

January 14, 2016

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, January 14, 2016, at the Pembroke Pines Municipal Center, City Commission Chambers, 10100 Pines Boulevard, Pembroke Pines, FL. Present to-wit: Chairman Rose, Vice Chairman Jacob, Members Girello, Gonzalez, and McCluskey. Absent: Alternate Members Lippman and Taylor. Also present: Michael Stamm, Jr., Planning and Economic Development Director; Joseph Yaciuk, Planning Administrator; Dean Piper, Zoning Administrator; Sam Goren, City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

**SUBMISSION OF LOBBYING DISCLOSURE FORMS:**

No disclosures were given at this time.

**APPROVAL OF MINUTES:**

On a motion by Member Gonzalez, seconded by Member McCluskey, to approve, the minutes of the December 10, 2015 meeting, the following vote was recorded:

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

NAY: None

Motion Passed

**NEW BUSINESS:**

**PUBLIC HEARINGS AND REGULAR ITEMS:**

1. **ZC 2015-05**, the purpose of this Public Hearing is to consider, at the request of JRAHHF Venture LLC, a proposal to amend the design guidelines of the Planned Commercial District (PCD) for the **Shops at Pembroke Gardens** (ZC 2015-05) property generally located south of Pines Boulevard and west of SW 145 Avenue.

Chairman Rose stated the purpose of this Public Hearing is to consider, at the request of JRAHVF Venture LLC, a proposal to amend the design guidelines of the Planned Commercial District (PCD) for the Shops at Pembroke Gardens (ZC 2015-05) property generally located south of Pines Boulevard and west of SW 145 Avenue.

The following staff report was entered for the record:

JRAHVF Venture LLC, is requesting a Zoning Change to amend the general design guidelines to the Planned Commercial District (PCD) for the Shops at Pembroke Gardens property generally located south of Pines Boulevard and west of SW 145 Avenue.

The applicant is proposing the following additions to the Shops at Pembroke Gardens Design Guidelines:

- Acknowledged the allowance of up to 4 outdoor promotions on site as well as the existing weekly Farmers Market.
- Allow for LED lighting to be used within parking areas.
- Added statement allowing management to determine operating hours for the center. These times shall be comply with applicable statutes and local Ordinances.
- Applicant to be considered for alternative material / color types, not on material / color list, without substantially equal letter required. Material and color list moved from exhibit list to Section 5 of the design guidelines.
- Provision for architectural changes due to tenant bay upon change of tenant. New tenants cannot simply reuse the old tenant façade. Changes must be made to the new façade to alter its appearance from the old.
- A 10,000 square foot outdoor display area may be permitted near Building 8000 with Planning and Zoning Board review.
- The addition of a tower element to buildings 8000 and 9000.
- Clarification to the approval process requiring tenant to obtain owner approval prior to Planning and Zoning Board review.
- The provision for the creation and modification of branding designs to signs throughout the PCD. These branding designs are to be reviewed by the Planning and Zoning Board.

The following exhibits have been modified / added to reflect the changes made within the guidelines:

- Exhibit 1-D – Freestanding Tower Locations
- Exhibit 1-D (3) – Supplemental Sign Elevations
- Exhibit 1-H – Building 8000 and 9000 tower elements.

The zoning change application has been reviewed by staff with no objections. Staff therefore recommends that the application be transmitted to the City Commission with a favorable recommendation.

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 public spoke:

John Collier, representing the petitioner

On a motion by Vice Chairman Jacob, seconded by Member Girello, to close the Public Hearing, the following vote was recorded:

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

NAY: None

Motion Passed

Chairman Rose stated this will be heard as regular agenda item number 2.

2. **ZC 2015-05**, the purpose of this item is to transmit a recommendation to the City Commission for the proposed zoning change to amend the design guidelines of the Planned Commercial District (PCD) for the **Shops at Pembroke Gardens** (ZC 2015-05) property generally located south of Pines Boulevard and west of SW 145 Avenue.

Chairman Rose stated the purpose of this item is to transmit a recommendation to the City Commission for the proposed zoning change to amend the design guidelines of the Planned Commercial District (PCD) for the Shops at Pembroke Gardens (ZC 2015-05) property generally located south of Pines Boulevard and west of SW 145 Avenue.

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, Vice Chairman Jacob, Members Girello, Gonzalez, McCluskey

The following member of the staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

The following member of the public spoke:

John Collier, representing the petitioner

On a motion by Member Gonzalez, seconded by Member McCluskey, to transmit, as recommended by staff, the Shops at Pembroke Gardens (ZC 2015-05) zoning change request, to the City Commission with a favorable recommendation, the following vote was recorded:

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

NAY: None

Motion Passed

**OLD BUSINESS:**

**QUASI-JUDICIAL ITEMS:**

3. **SP 2015-14, Popeye's, 1450 N University Drive, 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.

Darren Vega, the petitioner, waived his right to a quasi-judicial proceeding.

Mr. Vega 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:

Angela Gargin, agent, is requesting approval to construct a Popeye's quick service restaurant with associated parking, landscape, drive-thru lanes, signage and traffic circulation on a parcel generally located west of University Drive, south of Taft Street. The site is currently

vacant.

The proposed one story restaurant will be 21'-4" in height (highest point) and 2,978 square feet in area. A 6'-0" prefabricated concrete wall will be installed on the south and west perimeters of the property. The applicant proposes the following color selections for the building:

- Main Body / Wall – Gold, BM 2158-30, Delightful Golden
- Accent Band – Red, BM 2086-10, Exotic Red
- Base – Boral Stone, Ledgestone, Plumb Creek
- Door / Ladder / Base – Brown, BM 2107-20, Mocha Brown
- Shutters / Downspouts / Railings – Dark Green, BM 2040-10, Rain Forest Foliage
- Canopy – Red, UC-4 Aluminum, Regal Red
- Storefront Glazing – BM 64 2134-20, RM Bronzestone

The applicant proposes the following signs for this site:

<b>Sign</b>	<b>Area</b>	<b>Type</b>	<b>Sign Copy Color</b>	<b>Location</b>
Popeye's Louisiana Kitchen	58.01	Face Lit Illuminated Channel Letters	White	North Elevation
Popeye's Logo Sign (x2)	9 SF (Each)	Face Lit Illuminated Wall Sign	Red, White, Orange	East and West Elevations
Temporary Construction Sign	32 SF	Ground Sign (Non-Illuminated)	Black Letters White Background	Southeast Corner of Site
Popeye's Monument	24 SF	Ground Sign (Illuminated)	Red, White and Orange	Northeast Corner of the Site
Popeye's Menu	21.14 SF	Ground Sign (Illuminated)	Menu	South of Proposed Building

A dual drive-thru lane is proposed on site which will begin on the south side of the building and terminate on the buildings east side. A queuing analysis was performed as requested by the Planning and Economic Development Department for the Drive-thru facility. The City Engineer had no objections to the study.

Access to this property will be through two existing openings on University Drive. The proposal provides for 33 parking spaces on site where 31 spaces are required based on restaurant use. Parking areas will be illuminated by a series of dark bronze cut off fixtures

mounted 20 feet high on concrete poles. The proposed parking and lighting meet Code requirements.

The applicant will be updating the landscaping on site to include the removal of one (1) tree and eight (8) palm trees while adding 43 additional category 1, 2 and 3 trees. The site will contain a total of 46 trees and 4 palm trees with various hedges, shrubs and ground cover throughout the site as a result of this application. The Landscape Planner reviewed the landscape plan and had no objections.

In addition to landscaping above, the applicant has provided staff with a letter committing to the installation of landscape screening along the canals edge on the eastern side of University Drive. These plantings will require the approval of the City and South Broward Drainage District.

The plan has been reviewed by staff and found to meet city codes. Staff therefore recommends approval of this application.

Staff Recommendation: Approval subject to the installation of landscaping on the east side of University Drive along the canals edge as approved by the City and SBDD prior to issuance of a certification of occupancy.

Chairman Rose inquired if the petitioner accepts staff recommendations.

Mr. Vega, the petitioner, answered in the affirmative and provided the letter committing to the installation of the additional landscape screening across the street (east side of University Drive) for the length of the Popeye's lot.

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.

Chairman Rose noted for the record that a quasi-judicial affected party form opposing the petition was received from Garth Campbell, 1551 NW 81 Avenue.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Members Girello, McCluskey

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

The following member of the public spoke:

Darren Vega, the petitioner

On the motion by Member Gonzalez, seconded by Member McCluskey, to approve, as recommended by staff, the Popeye's site plan application (SP 2015-14), the following vote was recorded:

AYE: Chairman Rose, Members Girello, Gonzalez, McCluskey

NAY: Vice Chairman Jacob

Motion Passed

**NEW BUSINESS:**

**NON-QUASI-JUDICIAL ITEMS:**

4. **MSC 2015-52, Pines Boulevard Chevron**, 15801 Pines Boulevard, color and sign changes to the existing gas station to convert from Shell brand to Chevron, miscellaneous request.

Debbie Bass, representing the petitioner, addressed the Planning and Zoning Board.

She gave a brief overview of the proposed miscellaneous request.

The following staff report was entered into the record:

Mike Saxton, agent, is requesting plan approval for signage at the gas station located at Westfork Plaza, generally located north of Pines Boulevard and east of Dykes Road. The applicant is proposing to rebrand the existing Shell Gas Station to a Chevron.

The applicant is proposing the following attached building / canopy signs as a result of this application:

<b>Sign</b>	<b>Area</b>	<b>Type</b>	<b>Text Color</b>	<b>Elevation</b>	<b>Status</b>
Chevron	16.47 SF	Illuminated Channel Letter Sign	White	West Canopy	Proposed
Chevron Bug	3.53 SF	Cabinet	Red & Blue Logo	South Canopy	Proposed
Super Arepa (x2)	8 SF Each	Illuminated Channel Letter Sign	White & Red	South & West Elevation	To Remain
<b>TOTAL</b>	<b>36 SF</b>				

All existing car wash signs on site will be removed, as a result of this application.

The applicant proposes to replace the monument sign faces which will display "Chevron" in blue above their red and blue logo against an opaque white background at 16 SF with an LED price panel to remain static at 16 SF. The monument sign will total to 32 SF of signage. Lantana Involucrata and Purple Caladium will be installed around the base of the monument sign.

No other changes to the site are proposed at this time. Staff has reviewed the proposed changes and finds that the proposed changes meet 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:

Chairman Rose, Members Girello, Gonzalez, McCluskey

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

The following member of the public spoke:

Debbie Bass, representing the petitioner

On the motion by Member McCluskey, seconded by Vice Chairman Jacob, to approve, as recommended by staff, the Pines Boulevard Chevron (MSC 2015-52) miscellaneous request, the following vote was recorded:

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

NAY: None

Motion Passed

**ITEMS AT THE REQUEST OF STAFF:**

5. **AM 2015-03**, Discussion and possible action on establishing a **Hospital District** zoning code.

Joseph Yaciuk, Planning Administrator, addressed the Planning and Zoning Board. He gave a brief overview of the proposed zoning code request.

The following staff summary was entered for the record:

**Details of Request:**

City Planning and Economic Development Department staff have been approached by Memorial Hospital regarding future expansion plans to their hospitals within the City. Staff has reviewed the zoning code as it relates to hospital development in general and finds that the current city regulations may not adequately address advances in medical technology and facilities as it relates to hospital development. Therefore, staff proposes a new Hospital zoning district for consideration on tonight's agenda. This flexible zoning district would potentially allow the City and Hospital professionals to partner in creating regulations which will address the unique hospital needs of the surrounding community in a manner which is acceptable to the City.

Upon enactment of this Code, qualifying applicants will have the ability to designate their property as a Hospital District (HD) through the rezoning of their property. Rezoning of property to Hospital District (HD) requires both Planning and Zoning Board and City Commission approvals.

Highlights to the HD district include:

- Purpose of the Hospital District
- Permitted Uses and Accessory Uses for this district.
- General Design Guidelines
  - o Minimum lot size for district (5 acres).
  - o General provisions for the establishment of setback, parking, loading, service areas, site security and traffic circulation regulations throughout the site.
  - o Access to Mass Transit
- Minimum Site Plan Requirements
  - o Inventory of existing facilities (Hospital Expansion)
  - o Master sign plan
  - o Maintenance plan for common areas
  - o Architectural compatibility
  - o Public outdoor area interconnectivity
  - o Landscape design
- Parking Structure Guidelines
  - o Architectural and appearance criteria
  - o Lighting
  - o Screening of equipment and cars
  - o Associated noise abatement near residential properties
  - o Provision for up to 20% of parking within a garage to be compact spaces
- Provision for temporary parking areas.
- Evaluation Criteria Design Guidelines
- Zoning change / Design guideline amendment process.

Development regulations not addressed within the HD zoning district design guidelines shall revert back to the applicable standards within the Code of Ordinances. The enactment of these guidelines does not exempt the applicant from complying with all Federal and State requirements pertaining to hospital development and operations.

Recommendation: Direct the City Attorney to draft an Ordinance for City Commission review.

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

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Members Girello, Gonzalez, McCluskey

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director  
Joseph Yaciuk, Planning Administrator

The following members of the public spoke:

Debbie Orshefsky, attorney on behalf of Memorial Hospital  
Mark Greenspan, on behalf of Memorial Hospital

Ms. Orshefsky requested to have the following language added to Permitted Uses Section C:

(7) Such other hospital related uses as may be set forth in the HD Guidelines governing use of the subject property.

Member Girello moved to direct City Attorney to draft an Ordinance for City Commission review; subject to eliminating the word veterinarian under Permitted Uses, Section C(6) and excluding the request for C(7). Member Gonzalez seconded the motion.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Members Girello, McCluskey

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

Member Girello requested to call the question.

The following members of the Planning and Zoning Board spoke:

Members Girello, Gonzalez, McCluskey

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director  
Sam Goren, City Attorney

On a motion by Member Girello, seconded by Member Gonzalez, to call the question, the following vote was recorded:

AYE: Members Girello, Gonzalez

NAY: Chairman Rose, Vice Chairman Jacob, Member McCluskey

Motion Failed

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Member Girello

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

Member McCluskey moved to amend the motion to add under permitted uses the request for C(7). Vice Chairman Jacob seconded the amendment.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Member Girello

On the motion by Member McCluskey, seconded by Vice Chairman Jacob, to amend the motion to add under permitted uses the request for C(7), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob, Member McCluskey

NAY: Members Girello, Gonzalez

Motion Passed

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Members Girello, McCluskey

The following member of staff spoke:

Sam Goren, City Attorney

On the original motion by Member Girello, seconded by Member Gonzalez, as amended to direct City Attorney to draft an Ordinance for City Commission review; subject to eliminating

the word veterinarian under Permitted Uses, Section C(6) and to add under permitted uses the request for C(7), the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob, Member McCluskey

NAY: Members Girello, Gonzalez

Motion Passed

6. **AM 2016-01**, Discussion and possible action on **Alcoholic Beverage Hours of Sale** code amendments.

Michael Stamm, Jr., Planning and Economic Development Director, addressed the Planning and Zoning Board. He gave a brief overview of the proposed code amendment.

The following staff summary was entered for the record:

Planning & Economic Development Staff has been working with the Police Department on providing stronger enforcement of operations for businesses selling alcohol beverages.

Existing Code for alcohol beverage hours of sale are as follows:

- Consumption off premises (Publix, 7-Eleven, Walgreens, etc.) – 11:00 am to 3:00 am.
- Consumption on premises (restaurants, bars, etc.) – 11:00 am to 3:00 am.
- Night Club License – 11:00 am to 4:00 am. Annual fee of \$375.00 paid at time of Local Business Tax Receipt renewal.

Approval of these is through staff review only to confirm meeting all requirements of Sections 155.285 through 155.290 of the Code of Ordinances, with a onetime process fee, and no annual review.

Proposed code amendment would alter alcohol beverage hours of sale as follows:

- Create permits, separately issued from the Local Business Tax Receipt (LBTR), for an Alcohol Beverage Sales Permit and an Alcohol Beverage Extended Hours of Sale Permit.
  - Alcohol Beverage Sales Permit Hours (Including consumption off premises and/or on premises) – 7:00 am to 2:00 am
  - Alcohol Beverage Extended Hours of Sale Permit Hours (Replaces Night Club License) – 7:00 am to 4:00 am

- Review, approval and renewal procedures for each type of permit.
  - Alcohol Beverage Sales Permit – Staff review with automatic renewal at time of LBTR renewal unless notified by Police Department with cause.
  - Alcohol Beverage Extended Hours of Sale Permit Hours – 7:00 am to 4:00 am – Planning & Zoning Board quasi-judicial review and approval with renewal by annual review, with Police Department, of each permit and an annual renewal fee.
- Provide suspension, revocation and appeal procedures for these permits that would restrict sale of alcohol.

Staff Recommendation: Direct the City Attorney to draft an Ordinance for City Commission review.

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

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob  
Members Girello, Gonzalez, McCluskey

The following members of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director  
Dean Piper, Zoning Administrator  
Sam Goren, City Attorney

Chairman Rose relinquished the chair to Vice Chairman Jacob.

Chairman Rose moved accept the proposed code amendments along with all of the other provisions to get the extended hours; subject to changing the hours of sale from 7:00 am to 9:00 am and direct City Attorney to draft an Ordinance for City Commission review. Member Girello seconded the motion.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob  
Members Girello, Gonzalez, McCluskey

The following members of staff spoke:

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

On the motion by Chairman Rose, seconded by Member Girello, to accept the proposed code amendments along with all of the other provisions to get the extended hours; subject to changing the hours of sale from 7:00 am to 9:00 am and direct City Attorney to draft an Ordinance for City Commission review, the following vote was recorded:

AYE: Chairman Rose, Vice Chairman Jacob, Member McCluskey

NAY: Members Girello, Gonzalez

Motion Passed

Vice Chairman Jacob relinquished the chair to Chairman Rose.

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

Chairman Rose spoke in reference to excused absences.

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

AYE: Chairman Rose, Vice Chairman Jacob, Member McCluskey

NAY: Members Girello, Gonzalez

Motion Passed

**Vice Chairman Jacob** noted that he will not be able to attend the **January 28, 2016 meeting** and is asking for an excused absence. He also stated that if he is needed for a quorum he could participate via telephone.

**Member Gonzalez** spoke in reference to the **drainage issues** affecting the Encino community.

Michael Stamm, Jr., Planning and Economic Development Director, spoke in reference

to the drainage issues affecting the Encino community.

Member Girello spoke in reference to **work being done by AT&T** along Hiatus Road and Flamingo Road between Taft Street and Sheridan Street,

He also spoke in reference to perimeter traffic and sight lines at the **Pembroke Lakes Mall**.

He also spoke in reference to the Wendy's restaurant on University Drive and other **empty business properties and the upkeep of their landscaping**.

The following member of the Planning and Zoning Board spoke in reference to the Wendy's restaurant on University Drive and other empty business properties and the upkeep of their landscaping:

Member McCluskey

**Michael Stamm, Jr.**, Planning and Economic Development Director, informed the Planning and Zoning Board that staff is proposing to hold a **joint workshop meeting** with the Economic Development Board and the Landscape Advisory Board at the SW Focal Point Senior Center, **February 25, 2016**.

He also noted that the Planning and Economic Development division has become a department now.

**ADJOURN:**

Chairman Rose adjourned the meeting at 8:41 p.m.

**ADJOURNED:**  
8:41 P.M.

Respectfully submitted:

  
\_\_\_\_\_  
Sheryl McCoy  
Board Secretary