



BONNIE MISKEL • SCOTT BACKMAN • ERIC COFFMAN • HOPE CALHOUN
DWAYNE DICKERSON • ELE ZACHARIADES • CHRISTINA BILENKI
DAVID MILLEDGE • SARA THOMPSON • JEFFREY SCHNEIDER

**FR Pembroke Gardens, LLC
Pembroke Gardens
527 NW 145th Ter.
Rezoning Narrative**

FR Pembroke Gardens, LLC (“Petitioner”) is the owner of two parcels totaling +/- 40.89 acres, generally located on the south side of Pines Blvd. between I-75 and SW 145th Ave. (“Property”) within the City of Pembroke Pines (“City”). The Property consists of two parcels, Parcel 1 is a +/- 40-acre parcel identified as folio #514015050010 and is developed with the Pembroke Gardens Shopping Center (“Shopping Center”). The Shopping Center is a pedestrian friendly, outdoor commercial center featuring over seventy-five (75) retailers and restaurants. Parcel 2 is a +/- 0.89-acre parcel identified as folio #514015010053 and is improved with landscaping and an access point into the Shopping Center. Parcel 1 is located on Parcel A of the Shops at Pembroke Gardens plat, while Parcel 2 is not specifically delineated in a recorded plat. Both parcels contain a future land use designation of Commercial on the City’s Future Land Use Map and a zoning designation of Planned Commercial District (PCD). The Shopping Center is governed by Pembroke Gardens Design Guidelines (“PCD Guidelines”). Petitioner will utilize the existing PCD Guidelines to create the MXD Guidelines for the new mixed-use development.

Petitioner is proposing to redevelop +/- 2.70 acres of area used for parking for the Shopping Center with a luxury multi-family residential development consisting of +/- 308 dwelling units (“Project”). In order to develop the Project, Petitioner is requesting the following approvals: 1.) rezoning request to change the zoning designation of the Property from PCD to MXD (Mixed Use Development); 2.) site plan amendment to modify the approved site plan for the Shopping Center to remove the parking spaces and add the Project; 3.) delegation request to amend the restrictive note on the Shops of Pembroke Gardens plat to allow the residential dwelling units; 4.) implementation of Broward County Land Use Plan Policy 2.16.3 with flex unit allocation; and 5.) master sign plan approval.

The proposed Project will redevelop underutilized property dedicated for parking with a vibrant multi-family residential development. This will create a mixed-use community, allowing residents to walk to various commercial and retail uses. With 308 proposed dwelling units, the residential development will provide the surrounding commercial uses with customers who will be able to easily walk to those businesses. This relationship between the two uses will support the economic base of the City by adding residential dwelling units while still maintaining, and increasing support for the existing active commercial uses in the surrounding area.

Flex Unit Allocation

As previously stated, the underlying future land use designation of the Property is Commercial. To allow the 308 multi-family residential dwelling units, the Applicant is utilizing the implementation of Broward County Land Use Plan Policy 2.16.3. This policy allows the allocation of flex units and bonus density when a project includes affordable housing units. The bonus density formulas vary based on the level of affordability, with 6 bonus units for each 1 moderate level dwelling unit; 9 bonus units for each 1 low-

income level dwelling unit; and 19 bonus units for each 1 very low-income level dwelling. The income levels are defined as the following:

- Moderate: persons having a total annual anticipated income for the household that does not exceed 120% of the median annual income adjusted for the family size for households within the County
- Low: persons having a total annual anticipated income for the household that does not exceed 80% of the median annual income adjusted for the family size for households within the County
- Very Low: persons having a total annual anticipated income for the household that does not exceed 50% of the median annual income adjusted for the family size for households within the County

To develop the Property with 308 dwelling units, the Applicant will provide 44 moderate income affordable housing units and 264 market rate units (applying the bonus density allowed for moderate income level units: 44 affordable units x 6 = 264 market rate units). Per the Policy 2.16.3 regulations, the 44 moderate income level affordable housing units will be deed restricted for a period of 30 years. The Applicant will provide a restrictive covenants with the site plan application that will restrict the 44 affordable housing units for a period of 30 years. Additionally, the Applicant will comply with any reporting standards set forth by the City to submit annual reports demonstrating compliance with the affordable housing units.

While Policy 2.16.3 is a policy set forth in the Broward County Land Use Plan, the implementation of the policy is managed and reviewed by the City reviewing the application. Discussions with Broward County Planning Council staff have confirmed that the Planning Council does not implement the utilization of this policy and ensure compliance. The Planning Council provides the policy as a tool to encourage the development of affordable housing units, but the implementation of the policy falls to the municipalities.

MXD Guidelines

To create a residential development that is balanced with the existing Shopping Center, Petitioner is maintaining the standards put in place under the existing PCD Guidelines and modifying the document to add the standards for the residential buildings. This will allow the new residential development to be integrated into the existing Shopping Center to create one cohesive project, while maintaining the existing standards for the commercial Shopping Center. The proposed dimensional standards for the residential uses were created utilizing the standards for the City's RM-F district, maintaining consistency with these standards as much as possible. The RM-F district was created for single-use multi-family projects, whereas this Project is a mixed-use development. As such, not all of the dimensional standards in the RM-F district could strictly be applied to the Project in the MXD Guidelines and the dimensional standards were drafted to meet the requirements of this mixed-use development, as is intended in the MXD district.

A strikethrough and underlined version of the MXD Guidelines showing all the proposed changes to the existing PCD Guidelines has been included with this submittal. All proposed deletions are shown in strikethrough text, while all new language is shown in underlined text. Additionally, a general summary of the proposed changes is provided below:

- All definitions were updated to reflect the language in the current code and correct code section references.

- The project description was changed to reflect a mixed-use project rather than a commercial project.
- The entire document was reorganized to split the sections into three general sections, overall development regulations, commercial use area regulations, and residential use area regulations.
- The parking ratios were modified to reflect a requirement of Parking of 4.25 spaces per 1,000 square feet for the Commercial uses (inclusive of outdoor café seating) and 1.75 spaces per unit for the Residential uses.
- The electric vehicle charging requirements were removed from the Parking & Loading section.
- Regulations for temporary tenants were created, with a maximum period of 18 months for temporary tenants.
- Regulations were added for existing tenants, not requiring a minimum number of architectural modifications with façade changes. This applies only to existing tenants. New tenants will still need to make three architectural modifications.
- The number of valet parking stations was reduced from 4 to 3. This resulted in the reduction of 100 valet parking spaces, as each valet station allows a maximum of 100 valet parking spaces.
- The Site Lighting, FAR, Landscape & Irrigation Design, Architectural Design Guidelines sections were updated to add regulations for the residential use area.
- A maximum lighting level of 4,000K CCT was set for the residential use area in the Site Lighting Section of the guidelines.
- A maintenance schedule was added to the Landscape and Maintenance section.