

**PROPOSED RESOLUTION NO. 2022-R-19**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE APPROXIMATE 14.182 ACRE PATHWAYS PLAT GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND EAST OF DOUGLAS ROAD; BY AMENDING THE EXISTING PLAT TO ALLOW FOR THE DEVELOPMENT OF A SPECIAL RESIDENTIAL FACILITY (CATEGORY 3) CONSISTING OF 552 SLEEPING ROOMS (276 DWELLING UNIT EQUIVALENT) AND RESTRICTED TO LOW AND MODERATE INCOME AS DEFINED IN THE BROWARD COUNTY LAND DEVELOPMENT PLAN; AUTHORIZING THE CITY MANAGER AND CITY ADMINISTRATION TO TAKE ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on April 3, 1991, the City Commission approved Resolution No. 2016 which approved the Pathways Plat for the approximate 14.182 acre property generally located south of Pines Boulevard and east of Douglas Road, as more particularly described in **Exhibit “A,”** attached hereto and incorporated herein; and

**WHEREAS**, the Applicant, Douglas Gardens IV, LTD. Partnership, intends to develop a senior housing project on the site currently referred to as Douglas Gardens IV & VI.

**WHEREAS**, the current plat note has been modified several times and this project is on Parcel A-1A which currently restricts the use to a 191 bed nursing home; and,

**WHEREAS**, the amended plat note would restrict the use on Tract A-1A to a Special Residential Facility (Category 3) consisting of 552 sleeping rooms; and,

**WHEREAS**, the existing plat note for the subject property currently states:

Tract “A-1A” (see attached legal description) is restricted to a public 191 bed nursing home; Tract “A-1B” (see attached legal description) is

**PROPOSED RESOLUTION NO. 2022-R-19**

**RESOLUTION NO. \_\_\_\_\_**

restricted to an “affordable” Special Residential Facility Category (3) 155 sleeping rooms (78 dwelling unit equivalent); Tract “A-2” (see attached legal description) is restricted to a Special Residential Facility (Category 3) as defined in the Broward County Land Use Plan consisting of 96 total sleeping rooms (94-one bedroom units and 1 two-bedroom unit) and restricted to very low income affordable housing; Tract “A-3” (see attached legal description) is restricted to a Special Residential Facility (Category 3) as defined in the Broward County Land Use Plan consisting of 52 total sleeping rooms (52 one-bedroom units) and restricted to very low income affordable housing. Tract “A-4 as defined in the Broward County Land Use Plan consisting of 75 total sleeping rooms (75 one bedroom units) and restricted to very low income affordable housing. “Affordable housing” and “very low housing” are defined in the Broward County Land Development Code. The Units to be constructed on this plat are intended for “Housing for Older Persons” as defined within the fair Housing Amendments Act of 1988 and/or the Broward County Human Rights Act, Chapter 83-360, Laws of Florida as amended by Chapter 89-437, Laws of Florida. The units constructed on this parcel are either to be solely occupied by at least one person 55 years of age or older per unit, provided that no person under the age of 18 may be a permanent occupant of any unit.

**WHEREAS**, The Applicant requested Broward County approve an amendment to the Plat Note to provide as follows:

Tract “A-1A” (see attached legal description) is restricted an “affordable” Special Residential Facility (Category 3) consisting of 552 sleeping rooms (276) dwelling unit equivalent) and restricted to Low and Moderate income as defined in the Broward County Land Development Plan; Tract “A-1B” is restricted to an “affordable” Special Residential Facility Category (3) 155 sleeping rooms (78 dwelling unit equivalent); Tract “A-2” is restricted to a Special Residential Facility (Category 3) as defined in the Broward County Land Use Plan consisting of 96 total sleeping rooms (94-one bedroom units and 1 two-bedroom unit) and restricted to very low income affordable housing; Tract “A-3 is restricted to a Special Residential Facility (Category 3) as defined in the Broward County Land Use Plan consisting of 52 total sleeping rooms (52 one-bedroom units) and restricted to very low income affordable housing. Tract “A-4 as defined in the Broward County Land Use Plan consisting of 75 total sleeping rooms (75 one-bedroom units) and restricted to very low income affordable housing. “Affordable housing” and “very low

**PROPOSED RESOLUTION NO. 2022-R-19**

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**WHEREAS**, Broward County requires City approval for any amendment to the plat note; and,

**WHEREAS**, the City approves and requests that Broward County approve the following proposed plat note language as provided herein; and,

**WHEREAS**, the City’s professional staff has reviewed the proposed plat note amendment and has no objection to the same; and,

**WHEREAS**, the City Commission of the City of Pembroke Pines finds that the proposed Plat Note Amendment request to be in the best interests of the citizens and residents of the City of Pembroke Pines.

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

**Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission. All exhibits referenced herein and attached hereto are hereby incorporated herein.

**Section 2.** The City Commission of the City of Pembroke Pines, Florida, hereby approves the Plat Note Amendment for the Pathways Plat, an approximate 14.182 acre property generally located south of Pines Boulevard and east of Douglas

**PROPOSED RESOLUTION NO. 2022-R-19**

**RESOLUTION NO. \_\_\_\_\_**

Road, as more particularly described in **Exhibit “A,”** to amend the plat note to state as follows:

Tract “A-1A” (see attached legal description) is restricted an “affordable” Special Residential Facility (Category 3) consisting of 552 sleeping rooms (276 dwelling unit equivalent) and restricted to Low and Moderate income as defined in the Broward County Land Development Plan; Tract “A-1B” is restricted to an “affordable” Special Residential Facility Category (3) 155 sleeping rooms (78 dwelling unit equivalent); Tract “A-2” is restricted to a Special Residential Facility (Category 3) as defined in the Broward County Land Use Plan consisting of 96 total sleeping rooms (94-one bedroom units and 1 two-bedroom unit) and restricted to very low income affordable housing; Tract “A-3 is restricted to a Special Residential Facility (Category 3) as defined in the Broward County Land Use Plan consisting of 52 total sleeping rooms (52 one-bedroom units) and restricted to very low income affordable housing. Tract “A-4 as defined in the Broward County Land Use Plan consisting of 75 total sleeping rooms (75 one-bedroom units) and restricted to very low income affordable housing. “Affordable housing” and “very low housing” are defined in the Broward County Land Development Code. The Units to be constructed on this plat are intended for “Housing for Older Persons” as defined within the fair Housing Amendments Act of 1988 and/or the Broward County Human Rights Act, Chapter 83-360, Laws of Florida as amended by Chapter 89-437, Laws of Florida. The units constructed on this parcel are either to be solely occupied by at least one person 55 years of age or older per unit, provided that no person under the age of 18 may be a permanent occupant of any unit.

**Section 3.** The City Manager and City Administration are hereby authorized to take any action necessary to implement the intent of this Resolution, including but not limited to the execution of all documents in furtherance of this Resolution.

**Section 4.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**PROPOSED RESOLUTION NO. 2022-R-19**

**RESOLUTION NO. \_\_\_\_\_**

**Section 5.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

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

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

CITY OF PEMBROKE PINES, FLORIDA

By: \_\_\_\_\_  
MAYOR FRANK C. ORTIS

ATTEST:

_____	ORTIS	_____
MARLENE GRAHAM, CITY CLERK	CASTILLO	_____
APPROVED AS TO FORM:	GOOD	_____
	SCHWARTZ	_____
_____	SIPLE	_____
OFFICE OF THE CITY ATTORNEY		