

City of Pembroke Pines, FL

*City of Pembroke Pines
Planning and Zoning Board
601 City Center Way
Pembroke Pines, FL 33025*



Meeting Minutes - Final

Thursday, August 9, 2018

6:30 PM

Commission Chambers

Planning and Zoning Board

REGULAR MEETING CALLED TO ORDER

The Regular Meeting of the Planning and Zoning Board of the City of Pembroke Pines was called to order by Chairman Rose, at 6:30 p.m., Thursday, August 9, 2018, at the Charles F. Dodge Pembroke Pines City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL.

ROLL CALL

Present to-wit: Chairman Rose, Vice Chairman Jacob, Members Girello, Gonzalez, and Alternate Member Taylor. Absent: Member Labate and Alternate Member Lippman. Also present: Michael Stamm, Jr., Planning and Economic Development Director; Joseph Yaciuk, Planning Administrator; Brian Sherman, Assistant City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

Chairman Rose stated that Alternate Member Taylor will be a voting member for this evenings meeting.

SUBMISSION OF LOBBYING DISCLOSURE FORMS

There were no lobbying disclosure forms submitted.

APPROVAL OF MINUTES:

[18-0605](#)

May 24, 2018

On a motion by Member Girello, seconded by Member Gonzalez, to approve, the minutes of the May 24, 2018 meeting, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

[18-0860](#)

June 21, 2018

On a motion by Member Girello, seconded by Vice Chairman Jacob, to approve, the minutes of the June 21, 2018 meeting, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

NEW BUSINESS:

PUBLIC HEARINGS AND REGULAR ITEMS:

1. [18-0887](#) **ZC 2017-04**, The purpose of this Public Hearing is to consider a zoning change, at the request of the City of Pembroke Pines, from A-1 (Limited Agricultural District) to MXD (Mixed Use Development District) for the **Pembroke Pines City Hall (AKA: Old City Hall parcel) (ZC 2017-04)** property located at the southwest corner of Pines Boulevard and west of Palm Avenue containing 15 acres more or less. The rezoning of this property includes an amendment to existing Pembroke Pines City Center (MXD) design guidelines, adding the Pembroke Pines City Hall property into the district and establishing development criteria for the parcel. The addition of the approximate 15 acre Pembroke Pines City Hall property will expand the Pembroke Pines City Hall (MXD) to 161.36 acres more or less.

(This will be heard as regular agenda item number 2.)

Chairman Rose stated the purpose of this Public Hearing is to consider a zoning change, at the request of the City of Pembroke Pines, from A-1 (Limited Agricultural District) to MXD (Mixed Use Development District) for the **Pembroke Pines City Hall (AKA: Old City Hall parcel) (ZC 2017-04)** property located at the southwest corner of Pines Boulevard and west of Palm Avenue containing 15 acres more or less. The rezoning of this property includes an amendment to existing Pembroke Pines City Center (MXD) design guidelines, adding the Pembroke Pines City Hall property into the district and establishing development criteria for the parcel. The addition of the approximate 15 acre Pembroke Pines City Hall property will expand the Pembroke Pines City Hall (MXD) to 161.36 acres more or less.

Dennis Mele, attorney representing the petitioner, gave a brief PowerPoint presentation of the proposed zoning change request.

The following staff report was entered for the record:

Greenspoon Marder, agent for contract purchaser Terra Group, is requesting approval of a zoning change application to modify the Mixed Use Development (MXD) zoning design guidelines for the Pembroke Pines City Center property generally located west of Palm Avenue between Pines Boulevard and Washington Street.

The proposed general design guidelines changes include:

- Expansion of the MXD zoning property from approximately 146 to approximately 162 acres by adding the former City Hall parcel at the southwest corner of Pines Boulevard and Palm Avenue. Exhibit 2 has been revised to designate the former City Hall property as “Community Commercial”.
- Table 12 has been updated to allow for the following development within the Community Commercial District:
 - o 358,000 square feet commercial use
 - o 120,000 square feet office use
 - o 80,000 square feet self-storage use*

*Up to 15,000 square feet of commercial use may be used for Self-Storage

- Page 27 adds development criteria for Self-Storage and Service Station uses.
- Table 14 has been updated to allow for Parking standards for the following new use types.
 - o Retail / Commercial / Gas Station – 4.5 spaces per 1,000 square feet
 - o Hotel - 1 space per hotel room
 - o Self-Storage – 1 space per 10,000 square feet
- All exhibits have been updated to include the addition of the City Hall property into the MXD map with associated open space area.

The proposed zoning change application has been reviewed by staff and found to meet Code requirements. Staff therefore recommends the Planning and Zoning Board transmit this application to the City Commission with a favorable recommendation.

Staff Recommendation: Transmit this application to the City Commission with a favorable recommendation.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following member of the public spoke:

Dennis Mele, attorney representing the petitioner

On a motion by Member Girello, seconded by Vice Chairman Jacob, to close the Public Hearing, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

Chairman Rose stated this will be heard as regular agenda item number 2.

2. [18-0866](#) **ZC 2017-04**, The purpose of this item is to transmit a recommendation to the City Commission, as recommended by staff, a zoning change from A-1 (Limited Agricultural District) to MXD (Mixed Use Development District) for the **Pembroke Pines City Hall (AKA: Old City Hall parcel) (ZC 2017-04)** property located at the southwest corner of Pines Boulevard and west of Palm Avenue containing 15 acres more or less. The rezoning of this property includes an amendment to existing Pembroke Pines City Center (MXD) design guidelines, adding the Pembroke Pines City Hall property into the district and establishing development criteria for the parcel. The addition of the approximate 15

acre Pembroke Pines City Hall property will expand the Pembroke Pines City Hall (MXD) to 161.36 acres more or less.

Chairman Rose stated the purpose of this item is to transmit a recommendation to the City Commission, as recommended by staff, a zoning change from A-1 (Limited Agricultural District) to MXD (Mixed Use Development District) for the Pembroke Pines City Hall (AKA: Old City Hall parcel) (ZC 2017-04) property located at the southwest corner of Pines Boulevard and west of Palm Avenue containing 15 acres more or less. The rezoning of this property includes an amendment to existing Pembroke Pines City Center (MXD) design guidelines, adding the Pembroke Pines City Hall property into the district and establishing development criteria for the parcel. The addition of the approximate 15 acre Pembroke Pines City Hall property will expand the Pembroke Pines City Hall (MXD) to 161.36 acres more or less.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob

The following member of staff spoke:

Joseph Yaciuk, Planning Administrator

The following member of the public spoke:

Dennis Mele, attorney representing the petitioner

On a motion by Member Gonzalez, seconded by Vice Chairman Jacob, to transmit, as recommended by staff, the Pembroke Pines City Hall (AKA: Old City Hall parcel) (ZC 2017-04), to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

- 3. [18-0867](#) **ZC 2018-02**, The purpose of this Public Hearing is to consider a zoning change, at the request of the Mont Development Corp, from B-3 (General Business District) to TH-12 (Townhouse District) for the **Stellar / Pines Townhomes (ZC 2018-02)** property generally located on the south side of Pines Boulevard west of SW 184th Avenue (just east of the entrance into Estancia), containing 5.0464 acres more or less.

(This will be heard as regular agenda item number 4.)

Chairman Rose stated the purpose of this Public Hearing is to consider a

zoning change, at the request of the Mont Development Corp, from B-3 (General Business District) to TH-12 (Townhouse District) for the Stellar / Pines Townhomes (ZC 2018-02) property generally located on the south side of Pines Boulevard west of SW 184th Avenue (just east of the entrance into Estancia), containing 5.0464 acres more or less.

Dennis Mele, attorney representing the petitioner, gave a brief PowerPoint presentation of the proposed zoning change request.

The following staff report was entered for the record:

Greenspoon Marder has submitted a zoning change application for the Stellar Pembroke Pines property, generally located south of Pines Boulevard, between Southwest 184 Avenue and Southwest 186 Avenue. The applicant requests to a +- 5 Acre portion of the property (Parcel A) from B-3 (General Business) to TH-12 (Townhouse District) in order to develop townhouse units.

The existing zoning and land use plan designations of the surrounding properties are as follows:

North	Zoning: PUD (Planned Unit Development)	Land Use: Commercial
East	Zoning: B-3 (General Business)	Land Use: Commercial
South	Zoning: R-1C (Residential)	Land Use: Low 2 Res.
West	Zoning: B-3 (General Business)	Land Use: Agricultural

The applicant proposes to only rezone Parcel A of the property, leaving the southernmost Parcel B (+-1.7 acres) as mitigation area. Parcel B will also act as a bufferyard between the existing neighborhood (Estancia) and the future development.

The City Commission at its May 3, 2000 meeting approved the +- 26 acre, 184th Plaza Plat (SUB 98-7), which included this property. The applicant at the time proposed developing the +-26 acre parcel into a +- 200,000 square foot shopping center. The applicant allowed the 184th Plaza Plat to expire prior to recordation. The properties within that expired plat were then subdivided and platted separately. The subject Stellar parcel and the Skeyrise Plaza property (to the east of Stellar) are the remaining vacant parcels within this former grouping.

On June 7, 2017, the City Commission adopted Ordinance 1873, approving the land use plan amendment for the Stellar property from Commercial to Irregular Residential 7.9 du/ac (PH 2016-03).

The applicant has also applied for a plat (SUB 2017—02), consistent with the rezoning request, which will be heard concurrently at tonight’s meeting. The applicant has submitted revised plats pursuant to staff comments and the plat was found to meet all code requirements.

The proposed rezoning request is consistent with the land use plan Irregular 7.9 residential land use approved through Ordinance 1873.

Staff Recommendation: Transmit to the City Commission with a favorable recommendation.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following member of the Planning and Zoning Board spoke:

Chairman Rose

The following member of staff spoke:

Joseph Yaciuk, Planning Administrator

The following member of the public spoke:

Dennis Mele, attorney representing the petitioner

On a motion by Member Girello, seconded by Vice Chairman Jacob, to close the Public Hearing, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

Chairman Rose stated this will be heard as regular agenda item number 4.

4. [18-0871](#)

ZC 2018-02, The purpose of this item is to transmit a recommendation, at the request of the Mont Development Corp, to the City Commission, as recommended by staff, from B-3 (General Business District) to TH-12 (Townhouse District) for the **Stellar / Pines Townhomes (ZC 2018-02)** property generally located on the south side of Pines Boulevard west of SW 184th Avenue (just east of the entrance into Estancia), containing 5.0464 acres more or less.

Chairman Rose stated the purpose of this item is to transmit a recommendation, at the request of the Mont Development Corp, to the City Commission, as recommended by staff, from B-3 (General Business District) to TH-12 (Townhouse District) for the Stellar / Pines Townhomes (ZC 2018-02) property generally located on the south side of Pines Boulevard west of SW 184th Avenue (just east of the entrance into Estancia), containing 5.0464 acres more or less.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Members Girello, Gonzalez

The following member of staff spoke:

Brian Sherman, Assistant City Attorney

The following member of the public spoke:

Dennis Mele, attorney representing the petitioner

On a motion by Member Girello, seconded by Member Gonzalez, to transmit, as recommended by staff, the Stellar / Pines Townhomes (ZC 2018-02), to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

CHANGE ORDER OF BUSINESS:

Chairman Rose stated that agenda item number 6, SUB 2017-02, Stellar Pembroke Pines Plat, is related to agenda item numbers 3 and 4. He requested to change the order of business and hear agenda item number 6 at this time.

It was the consensus of the Planning and Zoning Board to hear agenda item number 6 at this time.

6. [18-0879](#)

SUB 2017-02, Stellar Pembroke Pines Plat, generally located on the south side of Pines Boulevard between SW 184 Avenue and SW 186 Avenue, plat application. (Joseph)

Dennis Mele, attorney representing the petitioner, addressed the Planning and Zoning Board. He gave a brief overview of the proposed plat application.

The following staff report was entered into the record:

Pulice Land Surveyors, Incorporated has submitted a plat application for the Stellar Pembroke Pines Plat, generally located south of Pines Boulevard, between S.W. 184 and SW 186. The plat is proposed to be restricted to 58 townhouse units.

The existing zoning and land use plan designations of the surrounding properties are as follows:

North	Zoning: PUD (Planned Unit Development)	Land Use: Commercial
East	Zoning: B-3 (General Business)	Land Use: Commercial
South	Zoning: R-1C (Residential)	Land Use: Low 2 Res.
West	Zoning: B-3 (General Business)	Land Use: Agricultural

Access to this property will be through an 80 foot access easement on the northeast corner of the property adjacent to Pines Boulevard.

There will be a 224' x 330' mitigation area on south side of the property. This

area will also act as a bufferyard between the existing neighborhood (Estancia) and future development.

The City Commission at its May 3, 2000 meeting approved the +- 26 acre, 184th Plaza Plat (SUB 98-7), which included this property. The applicant at the time proposed developing the +-26 acre parcel into a +- 200,000 square foot shopping center. The applicant allowed the 184th Plaza Plat to expire prior to recordation. The properties within that expired plat were then subdivided and platted separately. The subject Stellar parcel and the Skyrise Plaza property (to the east of Stellar) are the remaining vacant parcels within this former grouping. The proposed plat note is consistent with Ordinance 1873.

The applicant has also applied for a zoning change (ZC 2018-02), requesting to rezone parcel A of this plat from B-3 (General Business) to TH-12 (Townhouse district), which will be heard concurrently at tonight's meeting.

The applicant is aware that they will be required to dedicate 6% of the platted land to the City for municipal purposes or an equal payment in lieu of the dedication of land prior to City Commission approval.

The applicant has submitted a revised plat pursuant to staff comments and the plat was found to meet all code requirements.

Staff Recommendation: Approval subject to Broward County comments and City Commission approval of the plat, rezoning request (ZC 2018-02) and municipal dedication agreement.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

On a motion by Member Girello, seconded by Vice Chairman Jacob, to transmit, as recommended by staff, the Stellar Pembroke Pines Plat (SUB 2017-02) application, to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

RESUME ORDER OF BUSINESS:

NEW BUSINESS:

QUASI-JUDICIAL ITEMS:

- 5. [18-0875](#) **SP 2016-24, Century Center**, generally located south of Pines Boulevard between SW 136th Avenue to SW 145th Avenue, site plan amendment. (Joseph)

Chairman Rose advised that the petitioner has requested to defer this item to the September 27, 2018 meeting.

On a motion by Member Girello, seconded by Member Gonzalez, to defer the Century Center site plan application (SP 2016-24) to the September 27, 2018 meeting, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

NEW BUSINESS:

NON-QUASI-JUDICIAL ITEMS:

- 7. [18-0890](#) **SP 2018-05, BMW of Pembroke Pines**, 14800 Sheridan Street, site plan amendment. (Joseph)

Dennis Mele, attorney representing the petitioner, addressed the Planning and Zoning Board. He gave a brief PowerPoint presentation of the proposed site plan application.

The following staff report was entered into the record:

Holman Automotive, Inc. is requesting a site plan amendment approval for a building addition with associated site modifications to the existing BMW dealership located at 14800 Sheridan Street.

The project consists of the construction of a new collision center and inventory garage building to be located immediately to the west of the existing BMW Dealership. The proposed garage building will be located over an unimproved surface lot that is currently being used for inventory storage.

The ground floor of the six story multi-use garage structure will consist of a fully enclosed Collision Center, including offices, inspection bays, mechanical bays and prep & paint booths. In addition, it will also include 27 new Service Bays. The upper floors, floors 2 thru 5, will house inventory vehicles. The 6th floor will be available for employee parking. The second floor of the Garage will connect, at the east side, to the existing 2nd floor parking deck above the existing service canopy and service building. 15 parking spaces will be added to the north of the proposed structure for customer parking.

The proposed 98 foot tall (highest point) Collision center / vehicle storage structure will feature the following colors / materials:

- Main Body – EIFS Benjamin Moore – RAL 9010 Pure White
- Storefront / Window – Kawneer Kynar Sterling Gray with Clear Glazing System
- Aluminum Slat Screen Wall - Benjamin Moore – RAL 9010 Pure White
- Accent Wall – Green Screen Wall

The vehicle inventory garage will include multiple EV charging units on floors 2-5 which are for dealer use only and not provided to the general public consumption on a commercial basis.

To the south of the proposed collision center / vehicle storage addition will be an enclosed surface parking area for collision car storage and house a large dumpster area. The wall will be 10 feet tall and fully enclose the spaces. Additionally, a 2,500 square foot automated car wash tunnel will be added to the south of the collision car storage. The proposed car wash tunnel will be provided for customers and not open to the general public.

The contemplated improvements will result in the loss of 52 surface inventory spaces from the existing site. The new garage improvements will add 867 spaces, netting a gain of 815 spaces to the site. Parking required for the site is 124 spaces. Total parking spaces provided for general use and employees will be 187 spaces. Employees of the dealership will be parking in the new structure.

Landscape additions will include the installation of 45 trees, 14 palms, and 1,842 shrubs is proposed on the property. Primary species of trees include Bald Cypress, Spanish Stopper, and Pigeon Plum. Primary species of palms are Cabbage Palm. Primary species of shrubs include Dwarf Mando Grass, 'Red Tip' / Red Tip Cocoplum, and Green Island Ficus.

The site plan will require City Commission approval for development with the Pembroke Falls PUD. The proposed site plan has been reviewed by staff and found to comply with Code requirements. Staff therefore recommends transmittal of this application to the City Commission with a favorable recommendation.

Staff Recommendation: Transmit to City Commission with a favorable recommendation.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following member of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Member Gonzalez

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director
Joseph Yaciuk, Planning Administrator

The following members of the public spoke:

Dennis Mele, attorney representing the petitioner
Doug Snyder, architect representing the petitioner

On a motion by Vice Chairman Jacob, seconded by Alternate Member Taylor, to transmit, as recommended by staff, the BMW of Pembroke Pines (SP 2018-05) site plan application, to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

8. [18-0893](#) **MSC 2017-20, U-Gas**, 7000 Pines Boulevard, façade and canopy paint change and signage, miscellaneous request. (Cole)

Freddy Laverde, representing the petitioner, addressed the Planning and Zoning Board. He gave a brief overview of the proposed miscellaneous request.

The following staff report was entered into the record:

Cristhian Rivero, agent, is requesting approval for building, canopy, sign, and site changes to the existing U-Gas station located at 7000 Pines Boulevard.

The following colors are proposed for the existing building and canopy:

- C-Store Body – Sherwin Williams 6106 Kilim Beige
- C-Store Trim – Sherwin Williams Manual Dark Beige
- Canopy – Red vinyl
- Canopy supports/ trim – Red, white

The applicant is proposing the following signs:

- A 19.9 square foot red, “USHOP” illuminated flush mounted channel letter sign to be located above the main entrance of the c-store.
- A 10 square foot white, “UGAS” illuminated channel letter sign on the north canopy elevation.
- A 2.9 square foot white, “U” illuminated channel letter sign on the east canopy elevation.
- A 2.9 square foot white, “U” illuminated channel letter sign on the west canopy elevation.

An existing “Auto Repair” sign located over the service bays will be removed to meet requirements.

The applicant seeks to modify the previously approved monument sign design. The existing 7’ high, illuminated monument sign is 24 square feet in size and contains the following pan formed panels:

- A 11.5 square foot panel reading “UGAS QUALITY FUELS” (white copy on a red background)
- A 11.5 square foot price panel in LED and white copy on a red and blue background.

Additionally, the applicant proposes to upgrade the under canopy lighting to recessed LEDs.

The following site modifications are proposed:

- Addition of a dumpster enclosure painted to match the building located on the southeast corner of the parcel.
- Addition of a parking space and crosswalk.
- Relocation of refillable propane tanks from the northeast corner to the

southeast corner of the parcel

- Relocation of the ice freezer from the east side of the building to the southeast corner of the parcel.

Owner, Petroleum Investments Inc. was given a Notice of Violation on May 8, 2017 for painting and sign installation without permits or Planning & Zoning Board approval. The approval of this application will bring the code action into compliance.

Staff has reviewed the proposed changes and finds that the proposed changes meet code requirements. Staff therefore recommends approval of this application.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following member of the Planning and Zoning Board spoke:

Vice Chairman Jacob

The following member of staff spoke:

Joseph Yaciuk, Planning Administrator

The following member of the public spoke:

Freddy Laverde, representing the petitioner

Mr. Laverde, representing the petitioner, voluntarily agreed to clean (remove) well water stains from the base of the monument sign.

On a motion by Member Girello, seconded by Member Gonzalez, to approve, as recommended by staff, the U-Gas (MSC 2017-20) miscellaneous request; subject to cleaning (remove) well water stains from the base of the monument sign, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

9. [18-0886](#) **MSC 2018-17, Puppy Sales & Grooming**, 7801 Johnson Street, façade and signage changes, miscellaneous request. (Cole)

Nelson Rodriguez, representing the petitioner, addressed the Planning and Zoning Board. He gave a brief overview of the proposed miscellaneous request.

The following staff report was entered into the record:

Nelson Rodriguez, agent, is requesting approval for color and sign changes at Forever Love Puppies located at 7801 Johnson Street.

The applicant is proposing the following colors and materials for the building:

- Main Body – Behr P290-2 “Sweet as Honey”
- Accent Trim – Behr 4850 “Ultra Pure White”
- Stone Accent – Multi-colored earth toned stone.

The proposed 35.55 square foot illuminated white LED channel letter sign will be raceway mounted on the south elevation of the building. The raceway will be painted to match the existing color of the building. The will read “Puppy Sales” in pink. Additionally, there will be a multicolored puppy emblem located next to the text.

Staff has reviewed the proposed changes and finds that the proposal meets code requirements. Staff therefore recommends approval of this application.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following member of the Planning and Zoning Board spoke:

Vice Chairman Jacob

The following member of staff spoke:

Joseph Yaciuk, Planning Administrator

The following member of the public spoke:

Nelson Rodriquez, representing the petitioner

On the motion by Member Girello, seconded by Member Gonzalez, to approve, as recommended by staff, the Puppy Sales & Grooming (MSC 2018-17) miscellaneous request, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

ITEMS AT THE REQUEST OF THE BOARD:

ITEMS AT THE REQUEST OF STAFF:

10. [18-0894](#) AM 2018-06, Discussion and possible action on updating the sign code. (Joseph / Cole)

The following staff report was entered for the record:

In its recent ruling in the case of Reed v. Town of Gilbert, the Supreme Court clarified municipal powers as it relates to the enforcement of certain content based sign restrictions. The outcome of this case is driving many cities across the country to reevaluate their current sign codes in order to produce

regulations for signs which are more content neutral. City planning staff has been working with the City Attorney's office to make necessary modifications to the sign code to comply with this judgment. Additionally, staff has identified other supporting sections of the sign code which also needed to be updated.

The Planning and Zoning Board was presented with an overview of the Court Case as well as the parameters of the City's proposed sign changes by staff at its June 21, 2018 meeting. Upon review of that presentation, the Board requested staff provide a formal copy of the proposed sign changes in Ordinance format at a later date for consideration. Attached is a strikethrough and underlined version of the requested Ordinance.

In general, the following changes are proposed to the existing sign code in order to address any potential conflicts with the Court decision:

- Removal of any perceived content based restrictions for signs.
- Political, noncommercial direction or information, and community service signs will now be categorized as non-commercial signs.
- New business "coming soon" and "grand opening" banners will now be categorized as announcement banners.

Staff is also proposing the following other changes to strengthen the existing sign code:

- Addition of the following sections: General standards, parking identification signs, real estate sale and real estate leasing signs, construction signs, and signs on right-of-way and public property.
- Addition and cleanup of definitions.

o Addition of the following definitions: advertising sign, announcement banner, balloon sign, billboard sign, directional sign, identification sign, non-illuminated sign, and parking identification sign.

o Removal of the following definitions: community service sign, noncommercial direction sign or information sign, political sign, revitalization sign

- Removal of the following sections: Industrial zoning districts, bus bench advertising signs, and revitalization signs.
- Modified regulations for location of information on ground box signs.
- The term "shall" has been changed to "may" for existing commercial monument sign regulations.

Staff Recommendation: Transmit the proposed ordinance to City Commission with a favorable recommendation.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Members Girello, Gonzalez

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director
Brian Sherman, Assistant City Attorney

On a motion by Member Girello, seconded by Member Gonzalez, to transmit, as recommended by staff the proposed ordinance to City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Alternate Member Taylor

NAY: None

Motion Passed

Michael Stamm, Jr., Planning and Economic Development Director, spoke briefly in reference to bike sharing programs.

ITEMS AT THE REQUEST OF THE PUBLIC:

ADJOURNMENT:

Chairman Rose adjourned the meeting at 7:10 p.m.

ADJOURNED:
7:10 P.M.

Respectfully submitted:

Sheryl McCoy
Board Secretary