

CHAIR CASTRO: Yeah, that's fine.

MR. REYNOLDS: Okay. Thank you for your time.

CHAIR CASTRO: Thank you.

MS. BOY: Okay. Mr. Richard Seaman, followed by Mr. Mike Covelli, and we'll have him fill out a card.

CHAIR CASTRO: Yes. Mr. Coveli will have to fill something out.

MR. SEAMAN: Good morning. Richard Seaman, 4211 Northwest 74th Street. I am just to the northwest of Mr. Waldman's proposed project. I am for it. I am a realtor, and I feel in the neighborhood -- I've watched it since 2005, since I've been living there -- I believe his proposed project would actually enhance property values in the area, for one. I feel the compatibility with his design is in line with what is needed in the neighborhood to actually bring it up some. We've got some properties that I would have to classify as somewhat dilapidated in the area.

And you're not going to stop progress. So, I mean, I've seen Coconut Creek change in the 16 years I've been living there. It's changed drastically all over, like other areas of the County. And I don't think we're going to stop it. And I think everybody's got a right to a nice neighborhood, as well. So I'm for the project.

CHAIR CASTRO: Thank you.

MR. SEAMAN: Thank you.

MS. BOY: Mr. Mike Covelli.

CHAIR CASTRO: She's getting him to fill out the form. She won't let him come to the microphone until he fills out the form. Boy, that's serious business.

MR. COVELLI: Yeah.

MS. BOY: We're on it.

MR. COVELLI: Yeah. Good morning. I apologize. I got hung up in traffic getting here. I'm at 7200 Northwest 43rd Avenue. I'm not directly on 74th. I'm at the street that runs north and south to the -- to the west of this. Staff did a very good job of analysis. I think that -- that, you know, don't downplay that there's only one item left, which is compatibility. That is the item.

You know, if you look at the area between 39th up to North Broward Prep, down to 71st, and all the way over to Lyons Road, there are no multifamily units. This is all predominantly single family units. Keep in mind that a lot of the units that are developed here are on lots bigger than one acre, so -- so the -- the effective density is actually less than one unit to the acre. So when you say you have one unit to the acre and you develop it at one unit to the acre, you actually have an increase in density already.

Staff did do a great job in the -- in the analysis. And there is a recommendation in there for two units to the acre. I think two units to the acre's appropriate. I would support the two units to the acre. I -- I just think the -- to introduce a multifamily higher density element is -- is a mistake. You have to look at just because there's five units to the acre to the south of this, it doesn't mean anything. If this property had access through that five units to the acre, I would have no objection to this. But it doesn't. Its -- its primary access is on 74th Street, which is the street that is impacted by this development. All the lots within 74th Street are one acre or bigger.

So so that's what you have to really look at in terms of the impact. Additionally, you hear people say the roads, the -- the services, all those things. For the last 30 years, this property, this neighborhood has really struggled. You could buy houses in this neighborhood on one acre for \$250,000 in the last few years. There have been no comps in this neighborhood for the last 25 years.

In the last couple of years, though, there are new houses being built. There's a house being built just to the east of this on 39th Avenue that's -- that's 6,000 square feet. And I would be very upset if I made that kind of investment. The woman who's building the house has said she wants to put her horse there. You have to look at kind of the social side of this, also. You know, people that are -- that want to live in a rural environment and have horses, and some mornings when I back up to a horse farm, and some days it smells like fresh country air. And that's okay, because I chose to live like that.

When you introduce a multifamily element into a neighborhood like this, the people that live there are probably not going to like the smell of that, and they're going to -- and you're going to have a lot of complaints. So socially, you have to kind of look at the compatibility, also. You know, it's -- it's a difficult thing, you know, but -- but everyone has the right to develop their property, but I think you need to look at what is the impact on -- on the whole neighborhood.

You know, the property across the street is five units to the acre. He supports the project. Why? Because that's 25 more units if this is passed. The property to the west also supports it. Why? Because that property has a for sale sign on it right now, and that's another 25 units. So in the blink of an eye, you can have 70 units on 74th Street. And staff was very astute at pointing that out, that -- that that is a possibility.

I think two to the acre's appropriate. I think anything other than single family is appropriate, and I would support that. But multifamily, I don't believe is appropriate. A little bit about water and sewer. For years, all the people in the neighborhood have been paying taxes to Broward County for services. And if -- and -- and I don't know if I should say this, but in my opinion, there's been fighting between the City of Coconut Creek and Broward County of saying who's going to put the services in before the annexation takes place.

Well, Broward County hasn't put them in, and Coconut Creek hasn't annexed. So -- so don't get caught up in a there's no services. This is a way to get services. You know, it's a rural area. It will come. You know, the improvement that's being done on 74th is being done by the city engineer. He designed it himself. The city is doing that installation. There's only two other streets in that neighborhood, 43rd Avenue and 71st. 71st does have water. So -- so when you -- when -- when you talk about all the services that aren't there, they're -- they're almost there.

CHAIR CASTRO: Okay.

MR. COVELLI: Okay. Thank you.

CHAIR CASTRO: Thank you.

MS. BOY: There are no other speakers signed in.

CHAIR CASTRO: Okay. We'll give Mr. Mele a chance to respond briefly, and then we'll bring it back to the Council for -- then I'm going to recognize --

MR. MELE: Thank you.

CHAIR CASTRO: -- School Board Member Good first. Go ahead. No, no, you go.

MR. MELE: Okay. Dennis Mele on behalf of the applicant. So we had, besides Mr. Planning Council
4/23/2015
LR/NC/DH/PL

Waldman and myself, four speakers this morning, two of whom spoke in favor and two of whom spoke against. The two who spoke in favor are adjacent to the property. If you look at that aerial photo that's on the screen, Mr. Annenberg is immediately to the west in one of the unincorporated parcels there, and Mr. Seaman is just to the northwest in the other unincorporated parcel that you see there.

Both of them receive access to their property from 74th Street, the same as Mr. Waldman. They have no problem with what we're doing. The other two speakers who spoke, one of them is on 74th Street a little further west, not adjacent to Mr. Waldman, and the last speaker lives on another street, not on 74th. The city is, in fact, putting in a water line on 74th Street, but I don't believe they can make the unincorporated properties connect to it. So they're putting it in in hopes that people will say, here's services; we would like to have those.

They're not putting in sewer, yet, because as long as there are still all these unincorporated properties, there's no way to make the sewer efficient. Sewer is much more expensive to install than water. And then, finally, there was a discussion about traffic and about four stories. We never said we were building four stories. I don't know where that came from. And in terms of traffic, there was a traffic review done by your staff which shows that all the roads in the area operate properly, and we're not overburdening any of them. And so those are the technical traffic reviews that you do on every land use amendment. Again, any questions, I'll be happy to answer them. Thank you.

CHAIR CASTRO: Thank you. School Board Member Good first.

MS. GOOD: Thank you, Madam Chair. Would staff -- there were some comments made that this proposed density is multifamily, and it's not my understanding that it is. Can you just clarify?

MS. BOY: The Broward County Land Use Plan doesn't set what unit type is constructed on a property. So, for example, on this area, it's low 5. Traditionally, we would do the analysis of single family residential, because that's the assumption that's made.

However, what is actually constructed on a land use -- so if you have 500 acres of estate 1 and you wanted to take those 500 units that were permitted and build a high rise on one or two of the acres, that would be allowed, because you're -- you're just building the maximum number of units. So the County plan doesn't speak to what type of unit is constructed. That's left to the local government and the zoning.

MS. GOOD: Okay. So my next question, then, would be to the applicant. Is there a proposal, or have you set aside a covenant limiting the number of units or the type of unit in any way?

MR. MELE: Actually, when we started this process, the discussion we had with the city was that the density looked good, but they did not want the type of layout that we have

immediately to our south, which is the 5.5 unit per acre. Those are basically zero lot line homes.

The discussion that we had was that when you do look at the large lots around us, they -- some of them, have very big houses. Like Mr. Annenberg has a very large house.

So they said, well, if you're going to do five units per acre, what we'd rather see you do, and this is actually what we're pursuing now, and I'm -- I mean, I'm getting into more site planning stuff that I know we don't normally do here –

MS. GOOD: I understand.

MR. MELE: -- but –

MS. GOOD: I just want to –

MR. MELE: -- what we're planning to do is the following, to build five big structures that will look like a very large single family home, and within each one of those structures, there will be four units. And then we had to agree to a whole series of design characteristics that, again, your staff didn't incorporate because you don't normally do that with a land use amendment.

MS. GOOD: Got it.

MR. MELE: So the idea is to make these look like five individual large single family homes, but there would be four units in each. Now, nothing that we do here sets that standard. But what the city asked us to do and what we agreed to do is we're going to have to rezone this property as well. We're going to rezone it to P.U.D. We're going to incorporate what I just described to you, plus these two pages of design standards that deal with buffers and architecture and setbacks from the road, and even talks about windows and how to design the house so that it has a lot of articulation. So that -- that's what we're proposing to do.

MS. GOOD: I appreciate it.

MR. MELE: We're not proposing four stories.

MS. GOOD: Because my next question was, although I understand we don't get into site plan specifics, but I know the city had imposed some requirements, and I just wanted to get an idea of what some of those requirements were, and did they impose requirements, and I think they did, with regard to buffers and things of that –

MR. MELE: That's correct.

MS. BOY: Those are outlined in Attachment 8 of your backup materials.

MS. GOOD: Okay.

MS. BOY: And there's also a -- some sample, not site plans, but --

MR. MELE: Elevations.

MS. BOY: Elevations. Thank you.

MS. GOOD: Okay. And then, of course, looking at the site plan, you can tell the proximity of the private educational facility, which is quite large. It appears to have access, too, along 74th Street. Is that correct? The --

MR. MELE: Broward Prep? Yeah, it does have access. Jim could describe it better. He lives in this -- on this property, so I'll let him do that.

MS. GOOD: And -- and I'm -- and, again, everyone spoke about the -- the compatibility, so I'm trying to get some information on that. Thank you.

MR. WALDMAN: The is a roadway entrance into the North Broward Prep School. However, it is closed off. It is not accessible.

MS. GOOD: Utilized.

MR. WALDMAN: It is only for emergency service --

MS. GOOD: Okay.

MR. WALDMAN: -- at that road, and that is just to the -- just to the east of 43rd Avenue is where that entrance is. So but there is no actual entryway there. There's no traffic that comes from the North Broward school onto 74th at all.

MS. GOOD: Okay. And then --

CHAIR CASTRO: While she's looking, I'm going to interject real quick. One gentleman said something about four stories. You said it looks like a single family home. So I didn't quite get the -- maybe I missed it and it flew by me. How many stories are proposed? And I know we're not doing site plan, you know, review here, but, to her point.

MR. MELE: Two and three.

CHAIR CASTRO: Two and three. And I didn't know how many -- your single family homes, how high they went. So I just wanted to make sure how high your single family homes were.

MS. GOOD: The area to the south, it was zero lot line? The area south --

MR. WALDMAN: I don't know that they're -- they're zeroes. I'm sorry. May I –

MS. GOOD: I'm sorry? No. I'll ask -- let me ask staff real quick. The area single family residential community that's built out, south of the proposed application –

MS. BOY: Yes, it's a Planned Unit Development –

MS. GOOD: It's P.U.D.

MS. BOY: -- so it's very small lots, almost -- I mean, I drove through the –

MS. GOOD: They're close.

MS. BOY: -- neighborhood. They're very close.

MS. GOOD: Very. They're almost zero.

MR. MELE: I want to correct something I said. They're the size of zero lot line –

MS. GOOD: Got it.

MR. MELE: -- lots, but they're centered in the lot. So I should not have called it a zero lot line.

MS. GOOD: So, if you don't mind, just very quickly, so the area to the south is how many units per acre?

MS. BOY: 5.5, irregular 5.5.

MS. GOOD: Okay. And you have the golf course to the east of 39th Avenue. Then to the south of the golf course, those units are?

MS. BOY: Those are low/medium 10, that strip of homes that are there, and then the pieces that go around the south, kind of the W shape, that's 10 units to the acre.

MS. GOOD: The ones to the south of like the -- the lake area –

MS. BOY: Just south of -- I'm sorry.

MS. GOOD: -- the units south of the golf course –

MS. BOY: Yes.

MS. GOOD: -- there's a lake, and then there's some other ones that look higher density.

MS. BOY: Ten units per acre.

MS. GOOD: Okay.

MR. MELE: And –

MS. GOOD: And –

MR. MELE: -- on the south side of the lake, those are apartments.

MS. GOOD: That's what -- I just wanted to make sure that was clarified. Give me one quick second. I'll leave my comments at that for now. Thank you.

CHAIR CASTRO: Thank you. Mr. Parness, followed by Commissioner Castillo, followed by Mayor Ryan.

MR. PARNESS: From what I've heard, 72 percent is more than 28 percent. The land use is to accommodate how many people live on those acres that we're talking about? How many neighbors are there? Five? Is it 25 acres with one house on five acres each?

MS. BOY: You're talking about the surrounding –

MR. PARNESS: Yes.

MS. BOY: Okay. So immediately to the west of the site is one unit per acre, but there is one house built on five acres. Immediately to the east, I would call it the southeast corner, there's one unit built on -- it's a little bit -- it's more than -- it's about one acre, I think.

UNIDENTIFIED SPEAKER: One acre.

MS. BOY: And then there's also single family residential directly to the east of that. Those are the neighbors you're talking about?

MR. PARNESS: Yes.

MS. BOY: Okay.

MR. PARNESS: So the surrounding area's three people, three homes, four homes, six homes. Let's make it ten homes. It's like ten people saying, don't put windmill -- windmills three miles off the coast, because I don't want to look at them. I bought a view of the ocean. How dare you take my view away?

I'm sorry. If Coconut Creek wants this, and Parkland wants this, and it would serve the community, where 100 and some-odd people would have homes in a nice

neighborhood, what are we talking about? Seven or eight homeowners dictating? Let them show us in writing that, when they bought their property, the cities and the County promised it's forever. Anything around you will never be built on that you don't approve of. I don't think that's the case. I think we have to look at the overall good of what this development will mean for the city and the County. I'm sorry. I just don't see restricting it because it might upset seven or eight homeowners.

CHAIR CASTRO: Commissioner Castillo.

COMMISSIONER CASTILLO: Compatibility has never been defined this way, and I'm sort of -- this isn't critical of staff. I'm -- I'm thankful for their -- for their --

VICE MAYOR KIAR: Bernie's mic's on. Oh, Bernie, push your mic button. There you go.

COMMISSIONER CASTILLO: I'm thankful for their analysis. But, as I recall, compatibility has never been very precisely defined. And if you look at different areas in Broward County, you will see a mix of housing types in the same area. You will see multifamily and town home and condo and single family, and, within a reasonable distance, even perhaps some more ranch style housing.

I live in a community like that. Miramar's a community like that. Weston's a community like that. When I think of incompatibility, I think of incompatibility of uses. For example, if there was a use that was going in here that would interfere with the ability of those residents or owners to feel residential, in a sense that, you know, they could enjoy the homes that they live in, that would be one thing.

But when it comes to the same use, I think we have to -- I think -- I think that what Mr. Parness is saying is correct. We have to defer to what the standards of the city are. And I lament that what we have here is a mix of city and, as I see it, unincorporated areas. And I had asked the question before, and it sort of keeps coming up today, seems to be the question of the day. These things are supposed to be -- it's supposed to be done already. There's not supposed to be any unincorporated land anymore, and certainly not residential.

So we're kind behind the eight ball on that. And I am sort of convinced that, in order to make that happen, there may need to be some incentives. But for sure this property lies within the confines of a city that has voted in favor of it, so while I respect staff's analysis, I don't think that I'm persuaded to overrule what the preference of the city is in this. So I'm not inclined to support denial of the application.

CHAIR CASTRO: Okay. Then we have Mayor Ryan, followed by Commissioner Kiar.

MAYOR RYAN: Yes. Mr. Mele --

MR. MELE: Yes, sir.

MAYOR RYAN: -- with respect to the votes at the P and Z, what was that vote?

MR. MELE: Both the P and Z and the City Commission were four to one.

MAYOR RYAN: Four to one. And when you went through the –

MR. MELE: Oh, I'm sorry. The City Commission was three to one. I forgot there was an absence on the -- there's a vacancy. Three to one at City Commission, four to one at P and Z.

MAYOR RYAN: And -- and remind me, I apologize, is this a -- a city that has its members as districts?

MR. MELE: They do have -- you have to live in the district, but you vote it on citywide, and the vacancy was actually that district seat.

MAYOR RYAN: Okay. So there was no representative from that district who would vote it in?

MR. MELE: That's correct. Although I will tell you, in Coconut Creek, historically, because everyone is elected at large, the district designation is not as significant as it is in cities where it's a single member district.

MAYOR RYAN: I understand. With respect to the numbers, only because you invited the numbers here that attended, you would agree there were a number of folks who spoke at the P and Z; correct?

MR. MELE: Yes.

MAYOR RYAN: And how many were opposed and how many were in favor?

MR. MELE: I'd say it was probably three or four to one opposed to in favor.

MAYOR RYAN: And at the –

MR. MELE: Maybe even -- maybe even more than that.

MAYOR RYAN: Okay. And at the City Commission?

MR. MELE: About the same.

MAYOR RYAN: Staff had numbers from the City Commission that there were six opposed and one in favor; does that sound about right?

MR. MELE: I thought we might have had more people, but that's probably right.

MAYOR RYAN: And then at P and Z, it was 19 opposed and three in favor; does that sound about right?

MR. MELE: Yeah. I didn't count that high, but, yeah, I -- that could be right.

MAYOR RYAN: Okay. So just in terms of the -- just not that numbers should necessarily matter as a determinative, just as I did the count, we had 27 opposed and six for through today that have spoken on this.

MR. MELE: And some of the people would have been the same people. They might have come to two or all three of the meetings in question, but the numbers don't sound off.

MAYOR RYAN: Right. And that's an excellent point. Maybe not everybody was able to get here today or aware of it and -- but that's probably why we got letters instead. You had an opportunity to see those letters?

MR. MELE: I did. And it's not unusual that the nighttime meetings will get more people out than a daytime meeting.

MAYOR RYAN: Fair point. With respect to the point that was raised that this will be some sort of beachhead for further changes in the area, that was raised by one of those who opposed –

MR. MELE: Right.

MAYOR RYAN: -- the idea that if this becomes -- if this is approved, that it will be a cascade impact for the others that are single family residential because they naturally will think they should have the opportunity to develop and profit at the same level; how do you respond to that?

MR. MELE: Well, first of all, I think it's speculative. I don't know if it's going to happen or not. Secondly, the more that the city puts in utilities in that area, the more it's going to encourage people to develop, I think.

MAYOR RYAN: Okay. Thank you. That's all the questions I had.

MR. MELE: Thank you.

CHAIR CASTRO: Thank you. Vice Mayor Kiar.

VICE MAYOR KIAR: Thank you, Madam Chair. So just from -- I know that this went -- was brought over before, but there were -- there was the Planning Council, the -- well, I guess, the -- what do they call it? They don't call it the Planning Council. What do they call it?

UNIDENTIFIED SPEAKER: Planning and Zoning.

VICE MAYOR KIAR: Planning and Zoning Board.

CHAIR CASTRO: P and Z.

VICE MAYOR KIAR: Planning and Zoning Board –

MS. BOY: Yes.

VICE MAYOR KIAR: -- which was a three to one vote -- or four to one vote.

MS. BOY: A four to one vote at Planning and Zoning and –

VICE MAYOR KIAR: Okay.

MS. BOY: -- three to one at the City Commission.

VICE MAYOR KIAR: And the Commissioner, I guess it would be the new Commissioner is Rydell? Commissioner Rydell. He wasn't seated, yet, so even if he was seated and voted no, it would still have passed three to two from the City Commission.

MS. BOY: That's my understanding. I don't think they have a super majority –

VICE MAYOR KIAR: Right.

MS. BOY: -- requirement.

MR. MELE: Yeah, there's no super majority requirement. And, of course, this amendment does have to go back to Coconut Creek for a second reading, and he is there now.

VICE MAYOR KIAR: And that's important to me, and I'll tell you why. I was thinking a lot about this. I'm -- I live in western Broward County, in west Davie. And I have always, you know, as a resident, believed very strongly in lower density. And there have been times when there have been issues to increase the density where I've been active with my neighbors at the local City Commission.

And if I had lived in this area, maybe that's how I would feel, and I would go to the local City Commission and -- which would be Coconut Creek, and express my concerns. But I really believe at the end of the day that the density determination is better handled and decided at the municipal level than it is at the County level.

I think that Coconut Creek, their elected officials who have been elected by the people, know better how to -- what the density should be in different areas than we would at the County Commission level.

And even though I definitely understand where staff is coming from, I think that you all did a very good job, and I understand the concerns of the residents, I believe that in this instance it's important for us to defer to the local decision-makers, which are the municipal -- which is the City of Coconut Creek.

And I think the best place to address this, if it does pass here and ultimately passes the County Commission, is at that next hearing at the -- at Coconut Creek. That's really where this, I believe, would be -- is best addressed. And so, at least for myself, I am going to not support staff's denial and actually support the recommendation of Coconut Creek, because I believe that's where they are best situated to address this issue. Thank you.

CHAIR CASTRO: Mayor Stermer followed by Commissioner Gomez.

MAYOR STERMER: I think it's interesting that exactly what's going up on -- going up in this -- going on in this corner of the County where there's not consistency of who governs the surrounding pieces of property. Therefore, it's a unique situation.

And I think some of the sentiment that's going on here this morning would be different if this parcel was in unincorporated Broward County and, at the end of the day, the County makes the decision of what goes on in unincorporated Broward County.

For good or for bad, this parcel is within the confines of the City of Coconut Creek. And while everyone that sits here understands and appreciates staff's recommendations, one of the things that we're doing in the next generation through Broward Next is reviewing and modifying the Broward County Land Development Code to come into the 21st century, to come into 2015, 2016 and deal with issues that are dealing more closely with this in today's realm compared to 1970, when the current Land Development Code was created.

You know, when you have Adios to the east. You have North Broward Prep to the northwest. You have 5.5 below it. It's clear what's going to be happening in that community, irrespective of what may be there today. And, Vice Mayor, yeah, we all know in certain parts of west Davie there's higher densities right next to lower densities. And -- and that's part of the change that this County's going through.

But, to me, the local government reviewed this. The local government twice had it before it, and approved it, understanding there might not have been a Commissioner in the district, but that Commissioner on a -- even sitting, even if he voted no, would make it a 3-2 vote, and it would pass the Coconut Creek Commission.

But at the end, it's going to come back to, on second reading in Coconut Creek, their decision of how they want to deal with the issues of design and setback and make it more -- my words -- community friendly, understanding some members of the community aren't going to like it no matter what. So I think it's incumbent upon the City of Coconut Creek to do what it thinks is best with property within its jurisdiction. I

understand the residents -- part of the problem is the residents that are most vocal live in unincorporated Broward County. So in some respects, it's the betwixt and between of how to deal with this circumstance.

But, to me, I think part of the future that's going on in -- in this part of the world, particularly when, you know, we looked at the item that was at the Trafficways, is taking what was purely agricultural land and turning it into planned developments up in the northwest corner in the Wedge. So what -- you know, the County is evolving. And this is part of the last of what will be the build out in the County. And the city that governs this has made a decision that it's in favor of this development of this property. So, at the appropriate time, I'd make a motion to approve the item at 5.5 -- five. I'm sorry. Five to the acre.

CHAIR CASTRO: Commissioner Gomez.

COMMISSIONER GOMEZ: Good morning. I respect all the opinions that have been given so far, but I am of the opinion that the County -- the City of Coconut Creek actually sent up a red flag. When they sent up the proposal to transmit to this body, they put a whole list of items on there that were not possibly normal to a transmittal.

And I think in that respect, they were doing it out of deference to everybody, but also giving a red flag that they don't know if they really want this in their community but figured they would get some help from this body, or possibly when it goes up to the County. So I do not believe that the city is in full favor of this proposal.

I did drive out to the community. I did look at the way the roads are. I understand the comments about future land use and for the sewer and for the water and all that kind of stuff. But that's not what's being discussed here. It's not a matter of planning out the community and if anybody's objecting to whether or not they have their water services or their sewer services.

The community's not complaining about any of those needs. What I'm hearing is from the people who bought their homes and have just as right to their property when they bought the property to have their acreage and to have their community in the way in which they're living in it now. Not because you can do it. Just because you can build doesn't mean you should build. And just because we are developing in certain other areas, and I know that our County is growing, doesn't mean we should squeeze out those people that are currently there. So it is my opinion to support that this is incompatible, an incompatible use, and vote in favor with the recommendation from the staff.

CHAIR CASTRO: Commissioner Long followed by Commissioner McCartney.

COMMISSIONER LONG: I guess I'm a little bit in agreement with Ms. Gomez. One of the concerns I have is that people do move into an area because of its way of life, its quality of life, and, in this case, agricultural, horses, things like that.

I believe that's very important. That's why people go there. That's why people move into certain areas such as Southwest Ranches and parts of Davie, because they have large areas of land which they can put a horse farm on or some agriculture and things like that.

And because you have an area, in this particular case, on both sides that's unincorporated, as a City Commissioner point of view, sometimes we don't put as much emphasis into your neighbors if it's not in your city. We look at it a little bit differently. I do have a question. When we talk about two and three story, what's the height limitations in Coconut Creek?

MS. BOY: I don't know if there's anyone that can answer -- sorry. I don't know if there's anyone that can respond. I'm not sure of the height limitation. The County Land Use Plan doesn't determine that and that is –

COMMISSIONER LONG: I was just –

MS. BOY: -- determined by the local –

COMMISSIONER LONG: -- wondering, because I look at compatibility and –

UNIDENTIFIED SPEAKER: (Inaudible) feet.

COMMISSIONER LONG: Yeah. How tall could this go?

MR. MELE: It's -- it would be -- we will be rezoning to P.U.D., so there isn't something I can tell you just look it up in a book and here's the number. We'll have to show in our design. But, you know, typically, a -- a three story home is going to be about 36 feet or so. A two story home, you know, little bit less than that.

COMMISSIONER LONG: In Lighthouse Point, two story maxes out at 34.5, so I'd imagine a three story, and being a multifamily, for this particular case, could be much higher. I'm wondering the incompatibility of that from a -- a single story house that's on five acres or four acres, and that's –

MR. MELE: Well –

COMMISSIONER LONG: -- where I'm –

MR. MELE: -- the houses around there in the area today are a mixture of a couple of things. There are some very old houses that are pretty small. Anything that's been built in the last 15 years is very big.

COMMISSIONER LONG: But it's still at one on four or five acres.

MR. MELE: Well, no, even if, you know, we were looking at those earlier, and to the Planning Council
4/23/2015
LR/NC/DH/PL

east there happens to be one home built there now. There's three more on the way.

COMMISSIONER LONG: Okay.

MR. MELE: To the west, the gentleman who spoke, Mr. Annenberg, he happens to own five acres. He has one house on it, but that doesn't mean that's all there ever is going to be. You know, remember, one unit per acre is the number there, not one unit per five acres.

COMMISSIONER LONG: Right. I understand what the maximum is. But I do believe there's a quality of life issue here that, you know, some of the unincorporated areas are going to be affected by. And, you know, I know we talk about services and things like that. I'm not sure of the relevance of that, at this point. You know, to me, I understand exactly what the Council is trying to say as far as compatibility with surrounding areas. So, for that, I would support the Planning Council recommendation to deny.

CHAIR CASTRO: Okay. Commissioner McCartney.

COMMISSIONER MCCARTNEY: Thank you, Madam Chair. Like several of my colleagues have pointed out, I -- my bent is to local government. My bent is to be deferential to the analysis of the city, the local government that has looked at this and all the impact of it as it applies to the residents, those who are closest to that government.

And my rationale for that is -- is multi-fold, but for these purposes, it's because of our other prong. And our other prong is compatibility. And I think that there is a distinction between just generalized compatibility, as the point was brought up earlier, and compatibility of use. And compatibility of use in the general sense here is housing and neighborhood, not a compatibility of use which would be something completely not that, and therefore incompatible.

I would hate for this body to overreach, as I would see it, in imposing a definition of compatibility that the local government has already analyzed and determined that for their -- their city and their immediate surrounding area, that it is, indeed, compatible, and it is, indeed, within the desire of the city for such a development and for such a -- an amendment to be made. So, for that reason, unfortunately, I don't support staff's recommendation of denial.

CHAIR CASTRO: Mr. Friedel followed by Mayor Ryan.

MR. FRIEDEL: Mr. Mele --

MR. MELE: Yes, sir.

MR. FRIEDEL: -- can you very quickly discuss staff's concern about the -- the buffers and setbacks for the -- the site itself? Because I have actually seen the site, and I know it's big, but I'm concerned that, you know, there are those problems, you know.

MR. MELE: As I understand it, and, obviously, I don't want to speak for staff, but as I understand it, the comment was that concentrating on things like buffers and designs is not what they normally do when looking at a land use amendment. That's normally handled by the local city when they're looking at site plans and that sort of thing. I think that's the reason for that statement.

Now, notwithstanding that, we have had many land use amendments here where we do agree to those sorts of things. Not necessarily here, but we do it at the city. And we have told you that's what we're going to do, and that is what Coconut Creek is going to require as part of our P.U.D. rezoning, specific buffers with not only the width of the buffer but the design of the buffer, and also -- and like the -- Ms. Boy pointed out, it's one of the exhibits -- you said it was eight?

MS. BOY: Attachment 8.

MR. MELE: Attachment 8 to your backup, and you can see the whole list of things that we're doing there. And I think that is to make sure that we achieve compatibility. And I've heard a number of comments here today. Compatibility, even if you tried to define it, I'm not sure you could. Most cities that I go to have a compatibility provision, and it usually -- the language -- the one thing you can rely on in the language is the distance that you have to go out in looking at compatibility. I know Deerfield Beach has a provision like that. But actually defining what it means, much tougher thing to do.

MR. FRIEDEL: Yeah, I just want to continue to agree that, you know, the County needs to move forward with the State's requirement that these unincorporated pieces of land become incorporated, and I feel that, you know, development like this is going to encourage the -- the cities to want to do that.

And I feel that if the City of Coconut Creek wanted to send us a red flag, it wouldn't have been done so in the transmittal, but they would have voted against this. So thank you very much.

CHAIR CASTRO: Thank you. Mayor Ryan, followed by Commissioner Mack, followed by Commissioner Blattner.

MAYOR RYAN: Thank you, Madam Chair. With respect to compatibility and difficulty of definition, I think it's one of those things that you know it when you see it.

UNIDENTIFIED SPEAKER: Yes.

MAYOR RYAN: And so I don't think it's a fatal flaw that there's no single definition, but it is something that -- that -- you know, I think one of the problems we face here is that for Coconut Creek to determine what's compatible in a single island property is different than what they would be doing if all of that property was Coconut Creek.

The deference given to local boards, local Commissions must be that they have
Planning Council
4/23/2015
LR/NC/DH/PL

weighed those issues and they understand the properties in the surrounding area as well as their future visions for the property.

And this is where I struggle, because I share the deference that have been raised by my colleagues. It's so important that we not interfere at the County, yet, as we sit here as a Board, we're talking about compatibility with unincorporated Broward. We're talking about compatibility with properties with which we have a responsibility.

And so the principles of deference, which should dominate and be a presumption when it comes to this Board, I think evaporate. And that's where I am faced with the difficulty, because it is -- it is very difficult to say that the political process works where the Board need not consider the surrounding properties in terms of compatibility because they don't govern it. They're not responsible for delivery of services. Their folks don't vote for them. And they're not part of their city.

I know, because we deal with that issue ourselves. So this would be a much simpler issue for me were all these properties, as has been suggested, more rapidly absorbed into a municipal governing body that could have an overarching vision. Instead, I don't think that we can simply defer because a county is sitting in this position normally and a city commission sends its message through a powerful vote in a democratic process.

Here, I think we have an independent obligation to understand compatibility in our own perspective, because these are unincorporated properties. I am still troubled by going against staff's recommendation because of the unique role that we play with respect to the surrounding properties.

CHAIR CASTRO: Thank you. Commissioner Mack followed by Commissioner Blattner.

VICE MAYOR MACK: I pass on my comment.

CHAIR CASTRO: Thank you. Commissioner Blattner.

COMMISSIONER BLATTNER: Well, I don't understand why Coconut Creek hasn't been aggressively acquiring this property for annexation. It's been out there for a long time. They can answer that themselves. But, you know, five units to an acre is not 25 units to an acre. It's not zero lot line. It's, as proposed, a very interesting concept. And I think that without knowing specifically what Coconut Creek wants to do with its height limitations, landscaping, buffering, and so forth, five to an acre is not something that's horrible.

I think that what's going to be interesting is the County Commission. I mean, this has been proposed to us, denial, by a County agency. You know, we're being asked to affirm or deny. I think that our recommendation to the County Commission is really going to be -- going to cause them to have a very similar debate to what we're having today.

But I think that when it comes down to it, what will cause me to vote for five units to the acre is, one, it is only five units to the acre, and, two, it is in support of what the local government has recommended to us. So I don't know how this resolution will be worded, whether we're voting to deny the Planning Council's recommendation or if Mayor Stermer was making a motion that's a little different than that. But I'm going in your direction, Mayor, to support five units to the acre.

CHAIR CASTRO: Just out of curiously, Broward County, do they have any plans for this area at all? Did you inquire?

MS. BOY: Yes. They actually provided comments. They're in your backup. And they actually addressed also the compatibility issue in there, in their comments, as well.

CHAIR CASTRO: But what are their long term plans? I'm asking you to put it on the record, basically, is what I'm asking you to do.

MS. BOY: I'm not aware of any long term plans for either the City of Coconut Creek or Broward County in this area.

CHAIR CASTRO: So there's no plan for Broward County to certainly retain the property indefinitely and plan it and -- and decide that it should stay a certain way or not stay a certain way.

MS. BOY: I'm unaware of that.

CHAIR CASTRO: See, that's the challenge I'm having. I came in, you know, I normally defer to staff's recommendation. And, first of all, I agree that your compatibility analysis is good. I think you can look at compatibility for multi elements. I think the challenges here are when you say, it's incompatible. I think it's the single family home versus the multifamily home, which is certainly there, because if you look at the five per acre just to the south, there is a five per acre. So it's not necessarily incompatibility to density, other than they're trying to put their density in one building.

And that's where the challenge keeps coming in. This is also a challenge because, I think, of what Mayor Ryan and some other people alluded to, is if this were two governments who owned these areas, were keeping these areas, and looking long term and had plans for these areas, it would certainly be an easier analysis, because then you know where people are going and whether something is compatible or incompatible with that long term goal.

The problem is nobody has a clue. We're either going to annex it. We're not going to annex it. Well, if we don't annex it, we really don't have anything definite we're going to do with it right now or in the near future that we can talk about or see, anyway. The last argument we have is the one we always have. Not in my backyard. Everybody buys their property -- airport, just so we'll say it again today, I had no idea they were going to build a south runway. Nobody told me. The real estate agent certainly didn't tell me.

Everybody says, well, you should have known. Well, no, I never thought an airport would outgrow its boundaries, which this one has done.

But the reality is, PH-3 before this, you know, they had green space or a lake, and they were told it will be green space and a lake. Well, you know, that's not the same property owner. So we have those three levels that we're going in on. I'm struggling with the multifamily aspect, I have to tell you, because the other homes to the south are single family. But then they're zero lot line. So it's do you want to spread it out flat, or do you want to stack them up?

So I assume when you're stacking them up, you're leaving a lot more green space around the building, not that we're doing site plan here, but that makes me feel a little more comfortable with the idea of the multifamily. And I think, to somebody's point earlier, the numbers are the same. It's -- it's 20 families to the five acres, basically, or 20 residences or whatever, if I'm doing my math right, or 25 to the -- to the five acres or four acres, in this case, four acres. So 20 residences.

So whether you stack them up or lay them out, at that point, to somebody's comments earlier, there's all orders of mixed development now in South Florida where you have single family homes next to condos next to town houses next to whatever. But I think the jurisdictional struggle is what's creating the biggest problem, because one person is well settled in the City of Coconut Creek, has a vision, has a plan -- and I'm not trying to offend the County. I understand the County's in a flux with this unincorporated area stuff. There's really nothing strong there to guide anybody about what long term compatibility looks like.

You know, for all I know, the County could say in a year, we're going to keep it, and we're going to develop it into multifamily. You know, I don't know. Or maybe they're going to put an arena there, or a gun range or whatever. I don't know. So it makes it a very big struggle with what they're trying to do or not do.

So I'm going to tell you, I -- if anybody doesn't mind, I -- I'm either going to split the baby with the two, or I'm going to support the five, at this point, and let the County Commission work it out, because they're the ones who will really have a vision about what they're going to do with that unincorporated area, more than we would have here.

MAYOR STERMER: Madam Chair?

CHAIR CASTRO: Mayor Ryan.

MAYOR RYAN: Madam Chair, just a point of information. Could we have our staff make clear what the County's comments were? I know it's in the backup.

CHAIR CASTRO: On the record? Absolutely.

MAYOR RYAN: Yes, on the record.

CHAIR CASTRO: I was hoping she was going to give me a little more, but I didn't want to push her too hard.

MAYOR RYAN: Thank you, Madam Chair.

CHAIR CASTRO: While she's looking, I think Mayor Stermer had something he wanted to add, so.

MAYOR STERMER: But I think it's also, if we're -- if we're trying to read the tea leaves of what's --

CHAIR CASTRO: Right.

MAYOR STERMER: -- what the future may be, which is part of what we're doing, the City of Coconut Creek has put in water lines.

CHAIR CASTRO: Yes.

MAYOR STERMER: The City of Coconut Creek built a park up the block.

CHAIR CASTRO: Right.

MAYOR STERMER: If we're trying to see where it's going, Coconut Creek appears to be making efforts to say, come to us.

CHAIR CASTRO: This is ours.

MAYOR STERMER: Broward County has done nothing, and, understanding the annexation bill that was out there that continues to govern, all land is not to be -- is to be absorbed into some city, or become a new city. And I doubt these few parcels that are in northwest Broward County are going to become a city unto themselves. You know, we have Lazy Lake already that has a couple of houses in it. No disrespect to Lazy Lake, but I don't think these homeowners are going to create their own city.

So at some point, they will end up in some other local government. At some point. Whether it's this decade, next -- at some point, they will be part of a city. But I think Coconut Creek is showing you what its desire is by putting in the infrastructure for that community.

CHAIR CASTRO: Mr. Mele, you wanted to comment?

MR. MELE: Just very quickly. If you'll look at the third page of your backup, which is the land use map, and you'll see all of that area in beige is the one unit per acre. And you've noticed that most of it is already in Coconut Creek.

CHAIR CASTRO: Right.

MR. MELE: It's just those few little pieces that aren't. So I do want to make it clear that when Coconut Creek voted on this, they weren't just saying, oh, it's the unincorporated people. We don't care, because there's plenty of Coconut Creek land right around this, as well.

CHAIR CASTRO: Yeah.

MR. MELE: And then secondly, it has been the policy of Broward County, and I think Vice Mayor Kiar will hopefully tell me this is correct, it has been the longstanding policy of the Broward County Commission that small areas like this are supposed to be annexed into a city, because the County has very difficult time providing these local services in these very small, scattered areas.

And Coconut Creek has long had a policy to attempt to annex all the property between the turnpike and 441, north of Hillsborough Boulevard. And most of it's already in Coconut Creek. And each year -- well, not every year, but many years, you'll see one or two little annexations. And so the County doesn't want it, because they can't serve it, and Coconut Creek does. That's why they're putting money into it. Thank you.

CHAIR CASTRO: Any other comments before we outline the motion? The motion by Mayor Stermer was to basically contravene staff's recommendation and move to the density of five residential, low residential 5 per acre from estate whatever, from estate to five.

COMMISSIONER BLATTNER: Second the motion.

CHAIR CASTRO: And we have a second by Commissioner Blattner. Any other discussion? Can we have a roll call, please?

THE REPORTER: Commissioner Richard Blattner.

COMMISSIONER BLATTNER: Yes.

THE REPORTER: Commissioner Angelo Castillo.

COMMISSIONER CASTILLO: Yes.

THE REPORTER: Mr. Neal de Jesus. Mr. Michael Friedel.

MR. FRIEDEL: Yes.

THE REPORTER: Commissioner Bill Ganz. Commissioner Michelle J. Gomez.

COMMISSIONER GOMEZ: No.

THE REPORTER: School Board Member Patricia Good.

MS. GOOD: Yes.

THE REPORTER: Ms. Mary D. Graham. Vice Mayor Martin Kiar.

VICE MAYOR KIAR: Yes.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: No.

THE REPORTER: Vice Mayor Rita Mack.

COMMISSIONER MACK: No.

THE REPORTER: Commissioner Shari McCartney.

COMMISSIONER MCCARTNEY: Yes.

THE REPORTER: Robert McGolgan.

MR. MCCOLGAN: No.

THE REPORTER: Bernard Parness.

MR. PARNESS: Yes.

THE REPORTER: Mayor Michael Ryan.

MAYOR RYAN: No.

THE REPORTER: Nicholas Steffens. Mayor Daniel Stermer.

MAYOR STERMER: Yes.

THE REPORTER: Ms. Anne Castro, Chair.

CHAIR CASTRO: Yes. Thank you.

**VOTE PASSES 9 TO 5 WITH COMMISSIONER MICHELLE GOMEZ,
COMMISSIONER MICHAEL LONG, COMMISSIONER RITA MACK, ROBERT
MCCOLGAN, AND MAYOR MICHAEL RYAN VOTING NO.**

OTHER BUSINESS:

CHAIR CASTRO: Anything else before we break? Do we have any other issues, concerns?

MAYOR STERMER: Move to adjourn.

CHAIR CASTRO: Thank you.

(The meeting concluded at 11:37 a.m.)