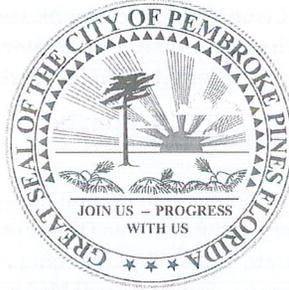


# City of Pembroke Pines, FL

*City of Pembroke Pines  
Planning and Zoning Board  
601 City Center Way  
Pembroke Pines, FL 33025*



## **Meeting Minutes - Draft**

**Thursday, May 28, 2020**

**6:30 PM**

**6:30 P.M. VIRTUAL REGULAR PLANNING AND ZONING BOARD  
MEETING**

**CITY HALL IS CLOSED TO THE PUBLIC DUE TO THE COVID-19  
PANDEMIC**

**Commission Chambers**

**Planning and Zoning Board**

**MEETING CALLED TO ORDER**

The Regular / Virtual Meeting of the Planning and Zoning Board of the City of Pembroke Pines was called to order by Chairman Rose, at 6:30 p.m., Thursday, May 28, 2020, at the Charles F. Dodge City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL

**ROLL CALL**

Present to-wit via Cisco Webex Communication Media Technology for the virtual meeting: Chairman Rose, Vice Chairman Jacob, Members Girello, Gonzalez, Labate, and Alternate Member Taylor.

Absent: Alternate Member Lippman.

Also present in the Commission Chambers for the virtual meeting: Michael Stamm, Jr., Planning and Economic Development Director; Joseph Yaciuk, Planning Administrator; Dean Piper, Zoning Administrator; Brian Sherman, Assistant City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

**SUBMISSION OF LOBBYING DISCLOSURE FORMS:**

There were no lobbying disclosure forms submitted at this time.

**APPROVAL OF MINUTES:**

20-0404 March 12, 2020

On a motion by Member Girello, seconded by Member Gonzalez, to approve, the minutes of the March 12, 2020 meeting, the following vote was recorded:

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

**NAY:** None

**Motion Passed**

**CONSENT AGENDA ITEMS:**

Chairman Rose inquired if any members of the board wished to pull any of the consent items for discussion.

Member Gonzalez requested to pull item number 2 for discussion.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against any of these items. No one wished to speak.

- 1. 20-0405 **SN 2020-04, Camden Portofino**, generally located north of Pines Boulevard and west of 108 Avenue, sign application. (Cole)

**PROJECT DESCRIPTION / BACKGROUND:**

Ken King, agent for property owner Portofino Place LTD % Camden, is requesting to reface residential entry signs to the Camden Portofino rental community generally located north of Pines Boulevard and west of 108 Avenue.

The Camden Portofino site plan was approved in 1995 (SP 95-81). Paint changes to the buildings were approved in 2011 via MSC 2011-11 and in 2016 via MSC 2016-07.

**SIGNAGE:**

The following signs are proposed to be refaced:

- The existing monument wall sign located at the northwest corner of Pines Boulevard and 108 Avenue. The sign will have 14.78 square feet of copy.
- The double sided entry sign located at the community entrance located north of Pines Boulevard on 108 avenue. The sign will have 13.07 square feet of copy.

All signs will be internally illuminated with push thru letters and read, "Camden Portofino Apartment Homes camdenlivin.com" Additionally the signs will feature a bird emblem.

The following colors are being proposed for both signs:

- o Main Body: PMS 281C (Blue)
- o Text: Standard White
- o Bird Emblem: Oracle 8500 (Lime Green)

The existing landscaping meets code requirements and will be restored to its original condition if damaged during construction.

No other site modifications are being proposed at this time.

**STAFF RECOMMENDATION:**

Staff has reviewed the proposed changes and finds that the proposal meets code requirements. Staff therefore recommends approval of this application.

On a motion by Member Labate, seconded by Member Gonzalez, to approve, as recommended by staff, consent agenda item number 1 (SN 2020-04, Camden Portofino), the following vote was recorded:

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

**NAY:** None

**Motion Passed**

2. 20-0406 **MSC 2020-03, Insurance Auto Auction**, 19700 Stirling Road, Installation of one canopy for storage of vehicles, miscellaneous application. (Cole)

Marc Tolliver, representing the petitioner, addressed the Planning and Zoning Board spoke via Cisco Webex Communication Media Technology. He gave a brief Power Point presentation of the proposed miscellaneous request.

The following staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Carnahan Proctor & Cross Inc., agent, is requesting approval to install a storage canopy at the Bergeron Outdoor Storage South property generally located south of Stirling Road and west of 196 Avenue. The canopy will be utilized by the Insurance Auto Auctions tenant.

On June 22, 2017 the Planning and Zoning Board approved with conditions a site plan amendment application (SP 2017-12) for the development of an outdoor industrial storage facility with site perimeter fencing and landscaping for the property. The approval allowed for the flexibility for tenants to lease one acre or larger storage spaces on site. The approved plan required all tenant storage areas to be enclosed by 6 foot high chainlink fences. These fences may be modified throughout the site by building permit only as long as minimum lot size requirements and associated building, engineering and fire access requirements are met. The approval also included the installation of perimeter landscape. As part of that approval, the applicant voluntarily agreed to return to the Board for consideration of associated sales trailers / permanent structures and parking areas for future tenants should that need arise.

In 2018, via MSC 2018-12 an office trailer along with associated parking and lighting was approved for the first tenant, Insurance Auto Auctions.

**BUILDINGS / STRUCTURES:**

The applicant proposes a 16'-6" tall, 30' x 125' (3,750 square feet) canopy. The following colors, which are consistent with the existing office trailer are proposed for the canopy.

- Main Body: SW 7006 (Extra White)
- Trim: SW 6868 (Real Red)

The canopy will be located 30' to the south of the existing Insurance Auto Auction office trailer, 710' from the nearest roadway and approximately (as measured by staff) 815' from the nearest residential property. The canopy will be used for storage of select vehicles that are to be reviewed by customers to determine if they would like to use Insurance Auto Auction's services.

No other site modifications are proposed at this time.

**STAFF RECOMMENDATION:**

Staff has reviewed the proposed changes and finds that the proposal meets all code requirements. Staff therefore recommends approval of this application.

The following member of the Planning and Zoning Board spoke spoke via Cisco Webex Communication Media Technology:

Member Gonzalez

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

The following member of the public spoke via Cisco Webex Communication Media Technology:

Marc Tolliver, representing the petitioner

On a motion by Member Gonzalez, seconded by Member Labate, to approve, as recommended by staff, the (MSC 2020-03, Insurance Auto Auction) miscellaneous request, the following vote was recorded:

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

NAY: None

Motion Passed

**NEW BUSINESS:**

**QUASI-JUDICIAL ITEMS:**

(Secretary’s Note: All affected parties were sworn under oath via Cisco Webex Communication Media Technology to give testimony in the relevant cases by the Assistant City Attorney.)

- 3. 20-0407 **ZI 2020-01, Round 1 Entertainment at Pembroke Lakes Mall**, 12055 Pines Boulevard, zoning interpretation. (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.

Steven Takeuchi, representing the petitioner, waived his right to the quasi-judicial proceedings.

Mr. Takeuchi addressed the Planning and Zoning Board via Cisco Webex Communication Media Technology. He gave a brief Power Point presentation of the proposed interpretation of use request.

The following staff summary was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Michael T. Brown, as agent for the owner, is requesting a Zoning Interpretation to allow a family entertainment center (Round 1 Entertainment) in the vacant Sears space at Pembroke Lakes Mall (12055 Pines Blvd.).

Round 1 Entertainment is proposing to occupy two floors of the former Sears space at the Pembroke Lakes Mall with a total of 102,000 square feet. The

applicant is proposing a variety of entertainment uses within the space including, but not limited to, bowling, billiards, party rooms, karaoke rooms, arcade games, snack bar and standard bar, mini golf, kid's soft play areas, shooting range (air soft), ping pong, basketball, trampoline, mechanical bull, soccer kicking game, dodgeball, archery, batting cages, roller skating rink, volleyball, badminton, a Segway track, seating and social areas.

The City's Code of Ordinances references and provides regulations for many of the uses listed above on an individual basis, nonetheless it does not contemplate them as one business in one space. The applicant is requesting a Zoning Interpretation that a family entertainment center be allowed in the vacant Sears space at Pembroke Lakes Mall (12055 Pines Blvd.)

#### VARIANCE REQUEST DETAILS:

ZI 2020-01) to allow a mixed use family entertainment center @ 12055 Pines Boulevard.

Code Reference: § 32.082 DUTIES AND RESPONSIBILITIES.

(B) For all non-single-family residential applicants, the Planning and Zoning Board shall perform the following duties and responsibilities: (4) Permit or authorize a use which is not specifically or implicitly prohibited in a zoning district, when the Board finds that the use is similar in character to a use permitted in that district and is not listed as a permitted use in a less restricted district.

#### INTERPRETATION 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:

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.

The following members of the Planning and Zoning Board spoke via Cisco Webex Communication Media Technology:

Chairman Rose, Vice Chairman Jacob, Members Girello, Gonzalez

The following members of staff spoke:

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

The following member of the public spoke via Cisco Webex Communication Media Technology:

Steven Takeuchi, representing the petitioner

On a motion by Member Labate, seconded by Member Gonzalez, to allow a

mixed use family entertainment center, within the former Sears tenant bay at Pembroke Lakes Mall (12055 Pines Boulevard), the following vote was recorded:

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

**NAY:** None

**Motion Passed**

- 4. 20-0408 **ZV 2020-01, Keiser University**, 1640 SW 145 Avenue, 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.

Andrea Keiser, attorney representing the petitioner, waived her right to the quasi-judicial proceedings.

Ms. Keiser addressed the Planning and Zoning Board via Cisco Webex Communication Media Technology. She gave a brief Power Point presentation of the proposed variance request.

The following summary was entered into the record:

**Project Description / Background**

Andrea Keiser, as agent for the owner, is requesting a variance to allow 342.96 square feet of total signage on site for Keiser University at 1640 SW 145th Avenue instead of the allowed 120 square feet of total signage on site.

The existing signage on Keiser University property, 100 sq. ft. wall signs on the west and east elevations, an 11.16 sq. ft. monument sign on the east side of the property at their parking lot entrance and a 40 sq. ft. monument sign on the west side of property along I-75, were approved by the Board of Adjustment on March 4, 2010 by Variance #'s ZV 2010-04 (west elevation), ZV 2010-05 (east elevation), ZV 2010-06 (11.16 sq. ft. monument sign) and ZV 2010-09 (40.5 sq. ft. monument sign). In addition, they received approval of Variance #'s ZV 2010-07 & 08 approving the second monument sign that is located on the west side of the property along I-75. The Code of Ordinances at that time would have allowed one 48 sq. ft. and three 16 sq. ft. wall signs (one sign on each side of the building) with no monument sign

During that meeting the petitioner pulled two other sign variance requests: ZV 2010-02 requesting 100 sq. ft. on the south elevation, instead of the allowed 48 sq. ft. and ZV 201-03 requesting 100 sq. ft. on the north elevation instead of the allowed 16 sq. ft.

Current Code of Ordinances (adopted in 2012) allows a freestanding building a maximum 120 square feet of signage for all wall signs AND a monument sign. The maximum size allowed for a monument sign is 7'-6" tall and 24 sq. ft. of sign copy.

Requested Variance # ZV 2020-01 is to add a 91.3 sq. ft. sign on the north elevation of the building for a total square feet of signage of 342.96 sq. ft. on site:

100 sq. ft. on the west elevation (existing by ZV 2010-04)  
100 sq. ft. on the east elevation (existing by ZV 2010-05)  
11.16 sq. ft. monument sign (existing by ZV 2010-06)  
40.5 sq. ft. monument sign (existing by ZV 2010-09)  
91.3 sq. ft. on north elevation (Proposed Variance ZV 2020-01)  
Total = 342.96 square feet

Variance Request Detail:

ZV 2020-01) Allow 342.96 square feet of total signage on site, instead of the allowed maximum of 120 square feet of signage on site.

Code Reference: §155.324 PERMANENT SIGNS.

(C) Business Zoning Districts.

(2) Outparcels and freestanding buildings.

(b) The maximum allowable sign area for an outparcel or freestanding building shall be 120 square feet.

(d) All outparcels and freestanding buildings shall be permitted to have one ground box sign. The maximum allowable size of the ground box sign shall be a maximum of 24 square feet. The square footage shall count towards the maximum allowable sign area as set forth in subsection (b). The height shall not exceed seven feet six inches.

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.

The following members of the Planning and Zoning Board spoke via Cisco Webex Communication Media Technology:

Vice Chairman Jacob, Member Gonzalez, Alternate Member Taylor

The following member of the public spoke via Cisco Webex Communication Media Technology:

Andrea Keiser, attorney representing the petitioner

On a motion by Member Girello, seconded by Member Labate, to grant, as determined by variance criteria "A", ZV 2018-09 to allow 342.96 square feet of total signage on site, instead of the allowed maximum of 120 square feet of signage on site, the following vote was recorded:

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

NAY: Member Gonzalez

Motion Passed

- 5. 20-0409 **SP 2019-08, Retail / Office Building @ Flamingo Pines Plaza**, generally located south of Pines Boulevard, west of Flamingo Road, site plan application. (Joseph)

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.

Moe Azar, representing the petitioner, waived his right to a quasi-judicial proceeding.

Mr. Azar addressed the Planning and Zoning Board via Cisco Webex Communication Media Technology. He gave a brief Power Point presentation of the proposed site plan amendment.

The following staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Owner JBL Flamingo Pines LLC. Is requesting site plan approval for the addition of an outbuilding with associated parking, traffic circulation, and landscape to accommodate the development at the Flamingo Pines Plaza located south of Pines Boulevard and west of Flamingo Road.

Flamingo Pines Shopping center was approved by the Planning and Zoning Board in 1985 and 1986 with outparcels and outbuildings being approved thereafter. Over the years, the shopping center has been divided into three

distinct centers owned by the following different entities:

- Walmart – Westernmost center (Formerly Shops at Home Depot) owned by WAL-MART STORES EAST LP.
- Flamingo Pines Plaza – Central Center plus one outbuilding (Current tenants include: La Granja, Honeybaked Ham, Latin American Grill, etc.) owned by applicant.
- Flamingo Falls Shopping Center – Easternmost Publix Shopping Center owned by WRI JT FLAMINGO PINES

In addition, several parcels (Wells Fargo, McDonalds, Wendy's, Boston Market, Amoco Gas, etc.) within each center are owned by other entities.

The Planning and Zoning Board at its December 13, 2018 meeting voted to deny a parking variance (ZV 2018-01) in order to allow for construction of a future building on this site.

The applicant later submitted the subject site plan with parking additions to conform to parking requirements.

#### **BUILDINGS / STRUCTURES:**

The proposed one story, 25'-6" high, 7,020 square foot building will be constructed over an existing parking field to the north main shopping center building as depicted in the attached site plan. The proposed site will not be an out parcel, rather an additional freestanding building within the shopping center. The proposed building will face north. 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 compatible with the colors of the main shopping center building:

- Base Color – Choice Cream (SW 6357)
- Base Stone Columns – Mountain Strip Stone Cape Cod Grey
- Storefront – Anodized Grey
- Columns – Artistic Taupe (SW 6030)
- Aluminum Architectural Slats – Dark Bronze
- Roof Tiles – Terra Cotta

#### **ACCESS:**

Access to this the project will continue to be through the existing shopping center entries off of Flamingo Road and Pines Boulevard.

#### **PARKING:**

The applicant proposes the following parking changes to their shopping center as a result of this application:

Immediate construction area:

- The removal of 64 parking spaces in the construction area.
- The addition of 39 new parking spaces around the proposed building.

Remainder of shopping center:

- The addition of 47 spaces added to the JBL outbuilding site.
- The addition of 29 spaces added throughout the remaining Flamingo Pines Plaza.

Overall, the proposed parking modifications will result in the gain of 51 net parking spaces on site.

In total, the applicant proposes 840 parking spaces for their portion of the shopping center and inclusive of a cross parking agreement with Walmart where 840 spaces are required based on proposed 80% retail/office use and 20% restaurant use for the new out building.

All parking data for shopping centers are maintained and adjusted by the Zoning Administrator as businesses are change through the Certificate of Occupancy process. In no case will this applicant be permitted any use in that center which exceeds parking provided unless parking relief is granted by the Planning and Zoning Board at a later date.

The applicant provides the City with a staging plan as a result of this application. The applicant acknowledges via email that they will build the necessary required parking per zoning demand for the center prior to demolition of the parking where the outbuilding is proposed. Further, the staging of this project will not interfere with fire access.

In addition to the parking, the applicant also proposes a loading area near the southwest corner of the building.

#### **SIGNAGE:**

The applicant revised the existing Uniform Sign Plan to add this building to the current plan. All attached building signs shall be compliant with the previously approved uniform sign plan for the shopping center. The tenant will also occupy a panel on the monument sign which must also be compliant with Uniform Sign plan requirements.

A 32 square foot menu board will be located on the east elevation of the building, just south of the drive-thru service window.

#### **LANDSCAPING:**

Landscape proposed for this site plan includes the following:

- Installation of 65 trees, 1 palm, and 4,829 shrubs is proposed on the property. Primary species of trees include Black Ironwood, Paradise Tree, and Green Buttonwood. Primary species of palms include Sabal Palm. Primary species of shrubs include Dwarf Asian Jasmine, Green Island Ficus, and Cocoplum.

#### **OTHER SITE FEATURES:**

A new dumpster and enclosure will be located at the southwest corner of the new outbuilding. Colors of the enclosure to match the new building. The

dumpster location has been reviewed by WASTEPRO and found to be acceptable.

**STAFF RECOMMENDATION:**

Approval, subject to applicant build the necessary required parking per zoning demand for the center prior to demolition of the parking where the outbuilding is proposed.

Chairman Rose inquired if the petitioner accepts staff recommendations.

Moe Azar, representing the petitioner, answered in the affirmative.

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 via Cisco Webex Communication Media Technology:

Vice Chairman Jacob, Members Girello, Gonzalez

The following member of the public spoke via Cisco Webex Communication Media Technology:

Moe Azar, representing the petitioner

On the motion by Vice Chairman Jacob, seconded by Member Girello, to approve, as recommended by staff, the Retail / Office Building @ Flamingo Pines Plaza site plan application (SP 2019-08), the following vote was recorded:

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

**NAY:** None

Motion Passed

**6. 20-0410 SP 2020-02, Cali Coffee, 18440 W Pines Boulevard, site plan application. (Joseph)**

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.

Carlos Florian, representing the petitioner, waived his right to a quasi-judicial proceeding.

Mr. Florian addressed the Planning and Zoning Board via Cisco Webex Communication Media Technology. He gave a brief Power Point presentation of the proposed site plan amendment.

The following staff report was entered into the record:

**PROJECT DESCRIPTION / BACKGROUND:**

Carlos Florian of Kimley Horn, agent for business owner Craig Avera., submitted a site plan request to add a new coffee shop (restaurant building) with drive-thru and associated parking, landscape, and signage to be located within the Pines Crossing shopping center located south of Pines Boulevard and west of Southwest 184 Avenue.

The City Planning and Zoning Board approved the underlying Pines Crossing Plaza (SP 2013-10) on January 14, 2014. The approved shopping center master plan consisted of 4 parcels:

- My Eco Car Wash (Built – Parcel 1)
- Walgreens parcel (Built – Parcel 2)
- ALDI parcel (Built – Parcel 3)
- 1 grassed parcel for future development (Vacant subject parcel – Parcel 4)

The proposed coffee shop is the final building contemplated within this shopping center.

**BUILDINGS / STRUCTURES:**

The applicant proposes a 22'-7" foot high (highest point), 2,981 square foot building with drive-thru to the site on parcel 4 of the property near the northwest corner of the shopping center. The applicant proposes the following color selections for the buildings which are compatible with the colors of the existing shopping center buildings:

- Base Colors – Benjamin Moore Bleeker Beige, Elmira White
- Parapet – Benjamin Moore White Dove
- Faux Windows – Benjamin Moore Kingsport Gray
- Faux Wood Veneer – Burma
- Base Stone – Warm Gray
- Storefront – Black
- Roof – Barrel Tile Terracotta

The proposed building will house a kitchen and storage area. No patrons will enter the building. Business will primarily be held through the drive thru service on the south side of the building as well as a walk up window on the east elevation of the building.

**ACCESS:**

The site will be accessed through current shopping center driveways on Pines Boulevard and Southwest 184 Avenue.

**PARKING:**

The shopping center as a whole requires 145 parking spaces based on all existing uses within the shopping center as well as the addition of the proposed Cali Coffee building and outdoor seating. 184 parking spaces are provided throughout the entire center.

A drive-thru lane with bypass will be located to the east of the proposed

building. The proposed drive-thru will accommodate 8 stacking spaces before the service window, which exceeds Code requirements.

A walkway on east side of the building running parallel to the drive-thru lane will be protected by illuminated bollards.

**SIGNAGE:**

Attached building signs will be required to comply with the Uniform Sign Plan which was previously approved Pines Crossing shopping center submittal. The tenant will also occupy a panel on the monument sign which must also be compliant with Uniform Sign plan requirements.

A 32 square foot menu board will be located on the east elevation of the building, just south of the drive-thru service window.

**LANDSCAPING:**

The applicant includes the following landscape on site in addition to the landscape already approved for the center:

■ Installation of 2 trees, 2 palms, and 343 shrubs is proposed on the property. Primary species of trees include Southern Live Oak. Primary species of palms include Montgomery Palm. Primary species of shrubs Cocoplum, Dwarf Yaupon, and Blueberry Flax Lily.

**OTHER SITE FEATURES:**

A 470 square foot outdoor dining area is proposed to the east of the building adjacent to the walk up window. The outdoor dining area will consist on 3 tables and 4 seats per table. The outdoor dining area will be enclosed by 3 foot high fence. Access to the dining area will be through a gate on the west side of the dining area.

A new dumpster and enclosure will be located to the south of the new outbuilding. Colors of the enclosure to match the new building. The dumpster location has been reviewed by WASTEPRO and found to be acceptable.

One light pole will be located at the northeast corner of the Cali Coffee parcel. The new light pole and fixture will match the current shopping center lighting. In addition, recessed under canopy lighting is proposed on the north and east building elevations.

**STAFF RECOMMENDATION:**

Staff has reviewed the proposed changes and finds that the proposal meets code requirements. Staff therefore recommends approval of this application.

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 via Cisco Webex Communication Media Technology:

Vice Chairman Jacob, Members Girello, Gonzalez, Labate  
 Alternate Member Taylor

The following member of the public spoke via Cisco Webex  
 Communication Media Technology:

Carlos Florian, representing the petitioner

On the motion by Member Girello, seconded by Member Gonzalez, to approve,  
 as recommended by staff, the Cali Coffee site plan application (SP 2020-02),  
 the following vote was recorded:

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

NAY: None

Motion Passed

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

Chairman Rose stated that Alternate Member Lippman has requested an  
 excused absence from tonight’s meeting.

On a motion by Member Labate, seconded by Member Gonzalez, to excuse  
 Alternate Member Lippman from tonight’s meeting, the following vote was  
 recorded:

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

NAY: None

Motion Passed

**ITEMS AT THE REQUEST OF STAFF:**

- 7. 20-0411 Land Development Code Review (LDC) Update / **AM 2020-01** Article 3  
 Administration

Michael Stamm, Jr., Planning and Economic Development Director, gave a  
 brief presentation on the proposed Land Development Code Review (LDC)  
 Update (Article 3 Administration).

The following staff summary was entered into the record::

**PROJECT DESCRIPTION / BACKGROUND:**

The City of Pembroke Pines has contracted with Calvin Giordano and  
 Associates (CGA) to update the City Land Development Code (LDC). The  
 general goals of the Land Development Code update include the following:

- To consolidate most development related activities / regulations into one  
 area of the Code.
- To make the Code easier to understand for all parties.

- Ensure all development applications and processes are updated to current practices.
- To review current Code and remove obsolete uses / regulations / zoning districts.
- To ensure the Code remains consistent with Comprehensive Plan.
- To strengthen the Code from a legal perspective.
- Free the Code of contradictions and cross referencing errors.
- Encourage public participation.

The identified target audiences of the Land Development Code Update include the following:

- Residents / Public
- Developers
- Business Owners
- Legal Community
- City Staff
- City Advisory Boards

Calvin Giordano and Associates role in this process includes the following:

- Overall technical assistance in drafting the Code update.
- Help facilitate public participation
- Attend and participate in staff meetings and public meetings.
- Website & Graphics creation
- Coordinate and attend stakeholder interviews.
- Create drafts and revisions to the Code based on stakeholder input.

Calvin Giordano and Associates is contracted to complete the Land Development Code updates by September 2020. To date, the following meetings have taken place related to this project:

- November 19, 2018 City Commission meeting: Approved the City budget which included the funding of the Land Development Code Update project.
- January 30, 2019 City Commission meeting: Contract Proposal received by Calvin, Giordano & Associates
- March 11, 2019 City Commission meeting: Contract Accepted by City of Pembroke Pines
- June 13, 2019: Joint Advisory Board, Kick-off Meeting (Public Meeting)
- June- August 2019: Internal Staff Meetings
- August 28, 2019: Open House #1 (Public Meeting)
- September, 2019: Annotated Outline Created
- October 10, 2019: Project Update provided to Planning and Zoning Board (Public Meeting)
- October 15, 2019: Staff Working Group (Public Meeting)
- October 29, 2019: Staff Working Group (Public Meeting)
- November 19, 2019: Staff Working Group (Public Meeting)
- December 03, 2019: Staff Working Group (Public Meeting)
- January 07, 2020: Staff Working Group (Public Meeting)
- January 21, 2020: Staff Working Group (Public Meeting)
- January 23, 2020: Planning and Zoning Board Meeting transmitting Article 1 to City Commission.
- March, 4, 2020: City Commission Meeting motion to accept Article 1
- March 17, 2020: Staff Working Group (Public Meeting)

Based on the meetings above, CGA and the City have created an overall outline as to the organization of this Code. Both the City staff and consultant have agreed to reorganize the proposed Land Development Code into the following general Articles as stated below:

- Article I: Purpose
- Article II: Definitions
- Article III: Administration – Summary of development application types and processes
- Article IV: Zoning Districts – List of all zoning districts with general development criteria specific to that zone.
- Article V: Use Regulations – Creation of a use table which outlines uses and the zone in which those uses are permitted. Additional criteria for specific uses (ie. Schools, Adult Entertainment)
- Article VI: General Zoning Regulations – Site specific supplemental regulations which apply to more than one zoning district (ie: Land Use separation requirements, accessory structures, driveways)
- Article VII: Development Regulations – Other larger scale regulations related to a site. (ie. Signage, Lighting, Landscape)

The City Commission at its January 15, 2020 meeting endorsed staff's proposed review process for the reorganization of this large document. Under the proposal, staff would bring each article separately to the Planning and Zoning Board for consideration. Each individual article would then be transmitted to the City Commission for first reading review. After passage of the first reading, the article would be scheduled for second reading only after all remaining articles have been passed on first reading. The order in which the articles are to be reviewed by the Boards would be determined by staff. Second reading of the entire document has been tentatively scheduled toward the end of the year. It is anticipated that the new Code will take effect in January 2021.

Article 1 was approved by the Planning and Zoning Board on January 23, 2020 and City Commission on March 4, 2020.

Tonight, the City is proposing Article 3 of the Land Development Code update entitled, "Administration".

#### ARTICLE 3 – ADMINISTRATION

Article 3 of the Land Development Code was created in order to provide a user a list of all development applications that are available through the Planning and Economic Development Department as well as the general processes an applicant would need to follow in order to move forward with such requests. The article further consolidates all administrative, legal and Board roles into one article where currently these functions are silent or currently found in different sections throughout the current version of the Code. In addition to the consolidation of functions, staff worked with CGA to recommend substantive modifications to Board and staff review processes (which are listed in bold below) to achieve greater efficiencies within the development process. Below is a summary of the structure and highlights of the new Article:

- **155.300 Purpose and Applicability**
  - o Establishes the scope of the article and what applications and decision

types apply.

- 155.301 Application Specific Procedures
  - o Table that outlines the processes for all applications that are processed by the Planning and Economic Development Department.
  - o Site Plan
    - Continues to require that all buildings 50 feet or higher receive both Planning and Zoning Board as well as final City Commission review.
    - Modification of current regulations to allow site plan and site plan amendment applications under the height threshold within planned districts to be final at Planning and Zoning Board.
    - Modification of current regulations to allow alternative buffer yard consideration to be final at Planning and Zoning Board.
  - o Administrative Review
    - Establishes administrative review procedures for minor revisions to an approved plan. Applications may either processed through issuance of a Zoning Letter or by review and action by the Planning and Zoning Board at discretion of the Planning and Economic Development Director.
  - o Special Exception (currently 155.283)
    - Modification to have uses as outlined in Article 5 reviewed by City Commission in addition to Planning and Zoning Board Review.
- 155.302 Notice Requirements
  - o Creation of a table that identifies what noticing will be required for each development type.
  - o Consolidation of the types of noticing and requirements for the applications processed by the Planning and Economic Development Department.
  - o Consolidation of code sections 155.396 and 155.411, which discuss noticing to homeowner associations and noticing requirements for a zoning change into one easy to read and located section.
  - o There will be no change from current noticing procedures.
- 155.303 Review and Decision Making Authorities.
  - o Clearly outlines the purpose and powers of the following bodies as they relate to the development applications found within the LDC, Planning and Economic Development Department Staff, Development Review Committee, Board of Adjustment, Planning and Zoning Board, and City Commission.
  - o Information was relocated, updated, organized and condensed from Chapter 32 (Departments, Boards, and Commissions) of the City Code.
- 155.304 Quasi-Judicial Proceedings.
  - o Relocated from chapter 37 of the City Code, which details the quasi-judicial proceedings.
  - o Update to the applicability section to include current applications.
  - o Process remains unchanged.
- 155.305 Zoning in Progress
  - o Currently section 150.01, which is lacking certain information and details.
  - o With assistance from the City Attorney's Office, the section was rewritten to provide a clear process for zoning in progress.
- 155.306 Application Submittal Procedures
  - o Establishes criteria to determine application completeness consistent with Florida statute 166.033.
  - o Pre-application meetings will now be required for all applications unless waived by the Planning and Economic Development Department Director. The pre-application meeting will help determine which process or processes will apply to the proposed project.
  - o Outlines fees that may be associated with the applications (currently 155.800). No changes to fees.

- o Outlines the documents that may be required for submittal including but not limited to the applications, fees, plans, and studies including traffic analysis, economic impact, stacking or market demand as requested by the City.
  - 155.307 Staff Review and Action
- o Outlines the procedure for staff review and action for development applications. There will be no change to the staff review or action process.
  - 155.308 Post Decision Actions and Limitations
- o Outlines the actions once a decision is formal rendered. There will be no change for the current operating procedures.
- o Approvals are solely for the application applied for and does not guarantee approval of any subsequent.
- o Approvals shall expire after 1 year of inactivity, excluding those that result from an ordinance or resolution. Extensions may be given by the Planning and Zoning Board or in accordance with F.S 252.363.
- o Amendments to an approved applications shall require resubmittal.
- o Approval under the provision of this LDC does not provide exemption from building permits or outside agency review.
  - 155.309 Application Withdrawal Process
- o Formally codifies the withdrawal process. No changes from current operating procedure.
- o To withdrawal a formal letter must be submitted to the Director of the Planning and Economic Development Department.
  - 155.310 Application Refunds
- o No refunds shall be given unless granted by the City Manager or designee
- o No change from current operating procedure
  - 155.311 Application Appeal Process
- o Consolidation and clarification of appeal procedures for Board of Adjustment, Planning and Zoning Board and City Commission items that fall under this LDC.
- o The process shall remain unchanged and come from current code sections found within Chapter 32
  - 155.312 Application Deferral Process
- o Codification of existing deferral procedures.
  - 155.313 Enforcement
- o Modernization and consolidation of sections 155.013 (Nuisances) and 155.999 (Penalty). Sections are now tailored to the scope of the LDC.
- o Outlines enforcing bodies of this LDC, which include but not limited to the Planning and Economic Development Department and the Code Compliance Division.
- o Established specific violations of this LDC.

**STAFF RECOMMENDATION:**

Staff recommendation: Direct staff to work with the City Attorney to draft an Ordinance for transmittal to the City Commission for their review.

The following members of the Planning and Zoning Board spoke via Cisco Webex Communication Media Technology:

Chairman Rose, Vice Chairman Jacob, Member Girello, Gonzalez, Labate  
Alternate Member Taylor

On a motion by Member Girello, seconded by Member Gonzalez, to direct staff to work with the City Attorney to draft an Ordinance for transmittal to the City

Commission for their review, the following vote was recorded:

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

**NAY:** None

**Motion Passed**

**ADJOURNMENT:**

Chairman Rose adjourned the meeting at 8:10 p.m.

**ADJOURNED:**  
8:10 P.M.

Respectfully submitted:

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**Sheryl McCoy**  
Board Secretary