

March 22, 2018

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, March 22, 2018, at the Charles F. Dodge Pembroke Pines City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL. Present to-wit: Chairman Rose, Vice Chairman Jacob, Members Boisvert, Girello, and Alternate Member Taylor. Absent: Member Gonzalez and Alternate Member Lippman. Also present: Michael Stamm, Jr., Planning and Economic Development Director; Joseph Yaciuk, Planning Administrator; Dean Piper, Zoning Administrator; Brian Sherman, Assistant City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

SUBMISSION OF LOBBYING DISCLOSURE FORMS:

Chairman Rose and Alternate Member Taylor submitted a lobbying disclosure form in reference to the 1600 Building items.

APPROVAL OF MINUTES:

On a motion by Member Boisvert, seconded by Alternate Member Taylor, to approve, the minutes of the March 8, 2018 meeting, the following vote was recorded:

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

NAY: None

Motion Passed

NEW BUSINESS:
CONSENT AGENDA:

1. Shops at Pembroke Gardens, generally located south of Pines Boulevard and west of Southwest 145 Avenue, miscellaneous façade and/or signage approval for:

A) MSC 2018-04, Kara New York

The following staff report was entered into the record:

Unit Gurbuz, agent, has submitted a miscellaneous plan application requesting façade and sign modifications at the Shops at Pembroke Gardens site, generally located south of Pines Boulevard and west of Southwest 145 Avenue.

The new Kara New York will be relocating to building 7000 of the lifestyle center in the Shops at Pembroke Gardens. The applicant proposes approved colors by the landlord scheme:

- Body: Maybe Mushroom (PPG 1020-2) / Early Gray (PPG 1020-5)
- Stucco Base: Flipper (PPG 1018-6)
- Front awnings: Sumbrella – Natural 6004-0000

The applicant proposes the following signs as a result of this application:

- Wall Sign: Aluminum/Chrome illuminated reverse channel letters, 22.4 S.F.
- Awning Signs: Grey Silk screened to the low right side corner of each of the proposed (5) awnings reading “KARA New York”, 1.75 S.F. each
- Blade Sign: 3.12 S.F.

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. Planning Staff has reviewed the proposed changes by the applicant and found them to be in compliance with the approved PCD guidelines.

Staff Recommendation: Approval.

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 Vice Chairman Jacob, seconded by Member Girello, to approve, as recommended by staff, consent agenda item number 1A (MSC 2018-04, Kara New York), the following vote was recorded:

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

NAY: None

Motion Passed

CHANGE ORDER OF BUSINESS:

Chairman Rose noted that Public Hearing item number 2 and Regular Item numbers 3, 6, and 7 are related items.

He requested to change the order of business and hear new business quasi-judicial item numbers 4 and 5 at this time.

It was the consensus of the Planning and Zoning Board to change the order of business and hear new business quasi-judicial item numbers 4 and 5 at this time.

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 4 and 5 are related and will be heard at the same time.

4. **ZV 2017-20, Target / CVS**, 11253 Pines Boulevard, variance request.
5. **ZV 2017-21, Target / CVS**, 11253 Pines Boulevard, variance request.

Chairman Rose advised that these are quasi-judicial matters. 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.

James Vitter, representing the petitioner, waived his right to the quasi-judicial proceedings.

Mr. Vitter addressed the Planning and Zoning Board. He gave a brief overview of the proposed variance requests.

The following summary was entered into the record:

James G. Vitter (as agent) is requesting sign variances for Target located at 11253 Pines Boulevard. The variances being requested are (ZV 2017-20) to allow two (2) wall signs instead of the allowed one (1) wall sign and (ZV 2017-21) to allow 134.16 sq. ft. of wall signage instead of the allowed 120 square feet of wall signage.

Target is rebranding store signage by using the Target “logo” only and the pharmacy is now branded with CVS Pharmacy. Due to this, they are removing the existing signage on the building that was approved by Variance #ZV 94-29 on September 1, 1994. The three variances approved at that time were: (A) 147.41 sq. ft. of signage for “Target” and bullseye logo; (B) a second wall sign (29.16 sq. ft. “Pharmacy”) and (C) a third wall sign (25.83 sq. ft. “Garden Center”).

With the removal of these signs, the existing variances become null and void, and new variances are needed for the proposed signs. Proposed variance’s ZV 2017-20 & ZV 2017-21 would reduce the number, and square footage, of Target wall signs

Variance Request Summaries:

Application	Code Section	Required/Allowed	Request
ZV 2017-20	155.324(C)(1)(i)	One (1) wall sign	Two (2) wall signs
ZV 2017-21	155.324(C)(1)(f)3.	120 sq. ft. of wall signage	134.16 sq. ft. of wall signage

ZV 2017-20) Allow two (2) wall signs instead of the allowed one (1) wall sign.

Code Reference: § 155.324 PERMANENT SIGNS.

(C) Business Zoning Districts.

(1) Shopping center signs. A uniform sign plan shall be required by the city for all attached tenant wall signs within shopping centers. The uniform sign plan shall be submitted as both 8.5 inch by 11 inch hard copy and in electronic format. Uniform sign plans shall:

(i) Tenants are allowed one sign on each shopping center bay primary frontage.

ZV 2017-21) Allow 134.16 sq. ft. of wall signage instead of the allowed maximum 120 sq. ft. of wall signage.

Code Reference: § 155.324 PERMANENT SIGNS.

(C) Business Zoning Districts.

(1) Shopping center signs. A uniform sign plan shall be required by the city for all attached tenant wall signs within shopping centers. The uniform sign plan shall be submitted as both 8.5 inch by 11 inch hard copy and in electronic format. Uniform sign plans shall:

(f) Uniform sign plans shall include the following standards and specifications:

3. Tenants shall be allowed a maximum of 1.5 square feet per lineal foot of leased frontage, or 120 square feet whichever is less

Variance Determination:

The Planning and Zoning Board shall not grant any 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 variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:

- A) That 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) That 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) That 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.

On a motion by Member Girello, seconded by Vice Chairman Jacob, to grant, as determined by variance criteria "C", ZV 2017-20 to allow two (2) wall signs instead of the allowed one (1) wall sign, the following vote was recorded:

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

NAY: None

Motion Passed

On a motion by Vice Chairman Jacob, seconded by Member Boisvert, to grant, as determined by variance criteria "C", ZV 2017-21 to allow 134.16 sq. ft. of wall signage instead of the allowed maximum 120 sq. ft. of wall signage, the following vote was recorded:

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

NAY: None

Motion Passed

RESUME ORDER OF BUSINESS:

NEW BUSINESS:

PUBLIC HEARINGS AND REGULAR ITEMS:

2. **ZC2017-05**, The purpose of this Public Hearing is to consider, at the request of 1600 SW 66 Avenue, LLC, a zoning change from B-2 / M-1 (Community Business / Light Industrial District) to PD-SL (Planned Development – Small Lot District) with associated 80 reserve unit allocation for the **1600 Building** (ZC 2017-05) property generally located north of Pembroke Road, east of the Florida Turnpike, along SW 66 Avenue, containing approximately 1.902 acres more or less.

Chairman Rose stated the purpose of this Public Hearing is to consider, at the request of 1600 SW 66 Avenue, LLC, a zoning change from B-2 / M-1 (Community Business / Light Industrial District) to PD-SL (Planned Development – Small Lot District) with associated 80 reserve unit allocation for the 1600 Building (ZC 2017-05) property generally located north of Pembroke Road, east of the Florida Turnpike, along SW 66 Avenue, containing approximately 1.902 acres more or less.

Barbara Hall, attorney representing the petitioner, addressed the Planning and Zoning Board. She gave a brief overview of the proposed zoning change.

The following staff report was entered for the record:

Greenberg Traurig, agent for owner 1600 SW 66th Ave LLC, is requesting approval of a zoning change application to amend the zoning district from Community Business (B-2) and Light Industrial (M-1) to PD-SL (Planned Development – Small Lot) with associated 80 reserve unit allocation for a parcel of land generally located north of Pembroke Road and west of Southwest 66 Avenue. The site currently houses a vacant commercial building. The applicant is proposing to demolish the existing building and redevelop the site into an 80 unit mid-rise apartment complex.

The existing zoning and land use plan designations for the properties surrounding the subject parcel are as follows:

North	–	Light Industrial (M-1) / Industrial
East	–	City of Hollywood
South	–	Community Business (B-2) / Commercial
West	–	Community Business (B-2), Light Industrial (M-1) / Commercial, Industrial

In order to develop the proposed urban mid-rise development with amenities for this infill property, the applicant provides design guidelines which include specific requirements custom to this site which include but not limited to:

- Minimum Unit Size
- Minimum Plot Size
- Open Space
- Parking
- Loading Area
- Landscape requirements

All other development regulations for this site not specifically indicated within the guidelines will be required to be compliant with the Apartment (R-4) zoning district and multi-family standards of the City Code.

Included within this application is the assignment of 80 reserve units to this property. The City's comprehensive plan allows for the designation of reserve units on this property for

residential use.

It is the intent of the applicant to set aside 10% of the units proposed as affordable units. Terms and conditions for the assignment of these units will be considered at time of site plan review.

PD-SL Compatibility

The applicant provides a purpose and intent for this project as well as a statement of need into the PD-SL guidelines. In the attached narrative, the applicant highlights the following qualities of this infill project:

- Proximity of site near Pembroke Road.
- Proximity to mass transit.
- The redevelopment of an abandoned building.
- New development will serve as a catalyst for further redevelopment in the area.
- Building design and streetscape materials will be upgraded compared to existing.
- Project will result in increase in taxable value.
- Extensive use of green amenities on site.

The purpose of the PD-SL guidelines is to, *“promote and facilitate the development and redevelopment of by-passed, underutilized, or abandoned properties. The PD-SL District provides for the development of these properties in a manner that will contribute to the creation of high quality employment opportunities, provide for diversity of housing stock, and/or improve the overall economic viability of that area of the city. The PD-SL District may be used when other tools available in the city's Zoning Code do not address the needs of the properties involved.”*

Additional policies within the Comprehensive plan which support this project include:

Policy 1.5 – Continue to structure higher density near major arterials and open spaces

OBJECTIVE VIII

Continue to implement land development regulations which insure the revitalization or redevelopment of any blighted areas that may be identified in the future, and encourage the provision of affordable housing opportunities for the residents with special attention to the low and very low income populations.

Policy 8.2 - Continue to provide diversified affordable housing opportunities utilizing various means such as density bonuses, tax incentives and government sponsored financing mechanisms to attract and stimulate private sector involvement.

Policy 14.1 - Promote mass transit services and discourage automobile travel by encouraging the location of mixed uses along major roadway corridors with mass transit facilities and amenities.

Staff notes that the redevelopment of this underutilized infill property will provide a diversity of housing in the neighborhood both in type, age and quality. The development of the proposed units may also serve to spur future redevelopment in an area which has been identified as a redevelopment zone within the City. The proposed PD-SL zoning district has been reviewed by staff and found to be consistent with the goals and objectives set forth in the PD-SL zoning regulations. Staff therefore recommends approval of this application.

Staff Recommendation: Transmit the zoning change application and associated assignment of 80 reserve units to the City Commission with a favorable recommendation.

The following members of the Planning and Zoning Board spoke:

Members Girello, Boisvert

The following members of the public spoke:

Anna Garcia Pena, representing adjacent business owner
Luiz Carlos Gustavo, representing adjacent business owner

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

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

NAY: None

Motion Passed

Chairman Rose stated this will be heard as regular agenda item number 3.

3. **ZC 2017-05**, The purpose of this item is to transmit, as recommended by staff, a favorable recommendation to the City Commission, at the request of 1600 SW 66 Avenue, LLC, a zoning change from B-2 / M-1 (Community Business / Light Industrial District) to PD-SL (Planned Development – Small Lot District) with associated 80 reserve unit allocation for the **1600 Building** (ZC 2017-05) property generally located north of Pembroke Road, east of the Florida Turnpike, along SW 66 Avenue, containing approximately 1.902 acres more or less.

Chairman Rose stated the purpose of this item is to transmit, as recommended by staff, a favorable recommendation to the City Commission, at the request of 1600 SW 66 Avenue, LLC, a zoning change from B-2 / M-1 (Community Business / Light Industrial District) to PD-SL (Planned Development – Small Lot District) with associated 80 reserve unit allocation for the 1600 Building (ZC 2017-05) property generally located north of Pembroke Road, east of the Florida Turnpike, along SW 66 Avenue, containing approximately 1.902 acres more or less.

Barbara Hall, attorney representing the petitioner, addressed the Planning and Zoning Board. She gave a brief PowerPoint presentation of the zoning change.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Members Boisvert, Girello
Alternate Member Taylor

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director
Dean Piper, Zoning Administrator

The following members of the public spoke:

Barbara Hall, attorney representing the petitioner
Tony Quevedo, engineer representing the petitioner

On a motion by Member Boisvert, seconded by Vice Chairman Jacob, to transmit, as recommended by staff, the 1600 Building (ZC 2017-05) zoning change, to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Member Boisvert, Alternate Member Taylor

NAY: Member Girello

Motion Passed

NEW BUSINESS:

NON-QUASI-JUDICIAL ITEMS:

The board was informed the petitioner is requesting deferral of agenda item number 7 to the April 12, 2018 meeting. It was the consensus of the Planning and Zoning Board to hear agenda item number 7 out of order.

7. **SP 2017-27, 1600 Building**, generally located north of Pembroke Road, east of the Florida Turnpike, along SW 66 Avenue, site plan amendment.

The following staff report was entered into the record:

Greenberg Traurig, agent for owner 1600 SW 66th Ave LLC, is requesting approval of a site plan application to redevelop an abandoned commercial site into an 80 unit mid-rise apartment complex with associated parking, landscape, traffic circulation, signage and onsite amenities. The subject property is generally located north of Pembroke Road and west of Southwest 66 Avenue.

The applicant requests deferral of this application for consideration until April 12, 2018 in order to address engineering comments as well as last minute comments from an adjacent commercial property owner.

Staff Recommendation: Deferral

On a motion by Member Boisvert, seconded by Member Girello, to defer this item to the April 12, 2018 meeting, the following vote was recorded:

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

NAY: None

Motion Passed

6. **SUB 2017-01, 1600 Building**, generally located north of Pembroke Road, east of the Florida Turnpike, along SW 66 Avenue, plat application.

Barbara Hall, attorney representing the petitioner, addressed the Planning and Zoning Board. She gave a brief overview of the proposed plat application.

The following staff report was entered into the record:

Greenberg Traurig, P.A., agent for property owner, requests approval of a plat application for the +- 1.9 acre 1600 Plat generally located north of Pembroke Road and west of Southwest 66 Avenue. The plat proposal restricts this property to 80 Mid-rise units.

The subject parcel is designated commercial on the City and County land use plan map. The existing zoning and land use plan designations for the surrounding properties of the subject parcel are as follows:

- North – Light Industrial (M-1) / Industrial
- East – City of Hollywood
- South – Community Business (B-2) / Commercial
- West – Community Business (B-2), Light Industrial (M-1) / Commercial, Industrial

Access to the property is proposed through an existing shared opening at the southeast corner of the plat. The City Engineering Division in its February 15, 2018 memo requests that the applicant provide the City with a letter executed by the owner agreeing to provide the 'Access Easement' by way of separate instrument to the property owner to the south and to record the 'Access Easement' prior to City sign-off on the final Plat.

A rezoning application (ZC 2017-05) for this property with associated reserve unit allocation is being considered concurrently at tonight's meeting. The proposed plat is consistent with the rezoning request. A municipal dedication agreement for this property will be required at time of City Commission consideration.

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

1. Satisfaction of Engineering Division comments.
2. City Commission approval of the underlying rezoning application with reserve unit allocation (ZC 2017-05).
3. City Commission approval of this plat and a municipal dedication agreement for this property.

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

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

The following member of the public spoke:

Barbara Hall, attorney representing the petitioner

On a motion by Member Boisvert, seconded by Vice Chairman Jacob, to transmit, as recommended by staff, the 1600 Building Plat (SUB 2017-01) application, to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Boisvert, Alternate Member Taylor

NAY: Member Girello

Motion Passed

ITEMS AT THE REQUEST OF THE BOARD:

Chairman Rose noted that Member Gonzalez and Alternate Member Lippman have requested an excused absence from this evenings meeting.

On a motion by Vice Chairman Jacob, seconded by Member Girello, to excuse Member Gonzalez and Alternate Member Lippman from this evenings meeting, the following vote was recorded:

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

NAY: None

Motion Passed

Vice Chairman Jacob spoke in reference to **outdoor storage** at Home Depot in Pembroke Lakes Square.

Michael Stamm, Jr., Planning and Economic Development Director, spoke in reference to outdoor storage / sales and code violations.

The following members of the Planning and Zoning Board spoke in reference to outdoor storage / sales:

Chairman Rose, Vice Chairman Jacob, Member Girello

Member Girello noted that the Publix at Village Square is expecting to reopen in October. He also noted that there are currently drainage problems at the site.

Chairman Rose noted that the Publix at City Center is planning their ribbon cutting ceremony end of April.

ITEMS AT THE REQUEST OF STAFF:

8. Discussion and possible action on updates to the **parking / stacking** code.

Michael Stamm, Jr., Planning and Economic Development Director, gave a brief overview of the proposed code updates.

Details of Request:

Planning and Economic Development Staff review City codes from time to time based on feedback from the City Commission, City's Planning and Zoning Board, the development community or the public. Feedback may include potential conflicts or the code may be silent on various issues.

Planning and Economic Development staff is requesting Planning and Zoning Board support to create standards within the Code for the following issues:

1. *Take Out Parking* – Restaurants that are free standing or inline (with over 3,500 square feet) may be allowed a maximum of three (3) take out spaces. Take out parking spaces will be deemed surplus and will not count toward required parking for the use.
2. *Vehicle Stacking* – Currently, the City's Code does not provide for standards for the required stacking spaces for business with drive –thru facilities. Historically, staff has requested developers to provide stacking or queuing studies to justify the required stacking for businesses with drive-thru facilities. Staff is proposing the following minimum standards:

Type of Facility (Per Lane)	Inbound Vehicle Spaces	Outbound Vehicle Spaces
Automatic Carwash with Attendant	5	4
Automatic Carwash as an Accessory	3	1
Bank	3	1
Beverage/Food	5	2
Laundry	3	1
Pharmacy	2	1

For the purposes of this section, the following shall apply:

- A. Inbound Vehicles Spaces shall be counted from the first stopping point, such as a menu board.
 - B. Outbound vehicle spaces shall be counted from the last vehicle stopping point, such as the service window.
 - C. Vehicle stacking lanes shall be a minimum of ten (10) feet wide.
 - D. Vehicle stacking spaces shall be defined as being twenty (20) feet in length and nine (9) feet in width.
 - E. A vehicle stacking space shall not encroach upon main vehicle access isles.
 - F. Uses not identified on the chart may be reviewed and approved by the Planning and Zoning Board.
3. *Valet Parking Services* – Staff is proposing to allow Valet Parking Services on site specific basis. Currently valet services are provided in planned districts or through reserved parking. Staff is proposing that a property owner can request valet parking services with approval of the Planning and Zoning Board. The property owner must provide a plan identifying the following: an operational plan, location of surplus parking for valet use, hours of operation, loading zones, and queuing spaces.
4. *Parking Space Dimensions* – Currently staff has identified conflicts in code sections that provide standards for parking space dimensions. A standard parking space is measured as nineteen (19) feet long by nine (9) feet wide with nineteen (19) feet of pavement. These spaces include a wheel stop which is placed two (2) feet from the curb or edge of pavement. Staff has seen numerous requests for parking spaces that have a “D” curb and no wheel stops. Staff is proposing that spaces that use a curb shall provide seventeen (17) feet of pavement, nine (9) feet of width and a two (2) foot overhang. This condition will not be permitted when it encroaches a sidewalk or pedestrian path. Also, should pervious area be proposed it will not count towards landscape area. Further staff is proposing to create standards for alternatives to wheel stops or curbs such as bollards for at grade parking spaces.

The proposed changes to the parking space dimensions, seek to rectify current conflicts between City Code and Engineering standards. Staff will work with the City Engineer and Attorney's office to revise the ordinances.

To facilitate the proposed changes to the Code of Ordinances, staff is requesting support of the Planning and Zoning Board and a motion to direct the City Attorney's office to draft the appropriate ordinances to implement the changes.

Recommendation: A favorable recommendation of staff proposals and to direct the City Attorney to draft an Ordinance for City Commission review.

The following members of the Planning and Zoning Board spoke in reference to the parking / stacking code:

Chairman Rose, Vice Chairman Jacob, Member Girello

The following members of staff spoke in reference to the parking / stacking code:

Michael Stamm, Jr., Planning and Economic Development Director

On a motion by Member Girello, seconded by Member Boisvert, to favorably support staff proposals and to direct the City Attorney to draft an Ordinance for City Commission review, the following vote was recorded:

AYE: Chairman Rose, Members Boisvert, Girello
Alternate Member Taylor

NAY: Vice Chairman Jacob

Motion Passed

ADJOURN:

Chairman Rose adjourned the meeting at 7:57 p.m.

ADJOURNED:
7:57 P.M.

Respectfully submitted:

Sheryl McCoy
Board Secretary