

STATE OF FLORIDA
COUNTY OF BROWARD

I HEREBY CERTIFY that the above
foregoing is a true and correct copy of

Ordinance 1985

as recorded in the Office of the City Clerk.

Witness my hand and official seal this

3 day of March A.D. 2022

CITY OF PEMBROKE PINES

By: Marlene Graham

Marlene Graham

CITY CLERK



REV 1

PROPOSED ORDINANCE NO. 2021-13

ORDINANCE NO. 1985

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA
ADOPTING THE PROPOSED SMALL SCALE LAND USE PLAN
AMENDMENT AMENDING THE CITY'S LAND USE ON AN
APPROXIMATE 7.6-ACRE PROPERTY GENERALLY LOCATED
NORTH OF PEMBROKE ROAD AND WEST OF SW 145TH AVENUE,
AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A;"
AMENDING THE CITY'S LOCAL LAND USE PLAN MAP FROM
OFFICE PARK TO IRREGULAR RESIDENTIAL (46.1 DU/AC) FOR
THE PURPOSE OF DEVELOPING 350 MULTI-FAMILY UNITS;
PROVIDING FOR TRANSMITTAL OF CERTIFIED COPIES OF THIS
ORDINANCE AND TRANSMISSION OF THE UPDATED LAND USE
PLAN MAP TO THE BROWARD COUNTY PLANNING COUNCIL
AND BROWARD COUNTY COMMISSION; REQUESTING
BROWARD COUNTY TO AMEND ITS FUTURE LAND USE MAP
AND TO RE-CERTIFY THE CITY'S LAND USE MAP;
AUTHORIZING AND DIRECTING THE CITY MANAGER AND ALL
APPROPRIATE MEMBERS OF CITY ADMINISTRATION TO TAKE
ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF
THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING
FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant, Pembroke 145 Office LLC % TPA Group, through
Greenspoon Marder LLP, submitted a Land Use Plan Amendment application for
the approximate 7.6-acre property generally located north of Pembroke Road and
west of SW 145th Avenue, as more particularly described in **Exhibit "A"**, attached
hereto; and

WHEREAS, the Applicant proposes to change the land use on this property
from Office Park to Irregular Residential (46.1 du/ac) for the purpose of developing
350 multi-family units; and

WHEREAS, the Applicant proposes to amend both the City of Pembroke
Pines' (the "City") and Broward County's (the "County") land use plan designations
for the above-referenced property; and,

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WHEREAS, an analysis conducted on the Public Facilities and Services indicates that such land use change will result in an increase in impacts on some public facilities and services. The applicant will be required to submit letters of available capacity prior to adoption of the proposed land use plan amendment and to mitigate any increased impacts during the concurrency and capacity analysis; and

WHEREAS, City Staff recommends approval of the proposed Land Use Plan Amendment; and

WHEREAS, at its regular meeting on June 24, 2021, the City's Planning and Zoning Board, acting as the City's Local Planning Agency, held a public hearing and considered the proposed Land Use Plan Amendment, and voted to transmit the amendment to the City Commission with a favorable recommendation and further recommends transmitting the proposed Land Use Plan Amendment to the Broward County Planning Council and the Broward County Commission with a positive recommendation subject to Broward County Commission's approval and recertification of the City's land use plan; and

WHEREAS, the Broward County Commission adopted the proposed land use plan amendment on February 8, 2022; and;

WHEREAS, the City Commission has held the required public hearings and desires that the Land Use Plan Amendment application for the approximate 7.6-acre property generally located north of Pembroke Road and west of SW 145th Avenue, as more particularly described in **Exhibit "A"**, be transmitted to the Broward County

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Planning Council and the Broward County Commission requesting that Broward County amends its future land use map and re-certify the City's land use map; and

WHEREAS, the City Commission of the City of Pembroke Pines finds the adoption of the Land Use Plan Amendment to be in the best interests of the citizens and residents of the City of Pembroke Pines;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THAT:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. All exhibits referenced herein are hereby incorporated within this Ordinance by this reference and made a specific part hereof.

Section 2. The City Commission hereby adopts this Land Use Plan Amendment for the approximate 7.6-acre property generally located north of Pembroke Road and west of SW 145th Avenue, as more particularly described in **Exhibit "A"**, attached hereto, by amending the land use on the property from Office Park to Irregular Residential (46.1 du/ac) for the purpose of developing 350 multi-family units.

Section 3. The approval of the Land Use Plan Amendment as provided herein is subject to the City's receipt of letters from the Applicant verifying adequate capacity of the service availability for the increased impacts associated with this Land Use Amendment.

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Section 4. The City Commission of the City of Pembroke Pines, Florida, hereby directs that the proposed Land Use Plan Amendment for the approximate 7.6-acre property generally located north of Pembroke Road and west of SW 145th Avenue, as more particularly described in **Exhibit "A"**, be transmitted to the Broward County Planning Council and the Broward County Commission with a favorable recommendation and request that Broward County amends its future land use map to include the amendments and re-designation described herein.

Section 5. The City's Land Use Map and Certified Land Use Plan are hereby amended to include the amendments and re-designation described herein.

Section 6. The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council and the Broward County Board of County Commissioners with a request to re-certify the City of Pembroke Pines Land Use Plan.

Section 7. The City Manager and all appropriate members of City Administration are hereby authorized and directed to take all action necessary to effectuate the intent of this ordinance.

Section 8. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 9. If any clause, section or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid, such unconstitutional or invalid part or

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ORDINANCE NO. 1985

application shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance remaining in full force and effect.

Section 10. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS 4TH DAY OF AUGUST, 2021.

PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS 2ND DAY OF MARCH, 2022.

CITY OF PEMBROKE PINES, FLORIDA

By:  Frank C. Ortis

MAYOR FRANK C. ORTIS

For

ATTEST:

 Marlene Graham 3/3/2022 ORTIS AYE
MARLENE GRAHAM, CITY CLERK

APPROVED AS TO FORM:

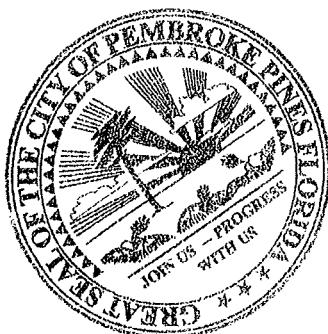
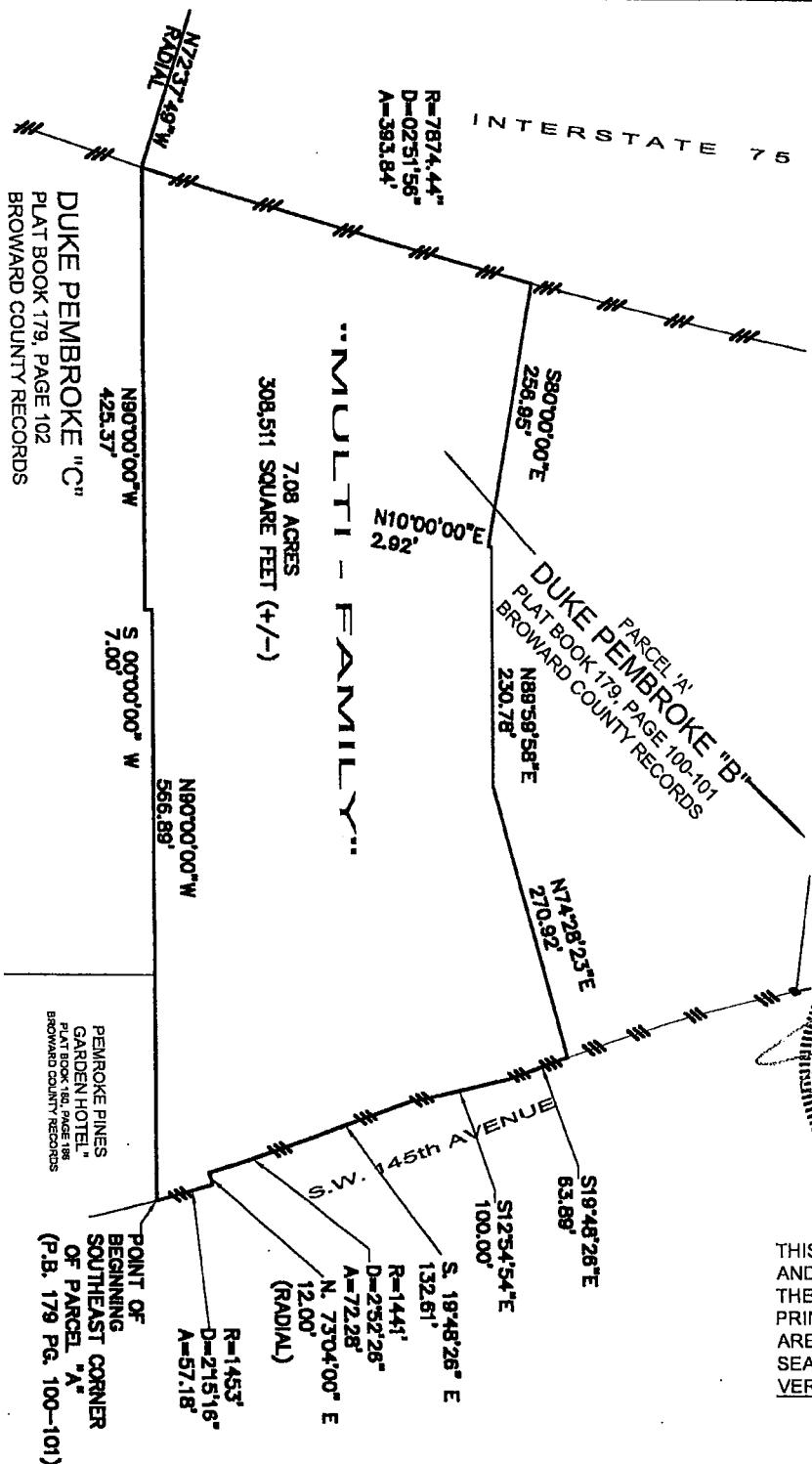
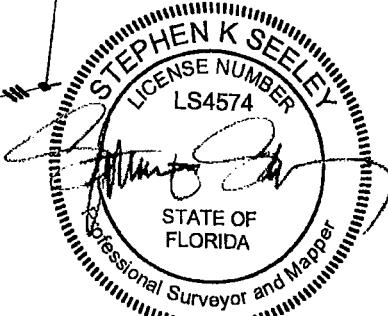
 City Attorney 3/3/2022
OFFICE OF THE CITY ATTORNEYCASTILLO AYEGOOD AYESCHWARTZ AYESIPLE AYE

EXHIBIT "A"
MULTI-FAMILY



Digitally signed by STEPHEN K. SEELEY
DN: cn=STEPHEN K. SEELEY,
o=GIBBS LAND SURVEYORS,
email=SSEELEY@GIBBSLANDSURVEYORS.COM, c=US
Date: 2021.11.01 14:19:36 -04'00'



THIS ITEM HAS BEEN DIGITALLY SIGNED
AND SEALED BY STEPHEN K SEELEY ON
THE DATE ADJACENT TO THE SEAL.
PRINTED COPIES OF THIS DOCUMENT
ARE NOT CONSIDERED SIGNED AND
SEALED AND THE SIGNATURE MUST BE
VERIFIED ON ANY ELECTRONIC COPIES.

REVISION	DATE	BY	SKETCH AND DESCRIPTION	GIBBS LAND SURVEYORS
REVISED NORTH LINE	10-28-21	CM		2131 HOLLYWOOD BOULEVARD, SUITE 204 HOLLYWOOD, FL 33020 (954) 923-7666 LICENSED BUSINESS NO. 7018
			JOB #: RN8692 DATE: 03-31-21	
			SCALE: 1"=100' SHEET 1 OF 2	
			DRAWN BY: CM CHECKED BY: SKS	STEPHEN K. SEELEY, FOR THE FIRM PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 4574

EXHIBIT "A"

LAND DESCRIPTION - TPA GROUP MULTI-FAMILY

THAT PORTION OF PARCEL 'A' OF "DUKE PEMBROKE 'B'" , ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 179, PAGES 100-101 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID PARCEL 'A';
THENCE NORTH 90°00'00" WEST, ALONG THE SOUTH LINE OF SAID PARCEL 'A', A DISTANCE OF 566.89 FEET;
THENCE SOUTH 0°00'00" WEST, A DISTANCE OF 7.00 FEET;
THENCE NORTH 90°00'00" WEST, A DISTANCE OF 425.37 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 'A', BEING A POINT ON THE ARC OF A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 7,874.44 FEET, AND WHOSE CENTER BEARS NORTH 72°37'49" WEST FROM SAID POINT;
THENCE NORTHERLY AND TO THE LEFT, ALONG THE WEST LINE OF SAID PARCEL 'A', THROUGH A CENTRAL ANGLE OF 2°51'56", AN ARC DISTANCE OF 393.84 FEET;
THENCE SOUTH 80°00'00" EAST, A DISTANCE OF 256.95 FEET;
THENCE NORTH 10°00'00" EAST, A DISTANCE OF 2.92 FEET;
THENCE NORTH 89°59'58" EAST, A DISTANCE OF 230.78 FEET;
THENCE NORTH 74°28'23" EAST, A DISTANCE OF 270.92 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SW 145 AVENUE;
THENCE SOUTH 19°48'26" EAST, A DISTANCE OF 63.89 FEET;
THENCE SOUTH 12°54'54" EAST, A DISTANCE OF 100.00 FEET;
THENCE SOUTH 19°48'26" EAST, A DISTANCE OF 132.61 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1,441 FEET;
THENCE SOUTHERLY AND TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 2°52'26", AN ARC DISTANCE OF 72.28 FEET;
THENCE NORTH 73°04'00" EAST, A DISTANCE OF 12.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, HAVING A RADIUS OF 1,453 FEET;
THENCE SOUTHERLY AND TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 2°15'16", AN ARC DISTANCE OF 57.18 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATED, LYING AND BEING IN THE CITY OF PEMBROKE PINES, BROWARD COUNTY, FLORIDA.
CONTAINING 308144.88 SQUARE FEET (7.07 ACRES), MORE OR LESS.

REVISION	DATE	BY	SKETCH AND DESCRIPTION		STEPHEN K. SEELEY, FOR THE FIRM PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 4574	GIBBS LAND SURVEYORS 2131 HOLLYWOOD BOULEVARD, SUITE 204 HOLLYWOOD, FL 33020 (954) 923-7666 LICENSED BUSINESS NO. 7018
REVISED NORTH LINE	10-28-21	CM	JOB #: RN7734	DATE: 03-31-21		
			SCALE: NTS	SHEET 2 OF 2		
			DRAWN BY: CM	CHECKED BY: SKS		



City of Pembroke Pines, FL

601 City Center Way
Pembroke Pines, FL
33025
www.ppinies.com

Agenda Request Form

Agenda Number: 15.

File ID: 2021-13	Type: Ordinance	Status: Passed
Version: 2	Agenda Section:	In Control: City Commission
		File Created: 06/30/2021
Short Title: Proposed Ordinance 2021-13: PH 2021-02 - Edison Land Use Plan Amendment - small scale		Final Action: 03/02/2022

Title: MOTION TO ADOPT PROPOSED ORDINANCE 2021-13 ON SECOND AND FINAL READING

PROPOSED ORDINANCE 2021-13 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA ADOPTING THE PROPOSED SMALL SCALE LAND USE PLAN AMENDMENT AMENDING THE CITY'S LAND USE ON AN APPROXIMATE 7.6-ACRE PROPERTY GENERALLY LOCATED NORTH OF PEMBROKE ROAD AND WEST OF SW 145TH AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A;" AMENDING THE CITY'S LOCAL LAND USE PLAN MAP FROM OFFICE PARK TO IRREGULAR RESIDENTIAL (46.1 DU/AC) FOR THE PURPOSE OF DEVELOPING 350 MULTI-FAMILY UNITS; PROVIDING FOR TRANSMITTAL OF CERTIFIED COPIES OF THIS ORDINANCE AND TRANSMISSION OF THE UPDATED LAND USE PLAN MAP TO THE BROWARD COUNTY PLANNING COUNCIL AND BROWARD COUNTY COMMISSION; REQUESTING BROWARD COUNTY TO AMEND ITS FUTURE LAND USE MAP AND TO RE-CERTIFY THE CITY'S LAND USE MAP; AUTHORIZING AND DIRECTING THE CITY MANAGER AND ALL APPROPRIATE MEMBERS OF CITY ADMINISTRATION TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(PUBLIC HEARING)

***Agenda Date:** 03/02/2021

Enactment Date: 03/02/2022

Agenda Number: 15.

Enactment Number: 1985

Internal Notes: PUBLIC HEARING

Attachments: 1. Proposed Ord 2021-13 (Edison Small Scale Land Use Plan Amendment) Rev, 2. Comparative Analysis, 3. Unified Development Application, 4. Vicinity Map

Indexes:

1 City Commission	08/04/2021	pass on First Reading	Pass
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Action Text: A motion was made by Commissioner Castillo, seconded by Commissioner Siple, to pass Proposed Ordinance 2021-13 on First Reading regarding Land Use Plan on an approximate 7.6-acre property generally located north of Pembroke Road and west of SW 145th Avenue, 350 multi-family units. Date of second reading to be determined. The motion carried by the following vote:

Aye: - 5 Mayor Orlis, Vice Mayor Good Jr., Commissioner Castillo, Commissioner Siple, and Commissioner Schwartz

Nay: - 0

2 City Commission 03/02/2022 adopt on Second and Final Reading Pass

Action Text: A motion was made by Commissioner Schwartz, seconded by Vice Mayor Good Jr., to adopt Proposed 2021-13 on Second and Final Reading. The motion carried by the following vote:

Aye: - 5 Mayor Orlis, Vice Mayor Good Jr., Commissioner Castillo, Commissioner Siple, and Commissioner Schwartz

Nay: - 0

SUMMARY EXPLANATION AND BACKGROUND:

1. The purpose of this Public Hearing is to consider the Edison Pembroke small scale land use plan map amendment application to change the future land use designation for the approximate 7.6 acre site from Office Park to Irregular Residential (46.1 du/ac) for the purpose of developing 350 Multi-family Units. This application is considered to be small scale as it is less than 10 acres. State agency review is not required with small scale amendments.

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

North - Office Park (Edison and Duke Office)

East - SW 145th Avenue, Commercial (vacant) (Existing Wetlands)

South - Commercial (Hotel and Keiser)

West - Low-Medium 5-10 du (I-75 and Cobblestone Community)

3. After a review of the application for compatibility, staff finds the property can support the requested density due to the proximity of the site to the major transportation corridors including I-75, Pembroke Road, and SW 145th Avenue. The proposed amendment is consistent with the following policies of the City's Future Land Use Adoption Element:

- Policy 1.5 - Continue to structure higher density near major arterials and open spaces;
- Policy 1.6 - Continue to implement land development regulations providing for all residential densities to be properly buffered from non-residential activities;
- Policy 1.7 - Continue to evaluate all land use amendment requests for compatibility with the surrounding development and land uses;
- Policy 1.8 - Continue to implement land development regulations to insure compatibility and buffering between adjacent residential and nonresidential uses.

4. The amendment site is part of a mixed use corridor and is located in close proximity to retail, office and residential uses. Within the City of Pembroke Pines the 145th corridor is home to Pembroke Cay town homes, Altis Apartments, the Shops at Pembroke Gardens, Keiser University, Fairfield Inn, Pembroke Centre as well as the Pembroke Pointe Office Complex (Duke and Edison). Additional employment centers exist south of Pembroke Road within the 145th corridor including Florida International University, FBI and Royal Caribbean Cruises.

5. 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 some public facilities and services including water, sewer and recreation and open space. The applicant will be required to submit letters of available capacity prior to adoption of the proposed amendment and to mitigate any increased impacts during the concurrency/capacity analysis and review process. The application has been transmitted to the Broward County School Board (BCSB) staff pursuant to the interlocal agreement for public school facility planning; however, the BCSB staff has agreed to provide review comments during the County review process. In addition, the application was reviewed by the Engineering Division which had no objections.
6. A related affordable housing study is also on tonight's consent agenda consistent with recently adopted policies.
7. The applicant is aware that they will be required to rezone the property. In addition, plat note and site plan approvals will be needed prior to the issuance of a development permit.
8. The Planning and Zoning Board (Local Planning Agency) voted to transmit the application with a favorable recommendation at the June 24th meeting.
9. On August 4, 2021 the City Commission voted to transmit the proposed small scale land use plan amendment to the Broward County Planning Council and Broward County Commission with a positive recommendation.
10. On February 8, 2022, the Broward County Commission adopted the proposed land use plan amendment.
11. Administration recommends adopting proposed ordinance 2021-13 on second and final reading.

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