

Chairman Rouse:

All right everybody. We're waiting on just one more board member, so just give us a couple of minutes and then we'll get started. Okay.

Background:

[inaudible 00:01:47].

Chairman Rouse:

All right. Good evening everybody. I want to call to order the P&Z meeting for Monday, September 9th at 7:00 PM. First order of business, we'll call roll to establish a quorum.

Jimmy?

Jim Federici:

Here.

Chairman Rouse:

Jim?

Jim Federici:

Here.

Chairman Rouse:

Alex.

Alex Weisberg:

Here.

Chairman Rouse:

Dr. Barkins?

Dr. Barkins:

Here.

Chairman Rouse:

Jamie?

Jamie Curran:

Yes.

Chairman Rouse:

Robin?

Robin Morganstine:

Yes.

Chairman Rouse:

Natalie Mor?

Natalie Mor:

Yes.

Chairman Rouse:

And I am here. So we do have a quorum tonight. We do have two main items of business tonight under the agenda. Item 4a, it reads for the record, the item 4A is Monterra Self Storage and not the La Palma Preserve. So make that note.

We also have, before we start the meeting on the agenda, we have public comments, and if anyone wants to address the board with comments that are not germane to the agenda, this is the opportunity to come up and speak to the board. Are there anyone from the public that wants to speak on issues that are not on the agenda tonight?

Okay. Seeing none, we'll move on to just a note about the minutes. We didn't get the minutes from the last board meeting for review and changes. So Mr. Chockley has mentioned that we're going to be getting those minutes in addition to the minutes probably from tonight at our next meeting for review and approval. Let's bring up the first order of business is going to be item 4A, again, Monterra Self Storage. We have six items of business.

Mr. Chockley, do you want to just touch on that briefly or do you want to have the petitioner come up?

Mr. Chockley:

Yeah, thank you Chair. So before you tonight we did have six applications for the Self Storage parcel. The attorney record for that petition is here and I think he wanted to address the board on those items before we introduce and go over those items.

Chairman Rouse:

Mr. Mele, do you want to please address it please?

Mr. Mele:

Thank you. Dennis Mele, 200 East Broward Boulevard, Fort Lauderdale on behalf of the applicant. We had previously met with the Monterra HOA. We also attempted to meet with the Monterra CDD. We were unable to meet with the Monterra CDD. So a couple gentlemen are here tonight from the Monterra HOA and they have asked that we postpone the matter so that we could go meet with the CDD before we come back.

So what I would ask you on those six items that are related to this project, if you would defer them, give us a chance to go meet with the CDD again and with the Monterra HOA again and then come back so we can make sure that we address whatever their concerns are. Thank you very much.

Chairman Rouse:

Thank you. And under that item of business, we did have a public hearing. It was adjacent to the conditional use, so we will not have a public hearing under item 4B, the FPL substation. So we're going

to move on since the original item was tabled. Mr. Chockley, do you want to bring us up to speed on item 4B please?

Mr. Chockley:

Yes. Thank you, chair. So the item 4B1 before you tonight.

Mr. Chockley:

A. There's no public hearing under 4B.

Kelly Brown:

4B or A?

Mr. Chockley:

4B is FPL. There's no public hearing under FPL.

Okay, thank you sir. So item 4B1 is a site plan for the FPL Sheridan Street substation. That is at 830 Pine Island Road. The site is 29.75 acres, and the plan is to propose a new compound to the north of the existing Sheridan substation. The new yard is approximately 3.2 acres in size and will be enclosed and secured by a 12-foot precast concrete wall with hedges and trees. The compound will have high voltage electrical equipment and a state approved 680 square feet precast relay bolt and 465 square feet battery bolt. The plans also include a new asphalt roadway which provide the main access to the compound. There is a secondary emergency access point on the northeast corner. Both of these areas will utilize the existing roadway entrance off Pine Island Road.

The new compound is an unmanned facility, so no exterior parking spaces are required and on average will only be visited by maintenance personnel twice per month. The substation is needed to provide increased reliability to the local electrical service and will be used for transformation, regulation, and distribution of electricity. The expansion will accommodate transmission lines and associated electrical equipment. The substation is linked to a highly sensitive monitoring/alarm system, which will detect if any of the equipment is not operating within design standards.

Staff did request a report on the EMF levels for this new proposed substation. The applicant provided an FPL brochure regarding EMF. It is provided in the backup, there's also copies up at the front table, and stated that pursuant to chapter 403.523 Florida statutes, the Florida Department of Environmental Protection regulates electricity and magnetic fields from electrical transmission lines and substations. FP&L will be in full compliance with all the applicant status and regulations regarding EMF.

A tree removal permit is being requested to remove trees associated with the proposed substation expansion. The site is heavily overgrown with both native and invasive species and will result in a net tree loss of \$321,935 of tree canopy value in which the applicant is prepared to pay into the Canopy trust fund.

In 2024, the Florida Department of Environmental protection in Broward County visited the site to complete a wetlands determination. As a result, 24.26 acres of the 29.75 acre property were classified as a wetlands. They will be doing offsite mitigation through Florida DEP for mitigation associated with the impact of the existing on-site wetlands.

Storm water generated from the proposed substation will be managed by underground ex filtration trench and a dry retention to provide water quality and storm water. The storm water management system has been designed to meet the criteria established by the city of Cooper City, South Florida

Water Management District, the Florida Environmental Protection and Central [inaudible 00:09:20] Broad Water Control District.

The DRC review recommendation, the Development Review Committee recommends approval of the site plan amendment petition, subject to payment of the \$321,935 in the tree canopy trust fund and final approval from Central Broward Water Control District and South Florida Water Management District.

Action requested: the planning zoning board is requested to discuss and deliberate the rezoning for the site plan petition and make a recommendation. Board input will be forwarded to city commission for final action.

Chairman Rouse:

All right, thank you Mr. Chockley. Do we have any comments or questions for staff? No comments, questions. Let me ask it since this is not a formal public hearing. If members of the public would like to ask questions, do they have an opportunity or is this a legal question?

Mr. Chockley:

That is up to the chair. The board can always open it up to input even when not required.

Chairman Rouse:

Okay. I think it would be an opportunity for people if you have questions with regard to this issue. If you want to come up and ask questions-

Mr. Chockley:

The applicant is here tonight for that as well. And they do have a PowerPoint, so I would maybe suggest they do their PowerPoint and then we can save the questions.

Chairman Rouse:

All right. Let's do that. Mr. Mele, come on up.

Mr. Mele:

Thank you. Good evening, Mr. Mele on behalf of the applicant, 200 East Broward Boulevard, Fort Lauderdale. We have a few slides to show. I see it on here, but it's not up. Oh, there we go.

Mr. Chockley:

Yeah, it's switching over.

Mr. Mele:

Okay. So you see outlined in yellow the property that's owned by FPL next to Monterra and next to Cooper City Commons, I guess is the easiest way to describe it, right off of Pine Island Road. And then we're just zeroing in now. Now we've turned it sideways. So north is towards the right now. So you see Cooper City Commons, you see Pine Island Road, you see the new Sienna development. I guess at the time the aerial photo was taken, nothing had happened yet. And then of course you see Monterra. And of course running through the middle of this you see the transmission power lines that are there.

So just kind of a fifth grade version, the power comes out of the power plant and it's at a certain voltage. When it goes to that transmission substation, it then steps it down to the voltage for transmission into the transmission lines. And then what a distribution substation does then is take that voltage from the transmission lines and lower it even lower so that it now is at the voltage for your house and your business, you can plug stuff into the wall and so on. So each of these things has a place in that process of providing electricity to the end user, to the customer, to the home, to the business.

And so currently you can see kind of right above the little white label there, this is FPL substation. You can see the existing distribution substation. I don't know if you see that little blue dot. That's kind of right in the middle of where the existing distribution substation is. And then you can see it even now more close up. Again, still we have Pine Island Road kind of running from the lower left to the upper right. You see the FP&L property boundary, and then you see the existing substation labeled. It's kind of gray, and then you see the label over it, and then the proposed substation.

Now the substation itself is right in the center of that. It kind of looks almost like an L. All the other stuff, the blue areas that you're seeing around it are drainage, water retention, that sort of thing. So we'll zero in even a little bit more.

Okay, so now again, Pine Island Road would be going from the lower left to the upper right. The transmission power lines are going along the right-hand side of this triangle. You see the existing distribution substation in gray and the proposed transmission substation in kind of I guess, what is it, tan. The entrance off of Pine Island Road is the same for both facilities. Both facilities are the same in that there's nobody there other than when they go there once a week or so, or once a month or so, whatever it is to do the routine maintenance. And if you drive on Pine Island Road, you can actually see the driveway in from Pine Island, it'll still be where it is today.

And then we spend a lot of time buffering. And let me digress for just a minute. The legislature has actually put in the statutes how we handle substation approvals at the local government level. And so I'm looking at section 163.3208 of the Florida statutes, 163.3208, and it's called substation approval process. And it describes what substations are. And then it says that for substation site plans, the review is limited to addressing setbacks, landscaping, buffering screening, lighting, and other aesthetic compatibility-based standards. And it excludes discussions of the electric system, the demand for service, all of that kind of stuff.

So there are certain questions if you ask me, I may not be able to answer them because I have to focus on the items that the statute says we're supposed to do. And I mention that because screening and buffering is one of the main things that the statute calls upon us to do. And so this is just showing you the treatment that we are proposing to make sure that our facility is no more visible than it needs to be and that it's screened well and buffered well.

And then around the... Let me take a couple steps back, because I'm showing you a wall and a fence, and I want to show you where they're going to be. So if you look at this diagram, this wall and fence I'm showing you is basically going around that tan area. So it's off the street, there's landscaping in between the wall and the fence and the road, and the wall and fence goes around that, I keep saying kind of an L shape, but you know what I'm talking about. It's that tan area there. That's where that wall and fence will go around.

So that's showing you what we're proposing. It's decorative, obviously there'll be landscaping outside of it between the road and the wall. Although nothing super close because we don't want the tree branches growing over the wall and going up into the wires. If you can imagine if you've heard about the right tree right place program, this is one place where obviously we need to follow that to the T.

This is our last slide, right?

Background:

Yes.

Mr. Mele:

Okay, this is the last slide we have. If you have any questions, I'll be happy to answer them. If there's public comment, I'd like the opportunity to answer those as well. Thank you very much.

Chairman Rouse:

Thank you. Is there anyone from the public that would like to come up and ask questions or provide comment?

Scott Shea:

Hello, good evening. My name's Scott Shea. I'm a resident in the Estada neighborhood. Just want to thank you guys. They did come out to Monterra a couple of weeks ago, gave a very similar presentation. What it did not include was that EMF study that it sounds like this board has requested. We did get the brochure upon request. It wasn't available on the onset of the meeting, but it was requested by myself and got this.

But what I don't think it does is give comfort around the level of EMF that's going to be around some pretty substantial residential areas. Understand that there's some requirements around what's existing today and not being above that, but without a study, I don't think we know for sure.

Other than that, I think the aesthetic of all this, the diagram or the exhibit that was provided seems a bit misleading. While that's meant to buffer and to obstruct from some of the infrastructure that's going to be there, my understanding is that infrastructure is going to be up to 45 feet tall. And this is meant to cover some of it, but it's still going to be visible to the eye of anybody driving through our community and seems to go against what Cooper City has been saying that they want to do, which is more of a beautification exercise than building something like this in our residential neighborhoods.

Chairman Rouse:

Thank you. Comments? Is there anyone else that has questions or comments regarding this issue? Board members? Any questions, comments? Natalie Mor you recognize? [inaudible 00:18:07]

Natalie Mor Mor:

Hi. Natalie Mor Mor. My concerns are actually also similar because of course as a Cooper City resident, I live nearby, and the EMFs and the radiation coming off of what we already have that's existing in the current location is already substantial. All of us feel it. We walk under the power lines to go play tennis with our children. We go dog walking in the dog park there under the power lines. It already is buzzing and makes everybody feel uncomfortable as it is. And I just feel like I really need to know, we need to know more about that study and without us being educated enough and knowing how that's going to affect everybody in the area, I just don't see how we can really progress with an answer unless we really know everything that is involved for the health and safety of all the residents in the area that will be affected by this.

Chairman Rouse:

Would you like to respond, Mr. Mele?

Mr. Mele:

Yes, sir. Thank you. So as I think was mentioned earlier, this issue is regulated by the Florida Department of Environmental Protection. But I can tell you that even with when we add this transmission substation, EMF levels at the property line will not be any greater than they are today. And that's part of what we have to do with our state regulatory program.

So whatever level you have today, and I'm not saying you have any particular level or any high level at all, but whatever level you have today, adding this facility does not increase that. And we measure this at the property line just like we do with sound ordinances. We measure them from a certain spot. We do the same thing with this.

Chairman Rouse:

Follow up, Natalie Mor?

Natalie Mor Mor:

Yes, Mr. Mele. What are they gaining out of installing something like this there?

Natalie Mor Mor:

What's FPL gaining from installing that substation right there?

Mr. Mele:

So its just improving service for the community, for the whole area. We do distribution substations, we do transmission substations, we do new power plants. Recently we replaced the power plant at Port Everglades with a brand new one. If you remember the old red and white smokestacks that we used to have, we don't have that anymore. The power plant that's in Dania Beach was recently replaced, originally built in 1927. So we're constantly working on upgrading the reliability of our service, and this is part of it.

Natalie Mor Mor:

How far is another substation similar to this located to this location? Where is the next one that's close to this?

Mr. Mele:

The next closest transmission substation?

Natalie Mor Mor:

Yes.

Mr. Mele:

Let me see if I can find out.

Chris Ambrose:

Are there any other locations that were studied? And also follow up, aesthetically the wall, is there any other options available? Because that was kind of not aesthetically palatable to what Monterra has in the area.

Chairman Rouse:

Mr. Mele to respond.

Mr. Mele:

I mean, if there's another wall alternative you'd like us to consider, certainly we would do so. We thought we picked something that looked good, but if it's the wrong color or something else, certainly we'd be happy to entertain those discussions.

Robert Bull:

If I may add something. May I add something?

Mr. Mele:

Yeah, yeah, yeah, sure. Identify yourself.

Robert Bull:

Yes, I will. For the record, Robert Bull, FPL 700 Universal Boulevard, Juno Beach. I'm the siting project manager, I'm also a registered landscape architect, so I approve the plans. And to help soften the wall, we're going to be adding a six-foot podocarpus hedge that goes around the substation wall. So you'll have the wall, but when you step down, you'll have a base of green right around the wall. So you're not going to see all the height of the wall. So that helps soften it.

Chairman Rouse:

And what about the height of the vegetative material? How high does that go?

Robert Bull:

Well, we maintain it at six feet.

Chairman Rouse:

That's podocarpus?

Robert Bull:

That's the podocarpus.

Chairman Rouse:

One of the residents specified that they felt like it was going to be a 45-foot height. Do you have anything of substantial height that might buffer that?

Robert Bull:

Well, the equipment in the station, yes, is like 45 feet tall. The issue with buffering, buffers never hide. Buffers soften. They help distract your eye. They help take away the impact of what you're trying to screen. So the thing is, we are planting trees in these buffers and we're actually planting them above code. I think code requires fifteen-foot trees. We're planting 18 feet, a little bit bigger. And then from that point on, we have oaks, we have mahogany, so we have trees eventually, not tomorrow, but yeah, they'll get significant size, they'll get 45, 50 feet. But that's a ways down the road.



Chairman Rouse:

Okay. They do grow?

Robert Bull:

They do grow. Absolutely. Absolutely.

Mr. Mele:

I don't have the answer of how many other transmission substations we have in Broward County, how far apart they are, but we are making the notes to make sure that we get the answers.

Chairman Rouse:

Chris, one second, I'll let you follow up. I've got kind of a question that probably is a little lowbrow, but it's a bigger substation than what we have now, correct? Three, four times what we're going to get?

Mr. Mele:

Yeah.

Chairman Rouse:

And the need is because we have more residents or is it just more efficiency? What's the difference?

Robert Bull:

What Dennis was saying, one of the functions of a substation is power regulation. Another function is actually switching, turning things on and off just like you do with your house. And so think about the distribution substation works in your neighborhood and we can reroute power around your neighborhood. The transmission substation is a more regional substation. So example, for example, if there's a hurricane that hit on the West Coast, we can recirculate power around the state to move over there. Or if something happens over here, you can move power around here. So it's reliability and there has been growth, obviously there's been a lot of growth. So it's a combination of that. So that's one of the functions though, is to switch on and off and move power around the state. Thank you.

Chairman Rouse:

Chris, do you have a follow-up question for [inaudible 00:24:32]?

Chris:

Was there any other sites that were looked at?

Robert Bull:

Actually no, because this site has two transmission lines right on it. There's a transmission line. Let's see here. There's a transmission line. Can we get it up on the screen?

Robert Bull:

Yeah, no, no. There's a transmission line that runs North-South and also East-West. So it is the ideal. It is the ideal. So if you look at the bottom of the screen, that's the one transmission line that runs North-south and then at the angle list, which is kind of east-West, those are two transmission lines. And if we

put it someplace else, we could potentially have miles of transmission poles. So this is an actually ideal spot because as it minimizes the impact to a very small area, instead of spreading transmission lines throughout your city,

Chairman Rouse:

Jamie

Jamie Curran:

Have question. There's got to be something down the road. What's down the road, what's, what's bringing on building this now? You know what I mean? To build a substation that you guys are talking about, it's got to be close to \$1 million. I mean it's up there. And to say that we're going to do it just to improve the electricity. Now tell me what's coming down the road behind it. What tags on, what's the moneymaker? What happens with this pole after it's done?

Mr. Mele:

Well, just like I described with the two power plants, it's a combination of improving reliability, reducing emissions, and accounting for growth. All of those things.

Jamie Curran:

Guys, I understand that and I appreciate it. But what drives you to do it and not FP&L to do it?

Mr. Mele:

This is FP&L doing it.

Jamie Curran:

No, no. Okay, I'm sorry. I didn't mean it like that, but I'm saying you're representing FP&L instead of FP&L being here tonight.

Mr. Mele:

I represent FP&L in a lot of places.

Jamie Curran:

Okay, now I'm getting it. I'm understanding it. But here's the point I'm trying to get to why in their neighborhood, why in Monterra probably one of the most gorgeous neighborhoods in Florida.

Mr. Mele:

I think it's the way Bob just described it. You've got transmission lines. Can we go back to the picture? No, no, we have them and if you look at this, it's a triangle, right? So we have three sides to our property. On the one side we have Pine Island Road. On the other two sides we have transmission lines. So building this kind of a substation next to the existing transmission lines minimizes its impact because you're not running new transmission lines to a remote location. That's why you picked this spot.

Jamie Curran:

They're 45 foot tall now.

Mr. Mele:

My understanding is that the equipment we're putting in will be the same height as the existing transmission poles or lower.

Jamie Curran:

And no chance of telephone coming in or cellular towers coming in or anybody else coming in?

Robert Bull:

To my knowledge, no. That it's strictly the substation.

Chairman Rouse:

Alex, for a question and also I wanted to point out-

Mr. Mele:

Just to tag onto his answer, I understand why you would ask that because we see power poles all along our roadways that'll have FP&L on them and Bell South on them and all those other people on them. This is something different. This is a specific substation for electricity. I think we'll make sure we are more thorough in our response, but I don't see any other utility going in there.

Chairman Rouse:

Okay, just want to note Kelly Brown's join us for the record knowledge. Do you have a question?

Alex Weisberg:

Yes. I've heard some kind of vague statements about improving service and reliability and things like that. So maybe a better way for me to understand this is this question. What would be the consequences or the detriment to the residents if this were not approved?

Mr. Mele:

Well, again, as was being explained, I don't know if any of you have property in other places. I have property in North Carolina in kind of a remote spot. When the power line goes down, we wait. What FP&L does is almost like your water line system. If the line breaks here, they have a way to bring it in from the other side. And this is part of that type of thing, making it reliable. We have an outage making it so we can turn it right back on or that you maybe have that little flicker and then it still goes as opposed to being out for hours.

Chairman Rouse:

Natalie Mor?

Natalie Mor Mor:

I mean it feels like it's at the expense of the residents that are living there because if we already have what's existing, and I feel like adding on any more to that is just taking advantage of what's already there and it isn't fair to the health and safety to everybody around would already exists to put anything else in there to potentially expand any other radiation or EMF or whatever could come off of that. And also what James mentioned is actually really important because there was an issue with 5G going in and

towers coming up in a lot of places and this being there, maybe that could be also a gateway for other tech to come in and want to expand on that as well. But my original point is that I feel like we need to know where else something like this exists and if it's possible to me for you guys to look at another more remote area in Florida so that it's not near residents and residential with all young families that primarily inhabit this area, literally like 10, not even 10 feet from that.

Robert Bull:

I'd like to add two thoughts and again, if we move the substation you're going to have, you will have miles of transmission lines going through your city. That is one of the consequences of moving the site. The other reason why this site is here is, as you know Florida has been growing bigger and bigger. It is getting more populated. So for us to find places to create generation is very limited down here. So a lot of our generation is going to be more towards the center of the state. And so this is vital to help bringing that new generation down here to cool your homes to provide power to businesses. This is very vital because we run out of spaces for generation down here, so we have to go from other places and bring it down. This is that highway to bring generation down here.

Mr. Mele:

When you say generation, you're referring to a power plant?

Robert Bull:

Yes. Power plants, yes.

Natalie Mor:

Sorry, can it be more towards the highways by 595 by 75, areas that are a bit more remote and there's an acreage of land there that are not-

Robert Bull:

It's not really remote. 595 drive off, I kind of disagree. It's not remote on 595.

Natalie Mor:

This is in a residential neighborhood.

Robert Bull:

I totally understand.

Mr. Mele:

I think his only point is even if you took this and you moved it 10 miles west, you're going to have transmission lines running from that spot back this way. And so now you're going to see more of those lines as it is today, this diagonal transmission, it's not on the screen anymore, but the one that doesn't run straight north and south starts at Port Everglades and goes diagonally through Cooper City through Pembroke Pines through Miramar and then down into Dade County. And so putting this station next to the existing transmission lines is the best way to do it.

And if you look at that whole corridor I just talked about, there's very little vacant land in there and in this case there is and FP&L owns it. And again, I hate to do this, but I've got to go back to this section 163.328, Florida statutes. We're not even supposed to be talking about this stuff we're supposed to be

talking about... And I know that I'm not going to tell you what your job is, that's not my job, but I have to tell you what the statute says. We're supposed to be talking about landscaping, buffering screening, lighting, and other aesthetic compatibility based standards. That's it. That's what the statute says. You don't have to believe me you have your city attorney here.

Alex Weisberg:

The words were out of my mouth. I do believe you, but I don't have the statute in front of me. I was hoping we could get some clarification. Does that mean that they can't even consider the safety aspects and things like that?

Jacob Horowitz:

Mr. Chair, so good evening members. So Mr. Mele is correct. There is a statute was amended actually as recently as 2023 that speaks to this issue. Those are the categories that are within the board's purview when it comes to site plan review. It really is limited to those categories. It speaks specifically to setbacks, landscaping, buffering screening, lighting and other aesthetic compatibility-based standards for purposes of a site plan review. That is the limit to which the city has the ability to regulate when it comes to a site plan application. So that is correct.

Chairman Rouse:

One of the residents wants to make another comment. Then I think we'll probably call the question.

Resident:

Just going back to the topic of aesthetic and site plan and all that, and you've got a hedges that are six feet. You've got trees that are going to be 18. You've got equipment that's going to be 45 feet. Aesthetically doesn't make sense. You've got a property that is right next to Monterra, it's close to Estada. There's a brand-new neighborhood of people who just bought off of that, I forget what it's called off of Sheridan, who are going to come in and then all of a sudden are going to have this giant substation in their backyard Again, unfair. The fact that there's been zero other alternatives that are being recommended I think is a bit ridiculous in a proposal, especially when you have other places along this line like that empty lot that's next to home Depot that has been empty forever. To not even go and bid and find another place just seems like it's the convenience of finding a location that's already there to say, let's load on more equipment.

Chairman Rouse:

Board members? Jim?

Jim Federici:

Oh, we're fancy. If I got this correct, we're here. We have no say-so about this. Is that what you're saying?

Jacob Horowitz:

We're here in a site plan application and the city is limited in the scope of what it can review in the context of a site plan, limited to those aesthetic criteria set out in the statute, setbacks, buffering screening, lighting and aesthetic compatibility standards and vegetative buffers or screenings beneath

the aerial access point is limited to 14 feet with regards to how high the city can require a screening as it relates to the elevation.

Dr. Barkins:

All right, let's go. Yeah. Does that mean legally the city, if it's denied for any other reason, we can be sued.

Jacob Horowitz:

The city cannot adopt regulatory provisions or standards as it relates to a substation approval process with the exception of those stated criteria.

Dr. Barkins:

And those criteria are basically the way they are, so.

Jacob Horowitz:

Again, I speak for Mr. Chockley, but my understanding is the criteria are compatible and compliant with the city code.

Dr. Barkins:

And they've met those requirements?

Jacob Horowitz:

My understanding is they have the application to meet that requirement. The statics is something that's subjective, is it not? Maybe. Cases you want.

Mr. Chockley:

Yeah. So again, they talked about what code has in for landscape criteria spacing. They're meeting species that they're putting in are taller than normal plantings specifically for code. They are mitigating the tree loss, which is heavily invasive to the tree canopy trust fund, which is used to fund other projects and trees throughout the city. So yes, all aspects of landscaping and code requirements are being met or exceeded with this project.

Jacob Horowitz:

And the statute does provide some additional opportunities if the area was within a preservation or a conservation area. But this would not qualify that as it relates to the geographic location.

Chairman Rouse:

All right. Natalie, do you have a question?

Natalie Mor:

No, I do quickly about the retention pond and what that has to do with the CDD on the area of the Monterra CDD and all the retention ponds over there connect with that and they're responsible for that. So how is this going to affect that because you hadn't touched on that?

Mr. Mele:

We're not in the Monterra CDD. This property is not in the Monterra CDD.

Mr. Chockley:

They won't tie into the wetland lake. They're doing ex filtration around. So if you look at the cross-sections and the site plans, you'll see where they're gullyng out multiple different areas. That's where all their water will be stored and that has to go through Central Broward Water Control District and South Florida Water Control District.

Chairman Rouse:

Dr. Barkins, you have a question?

Dr. Barkins:

Yeah. I noticed that there was some city-owned land there. Is there any plan for that land? Can that be used as buffer? What's going to happen with that?

Mr. Chockley:

Well, they'll still have buffering beyond where this substation is going. Before you get to that municipal parcel, that municipal parcel was part of the Monterra annexation and dedicated over to us if needed for a fire station based off of response times at a future date.

Chairman Rouse:

Jimmy?

Jimmy Goulet:

Good question. Well basically we're voting on in front of us, are the trees higher enough?

Chairman Rouse:

That's our authority. I mean, well, we have a limited authority on this as passionate as everybody is and how it works. That's not what we have the authority to do. I'll get a couple more questions. Natalie?

Natalie Mor:

Yeah, just about that landscaping. Is there any other landscaping that you guys could also suggest that maybe could be really thick and also peep from any type of exposure outside of that?

Robert Bull:

The issue with this site is because there's so many electrical facilities have the transmission lines as was mentioned, if we plant underneath the line, it can only be a maximum height of maturity of 14 feet. That's not, take two of me a little bit more and that's 14 feet. It's not going to screen a whole lot. I mean there might be, I mean-

Natalie Mor:

Not even a screen, but isn't there a type of I'm, I don't have a lot of knowledge about landscaping and types of trees, but is there anything that also can take in like radiation, absorb radiation, something like a plant that you guys guys know that you can plant?

Robert Bull:

Not off the top of my head, but I can certainly look.

Natalie Mor:

I'm just saying if you're going to do it, just if there's something that we can make it thicker better, just make it better so that it could maybe absorb radiation.

Mr. Mele:

We've heard your comments and between this meeting and the city commission meeting, we'll work additionally with your staff to determine are there different species, is there more material? Whatever we can do to beef it up as best possible. We are committed to do.

Jamie Curran:

Thank you. I just have one question. So the other residents you are talking about today, can you bring a couple color palettes next time as well to see if you can match up besides the prison yellow that you showed up there?

Mr. Mele:

If there's a different color that the city would like us to do, we'll be happy to make it a different color and we can work with your staff to maybe get a feel for what's more of a Cooper city consistent color. Kelly with a question?

Kelly Brown:

I have a question with reference to you may or may not be a good thank you. Sorry to answer this. In other areas where you've built these in residential areas with close proximity to residential neighborhoods, do you know if this has impacted homeowners insurance? Is there an increased fire hazard? Is there anything that can be done in terms of fire saving to mitigate to the satisfaction of providers? Have you had any experience with that in other areas?

Robert Bull:

I mean not to my knowledge, in fact, we have a substation in Boca Raton in the middle of a very, very expensive neighborhood, and there is no impact. There's no visual impact. It's because of a lot of existing trees. You wouldn't even know that a substation was there.

Kelly Brown:

Well, aesthetics aside, is there an increase to fire hazard that might impact premiums in terms of homeowners insurance, that sort of thing?

Robert Bull:

Not to my knowledge, but I'm not an insurance expert, so I can't answer that. [inaudible 00:41:13]



Mr. Mele:

I don't know about the insurance thing, but I can tell you that we get questions from other governmental agencies. So for example, we're going to be at Central Broward and they're going to be talking to us about how we maintain our waterways. We actually have a requirement from the Florida DEP about how to do that. So we're very, very regulated here. We also with police and fire departments, wherever we go, we let them know up front, we meet with them up front. If something happens within this property, we're the first ones there to take care of it to make sure that it does not go beyond the property. I will tell you one thing that substations do mean in your local area. I had a house in Coral Springs for many years and I was on the same circuit as the Coral Springs Medical Center. And so that substation was the one that got fixed first because it was providing power to the hospital and the police station and all the other things. So having these nearby actually has a positive impact in the effect of a power outage.

Kelly Brown:

Is FPL required to carry any kind of insurance for coverage if there's damage to surrounding residential areas? Or is that solely on responsibility of the-

Robert Bull:

I mean FPL is self-insured and if there is an issue, I know that customers can file a claim. That's what I can tell you.

Resident:

Can I ask a question?

Chairman Rouse:

Sure. You got the last one?

Russell:

Perfect. I actually came here for a different reason. I'm Russell. I live in Vista, Del Prado. I happen to be the house on the end of the cul-de-sac. Closest to the wall near Monterra Commons where we're looking to do this. No, I'm in Vista. Del Prado University side where you're looking to do that other giant storage facility, I assume. I don't know, whatever that thing is. I guess we're saving that for another meeting at this point. It's pushed off. That's right. When's that happening? We don't know yet. We'll let you know. Keep me in the loop on that one. Please question on this FPL thing. You had mentioned power outages. For someone who works at home and runs a business out of their house, internet power critical three young kids, you had said it'll help with the power outage. So if in a hurricane happens by you guys building this, what's the probability now or the increase of power coming on quicker in case of a natural disaster with having the substation here?

Mr. Mele:

I don't know that I could know that I could answer in a period of hours or minutes or whatever it might be. I just know from my little anecdotal evidence from Coral Springs what it was like.

Robert Bull:

If I can add the hurricane that just happened not too long ago. I think we had a couple hundred thousand, couple hundred thousand customers out to restore within two and a half days. So because of our hardening, because of a lot of the efforts that we've done, the turnaround time to restore power has been dramatically reduced.

Resident Russell:

But the question is, by having this, how much has that improved things? I cannot give you a definitive timeframe. So there's not even saying by building this in case of a hurricane and having this right next to Monterra that we're going to get on any quicker than anybody else.

Robert Bull:

Again, I cannot speak to that as far as the time.

Mr. Chockley:

So I can shine a little bit of light. I do a lot of the emergency management stuff for the city and for the county. So a lot of times the FP&L will view things as what affects the greatest number of people they will concentrate on first. So if you have this substation located here, that's a main transmission corridor, the priority is put on fixing those first because it has the greatest good as far as customer impact. If you're out in the middle of nowhere, like the residents of Royal, Palm Ranch has always complained. Yeah, there's 30 homes that occupy 20% of the city's total landmass. They're low on the priority to get things fixed. But if you have a transmission substation nearby that affects hundreds of thousands of people, it will be higher on the list to fix and address.

Resident Russell:

Would it be higher on the list by having this than what we're on the list currently at?

Mr. Chockley:

Well, it's not a list. As for the individual residents, it's on FP&L's.

Resident Russell:

Right. But by having this here, Monterra is running off this power center. Correct. We're running off this. We're all fully-

Mr. Chockley:

You're tied into it somehow. Exactly where I don't know.

Resident Russell:

So wherever we are in the pecking order, by having this there and saying we're building this there, does that increase where we currently are in the case of a natural disaster, that power quicker?

Mr. Chockley:

Yes. Because this transmission would be a higher priority for them to have up and running again.

Resident Russell:

Higher than what it's today.

Mr. Chockley:

More than likely. Because it's going to have a greater good by fixing it because it now carries more customers.

Chairman Rouse:

Good. All right. I'll entertain a motion. Motion to approve by Jamie Curran. We have motion. We have a second. I'll call Roll. Jimmy. Yes, Jim? Yes. The motion was for? Motion was for approval. For approval. We have a second by Jimmy. Yes. All right. I'll start the roll again. Jimmy?

Jimmy Goulet:

Yes.

Chairman Rouse:

Jim?

Jim Federici:

Yep.

Chairman Rouse:

Kelly?

Kelly Brown:

Yeah.

Chairman Rouse:

Alex?

Alex Weisberg:

Yes.

Chairman Rouse:

Bill?

Bill:

Yes.

Chairman Rouse:

Jamie?

Jamie Curran:

Yes.

Chairman Rouse:

Robin?

Robin Morganstine:

Yes.

Chairman Rouse:

Natalie Mor?

Natalie Mor:

No.

Chairman Rouse votes yes. All right, motion passes. All right, we have another couple items. We have the community development report, Mr. Chockley?

Mr. Chockley:

Thank you, Chair. So right now we do not have the date of the next meeting. We have the Sun Credit Union Site Plan application. They indicated today they're getting ready to bring plans in for the P&Z submittal. They're finalizing a couple changes, so I'm anticipating probably the second meeting in October. They will be ready later this week. I'll probably confirm that once I speak to them directly. The shot center is coming in for a small site planned amendment to add some gates because of affected cut-through traffic with the school. That one will probably pass through DRC pretty quickly and may catch up to that same October meeting. So those two are coming down the pipeline.

Chairman Rouse:

Now we have board members concerns.

Dr. Barkins:

Yeah, we've got a lot of these big projects coming in. We've had previous board members run for the commission, mayor. Now, basically, as far as the future, my personal feeling is it'd be prudent to ask the question before we address these issues. If any of the members have a conflict of interest and just state so there.

Chairman Rouse:

Is there any requirement that you know of that-

Jacob Horowitz:

Well, yeah, there's not a legal requirement for board members. Some cities have adopted requirements for board members. Conflicts of interest under state law have a very specific meaning under chapter 12. You can have an appearance of a conflict or an actual conflict to the extent that the board wanted to disclose or establish some standards. That's certainly within your purview. But again, what defines a conflict of interest? Absent some codified ordinance or a set of rules may not always easy to articulate. Right, any outs?

Alex Weisberg:

So is the actual conflict of interest and a perceived conflict of interest treated the same?

Jacob Horowitz:

No. Now, under state law, you are required to vote on an item unless you have an actual conflict. Under chapter one 12, you can't have the option of abstaining under a provision in the Sunshine Law under 2 86 if you have an appearance of a conflict. Either way, when you do abstain, there's a form you're required to file called a Form eight B. It's a local government disclosure form gets incorporated into the minutes of a meeting. But again, people are often suggested they have a conflict of interest just given the nature of some relationship. But to have a legal conflict of interest means something very specific under state law.

Dr. Barkins:

Follow up. Well, I taking into account with that, it could be just a personal disclosure, but a chance to disclose if you feel it's a legal obligation or you personally feel you need to tell the community your position.

Chairman Rouse:

I'm not opposed to having a section of each meeting just for someone to voluntarily announce a potential conflict on their honor system. I that probably would be the better way to do it than formally. Is there any,

Jacob Horowitz:

Again, if the board wanted to establish some rules for its own conduct of its business, there's nothing prohibiting that.

Chairman Rouse:

Any objection? No. All right. So I'll add that to the agenda for the future meetings. If anybody has received or a conflict that they may want to disclose, we'll give you the opportunity to do so.

Jacob Horowitz:

But I would offer, if I may, just to that point, to the extent that any member had what they felt was an actual voting conflict under state law, if anybody ever wanted to reach out and contact our office before you got to the meeting and have a conversation to discuss whether or not an actual conflict existed, we're always happy to have that conversation because if there is an actual conflict under chapter one 12, that would require an abstention require the filing of a form. So there is a process that goes along with that. Not every conflict is going to rise to the level of a voting conflict under state law, but to the extent that any member had a particular concern on the item that was coming before the board, I just encourage you to reach out to Mr. Chockley. You can reach out directly to our office. We're always happy to have that conversation.

Chairman Rouse:

Okay. Thank you for that. Any other Board's members concerns? Jim?

Jimmy Federici:

My question was, and I'll repeat, like I said previously, we couldn't stop this thing from being built. Everybody understands that, right? So we were just here for aesthetics, landscaping, so on and so forth. Natalie Mor brought up some good points, but I guess it goes on deaf ears, right? I mean you can't,

Natalie Mor:

I just viewed our board more as something that we all vote based on what we're hearing and what we're being told, and then that our opinion, our vote goes to the Commissioner and basically they take that into consideration when they make their bigger vote. And so I feel like we should really be able to hear more and be able to vote on more things because our state does count and we should be able to be privy to.

Jimmy Federici:

No, I'm on your side.

Natalie Mor:

I know You're on my side. I am agreeing. I'm agreeing with you because the commission don't going to vote on the aesthetics, but that's why I voted. No, that's why I voted [inaudible 00:52:36] the fact is-

Alex Weisberg:

The quasi judicial hearing now, does that change anything?

Mr. Chockley:

No. Make it strict. So everything she said, for most items, it is fair game for all of your concerns and criticism. It's Florida state statutes that has the exemption specifically for FP&L and L and them being a service provider for the state with the greater good. That's what restricted you. In this particular case, not anything in our code or our ordinance.

Jacob Horowitz:

These were actually changes to state laws in the past three or four years. This is a relatively new provision essentially.

Chairman Rouse:

Sure, follow up.

Jimmy Federici:

But my point was some of the residents, I believe, thought they could have been.

Jacob Horowitz:

So just to go back to the conflict issue, if I may, under the city code, which is the provision that specifically governs the board, the code does say each board shall establish rules of procedure necessary to conduct its own governance. So to the extent that you all wanted to adopt a conflict disclosure procedure that may be lesser than what state law requires, but even a placement on the agenda just to make a disclosure at the beginning of each meeting, that'd certainly be consistent with the city code. Thank you, Natalie Mor? Sorry. It's okay.

Natalie Mor:

This is something like that FPL, that's really huge and that affects everybody. I feel live close to that area as we well in Cooper City. But personally, I live close to that area and I feel like the residents nearby didn't get notified enough in my opinion about something so big happening in our area. We weren't notified. That could be a city thing too. We didn't know. We didn't get, why are there so many signs and things go up when new communities get bill? See that all the approval of the residents and rep, but not something like that. Why wouldn't residents be more involved in something that big being built right near us feet, not even 10 feet from us. There's been other communities and other things happening that were further away. This is right here, close to residential. I feel like that needed to be more open for residents.

Mr. Chockley:

So that falls into what code specifies for each petition. This petition only required a site plan, which has a lot less notification requirements than the Self Storage. That was also on the agenda tonight with a rezoning, the conditional use and other aspects. Now, we did tell the applicants very early on the process and is in our DRC comments that we recommend meeting with all the surrounding communities and HOAs as soon as possible. I know they did work extensively with the CDD and some of the HOA communities because we had that back-and-forth dialogue with them. But they went above and beyond code requirements for the petition that they had before you tonight.

Chairman Rouse:

All right. Any other board members concerns?

Jimmy Federici:

I've got to tell you though, something like that that they've had there for a number of years.

Mr. Chockley:

That's been there since Walter Derry even came in for Mining Corp.

Jimmy Federici:

So there's always that potential somewhere along the line that they're going to expand a facility like that. We had a place on 4 41 and one day I go outside and I'm seeing these huge holes going up behind on 59th Avenue. I got to find out the reservation. Didn't want them on their reservation, so they stuck it behind. I had no say so. And I guess FPL can do pretty much what they want to do. But with the other thing with the transmission lines, those are, he's right about that. If they're going to run extra lines, those are real eyesores and that's terrible for everybody.

Natalie Mor:

I feel like he should have came with more information that people want to know. Residents want to know those answers and he was throwing up his statute. He can't talk about it. But then when one, are the residents going to know about that?

Mr. Chockley:

Got that?

Natalie Mor:

Yeah. But they don't want to don't discuss it. They did not just give it out. They didn't give it out to me.

Mr. Chockley:

I know, and I have that in the staff report as an outstanding comment. We as staff asked for the same things. They said, the residents are really going to want an EMF report.

Natalie Mor:

And I want to know an example. I had asked, where else is this located? Something like this. So we can see what it looks like, what the residents around there, how they feel, how long has it been there? Has it really improved? What he's stating, is it really improving the electricity going through our area or is that our expense? I don't know, but I want to know more. And I feel like residents, one, I feel like residents want to know more about that specific health

Alex Weisberg:

Thing. Problem is he could tell us all that. We still can't consider it. That's the problem.

Natalie Mor:

But he didn't do it either at CDD meeting for Monterra. So how come they can keep skipping that and not getting to what we need to know? At what point are they held liable for explaining to us the truth? What does it really involved in this? What does it really entail? So we all feel comfortable if they're already going to do it, let us feel comfortable, show us how we can feel comfortable with it. Bring us what already exists. This is not like a brand new invention. Show us, show us, let us feel good about it, and then we can go ahead and have it done if that's what needs to be. But they come prepared. And I feel like today, the CDD of Monterra actually had their annual budget meeting, so a lot of residents didn't come because they didn't know it's a conflict and there's a miscommunication. There's a miscommunication. No matter how many times it's posted for people, this is something that's really important and I feel like there needs to be more communication and more transparency.

Dr. Barkins:

One thing that quite frankly I didn't think of at the time is also with that station there, the amount of current going through the lines is going to be increased and probably more wiring put up down that path. And is that going to change the EMF? Know that? It definitely would open up.

Kelly Brown:

I just have one question to Natalie Mor's point with reference to the notification requirements for site plan versus a variance. Are the site plan requirements for notification lower Generally coupled with a variance? And this is an exception because FPL has sort of been an outlier situation through the

Mr. Chockley:

Yeah, it is an outlier based off of the state statutes typically, which are newer. Again, they've really been taking a lot of the homeroom powers away in a lot of different aspects.

Kelly Brown:



Well, my question is with evidence to our ordinance requirements for notification, are site plan changes generally coming with variance, so the notification requirements are going to be higher or should we look at the ordinance surrounding site plans?

Mr. Chockley:

Not always. Usually a site plan or a lot of times a site plan would be paired with a rezoning, which then kicks into the hire. There are not too many. There are a couple of site plans where you already have entitlement rights to the land. So if you already own land that's zoned B-III, and you're within the rights of the B-III to come in for just a site plan, those are entitlement rights you have. If you're trying to create something new with land that's zoned agricultural and do something commercial, you would have a rezoning paired with that site plan because those are the rights you don't have. But under the Florida statutes, they had rights to come in with just a site plan, which had minimal advertisement requirements. Understand, but that's why we asked them to meet with all of the HOAs.

Kelly Brown:

My question is, are notification requirements for the residents in the surrounding area for just site plan consistent with comparable cities, municipalities, notification requirements? Or do we need to review that section of the statutes? Because input from the residents would be very helpful to what might make it more palatable. Aesthetically, I realize aesthetics is where our jurisdiction or authority ends, but

Mr. Chockley:

No, we can always make them stronger. Most of our advertisement docs are much stronger than the state now. We just increased the radius map for a lot of petitions up to 700 feet, which is more than just about any other city in Broward County. So we can definitely increase it. Now that being said, that goes across the board. So you have these small little mom and pops that may come in for a small addition to their storefront that requires a site plan amendment, and all of a sudden have this huge advertisement built. So it does have negative consequences sometimes as well because you can't differentiate a small mom and pop store versus everybody thinks it's just going to be Wal-Mart paying the bills. We have a lot of petitions that, I mean, would add a significant cost to it, but it is up to the board.

Kelly Brown:

Like several per month that be are,

Mr. Chockley:

No, not several per month, but like I was saying, shots coming in for a gate. If you came in and say you need to advertise every property with a thousand feet, I mean that's site plan petition that costs \$500 to file.

Chairman Rouse:

Okay, thank you. All right. Tough meeting. Sorry. Next meeting's going to be on October sometime meeting to be,

Mr. Chockley:

More than likely once they actually make their submittal and we review it, I'll confirm what the actual date will be.

Chairman Rouse:

All right. It's 8:02. We are adjourned.