

March 11, 2021

The Regular / Virtual Meeting of the Planning and Zoning Board of the City of Pembroke Pines was called to order by Chairman Rose, via Cisco Webex Communication Media Technology, at 6:30 p.m., Thursday, March 11, 2021, at the Charles F. Dodge City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL.

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

Chairman Rose stated that Alternate Member Lippman will be a voting member for this evenings meeting.

SUBMISSION OF LOBBYING DISCLOSURE FORMS:

There were no lobbying disclosure forms submitted at this time.

APPROVAL OF MINUTES:

On a motion by Member Labate, seconded by Alternate Member Lippman, to approve, the minutes of the December 10, 2020, January 14, 2021, and February 11, 2021 meetings, the following vote was recorded:

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

NAY: None

Motion Passed

NEW BUSINESS:
CONSENT AGENDA:

Chairman Rose inquired if any members of the board wished to pull any of the consent items for discussion. No items were pulled 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. **MSC 2021-02, SPG – Village Tavern**, 14555 SW 2 Street, addition of an outdoor dining patio to an existing perimeter building, miscellaneous application.

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Scott Richardson, restaurant owner, is requesting approval for the addition of a 1,665 square foot outdoor dining patio to the Village Tavern tenant at the Shops at Pembroke Gardens site, generally located south of Pines Boulevard and west of Southwest 145 Avenue located within building 15000.

The Shops at Pembroke Gardens was approved through SP 2005-36. An amendment was made to the site plan in 2006 (SP 2006-27, Architectural changes). Village Tavern was approved as a perimeter building in 2006 (SP 2006-54). In 2014, a patio with covered awning was approved via MSC 2014-44.

BUILDINGS / STRUCTURES:

The proposed 1,665 square foot patio located on the southeast side of the existing building shall include the following:

- 10 Tables and 40 chairs covered by yellow umbrellas.
- The area shall be enclosed by a 3' tall PVC fence. Protective bollards will also be installed along the southern perimeter of the patio to provide protection from the traffic entering the center.
- The patio shall be illuminated with string lighting. The lighting will be suspended from the building façade to 10 black 9' tall poles at the opposite end of the patio.
- The proposed patio layout will maintain the existing 5' wide walkway as required by the PCD guidelines.

LANDSCAPING:

The existing landscaping in the proposed patio area, which includes 2 Royal Palms, 1 Oak tree, and Podocarpus hedge shall be relocated adjacent to the north side of the building.

STAFF RECOMMENDATION:

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

On a motion by Member Gonzalez, seconded by Member Labate, to approve, as recommended by staff, consent agenda item number 1 (MSC 2021-02, SPG – Village Tavern), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

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 Sherman.)

2. **ZV 2020-09, Tractor Supply Company**, generally located on the south side of Pines Boulevard, west of SW 196 Avenue, variance request.

Elizabeth Adler, attorney representing the petitioner, 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:

Michael D. Miles of Dynamic Engineering Consultants, LLC, as agent, is requesting a parking variance, ZV 2020-09, to allow 70 parking spaces instead of the required 130 Parking spaces, for Tractor Supply, located east of Pines 200 Plaza (20170 Pines Boulevard).

On December 12, 2019 the Planning & Zoning Board approved parking Variance #ZV

2019-12 for the Pines 200 Plaza. This approval allows for the removal of parking spaces currently located along the northern property line of this parcel.

On February 3, 2021, Zoning Change #ZC 2020-03 was adopted by the City Commission, re-zoning the property from Community Business (B-2) Districts to Commercial (C-1) Districts, allowing B-2 uses along with voluntary restrictive covenants that further restricted the property to be used only for retail operation, which may include one or more of the following uses as accessory uses to the retail operation: “agricultural implements,” “feed,” “fertilizer,” “fuel,” “machinery,” and “tractors” sales and display facility (as designated in the Code) with appurtenant outdoor display area, “bottle gas storage, filling, and distribution,” (as designated in the Code), and “storage warehouse” (as designated in the Code).

The related site plan amendment application will require future Planning and Zoning Board review should this variance receive a favorable outcome.

VARIANCE REQUEST DETAILS:

ZV 2020-09) to allow 70 parking spaces instead of the required 130 parking spaces.

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

The off-street parking required by this subchapter shall be provided and maintained on the basis of the following minimum requirements:

(A) Other uses. Minimum parking shall be required as set forth in the matrix below.

*(Refer to code section in its entirety)

(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 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 via Cisco Webex Communication Media Technology:

Chairman Rose, Vice Chairman Jacob, Member Gonzalez
Alternate Member Lippman

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

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

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

Elizabeth Adler, attorney representing the petitioner
Heather Lambert, resident Pembroke Pines

On a motion by Alternate Member Lippman, seconded by Member Labate, to grant, as determined by variance criteria "A", ZV 2020-09 (Tractor Supply Company) to allow 70 parking spaces instead of the required 130 parking spaces, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

NAY: None

Motion Passed

3. **ZV 2021-01, Bombshell's Pembroke Pines**, 15901 Pines Boulevard, variance request.
4. **ZV 2021-02, Bombshell's Pembroke Pines**, 15901 Pines Boulevard, variance request.
5. **ZV 2021-03, Bombshell's Pembroke Pines**, 15901 Pines Boulevard, variance request.

Chairman Rose noted that agenda item numbers 3 through 5 are related. He requested to have the petitioner present them at the same time. He also noted that each item will be voted on separately.

Elizabeth Adler, attorney representing the petitioner, 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:

Stephen Botek, as agent, is requesting three (3) variances for the proposed Bombshell's restaurant (formerly Sweet Tomatoes) at 15901 Pines Boulevard. The existing restaurant space was approved in May of 1999 by Site Plan #SP 99-02.

The related site plan amendment, Site Plan #SP 2021-01, proposes adding 1,791 square feet of outdoor dining area to the existing restaurant building which increases the required parking on site to 112 parking spaces.

Variance ZV 2021-01 is requesting a variance to allow the existing 91 parking spaces instead of the required 112 parking spaces; ZV 2021-02 is requesting a sign variance to allow 408.81 square feet of total signage on site (384.81 sq. ft. of building signage and a new 24 sq. ft. monument sign); and ZV 2021-03 is requesting a sign variance to allow 384.81 square feet of signage on the secondary frontage of the building instead of the allowed maximum 60 square feet.

Depending on the outcome of the variances, SP 2021-01, showing all details of elevation changes, outdoor dining area and new signage will be seen by the Planning & Zoning Board at a later date.

VARIANCE REQUEST DETAILS:

ZV 2021-01)

§ 155.251 AMOUNT OF OFF-STREET PARKING REQUIRED.

The off-street parking required by this subchapter shall be provided and maintained on the basis of the following minimum requirements:

- (A) Other uses. Minimum parking shall be required as set forth in the matrix below.
*(Refer to code section in its entirety)
- (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.

ZV 2021-02)

§ 155.324 PERMANENT SIGNS.

(C) Business Zoning Districts.

- (2) Outparcels and freestanding buildings. Unless otherwise provided for herein, signs for all outparcels and freestanding buildings shall be subject to the same provisions of § 155.326(C)(6) for shopping center tenants.
- (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.

ZV 2021-03)

§ 155.324 PERMANENT SIGNS.

(C) Business Zoning Districts.

- (2) Outparcels and freestanding buildings. Unless otherwise provided for herein, signs for all outparcels and freestanding buildings shall be subject to the same provisions of § 155.326(C)(6) for shopping center tenants.
- (e) Signs on outparcels and freestanding buildings may be placed on any elevation, however signs on the primary facade of the outparcel or building shall not exceed 50% of the total allowable square footage. Secondary sign area shall be equal to or less than the sign on the primary facade.

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 these items. No one wished to speak.

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

Chairman Rose, Vice Chairman Jacob, Members Gonzalez, Labate
Alternate Member Lippman

The following members of staff spoke via Cisco Webex Communication Media Technology:

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

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

Elizabeth Adler, attorney representing the petitioner

Elizabeth Adler, requested to amend variance request ZV 2021-03 to reduce the request

from 384.81 square feet of signage on the secondary frontage of the building to 95.2 square feet of signage on the secondary frontage of the building.

Michael Stamm, Jr., Planning and Economic Development Director, clarified that if the Planning and Zoning Board accepts the amendment the applicant will be in compliance with the 120 square feet of total signage and that ZV 2021-02 will be removed from the table but, ZV 2021-03 will still be 35.2 square feet over the allowed 60 square feet of signage on the secondary frontage of the building.

Elizabeth Adler, attorney representing the petitioner, requested to defer variance request ZV 2021-01 (parking) to the April 8, 2021 meeting in order to provide additional parking agreements that we are currently procuring.

On a motion by Alternate Member Lippman, seconded by Member Gonzalez, to defer variance request, ZV 2021-01 (Bombshell's Pembroke Pines) to the April 8, 2021 meeting, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

NAY: None

Motion Passed

Brian Sherman, Assistant City Attorney, requested to change the order of business and vote on ZV 2021-03 at this time. He clarified for the record that if the variance passes, as amended by the petitioner, then ZV 2021-02 can be withdrawn by the applicant because, all signage will meet code.

It was the consensus of the Planning and Zoning Board to change the order of business and vote on ZV 2021-03 at this time.

On a motion by Alternate Member Lippman, seconded by Member Labate, to grant, as determined by variance criteria "B", ZV 2021-03 (Bombshell's Pembroke Pines) to allow 95.2

square feet of signage on the secondary frontage of the building instead of the allowed maximum 60 square feet, the following vote was recorded:

AYE: Chairman Rose, Members Gonzalez, Labate, Alternate Member Lippman

NAY: Vice Chairman Jacob

Motion Passed

Elizabeth Adler, attorney representing the petitioner, withdrew petition ZV 2021-02 from the table.

6. **SP 2020-07, Memorial Same Day Surgery Expansion**, 703 North Flamingo Road, site plan amendment.

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.

Mark Rickards, representing the petitioner, waived his right to a quasi-judicial proceeding.

Mr. Rickards addressed the Planning and Zoning Board. He gave a brief overview of the proposed site plan amendment.

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Kimley Horn, agent for owner South Broward Hospital District, has requested site plan consideration for a building expansion to the Memorial Same Day Surgery Center generally located north of Pines Boulevard and east of Flamingo Road

On June 9, 1994, the Planning and Zoning Board approved the Same Day Surgery Center (SP 94-21) for the hospital. A site plan amendment application to the Same Day Surgery site (SP 95-52) for new parking and landscaping additions was later approved by the Planning and Zoning Board at its June 22, 1995 meeting.

The City Commission at its March 2, 2016 meeting approved a text amendment to the City Code of Ordinances (Ordinance 1841) allowing for the creation of the Hospital District (HD) zoning classification. Memorial West Hospital property was rezoned to HD on October 19, 2016 via Ordinance 1856. The Same Day Surgery Center building was included in the HD guidelines and is part of the master plan for the hospital.

BUILDINGS / STRUCTURES:

The applicant proposes the following expansions to the existing Same Day Surgery building:

- A 1,059 square foot addition over an existing courtyard / loading area at the west side of the Surgery Center. (Expansion A)
- A 2,700 square foot addition at the southeast corner of the Surgery Center. (Expansion B)

Total Building Expansion = 3,759 square feet

Per the proposed floor plan, expansion A will house a pain procedure room and equipment storage while expansion B will include 2 operating rooms with associated mechanical equipment and storage.

The proposed expansions will match the existing color and materials of the building. One door will be provided on the west elevation of Expansion A. A double door is proposed on the north elevation of Expansion B.

LANDSCAPING:

Landscape changes proposed as a result of this application include:

- Installation of 481 shrubs, accent plants, and ground covers are proposed on the property. Relocation of 10 palms and 5 hardwood trees. Primary species of shrubs, accent plants, and ground covers include Asiatic Jasmine, Dwarf Yaupon Holly, and Dwarf variegated Schefflera.

OTHER SITE FEATURES:

A new accessible sidewalk with ramp will be located to the south of expansion B. The sidewalk will connect the expansion to the existing sidewalk to the east.

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

STAFF RECOMMENDATION:

Approval

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

Member Gonzalez

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

Mark Rickards, representing the petitioner

On a motion by Vice Chairman Jacob, seconded by Alternate Member Lippman, to approve, as recommended by staff, the Memorial Same Day Surgery Expansion site plan amendment (SP 2020-07), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

NAY: None

Motion Passed

7. SP 2020-09, Finger Lickin, 1485 South Hiatus Road, site plan amendment.

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.

Manny Synalovski, architect representing the petitioner, waived his right to a quasi-judicial

proceeding.

Mr. Synalovski addressed the Planning and Zoning Board. He gave a brief overview of the proposed site plan amendment.

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

SRS Architects at the request of property owner Flakey Crust, LLC., has submitted a site plan amendment application for the property located at 1485 South Hiatus Road (AKA: Finger Lickin' restaurant at Village of Mayfair). The applicant proposes an of the existing restaurant building.

Background

The City Planning and Zoning Board at its April 18, 2007 meeting approved the underlying multi-building Villages of Mayfair commercial center site plan for this site. Additional amendments to the shopping center occurred as follows:

- 2007 – Miscellaneous Building modifications (MSC 2007-71)
- 2008 - Site layout modifications to Buildings 1, 2 and 3, additional drive-thru lanes and outdoor dining area for Building 2, and modifications to all the building colors. (SP 2008-02)
- 2010 – Building modification to accommodate Flakey Crust restaurant (Subject Building) dumpster, lighting, parking and landscape changes. (MSC 2010-07)
- 2014 – Reinstatement of the site plan after project inactivity. (SP 2014-22)
- 2015 – Modifications to building #7 with associated parking, lighting and landscaping changes. (SP 2015-01).
- 2017 – Addition of the WAWA gas station outparcel (SP 2017-03).

The 9 building shopping center site is currently unfinished as five of the approved buildings have not been constructed.

The Planning and Zoning Board at its February 11, 2021 meeting approved a parking variance (ZV 2020-08) for this site in order to allow the proposed restaurant expansion to be considered.

BUILDINGS / STRUCTURES:

The applicant proposes a one story, 3,167 addition to the existing restaurant kitchen area. The building addition will match the height, architecture, materials and colors of the existing building. None of the building area will be utilized as customer service area for the restaurant.

ACCESS:

Access to this site will remain as previously approved with multiple access points from Pembroke Road and Hiatus Road.

PARKING:

The site provides for 424 parking spaces where 440 spaces are required based on required based on the expansion. The applicant received a parking variance (ZV 2020-08) on February 11, 2021 to allow for this proposal to move forward.

SIGNAGE:

There is no signage proposed for this project. All tenant signs are subject to the approved shopping center uniform sign plan.

LANDSCAPING:

Landscape included within this submittal consists of the following:

- Installation of 203 shrubs are proposed on the property. Primary species of shrubs include Little Ruby and Green Island Ficus.

STAFF RECOMMENDATION:

Approval.

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:

Member Gonzalez, Alternate Member Lippman

Member Gonzalez questioned if the petitioner could replace the Green Island Ficus shrub material with another type of shrub material.

Manny Synalovski, representing the petitioner, voluntarily agreed to install a different type of shrub as approved by staff.

On the motion by Member Gonzalez, seconded by Member Labate, to approve, as recommended by staff, the Finger Lickin site plan amendment (SP 2020-09), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

NAY: None

Motion Passed

8. **SP 2020-10, 16000 Pines Market Grocer Tenant**, south of Pines Boulevard and East of Dykes Road, site plan application.

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.

Traci Golownia, architect representing the petitioner, waived her right to a quasi-judicial proceeding.

Ms. Golownia addressed the Planning and Zoning Board. She gave a brief overview of the proposed site plan amendment.

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

RSP Architects, agent for owner, 16000 Pines Retail Investments, LLC, requests consideration to amend the previously approved shopping center site plan with a new grocer tenant façade, modifications to landscape, parking and traffic circulation. The previously

approved tenant façade had been previously designed for another grocer tenant (Earthfare) however that tenant later opted not to pursue this location. The shopping center owner appears to have been able to find another grocer to occupy the site. The proposed façade change now reflects the needs of the new grocer tenant.

The 16000 Pines Market shopping center is generally located south of Pines Boulevard and east of Dykes Road. This property formerly housed the United States Postal Service (USPS) Distribution facility and is being redeveloped at this time.

On November 14, 2016, the City Commission approved a site plan (SP 2016-14) for a portion of this property consisting of the development of a main shopping center building, a post office building and the subject perimeter building (Perimeter Building 4) with associated parking, landscape, traffic circulation and lighting. Several grassed areas were included on the site plan which were to be the site of future perimeter buildings.

The Planning and Zoning Board at its April 25, 2019 meeting approved an amendment to the 16000 Pines Market site plan (SP 2018-08) to allow for the development of two new perimeter buildings on site (Perimeter Buildings 1 and 2) with associated parking, landscape, infrastructure, pedestrian / traffic circulation modifications to accommodate such development. In addition, the façade of the main shopping center anchor tenants have been updated to reflect the branding of the future tenants.

On January 9, 2020, the Planning and Zoning Board approved the Cheddars Scratch Kitchen (Perimeter Building #3) restaurant site plan (SP 2019-09).

The City Commission at its February 17, 2021 meeting approved the 16000 Pines Village residences (SP 2020-04) site plan to the south of the shopping center consisting of 165 townhome units.

BUILDINGS / STRUCTURES:

The proposed anchor grocery tenant is to be located in the westernmost bay (Bay 101) of

the main multi-tenant building on site. The revised grocer tenant façade will be 31'-6" in height (highest point) with the tenant bay area to be 23,168 square feet. The applicant proposes the following color and material selections for this tenant which utilize the following colors / materials which are compatible with the other colors / materials within the center:

- Main Body: SW 0046 (White Hyacinth), SW 6000 (Snowfall), SW 2840 (Hammered Silver), SW 6071 (Popular Gray)
- Canopy / Roof Coping: SW 6072 (Turkish Coffee)
- Columns: Exterior Porcelain Tile Rosa Gres (Serene Mix)

SIGNAGE:

Wall signage is controlled by the Master Sign plan for the shopping center and will be approved through the building permit process.

ACCESS:

Primary access to this property will remain as previously approved through the two entrances off Pines Boulevard as well as the shared entry on Dykes Road with the approved townhome community to the south. In addition, there is an approved exit only lane on site to Dykes Road.

As part of this proposal, traffic circulation has been modified near the shopping center exit only lane onto Dykes Road to accommodate the large delivery trucks for the grocer tenant as well as emergency vehicles. A concrete median with mountable as well as pavement striping has been added south of the exit only lane to deter shopping center patrons from accessing this dedicated truck access.

PARKING:

The parking field to the west of the grocery anchor tenant has been modified from the previously approved plan to accommodate the dedicated truck lane. 614 parking spaces are now provided on site where 589 spaces are required based on proposed uses.

STAFF RECOMMENDATION:

Approval.

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:

Chairman Rose, Member Gonzalez

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

Michael Stamm, Jr., Planning and Economic Development Director

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

Traci Golownia, architect representing the petitioner

On the motion by Vice Chairman Jacob, seconded by Member Labate, to approve, as recommended by staff, the 16000 Pines Market Grocer Tenant site plan amendment (SP 2020-10), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

NAY: None

Motion Passed

NEW BUSINESS:

NON-QUASI-JUDICIAL ITEMS:

9. **SUB 2020-01, Merrick Square**, generally located on the southeast corner of SW 172 Avenue and Pines Boulevard, plat application.

Elizabeth Adler, attorney representing the petitioner, addressed the Planning and Zoning Board. She gave a brief overview of the proposed plat application.

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Pulice Land Surveyors, agent for property contract purchaser, D.R. Horton, Inc., requests consideration to plat a portion of property generally located south of Pines Boulevard and east of Southwest 172 Avenue. D.R. Horton is purchasing the subject property from owner School Board of Broward County (SBBC) with the intent to develop 211 townhome units.

On February 17, 2021, the City Commission approved Land Use Plan Amendment (PH 2019-02) request to allow for residential units to be developed on the SBBC property. The revised City land use map has been submitted for recertification to the County.

Also at same meeting, the City Commission passed on first reading the following related rezoning applications:

- A zoning map change request to incorporate a +- 5 acre portion of the subject property that is currently zoned A-1 (Limited Agricultural) into the Pembroke Shores PUD. (ZC 2019-02)
- A zoning text change application to amend the underlying Pembroke Shores Planned Unit Development design guidelines to allow for townhome development on the School Board property. (ZC 2020-04)

Both zoning change applications are scheduled for second reading consideration on March 17, 2021.

SURROUNDING PROPERTIES:

The subject parcel is a +- 23.5 acre property generally located south of Pines Boulevard and east of Southwest 172 Avenue. The plat will consist of the following properties:

- A portion of the existing Pembroke Shores plat
- A +-5 acre unplatted property (Florida Fruit Lands Company property)

The existing zoning and land use plan designations of the surrounding properties to the subject site are as follows:

- North** - Pines Boulevard / Planned Unit Development (PUD) / Commercial
- East** - Planned Unit Development (PUD) / Irregular Residential
- South** - Planned Unit Development (PUD) / Irregular Residential, Commercial
- West** - Southwest 172 Avenue / B-2 (Community Business), C-1 (Commercial)
/ Low 3 residential with Commercial Flexibility Applied

ACCESS:

Access to this property will be via the following:

- One private access road off of Southwest 172 Avenue.
- One private access road off of Pines Boulevard.

ADDITIONAL DETAILS:

The applicant has opted to plat this property using individual lots and has limited the development by plat note to 211 townhouse units. The plat has been reviewed by planning, zoning, and engineering staff and consistent with the proposed zoning change requests (ZC 2019-02 and ZC 2020-04). A future site plan application will still be required to be heard at a later date prior to the applicant being able to commence construction on the site. This site plan will need to be consistent with the plat layout.

A municipal dedication requirement for a portion of this property will also need to be accepted by City Commission as required under Section 154.36.

STAFF RECOMMENDATION:

Transmit to City Commission with a favorable recommendation subject to the following:

1. Recertification of the City Land Use Map.
2. City Commission adoption of Zoning Change application ZC 2019-02.
3. City Commission adoption of Zoning Change application ZC 2020-04.
4. Satisfaction of Broward County comments.
5. City Commission approval of a municipal dedication for a portion of this 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 via Cisco Webex Communication Media Technology:

Chairman Rose, Vice Chairman Jacob

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

Michael Stamm, Jr., Planning and Economic Development Director

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

Elizabeth Adler, attorney representing the petitioner

On a motion by Member Labate, seconded by Alternate Member Lippman, to transmit, as recommended by staff, the Merrick Square Plat (SUB 2020-01) application, to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

NAY: None

Motion Passed

10. **SP 2020-05, Southport Pembroke Towers**, 2201 North University Drive, site plan application.

Mark Rickards, representing the petitioner, addressed the Planning and Zoning Board. He gave a brief overview of the proposed site plan application.

The following staff report was entered into the record:

PROJECT DESCRIPTION / BACKGROUND:

Kimley Horn, agent for owner DP Pembroke LLC, submitted an application to develop an 88 unit, age restricted residential building with associated parking landscape, internal site circulation and lighting. The “Southport Pembroke Towers” (SP 2020-05) site is generally located south of Sheridan Street and east of University Drive. This Southport project will be the second senior residential tower on site.

The existing Pembroke Tower building (Pembroke Tower I - 100 units) was approved in 1979 as a low income elderly housing project by Broward County.

The City Commission at its September 2, 2010 meeting voted to approve a variance to allow a 4 acre plot size instead the required minimum 12 acre plat size for a multi-family

development on appeal. On September 21, 2010, the City Commission adopted Ordinance No. 1678, amending the City's Future Land Use Element text which included the addition of the Residential High land use designation subject to certain criteria. In addition, the City Commission adopted Ordinance No. 1677, amending the City's Future Land Use Map for the Pembroke Tower Property from Commercial to Residential High. The City Commission at its March 16, 2011 meeting voted to adopt a rezoning of this property from A-1 (Limited Agricultural) to R-4 (Apartment) via Ordinance 1686. This rezoning included a restrictive covenant on the land which restricted the land in the following ways:

- All new leases on units offered for rent shall have at least 1 person who is 55 years or older at time of occupancy.
- Number of residential units on the property shall be limited to 200.
- 100% of the units on site shall be affordable.

The City Commission at its August 7, 2019 approved a revision to the restrictive covenants on this property to adjusting the minimum age on this property to 62 years and over.

The Planning and Zoning board at its August 8, 2019 meeting approved a parking variance (ZV 2019-02) to allow 188 parking spaces instead of the required 395 parking spaces for the Pembroke Tower Apartments, an age-restricted (62 and over) rental project.

BUILDINGS / STRUCTURES:

The applicant proposes a five stories of senior apartment housing over pedestal parking (Total 6 stories including parking). The proposed building will be 73'-4" in height (highest point). Staff notes that the current Pembroke Tower building is five stories tall and +-53 feet in height. The additional height for building 2 is a result of the first floor pedestal parking.

The proposed 88 unit senior age-restricted (62 years and over) units and will be located directly to the east of an existing 100 unit senior affordable apartment residence (Pembroke Tower I). Total gross floor area of the building is 114,706 square feet in area with the following unit mix:

- 50 one bedroom units
- 38 two bedroom units

City Commission review of this site plan amendment application is required to allow Development which exceeds 50 feet in height per section 155.395 (G).

The following colors are proposed for the exterior of the new senior residential tower which closely matches the current residential tower on site:

- Main Body Colors–
 - SW 6234 Uncertain Gray
 - SW 9143; Cadet
 - SW 6236 Grays Harbor
 - SW 6798 Iceburg
 - SW 7602 Indigo Batik
- Control Joint - SW 2829 Classical White
- Coping – White
- Balcony Railing – Black
- Windows – Gray Tinted

ACCESS:

Primary access to this building project will be through the existing tower entry via Pasadena Boulevard to the Pembroke Tower I residences to the west. As part of this plan, the applicant will construct a driveway extending to the new building from the existing circular entry.

New sidewalks will be installed which will provide pedestrian connectivity to both towers on site. The applicant will be required to interconnect the sidewalk system on Pasadena Boulevard to the satisfaction of environmental services prior to issuance of a building permit for the project.

PARKING:

The applicant proposes 188 parking spaces in total for both towers on this property. The following is a breakdown of parking on site as a result of this proposal:

- 48 existing parking spaces (Inclusive of 2 handicapped spaces)
- 140 new parking spaces
 - 98 new pedestal parking spaces under building (Inclusive of 4 handicapped spaces)
 - 42 new parking spaces around perimeter of Pembroke Tower I

An additional drop off area with porte-cochere will also be provided at the main entrance of the building. The applicant will provide regular transportation via van for their clients through

the porte-cache area.

The proposed parking is consistent with the parking variance ZV 2019-02 granted by the Planning and Zoning Board.

SIGNAGE:

No monument or building signs are proposed for this project.

LANDSCAPING:

Landscape for this property consists of the following:

- Installation of 48 trees, 6 palm trees and 2,344 shrubs, accent plants, and ground covers are proposed on the property. Primary species of trees include Pigeon Plum, Slash Pine, and Live Oak. Primary species of palm trees include Sabal Palms. Primary species of shrubs, accent plants, and ground covers include Pink Muhly Grass, Green Island Ficus, and Compact Firebush.

OTHER SITE FEATURES:

The parking areas for this perimeter building will be illuminated by a series of 3000k LED fixtures (bronze) mounted atop poles of various heights (20', 12', 10'). Additional recessed lighting will be placed under the building which will illuminate the under building surface parking lot. The lighting as proposed for this site conforms to residential lighting standards per Section 116 of the City Code of Ordinances.

ADDITIONAL ANALYSIS – COMPREHENSIVE PLAN:

The City Comprehensive plan mandates that developments within the Residential High (25-50 du/acre) category meet the following criteria:

“At least twenty (20) percent of the dwellings units proposed for the parcel shall be of the following:

- 1. Affordable or workforce housing as defined by Articles 8.1 and 8.2 of the Administrative Rules Document of the Broward County Land Use Plan. The units shall be guaranteed in a manner acceptable to the City of Pembroke Pines and Broward County, such as the use of restrictive covenants for a period of fifteen years; or*
- 2. Senior or elderly housing for persons 55 years of age or older. The units shall be guaranteed in a manner acceptable to the City of Pembroke Pines and Broward County, such as the use of restrictive covenants for a period of fifteen years.”*

The applicant has acknowledges that the units will only be rent to persons 62 years of age and older. The applicant also provides the City a letter which confirms that these 100% units will

be rented as affordable, which is in compliance with existing restrictive covenants on the property.

Staff reviewed the proposed site plan and finds it to be compliant with City Code requirements as well as the Residential (25-50 du acre) requirements within the comprehensive plan. Further, staff recognizes the efforts of the owner to construct new affordable units within the City.

STAFF RECOMMENDATION:

Transmit to the City Commission with a favorable recommendation subject to the following:

1. City Commission approval of this building for exceeding 50 feet in height.
2. The applicant to interconnect the sidewalk system to the existing sidewalk on Pasadena Boulevard to the satisfaction of environmental services prior to issuance of a building permit for the project.

Chairman Rose inquired if the petitioner accepts staff recommendations.

Mark Rickards, 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:

Member Gonzalez, Alternate Member Taylor

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

Michael Stamm, Jr., Planning and Economic Development Director

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

Mark Rickards, representing the petitioner

(Secretary's Note: Alternate Member Lippman left the WebEx meeting during the discussion of this item. Alternate Member Taylor became the voting member from this point forward.)

On a motion by Member Gonzalez, seconded by Member Labate, to transmit, as recommended by staff, the Southport Pembroke Towers (SP 2020-05) site plan application, to the

City Commission with a favorable recommendation; subject to:

1. City Commission approval of this building for exceeding 50 feet in height.
2. The applicant to interconnect the sidewalk system to the existing sidewalk on Pasadena Boulevard to the satisfaction of environmental services prior to issuance of a building permit for the project, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Taylor

NAY: None

Motion Passed

ITEMS AT THE REQUEST OF THE BOARD:

Chairman Rose noted that Member Girello has requested an excused absence from tonight's meeting.

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

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Taylor

NAY: None

Motion Passed

ITEMS AT THE REQUEST OF STAFF:

11. Discussion and possible action to combine the March 25, 2021 meeting with the April 8, 2021 meeting.

Michael Stamm, Jr., Planning and Economic Development Director, requested to combine the March 25, 2021 meeting with the April 8, 2021 meeting.

The following member of the Planning and Zoning Board spoke in reference to combining meetings:

Chairman Rose

The following member of staff spoke in reference to combining meetings:

Michael Stamm, Jr., Planning and Economic Development Director

On a motion by Alternate Member Taylor, seconded by Member Labate, to combine the March 25, 2021 meeting with the April 8, 2021 meeting, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob
Members Gonzalez, Labate, Alternate Member Lippman

NAY: None

Motion Passed

ANNOUNCEMENT:

Brian Sherman, Assistant City Attorney, has been elevated to a partner with the law firm of Goren, Doody, Ezrol, et al.

ADJOURNMENT:

Chairman Rose adjourned the meeting at 8:34 p.m.

ADJOURNED:

8:34 P.M.

Respectfully submitted:

Sheryl McCoy
Board Secretary