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File #:	2011-02	Version:	<input type="text" value="1"/>	Name:	Proposed Ordinance 2011-02, Pembroke Towers Rezone
Type:	Ordinance	Status:			Second Reading
File created:	1/18/2011	In control:			City Commission
On agenda:	3/16/2011	Final action:			3/16/2011
Title:	MOTION TO ADOPT PROPOSED ORDINANCE NO. 2011-02 ON SECOND AND FINAL READING. PROPOSED ORDINANCE NO. 2011-02 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE COMPREHENSIVE ZONING CODE OF THE CITY OF PEMBROKE PINES, BY SPECIFICALLY AMENDING SECTION 155.027, ENTITLED "ZONING MAP," TO RE-ZONE THE APPROXIMATE 4 ACRE PARCEL KNOWN AS "PEMBROKE TOWER" GENERALLY LOCATED EAST OF UNIVERSITY DRIVE AND NORTH OF PASADENA BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RE-ZONING FROM THE CURRENT ZONING OF A-1 (LIMITED AGRICULTURAL DISTRICT) TO R-4 (APARTMENT DISTRICT); PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.				
Attachments:	1. 1. Proposed Ordinance No. 2011-02 , 2. 2. Minutes of 1/13/11 Planning and Zoning Board meeting , 3. 3. Proposed Restrictive Covenant , 4. 4. Zoning change application , 5. 5. Vicinity Map , 6. 6. Pembroke Tower recorded covenant				

Text

Title

MOTION TO ADOPT PROPOSED ORDINANCE NO. 2011-02 ON SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2011-02 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE COMPREHENSIVE ZONING CODE OF THE CITY OF PEMBROKE PINES, BY SPECIFICALLY AMENDING SECTION 155.027, ENTITLED "ZONING MAP," TO RE-ZONE THE APPROXIMATE 4 ACRE PARCEL KNOWN AS "PEMBROKE TOWER" GENERALLY LOCATED EAST OF UNIVERSITY DRIVE AND NORTH OF PASADENA

BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RE-ZONING FROM THE CURRENT ZONING OF A-1 (LIMITED AGRICULTURAL DISTRICT) TO R-4 (APARTMENT DISTRICT); PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Summary Explanation and Background

SUMMARY EXPLANATION AND BACKGROUND:

1. Calvin, Giordano & Associates, agent for the applicant, is requesting approval of a zoning change application from A-1 (Limited Agricultural District) to R-4 (Apartment District) for the approximate 4 acre Pembroke Tower property located east of University Drive and north of Pasadena Boulevard. A five story, 100 unit apartment building exists on the property. The applicant proposes to amend the zoning for the purpose of developing an additional 100 units on the property consistent with the applicant's land use amendment application which has completed Chapter 163 State Statute review.

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

North - Hospital/Commercial	
East - Walnut Creek Residential Townhomes/Low (5)	Residential
South - Office/Office Park	
Hospital/Commercial	

3. Section 155.119 Multi-Family Project Development Standards of the Code of Ordinances requires a minimum of 12 acres for a proposed development in the R-4 (Apartment District). The applicant submitted a variance application (ZV 2010-29) since the subject property is four acres. The Board of Adjustment denied the request on September 2, 2010. On October 20, 2010, the City Commission approved an appeal and the variance was approved.

4. On September 21, 2010, the City Commission adopted Ordinance No. 1678, amending the City's Future Land Use Element text which included the addition of the Residential High land use designation subject to certain criteria. In addition, the City Commission adopted Ordinance No. 1677, amending the City's Future Land Use Map for the Pembroke Tower Property from Commercial to Residential High.

5. The Pembroke Pines adopted criteria for the Residential High land use category requires that at least twenty (20) percent of the dwelling units proposed for the parcel shall be of the following:

A. Affordable or workforce housing as defined by Articles 8.1 and 8.2 of the Administrative Rules Document of the Broward County Land Use Plan. The units shall

be guaranteed in a manner acceptable to the City of Pembroke Pines and Broward County, such as the use of restrictive covenants for a period of fifteen years; or

B. Senior or elderly housing for persons 55 years of age or older. The units shall be guaranteed in a manner acceptable to the City of Pembroke Pines and Broward County, such as the use of restrictive covenants for a period of fifteen years.

6. During the public hearing, the agent for the applicant voluntarily agreed to increase the percentage for the above criteria from 20 percent to 100 percent for all of the units in both buildings. The applicant submitted a proposed covenant restricting 80 percent of the units in both buildings for senior and elderly housing for persons 55 years of age or older. The proposed restrictive covenant amendment was approved by the City Commission on January 5th, 2011, subject to the applicant's voluntary agreement to add language that all "new" leases must meet the requirement that at least one person in the unit is 55 years of age or older. The applicant has submitted a revised covenant consistent with the City Commission approval and has agreed to record it prior to second reading of the ordinance.

7. In addition to the above, the Broward County School Board (BCSB) advised the applicant that they have no requirements to review the rezoning application since it is consistent with the recent land use change application. However, the applicant will be responsible for any future BCSB application approvals. Recertification of the Pembroke Tower map amendment was approved by the Broward County Planning Council on January 27, 2011.

8. At the public hearing and regular meeting of the Planning and Zoning Board on January 13, 2011, the Board passed a motion to transmit the proposed zoning change application to the City Commission with a favorable recommendation.

9. City Commission passed Proposed Ordinance No. 2011-01 on first reading, February 16, 2011.

10. The applicant has submitted the recorded restrictive covenant (see Exhibit 6).

Financial Impact

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

