

January 23, 2014

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 23, 2014, at the Pembroke Pines Municipal Center, City Commission Chambers, 10100 Pines Boulevard, Pembroke Pines, FL. Present to-wit: Chairman Rose, Vice Chairman Jacob, Members Gonzalez, McCluskey, and Alternate Member Taylor. Absent: Member Girello and Alternate Member Lippman. Also present: Michael Stamm, Jr., Planning and Economic Development Director; Joseph Yaciuk, Planning Administrator; Stacey Weinger, Assistant City Attorney, and Secretary McCoy.

Secretary McCoy declared a quorum present.

**SUBMISSION OF LOBBYING DISCLOSURE FORMS:**

The following member of the Planning and Zoning Board submitted Lobbying Disclosure forms at 6:35 p.m. for the (PH 2013-04) Pembroke Lakes South / The Hoyer Homes at Raintree item:

Member McCluskey

**TRANSPORTATION PRESENTATION:**

Linda Mifsud, Jacobs Consulting, on behalf of Broward Metropolitan Planning Organization (MPO), addressed the Planning and Zoning Board and members of the public. She gave a brief presentation on Speak Up Broward.org. She also informed the board members and public the MPO is asking for input on how to create a better public transportation system.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob

The following member of the public spoke:

Linda Mifsud, Jacobs Consulting

**APPROVAL OF MINUTES:**

On a motion by Member McCluskey, seconded by Member Gonzalez, to approve, the minutes of the January 9, 2014 meeting, the following vote was recorded:

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

NAY: None

Motion Passed

**NEW BUSINESS:**

**PUBLIC HEARINGS AND REGULAR ITEMS:**

(Secretary's Note: Alternate Member Taylor arrived at 7:30 p.m. and was designated a voting member.)

1. **PH 2013-04**, the purpose of this Public Hearing is to consider a proposed change of Land Use Designation from Irregular Residential 5.2 to Irregular Residential 5.52 for the purpose of developing 207 dwelling units on approximately 76 ± acres in the Amendment Area consisting of 104 single family and 103 townhome dwelling units for the **Pembroke Lakes South / The Hoyer Homes at Raintree (PH 2013-04)** property which is generally located on the north side of Pembroke Road between Flamingo Road and Hiatus Road.

Chairman Rose noted for the record that he has spoken with Stefan Hoyer, the petitioner prior to this evenings meeting in reference to this item.

Chairman Rose stated the purpose of this Public Hearing is to consider a proposed change of Land Use Designation from Irregular Residential 5.2 to Irregular Residential 5.52 for the purpose of developing 207 dwelling units on approximately 76 ± acres in the Amendment Area consisting of 104 single family and 103 townhome dwelling units for the Pembroke Lakes South / The Hoyer Homes at Raintree (PH 2013-04) property which is generally located on the north side of Pembroke Road between Flamingo Road and Hiatus Road.

Stefan Hoyer addressed the Planning and Zoning Board. Mr. Hoyer gave a brief overview of the proposed Change of Land Use request.

The following staff report was entered into the record:

Greenspoon Marder, P.A., agent for the contract purchaser, Hoyer Homes, LLC submitted a regular scale land use plan amendment application for the 566 acre parcel of property (aka Raintree and the Pembroke Lakes South plat), located east of Flamingo Road, between Pines Boulevard and Pembroke Road. The applicant is requesting a land use plan amendment from Irregular Residential (5.2 du/ac) to Irregular Residential (5.52 du/ac) for the purpose of developing an additional 207 dwelling units limited to townhomes and single family units on the portion of the property delineated in the contract for purchase. The contract for purchase proposes a total of 300 units (150 single family and 150 townhouse units). Currently 93 of the 300 units are permitted by land use and plat. Even though the proposed development will take place on approximately 80 acres of the 566 acre plat, the amendment process mandates the change of land use on the entire plat.

The land use designations and existing uses of the surrounding properties are as follows:

North –	Irregular Residential (6 du/ac) and Commercial
East –	Irregular (9 du/ac), Employment Center, Commercial & Low Residential (5 du/ac)
South –	Regional Activity Center (Miramar)
West -	Irregular (9.67 du/ac) and Commercial

The City Commission adoption hearing is anticipated to take place in September 2014.

The analysis of Public Facilities and Services which is based on the maximum development potential of the site under the existing and proposed land use designation indicates increases in impacts on all public facilities and services; however capacity is available for a majority of the facilities and services to accommodate the increased demand of the proposed amendment. The applicant will be required to mitigate the impacts during the concurrency/capacity analysis and review process. The application has been transmitted to the staff at the Broward County School Board (BCSB) pursuant to the inter-local agreement for

public school facility planning; however, BCSB has agreed to provide review comments prior to the County's transmittal hearings (see attached e-mail, dated 12/11/13).

The applicant is aware that letters from municipal service providers confirming adequate capacity will be required to be submitted prior to adoption of the land use plan amendment. In addition to the land use plan amendment the applicant is currently in the process of rezoning the property and will be required to amend the note on the plat and submit a site plan.

Staff Recommendation: Transmit to the City Commission, Florida Department of Economic opportunity and the Broward County Planning Council with a favorable recommendation.

The following member of the public spoke:

Stefan Hoyer, the petitioner

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

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

NAY: None

Motion Passed

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

2. **PH 2013-04**, the purpose of this item is to transmit to the City Commission a recommendation for the proposed change of Land Use Designation from Irregular Residential 5.2 to Irregular Residential 5.52 for the purpose of developing 207 dwelling units on approximately 76 ± acres in the Amendment Area consisting of 104 single family and 103 townhome dwelling units for the **Pembroke Lakes South / The Hoyer Homes at Raintree (PH 2013-04)** property which is generally located on the north side of Pembroke Road between Flamingo Road and Hiatus Road.

Chairman Rose stated the purpose of this item is to transmit to the City Commission a recommendation for the proposed change of Land Use Designation from Irregular Residential

5.2 to Irregular Residential 5.52 for the purpose of developing 207 dwelling units on approximately 76 ± acres in the Amendment Area consisting of 104 single family and 103 townhome dwelling units for the Pembroke Lakes South / The Hoyer Homes at Raintree (PH 2013-04) property which is generally located on the north side of Pembroke Road between Flamingo Road and Hiatus Road.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob, Members McCluskey, Gonzalez

The following member of staff spoke:

Michael Stamm, Jr., Planning and Economic Development Director

The following members of the public spoke:

Stefan Hoyer, the petitioner  
Gerard Mayer, 811 SW 113 Avenue  
Betty Gore, 700 SW 113 Terrace

On a motion by Member McCluskey, seconded by Alternate Member Taylor, to transmit the Pembroke Lakes South / The Hoyer Homes at Raintree (PH 2013-04) land use plan amendment, as recommended by staff, to the City Commission with a favorable recommendation, the following vote was recorded:

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

NAY: None

Motion Passed

Michael Stamm, Jr., Planning and Economic Development Director, gave an update of the process and scheduled hearing dates for the Hoyer Homes at Raintree project.

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

**Vice Chairman Jacob spoke in reference to trucks being used for advertising.**

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

trucks being used for advertising and the code regulation of them.

**Member McCluskey** spoke in reference to **window graphics in the Pembroke Commons Shopping Center.**

Michael Stamm, Jr., Planning and Economic Development Director, noted that citations have been issued throughout the city for all businesses that do not comply with the window graphics code regulations.

**Member McCluskey** spoke in reference to the **old Raintree Country Club / Pembroke Lakes South entrance sign.**

The following members of the Planning and Zoning Board spoke in reference to the old Raintree Country Club / Pembroke Lakes South entrance sign:

Chairman Rose, Members Gonzalez, McCluskey

Michael Stamm, Jr., Planning and Economic Development Director, spoke in reference to the status of the old Raintree Country Club / Pembroke Lakes South entrance sign.

**Member McCluskey** questioned if the **vacated handicap spaces** located within the Pembroke Commons Shopping Center could **become a landscaped area with a large canopy tree.**

Michael Stamm, Jr., Planning and Economic Development Director, spoke in reference to the ADA requirements that created the vacant parking lot areas and stated staff will research the possibility of having them landscaped.

**Member McCluskey** spoke in reference to Broward County allowing the removal of nuisance trees without any type of permit or approval. He would like a city ordinance to define what a nuisance tree is and would also like to require some type of permit or approval by the city arborist and landscape inspector before any nuisance trees can be removed.

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

updating the landscaping code.

**Member McCluskey** questioned if the Planning and Zoning Board could receive a **monthly landscape inspectors report** to inform us of any commercial landscape projects that are being processed.

Michael Stamm, Jr., Planning and Economic Development Director, stated there currently isn't a written report.

**Member McCluskey** questioned the status of the **Street Tree Program**.

Michael Stamm, Jr., Planning and Economic Development Director informed the Board Members that the City Commission has given some directions for proceeding with the Street Tree Program, landscape ordinance, and car dealerships.

**Alternate Member Taylor** questioned if any **landscaping** will be added west from University Drive along Taft Street as part of the **canal restoration project**.

The following members of the Planning and Zoning Board spoke in reference to landscaping along canal banks and the South Broward Drainage District regulations:

Member McCluskey, Alternate Member Alternate Member Taylor

The following member of staff spoke in reference to landscaping along canal banks and the South Broward Drainage District regulations:

Michael Stamm, Jr., Planning and Economic Development Director

**Member McCluskey** requested staff to **contact the South Broward Drainage District** to address the series of **volunteer oaks along the canal bank** on Taft Street as you near Palm Avenue.

**Chairman Rose** requested an update on the **roadway improvements for the Shops at Pembroke Gardens / PNC Bank**.

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

the roadway improvements for the Shops at Pembroke Gardens / PNC Bank.

**Chairman Rose** stated that Member Girello and Alternate Member Lippman have both requested an **excused absence** from this evenings meeting and that Alternate Member Lippman has also requested an excused absence from the January 9, 2014 meeting.

On a motion by Member McCluskey, seconded by Alternate Member Taylor, to excuse Member Girello and Alternate Member Lippman from this evenings meeting and Alternate Member Lippman from the January 9, 2014 meeting, the following vote was recorded:

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

**NAY:** None

Motion Passed

Chairman Rose informed the board members that he will be returning from Washington DC, on February 13, 2014, and is hoping to arrive in time to attend the Planning and Zoning Board meeting. If for some reason he is unable to attend the meeting he is requesting an excused absence.

**Alternate Member Taylor** spoke in reference to **locating businesses** through street signage, more visible addresses, and business branding.

Michael D. Stamm, Jr., Planning and Economic Development Director, addressed some of the concerns with locating businesses through street signage, more visible addresses, and business branding.

**ITEMS AT THE REQUEST OF STAFF:**

3. Landscape Inspection/Procedure Update

Michael Stamm, Jr., Planning and Economic Development Director, gave a brief update on the new Landscape Inspection and Procedures.



The following staff report was entered for the record:

### ***Landscape Inspections***

In late 2012, Commercial Landscaping was added as a function of the Planning and Economic Development Division. The position of Landscape Inspector was advertised and we hired Lauren Swan in February 2013. Ms. Swan immediately began inspecting properties and performing DRC Landscape reviews.

Over the past twelve months, Ms. Swan has inspected 79 properties; this includes shopping centers and outparcels. The inspections were part of regular annual inspections for commercial properties and through concerns received in the Code Compliance Division. During the inspection process, Ms. Swan encountered some minor issues including broken or missing irrigation systems and inconsistency with approved site plans.

As result of the inspections 258 category 1, 2, and 3 trees have been installed on commercial properties citywide. In addition, 110 new palm trees were installed as well as understory material including groundcover, shrubbery and ornamentals. Of the 258 trees, 137 were category 1 (Live Oak, Mahogany, Royal Poinciana, Green Buttonwood, Wild Tamarind, etc). Nonetheless, some nuisance and invasive trees have been removed as part of this process. Further, before any trees were removed the trees were inspected by the City's arborist Michael Atkin.

Samples of new installations, as result of landscape inspections, have been attached to this memo (Attachment 1).

### ***Scrubby's Plaza***

As part of this annual inspection process, the Scrubby's Plaza was evaluated. During this time, staff was not able to locate the original approved site plan, so the property owner created a tree disposition plan with their landscape architect. The plan itemized each species and the materials on site. After a series of meetings with the property owner, his landscape architect and Division staff a new plan was approved. The property owner applied for a tree removal permit and began the process of improving his site. It must be noted, that the site had a severely damaged irrigation system due to roots. The system was not in operation for an extended period of time and had been pulling from the adjacent canal. The results of the revised landscape plan for the plaza are shown in Attachment 2 (Scrubby's Plaza Landscape Plan Summary).

### ***Plans to Planning and Zoning Board***

The Planning and Zoning Board typically reviews landscape plans as part of new site plans, however, over the past few years the following items were reviewed by the Board for only landscape issues:

1. Chapel Trail Perimeter Plan
2. Pembroke Lakes Mall Landscape plan
3. Western Beef

### ***Landscape Code***

Division staff will be presenting potential revisions to the City's Landscape code at the February 13<sup>th</sup> Planning and Zoning Board meeting.

The following members of the Planning and Zoning Board spoke:

Chairman Rose, Vice Chairman Jacob  
Members Gonzalez, McCluskey, Alternate Member Taylor

The following member of staff spoke:

Michael D. Stamm, Jr., Planning and Economic Development Director

**ADJOURN:**

Chairman Rose adjourned the meeting at 8:50 p.m.

**ADJOURNED:**

8:50 P.M.

Respectfully submitted:



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Sheryl McCoy  
Board Secretary

# PLANNING AND ZONING BOARD

## ACTION SUMMARY

January 23, 2014

CASE NO.	DESCRIPTION	Action
<b>PH 2013-04</b>	Transmit to the City Commission a recommendation for the proposed change of Land Use Designation from Irregular Residential 5.2 to Irregular Residential 5.52 for the purpose of developing 207 dwelling units on approximately 76 ± acres in the Amendment Area consisting of 104 single family and 103 townhome dwelling units for the <b>Pembroke Lakes South / The Hoyer Homes at Raintree (PH 2013-04)</b> property which is generally located on the north side of Pembroke Road between Flamingo Road and Hiatus Road. (Sharon)	Transmit, as recommended by staff, to the City Commission with a favorable recommendation.