



Legislation Text

File #: 2021-01, Version: 2

MOTION TO ADOPT PROPOSED ORDINANCE NO. 2021-01 ON SECOND AND FINAL READING. **[THIS IS A QUASI JUDICIAL ITEM].**

PROPOSED ORDINANCE NO. 2021-01 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE COMPREHENSIVE ZONING CODE OF THE CITY OF PEMBROKE PINES, BY SPECIFICALLY AMENDING SECTION 155.027, ENTITLED "ZONING MAP," TO RE-ZONE THE APPROXIMATE 3.98-ACRE PARCEL OF LAND GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND EAST OF 202ND AVENUE, LOCATED AT 20170 PINES BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RE-ZONING FROM THE CURRENT ZONING OF B-2 (COMMUNITY BUSINESS) TO C-1 (COMMERCIAL) FOR TRACT A; ALLOCATING COMMERCIAL FLEXIBILITY TO TRACT A IN ACCORDANCE WITH BROWARD COUNTY ADMINISTRATIVE RULE; RE-ZONING FROM THE CURRENT ZONING OF B-2 (COMMUNITY BUSINESS) TO A-1 (LIMITED AGRICULTURAL) FOR TRACT B, SUBJECT TO THE RECORDATION OF A DECLARATION OF RESTRICTIVE COVENANTS ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

SUMMARY EXPLANATION AND BACKGROUND:

1. Michael D. Miles, agent for contract purchaser, requests consideration to rezone the subject +-3.98-acre property from B-2 (Community Business) to C-1 (Commercial) on Tract A, A-1 (Limited Agricultural) on Tract B with associated commercial flexibility allocation (Tract A) and voluntary restrictive covenants. The subject property is generally located south of Pines Boulevard and east of 202 Avenue.

2. The site is currently part of the Pines 200 East plat which was approved in 2002. The Pines 200 East property currently contains a parking field which is being used for the adjacent commercial plaza (Pines 200 Plaza) to the west. On December 12, 2019, the Planning and Zoning Board approved a parking variance (ZV 2019-02) for the Pines 200 Plaza, reducing the parking required for that site and therefore allowing the subject site (Pines 200 East) to be redeveloped.

3. The subject Pines 200 East plat is currently divided into three the following three tracts as depicted on the attached survey:

- Tract A - 2.726 Acres
- Tract B - 1.251 Acres
- Tract C - .265 Acres

Tracts A and B of the plat are currently being purchased by the applicant and are subject to tonight's request.

4. The applicant is requesting the changes above in expectation of building a Tractor Supply Co. Retail Store on Tract A while providing conservation and wetlands mitigation on Tract B.

5. Tractor Supply Co. is a retailer of farm/ranch equipment and maintenance products; general maintenance products; animal (domestic and farm) feeds, equipment and health products; horse and rider tack, equipment and related products; bird feed, pet grooming, housing and related products; lawn and garden equipment and

products; tools and hardware; farm vehicle equipment and maintenance products; clothing and footwear.

6. The current plat note on the property allows 21,635 square feet of office use and 20,785 square feet of restricted commercial use. A plat note change and site plan will be provided for future City review should this application be approved.

7. The applicant requests consideration for the following items:

1. Rezone Tract A of the property from B-2 (Community Business) to C-1 (Commercial).
2. Allocation of commercial flexibility to Tract A in accordance with Broward County Administrative Rules.
3. Consideration of voluntary restrictive covenants to restrict uses on the property within the proposed C-1 (Commercial) district. The voluntary restrictive covenants will further restrict the property to the following uses:
 - Tract A of the Property shall be used only for a retail operation, which may include one or more of the following uses as accessory uses to the retail operation: "agricultural implements," "feed," "fertilizer," "fuel," "machinery," and "tractors" sales and display facility (as designated in the Code) with appurtenant outdoor display area, "bottle gas storage, filling, and distribution," (as designated in the Code), and "storage warehouse" (as designated in the Code).
 - Tract A will also allow all B-2 (Community Business) uses.
4. Rezone Tract B of the property from B-2 (Community Business) to A-1 (Limited Agricultural).

8. Tractor Supply Co. requires C-1 (Commercial) zoning for outdoor storage / display as well as the other ancillary uses as listed within the voluntary restrictive covenant in order to operate their business.

9. The existing zoning and land use plan designations of the surrounding properties to the subject site are as follows:

North - Pines Boulevard - Planned Unit Development (PUD) / Irregular Residential

East - Single Family District (RS-7) / Irregular Residential

South - Single Family District (RS-7) / Irregular Residential

West - Community Business (B-2) / Agricultural* (4.2 Acres of Commercial Flexibility Previously Applied to this Property)

10. Compatibility with Adjacent Use

Staff reviewed this application and finds that the allocation of commercial flexibility and associated commercial zoning request on Tract A is compatible with the existing commercial shopping center use (Pines 200 Plaza) directly to the west of this site. The adjacent Pines 200 Plaza received similar allocation of commercial flexibility on that property in the late 1990's.

The rezoning of Tract B from Community Business (B-2) to Limited Agricultural (A-1) further supports through zoning that the Tract will remain as a buffer between the future Tractor Supply project and the Alhambra residential community to the south. Staff notes that a similar Limited Agricultural (A-1) buffer condition exists on between multiple commercial properties located south of Pines Boulevard and west of Southwest 184 Avenue and the Estancia residential community.

The applicant provides a letter indicating that the commercial flex allocation achieves the following objectives / policies of the comprehensive plan:

OBJECTIVE I

Continue to utilize land development standards and design guidelines that provide a framework by which high quality development can be established, sustained, and protected.

- Policy 1.6 - Continue to implement land development regulations providing for all residential densities to be properly buffered from non-residential activities.

OBJECTIVE II

A variety of employment opportunities should continue to be encouraged to balance the City's tax base, provide jobs and employment centers in close proximity to affordable housing, and improve economic stability and mobility by giving special attention to the neediest and disadvantaged populations.

- Policy 2.5 - Continue to encourage the location of commercial, industrial and employment centers near public transportation facilities to improve access to employment opportunities.

- Policy 18.2 - Continue to implement land development regulations to insure compatibility and buffering between adjacent residential and nonresidential uses.

11. Staff reviewed the proposal and finds that the rezoning and commercial allocation generally comply with the comprehensive plan objectives and policies as listed by the applicant.

12. The City Commission at its January 13, 2021 meeting voted to pass this proposed ordinance on first reading.

13. A plat note amendment, for the Pines 200 East plat, is being heard concurrently on tonight's agenda (reference 2021-R- 02)

14. Administration recommends adopting proposed ordinance 2021-01 on second and final reading.

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.