

City of Pembroke Pines, FL

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



Meeting Minutes

Thursday, October 26, 2017

6:30 PM

Commission Chambers

Planning and Zoning Board

Planning and Zoning Board

ROLL CALL

The Regular 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, October 26, 2017, at the Pembroke Pines City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL. Present to-wit: Chairman Rose, Members Girello, and Gonzalez. Absent: Vice Chairman Jacob, Alternate Members Lippman and Taylor. Also present: Joseph Yaciuk, Planning Administrator; Dean Piper, Zoning Administrator; Brian Sherman, Assistant City Attorney, and Secretary McCoy. Secretary McCoy declared a quorum present.

ORGANIZATIONAL:**Selection of Chair and Vice Chair**

Chairman Rose requested to defer the selection of Chair and Vice Chair to the November 9, 2017 meeting when a full board will be present.

It was the consensus of the Planning and Zoning Board members to defer the selection of Chair and Vice Chair to the November 9, 2017 meeting.

SUBMISSION OF LOBBYING DISCLOSURE FORMS:

No lobbying disclosure forms were submitted at this time.

APPROVAL OF MINUTES:

[17-0694](#)

September 14, 2017

On a motion by Member Girello, seconded by Member Gonzalez, to approve, the minutes of the September 14, 2017 meeting, the following vote was recorded:

AYE: Chairman Rose, Members Girello and Gonzalez

NAY: None

Motion Passed

NEW BUSINESS:**NON-QUASI-JUDICIAL:****NOTE:**

Chairman Rose informed the public and the petitioners that three aye votes are required for an item to pass. If any petitioner wishes they can defer their items to a later meeting date.

SP 2017-18

DUNKIN DONUTS AT WALNUT CREEK PLAZA, 1799 University Drive (Joseph).

Mark Ghezzi, architect representing the petitioner, 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:

Ghezzi Architects, agent for Dunkin Donuts, is requesting approval to convert the former Wendys Restaurant into a Dunkin Donuts within the Walnut Creek Planned Unit Development (PUD) located at 1799 North University Drive. The applicant is proposing the following modifications to the existing restaurant:

- Color changes to the existing façade to reflect the Dunking Donuts brand:
 - o Main Body – Sherwin Williams Bittersweet Stem (SW 7536)
 - o Parapet / Trim – Obstinate Orange (SW 6884)
 - o Pop Out Feature (West and South Elevations) – Hardy Plank Multi Color brown gradient (Moderate White SW 6140, Sand Dollar SW 6099, Bittersweet Stem SW 7536, Canoe SW 7724, Smokey Topaz SW 6117, Jute Brown SW 6096, Sturdy Brown SW 6097, Java SW 6090, French Roast SW 6069, Black Bean SW 6006)
 - o Building Base - Black Bean SW 6006
- Installation of new brown awnings on the northern, southern and western building elevations.
- The addition of a new glass door on western elevation.
- Installation of 45 square feet of internally illuminated wall signs on the southern and western façade.
 - o A 27.5 square foot sign to be located on each elevation.
 - o Signs to depict the Dunking Donuts name and logo in nationally recognized orange, pink, and white font.

Colors proposed by the applicant are compatible to the Walnut Creek Commercial Center. No other changes to the site, parking or traffic circulation are proposed as part of this application. The application has been reviewed by staff and found to meet code requirements. Staff therefore recommends approval of the application.

Staff Recommendation: Transmit to City Commission with a favorable recommendation for development within the Walnut Creek Planned Unit Development (PUD).

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item.

The following member of the Planning and Zoning Board spoke:
Member Girello

The following member of staff spoke:
Joseph Yaciuk, Planning Administrator

The following members of the public spoke:

Mark Ghezzi, architect representing the petitioner

Mike Fallah, the petitioner

Jack McCluskey, resident Pembroke Pines

On a motion by Member Girello, seconded by Member Gonzalez, to transmit, as recommended by staff, the Dunkin Donuts @ Walnut Creek Plaza (SP 2017-18) site plan application, to the City Commission with a favorable recommendation, the following vote was recorded:

AYE: Chairman Rose, Members Girello, Gonzalez

NAY: None

Motion Passed

SN 2017-07 CHICK-FIL-A SIGN, 12203 PINES BOULEVARD (Adrianna).

Chairman Rose noted there is an email from the petitioner requesting deferral of this item to a later date.

On a motion by Member Gonzalez, seconded by Member Girello, to defer the Chik-fil-A (SN 2017-07) sign application to a later date, the following vote was recorded:

AYE: Chairman Rose, Members Girello, Gonzalez

NAY: None

Motion Passed

ITEMS AT THE REQUEST OF STAFF:

[17-0717](#) MALL PARCELS, OUT-PARCELS AND MINI-WAREHOUSE CODE AMENDMENTS (Joseph).

Joseph Yaciuk, Planning Administrator, gave a brief overview of the proposed changes.

The following staff report was entered into the record:

Details of Request:

City planning staff periodically reviews the City Code of Ordinances and makes recommendations on amendments to the Land Development Code. Staff recommendations for amendments may be spurred by requests from the City Commission, City Boards, or internal staff observations during implementation. The following amendments are proposed for discussion and potential action.

Mall Parcels

The Planning and Economic Development Department has been approached by General Growth Properties (GGP) to update City Code relating to Regional Mall development. General Growth Properties currently owns the Pembroke Lakes Regional Mall as defined in the City's Code of Ordinances. GGP requests that the City review the applicable Code Section 155.149 (J) to allow for the development of two future mall outparcels within the ring road of the mall.

Mall Parcelization Plan History

The Pembroke Lakes Mall parcelization plan (SP 92-29) was approved by City Commission on December 16, 1992. The approved 1992 parcelization plan permitted a maximum of 12 out parcels on Parcels 'B' and 'C' of the mall. Parcels 'B' and 'C' cover a majority of the Pines Boulevard mall frontage (from Flamingo Road to the west to the Olive Garden restaurant to the east). The City Commission later approved a 13th outparcel (SP 2011-10 - Chick fila) at its September 7, 2011 meeting.

Mall Parcel Code Review Request History

GGP approached the City in late 2016 looking to develop two outparcel buildings within the Mall ring road. The Mall plat / DRI contain enough developable rights for these two outparcel buildings.

As part of the due diligence efforts, staff reviewed the existing Mall Outparcel ordinances (155.149 (j)) as well as the latest approved master outparcel plan. The current Mall outparcel Ordinance as written does not currently allow for outparcel type development within the ring road. Upon review of the Mall Outparcel Master Plan, the City realized that 3 of the mall properties (El Dorado, Toys R' US, Golfsmith) that were designated as outparcels do not actually meet the mall outparcel definition because the buildings on those parcels exceed 15,000 square feet in area.

Staff therefore requests the following clarifying / corrective improvements to the Code be made as it relates to Mall property:

1. A definition be created for secondary mall buildings (outbuildings) on site. (El Dorado, Toys R' US, Golfsmith)
 - a. Secondary mall buildings to be those exceeding 15,000 sf in area.
 - b. Secondary mall buildings to closely match the colors and architecture of the main building.
 - c. Height of outbuildings not to exceed height of principal mall building.
2. A formal provision be added to the Regional Mall section of the Code establishing a mall outparcel master plan requirement for the addition of Mall outparcels with the following criteria:
 - a. Mall outparcels to be permitted inside the mall ring road (Main Mall Property) as well existing locations along Pines Boulevard (Parcels B and C) upon review and approval of the Planning and Zoning Board.
 - b. Maximum number of outparcels to remain at 13.
 - i. The conversion of El Dorado, Toys R' US, and Golfsmith buildings to secondary buildings would allow for the future development of 3 outparcels.

The three outparcels would be subject to future site plan review at Planning and Zoning Board.

- c. Mall outparcels buildings inside the ring road to require a minimum 10' landscape buffer and 30 foot setback from the mall ring road.
- d. Mall outparcel buildings may incorporate design, colors and materials consistent with their individual business brand, but shall not incorporate design, colors or materials of which the architectural review board determines detract architecturally from the theme of the principal mall building.
- e. Mall outparcel signs for outparcels inside the ring road shall be reviewed by the Planning and Zoning Board as part of the Mall Master Sign Plan.
- f. Building heights to be consistent with current allowances for Mall Outparcels.

General Outparcels

In addition to mall outparcels, the City has also been in discussion with the Planning and Zoning Board regarding height restrictions for non-mall outparcels as well as an update general architectural standards for non-mall out parcel buildings conforming to historical architectural review criteria. The following recommendations are proposed for outparcels in the B-2 and B-3 districts:

- 1. Staff recommends the City allow outparcel buildings to develop up to 30 feet in height from grade, but may not exceed the height of the principal building on site.
- 2. City outparcel buildings may incorporate design, colors and materials consistent with their individual business brand, but shall not incorporate design, colors or materials of which the architectural review board determines detract architecturally from the theme of the principal building.
- 3. As business districts follow a pyramidal scheme and outparcels are mentioned identically in B-2 and B-3 , staff recommends that outparcel regulations be defined in the Community Business B-2 district only and referenced within the General Business B-3 as an approved use.

Mini-warehouse

Section 155.149 (General Business B-3) of the Code of Ordinances currently allows for mini-warehouse use (155.149 (B) (11)) to be permitted in the General Business Districts. Mini-warehouse use was added to the B-3 district as a result of input from a developer in the late 1980's / early 1990's. Staff finds no instance where mini-warehouse use as defined in the Code has been used or applied for well over ten years. Furthermore, the advent of today's self-storage facility model clearly addresses the demand as originally conceived. Self-storage is currently permitted within the Commercial (C-1) district. Staff therefore recommends removing mini-warehouse use from the Code of Ordinances.

Staff Recommendation: City staff to request City Attorney draft and Ordinance revising the City Code of Ordinances reflective of staff recommendations to be considered by the City Commission.

The following members of the Planning and Zoning Board spoke:
Chairman Rose, Members Girello, and Gonzalez

The following members of staff spoke:

Joseph Yaciuk, Planning Administrator
Dean Piper, Zoning Administrator
Brian Sherman, Assistant City Attorney

The following members of the public spoke:

Janna Lhota, attorney representing the Pembroke Lakes Regional Mall
Jack McCluskey, resident Pembroke Pines
Alan Boisvert, Chair of Economic Development Board

On a motion by Member Gonzalez, seconded by Member Girello to accept the General Out-Parcels (Non-Mall) and Mini-Warehouse amendments and direct City staff to request City Attorney draft and Ordinance revising the City Code of Ordinances reflective of staff recommendations to be considered by the City Commission, the following vote was required:

AYE: Chairman Rose, Members Girello, Gonzalez

NAY: None

Motion Passed

On a motion by Member Gonzalez, seconded by Member Girello, to defer the Mall Out-Parcels discussion and possible action to a later meeting, the following vote was recorded:

AYE: Chairman Rose, Members Girello, Gonzalez

NAY: None

Motion Passed

ITEMS AT THE REQUEST OF THE BOARD:

Member Gonzalez spoke in reference to the new restaurant going into the Westfork Plaza.

The following members of the Planning and Zoning Board spoke in reference to new restaurants at various locations throughout the city:

Member Girello and Gonzalez

Dean Piper, Zoning Administrator, spoke in reference to the openings of new restaurants at various locations throughout the city.

Member Gonzalez questioned if there is a code that addresses the amount of time hurricane shutters are allowed to remain in place after a hurricane has passed.

The following members of staff spoke in reference to the South Florida Building Code which regulates the amount of time hurricane shutters are allowed to remain in place after a hurricane has passed:

Dean Piper, Zoning Administrator
Brian Sherman, Assistant City Attorney

Chairman Rose noted that Vice Chairman Jacob, Alternate Member Lippman, and Alternate Member Taylor have requested an excused absence from this evenings meeting.

On a motion by Member Girello, seconded by Member Gonzalez, to excuse Vice Chairman Jacob, Alternate Member Lippman, and Alternate Member Taylor from this evenings meeting, the following vote was recorded:

AYE: Chairman Rose, Members Girello, Gonzalez

NAY: None

Motion Passed

ITEMS AT THE REQUEST OF THE PUBLIC:

There were no members of the public wishing to speak.

ADJOURNMENT

Chairman Rose adjourned the meeting at 7:44 p.m.

CITY OF PEMBROKE PINES
PLANNING AND ZONING

Sheryl McCoy, Board Secretary