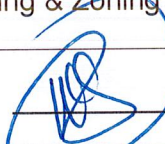





City of Pembroke Pines
Planning & Economic Development Department
601 City Center Way 3rd Floor
Pembroke Pines FL, 33025

Summary

| | | | |
|---------------------------------|---|---|---|
| Agenda Date: | December 12, 2019 | Application ID: | ZV 2019-12 |
| Project: | Pines 200 Plaza | Project Number: | PRJ 2019-19 |
| Project Planner: | Dean Piper, Zoning Administrator | | |
| Owner: | Hollywood 200 Inc. | Agent: | Andrea Keiser |
| Location: | 20170 Pines Boulevard, Pembroke Pines, Florida 33029 | | |
| Existing Zoning: | Community Business (B-2) Districts | Existing Land Use: | Commercial |
| Reference Applications: | N/A | | |
| Variance Summary | | | |
| Application | Code Section | Required/Allowed | Request |
| ZV 2019-07 | 155.251 (A) & (D) | 238 Parking Spaces | 178 Parking Spaces |
| Final: | <input checked="" type="checkbox"/> Planning & Zoning Board | | <input type="checkbox"/> Board of Adjustments |
| Reviewed for the Agenda: | Director:  | Zoning Administrator:  | |

Project Description / Background

Andrea Keiser, as agent for the owner, is requesting a variance to allow 178 parking spaces instead of the required 238 parking spaces for the Pines 200 Plaza located at 20170 Pines Boulevard.

Pines 200 Site Plan #SP 94-40, was originally approved on November 10, 1994 by the Planning and Zoning Board providing 219 parking spaces. At time of approval the parking ratios were different and caused this property to be non-conforming when the code was amended.

Based on current parking code (adopted by Ordinance #1738 on September 19, 2012), and existing tenants, 238 parking spaces are required. Currently, Pines 200 Plaza has 219 parking spaces on site and is considered existing legal non-conforming.

VARIANCE REQUEST DETAILS:

ZV 2019-07) Allow 178 parking spaces instead of the required 238 parking spaces.

Code Reference: §155.251 AMOUNT OF OFF-STREET PARKING REQUIRED

- (A) Other uses. Minimum parking shall be required as set forth in the matrix below.
- (D) Mixed uses. In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately, and off-street parking space for one use shall not be considered as providing the required off-street parking for any other use.

VARIANCE DETERMINATION

The Planning and Zoning Board shall not grant any non-single-family variances, permits, or make any decision, finding, and determination unless it first determines that:

1. 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.
2. 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.

Enclosed: Variance Request Application
 Subject Site Aerial Photo





City of Pembroke Pines Planning and Economic Development Department Unified Development Application

Planning and Economic Development
City Center - Third Floor
601 City Center Way
Pembroke Pines, FL 33025
Phone: (954) 392-2100
<http://www.pppines.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: _____

Plans for DRC _____ Planner: _____

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 checked="" 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 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: Dean Project #: PRJ 20 19 - 19 Application #: ZV 2019-12
Date Submitted: 10/22/2019 Posted Signs Required: (1) Fees: \$ 2,251

SECTION 1-PROJECT INFORMATION:Project Name: Pines 200 PlazaProject Address: 20170 Pines Boulevard, Pembroke Pines, FloridaLocation / Shopping Center: Pines 200 PlazaAcreage of Property: 3.8074 Building Square Feet: 41,148Flexibility Zone: n/a Folio Number(s): 5139 14 08 0010Plat Name: Pines 200 Plat Traffic Analysis Zone (TAZ): n/aLegal Description: PINES 200 PLAZA 156-25 B TRACT B

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 |
|------|-------------|---------|--------|--------------------------|------------------------|
| n/a | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

SECTION 2 - APPLICANT / OWNER / AGENT INFORMATIONOwner's Name: HOLLYWOOD 200 INCOwner's Address: 1601 N. PALM AVENUE, SUITE 301, PEMBROKE PINES, FL 33026Owner's Email Address: DAVIDBRAUN@AOL.COMOwner's Phone: 336-846-1774Owner's Fax: 336-846-1667Agent: Keiser Legal, PLLCContact Person: Andrea M. Keiser, Esq.Agent's Address: 55 SE 2nd Avenue, Delray Beach, FL 33444Agent's Email Address: andrea@keiserlegal.comAgent's Phone: 561-349-6990Agent's Fax: 561-900-3344

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: B-2 – Community BusinessLand Use / Density: Agriculture (A) with FlexUse: MIXED USEPlat Name: Pines 200 PlazaPlat Restrictive Note: n/a**PROPOSED**Zoning: N/A

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

ADJACENT ZONINGNorth: Planned Unit DevelopmentSouth: B-2East: B-2West: Single Family District**ADJACENT LAND USE PLAN**North: IrregularSouth: Low 2 & Employment Center LowEast: Employment Center LowWest: LOW 2

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

SECTION 4 – VARIANCE • ZONING APPEAL • INTERPRETATION ONLY

Application Type (Circle One): Variance Zoning Appeal Interpretation

Related Applications: N/A

Code Section: 155.251(A) & (D)

Required: 238

Request: 178

Details of Variance, Zoning Appeal, Interpretation Request:

See attached justification statement

SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY

☐ City Amendment Only

☐ City and County Amendment

Existing City Land Use: n/a

Requested City Land Use: _____

Existing County Land Use: _____

Requested County Land Use: _____

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.

See attached agent authorization

Signature of Owner

Date

Sworn and Subscribed before me this _____ day

of _____, 20 _____

Fee Paid

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 of Agent

Date

Sworn and Subscribed before me this 18 day

of October, 20 19



MARK L. JONES
Commission # GG 144662
Expires January 14, 2022
Bonded Thru Budget Notary Services

Fee Paid

Signature of Notary Public

My Commission Expires



**STATEMENT OF INTEREST IN PROPERTY
AND AGENT AUTHORIZATION TO FILE PETITIONS**

Hollywood 200 Inc. certifies that it is the Owner of the subject property located in Broward County at:

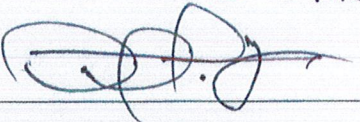
20170 Pines Boulevard / PCN: 5139 14 08 0010
SW 203 Avenue / PCN: 5139 14 12 0030

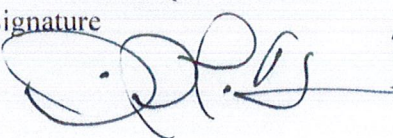
And authorizes **KEISER LEGAL, PLLC**, as agent, to submit and process any and all development applications to the City and to represent Owner in the approval, permitting and development of the proposed project and to appear at any meetings or public hearings necessary for the approval, permitting and development of the proposed commercial development located within the City and County.

David F. Braun, as authorized signatory for

Hollywood 200 Inc.

Print Name **DAVID BRAUN**



Signature  Pres

P.O. Box 72

Address

West Jefferson, NC 28694

City/State/Zip

954-298-9692

Phone

(Continued on next page)



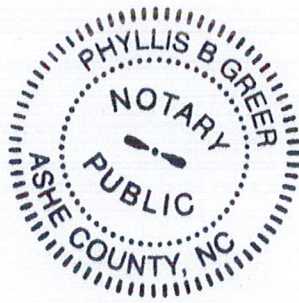
KEISER LEGAL

State of NC

County of Ashe

The foregoing instrument was acknowledged before me this 9th day of August, 2019, by David Braun, an individual, who is personally known to me or who has produced FL Drivers License as identification and who did take an oath.

NOTARY PUBLIC:



Sign: Phyllis B. Greer

Print: Phyllis B Greer

My Commission Expires: 03/25/24



Pines 200 Plaza
Off-Street Parking Variance Application
Justification Statement

Hollywood 200 Inc. (“Applicant”) is the owner of +/- 3.8074 acres located at 20170 Pines Boulevard within the City of Pembroke Pines, Broward County, Florida (“City”) and whose folio number is 5139-14-08-0010 (“Property”). The Property is designated as Agricultural (“A”) with Flex on the City’s Future Land Use Map and is zoned Community Business (“B-2”). Presently, the Applicant operates mixed uses on the Property.

The primary purpose of this application is to request a variance from the requirements of the City’s Code of Ordinances (“Code”), specifically Zoning Code Sections §155.251(A) and (D) regarding the required amount of off-street parking (“Project”). For this Project, the Code currently requires 238 parking spaces, and the Applicant is proposing 178 parking spaces. As justification in support of this request, Applicant submitted a Parking Analysis performed by KBP Consulting, Inc. dated March 2019. Currently, the Property provides 219 parking spaces. The parking study revealed that during peak time periods, the Property will have a surplus of 119 available parking spaces at any given time.

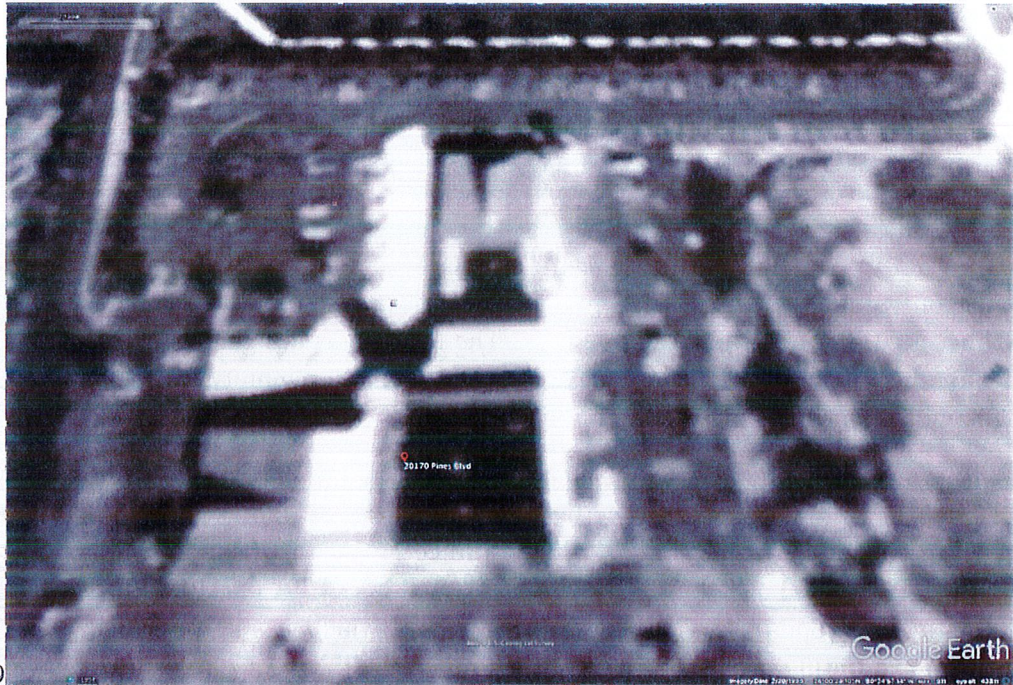
In seeking the variance, the Applicant proposes to eliminate all parking spaces located on adjacent property to the east, comprising a total of approximately 47 parking spaces. In further justification of the variance, a historical review of the Property also revealed that there is little to no use of any of the parking spaces on the adjacent property since the development of the site and as early as 1999 (See Exhibit A). For more than 20 years, the parking spaces on the adjacent property have rarely been utilized.

In consideration of the foregoing, the Applicant respectfully requests the City to approve a variance to permit Applicant to reduce the number of required off-street parking spaces to the maximum extent practicable in order eliminate any need for parking spaces on the adjacent property.

EXHIBIT A



KEISER LEGAL

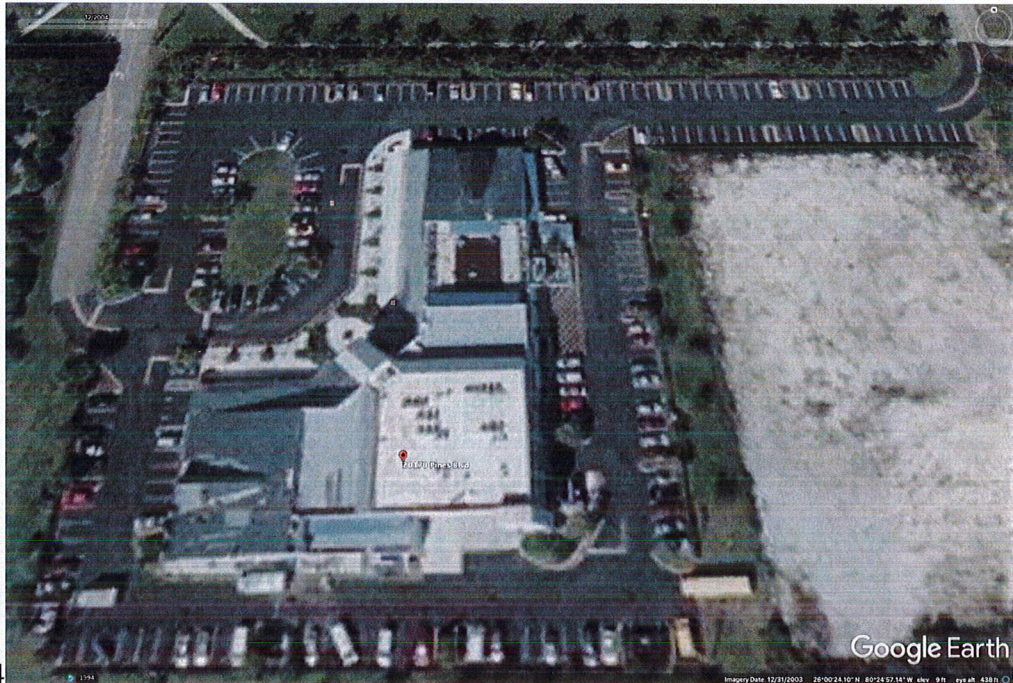


02/1999



12/2002

55 SE 2ND AVENUE | DELRAY BEACH, FL 33444 | MAIN: 561-349-6990 | FAX: 561-900-3344
WWW.KEISERLEGAL.COM



12/2004



02/2005

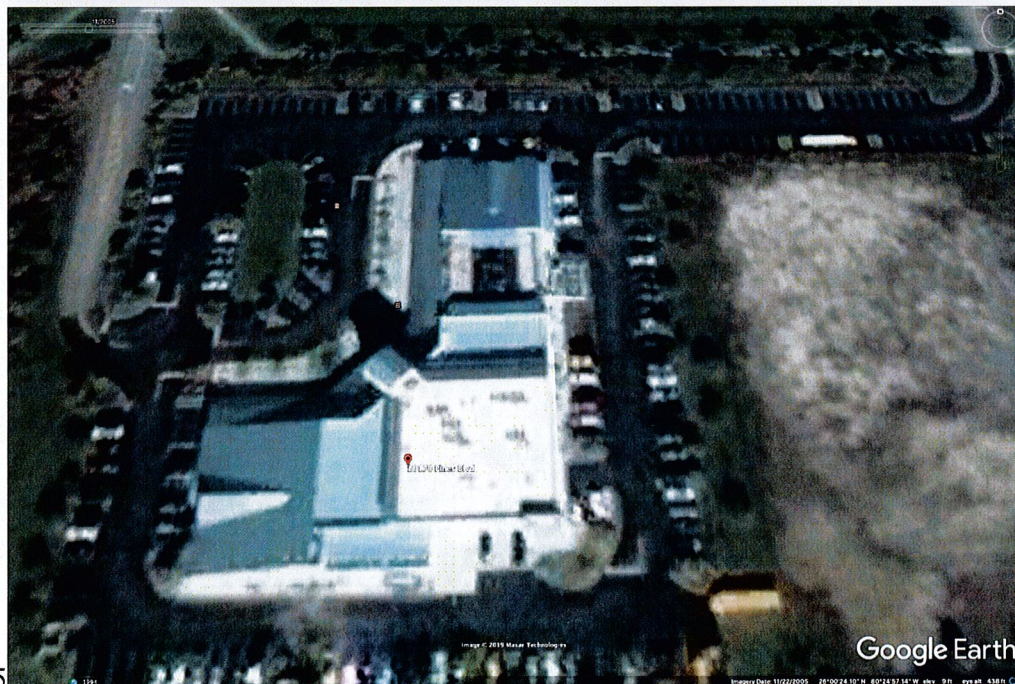
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WWW.KEISERLEGAL.COM



KEISER LEGAL



11/2005



11/2005

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WWW.KEISERLEGAL.COM



KEISER LEGAL



12/20/2005

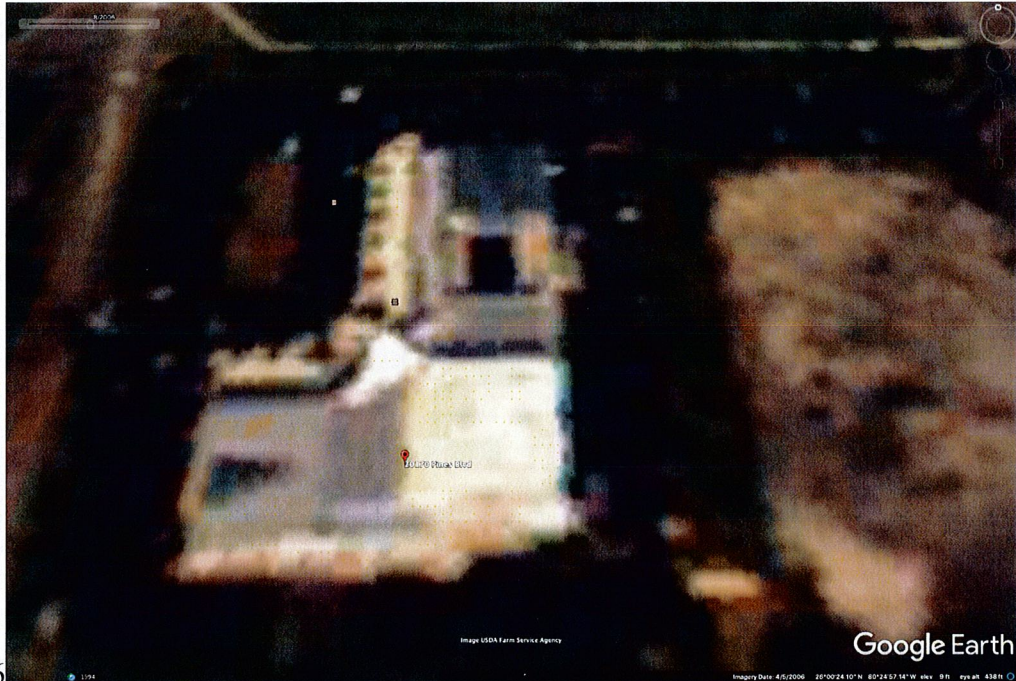


02/28/2006

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WWW.KEISERLEGAL.COM



KEISER LEGAL

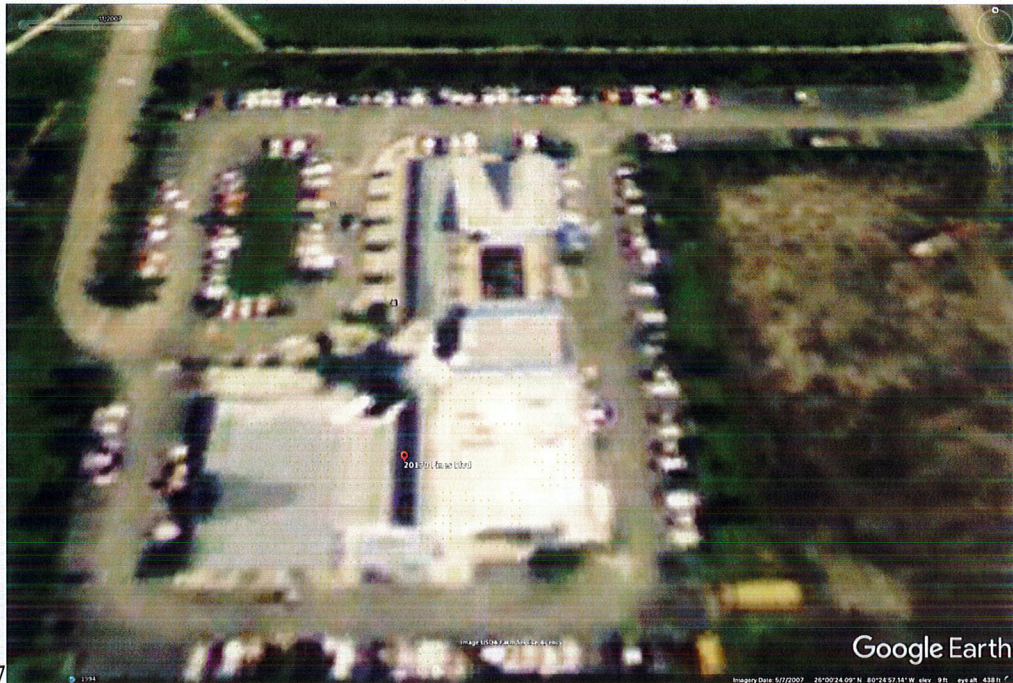


08/2006



01/2007

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WWW.KEISERLEGAL.COM



11/2007



12/2008

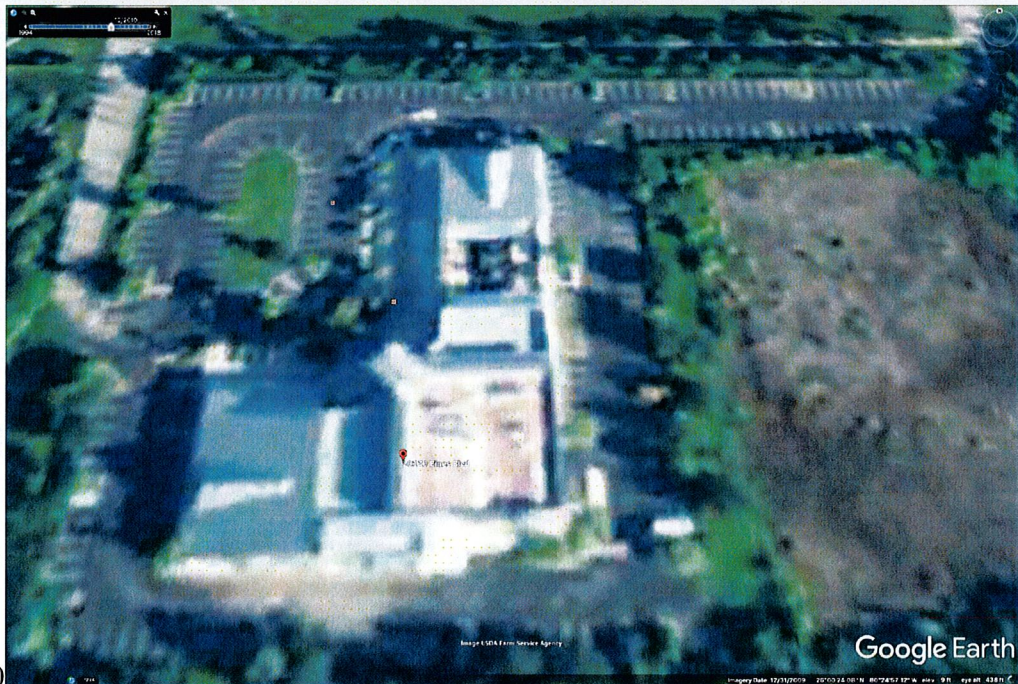
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WWW.KEISERLEGAL.COM



KEISER LEGAL



03/2010



12/2010

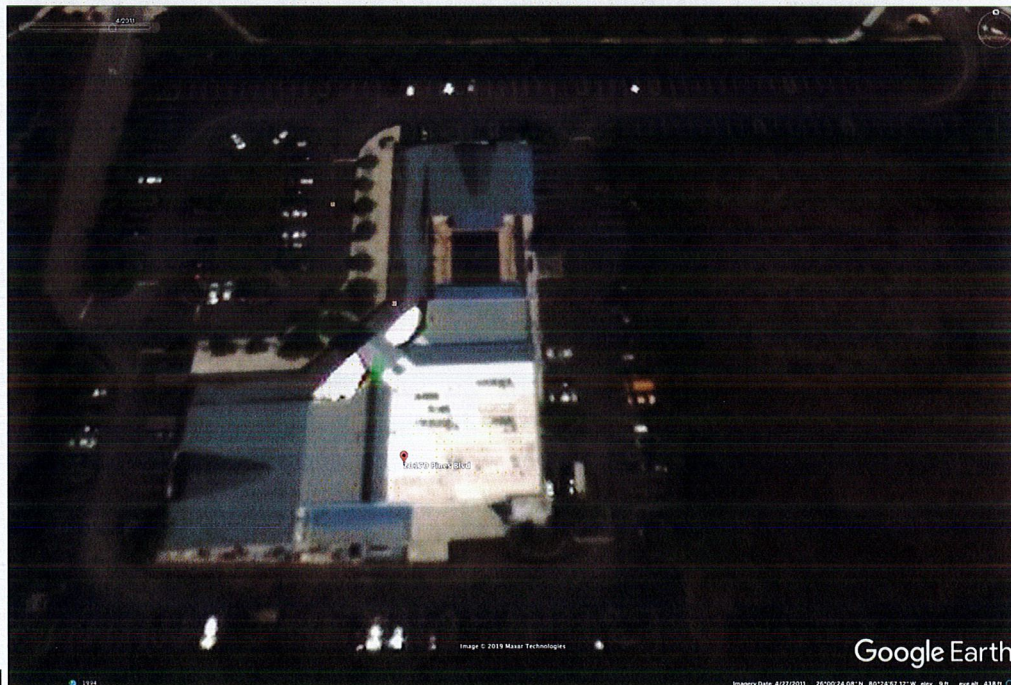
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WWW.KEISERLEGAL.COM



KEISER LEGAL



03/2011



04/2011

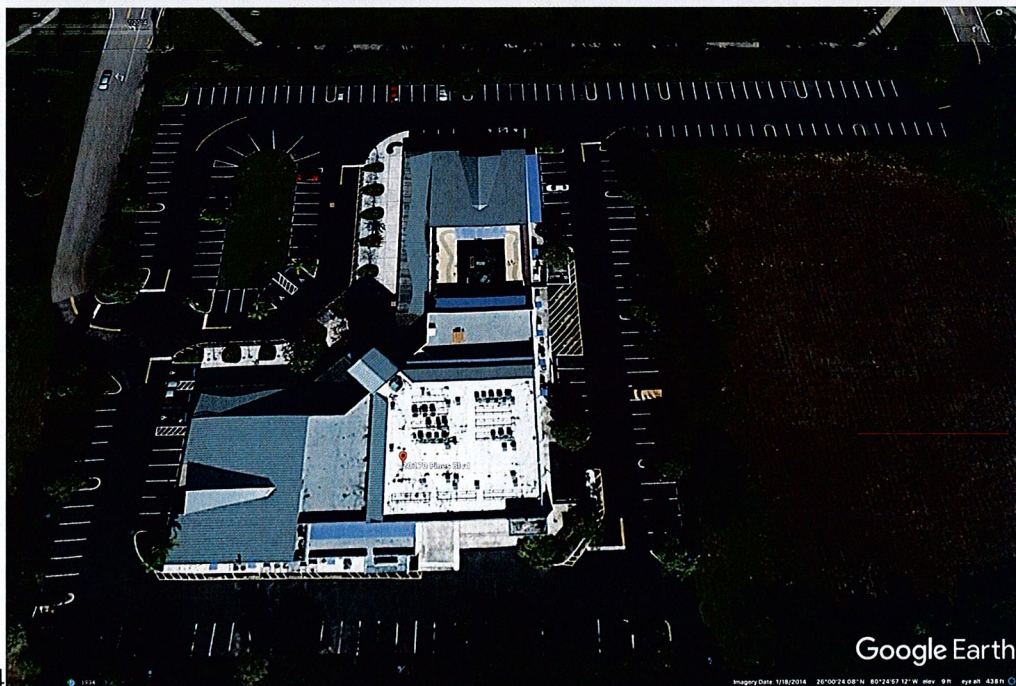
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WWW.KEISERLEGAL.COM



KEISER LEGAL



03/2013



01/2014

55 SE 2ND AVENUE | DELRAY BEACH, FL 33444 | MAIN: 561-349-6990 | FAX: 561-900-3344
WWW.KEISERLEGAL.COM



KEISER LEGAL



12/2014

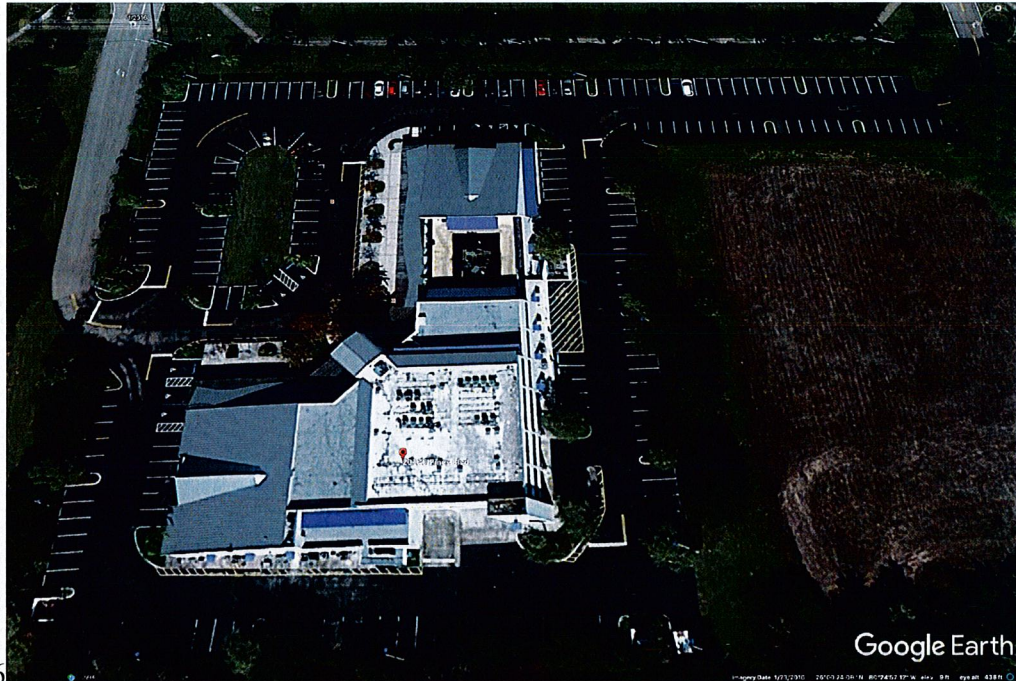


11/2015

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WWW.KEISERLEGAL.COM



KEISER LEGAL



01/2016

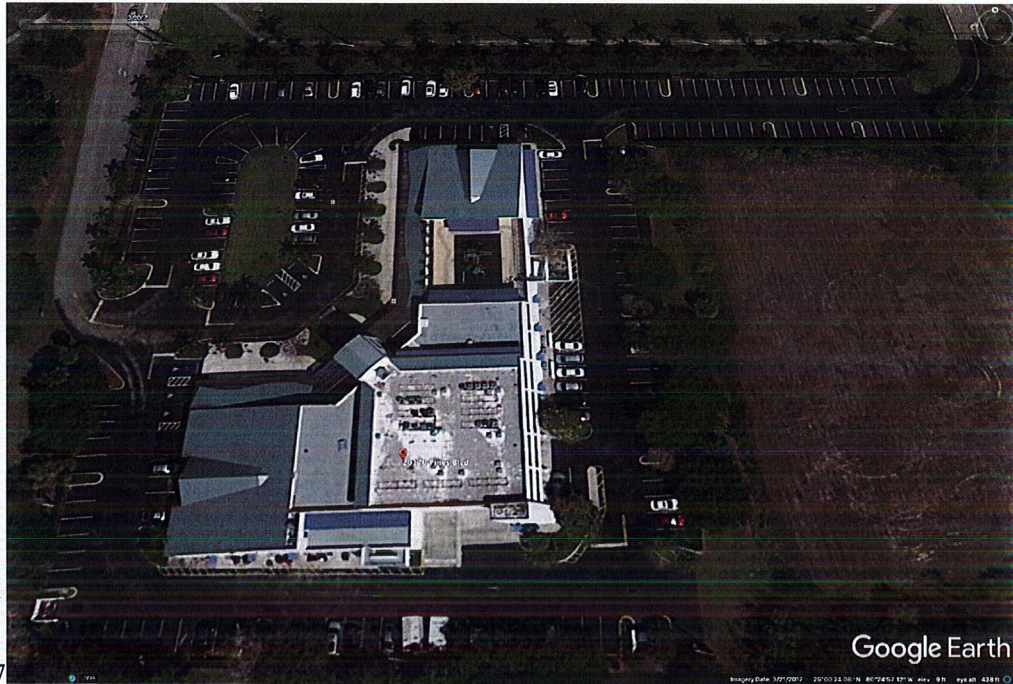


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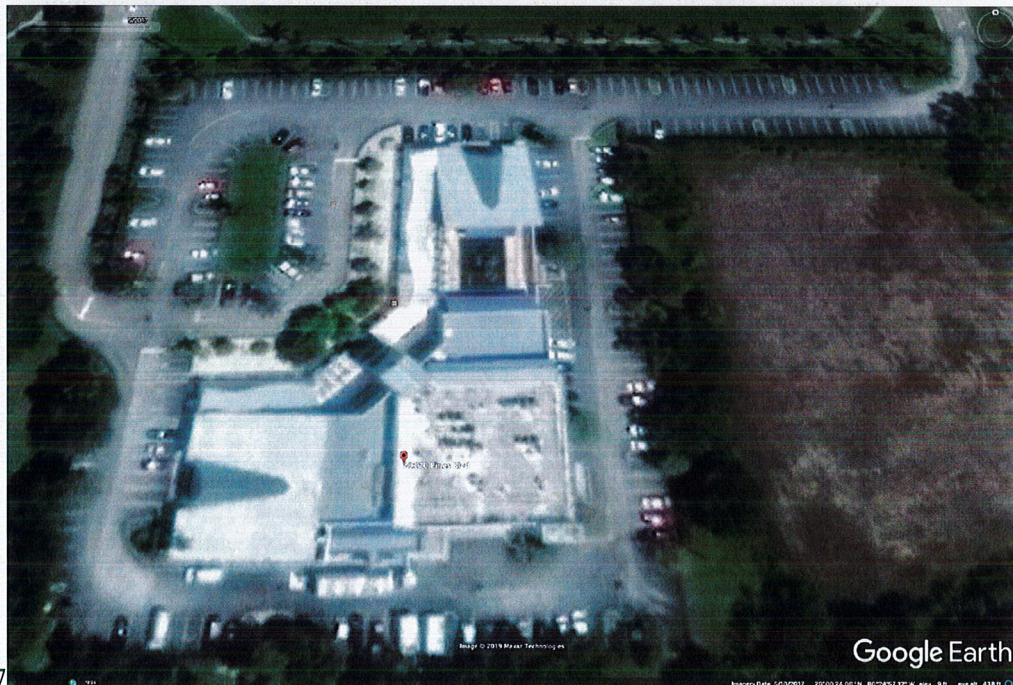
55 SE 2ND AVENUE | DELRAY BEACH, FL 33444 | MAIN: 561-349-6990 | FAX: 561-900-3344
WWW.KEISERLEGAL.COM



KEISER LEGAL



03/2017



05/2017

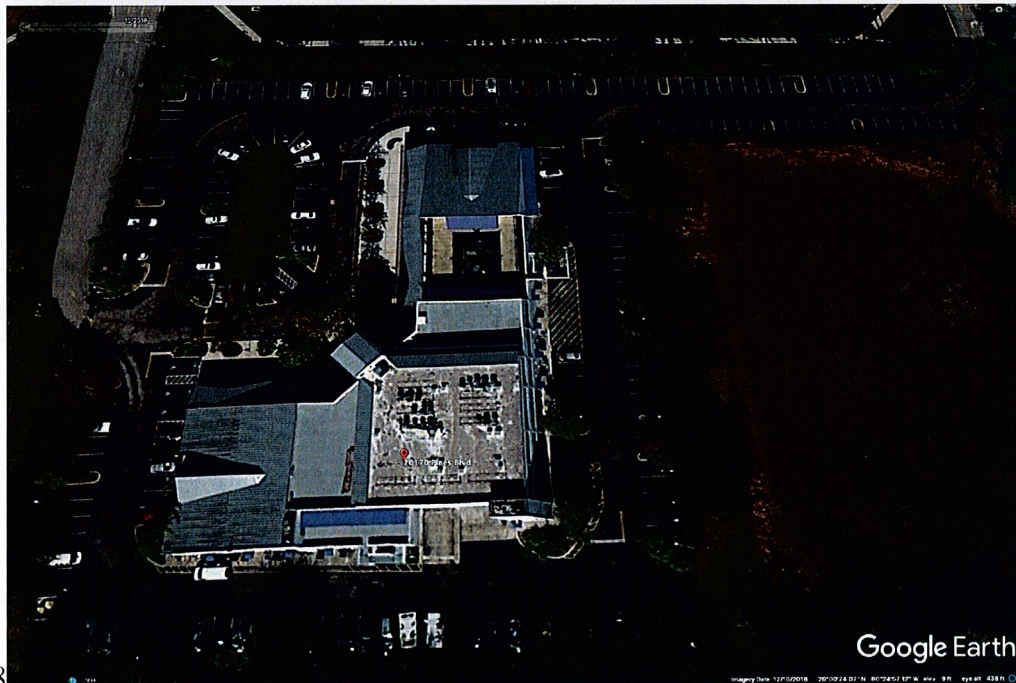
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WWW.KEISERLEGAL.COM



KEISER LEGAL



12/2017



12/2018

55 SE 2ND AVENUE | DELRAY BEACH, FL 33444 | MAIN: 561-349-6990 | FAX: 561-900-3344
WWW.KEISERLEGAL.COM

Pines 200 Plaza

20170 Pines Boulevard
Pembroke Pines, Florida

PARKING ANALYSIS



KBP CONSULTING, INC.

March 2019

Pines 200 Plaza

20170 Pines Boulevard

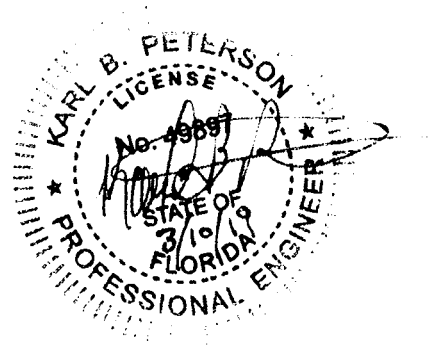
Pembroke Pines, Florida

Parking Analysis

March 2019

Prepared by:

KBP Consulting, Inc.
8400 N. University Drive, Suite 309
Tamarac, Florida 33321
Phone: (954) 560-7103



Karl B. Peterson, P.E.
Florida Registration Number 49897
KBP Consulting, Inc.
8400 N. University Drive, Suite 309
Tamarac, Florida 33321
CA # 29939

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| PARKING COUNTS | 4 |
| CONCLUSIONS AND RECOMMENDATIONS | 7 |

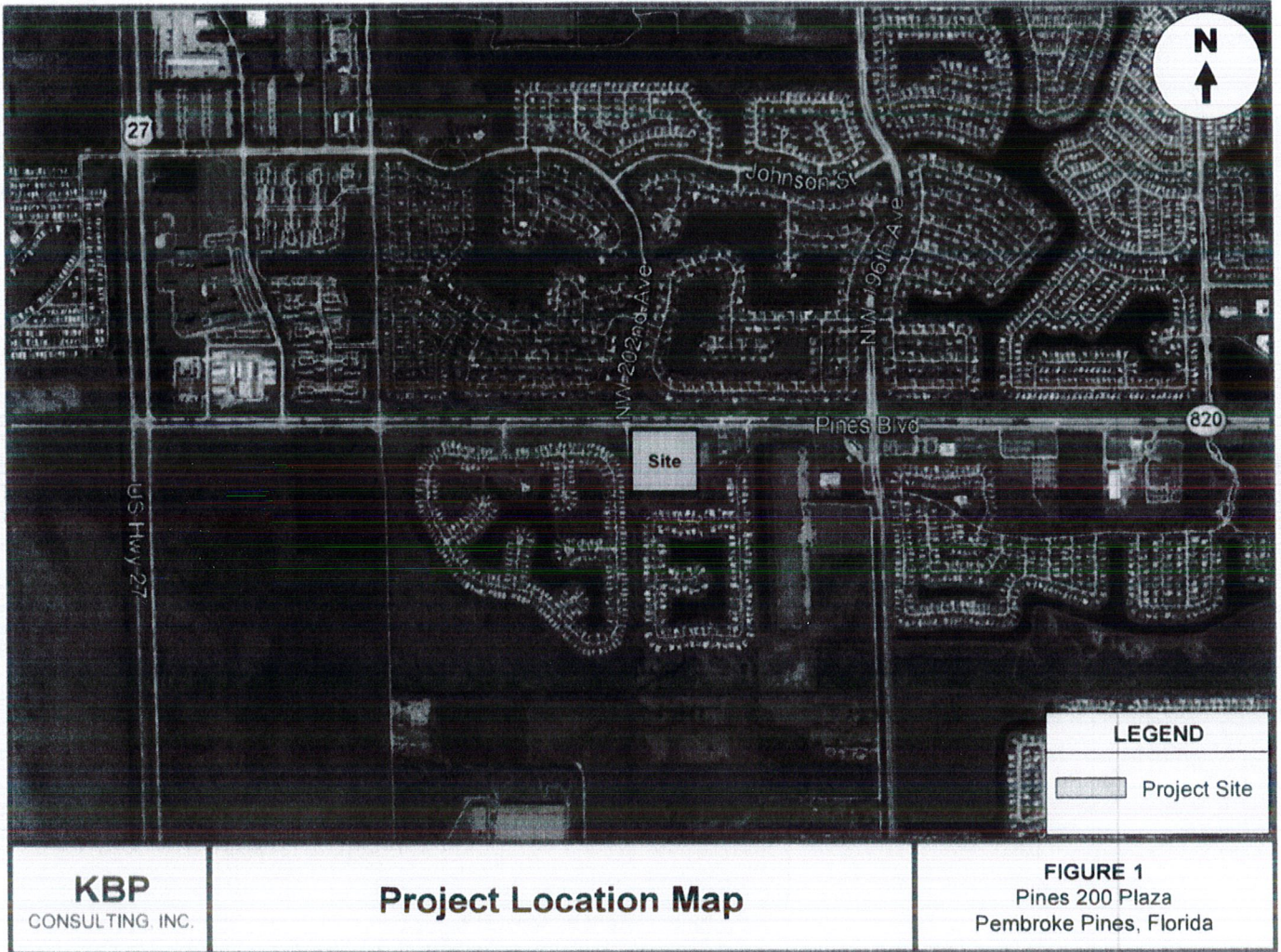
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Appendices



INVENTORY

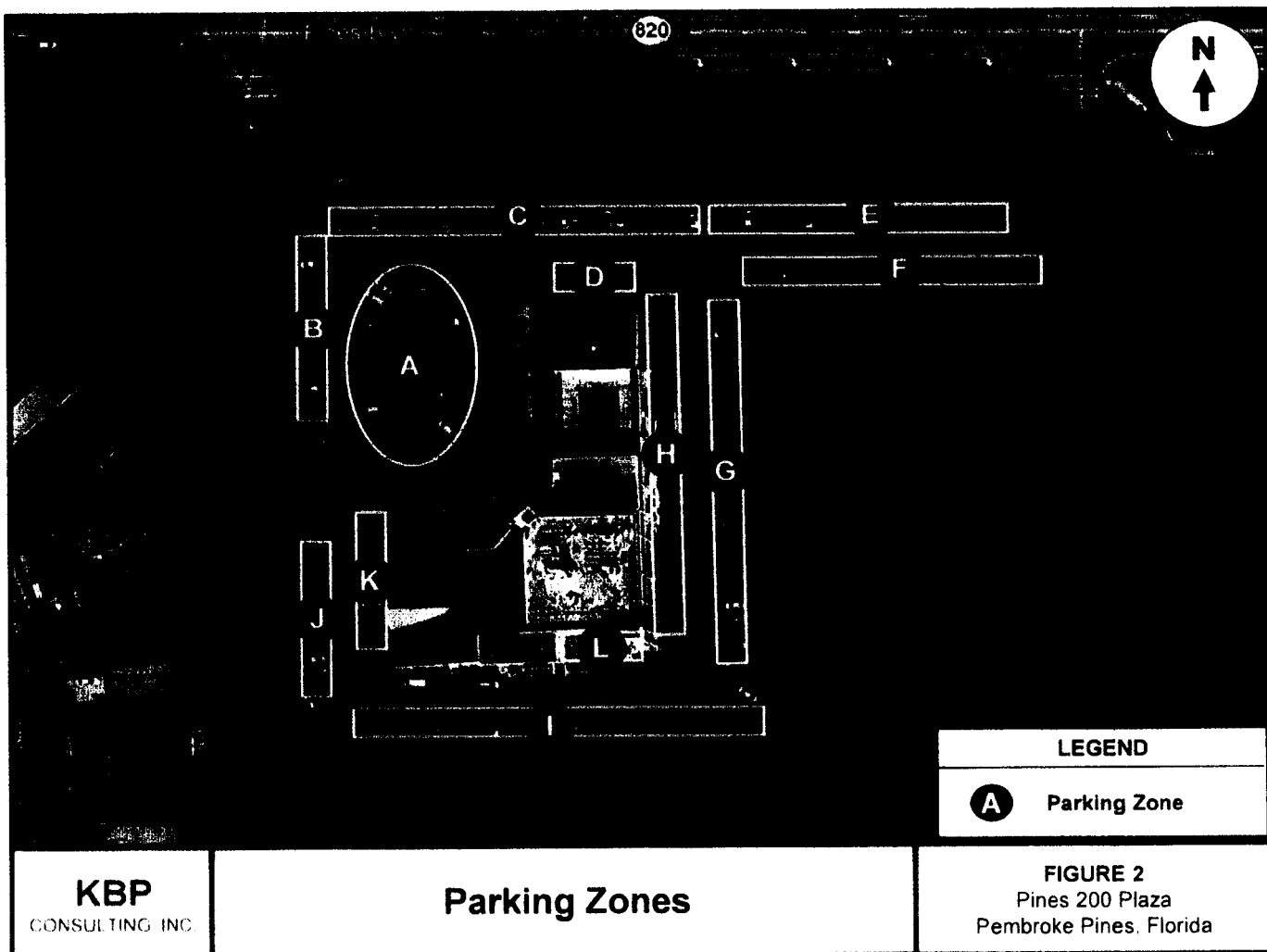
Existing Land Uses, Access, and Parking

The existing Pines 200 Plaza site in Pembroke Pines, Florida consists of a mix of retail, office, medical office, and restaurant uses. The existing parking supply for this site is 223 parking spaces. Vehicular access to this facility is provided by one (1) full access driveway on Pines Boulevard (at NW / SW 202nd Avenue) and one (1) right-turn in / right-turn out only driveway on Pines Boulevard (approximately 600 feet east of NW / SW 202nd Avenue). A site plan depicting the current conditions is presented in Appendix A.

PARKING COUNTS

In order to establish a baseline for both parking supply and parking demand within the Pines 200 Plaza property, parking counts were performed by qualified transportation personnel. The study area was divided into 12 “parking zones” that are depicted graphically in Figure 2 on the following page. As mentioned previously, the total number of existing parking spaces within the Pines 200 Plaza site is 223. This number was field verified.

The parking counts (measuring parking demand) were performed on Thursday, March 7, 2019 from 7:00 AM to 7:30 PM. The peak parking demand occurred between 11:30 AM and 12:00 PM with 104 occupied parking spaces (or, 47% occupancy). A summary of the peak hour parking demand (between 11:00 AM to 12:00 PM) is presented in Table 1. During these peak time periods, it is projected that the Pines 200 Plaza parking facilities will have a minimum of 119 available parking spaces at any given time. The detailed parking data by parking zone and time of day (for the entire study period) is presented in Appendix B.



| Table 1 Parking Utilization Pines 200 Plaza - Pembroke Pines, Florida | | | |
|--|------------------------------------|---|----------------------|
| Parking Zone | Number of Available Parking Spaces | Time Intervals (Number of Parked Vehicles) | |
| | | Thursday (3/7/19) (Peak Hour) | |
| | | 11:00 AM to 11:30 AM | 11:30 AM to 12:00 PM |
| A | 29 | 24 | 23 |
| B | 15 | 4 | 4 |
| C | 30 | 15 | 13 |
| D | 7 | 4 | 6 |
| E | 23 | 2 | 2 |
| F | 24 | 0 | 0 |
| G | 29 | 15 | 18 |
| H | 17 | 8 | 8 |
| I | 26 | 13 | 14 |
| J | 11 | 9 | 9 |
| K | 9 | 3 | 4 |
| L | 3 | 3 | 3 |
| Total | 223 | 100 | 104 |
| Surplus (Unused) Spaces | | 123 | 119 |

Source: KBP Consulting, Inc., March 2019.

CONCLUSIONS AND RECOMMENDATIONS

The Pines 200 Plaza is an existing commercial / retail / office center located in the southeast corner of the intersection at Pines Boulevard (State Road 820) and NW / SW 202nd Avenue in the City of Pembroke Pines, Broward County, Florida. In order to assess the adequacy of the parking supply at the Pines 200 Plaza, a parking study has been conducted to document the parking supply and typical parking demand within the subject property.

In order to establish a baseline for both parking supply and parking demand within the Pines 200 Plaza, parking counts were performed by qualified transportation personnel. The parking supply for the subject site is 223 parking spaces. The parking counts measuring parking demand were performed on Thursday, March 7, 2019 from 7:00 AM to 7:30 PM. The peak parking demand occurred between 11:30 AM and 12:00 PM with 104 occupied parking spaces (or, 47% occupancy). During these peak time periods, it is projected that the Pines 200 Plaza parking facilities will have a minimum of 119 available parking spaces at any given time.

APPENDIX A

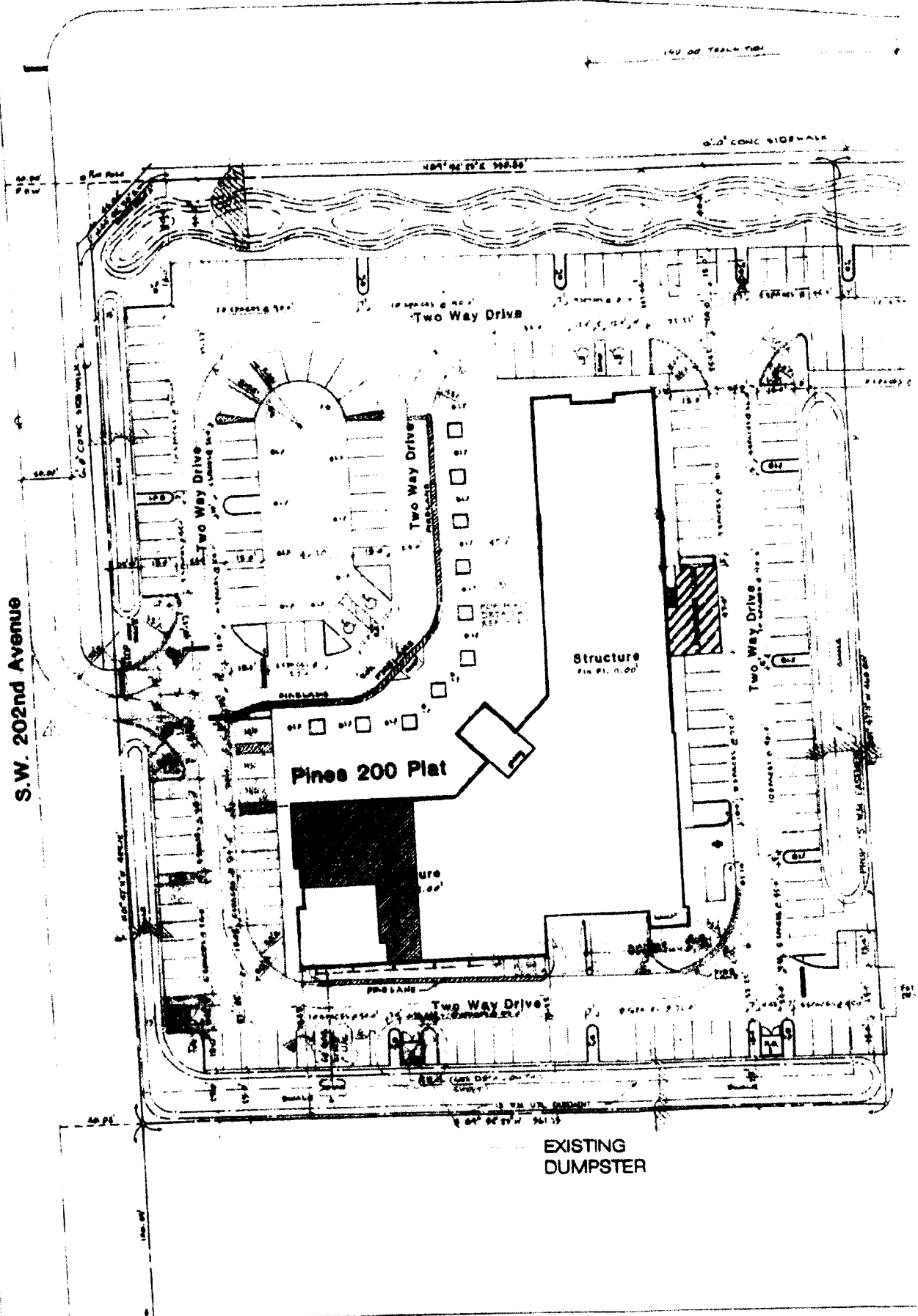
Pines 200 Plaza – Pembroke Pines, Florida

Site Plan

Pines Boulevard (Hollywood Blvd.)

S.W. 202nd Avenue

1 SITE PLAN



APPENDIX B

Pines 200 Plaza – Pembroke Pines, Florida

Parking Data

KBP Consulting, Inc.
 8400 N. University Drive
 Suite 309
 Tampa, Florida 33621
 (854) 960-7103

Project: 1. 4410 E. Fowler Ave. - 22nd St. - 1st St.
 Address: 4410 E. Fowler Ave.
 Parcel No.: 12-02-01-0000-0000-0000
 Date: 12/15/2011
 Page 12

| Parking Zone | Number of Available Spaces | Time Intervals | | | | | | | | | | | | | | | | | | | | | | | |
|--------------|----------------------------|---------------------------|--------------------|--------------------|--------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|---------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| | | Number of Pooled Vehicles | | | | | | | | | | | | | | | | | | | | | | | |
| | | 7:30 AM to 7:59 AM | 8:00 AM to 8:29 AM | 8:30 AM to 8:59 AM | 9:00 AM to 9:29 AM | 9:30 AM to 10:00 AM | 10:00 AM to 10:30 AM | 10:30 AM to 11:00 AM | 11:00 AM to 11:30 AM | 11:30 AM to 12:00 PM | 12:00 PM to 12:30 PM | 12:30 PM to 1:00 PM | 1:00 PM to 1:30 PM | 1:30 PM to 2:00 PM | 2:00 PM to 2:30 PM | 2:30 PM to 3:00 PM | 3:00 PM to 3:30 PM | 3:30 PM to 4:00 PM | 4:00 PM to 4:30 PM | 4:30 PM to 5:00 PM | 5:00 PM to 5:30 PM | 5:30 PM to 6:00 PM | 6:00 PM to 6:30 PM | 6:30 PM to 7:00 PM | 7:00 PM to 7:30 PM |
| A | 25 | | | | | | | | | | | | | | | | | | | | | | | | |
| B | 15 | | | | | | | | | | | | | | | | | | | | | | | | |
| C | 20 | | | | | | | | | | | | | | | | | | | | | | | | |
| D | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| E | 23 | | | | | | | | | | | | | | | | | | | | | | | | |
| F | 24 | | | | | | | | | | | | | | | | | | | | | | | | |
| G | 29 | | | | | | | | | | | | | | | | | | | | | | | | |
| H | 17 | | | | | | | | | | | | | | | | | | | | | | | | |
| I | 26 | | | | | | | | | | | | | | | | | | | | | | | | |
| J | 11 | | | | | | | | | | | | | | | | | | | | | | | | |
| K | 9 | | | | | | | | | | | | | | | | | | | | | | | | |
| L | 3 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | 223 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |

Printed: 12/15/2011 10:10 AM