

August 17, 2023

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 17, 2023, at the Charles F. Dodge City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL.

**OATH OF OFFICE:**

Brian Sherman, Assistant City Attorney, administered the oath of office to newly appointed Regular Member Lee Golditch.

**ROLL CALL:**

Present to-wit: Chairman Rose, Vice Chairman Lippman, Members Golditch, Gonzalez, Labate, and Alternate Member Zacharias.

Absent: Alternate Member Taylor

Also present: Michael Stamm, Jr., Planning and Economic Development Director / Assistant City Manager; Cole Williams, Senior Planner, Brian Sherman, Assistant City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

**SUBMISSION OF LOBBYING DISCLOSURE FORMS:**

There were no lobbying disclosure forms submitted at this time.

**APPROVAL OF MINUTES:**

Chairman Rose asked for a motion to approve or corrections to the minutes.

Member Golditch noted that Vice Chairman Lippman's item referencing road conditions should read "**condition of Sheridan Street** between I-75 and Flamingo Road."

On a motion by Member Labate, seconded by Member Golditch, to approve, as corrected, the minutes of the June 8, 2023 meeting, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman  
Members Golditch, Gonzalez, Labate

NAY: None

Motion Passed

**NEW BUSINESS:**  
**CONSENT AGENDA:**

Chairman Rose inquired if any members of the board wished to pull any of the consent items for discussion. No one wished to pull any items.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against any of these items. No one wished to speak.

1. **MSC2023-0008, Franklin Academy Statue**, 18800 Pines Boulevard, Installation of a statue, miscellaneous request.

The following staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Consilium Atlantic, agent is requesting approval for the installation of a life-size statue of Benjamin Franklin and two children. The statue will be located at Franklin Academy south (18800 Pines Boulevard).

Franklin Academy was approved through SP 2010-15. An amendment was made to the site plan in 2006 (SP 2022-02, expansion of building and vehicle stacking).

**BUILDINGS / STRUCTURES:**

The applicant is proposing the following:

- A life-size, non-illuminated statue of Benjamin Franklin (5 feet 10 inches), and two children (4 feet 11 inches and 4 feet 5 inches), on top of a 3-foot-high stucco base with landscape around it. The statue will be located at the northwest corner of the property on a traffic circle.

Statues are permitted subject to the following regulations established in Section 155.626:

- (A) *Sculptures and statues shall be considered permanent accessory structures on nonresidential property and shall be architecturally compatible with surroundings.*
- (B) *Sculptures and Statues shall not:*
  - Be used for the purpose of advertising or signage.*
  - Exceed the height of the primary building.*
  - Be internally illuminated.*
- (C) *The size of sculptures and statues shall be determined based on the scale by staff during plan review.*

**STAFF RECOMMENDATION:**

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

2. **MSC2023-0010, SPG - Sunglass Hut**, 527 SW 145 Terrace, minor façade and signage changes, miscellaneous request.

The following staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Gary Barson, agent is requesting approval for facade and sign modifications to the new Sunglass hut Retail store (formerly Origins) at the Shops at Pembroke Gardens site, generally located south of Pines Boulevard and west of Southwest 145 Avenue. Sunglass hut will be located within building 10000 in bay 504.

The Shops at Pembroke Gardens was approved through SP 2005-36. An amendment was made to the site plan in 2006 (SP 2006-27, Architectural changes). Architectural modifications were last made to the tenant bay in 2007 (MSC 2007-34).

**BUILDING / STRUCTURES:**

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

- Facade (Color – Cocoa Sand 1122 Benjamin Moore)
- Fabric Awning (Color: Beige - Sunbrella Oyster)
- Storefront Metal (Color: Black)
- Storefront Base (Re-clad Color: black MF-51)

**SIGNAGE:**

The following signage is proposed for the tenant bay:

- One, 29 square foot Halo-Lit channel letter wall sign reading, “Sunglass hut” in black copy.
- One, 4.5 square foot non-illuminated blade sign. The proposed sign will be a black tile plank reading, “Sunglass hut” in white copy.

The tenant will be bordered by two neutral pier elements (MSC 2007-07) as approved by the Planning and Zoning Board at its February 8, 2007, meeting. Staff has reviewed the proposed changes by the applicant and found them to follow the approved PCD guidelines.

**STAFF RECOMMENDATION:**

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

On a motion by Vice Chairman Lippman, seconded by Member Gonzalez, to approve, as recommended by staff, consent agenda item numbers 1 (MSC2023-0008, Franklin Academy Statue) and 2 (MSC2023-0010, SPG – Sunglass Hut), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman  
Members Golditch, Gonzalez, Labate

NAY: None

Motion Passed

**NEW BUSINESS:**  
**QUASI-JUDICIAL ITEMS:**

(Secretary's Note: All affected parties were sworn under oath to give testimony in the relevant cases by the Assistant City Attorney.)

3. **ZV2023-0001, Palm Square Shoppes**, 1460 - 1490 S Palm Avenue, variance request.

Karen Prida, the petitioner, addressed the Planning and Zoning Board. She gave a brief overview of the proposed variance request.

The following summary was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Jaynier Moya, agent for MP Holdings LLC, is requesting a parking variance for Palm Square Shoppes, generally located north of Pembroke Road and west of Palm Avenue (1460-1490 south Palm Avenue) to allow the provided 53 parking spaces, instead of the required 64 parking spaces.

The site was approved in 2004 through site plan application SP 2004-54. In 2016, a nonconcurrent parking plan was approved for the shopping center through MSC 2016-23 due to the addition of a catering facility. An administrative amendment was made to the nonconcurrent parking plan in 2023 due to the addition of two medical facilities.

**VARIANCE REQUEST DETAILS:**

**ZV 2023-0001)**

The applicant is requesting a variance to allow the provided 53 parking spaces, instead of the required 64 parking spaces. The applicant has provided the attached justification statement to support their request. Minimum off street parking is regulated by Land Development Code section 155.605. For reference, staff has attached Table 155.605: Minimum Parking Requirements from Article 6 of the Land Development Code.

**VARIANCE DETERMINATION:**

The Planning & Zoning Board shall not grant any non-single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of non-single-family residential variances, the Board shall follow Section 155.301(O) Variance:

1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
  - a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
  - b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
  - c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.

The following members of the Planning and Zoning Board spoke:

Vice Chairman Lippman, Members Golditch, Gonzalez

The following member of the public spoke:

Karen Prida, the petitioner

On a motion by Member Labate, seconded by Vice Chairman Lippman, to grant, as determined by variance criteria "C", ZV2023-0001 (Palm Square Shoppes) to allow 52 parking spaces instead of the required 64 parking spaces, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman  
Members Golditch, Gonzalez, Labate

NAY: None

Motion Passed

Chairman Rose noted that agenda item numbers 4, 5, and 6 are related and will be heard and presented together. He clarified that each item will need individual votes.

4. **ZV2023-0002, Wawa**, 7150 Pines Boulevard, variance request.
5. **ZV2023-0003, Wawa**, 7150 Pines Boulevard, variance request.
6. **ZV2023-0004, Wawa**, 7150 Pines Boulevard, variance request.

Gregory Davis, representing the petitioner, addressed the Planning and Zoning Board. He gave a brief overview of the proposed variance request.

The following summary was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Gregory Davis, agent for Wawa, is requesting three variances for service station signage at the proposed Wawa located at 7150 Pines Boulevard. Variances from the Land Development Code sign regulations are being requested for the number of monument signs, total wall/canopy sign square footage and letter height.

The site is currently occupied by Trinity Lutheran Church. Trinity Lutheran Church will be demolished, and the parcel shall be split to accommodate the two site plans that were approved the December 8, 2022 Planning and Zoning Board meeting.

- Wawa (SP 2022-0007) shall be located on the northern parcel at the corner of Pines Boulevard and NW 72 Avenue.
- Trinity Lutheran Church (SP 2022-0006) shall be located on the southern parcel east of NW 72 Avenue.

No signage was proposed as part of the Wawa site plan application.

**VARIANCE REQUEST DETAILS:**

The applicant is requesting the following three variances pertaining to the Wawa site:

- ZV 2023-0002 is requesting an additional monument sign for a total of 2, instead of one.
- ZV 2022-0003 is requesting 91.52 square feet of wall and canopy signage, instead of the allowed 36 square feet of wall and canopy signage.
- ZV 2023-0004 is requesting a maximum letter height of 42 inches, instead of the allowed 36 inch letter height.

The applicant has provided the attached justification statement to support their request.

Service station signage is regulated by Land Development Code section 155.699 Permanent Signs and 155.6100 Permanent Signs – Supplement Regulations. For reference, staff has attached Table 155.699: Permanent Signs and code section 155.6100 Permanent Signs – Supplement Regulations from Article 6 of the Land Development Code.

**VARIANCE DETERMINATION:**

The Planning & Zoning Board shall not grant any non-single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of non-single-family residential variances, the Board shall follow Section 155.301(O) Variance:

2. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:

- a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are

peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or

- b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
- c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Members Golditch, Gonzalez, Labate

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director/ACM

The following member of the public spoke:

Gregory Davis, representing the petitioner

Vice Chairman Lippman moved to grant, as determined by variance criteria “B”, ZV2023-0002 (Wawa). Motion died for lack of a second.

On a motion by Member Gonzalez, seconded by Member Labate, to deny ZV2023-0002 (Wawa), because the petitioner hasn’t shown a need or hardship for the additional monument sign, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman  
Members Golditch, Gonzalez, Labate

NAY: None

Motion Passed

On a motion by Member Labate, seconded by Vice Chairman Lippman, to grant, as determined by variance criteria “C”, ZV2023-0003 (Wawa) to allow 91.52 square feet of wall and canopy signage, instead of the required 36 square feet of wall and canopy signage, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman  
Members Golditch, Labate

NAY: Member Gonzalez

Motion Passed

On a motion by Member Labate, seconded by Member Golditch, to grant, as determined by variance criteria "C", ZV2023-0004 (Wawa) to allow a maximum letter height of 42 inches, instead of the required 36 inch letter height, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman  
Members Golditch, Gonzalez, Labate

NAY: None

Motion Passed

**7. SP2023-0005, SFDC Building C, 20421 Sheridan Street, site plan amendment.**

Chairman Rose advised that this is a quasi-judicial matter. If the petitioner and affected parties are here and want to make a presentation they may. If not, the City will include the staff report and agenda materials as back up and provide staff members for cross examination if the petitioner chooses to do so.

Scott Peavler, representing the petitioner, waived his right to a quasi-judicial proceeding.

Mr. Peavler addressed the Planning and Zoning Board. He gave a brief overview of the proposed site plan amendment.

The following staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Scott Peavler, agent, is requesting approval to amend a previously approved site plan for the South Florida Distribution Center (SFDC), modifying building C which will result in an increase in building area from the previously approved plan, with associated parking, circulation, lighting and landscaping modifications. SFDC is located at 20421 Sheridan Street.

SFDC, which consists of three buildings was approved through site plan SP 2016-04. Building A (223,880 square feet) and B (249,005 square feet) have been constructed and are

operational. Building C was never built, the proposed site plan amendment being heard tonight will replace the previous Building C approval.

**BUILDINGS / STRUCTURES:**

Building C, located at the northern end of the site was previously approved to be 270,767 square feet. The applicant is proposing to increase the size of the building to 281,145 square feet. The building shall be 49'-6" at the highest point. The following colors and materials are proposed for the building, which are consistent with the existing buildings on site:

- Body Color: Olympus White (SW 6253), Network Gray (SW 7073), Rock Bottom (SW 7062)
- Dock Canopy: Inkwell (SW 6992)
- Entry Canopy: Dark Anodized
- Storefront Framing: Anodized Aluminum
- Window Glazing: Solar Blue

**SIGNAGE:**

No signage modifications are proposed as part of this application. Signage is regulated by the Master Sign Plan for the site, which was established as part of the 2016 site plan approval.

**LIGHTING:**

Site lighting consisting of white cut off light fixtures mounted atop 30 foot high white poles and wall lighting is proposed for Building C and the surrounding area. All lighting shall be LED full cutoff fixtures and not exceed 4,000 K. The proposed lighting matches the poles and fixtures utilized for the portions of the site already constructed.

**PARKING / LOADING:**

Currently there are 486 parking spaces on site and 77 tractor trailer spaces on site. 202 parking spaces and 69 tractor trailer spaces shall be constructed in association with Building C, bringing the site totals to 688 and 146 respectively. Based on the PID requirements, 675 parking spaces are required. There is no requirement for tractor trailer spaces. No modifications are proposed for the number of loading docks from the previously approved Building C.

**LANDSCAPING:**

The following landscape is being proposed for this site, which is consistent with the species of the landscaping for Buildings A and B:

- Installation of 136 trees, 160 palms (including relocated palms), and 10939 shrubs.
  - Primary species of trees include: *Conocarpus erectus* 'Sericeus' – Silver buttonwood, *Lysiloma latisiliquum* – Wild tamarind, *Bursera simaruba* – Gumbo limbo, *Quercus virginiana* – Live oak, *Tabebuia heterophylla* – Pink trumpet tree, and *Clusia rosea* – Autograph tree.
  - Primary species of palms include: *Sabal palmetto* – Cabbage palmetto, *Dictyosperma album* – Princess palm, *Rhapis excelsa* – Lady palm, and *Archontophoenix alexandreae* – Alexander palm.
  - Primary shrub species include: *Chrysobalanus icaco* – Cocoplum, *Ficus microcarpa* 'Green Island' – Green island ficus, *Ilex vomitoria* 'Nana' – Dwarf upon, *Liriope muscari* 'Variegata' – Variegated lily turf, and *Dianella tasmanica* 'Blueberry' – Blueberry flax lily.
  - Relocated species include: *Pandanus utilis* – Screw pine and *Sabal palmetto* – Cabbage palmetto.

**ACCESS:**

Ingress/ egress to this site shall continue to be provided from Sheridan Street via SW 205<sup>th</sup> Avenue and SW 202<sup>nd</sup> Avenue. Consistent with the condition of approval on the original site plan, the applicant shall continue to encourage associated trucks to not use local residential roads for site access / exit within the City.

**STAFF RECOMMENDATION:**

Staff has reviewed the proposed changes and find 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:

Member Gonzalez

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director/ACM

The following member of the public spoke:

Scott Peavler, representing the petitioner

On the motion by Member Gonzalez, seconded by Vice Chairman Lippman, to approve, as recommended by staff, the SFDC Building C site plan amendment (SP2023-0005), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman  
Members Golditch, Gonzalez, Labate

NAY: None

Motion Passed

**ITEMS AT THE REQUEST OF THE BOARD:**

Chairman Rose spoke about the passing of Member Paul Girello. He gave a brief tribute to him and everything that he did for the community. Michael Stamm, Jr., Planning and Economic Development Director/ACM, also spoke about Paul's community involvement. A moment of silence was held.

**ITEMS AT THE REQUEST OF STAFF:**

Michael Stamm, Jr., Planning and Economic Development Director/ACM noted the next Planning and Zoning Board meeting is scheduled for September 14th.

**ADJOURNMENT:**

Chairman Rose adjourned the meeting at 7:35 p.m.

**ADJOURNED:**  
7:35 P.M.

Respectfully submitted:

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Sheryl McCoy  
Board Secretary