

# **City of Pembroke Pines, FL**

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



## **Meeting Minutes - Final**

**Thursday, September 13, 2018**

**6:30 PM**

**Commission Chambers**

**Planning and Zoning Board**

## REGULAR MEETING CALLED TO ORDER

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, September 13, 2018, at the Charles F. Dodge City Center, City Commission Chambers, 601 City Center Way, Pembroke Pines, FL.

## ROLL CALL

Present to-wit: Chairman Rose, Vice Chairman Jacob, Member Labate, Alternate Members Lippman and Taylor. Absent: Members Girello and Gonzalez. Also present: Dean Piper, Zoning Administrator; Jacob Horowitz, Assistant City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

Chairman Rose noted for the record that Alternate Members Lippman and Taylor will be voting members for this evenings meeting.

## SUNSHINE LAW REFRESHER

### CHANGE ORDER OF BUSINESS:

Chairman Rose requested to move the Sunshine Law Refresher to the end of the meeting.

It was the consensus of the Planning and Zoning Board to hear the Sunshine Law Refresher at the end of the meeting.

### SUBMISSION OF LOBBYING DISCLOSURE FORMS:

There were no lobbying disclosure forms submitted at this time.

### APPROVAL OF MINUTES:

[18-1063](#)

August 23, 2018

On a motion by Member Labate, seconded by Alternate Member Taylor, to approve, the minutes of the August 23, 2018 meeting, the following vote was recorded:

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

NAY: None

Motion Passed

### NEW BUSINESS:

### CONSENT AGENDA:

[18-1064](#)

MSC-2018-19, The Avant Apartments, 11801 Pembroke Road, new painting re-imaging to existing buildings, miscellaneous request.

(Christian)

Chairman Rose requested to pull item number 1 for discussion.

Jeff Martin, representing the petitioner addressed the Planning and Zoning Board. He gave a brief overview of the proposed miscellaneous request.

The following staff report was entered into the record:

Dustin Brock, agent, is requesting approval for color changes for the Avant Resort Apartments, generally located on the north-east corner of Pembroke and Flamingo Roads.

The applicant seeks approval for color changes for the apartment buildings, club house, related ancillary buildings and permanent structures accordingly from the existing brown and beiges to blacks and grays. The proposed colors are listed below as follows:

**Apartment Building Scheme 1:**

Upper and Lower Body: Passive, SW 7064

Middle Body: Cascades, SW 7623

Fascia: Cityscape, SW 7067

Doors, Window Accent, Railings: Grizzly Gray, SW 7068

Trims: Pearly White, SW 7009

**Apartment Building Scheme 2:**

Upper and Lower Body: Passive, SW 7064

Middle Body: Charcoal Blue: SW 2739

Fascia: Cityscape, SW 7067

Doors, Window Accent, Railings: Grizzly Gray, SW 7068

Trims: Pearly White, SW 7009

**Apartment Buildings Scheme 3 and Club House:**

Upper Body and Railings: Passive, SW 7064

Middle Body: Charcoal Blue: SW 2739

Lower Body and Fascia: Cityscape, SW 7067

Doors, Window Accent, Railings: Grizzly Gray, SW 7068

Trims: Pearly White, SW 7009

**Garage Buildings Scheme:**

Main Body: Passive, SW 7064

Lower Body Accent: Cityscape, SW 7067

Garage Doors and Trim: Black Fox, SW 7020

Fascia and Soffits: Grizzly Gray, SW 7068

**Vehicle Cleaning Station Buildings:**

Upper Body: Passive, SW 7064

Middle Column Accent: Charcoal Blue: SW 2739

Lower Column Accent: Cityscape, SW 7067

Block Accent: Grizzly Gray, SW 7068

Trims: Pearly White, SW 7009

**Periphery Wall and Enclosures:**

Wall Body: Passive, SW 7064  
Wall Accent: Charcoal Blue: SW 2739  
Upper Trim: Pearly White, SW 7009  
Gates: Black Fox, SW 7020

Architectural sign modifications for the site were presented and approved by the Planning and Zoning Board in the August 23, 2018 meeting. The approved sign colors are compatible with this proposal.

No other changes to the site are proposed at this time. Staff has reviewed the proposed color schemes and finds them compatible. Staff therefore recommends approval for the proposed work.

Chairman Rose inquired if there was anyone from the public who wished to speak either for or against this item. No one wished to speak.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Member Labate

The following member of the public spoke:

Jeff Martin, representing the petitioner

Mr. Martin voluntarily agreed to change Cityscape, SW 7067 to Tin Lizzie, SW 9163 and Charcoal Blue: SW 2739 to Mineral Gray SW 2740.

On a motion by Alternate Member Lippman, seconded by Vice Chairman Jacob, to approve, as recommended by staff, consent agenda item number 1 (MSC 2018-19, The Avant Apartments); subject to changing Cityscape, SW 7067 to Tin Lizzie, SW 9163 and changing Charcoal Blue: SW 2739 to Mineral Gray SW 2740 , the following vote was recorded:

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

NAY: None

Motion Passed

## **NEW BUSINESS:**

## **QUASI-JUDICIAL ITEMS:**

### **18-1065**

**ZV 2018-07, Pembroke Place Shopping Center**, generally located on the northwest corner of Pines Boulevard and Palm Avenue, zoning variance request. (Dean)

(Secretary's Note: All affected parties were sworn under oath to give testimony in the relevant cases by the Assistant City Attorney.)

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.

David Taxman, representing the petitioner, waived his right to the quasi-judicial proceedings.

Mr. Taxman addressed the Planning and Zoning Board. He gave a brief PowerPoint presentation of the proposed variance request.

The following summary was entered into the record:

David Taxman, agent for Pembroke Place Plaza, is requesting a variance from Section 155.251 (A) to allow 1,071 parking spaces, instead of the required 1,261 parking spaces at 10181 Pines Boulevard. This request is to allow medical office space. The applicant has provided parking analysis for the entire shopping center based on the current tenant configuration including Renaissance Charter School and the additional outparcels.

**Variance Request Summary:**

Application

ZV 2018-07

Code Section

155.251(A)

Required/Allowed

1,261 Parking Spaces

Request

1,071 Parking Spaces

**Variance Request Details:**

ZV 2018-07) to allow 1,071 parking spaces, instead of the required 1,261 parking spaces at 10181 Pines Boulevard.

**Code Reference:**

Section 155.251 (A)

See attached Amount of Off Street Parking Chart.

**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:

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

The following members of staff spoke:

Dean Piper, Zoning Administrator

The following members of the public spoke:

David Taxman, representing the petitioner  
Connie Hull, representing the petitioner

Mr. Taxman stated he will check with staff to determine the feasibility of utilizing the back door for patient drop off.

Connie Hull, representing La Colonia, stated for the record there will be no storage of the shuttle vehicles on-site. She affirmed that La Colonia currently stores and will continue to store the 20 shuttle vehicles off-site.

On a motion by Vice Chairman Jacob, seconded by Member Labate, to grant, for only as long as the tenant is La Colonia; as determined by variance criteria "A", ZV 2018-07 (Pembroke Place Shopping Center) to allow 1,071 parking spaces, instead of the required 1,261 parking spaces; subject to no overnight parking of the shuttle vehicles, the following vote was recorded:

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

NAY: None

Motion Passed

## ITEMS AT THE REQUEST OF THE BOARD:

Alternate Member Lippman spoke in reference to the poor condition of the Pembroke Place Shopping Center parking lot. He noted there are many potholes and other concerns.

Alternate Member Lippman spoke in reference to construction debris in the

Village Square shopping center parking lot that is causing flat tires.

Dean Piper, Zoning Administrator, noted that he will speak with the property manager to address this concern.

On a motion by Member Labate seconded by Alternate Member Taylor, to excuse Members Girello and Gonzalez, the following vote was recorded:

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

NAY: None

Motion Passed

## ITEMS AT THE REQUEST OF STAFF:

Dean Piper, Zoning Administrator, gave a brief update on the status of the missing stop signs within the Flamingo Pines Shopping Center property.

[18-1067](#)

Discussion and possible action to combine meeting dates for the months of November and December.

Chairman Rose presented the following staff recommendations for the meeting dates in November and December.

- 1) Combine the November 8, 2018 meeting and the November 22, 2018 and meet on Thursday, November 15, 2018;
- 2) Combine the December 13, 2018 and the December 27, 2018 meeting and meet once on December 13, 2018;
- 3) Participate in a joint advisory board Mobility Workshop meeting on November 8, 2018.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Alternate Member Lippman

The following member of staff spoke:

Dean Piper, Zoning Administrator

On a motion by Member Labate, seconded by Alternate Member Lippman, to accept staff recommendations for the meeting dates in November and December, the following vote was recorded:

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

NAY: None

Motion Passed

## SUNSHINE LAW REFRESHER

Jacob Horowitz, Assistant City Attorney, gave an overview of the Sunshine Law.

The following members of the Planning and Zoning Board spoke in reference to the Sunshine Law:

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

## **ADJOURNMENT:**

Chairman Rose adjourned the meeting at 7:43 p.m.

**ADJOURNED:**  
7:43 P.M.

Respectfully submitted:

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Sheryl McCoy  
Board Secretary