



## City of Pembroke Pines Planning and Economic Development Division Unified Development Application

Planning and Economic Development  
Building -B, Third Floor  
10100 Pines Boulevard  
Pembroke Pines, FL 33026  
Phone: (954) 435-6513  
Fax: (954) 435-6546  
<http://www.ppines.com>

*Prior to the submission of this application, the applicant must have a pre-application meeting with Planning Division staff to review the proposed project submittal and processing requirements.*

Pre Application Meeting Date: 10/26/16

# Plans for DRC \_\_\_\_\_ Planner: M. Stamm, D. Piper & J. Yaciuk

Indicate the type of application you are applying for:

- |   |   |
|---|---|
| <input type="checkbox"/> Appeal*                      | <input type="checkbox"/> Sign Plan                                |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Site Plan*                               |
| <input type="checkbox"/> Delegation Request           | <input type="checkbox"/> Site Plan Amendment*                     |
| <input type="checkbox"/> DRI*                         | <input type="checkbox"/> Special Exception*                       |
| <input type="checkbox"/> DRI Amendment (NOPC)*        | <input type="checkbox"/> Variance (Homeowner Residential)         |
| <input type="checkbox"/> Flexibility Allocation       | <input type="checkbox"/> Variance (Multifamily, Non-residential)* |
| <input type="checkbox"/> Interpretation*              | <input type="checkbox"/> Zoning Change (Map or PUD)*              |
| <input type="checkbox"/> Land Use Plan Map Amendment* | <input checked="" type="checkbox"/> Zoning Change (Text)          |
| <input type="checkbox"/> Miscellaneous                | <input type="checkbox"/> Zoning Exception*                        |
| <input type="checkbox"/> Plat*                        | <input type="checkbox"/> Deed Restriction                         |

### INSTRUCTIONS:

1. All questions must be completed on this application. If not applicable, mark **N/A**.
2. Include all submittal requirements / attachments with this application.
3. All applicable fees are due when the application is submitted (Fees adjusted annually).
4. Include mailing labels of all property owners within a 500 feet radius of affected site with signed affidavit (Applications types marked with \*).
5. All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.
6. Adjacent Homeowners Associations need to be noticed after issuance of a project number and a minimum of 30 days before hearing. (Applications types marked with \*).
7. The applicant is responsible for addressing staff review comments in a timely manner. Any application which remains inactive for over 6 months will be removed from staff review. A new, updated, application will be required with applicable fees.
8. Applicants presenting demonstration boards or architectural renderings to the City Commission must have an electronic copy (PDF) of each board submitted to Planning Division no later than the Monday preceding the meeting.

### Staff Use Only

Project Planner: Joe Project Number: AM 2017-01  
Date Submitted: 01/25/2017 # Posted Signs Required: N/A Fees: \$ 4,175

**SECTION 1-PROJECT INFORMATION:**Project Name: Text Amendment for Storage of Flammable Liquids (Gasoline)Project Address: N/ALocation / Shopping Center: N/AAcreage of Property: N/A Building Square Feet: N/AFlexibility Zone: N/A Folio Number(s): N/APlat Name: N/A Traffic Analysis Zone (TAZ): N/A

Legal Description:

N/A

Has this project been previously submitted?

Yes

☒ No

Describe previous applications on property (Approved Variances, Deed Restrictions, etc...) Include previous application numbers and any conditions of approval.

Date	Application	Request	Action	Resolution / Ordinance #	Conditions of Approval

## SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: Wawa Florida, LLC

Owner's Address: 7699 Commerce Center Drive, Orlando, FL 32819

Owner's Email Address: Mark.Hamilton@wawa.com

Owner's Phone: 561-445-4405 Owner's Fax: 561-409-2341

Agent: Dunay, Miskel & Backman, LLP

Contact Person: Dwayne L. Dickerson, Esq.

Agent's Address: 14 SE 4th Street, Suite 36, Boca Raton, FL 33432

Agent's Email Address: ddickerson@dmbblaw.com

Agent's Phone: 561-405-3336 Agent's Fax: 561-409-2341

*All staff comments will be sent directly to agent unless otherwise instructed in writing from the owner.*

## SECTION 3- LAND USE AND ZONING INFORMATION:

### EXISTING

Zoning: N/A

Land Use / Density: N/A

Use: N/A

Plat Name: N/A

Plat Restrictive Note: N/A

### PROPOSED

Zoning: N/A

Land Use / Density: N/A

Use: N/A

Plat Name: N/A

Plat Restrictive Note: N/A

### ADJACENT ZONING

North: N/A

South: N/A

East: N/A

West: N/A

### ADJACENT LAND USE PLAN

North: N/A

South: N/A

East: N/A

West: N/A

*-This page is for Variance, Zoning Appeal, Interpretation and Land Use applications only-*

**SECTION 4 – VARIANCE • ZONING APPEAL • INTERPRETATION ONLY** N/A

Application Type (Circle One):    Variance    Zoning Appeal    Interpretation

Related Applications: \_\_\_\_\_

Code Section: \_\_\_\_\_

Required: \_\_\_\_\_

Request: \_\_\_\_\_

Details of Variance, Zoning Appeal, Interpretation Request:

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**SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY**

☐ City Amendment Only

☐ City and County Amendment

Existing City Land Use: \_\_\_\_\_

Requested City Land Use: \_\_\_\_\_

Existing County Land Use: \_\_\_\_\_

Requested County Land Use: \_\_\_\_\_

**SECTION 6 - DESCRIPTION OF PROJECT (attach additional pages if necessary)**

Please see attached narrative and justification.

## SECTION 7- PROJECT AUTHORIZATION

### OWNER CERTIFICATION

This is to certify that I am the owner of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.

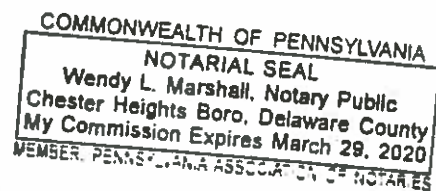
[Signature]  
Signature of Owner

January 11, 2017  
Date

Sworn and Subscribed before me this 11<sup>th</sup> day

of January, 20 17

— Fee Paid      [Signature] Signature of Notary Public      My Commission Expires



### AGENT CERTIFICATION

This is to certify that I am the agent of the property owner described in this application and that all information supplied herein is true and correct to the best of my knowledge.

[Signature]  
Signature of Agent

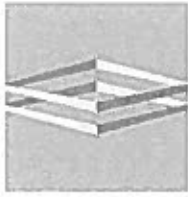
1/24/17  
Date

Sworn and Subscribed before me this 24 day

of January, 20 17

[Signature] Fee Paid      [Signature] Signature of Notary Public      My Commission Expires





**DUNAY  
MISKEL  
BACKMAN** LLP

Gary Dunay  
Bonnie Miskel  
Scott Backman

Hope Cathoun  
Dwayne Dickerson  
Ete Zachariades

Christina Bilenki  
Heather Jo Allen  
Andrea Keiser

**ZONING CHANGE - TEXT AMENDMENT JUSTIFICATION NARRATIVE  
UNDERGROUND STORAGE TANKS**

Wawa Florida, LLC ("Petitioner") owns and operates Wawa stores located throughout Pennsylvania, New Jersey, Delaware, Maryland, Virginia and Florida. Wawa is often considered as your all day, every day stop for fresh, built-to-order foods, beverages, coffee, fuel services, free air and surcharge-free ATMs. The stores offer a large fresh food service selection, including built-to-order hoagies, freshly brewed coffee, hot breakfast sandwiches, specialty built-to-order beverages and an assortment of soups, sides and snacks. Petitioner is currently expanding into the South Florida market and proposes future development of Wawa stores in the City of Pembroke Pines ("City"). More specifically, Petitioner is proposing the development of a Wawa within the City at the northeast corner of University Drive and Pembroke Road and at the northwest corner of Pembroke Road and Hiatus Road. A typical Wawa store in Florida currently consists of approximately 6,000 square feet of restaurant and retail space, in addition to motor fuel pumps ("Project"). The City has specific regulations for service station uses. More specifically, Section 155.272 of the City's Zoning Code ("Code") regulates the storage of flammable liquids. Subsection (B) limits "[t]he total capacity of underground tanks and storage facilities of flammable liquids incidental to the operation of a service station" to 35,000 gallons.

Section 155.272 has been in place since 1969 and has not been amended to reflect the innovation and technological advances in the safe storage of flammable liquids. As such, Petitioner is proposing the amended language as attached hereto in Exhibit "A". The proposed amendment allows for an aggregate total of 100,000 gallons of underground storage tank capacity and specific additional requirements for tanks exceeding an aggregate capacity of 60,000 gallons. This amendment mirrors the provisions and requirements Broward County ("County") recently enacted in 2012 which specifically changed Section F-116.1 of the Broward County Local Amendments to the Florida Fire Prevention Code to provide for greater storage capacity, while implementing additional safe guards for larger storage tanks. Such safe guards include on-site attendants, continuous monitoring, employee training (including emergency response procedures and use of life safety equipment), emergency shut-off stations and development of an emergency response plan.

When Section 155.272 was enacted in 1969, most underground storage tanks were made of bare steel, which would corrode over time and allow its contents to leak into the environment. Older, faulty installation procedures and inadequate maintenance were also a concern. Smaller tanks would limit the amount of fuel stored underground, thereby limiting the potential for its contents to leak. Technology has advanced immensely since this time and underground storage tanks are now made of corrosion resistant materials (such as fiberglass and steel clad with a fiber reinforced plastic shell) and often constructed as double walled tanks which allows for monitoring using vacuum, pressure or liquid sensors in the inner walls. The continuous monitoring allows for immediate recognition of any potential leak into the inner compartment and quick repair. As such, the innovation related to underground storage tanks

over the past 40+ years has vastly improved the safety of underground storage tanks and allows for the safe installation, use and monitoring of fuel storage. As such, the need to limit underground fuel storage on any given property has decreased as risks associated with such fuel storage have been significantly reduced. The proposed text amendment further specifies monitoring requirements that are often associated with these newer and larger storage tanks to ensure constant monitoring and the safe operation of underground storage tanks. Again, these safety requirements reflect Broward County regulations and provide for additional safety measures that are not currently included in Section 155.272 of the City's Code.

Larger underground storage tanks capacity further allows gas stations to better serve the needs of the community, especially in Florida. First, fuel trucks are able to fill the larger tanks with greater amounts of fuel, leading to fewer trips through the community. This decreases the impact of trucks traveling to the site and on adjacent rights-of-way. In addition, the South Florida market has additional concerns due to the threat of hurricanes. With the threat of a major hurricane, gas stations are often running out of fuel as the community prepares their vehicles and generators for use following the hurricane. Storing larger amounts of fuel helps to meet the needs of the community during such natural disasters. Likewise, following a hurricane when many are often relying on generators for their energy needs, there will be larger amounts of fuel available to serve nearby residents until major roadways are cleared and power is restored. As such, the use of larger storage tanks is beneficial to the community during these disastrous events that are a constant threat to Florida.