

**PROPOSED ORDINANCE NO. 2020-01**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING ORDINANCE NO. 816, AS AMENDED BY ORDINANCE NOS. 997, 1092, 1123, 1139, 1166, 1205, 1293, 1311, 1363, 1389, 1468, 1474, 1588, 1703, AND 1822 WHICH APPROVED A DEVELOPMENT ORDER FOR THE PEMBROKE MEADOWS DEVELOPMENT OF REGIONAL IMPACT ("DRI"); AMENDING THE PEMBROKE MEADOWS DRI TO PROVIDE FOR AN INCREASE IN COMMERCIAL SQUARE FEET FROM 558,417 to 588,417, ON THE APPROXIMATE 13 ACRE PARCEL OF PROPERTY GENERALLY LOCATED AT 14800 SHERIDAN STREET; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR RECORDATION; PROVIDING FOR TRANSMITTAL TO ALL APPLICABLE GOVERNMENTAL AGENCIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on January 7, 1987 the City Commission of the City of Pembroke Pines, Florida (hereinafter referred to as the "City"), adopted Ordinance No. 816, thereby approving a Development Order for the Pembroke Meadows Development of Regional Impact (hereinafter referred to as "Pembroke Meadows DRI"), pursuant to Chapter 380, Florida Statutes, as may have been subsequently amended; and

**WHEREAS**, the Pembroke Meadows DRI is an approximate 1,563-acre mixed-use development generally located between I-75 and Flamingo Road, and between Sheridan Street and Pines Boulevard; and

**WHEREAS**, pursuant to section 380.06, Florida Statutes, Holman Automotive, through its agent, Greenspoon Marder, LLP is requesting approval of an application to modify the Pembroke Meadows DRI to provide for an increase in commercial square footage in the amount of 30,000 sq. ft., from a

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total of 558,417 sq. ft. to a total of 588,417 sq. feet, on the approximate 13 acre parcel of property generally located at 14800 Sheridan Street, for expansion of the existing BMW dealership; and

**WHEREAS**, the proposed Notice of Proposed Change to the Pembroke Meadows DRI and associated traffic study were reviewed by the City's Environmental Services Division with no objections and a finding that the proposed changes do not result in any increased regional impacts; and

**WHEREAS**, at the public hearing and regular meeting of the Local Planning Agency (Planning and Zoning Board) on December 12, 2019, the Local Planning Agency passed a motion to transmit the Notice of Proposed Change to the Pembroke Meadows DRI to the City Commission with a favorable recommendation and a finding that the proposed change does not constitute a substantial deviation; and

**WHEREAS**, after the Ordinance No. 1822 was adopted, a typographical error was discovered by the Florida Department of Transportation with respect to the current approved number of residential units which is 3,885 residential units; and

**WHEREAS**, City Staff has reviewed the proposed modification to the Development Order and determined that it is consistent with all relevant provisions of the State Statutes and the City's Code of Ordinances; and

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**WHEREAS**, the City Commission deems the approval of the applicant's proposed modification to the Development Order to be in the best interests of the citizens and residents of the City.

**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 made a specific part of this Ordinance. All exhibits attached hereto are hereby incorporated herein by this reference.

**Section 2.** The City, pursuant to Section 380.06(19), Florida Statutes, makes the following findings of fact:

- A. The proposed changes do not create a reasonable likelihood of additional regional impact, or any type of regional impact created by the changes not previously reviewed by the City and the applicable governmental agencies;
- B. The Planning and Zoning Board has conducted a public hearing which was properly noticed and advertised pursuant to Section 380.06(19)(f)(3), Florida Statutes; and
- C. To the best of the City's knowledge, all other statutory or regulatory requirements or conditions have been met or fulfilled.

**Section 3.** The City, pursuant to Section 380.06(19), Florida Statutes, makes the following conclusions of law:

- A. The proposed changes to the Development Order of Pembroke Meadows DRI (Ordinance No. 816 dated January 7, 1987, as amended) do not constitute a substantial deviation from said Development Order. In

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making this finding, the City Commission has considered the evidence provided by the applicant, the recommendations made by the City Staff and the City's Planning and Zoning Board and all matters raised at the Public Hearing.

**Section 4.** The Pembroke Meadows DRI is hereby amended to provide for an increase in commercial square footage in the amount of 30,000 sq. ft., from a total of 558,417 sq. ft. to a total of 588,417 sq. feet, on the approximate 13 acre parcel of property generally located at 14800 Sheridan Street, for expansion of the existing BMW dealership, within the City and a correction with respect to the current approved number of residential units which is 3,885 residential units.

**Section 5.** Except as otherwise repealed, amended or modified herein, Ordinance No. 816, dated January 7, 1987, as amended, shall remain in full force and effect.

**Section 6.** Within thirty (30) days of the effective date of this amendment to the Development Order for Pembroke Meadows DRI, the Applicant shall record this Ordinance in the Public Records of Broward County, Florida, along with a notification of the subsequent modification of an adopted development order as provided in Section 380.06(15)(f), Florida Statutes.

**Section 7.** The City Clerk is hereby directed to transmit this Ordinance with all related exhibits by certified, U.S. mail, return receipt requested, to all appropriate governmental agencies and interested parties.

**Section 8.** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

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**Section 9.** 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, such unconstitutional or invalid part or application shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance remaining in full force and effect.

**Section 10.** This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA ON THE FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA ON THE SECOND AND FINAL READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:	By: _____
	MAYOR FRANK C. ORTIS
_____	ORTIS _____
MARLENE D. GRAHAM, CITY CLERK	GOOD _____
APPROVED AS TO FORM:	CASTILLO _____
	SCHWARTZ _____
_____	SIPLE _____
OFFICE OF THE CITY ATTORNEY	