

PROPOSED RESOLUTION NO. 2022-R-16

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE DUKE PEMBROKE 'B' PLAT FOR THE APPROXIMATE 18.68-ACRE PROPERTY GENERALLY LOCATED EAST OF I-75 AND NORTH OF PEMBROKE ROAD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR 177,000 SQUARE FEET OF OFFICE USE ON PARCEL A, 165,000 SQUARE FEET OF OFFICE USE ON PARCEL B, AND 350 MIDRISE UNITS ON PARCEL C; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On September 16, 2009, the City Commission approved Resolution 3240, adopting the Duke Pembroke "B" Plat which restricted the approximate 18.68-acre parcel of property generally located east of I-75 between Pines Boulevard and Pembroke Road, as more particularly described in **Exhibit "A"**; to 350,000 square feet of office use and provided Broward County approval was required to allow a bank or other commercial or retail use; and;

WHEREAS, the plat note on the Duke Pembroke "B" Plat must be amended to be consistent with the recent land use plan amendment which provides for 177,000 square feet of office use on Parcel A, 165,000 square feet of office use on Parcel B, and 350 midrise units on Parcel C; and,

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

THIS PLAT IS RESTRICTED TO 350,000 SQUARE FEET OF OFFICE USE ON PARCEL A. NO FREESTANDING OR DRIVE THRU BANK FACILITIES AND/OR COMMERCIAL/RETAIL USES ARE PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.

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

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WHEREAS, the City approves and requests that Broward County approves the following proposed plat note language:

THIS PLAT IS RESTRICTED TO 177,000 SQUARE FEET OF OFFICE USE ON PARCEL A, AND 165,000 SQUARE FEET OF OFFICE USE ON PARCEL B AND 350 MIDRISE UNITS ON PARCEL C.

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

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 Duke Pembroke "B" Plat which restricted the approximate 18.68-acre parcel of property generally located east of I-75 between Pines Boulevard and Pembroke Road, as more particularly described in **Exhibit "A,"** to provide for 177,000 square feet of office use on Parcel A, 165,000 square feet of office use on Parcel B, and 350 midrise units on Parcel C, and to amend the plat note to state:

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THIS PLAT IS RESTRICTED TO 177,000 SQUARE FEET OF OFFICE USE ON PARCEL A, AND 165,000 SQUARE FEET OF OFFICE USE ON PARCEL B AND 350 MIDRISE UNITS ON PARCEL C.

Section 3. The City Manager and City Administration is hereby authorized to take any and all action necessary to implement the intent of this Resolution.

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

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: _____

ATTEST:

MAYOR FRANK C. ORTIS

MARLENE GRAHAM, CITY CLERK

ORTIS _____

APPROVED AS TO FORM:

CASTILLO _____

GOOD _____

SCHWARTZ _____

OFFICE OF THE CITY ATTORNEY

SIPLE _____