



Legislation Text

File #: 2017-23, Version: 2

MOTION TO ADOPT PROPOSED ORDINANCE NO. 2017-23 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2017-23 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 155 ENTITLED "ZONING CODE," BY AMENDING SECTION 155.149, ENTITLED "GENERAL BUSINESS (B-3) DISTRICTS," TO AMEND SECTION 155.149 (B) TO REMOVE MINI-WAREHOUSE USES; TO AMEND SECTION 155.149 (I) TO PROVIDE FOR CONSISTENCY IN STANDARDS RELATED TO GENERAL OUTPARCELS; TO AMEND SECTIONS 155.149 (J) TO PROVIDE FOR NEW DEFINITIONS, GUIDING PRINCIPLES AND DEVELOPMENT STANDARDS RELATING TO THE REGIONAL MALL AND OUTPARCEL DEVELOPMENT, TO CREATE SECONDARY CLASSIFICATION TO CORRECT EXISTING NON-CONFIRMITIES, ALLOW FOR DEVELOPMENT WITHIN PARCEL A OF THE UNDERLYING DEVELOPMENT OF REGIONAL IMPACT WITH ASSOCIATED STANDARDS AND IMPOSE A CAP ON the NUMBER OF OUTPARCELS ON SITE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUMMARY EXPLANATION AND BACKGROUND:

1. 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 Ordinance addresses / amends the following three sections of the B-3 (General Business) zoning district:

- ☐ **Mall Parcels: (Section 155.149 (J))**
- ☐ **General Outparcel regulations (Section 155.149 (I) (1))**
- ☐ **Mini-warehouse standards (Section 155.149 (B) (11))**

2. **Mall Parcels** - The Planning and Economic Development Department has been approached by mall management to update City Code relating to Regional Mall development. Mall management requests that the City review the applicable Code Section 155.149 (J) to allow for the development of mall outparcels within Parcel A of the mall.

3. **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.

4. Mall Parcel Request - Mall management approached the City in late 2016 looking to develop two outparcel buildings within the Mall ring road (Parcel A). 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 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 mall ring road (Parcel A). 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 (legal non-conforming structures).

5. The following clarifying / corrective improvements to the Code are proposed 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 main mall parcel (Parcel A) 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 within Parcel A 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 (consistent with city practice).
 - e. Mall outparcel signs for outparcels on Parcel A 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.

6. **General Outparcel Regulations** - The City has also been in discussion with the Planning and Zoning Board regarding height restrictions for non-mall outparcel buildings 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 general outparcels by reference :

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 (consistent with city practice).

7. **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. Storage Warehouse is currently permitted within the Commercial (C-1) district. Staff therefore recommends removing mini-warehouse use from the Code of Ordinances and utilizing the provisions for self storage as allowed in C-1.

8. The Planning and Zoning Board at its December 14, 2017 meeting voted to transmit this Ordinance to the City Commission with a favorable recommendation.

9. A related ordinance proposed no. 2017-26 is being heard concurrently at tonight's meeting which will formally incorporate the same general outparcel regulation changes for the Community Business B-2 district.

10. Staff recommends approval of this amendment. The proposed ordinance was revised for typographical errors.

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None.
- b) **Amount budgeted for this item in Account No:** Not Applicable.
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) **5 year projection of the operational cost of the project** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.