

**PROPOSED RESOLUTION NO. 2021-R-06**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA APPROVING THE MERRICK SQUARE PLAT FOR THE APPROXIMATE 23.5-ACRE PROPERTY GENERALLY LOCATED ON SOUTH OF PINES BOULEVARD AND EAST OF SOUTHWEST 172 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Applicant, D.R. Horton, Inc., has submitted a plat request application for an approximate 23.5 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 Merrick Square Plat;

**WHEREAS**, on March 11, 2021, the Planning and Zoning Board of the City of Pembroke Pines, Florida in accordance with the law, held a public hearing for the purpose of making its recommendations for the approval of the Merrick Square Plat, an approximate 23.5-acre property generally located on south of Pines Boulevard and East of Southwest 172 Avenue; and

**WHEREAS**, the Planning and Zoning Board voted to transmit Merrick Square Plat to the City Commission with a favorable recommendation; and

**WHEREAS**, the Planning and Zoning Board’s approval was based on the proposed use of 211 townhomes; and

**WHEREAS**, On March 17, 2020, the City approved Ordinances 1961 and 1962 which approved zoning changes which incorporated a portion of the subject property into the Pembroke Shore PUD, and a text change to amend the underlying Pembroke Shores Planned Unit Development design guidelines to allow for townhome development on the subject property; and

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**WHEREAS**, applicant will be required to comply with the municipal land dedication requirement provided in Section 154.36 of the City's Code; and

**WHEREAS**, City Staff has reviewed this plat, and has determined that it meets all code requirements and recommends approval, subject to satisfaction of Broward County Comments, Recertification of the City Land Use Map, and the City Commission's approval of a municipal dedication agreement; and

**WHEREAS**, the City Commission of the City of Pembroke Pines, Florida deems it to be in the best interests of the citizens and residents of the City to approve the Merrick Square Plat, for the approximate 23.5-acre property generally located on south of Pines Boulevard and East of Southwest 172 Avenue.

**NOW, THEREFORE, BE IT RESOLVED 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 Resolution.

**Section 2.** The City Commission of the City of Pembroke Pines, Florida hereby approves the Merrick Square Plat, generally located on south of Pines Boulevard and East of Southwest 172 Avenue, as shown in **Exhibit "A"**, attached hereto and by this reference made a part hereof, subject to satisfaction of Broward County Comments, Recertification of the City Land Use Map, and the City Commission's approval of a municipal dedication agreement.

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**Section 3.** If any clause, section, or other part or application of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 4.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 5.** 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 \_\_\_\_\_, 2021.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

BY: \_\_\_\_\_  
MAYOR FRANK C. ORTIS

\_\_\_\_\_  
MARLENE GRAHAM, CITY CLERK

ORTIS \_\_\_\_\_

CASTILLO \_\_\_\_\_

GOOD \_\_\_\_\_

APPROVED AS TO FORM:

SCHWARTZ \_\_\_\_\_

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

SIPLE \_\_\_\_\_