



Minutes of October 15, 2012

Meeting Called to order at 7:00 p.m.

1. ROLL CALL

P&Z Board Members

MEMBERS	10/15/12	10/1/12	6/18/12	5/16/12	2/27/12	12/19/11	11/21/11	10/3/11	9/19/11	8/29/11	7/18/11
Marianne McCoy	P	A	P	P	P	A	P	P	P	P	P
Diane Sori	P	A	A	P	P	P	P	A	A	P	P
Charles Cutler	A	P	P	P	P	P	A***				
Michelle Keirnan Stern	P	P	P	P	P	P	P	P	P	P	P
Craig Konhauzer V/Chair	P	P	P	P	P	P	P	P	P	P	P
Mark Aronson, Chair	P	P	P	P	P	P	P	P	P	P	P
David Nall	P	A	P	P	A	A	P	P	P	P	P
John Valenti	P	P	P	P	P	P	P	P	P	P	P
Bart Roper	P	P	P	P	P	P	P	A	P	P	P
Gary Laufenberg	P	P	P	P	P	P***					

* Reappointed ** Resigned *** New appointment

STAFF PRESENT: *Matt Wood, Director*
Jason Chockley, Planner

APPLICANTS: *Scott Backman, Esq., Siegel, Lipman, Dunay, LLP, PNC Bank*
Brian Thomas, Bohler Engineering, PNC Bank
George Balaban, Bohler Engineering, PNC Bank

2. P&Z BOARD - MINUTES - WAIVE/APPROVE – 10/1/12 MOTION TO WAIVE READING OF MINUTES OF 10/1/12: Motion to waive the reading of the minutes made by Mr. Valenti and seconded by Mr. Roper. All ayes on voice vote. **APPROVE:** Motion to approve made by Ms. McCoy and seconded by Mr. Valenti. There were all ayes on voice vote. Motion was approved.

3. CORRESPONDENCE:
None.

4. NEW BUSINESS:

A. PNC BANK OF COOPER CITY – LOCATED AT 9479 SHERIDAN STREET – COOPER CITY COMMONS SHOPPING CENTER – OUTPARCEL # 3

1. SITE PLAN PETITION # SP 9-1-11

Mr. Wood explained that this item is a Preliminary/Final Site Plan petition for the PNC Bank @ Cooper City Commons. The subject request involves final site plan approval of Outparcel #3 of the Cooper City Commons site plan.

This item is being presented for Preliminary/Final Site Plan approval pursuant to Section 24-43(b) of the Zoning Code, which allows plans to be reviewed as final submittals at the initial stage of review if the plans and supporting data comply in all respects with the requirements for a final plan.

The site plan reflects the bank building at approximately 4,200 square feet with access provided from the private access drive through the shopping center from Sheridan Street to the south or Pine Island to the east. There are three drive-thru lanes proposed along the north side of the building with 32 parking spaces provided overall. A 25' landscape buffer is provided along Sheridan Street to the south, consistent with the established buffer for the overall center.

The architectural plans reflect the building with sand colored walls, a pink colored brick veneer base, and a Spanish S barrel tile roof. The architectural colors have been selected to be consistent with the overall center.

The signage as submitted will require City Commission approval of three sign waivers that have been submitted concurrently with this Site Plan Amendment petition. The requests are summarized as follows:

1. To increase the allowable height of the wall sign letters (from 22 inches for a primary wall sign and 14.66 inches for secondary wall signs) to 24 inches for two wall signs.
2. To increase the allowable height of the wall sign logos (from 22 inches for a primary wall sign and 14.66 inches for secondary wall signs) to 32.13 inches for two wall sign logos.
3. To permit three additional colors (above the three permitted under the approved sign package for the center) – PNC's trademarked Dark Blue, Light Blue and Orange – for the bank signage.

Mr. Wood concluded that the Development Review Committee recommends approval of the preliminary/final site plan subject to the following:

1. Submittal of an executed utility service agreement and payment of utility reservation fees (ERCs) prior to City Commission Approval of the Final Site Plan.
2. Payment of General Government Impact Fees and any outstanding Broward County fees prior to permit issuance.
3. City Commission Approval of the sign waiver requests submitted concurrently with this petition.

Mr. Scott Backman, Esq. introduced himself as the representative for PNC Bank and stated that any issues they had have been worked out with Staff and he agreed with the Staff Report.

Mr. Nall stated that he needs to recuse himself from these two petitions as PNC Bank is his client.

Mr. Konhauzer questioned the 32.13 inches for two wall sign logos.

Mr. Backman responded that it is a part of the sign waiver. He explained they were asking to increase the logo height which is a separate waiver from increasing the letter set height. The letter set would be 24 inches as proposed and the logo would be 32 inches.

Mr. Konhauzer commented that would be 32 inches in the upper left corner. He then wanted to know how high was the actual wall itself.

Mr. Wood suggested that he read the Staff Report for the Sign Waiver into the record and the Board could ask questions related to the site plan or the sign waiver, but they should be voted on separately.

The Board agreed and Mr. Wood proceeded to read the Staff Report, below for Sign Waiver Petition # SW 9-1-11.

4. B. PNC BANK OF COOPER CITY – LOCATED AT 9479 SHERIDAN STREET – COOPER CITY COMMONS SHOPPING CENTER – OUTPARCEL # 3

2. SIGN WAIVER PLAN PETITION # SW 9-1-11

Mr. Wood explained that this item is a Sign Waiver petition for the PNC Bank @ Cooper City Commons. The petitioner requests three waivers from Section 25-23 of the Code relative to permanent wall signage, summarized as follows:

1. To increase the allowable height of the wall sign letters (from 22 inches for a primary wall sign and 14.66 inches for secondary wall signs) to 24 inches for two wall signs.
2. To increase the allowable height of the wall sign logos (from 22 inches for a primary wall sign and 14.66 inches for secondary wall signs) to 32.13 inches for two wall sign logos.
3. To permit three additional colors (above the three permitted under the approved sign package for the center) - PNC's trademarked Dark Blue, Light Blue and Orange – for the bank signage.

For a freestanding building within a shopping center the Code provides for one primary and one secondary wall sign or for four secondary wall signs. Under this request, the applicant is proposing a primary and a secondary wall sign with 24" letters and 32.13" logos while maintaining the maximum allowable sign area for both signs. The signs would be located on the south and west sides of the building.

The approved sign package for Cooper City Commons permits three colors – red, white and blue. The applicant's color waiver request seeks approval of Dark Blue (PMS #540), Light Blue (PMS #284) and Orange (PMS #158).

Code stipulates that waivers may be granted where at least one of the following is met:

- 1) Signs cannot be properly viewed due to physical site distinctions.
- 2) Architectural design of a structure and/or a site plan poses unique and extenuating characteristics whereby a waiver is in the city's best interests.
- 3) Literal enforcement would result in unreasonable and undue hardship upon the petitioner.

The applicant's justification for the larger letter size is to address in their words "the extreme setbacks from the edge of both Sheridan Street and the internal Center access drive." The justification statement claims that the setbacks combined with the vegetative berm along Sheridan Street "significantly hinder visibility of the bank branch on the approach from either direction from Sheridan Street, which may result in unsafe conditions for both residents and visitors of the City."

As to the maximum logo height, the petitioner states the request is necessary in order to provide sufficient visibility for customers to recognize the bank brand and safely navigate to the bank. The petitioner points to the “extreme” setbacks to justify this request as well.

As to the sign waiver for colors, the petitioner states the requested shades of blue and orange will be compatible and complimentary with the existing and future signage for the center. The applicant further states that it is imperative to both the safety of the bank customer (to safely navigate to the bank) and the economic vitality of the bank branch that customers are able to identify the brand of the bank.

Mr. Wood concluded that Staff finds that the petition meets the submittal requirements for this sign waiver to be considered. The Planning and Zoning Board is requested to discuss the petition and make a recommendation. Board input will be forwarded to the City Commission for final action.

Mr. Backman commented that you could provide some options when dealing with signage. You could choose four secondary signs, which sets a certain height of the letters as well as the square footage, or you could choose a primary and a secondary sign. He pointed to the display map and pointed out where the property was positioned for PNC Bank it didn't make sense that they would take as much signage as they can get and put four signs all the way around the building and instead what you see is a request for some consistency in the signage. They are asking for the primary sign on the Sheridan Street frontage as well as the frontage on the drive isle for the shopping center. He pointed out that along Sheridan Street there is a raised berm and some landscaping that runs down Sheridan Street in front of the bank building and is about 130-140 foot setback, and in addition on the west side of the building there is a large open area as you pull into the shopping center that is about 135 foot setback as well. They are requesting the signage at 24 inch letter set and the logo is slightly larger at 32 inches. This is PNC Bank trademark logo and the orange logo is slightly larger than the signage and is very similar to a lot of signage that you see around the City, in particular the Chase Bank within the center and the public storage in the center both have the exact same type of situation where their logo immediately adjacent to the signage is slightly larger and, again, it is a federally protected and trademarked logo including the colors.

Mr. Backman then mentioned that they were asking for the waiver for the letter set from 24 inches to 32 inches for purposes of the logo. He then commented that the City sign code actually if they were to maximize the square footage, would allow a 77 square foot sign along Sheridan Street and 52 square foot sign on the secondary frontage they were proposing totaling about 129 square feet and they were asking for a total of just over 92 square feet between the two 46 square foot signs that they were proposing. With regard to the colors, he mentioned that they were federally registered trademarks vital to the mark and the brand that PNC Bank spent substantial amount of time investing in to insure that it is a recognized brand similar to a lot of other uses within the City and the colors are vital to branding this particular building at this location.

Mr. Aronson asked if Mr. Backman could confirm if the rendering where the signage is was in scale to what they were requesting. Is that scale correct or is that just for purposes.....

Mr. Brian Thomas, Bohler Engineering introduced himself and responded that the signage was to scale on the rendering. He then explained and pointed out the south elevation and the primary signage at 16 1/2 feet tall and the west elevation is an 18 1/2 foot wall face and the signage is 24 inches.

Mr. Konhauzer commented that in the upper left that sign was 24 inches and asked which was the one that was 32 inches and was it just the logo.

Mr. Thomas responded that was correct.

Mr. Laufenberg commented this sign was facing eastbound on Sheridan Street and going westbound there was no signage. He then wanted to know if there was going to be a building to the west of this building or was this parcel going to remain empty.

Mr. Thomas responded that it was a part of the FP&L Easement.

Mr. Laufenberg commented that if something was built to the west on the other side of the entrance, which is an empty lot. He was concerned because if something was built there, obviously that sign wouldn't be relevant anymore and would be blocked.

Ms. McCoy remarked that with regard to past history and seeing a bank built in the City that was site planned one way and ended up being built another way. She referred to the main entranceway into the building and to her it looked like the rear elevation or the north elevation of the building there is a solid metal access door.

Mr. Thomas responded that was an exit door.

Ms. McCoy then explained that a long time ago American Bank, at Flamingo Road and Sheridan Street came in for their site plan approval and had a secondary access door and then somehow after the approval and where it went from City Commission, the owners pulled the door out so basically they had a bank that had one way in and one way out and it was not a good situation. She wanted to make sure they were not going to run into a situation where the bank representatives were going to decide to pull that door out.

Mr. Backman responded they were absolutely not going to do that.

MOTION: TO APPROVE SUBJECT TO DRC COMMENTS PNC BANK OF COOPER CITY - COOPER CITY COMMONS SHOPPING CENTER – OUTPARCEL # 3 - SITE PLAN PETITION # SP 9-1-11. MOTION MADE BY MS. SORI AND SECONDED BY MS. STERN. On roll call vote there were eight aye votes and Mr. Nall recused himself and did not vote. Motion was approved.

MOTION: TO APPROVE PNC BANK OF COOPER CITY - COOPER CITY COMMONS SHOPPING CENTER – OUTPARCEL # 3 - SIGN WAIVER PLAN PETITION # SW 9-1-11. MOTION WAS MADE BY MR. KONHAUZER AND

SECONDED BY MS. SORI. On roll call vote there were seven aye votes and one no vote made by Mr. Roper and Mr. Nall recused himself and did not vote. Motion was approved.

5. OLD BUSINESS:

None.

6. GROWTH MANAGEMENT DIRECTOR'S REPORT:

Mr. Wood commented that the next regularly scheduled meeting will be the first Monday in November which is November 5th and there is a petition scheduled.

Ms. Sori interjected that meeting would be the day before the election and a lot of them would be extremely busy that day and was not a good day to have a meeting.

Mr. Wood responded that this applicant has several petitions that would be heard as well as advertised petitions. He thought those had been advertised.

Ms. Sori remarked that this was a major presidential election. She also mentioned that the voting machines would have to be in place two days before the election in City Hall and the Community Center. She asked if they would consider moving the meeting date.

Mr. Aronson commented they could hold the meeting and it has already been advertised and it can't be rescheduled. The meeting has to be held.

7. BOARD MEMBERS' CONCERNS:

None.

8. ADJOURNMENT:

The Meeting adjourned at 7:24 p.m.