

PROPOSED RESOLUTION NO. 2019-R-51

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE CHAPEL TRAIL II PLAT GENERALLY LOCATED NORTH OF JOHNSON STREET AND EAST OF US 27; AMENDING THE EXISTING PLAT RESTRICTION FOR PARCEL G-1 TO ALLOW FOR THE DEVELOPMENT OF UP TO 229,480 SQUARE FEET OF BUSINESS PARK USE, WHICH INCLUDES INDUSTRIAL, WAREHOUSE, SHOWROOM, OFFICE AND COMMERCIAL USES WHERE OFFICE AND COMMERCIAL USES COMBINED SHALL NOT EXCEED 30 PERCENT OF THE BUSINESS PARK USE PLUS AN ADDITIONAL 113,538 SQUARE FEET OF COMMERCIAL USE; ELIMINATING THE RESTRICTIONS ON FREE STANDING BANKS; 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 September 15, 1987, the Chapel Trail Development of Regional Impact was approved and adopted by Chapel Trail Associates, Ltd., for property depicted on Exhibit "A", which is attached hereto; and

WHEREAS, on January 14, 2014, a plat note amendment for the Chapel Trail II Plat was approved by the Broward County Commission, which created Parcel G-1 of the Chapel Trail II Plat, generally located north of Johnson Street and east of US 27, as more particularly described in Exhibit "B", which is attached hereto; and

WHEREAS, on August 6, 2014, the City of Pembroke Pines City Commission approved Resolution 3426, which determined that the Chapel Trail Development of Regional Impact was essential built out; and

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

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Parcel G-1 (see attached legal description) shall be restricted to 229,480 square feet of business park use, which includes industrial, warehouse, showroom, office and commercial uses. The office and commercial uses combined shall not exceed 30% of the total, or 68,844 square feet, plus an additional 3,318 square feet of commercial use, for a total of 77,163 square feet.

When a bay or single tenant occupancy within Parcel G-1 is determined to be a Commercial or Office use by the County, based upon the definitions in the Land Development Code and/or the Institute of Transportation engineers Trip Generation Report, the entire amount of square footage of that bay or single tenant occupancy shall be allocated to the allowable total square footage of office and commercial uses. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

WHEREAS, the current owner of Parcel G-1 has requested Broward County approve an amendment to the Plat Note to provide as follows:

Parcel G-1 (see attached legal description) shall be restricted to 229,480 square feet of business park use, which includes industrial, warehouse, showroom, office and commercial uses (office and commercial uses combined shall not exceed 30 percent of the business park use), plus an additional 113,538 square feet of commercial use.

When a bay or single tenant occupancy within Parcel G-1 determined to be a Commercial or Office use by the County, based upon the definitions in the Land Development Code and/or the Institute of Transportation engineers Trip Generation Report, the entire amount of square footage of that bay or single tenant occupancy shall be allocated to the allowable total square footage of office and commercial uses.

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

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WHEREAS, the proposed plat note language provides for a total of 182,382 square feet office and commercial uses.

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 Chapel Trail II Plat, to amend the plat note to state as follows:

Parcel G-1 (see attached legal description) shall be restricted to 229,480 square feet of business park use, which includes industrial, warehouse, showroom, office and commercial uses (office and commercial uses combined shall not exceed 30 percent of the business park use), plus an additional 113,538 square feet of commercial use.

When a bay or single tenant occupancy within Parcel G-1 determined to be a Commercial or Office use by the County, based upon the definitions in the Land Development Code

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and/or the Institute of Transportation engineers Trip Generation Report, the entire amount of square footage of that bay or single tenant occupancy shall be allocated to the allowable total square footage of office and commercial uses.

Section 3. The City Manager and City Administration is 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.

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.

(REMAINDER INTENTIONALLY LEFT BLANK)

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, THIS ____ DAY OF _____, 2019.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST: By: _____
MAYOR FRANK C. ORTIS

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