

June 23, 2022

The Regular Meeting of the Planning and Zoning Board of the City of Pembroke Pines was called to order by Vice Chairman Lippman, at 6:30 p.m., Thursday, June 23, 2022, at the Charles F. Dodge City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL.

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

Secretary McCoy declared a quorum present.

Vice Chairman Lippman noted for the record that Alternate Member Taylor and Alternate Member Zacharias will be a voting members for this evenings meeting.

**SUBMISSION OF LOBBYING DISCLOSURE FORMS:**

There were no lobbying disclosure forms submitted at this time.

**APPROVAL OF MINUTES:**

On a motion by Member Girello, seconded by Alternate Member Taylor, to approve, the minutes of the May 26, 2022 meeting, the following vote was recorded:

AYE: Vice Chairman Lippman, Members Girello, Labate  
Alternate Members Taylor, Zacharias

NAY: None

Motion Passed

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

Vice Chairman Lippman inquired if any members of the board wished to pull the consent item for discussion. No members wished to pull the item for discussion.

Vice Chairman Lippman inquired if there was anyone from the public who wished to speak

either for or against this item. No one wished to speak.

1. **MSC 2022-0005, Douglas Taft Plaza**, 8900 – 8940 Taft Street, paint modifications to existing building and monument signs, miscellaneous application.

The following staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Jared Quintana, agent of Taft South LLC, is requesting approval of a color change to the existing shopping center (Douglas Taft Plaza also known as Pembroke Place South) and associated structures located at 8900 - 8940 Taft Street.

Douglas Taft Plaza also known as Pembroke Place South was approved through site plan SP 82-18. The most recent modifications to the site include:

- MSC 2004-31 (Adoption of a Uniform Sign Plan)
- MSC 2004- 54 (Paint change)

**BUILDINGS / STRUCTURES:**

The applicant proposes the following colors for the existing shopping center and associated structures:

- Building Main Body: SW 7016 (Mindful Gray)
- Monument Sign: SW 7016 (Mindful Gray)
- Dumpster Enclosure: SW 7016 (Mindful Gray)
- Popout Beam: PPU26-04 (Falcon Gray)
- Building Accent: SW7006 (Extra White)
- Awnings: M520-7 (Admiral Blue)

**SIGNAGE:**

The applicant proposes to replace the existing monument sign with a sign consistent with the shopping center monument sign requirements 155.6100 (G).

No other site modifications are being proposed at this time.

**RECOMMENDATION:**

Staff has reviewed the proposed changes and finds that the proposed changes meet code requirements.

Staff therefore recommends approval of this application.

On a motion by Member Girello, seconded by Alternate Member Taylor, to approve, as recommended by staff, consent agenda item number 1 (MSC 2022-0005, Douglas Taft Plaza), the following vote was recorded:

AYE: Vice Chairman Lippman, Members Girello, Labate  
Alternate Members Taylor, 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.)

**2. ZV 2022-05, Douglas Gardens IV & VI, 705 SW 88 Avenue, variance request.**

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

Vice Chairman Lippman 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 summary was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

James Kahn, agent for Douglas Gardens IV. LTD Partnership, has submitted Zoning Variance Request #ZV 2022-05 for Phases IV and VI to allow a maximum height of 70 feet instead of the Code allowed maximum height of 60 feet for a structure.

This request is due to the stair tower, and architectural features, extending beyond the allowed 60 foot. Elevations of proposed structure, proposed site plan, for reference only, and justification of request are attached.

Proposed Site Plan #SP 2022-04 will be scheduled for a future Planning & Zoning Board

meeting.

**CODE REFERENCE:**

**TABLE 155.410: AGRICULTURE (A)**

Standard, Maximum Height:

Non-Residential, 60 feet

**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:

Members Girello, Labate

The following members of the public spoke:

James Khan, representing the petitioner  
Nik Echeverria, representing the petitioner

On a motion by Member Girello, seconded by Member Labate, to grant, as determined by variance criteria "A", ZV 2022-05 (Douglas Gardens IV & VI) to, the following vote was recorded:

AYE: Vice Chairman Lippman, Members Girello, Labate  
Alternate Members Taylor, Zacharias

NAY: None

Motion Passed

3. **ZV 2022-0009, Additional Outparcel @ Pembroke Commons**, 300 – 700 N University Drive, variance request.
4. **ZV 2022-0010, Additional Outparcel @ Pembroke Commons**, 300 – 700 N University Drive, variance request.

Brian Sherman, Assistant City Attorney, 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.

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

Vice Chairman Lippman 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 summary was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Sean McPeak, agent for Pembroke Commons Shopping Center, is requesting two zoning variances for a proposed outparcel.

Zoning Variance #ZV 2022-0009 is to allow four (4) outparcels on a total site area of 30 acres instead of the required one (1) outparcel for every ten acres of total site area; and Zoning

Variance #ZV 2022-0010 is to allow 293.75 lineal feet of street frontage per outparcel instead of the required 500 lineal feet of street frontage per outparcel.

The applicant has submitted a conceptual site plan to provide context and display the general location of the proposed outparcel. Depending on the outcome of the variances, the final Site Plan may need to be altered.

WRI JT Pembroke Commons had previously submitted three (3) Zoning Variances, ZV 2018-02, 03 & 04 for an Arby's outparcel. These variances were approved for Arby's only and became void when Arby's withdrew their project.

**CODE REFERENCES:**

**ZV 2022-0009)**

**Table 155.644: Commercial Outparcel Standards:**

- (A) Number of outparcels. All of the following provisions apply to new or redeveloped outparcel developments.
  - (1) There shall be no more than one outparcel for every ten acres of total site area.

**ZV 2022-0010)**

**Table 155.644: Commercial Outparcel Standards:**

- (A) Number of outparcels. All of the following provisions apply to new or redeveloped outparcel developments.
  - (2) There shall be no more than one outparcel for every 500 feet of shopping center frontage.

**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 Girello, Labate

The following members of staff spoke:

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

The following member of the public spoke:

Dennis Mele, attorney representing the petitioner

On a motion by Member Labate, seconded by Alternate Member Taylor, to grant, as determined by variance criteria "C", ZV 2022-0009 (Additional Outparcel @ Pembroke Commons) to allow four (4) outparcels on a total site area of 30 acres instead of the required one (1) outparcel for every ten acres of total site area, the following vote was recorded:

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

NAY: Member Girello

Motion Passed

On a motion by Member Labate, seconded by Alternate Member Taylor, to grant, as

determined by variance criteria "C", ZV 2022-0010 (Additional Outparcel @ Pembroke Commons) to allow 293.75 lineal feet of street frontage per outparcel instead of the required 500 lineal feet of street frontage per outparcel, the following vote was recorded:

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

NAY: Member Girello

Motion Passed

5. **ZV 2022-0011, Sleep Number @ 16000 Pines Market**, 16030 Pines Boulevard, variance request.

Betsy Campo, addressed the Planning and Zoning Board. She gave a brief overview of the proposed variance request.

Vice Chairman Lippman 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 summary was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Allie Inberg, as agent for Sleep Number @ 16000 Pines Market, is requesting Zoning Variance #ZV 2022-0011 to allow three (3) wall signs not to exceed 120 square feet instead of the allowed two (2) wall signs not to exceed 120 square feet at 16030 Pines Boulevard.

Pembroke Pines Land Development Code, and 16000 Pines Market Guidelines (MXD) Uniform Sign Plan, restrict all in line, and Perimeter Building tenants, to a maximum of two signs, not to exceed a total of 120 square feet in area.

Requested variance limits total square footage of all three signs to the code allowed 120 square feet.

**CODE REFERENCE:**

**§ 155.698 SIGN PLAN.**

(A) Uniform sign plan. (1) Shopping center signs. A uniform sign plan shall be required by the city for all attached tenant wall signs within shopping centers. The owner or



owner-designated agent of a shopping center must create or revise a uniform sign plan to reflect the requirements of this section prior to the issuance of any future sign permits by the city. Uniform sign plans shall:

(i) Tenants occupying a corner bay within a shopping center shall be allowed an additional sign on the store's secondary frontage which shall not exceed the size of the sign on the primary frontage. Sign area for both signs shall not exceed a maximum area of 120 square feet.

**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:

Member Girello, Labate

The following member of staff spoke:

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

On a motion by Member Girello, seconded by Member Labate, to grant, as determined by variance criteria "A", ZV 2022-0011 (Sleep Number @ 16000 Pines Market) to allow three (3) wall signs not to exceed 120 square feet instead of the allowed two (2) wall signs not to exceed 120 square feet, the following vote was recorded:

AYE: Vice Chairman Lippman, Members Girello, Labate  
Alternate Members Taylor, Zacharias

NAY: None

Motion Passed

6. **SP 2021-12, EZ Express Carwash**, 181 NW 180 Avenue, site plan amendment.

Vice Chairman Lippman 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.

Steve Siebert, representing the petitioner, waived his right to a quasi-judicial proceeding.

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

Vice Chairman Lippman 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 staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Maddie Tirado, agent, is requesting approval of redevelopment of an existing carwash (Pines Express Carwash) including site, architectural, signage, circulation, parking, and landscape improvements. The subject property is located at 181 NW 180 Avenue.

The existing carwash was approved through Site Plan application SP 98-59. The most recent modifications to the approved site plan took place in 2015 including new signage, dumpster, vacuums and new stacking lanes.

The proposed self-service carwash has a similar operational pattern with other carwashes approved by the Planning and Zoning Board.

**BUILDINGS / STRUCTURES:**

The following modifications are proposed for the building on site:

- Demolish the southwest most portion (+/- 899 square feet enclosed area, +/- 511 square feet covered area) of the existing 4,640 square foot building. The area was previously utilized for oil changes and minor repair. The opening shall be enclosed and remodeled to accommodate the new car wash operator.
- Addition of a new tower feature on the southeast portion of the building. The new tower will be 32'-4" at the highest point.
- Modification to the existing stucco and parapet to give the building a modern orthogonal look.
- Demolition of the canopies on the west and north side of the building. These canopies will not be replaced.

The following colors are proposed for the carwash building:

- Main Body: SW 7757 (High Reflective White)
- Lower Base: SW 7019 (Gauntlet Gray)
- Metal Coping: SW 7662 (Evening Shadow)
- Upper Band: SW 7656 (Rhinestone)
- Tower Accent: SW 7662 (Evening Shadow)
- Stucco Expansion Joints: Pantone 232 (Pink)
- Downspouts: SW 7656 (Rhinestone)
- Doors: SW 7019 (Gauntlet Gray)
- Dumpster Enclosure: SW 7757 (High Reflective White)

The following modifications are proposed for the structures on site:

- Removal and replacement of the existing dual drive-thru lane equipment including menu boards, point of service terminals, camera arch and stop gates. The new equipment will be painted Pantone 3252 (Aqua)
- Removal of the existing vacuums to be replaced with 15 new vacuum arches in the parking field west of the building. The new metal arches will be painted Pantone 3252 (Aqua) and feature Dark Gray awnings).
- Paint the existing dumpster enclosure SW 7757 (High Reflective White) and metal gates SW 7019 (Gauntlet Gray)

- ADA Improvements including new striping, crosswalks, ramps and handicap parking spaces throughout the site as required by the engineering division.
- Removal of existing site lighting to be replaced with 4 new 25' tall poles with LED fixtures. All lighting shall be angled at 90 degrees, have full cut off fixtures and not exceed 4,000k.

**SIGNAGE:**

The applicant proposes to remove and replace the existing signage with the following

- Three, 39.38 square foot internally illuminate channel letter sign reading, "eL CAR WASH PEMBROKE PINES" in pink and teal copy, consistent with their registered trademark. "Pembroke Pines" will be constructed of non-illuminated FCO letters
  - One sign shall be located on the East, South and West elevations of the new tower feature.

City code permits freestanding buildings a maximum of 120 square feet of signage. In total, 118.14 square feet of signage is proposed for the site.

**ACCESS / CIRCULATION:**

Access to the site shall remain through the two existing openings off NW 180 Avenue. The applicant proposes to modify the site circulation to meet the stacking and fire access standards.

The applicant proposes 18 vehicle stacking spaces for the drive-thru. Based on proposed use 18 stacking spaces are required.

**PARKING:**

19 parking spaces are proposed as a result of the proposed modifications. Due to the access and circulation enhancements, 14 parking spaces shall be relocated west of the carwash. The 5 remaining parking spaces shall be located north of the building. Based on proposed use, 17 parking spaces are required. The parking consists of the following spaces:

- 4 for employees
- 1 Handicap
- 8 for vacuums
- 6 for final hand drying and interior cleanup

The following landscape is being proposed for this site:

- Installation of 39 trees, 16 palms, 956 shrubs and groundcovers. Primary species

of trees include, Live oak and Mahogany tree. Primary species of palms include Queen Palm. Primary species of shrubs and groundcovers include Red Tip Cocoplum, Green Island Ficus and Pink Muhly Grass.

**STAFF RECOMMENDATION:**

Approval.

The following member of the Planning and Zoning Board spoke:

Member Labate

The following member of staff spoke:

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

The following member of the public spoke:

Steve Siebert, representing the petitioner

On a motion by Member Labate, seconded by Member Girello, to approve, as recommended by staff, the EZ Express Carwash site plan amendment (SP 2021-12), the following vote was recorded:

AYE: Vice Chairman Lippman, Members Girello, Labate  
Alternate Members Taylor, Zacharias

NAY: None

Motion Passed

**7. SP 2021-19, Chick-fil-A @ Westfork Plaza, 15901 Pines Boulevard, site plan application.**

Michael Stamm, Jr., Planning and Economic Development Director/ACM, noted the petitioner has requested the deferral of this item to the August 11, 2022 meeting.

On a motion by Member Girello, seconded by Member Labate, to defer this item to the August 11, 2022 meeting, the following vote was recorded:

AYE: Vice Chairman Lippman, Members Girello, Labate  
Alternate Members Taylor, Zacharias

NAY: None

Motion Passed

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

Vice Chairman Lippman stated that Chairman Rose and Member Gonzalez have both requested an excused absence.

On a motion by Member Labate, seconded by Member Girello, to excuse Chairman Rose and Member Gonzalez from this evenings meeting, the following vote was recorded:

AYE: Vice Chairman Lippman, Members Girello, Labate  
Alternate Members Taylor, Zacharias

NAY: None

Motion Passed

**ITEMS AT THE REQUEST OF STAFF:**

Michael Stamm, Jr., Planning and Economic Development Director/ACM, noted for the new Alternate Member, there will not be any meetings during the month of July. He also wished everyone well during the break.

**ADJOURN:**

Vice Chairman Lippman adjourned the meeting at 7:15 p.m.

**ADJOURNED:**  
7:15 P.M.

Respectfully submitted:

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Sheryl McCoy  
Board Secretary