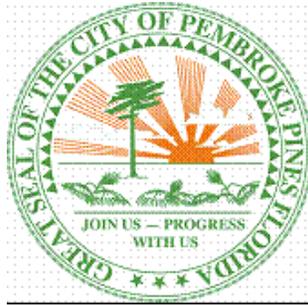


City of Pembroke Pines, FL

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



Meeting Minutes - Final

Thursday, February 8, 2024

6:30 PM

Commission Chambers

Planning and Zoning Board

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, February 8, 2024, at the Charles F. Dodge City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL.

ROLL CALL

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

Absent: Member Golditch

Also present: Joseph Yaciuk, Assistant Planning and Economic Development Director; Cole Williams, Senior Planner; Paul Hernandez, Assistant City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

Chairman Rose noted for the record that Alternate Member Zacharias will be a voting member for this evening’s meeting.

(Secretary’s Note: Vice Chairman Lippman arrived at 6:42 p.m. Prior to his arrival Alternate Member Taylor was a voting member for the minutes and consent agenda item number 1.)

SUBMISSION OF LOBBYING DISCLOSURE FORMS:

Chairman Rose submitted a lobbying disclosure form in reference to El Car Wash Pembroke Pines.

Member Labate submitted a lobbying disclosure form in reference to Memorial Manor FSER.

APPROVAL OF MINUTES:

[24-0124](#) January 25, 2024

On a motion by Member Labate, seconded by Alternate Member Taylor, to approve, the minutes of the January 25, 2024 meeting, the following vote was recorded:

AYE: Chairman Rose, Members Gonzalez, Labate
Alternate Members Taylor and Zacharias

NAY: None

Motion Passed

NEW BUSINESS:

CONSENT AGENDA ITEMS:

Chairman Rose inquired if any members of the board wished to pull any of the

consent items for discussion.

Member Gonzalez requested to pull consent item number 2 for discussion.

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. [24-0131](#)

MSC2023-0003, Flamingo Marketplace, 12105 Pembroke Road, installation of six (6) EV Charging Stations, miscellaneous request. (Laura) (District 1)

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Rebecca Sharp, agent is requesting approval for the addition of six electric vehicle charging stations at Flamingo Marketplace generally located north of Pembroke Road and east of Flamingo Road.

Flamingo Marketplace was approved in 1984 through SP 84-35.

BUILDINGS / STRUCTURES:

The applicant proposes the installation of the following equipment:

- The installation of six, level 3 electric vehicle charging stations located within the Flamingo Marketplace parking area. Five (5) charging stations will be located north of the Midas outparcel, and one (1) will be located in front of the Bravo Supermarket.

- o All six charging stations will have a fee associated with the use.

The fee is based on time used.

- o Each charging post will be black and white colored and approximately 8 feet tall by 2.5 feet wide.

- o Installation of one utility transformer, power cabinet and electric meter located behind the electric vehicle parking spaces. The equipment will be protected by bollards and screened from view with a Winchester gray trex fence and ixora shrubs.

- o Each charging spaces will be delineated by the following:

- A 1.5 square foot electric vehicle ground mounted charging

sign.

- The physical parking space will be painted white.

- The proposed charging stations comply with section 155.614 (C) of the Land Development code.

PARKING:

Based on current uses 609 parking spaces are required. Currently, 938 parking spaces are provided on site, and there is a surplus of 329. Six (6) spaces will be used exclusively for electric vehicles only, and (3) spaces will be removed to accommodate equipment. A total of 929 will remain available.

No other site modifications are being proposed at this time.

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 Member Gonzalez, seconded by Member Labate, to approve, as recommended by staff, consent agenda item number 1 (MSC2023-0003, Flamingo Marketplace), the following vote was recorded:

AYE: Chairman Rose, Members Gonzalez, Labate
Alternate Members Taylor, Zacharias

NAY: None

Motion Passed

- 2. [24-0125](#) **MSC2024-0003, Westfork Plaza**, 15801 - 15999 Pines Boulevard, creation of master outdoor dining plan, miscellaneous request. (Julia) (District 3)

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Markian Pawluk, agent, seeks miscellaneous plan approval for the creation of a master outdoor dining plan for Westfork Plaza shopping center. Westfork Plaza is generally located north of Pines Boulevard and east of Dykes Road. Westfork Plaza was originally approved in the mid-90s and then significantly modified in 2015.

Site Plan 2015-07 was approved by the Planning and Zoning Board and included the addition of five (5) Buildings (A, B, C, C-1 and D), updated traffic circulation, parking, and landscaping. At the May 12, 2016, Planning and Zoning Board meeting buildings C and C-1 were removed and replaced with a single tenant, Building C, which resulted in the addition of four (4) instead of five (5) buildings.

As part of the request, the applicant proposes a total of 7,572 square feet of outdoor dining in nine locations throughout the center as indicated in red on the attached plan. Location #5 on the plan was previously approved and is a total of 1,522 square feet. In addition to the existing location, 6,050 square feet of outdoor dining is being proposed. Should this plan be approved, City staff will work with each outdoor dining tenant to ensure each dining area meets all city requirements.

The proposed outdoor dining plan applies only to the indicated locations in Westfork Shopping Center Patio and Use Plan. The applicant will be required to amend the outdoor dining plan if they wish to add outdoor dining to other locations.

PARKING:

Zoning Variance (ZV 2022-01) was approved on April 14, 2022, allowing 1,556 parking spaces instead of the provided 1,281 parking spaces on site. The current number of parking spaces required based on use within the center

(including proposed outdoor dining) is 1,400.

No other site modifications are being proposed at this time.

STAFF RECOMMENDATION:

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

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Lippman, Members Gonzalez, Labate

The following member of staff spoke:

Joseph Yaciuk, Assistant Planning and Economic Development Director

The following members of the public spoke:

Dave Joss, representing the petitioner

Craig Ollis, the petitioner

On a motion by Member Labate, seconded by Member Gonzalez, to only approve, proposed outdoor dining location 9, on consent agenda item number 2 (MSC2024-0003, Westfork Paza), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman
Members Gonzalez, Labate, Alternate Member Zacharias

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.)

Chairman Rose noted that agenda item numbers 3 and 4 are related and will be heard and presented together. He clarified that each item will need individual votes.

3. [24-0126](#) **ZV2023-0007, EI Car Wash Pembroke Pines**, generally located on the north side of Pines Boulevard and east of NW 78 Terrace, variance request. (Cole) (District 1)

4. [24-0127](#) **ZV2023-0008, EI Car Wash Pembroke Pines**, generally located on the north side of Pines Boulevard and east of NW 78 Terrace, variance request. (Cole) (District 1)

Janna Lhota, representing the petitioner, addressed the Planning and Zoning Board. She gave a brief overview of the proposed variance requests.

The following summary was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Janna Lhota, agent for owner University Pines LLC, is requesting two variances for the proposed El Car Wash located at 7871 Pines Boulevard. Variances from the Land Development Code attended automatic car wash regulations are being requested to allow exterior vacuums within 500' of residentially used property and allow the car wash tunnel entrance to face residentially used property.

The site is currently occupied by a freestanding restaurant (Miami Grill) and multi-tenant building. Both buildings will be demolished, and the parcels combined to accommodate the proposed El Car Wash (SP 2023-0007), which will be heard at a later date should these variances be granted.

VARIANCE REQUEST DETAILS:

The applicant is requesting the following variances pertaining to the proposed El Car Wash site:

- ZV 2023-0007 is requesting to allow exterior vacuums within 500' of residentially used property. The exterior vacuums will be located +/- 49' away from the Trayann Apartments to the east and +/- 54.5' away from Advenir at San Tropez to the north.
- ZV 2022-0008 is requesting to allow the car wash tunnel entrance to face residentially used property. The proposed tunnel faces the Trayann Apartments to the east.

The applicant has provided the attached justification statement to support their request. Attended automatic car washes are regulated by Land Development Code section 155.508 (D) For reference, staff has attached code section 155.508(D) from Article 5 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:

Chairman Rose, Vice Chairman Lippman, Members Gonzalez, Member Labate

The following member of staff spoke:

Joseph Yaciuk, Assistant Planning and Economic Development Director

The following members of the public spoke:

Janna Lhota, representing the petitioner
Gerald Petterson, the petitioner

On a motion by Vice Chairman Lippman, seconded by Alternate Member Zacharias, to grant, as determined by variance criteria "A", ZV2023-0007 (El Car Wash Pembroke Pines) to allow an outside vacuuming station to be 49'-1" from a residentially zoned property instead of the required 500 feet from a residential property for a proposed car wash, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman
Member Labate, Alternate Member Zacharias

NAY: Member Gonzalez

Motion Passed

On a motion by Vice Chairman Lippman, seconded by Alternate Member Zacharias, to grant, as determined by variance criteria "A", ZV2023-0008 (El Car Wash Pembroke Pines) to allow a tunnel entrance of a car wash operation to face an adjacent residentially used or zoned property, not including those across an intervening right-of-way or street, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman
Members Gonzalez, Labate, Alternate Member Zacharias

NAY: None

Motion Passed

5. [24-0128](#) SP2023-0003, Memorial Manor FSER, 801 S Douglas Road, site plan

application. (Cole) (District 1)

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.

Hope Calhoun, attorney representing the petitioner, waived her right to a quasi-judicial proceeding.

Mrs. Calhoun addressed the Planning and Zoning Board. She gave a brief overview of the proposed site plan application.

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Hope Calhoun, agent for South Broward Hospital District, is requesting site plan approval to construct a free standing emergency room (FSER) with associated circulation, parking, lighting, signage and landscaping located 801 south Douglas Road.

The site currently consists of the Memorial Pembroke 24/7 Emergency Care Center and warehouse (SP75-06, FKA Memorial Hospital Walk In), Memorial Manor (SP88-12), and Memorial's data center (SP2007-23). The applicant is proposing to demolish the existing freestanding ER to accommodate the proposed FSER Facility.

A plat note amendment was approved by City Commission on 4/4/2023 (SUBDR2023-0001). The plat was previous restricted to 45,000 square feet of hospital material management and distribution center, 15,000 square feet of existing hospital use, 24,000 square feet of ancillary hospital office use and a 240 bed nursing home facility which must be owned and operated by a governmental entity for public purposes. Once the recordation of the plat is complete, the plat shall be restricted to 141,000 square feet of hospital use and a 240 bed nursing home facility which must be owned and operated by a governmental entity for public purposes.

Additionally, at the 1/17/2024 City Commission meeting the City Commission passed resolution 2024-R-03 approving a modification to the non-vehicular access line and vacation of the associated ingress/egress easement along Douglas Road.

The applicant is proposing to construct the new facility in the following phases:

- Phase One: Modifications to the northernmost ingress/egress and the construction of the proposed parking field directly to the south of the ingress/egress. This parking field will serve as the primary parking field for the proposed FSER.
- Phase Two: Construction of the proposed free standing emergency room.
- Phase Three: Demolition of the existing Memorial Pembroke 24/7 Emergency Care Center. The site of the freestanding ER will be replaced with

a parking lot.

BUILDINGS / STRUCTURES:

The proposed 21' high, 30,200 square foot free standing emergency room will be constructed over a portion of the existing parking field and vacant land adjacent to the freestanding ER.

The building shall consist of various materials including metal and wood look panels, precast concrete, and cement plaster. The color scheme for the building and associated structures shall consist of whites, light tans, and grays. Accents for the building shall consist of whites, grays and blues consistent with Memorial's branding.

Below is a breakdown of the number of beds and square footage of the existing and proposed buildings.

- Memorial Manor: 64 rooms, 120 beds
- Warehouse Building: 45,904 square feet
- Data Center: 18,500 square feet
- Proposed FSER: 30,200 square feet
- Total: 94,604 square feet

In total there is 94,604 square feet of hospital use and 120 beds on site. 46,396 square feet and 120 beds remain for future development.

ACCESS:

Access to the site will be through two existing openings located on Douglas Road. The northernmost access shall be altered to facilitate the proposed site circulation. The existing right turn only ingress shall be closed to prevent conflicts with the proposed free standing emergency room's entrance.

PARKING:

Currently, there are 268 parking spaces located on the site, inclusive of Memorial Manor, the data center and warehouse. The applicant is proposing to demolish 115 parking spaces to facilitate the FSER; however, 188 new parking spaces will be constructed on site.

- 80 parking spaces are proposed parking field north of the proposed FSER facility and south of the northernmost ingress/egress.
- 76 parking spaces are proposed adjacent to the FSER and on the land in which the existing freestanding ER is currently located.
- 32 parking spaces are proposed adjacent to Memorial Manor. 7 of the parking spaces are new while the remainder are being updated/altered to meet current standards and improve traffic flow.

In total, 331 parking spaces are proposed for the site. Upon completion based on current and proposed uses 243 parking spaces are required, providing a surplus of 88 parking spaces.

At no point in time during construction shall there be a parking deficit in relation to the required parking.

SIGNAGE:

The following ground signs are proposed for the site:

- One, 24 square foot 4'-10" tall internally illuminated monument sign reading, "Memorial Hospital Pembroke Emergency Department" in routed white copy on a blue and red background. Additionally, Memorial's logo is proposed adjacent to the copy. The sign shall be located in a landscape island adjacent to the northernmost ingress. The base of the sign shall be painted SW7016 (Mindful Gray)

- Five, 1.5 square foot internally illuminated pan formed directional signs. The signs will feature white copy on a red and blue background with information for navigating the site. The signs will be distributed evenly throughout the site.

The following wall signs are proposed for the free standing emergency room:

- One, 42.28 square foot internally illuminated channel letter sign reading, "Emergency" in red copy. Additionally, Memorial's logo in red and blue is proposed adjacent to the copy. The sign shall be located on the west elevation.

- One, 21.84 square foot internally illuminated channel letter sign reading, "Emergency" in red copy. The sign shall be located porte cochere canopy on the north elevation.

- One, 9.9 square foot internally illuminated channel letter sign reading, "Ambulance" in red copy. Additionally, Memorial's logo in red and blue is proposed adjacent to the copy. The sign shall be located on the canopy for ambulance parking on the east elevation.

All other signs currently existing on site shall remain unaltered.

LANDSCAPING:

The following landscape is being proposed for site:

- Installation of 200 trees, 39 palms (including 7 relocated palms), 2728 shrubs, and 1315 ground covers.

- Primary tree species include: Coccoloba diversifolia - Pigeon plum, Conocarpus erectus - Green buttonwood, Conocarpus erectus var. sericeus - Silver buttonwood, Quercus virginiana - Live oak, and Taxodium distichum - Bald cypress. Primary palm species include: Ptychosperma elegans - Solitaire palm, Roystonea elata - Royal palm, and Sabal palmetto - Sabal palm. Primary shrub species are: Clusia guttifera - Small leaf clusia, Chrysobalanus icaco 'Red Tip', Hamelia patens - Firebush, Muhlenbergia capillaris - Pink muhly grass, Codiaeum variegatum 'Petra' - Petra croton, and Ficus microcarpa 'Green Island' - Green Island ficus.

- Additionally, development is providing protections and acquiring credits for 32 trees slated to remain on site.

OTHER SITE FEATURES:

The proposed parking areas will be illuminated by a series of full cut off LED fixtures (3,000K) mounted upon 25 feet high foot high concrete poles. Both the

main entrance and ambulance parking canopies will be illuminated. Additionally, illuminated bollards are proposed along the walkways to the north, east and south of the proposed building. Wall sconces are proposed for the north, south and west elevation. All lighting will comply with the City’s lighting Code.

The lighting for the other facilities on site shall remain unaltered.

STAFF RECOMMENDATION:

Staff has reviewed the proposed changes and finds that the proposed changes meet code requirements. Staff therefore recommends approval of this application subject to the recordation of the underlying plat.

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 Lippman, Members Gonzalez, Labate

The following member of staff spoke:

Joseph Yaciuk, Assistant Planning and Economic Development Director

The following members of the public spoke:

Hope Calhoun, attorney representing the petitioner
Mark Greenspan, VP Memorial Healthcare, representing the petitioner
Adam Kerr, Traffic Engineer

On the motion by Vice Chairman Lippman, seconded by Alternate Member Zacharias, to approve, as recommended by staff, the Memorial Manor FSER site plan application (SP2023-0003), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman
Members Labate, Alternate Member Zacharias

NAY: Member Gonzalez

Motion Passed

ITEMS AT THE REQUEST OF THE BOARD:

Chairman Rose noted that Member Gonzalez and Alternate Member Zacharias have requested an excused absence from the January 25, 2024 meeting. He also reminded the board that Member Golditch had requested an excused absence for this evening’s meeting.

On a motion by Vice Chairman Lippman, seconded by Member Labate, to excuse Member Gonzalez and Alternate Member Zacharias from the January 25, 2024 meeting, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Lippman
Members Gonzalez, Labate, Alternate Member Zacharias

NAY: None

Motion Passed

On a motion by Member Labate, seconded by Member Gonzalez, to excuse Member Golditch from this evening's meeting, the following vote was recorded:

**AYE: Chairman Rose, Vice Chairman Lippman
Members Gonzalez, Labate, Alternate Member Zacharias**

NAY: None

Motion Passed

ADJOURNMENT:

Chairman Rose adjourned the meeting at 8:25 p.m.

**ADJOURNED:
8:25 P.M.**

Respectfully submitted:

**Sheryl McCoy
Board Secretary**