

PROPOSED RESOLUTION NO. 2021-R-02

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 4.242 ACRE PROPERTY GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND EAST OF SOUTHWEST 172 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, KNOWN AS THE PINES 200 EAST PLAT; AUTHORIZING CITY ADMINISTRATION TO TAKE ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Applicant, Hix Snedeker Companies, LLC,, has submitted a delegation request application for an approximate 4.242 acre property generally located south of Pines Boulevard and east of Southwest 172 Avenue, as more particularly described in **Exhibit "A"**, attached hereto and known as the Pines 200 East Plat; and,

WHEREAS, the City Commission approved the Pines 200 East Plat through Resolution No. 2921 on December 18, 2002; and,

WHEREAS, The Applicant requests modify the plat note to accommodate the development of a Tractor Supply Store; and,

WHEREAS, the applicant has applied for a zoning change application with associated commercial flexibility allocation and voluntary restrictive covenants for this property which is being heard concurrently with this plat note change request; and,

WHEREAS, the existing plat note 5 for the subject property states:

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This plat is restricted to 21,635 square feet of office use, and 20,785 square feet of commercial use. The commercial uses must be restricted to retail within the office buildings, and must comprise less than 50 percent (50%) of the total square footage. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. DF98-1016. Tract "C" is restricted to drainage area.; and,

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

WHEREAS, the applicant requests that Broward County approves the following proposed plat note 5 language:

This plat is restricted to 24,000 square feet of commercial use. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. OF98-1016. Tract "C" is restricted to drainage area.; and,

WHEREAS, the applicant also requests to remove plat note 4 from the plat in its entirety, which currently states:

"If a building permit for a principal building (excluding dry models , sales and construction offices) and first inspection approval are not issued by March 16, 2009, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County land development code. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced timeframe; and/or

If project water lines, sewer lines, drainage and the rock base for internal roads are not installed by March 16, 2009, which date is five (5) years from the date of approval of this plat by Broward County, then the County's finding

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of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County land development code. This requirement may be satisfied for a phase of the project, provided a phasing plan has been approved by Broward County. The owner of the property shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame."

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 (Delegation Request) for the Pines 200 East Plat generally located south of Pines Boulevard and east of Southwest 172 Avenue, as more particularly described in **Exhibit "A,"** attached hereto, amending the plat note 5 as follows:

This plat is restricted to 24,000 square feet of commercial use. Tract "B" is restricted to wetland mitigation per Broward County Department

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of Planning and Environmental Protection, License No. OF98-1016.
Tract "C" is restricted to drainage area; and,

Section 3. The City Commission of the City of Pembroke Pines, Florida, hereby approves the removal of plat note 4 in its entirety from the plat; and

Section 4. City Administration is hereby authorized to take any action necessary to implement the intent of this Resolution.

Section 5. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. 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 7. This Resolution shall become effective immediately upon its passage and adoption.

(REMAINDER INTENTIONALLY LEFT BLANK)

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF

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PEMBROKE PINES, FLORIDA, THIS _____ DAY OF _____, 2021.

CITY OF PEMBROKE PINES, FLORIDA

By: _____
MAYOR FRANK C. ORTIS

ATTEST:

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