



## Legislation Text

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**File #:** 2019-R-51, **Version:** 1

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### **[ADDENDUM ITEM 1] MOTION TO ADOPT PROPOSED RESOLUTION 2019-R-51.**

PROPOSED RESOLUTION 2019-R-51 IS 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.

### **SUMMARY EXPLANATION AND BACKGROUND:**

1. Dennis Mele, agent for American Federated Title corporation, is requesting a plat note change (delegation request) for the Chapel Trail II plat generally located north of Johnson Street and east of US 27.
2. The following plat note change is being requested to only Parcel G-1 of the Chapel Trail II plat. No other changes to existing parcels within the plat are proposed as a result of this application.

### **CURRENT NOTE:**

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 72,162 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.

### **PROPOSED NOTE**

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.

3. The City Commission at its August 6, 2014 meeting approved an Essentially Built Out Agreement for the Chapel Trail DRI through Resolution 3426. Section 380.06(15)(g)3, Florida Statutes, defines a DRI to be Essentially Built Out when all mitigation requirements in the development order have been satisfied, all developers are in compliance with all applicable terms and conditions of the development order except the build out date for development occurring after the build out date and the proposed development that remains to be built is less than 40% of any applicable development of regional impact threshold. Section 380.06(15)(g)3, Florida Statutes, permits development within a DRI to continue beyond the build out date provided that the development meets the criteria for being Essentially Built Out.

4. The approved essentially built out agreement also set the remaining development parameters for the remaining parcels in the DRI.

5. A similar plat note change request was approved by City Commission on December 19, 2018 by resolution 3632. That proposed plat note was never recorded as County staff ultimately rejected the note due to a recent change to County policy as it relates to the review of banks. The revised note will provide for a total of 182,382 square feet of office and commercial use.

6. The proposed plat note change has been reviewed by staff and found to be compliant with the Essentially Built Out Agreement.

7. Staff recommends adopting proposed resolution 2019-R-51 and the revised plat note.

### **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.