

## PLANNING & ZONING BOARD STAFF REPORT

April 18, 2018

Chairman and Members of the  
Planning and Zoning Board

**FROM:**

Joseph Yaciuk  
Planning Administrator



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<b>Project:</b>	Flamingo Pines Shopping Center
<b>Project No:</b>	SP 2018-01 ( <i>Reference: MSC 2015-15, MSC 2012-28, SP 2011-08, ZV 2011-35</i> )
<b>Location:</b>	50-350 South Flamingo Road
<b>Applicant:</b>	Ryan Tufts
<b>Existing Zoning:</b>	B-3 (General Business)
<b>Existing Land Use:</b>	Commercial
<b>Site Area:</b>	16.2 Acres

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### Project Summary:

Ryan Tufts, agent for owner WRI JT Flamingo Pines LP, is requesting approval for a building addition and site changes to the Flamingo Pines Shopping Center is located south of Pines Boulevard and west of Flamingo Road.

The following outlines the scope of work:

1. Construction of a multi-tenant retail / restaurant out building at the existing Flamingo Pines Shopping Center with associated parking, signage, traffic
2. Parking lot modification to the main shopping center parking field which will convert all existing angled parking into 90 degree parking.

The proposed 21'-0" high, 4,921 square foot out building will be constructed over an existing parking field at the perimeter of the plaza to the south of the existing Bank of America out parcel. The proposed site will not be an out parcel, rather an additional freestanding building within the shopping center. The proposed building will face Flamingo Road. Freestanding buildings are required to

maintain compatibility with the main center as well as compliance with the shopping center uniform sign plan.

The applicant proposes the following color selections for the building which are match the colors of the min building:

- Base Color – Eaglet Beige (SW 7573)
- Entry Columns – Mesa Tan (SW 7695)
- Trim / Cornice – Steady Brown (SW 6110)
- Awnings – Tricorn Black (SW 6258)

The applicant provides two hundred and Twenty (220) square feet outdoor dining is proposed on patio areas at the southeast corner of the proposed building as displayed in the plans. The patio will contain 4 tables. The patios will be enclosed by 3'-6" black aluminum railing. A dumpster enclosure is proposed at the northwest corner of the site. The enclosure will be painted to match the building. WASTEPRO reviewed the proposed location and has no objections.

The applicant will provide 662 parking spaces within this portion of the Shopping Center as a result of all of the changes on site. 538 spaces are required based on the existing business profile and proposed outbuilding uses on site.

The shopping center will be illuminated by black full cut off LED fixtures (4,000K) mounted atop 28 - 30-foot high concrete poles. In addition, canister lights are proposed on the main columns of the building. The proposed lighting complies with section 116 of the City Code of Ordinances.

Landscape for this site will include the following:

The applicant proposes the installation of 127 trees, 9 palms, and 5,759 shrubs as part of this application. Primary species used on the site include the following:

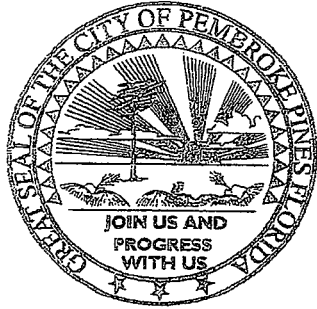
- Primary trees - Satinleaf, Black Ironwood, and Verawood.
- Primary species of palms - Cabbage Palm.
- Primary species of shrubs - Green Island Ficus, Dwarf Asian Jasmine, Dwarf Fakahatchee.

No new ground signs are proposed with this application. The applicant has updated the Uniform Sign Plan to include the proposed building.

**Staff Recommendation: Approval.**

**Enclosed:** Unified Development Application  
Letter from Waste PRO (2/14/18)

Memo from Fire Prevention Bureau (4/19/18)  
Memo from Planning Division (4/18/18)  
Memo from Environmental Services (4/18/18)  
Memo from Landscape Planner (4/18/18)  
Memo from Zoning Administrator (4/18/18)  
Memo from Environmental Services (4/11/18)  
Memo from SBDD (4/3/18)  
Memo from Landscape Planner (4/2/18)  
Memo from Zoning Administrator (4/2/18)  
Memo from Fire Prevention Bureau (1/23/18)  
Memo from SBDD (1/23/18)  
Memo from Zoning Administrator (1/23/18)  
Memo from Landscape Planner (1/23/18)  
Memo from Landscape Planner (1/23/18)  
Memo from Planning Division (1/17/18)  
Site Plan with Detail Sheets  
Updated Uniform Sign Plan



CITY CLERK'S OFFICE  
CITY OF PEMBROKE PINES

Type of Meeting

18 APR 16 AM 10:11

Planning & Zoning Board

## QUASI-JUDICIAL PROCEEDINGS AFFECTED PERSON

**INSTRUCTIONS:** This form must be completed and returned to the City Clerk's office at least seven (7) calendar days before the meeting.

**AFFECTED PERSON:** (a person who is the owner of the subject property or who owns property within 500 feet of the subject property or who resides in or operates a business within 500 feet of the subject property)

**CASE#** SP 2018-01

**PROJECT NAME:** Flamingo Pines Shopping Center

**MEETING DATE:** April 26, 2018

**NAME:** Lake Flamingo Pines, LLC

**BUSINESS ADDRESS:**

**HOME ADDRESS:** 537 N. Rainbow Dr. Hollywood FL 33021

**TELEPHONE NUMBER:** (954) 914-9198

**QUALIFIES AS "AFFECTED PERSON":**

- ☐ Subject property owner  
☒ Owns property within 500 ft.  
☐ Resides within 500 ft.  
☐ Operates a business within 500 ft.  
☐ City of Pembroke Pines representative

**Signature of Affected Person:**

Ronald J. Stanish  
mgb

**Date:** 4-13-18

**EVIDENCE TO BE PRESENTED:** (identify and attach a copy of all evidence to be presented at the hearing. Use additional sheet(s) if necessary.)

A. Drainage Due Diligence Findings Tract 61

Lake at Flamingo West - Prepared By:

B. Craven Thompson & Associates, Inc.

\* Concern Flamingo Pines Shopping Center is out  
C. of ratio for any new development.

**PROPOSED WITNESS LIST:** (Use additional sheet for each witness)

**NAME:** Dane Stanish Attorney

**ADDRESS:** 3475 Sheridan St. #209 Hollywood FL 33021

**TELEPHONE NUMBER:** (954) 923-0524

**SPEAKING:** ☐ IN FAVOR OF PETITION

☒ AGAINST PETITION

**LAW OFFICES OF  
DANE STANISH, P.A.**

3475 Sheridan Street, Suite 209  
Hollywood, Florida 33021

Dane T. Stanish, Attorney at Law  
Jared G. Anton, Paralegal

Telephone: (954) 923-0524  
Facsimile (888) 632-4944  
stanishd@gmail.com

April 13, 2018

**To : CITY OF PEMBROKE PINES  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
601 CITY CENTER WAY 3<sup>RD</sup> FLOOR  
PEMBROKE PINES, FL 33025**

18 APR 16 AM 10:11  
CITY CLERK'S OFFICE  
CITY OF PEMBROKE PINES

**Re: SP 2018-01  
FLAMINGO PINES SHOPPING CENTER**

**Please be advised that I am representing Lake Flamingo Pines LLC.- Tract 61**

**I will attend the meeting on April 26, 2018.**

**The specific concern that we have is that Flamingo Pines Shopping  
Center is out of ratio for any new development. Please find attached the -**

**DRAINAGE DUE DILIGENCE FINDINGS  
TRACT 61 LAKE FLAMINGO WEST**

**Prepared By: Craven Thompson & Associates June 2004**

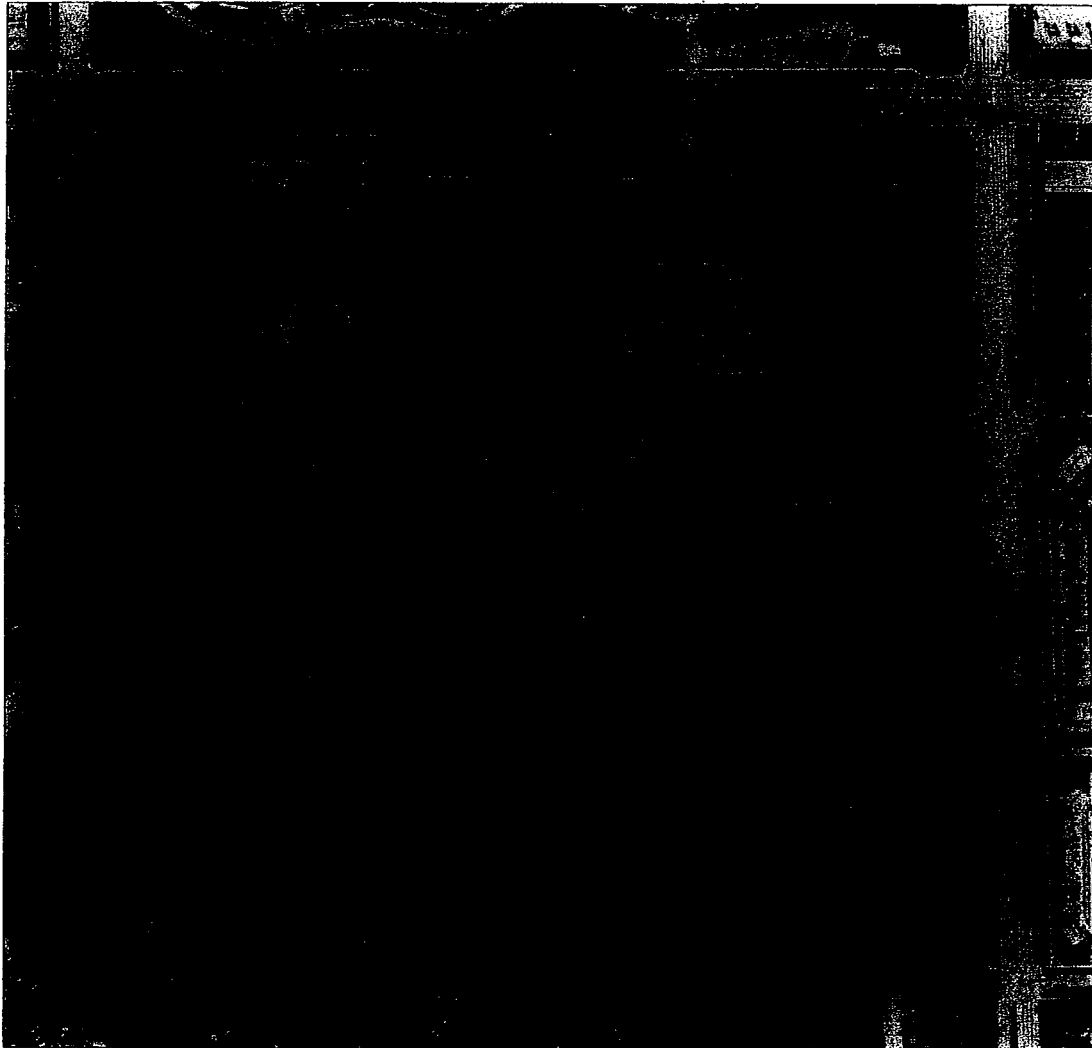
**Please review.**

**Thank you for your courtesy and cooperation in this matter. I look forward to  
receiving your response in the near future.**

**Very truly yours,**

  
**DANE T. STANISH**

DRAINAGE DUE DILIGENCE FINDINGS  
TRACT 61 LAKE AT FLAMINGO WEST



Prepared By: \_\_\_\_\_  
Craven Thompson & Associates, Inc.

June 2004

**Objective of Report:**

To research the existing lake on Tract 61 including permit conditions and interaction of this lake with the surrounding drainage basin to determine the potential to fill a portion of this lake. If the potential to fill exists, an opinion will be offered, based upon professional judgment on the percentage of lake area which could be filled.

**Sources of Research:**

Information including permits, calculations, property agreements, and record drawings were requested and obtained from the following governmental agencies/entities:

1. City of Pembroke Pines Engineering Department
2. Florida Department of Transportation
3. South Broward Drainage District (SBDD)
4. South Florida Water Management District (SFWMD)

The majority of information cited within this report was gathered from microfiche available at the SFWMD.

### Research Findings:

In February of 1977, SFWMD permit No. 06-00095-S was issued for a 5500 acre area titled Hollywood Reclamation District Basin 3 (now SBDD basin S-3). This basin includes the subject property. The basins northern limit is Pines Boulevard and the basins eastern limit is Flamingo Road. A copy of this permit is included as Exhibit 'A'.

In August of 1980, SFWMD permit No. 06-00297-S was issued for a 731 acre site, within the S-3 basin, which would provide a 112-acre lake system for all the Tracts of the Flamingo West plat excluding the water quality needs of Tract A (The commercial shopping plaza north of the subject lake) and Tract 61 (Tract 61 is not part of the Flamingo West plat). Tracts A and 61 make up approximately 80 acres of land and are included in this permit as off-site contributing area. A copy of this Permit is included as Exhibit 'B' of this report.

The surface water calculations are included as Exhibit 'B.1' and provide the analysis required for the issuance of permit 06-00297-S. Under the heading "Retention Requirements", on sheet 3 of 9 of Exhibit 'B.1', it is noted that the retention / detention (water quality) requirements of the off-site commercial area (Tract A and Tract 61) are not accounted for within this permit. However, under the heading of "Total Site Stage" on sheet 5 of 9, the lakes were designed to accommodate the run-off from both Tract A and Tract 61. The resulting 100 year 5 day storm stage is 7.78 ft. NGVD which is below the minimum required finished floor of 8.00 NGVD as permitted under number 06-00095-S.

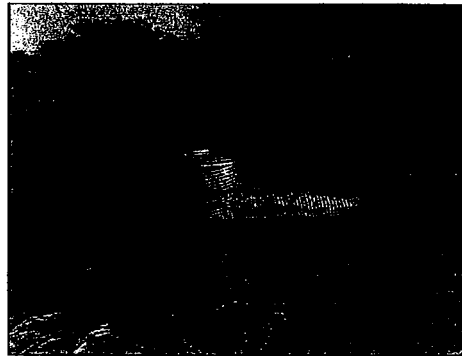
In June 1985 permit number 06-00660-S was issued by the SFWMD for an 80 acre commercial development. This permit is included as Exhibit 'C'. This 80 acres, commonly referred to as the Shops at Pembroke, includes Tract A (70+ acres) and Tract 61 (9+ acres). Because the Flamingo West permit (06-00297-S) did not provide for the water quality needs of this 80 acres, the water quality had to be provided on-site prior to discharge. The 80 acres was designed and developed to include 8.5 acres of lake which would provide the water quality required for the shopping center. This 8.5 acres of lake also provides a large portion of the storage essential for keeping the 10-year and 100-year storm event peak stages in line with those required within the basin. Phase 1 of this permit included constructing 20 acres of the shopping center with the construction of a 7.7 acre lake. This 7.7 acre lake is the lake within Tract 61. The calculations provided to procure permit No. 06-00660-S are included as Exhibit 'C.1'. These calculations indicate the entire lake is being used for water quality needs up to elevation 4.70 (the control elevation is 3.00). These calculations show the resulting 10-year, 1-day and 100-year,



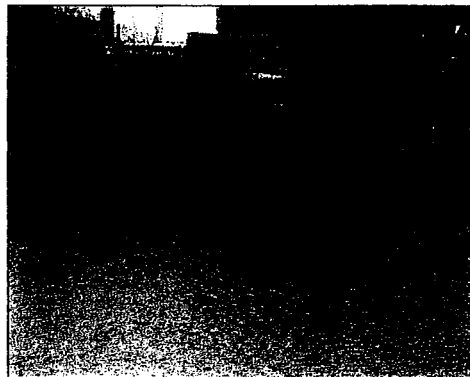
3-day peak storm stages as 6.48 and 7.42 feet NGVD respectively. The basin requirements are for the 10-year, 1-day and 100-year, 3-day peak storm stages to be below 6.50 and 8.0 feet NGVD respectively.

A copy of the "Drainage Easement Agreement", executed on September 30<sup>th</sup> 1985 between F.W.D.C., Inc. (at the time, owner of the 731 acre site containing the 112 acres of lake.) and Centrum Pembroke, Inc. (at the time, owner of Tract A and according to the Sketch and Description within Exhibit 'C' owner of Tract 61) is included as Exhibit 'C.2' and allows for the conveyance of stormwater discharge from the 80 acre commercial development to the Flamingo West lake system.

In 1987 the basin S-3 permit, SFWMD No. 06-00095-S, was modified by the SBDD to remove many of the control structures which restricted flow between the lakes of the various developments within the S-3 basin. This permit modification is included as Exhibit 'D'. A recent field visit indicates that the Tract 61 lake control structures were not removed as the control structure at the southwest corner of the lake is still present (picture below).



The presence of the second outfall, which consists of an 8 foot weir within a manhole structure, could not be verified. The outfall leading to the weir in question is shown below.



Inquiries have been made to the SBDD regarding the possible filling of this Tract 61 Lake. Exhibit 'E' contains a letter from the SBDD indicating that they have adopted a policy prohibiting the filling of existing lakes within their boundary. After this letter was received, a meeting was arranged and held at the District's office. The minutes of this meeting, indicating the District's opposition, are included as Exhibit 'F'. During this meeting "best case" scenarios were discussed where the water quality would still be provided, peak stages would remain the same, and upstream facilities would not be affected. The District stuck to their opposition of filling existing lakes, even during these scenarios.

**Summary:**

The Tract 61 lake was originally excavated to provide the water quality and site storage necessary for the development of the Shops at Pembroke. It is surprising that the ownership of Tract 61 has not remained contiguous with that of the Shops at Pembroke. Regardless of ownership, it still serves its originally intended purpose and there does not appear to be any recourse with the South Broward Drainage District which would allow the filling of a portion of this lake.

If the filling of this lake is pursued, an extensive and costly basin wide drainage study would have to be performed. The SBDD would undoubtedly contest any results showing "excess" available storage and water quality with the calculations of their own experts and this would likely end up in litigation.

## Yaciuk, Joseph

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**Subject:** FW: Flamingo Pines Shopping Center- Parking  
**Attachments:** 2016-184 SP1.0.pdf

**From:** Eric Czerniejewski [mailto:ECzerniejewski@cgasolutions.com]  
**Sent:** Thursday, May 03, 2018 4:54 PM  
**To:** Yaciuk, Joseph <jyaciuk@ppines.com>  
**Cc:** Stamm, Michael <mstamm@ppines.com>; England, John <jengland@ppines.com>; Kennedy, Karl <kkennedy@ppines.com>  
**Subject:** Flamingo Pines Shopping Center- Parking

Joe:

Good Afternoon.

I reviewed the parking lot revisions at Flamingo Pines Shopping Center. Please accept the below items of note:

- The traffic circulation with two-way drive aisles versus alternating one-way roadways is less confusing for motorists. The two way drive aisle with 90 degree parking eliminates the possibilities that vehicles will travel the wrong direction down a one way road. It also allows for a more continuous flow of traffic through the shopping center
- The handicap accessible path designed as part of the 90 degree parking allows for refuge islands at these stalls and other stalls. The refuge islands provide for safe pedestrian circulation out of the vehicular travel ways within the drive aisles.
- The total number of parking stalls is increased with the 90 degree parking versus the angled parking.
- There are other outparcels within the shopping plaza that already have 90 degree parking. The proposed 90 degree parking provides compatibility within the shopping center. The recently approved Publix at City Center also has 90 Degree parking.
- There are no restrictions to the 90 degree parking design layout in the City of Pembroke Pines.
- The medians created with the 90 degree parking allows for more landscaping opportunities which will provide better shade to pedestrians
- The 90 degree parking creates better alignment with the adjacent driveway connections around the ring road. There are conditions with the existing angled parking where the tie-in to the ring road does not align with the outparcel ingress and egress locations.

Thanks for your time and effort.

**Eric S. Czerniejewski, P.E., ENV SP**

Director of Traffic Engineering | Traffic Engineering Department (Broward)



**Calvin, Giordano & Associates, Inc.** | 1800 Eller Drive | Suite 600 | Fort Lauderdale, FL 33316

Office: 954.921.7781 | Direct: 954.766.2735 | Fax: 954.921.8807

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**From:** Kevin Hart [mailto:kevin@sbdd.org]

**Sent:** Tuesday, May 01, 2018 12:05 PM

**To:** Yaciuk, Joseph <jyaciuk@ppines.com>

**Cc:** Kennedy, Karl <kkennedy@ppines.com>; Stamm, Michael <mstamm@ppines.com>; England, John <jengland@ppines.com>

**Subject:** RE: Emailing: SP 2018-01 Flamingo Pines Quasi

Joe,

This is in response to your inquiry regarding the existing lake providing drainage and flood protection for the Flamingo Pines shopping center.

From what I can determine from reading the Craven Thompson (CTA) report is that the existing lake was originally permitted and constructed to provide drainage, flood protection, conveyance, and water quality for the adjacent shopping center site. The lake is included in the SFWMD permit that was issued for the property, and the CTA report states that the entire lake is needed to meet the required flood protection and water quality for the shopping center site. If that's the case, then it would be very difficult for the property owner of the lake parcel to obtain approval from SBDD to fill a portion of the lake; and I would assume it would be equally difficult to obtain approval from SFWMD or the City, since all three agencies effectively follow the same criteria.

Typically, if an applicant is requesting approval to fill a portion of an existing lake, they would have to perform a "Pre-Post" stormwater analysis to show that compensatory storage is being provided to offset the lake area being filled; and that discharge from the property is not increasing. Based on my experience, it would be difficult for the applicant to meet this requirement without providing some other compensatory storage area; and considering that almost the entire parcel is comprised of the storage lake.

Here are some other factors to consider:

- \* Under state stormwater management rules, all properties are required to provide adequate, on-site, storage for flood protection (5-year, 10-year, and 100-year storms). Based on my experience, the amount of lake area previously permitted by SFWMD (8.5 acres of lake for an 80 acre commercial site) is a minimal amount needed to meet this requirement for flood protection.
- \* Current SBDD criteria requires a 20% water management area for stormwater management and drainage.
- \* A rough calculation indicates that the commercial property is providing 10.63% lake area (based on the CTA report). This was previously permitted under the SFWMD permit that was issued for the commercial property.
- \* Based upon the SFWMD permit, the site is significantly below SBDD's current criteria for lake storage and water management area. So again, this would make it very difficult for the applicant to meet SBDD and SFWMD criteria for filling a portion of the lake.
- \* SBDD criteria requires that any new projects or developments must maintain and provide for existing off-site drainage through its property. In this case, the lake property would need to ensure that the existing conveyance and storage of stormwater from the adjacent commercial property is being maintained in order to obtain a permit from SBDD to fill a portion of the lake.
- \* The 2004 CTA study is 14 years old and would need to be updated, based upon SBDD's current Criteria Manual, Regulations, Standards, and Procedures.

These are my thoughts on this issue.

My opinion as the District Director and District Engineer is that it would be very difficult for the applicant to obtain approval from SBDD to fill a portion of the existing lake, based mainly on the following points:

The lake was permitted and constructed to provide storage, water quality, and conveyance for the 80-acre commercial property.

The total area of lake storage that was permitted and provided for the 80-acre commercial property is minimal, based upon my professional experience.

The total area of lake storage that was permitted and provided for the 80-acre commercial property is well below SBDD's current criteria for water management areas on new development sites.

Feel free to contact me with any questions.

Sincerely,

Kevin Hart, P.E., CFM  
District Director  
South Broward Drainage District  
6591 Southwest 160th Avenue  
Southwest Ranches, FL 33331  
954-680-3337 (office)  
e-mail: [kevin@sbdd.org](mailto:kevin@sbdd.org)