

that at this time he wouldn't be able to provide an accurate maximum number of units and would appreciate the chance to continue working with the Planning and Zoning Board and the Pembroke Shores Homeowners toward reaching the density that is the best for the City and the community. At this time he voluntarily agreed to a limitation cap of 220 maximum units.

Member Girello moved to transmit the proposed amendments subject; to a limitation cap of 220 maximum units to the City Commission, Florida Department of Economic Opportunity, Broward County Planning Council and Broward County Commission with a positive recommendation subject to Broward County Commission approval of the associated County Amendment, and recertification of the City's land use plan. Member Labate seconded the motion.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Members Girello, Gonzalez

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director
Brian Sherman, Assistant City Attorney

On the motion by Member Girello, seconded by Member Labate, to transmit the proposed amendments subject; to a limitation of 220 maximum units to the City Commission, Florida Department of Economic Opportunity, Broward County Planning Council and Broward County Commission with a positive recommendation subject to Broward County Commission approval of the associated County Amendment, and recertification of the City's land use plan, and subject to a limitation cap of 220 maximum units, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Girello, Gonzalez, Labate

NAY: None

Motion Passed

OLD 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. 19-1076

ZV 2019-05, Holiday Showplace Plaza, 9101 - 9163 Taft Street, variance request. (Dean)

Chairman Rose 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.

Angela Martin, representing the petitioner, waived her right to the quasi-judicial proceedings.

Ms. Martin addressed the Planning and Zoning Board. She gave a brief overview of the proposed variance request.

The following summary was entered into the record:

Project Description / Background

Angela Martin, as agent for owner, is requesting a variance to allow the existing 124 parking spaces instead of the code required 139 parking spaces for Holiday Showplace Plaza. This plaza was built in 1976 (SP 74-05) and is considered existing legal non-conforming. Parking requirements and means of evaluating required parking have changed since the project was originally developed.

Proposed variance request would bring existing conditions into compliance, allow for minimal flexibility in future tenant mix without creating future parking issues. The existing parking chart showing required parking is included with attached Variance Request Application.

Due to the incorrect number of required parking spaces being used in the original public notice and advertising, this item was deferred from the August 8, 2019 meeting to this meeting.

Variance Request Detail:

ZV 2019-05) Allow 124 parking spaces instead the required 139 parking spaces for Holiday Showplace Plaza.

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

(A) Other uses. Minimum parking shall be required as set forth in Parking Chart. (attached)

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.

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, Members Girello, Gonzalez, Labate

The following members of staff spoke:

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

The following member of the public spoke:

Angela Martin, representing the petitioner

On a motion by Vice Chairman Jacob, seconded by Member Gonzalez, to deny, the Holiday Showplace Plaza (ZV 2019-05) variance request, the following vote was recorded:

AYE: Vice Chairman Jacob, Members Girello, Gonzalez

NAY: Chairman Rose, Member Labate

Motion Passed

NEW BUSINESS:

PUBLIC HEARING / REGULAR ITEMS:

3. 19-1077 ZC 2019-01, The purpose of this Public Hearing is to consider, amending the guidelines of the Mixed Use Development District (MXD) for the **Pembroke Pines Center** (ZC 2019-01) property generally located at the southwest corner of Pines Boulevard and west of Palm Avenue, containing a total net area of 161.36 acres more or less.

(This item will be heard as regular agenda item number 4.)

Chairman Rose stated the purpose of this Public Hearing is to consider, amending the guidelines of the Mixed Use Development District (MXD) for the **Pembroke Pines Center** (ZC 2019-01) property generally located at the southwest corner of Pines Boulevard and west of Palm Avenue, containing a total net area of 161.36 acres more or less.

The following staff report was entered for the record: