



SUMMARY MINUTES (DRAFT)

Resilient Environment Department Local Planning Agency

Public Hearing

Government Center West – 2nd Floor Hearing Room

1 North University Drive, Plantation, FL 33324

August 16, 2022 – 1:00pm

Board Members Present

Sue Carrano, UPD	Howard Clarke, UPD	Janelle Guzman, AICP, UPD
Cyril Saiphoo, AICP, UPD		

Board Members Absent

Sara Forelle, UPD		

County Staff Present

Heather Cuniff, AICP, UPD	Darby Delsalle, AICP, UPD	Josie P. Sesodia, AICP, UPD
Maite Azcoitia, CAO		

Attendees Present In-person

See Attachment A.

1. Call to Order

Cyril Saiphoo, Chair, called the Broward County Resilient Environment Department Local Planning Agency (LPA) meeting to order at 1:03pm. Mr. Saiphoo advised that the meeting is open to the public and notice of the meeting was published in the Sun-Sentinel. Proof of notice is on file with the Broward County Resilient Environment Department Urban Planning Division (RED UPD). Mr. Saiphoo further advised attendees that the meeting is being recorded. The Local Planning Agency members and staff introduced themselves.

2. Approval of Minutes: July 22, 2022

Motion: Ms. Guzman noted that Attachment D indicates it is draft. Upon a motion by Howard Clarke, seconded by Janelle Guzman, and unanimously approved, the July 22, 2022, minutes were approved.

3. Rezoning 1-Z-22: Hillsboro Ranches

Mr. Saiphoo introduced the item and noted it was continued from July 22, 2022. He also advised the public that if they spoke on this item on July 22, 2022, their comments are part of the record.

Josie Sesodia, Director, Urban Planning Division reiterated that comments received have been incorporated into the record and will be transmitted to the Board of County Commissioners. Mr. Saiphoo requested the staff presentation.

Heather Cuniff introduced herself and gave a staff presentation. She noted that the staff presentation will be the same presentation made at the July 22, 2022, LPA meeting. She noted that due to an inadvertent error, the July 22, 2022, LPA meeting was not advertised correctly, and the LPA

continued the item until today. The applicant, 4211 SP, LLC, is requesting to rezone a site within the Broward Municipal Services District (BMSD) from A-1: Agricultural to PDD: Planned Development District. The rezoning site is an unincorporated enclave known as Hillsboro Ranches in an area near the City of Coconut Creek. The approximately 5.01 net acre site is located on the north side of NW 74 Street, between NW 44 Terrace and NW 39 Avenue. The rezoning would allow the development of fifteen (15) single-family dwelling units. The 15 dwelling units would include the five dwelling units currently allowed on the site plus 10 residential flexibility units.

Staff reviewed the proposed rezoning based upon the criteria included in the Broward County Zoning Code and made the following findings:

- The proposed rezoning is consistent with adjacent and nearby development patterns.
- The proposed rezoning will help meet the demand for new single-family houses.
- The proposed rezoning is consistent with the Broward County Comprehensive Plan and Broward County Land Use Plan.
- Due to the potential of the site to contain jurisdictional wetlands, the applicant must request a wetland determination from the Water and Environmental Licensing Section prior to any land clearing or filling.
- The area is predominantly planned for and developed with low density single-family dwellings. The proposed rezoning allows low density single-family residential uses.
- The proposed rezoning site is served by adequate public facilities; is suitable for single-family homes in terms of compatibility with surrounding existing and planned land uses; is suitable for single-family homes served by private passenger vehicles, since Broward County Transit does not provide or plan to provide public transit service; allows urban infill development that discourages urban sprawl and utilizes existing infrastructure; has a negligible impact on the need for affordable housing.
- Based on the available information, including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File, the county's archaeological consultant issued the following findings during review of the previously submitted and now withdrawn Broward Municipal Services District Future Land Use Map amendment:
 - The proposed project will not adversely affect any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.
 - The subject property is located within the Broward Municipal Services District and located within the jurisdictional boundaries of Broward County's historic preservation ordinance.
 - In the event that unmarked burials are discovered, Florida State Statutes, Chapter 872.05, requires "all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist."
- Any proposed development that requires the removal of trees will be required to obtain a Broward County Tree Removal License.
- A wetland determination, issued by the Environmental Permitting Division, was received earlier in the day. Ms. Cuniff noted this new information was presented to the LPA. It stated that no County jurisdictional wetlands are located on the site. However, a Broward County license may be required for other activities, such as the excavation of a new lake or canal. This letter was distributed to the LPA.
- The site is served by Tradewinds Elementary, Lyons Creek Middle, and Monarch High schools.
 - Monarch High School is expected to be below the level-of-service standards through the 2025/26 school year.

- Pursuant to the Third Amended and Restated Interlocal Agreement for Public School Facility Planning, public school concurrency review is conducted at the time a plat or site plan application is submitted. At that time, if permanent student capacity is not available at public schools to serve the proposed amendment site, the developer may be required by the School Board to mitigate impacts related to deficient capacity.
- The supply of local and regional parks is expected to be sufficient to meet the demand through at least 2045.
 - At the time of platting, regional park impact fees are required based on the number of units permitted on the site.
- The proposed rezoning is consistent with the densities, intensities, and general uses set forth on the Broward Municipal Services District Future Land Use Map, as well the Broward County Land Use Plan Future Land Use Map.
- Potential harm to environmentally critical areas and natural resources will be adequately addressed through Broward County's development review processes.
- Staff recommends that before issuance of the first Certificate of Occupancy, a homeowners association be established to maintain common areas and infrastructure, including the 0.70-acre dry retention area located on the southeast corner of the PDD and the access road.

Staff received written correspondence from numerous property owners opposing the proposed amendment. These were submitted to the LPA prior to the meeting.

Chair Saiphoo requested the applicant's presentation (Attachment B). Denis Mele, agent for the applicant, noted the staff recommendation included three requirements. The first one was to obtain a wetland determination, which has been done. The second one was to obtain a tree removal license for any tree removal. Mr. Mele stated they are working with county staff to ensure they can receive the license, which is done at the time of permitting, not at the time of rezoning. During review of the now withdrawn land use plan amendment, the school board indicated there was not a problem with capacity at public schools. Public school impacts will be reviewed again during the site plan review process.

Mr. Mele gave a slide presentation. He noted the developer is The Spear Group and provided some pictures of developments they have constructed. Mr. Mele showed how the lots would be laid out and compared the lots to other development within Coconut Creek. He identified eight subdivisions located in close proximity that have smaller lots than those being proposed. He noted the surrounding developments that have a future land use designation of three (3) dwelling units per acre, that they are zoned PUD and RS-4, and that they have smaller lot sizes than the proposed rezoning.

Mr. Mele showed the 1977 Broward County Land Use Plan Map and the 1989 Broward County Land Use Plan/Inclusion Map. He noted the increases in density made by the City of Coconut Creek, as properties were annexed into the City over the years. He stated that what they are proposing to build is consistent with what has been built in the area. Mr. Mele further noted that what they are proposing to build is consistent with what has been done before in the area.

Mr. Mele presented a letter that indicate water and sewer facility capacity is available and four letters that support the proposed amendment (Attachments C and D).

Chair Saiphoo requested public comments.

Brooke Gimler stated that the house was demolished without barriers to protect wetlands and trees. Ms. Gimler stated that Mr. Meles slide presentation does not make comparisons with their neighborhood and that their neighborhood has larger lots. She further stated that there are issues getting water and sewer that need to be resolved. She stated that the letters submitted by Denis Mele are not from property owners in their neighborhood.

Stuart Montague stated that the neighborhood includes woodlands with abundant wildlife that would be impacted. He further stated housing for millionaires is being proposed. He stated he could not find a demolition permit that has been filed.

Caleb Devore is opposed to the application. There are outstanding issues. He stated there are not changed or changing conditions, the proposed project is not low density, will not meet affordable housing objectives, and does not address excess traffic. He does not know how the proposed development will not impact adjacent natural reserve area.

Michael Sarron stated he opposes the project and believes it will generate traffic impacts and is not compatible with the neighborhood.

Joshua Rydell, Mayor, City of Coconut Creek, noted the letter the City of Coconut Creek sent objecting to the development. Mayor Rydell stated there are no other projects of the density proposed on a local road. He stated the use of flex for this type of project is not the intent of flex. Mayor Rydell stated the proposed project does meet the criteria of Broward County's Comprehensive in terms of neighboring projects and plats.

Scott Stoudemire, Director of Sustainable Development for the City of Coconut Creek, asked whether a formal compatibility review will be required. Heather Cunniff states that staff will look into the issue.

Chair Saiphoo closed the public hearing and asked Mr. Mele if the applicant had further comments to present to the LPA. Denis Mele stated the demolition of the house was completed with the proper permits, and cited permit number 22-00074. He stated a letter was issued by the City of Coconut Creek that confirms the City of Coconut Creek has capacity to provide water and sewer, but the applicant will have to provide a grinder station. In terms of criteria for rezoning, Mr. Mele stated the criteria was addressed well in the staff report. Mr. Mele noted that the rezoning site is not a Local Area of Particular Concern, Natural Resource Area, or Environmentally Sensitive Land. There are no wetlands on the site, and that the applicant comply with Broward County's Tree Ordinance.

Chair Saiphoo clarified the Local Planning Agency (LPA) role is limited to whether the request is consistent with the Broward County Comprehensive Plan. At the request of Chair Saiphoo, Ms. Cunniff read the portion of the letter from Broward County that stated there are no wetlands. At the request of Chair Saiphoo, Ms. Cunniff also listed the Broward County Comprehensive Plan goals, objectives and policies with which staff found the proposed rezoning to be consistent.

Motion: Upon a motion by Sue Carrano, seconded, by Howard Clarke, and unanimously approved, the LPA made a motion to find the proposed rezoning consistent with the Broward County Comprehensive Plan.

4. Public Comments: Non-agenda Items

No comments.

5. Adjourn

Ms. Sesodia stated the next steps in the process are that the Board of County Commissioners will set a date for the public hearing and then hold a quasi-judicial public hearing. She noted that all testimony provided at the public hearing must be sworn and is subject to cross-examination. The dates will be made available.

Motion: Upon a motion by Sue Carrano, seconded by Janelle Guzman, and unanimously approved, the LPA meeting adjourned at 2:02pm.

Attachments

Attachment A: Sign-in Sheet

Attachment B: Applicant's Presentation

Attachment C: Water and Sewer Capacity Letter

Attachment D: Letters Supporting the Rezoning

Attachment E: Wetland Determination