

PROPOSED ORDINANCE NO. 2022-03

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE LAND DEVELOPMENT CODE OF THE CITY OF PEMBROKE PINES, BY AMENDING SECTION 155.401, ENTITLED “ZONING MAP,” TO AMEND THE CITY’S ZONING DISTRICT MAP TO RE-ZONE AN APPROXIMATE 25-ACRE PARCEL OF LAND GENERALLY LOCATED NORTH OF PEMBROKE ROAD, BETWEEN I-75 AND SOUTHWEST 145 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”; RE-ZONING THE PARCEL FROM THE CURRENT ZONING OF PLANNED COMMERCIAL DEVELOPMENT (PCD) TO MIXED USE DEVELOPMENT (MXD); PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Pembroke Parcel 2 Owner LLC. and Pembroke 145 Office LLC, (the “Applicant” or “TPA Group”) owns an approximate 25-acre parcel of land generally located generally located north of Pembroke Road, between I-75 and southwest 145 Avenue, as more particularly described in **Exhibit “A,”** within the existing +-35 acre Pembroke Pointe Planned Commercial Development (“PCD”); and,

WHEREAS, The original land owner of the Pembroke Pointe PCD property (Duke Realty) contemplated the development of four (4) identical class A office buildings on +- 35 acres of property and only one (1) of the contemplated Duke buildings were ever built; and,

WHEREAS, in 2017, a +- 25 acre portion of the PCD was sold to the TPA group who applied for a modification to the Pembroke Pointe PCD guidelines to accommodate a new office design, known as the Edison office, in lieu of the three (3) buildings which were not built by Duke Realty; and,

PROPOSED ORDINANCE NO. 2022-03

ORDINANCE NO. _____

WHEREAS, City Commission on March 2, 2021 approved the Edison Residential Land Use Plan Amendment (PH 2021-02 - Ordinance 1985) which revised the underlying land use for the southern 7.6 acres of the TPA group property from Office to Irregular Residential 46.1 for the purposes of developing up to 350 multi-family units; and,

WHEREAS, the Applicant has requested to change the zoning of this approximate 25-Acre parcel of land, as more particularly described in **Exhibit “A,”** from Planned Commercial Development (PCD) to Mixed Use Development (MXD in order to facilitate the development of an office, hotel, bank, and residential mixed use development; and

WHEREAS, the Applicant is required to obtain all related approvals, include a zoning text change to create the MXD guidelines, and a zoning change to reduce the PCD from +-35 acres to +-10 acres to accommodate the reduced district size; and

WHEREAS, on April 28, 2022, the Planning and Zoning Board of the City of Pembroke Pines, Florida, in accordance with the law held a public hearing for the purpose of making its recommendations regarding a zoning change to the property and recommended approval to the City Commission of this map of re-zoning of the Property as requested; and

WHEREAS, the City Commission, is in receipt of the recommendations of Staff and the Planning & Zoning Board, has held further public hearings, in

PROPOSED ORDINANCE NO. 2022-03

ORDINANCE NO. _____

accordance with the law; and

WHEREAS, the City Commission of the City of Pembroke Pines, Florida deems it to be in the best interest of the citizens and residents of the City of Pembroke Pines, Florida to approve the re-zoning of the approximate 25-acre parcel of land generally located generally located north of Pembroke Road, between I-75 and southwest 145 Avenue, as more particularly described in **Exhibit “A,”** from Planned Commercial Development (PCD) to Mixed Use Development (MXD).

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 incorporated herein and made a part hereof. All exhibits attached hereto are incorporated herein and made a specific part hereof.

Section 2. The City Commission of the City of Pembroke Pines, Florida hereby approves approve the re-zoning of the approximate 25-acre parcel of land generally located generally located north of Pembroke Road, between I-75 and southwest 145 Avenue, as more particularly described in **Exhibit “A,”** from Planned Commercial Development (PCD) to Mixed Use Development (MXD).

Section 3. It is the intention of the City Commission of the City of

PROPOSED ORDINANCE NO. 2022-03

ORDINANCE NO. _____

Pembroke Pines, Florida that the provisions of this Ordinance shall become and be made a part of the Land Development Code and the City's Zoning District Map of the City of Pembroke Pines, Florida. The sections of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article" or other such word or phrase in order to accomplish such intention.

Section 4. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

Section 5. 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 part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 6. This Ordinance shall become effective immediately upon its passage and adoption.

PROPOSED ORDINANCE NO. 2022-03

ORDINANCE NO. _____

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS ___ DAY
OF _____, 2022.**

**PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING,
THIS ___ DAY OF _____, 2022.**

CITY OF PEMBROKE PINES, FLORIDA

By: _____

ATTEST:

MAYOR FRANK C. ORTIS

MARLENE D. GRAHAM, CITY CLERK

ORTIS _____

APPROVED AS TO FORM:

CASTILLO _____

GOOD _____

SCHWARTZ _____

OFFICE OF THE CITY ATTORNEY

SIPLE _____