

PROPOSED RESOLUTION NO. 2020-R-31

RESOLUTION NO. 3710

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 113,558 SQUARE FEET OF COMMERCIAL USE AND PROVIDING FOR COMMERCIAL FLEXIBILITY; 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.

WHEREAS, On September 15, 1987, the Chapel Trail Development of Regional Impact was approved and adopted by Chapel Trail Associates, Ltd., for property depicted on Exhibit "A", which is attached hereto; and

WHEREAS, on January 14, 2014, a plat note amendment for the Chapel Trail II Plat was approved by the Broward County Commission, which created Parcel G-1 of the Chapel Trail II Plat, generally located north of Johnson Street and east of US 27, as more particularly described in Exhibit "B", which is attached hereto; and

WHEREAS, on August 6, 2014, the City of Pembroke Pines City Commission approved Resolution 3426, which determined that the Chapel Trail Development of Regional Impact was essential built out; and

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WHEREAS, on December 4, 2019, the City Commission approved Resolution 3678, which transmitted the Plat Note Amendment, as requested by the applicant, to Broward County.

WHEREAS, the Broward County Planning Council and county staff noted that commercial flexibility needed to be applied in order to comply with the City's land use plan; and

WHEREAS, the applicant now requests that the City approve the new proposed Plat Note Amendment to comply with the requests of Broward County where the City must assign and approve of 10 acres of commercial flexibility uses; and,

WHEREAS, the City approves the new proposed Plat Note Amendment to comply with the requests of Broward County where the City must assign and approve of 10 acres of commercial flexibility uses; and,

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

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

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County Commissioners who shall review and address these uses for increased impacts.

WHEREAS, the current owner of Parcel G-1 has requested Broward County approve an amendment to the Plat Note to provide as follows:

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), and an additional 113,558 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.

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

WHEREAS, the proposed plat note language provides for a total of 182,382 square feet office and commercial uses.

WHEREAS, the City approves and requests that Broward County approve the following proposed plat note language as provided herein; and,

WHEREAS, the City's professional staff has reviewed the proposed plat note amendment and commercial flexibility assignment, and has no objection to the same; and,

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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 assign and approves of 10 acres of commercial flexibility uses; and,

Section 3. The City Commission of the City of Pembroke Pines, Florida, hereby approves the Plat Note Amendment for the Chapel Trail II Plat, to amend the plat note to state as follows:

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 113,558 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.

Section 4. The City Manager and City Administration is hereby

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authorized to take any action necessary to implement the intent of this Resolution, including but not limited to the execution of all documents in furtherance 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)

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, THIS 19TH DAY OF AUGUST, 2020.



CITY OF PEMBROKE PINES, FLORIDA

By: [Signature]
MAYOR FRANK C. ORTIS

ATTEST

[Signature] 8/24/20
MARLENE GRAHAM, CITY CLERK

APPROVED AS TO FORM:

[Signature]
OFFICE OF THE CITY ATTORNEY

ORTIS	<u>AYE</u>
CHANZES	<u>AYE</u>
SCHWARTZ	<u>AYE</u>
GOOD	<u>AYE</u>
SIPLE	<u>AYE</u>

EXHIBIT A

LEGAL DESCRIPTION OF DRI PROPERTY

BEING ALL OF PARCEL "H", TOGETHER WITH A PORTION OF PARCEL "G" AND A PORTION OF 208th AVENUE (NOW VACATED), ALL AS SHOWN ON THE PLAT OF CHAPEL TRAIL II AS RECORDED IN PLAT BOOK 112, PAGE 16 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF JOHNSON STREET AND THE EAST LINE OF SECTION 10, TOWNSHIP 51 SOUTH, RANGE 39 EAST, BROWARD COUNTY, FLORIDA, AS SHOWN ON SAID CHAPEL TRAIL II PLAT; THENCE SOUTH 89°50'41" WEST, A DISTANCE OF 1315.55 FEET; THENCE SOUTH 88°18'41" WEST, A DISTANCE OF 560.63 FEET; THENCE SOUTH 89°50'41" WEST, A DISTANCE OF 166.75 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 42°50'00" AND AN ARC DISTANCE OF 18.69 FEET TO THE POINT OF TANGENCY; SOUTHEASTERLY; THENCE NORTHWESTERLY, WESTERLY, SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE. HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 222°50'00" AND AN ARC DISTANCE OF 194.46; THE LAST FIVE COURSES AND DISTANCES BEING ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF JOHNSON STREET AS SHOWN ON SAID CHAPEL TRAIL II PLAT; THENCE SOUTH 89°50'41" WEST, ALONG THE SOUTHERLY MOST LINE OF SAID PARCEL "G", A DISTANCE OF 210.76 FEET; THENCE NORTH 03°16'37" WEST, A DISTANCE OF 70.10 FEET; THENCE NORTH 45°58'30" WEST, A DISTANCE OF 69.69 FEET; THENCE NORTH OF 01°47'41" WEST, A DISTANCE OF 2434.28 FEET; THENCE NORTH 44°02'03" EAST, A DISTANCE OF 71.73 FEET; THENCE NORTH OF 03°17'57" WEST, A DISTANCE OF 55.08 FEET. THE LAST FIVE COURSES AND DISTANCES BEING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF U.S. 27 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP NO. 86060-2511, SHEETS 9, 10 AND 11; THENCE NORTH 89°51'47" EAST, ALONG THE SOUTHERLY LINE OF TRACTS 58 AND 59 OF EVERGLADE LAND COMPANYS SUBDIVISION OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 10, AS SHOWN ON SAID CHAPEL TRAIL II PLAT, A DISTANCE OF 660.25 FEET; THENCE NORTH OF 01°48'25" WEST, ALONG THE EAST LINE OF SAID TRACT 59, AS SHOWN ON SAID CHAPEL TRAIL II PLAT, A DISTANCE OF 661.04 FEET; THENCE SOUTH 89°52'03" WEST, ALONG THE NORTH LINE OF SAID TRACT 59, AS SHOWN ON SAID CHAPEL TRAIL II PLAT, A DISTANCE OF 329.97 FEET; THENCE NORTH 01°48'24" WEST, ALONG THE EAST LINE OF TRACTS 39, 26 AND 7 OF SAID EVERGLADE LAND COMPANYS SUBDIVISION, AS SHOWN ON SAID CHAPEL TRAIL II PLAT, A DISTANCE OF 1883.17 FEET TO A POINT OF THE SOUTH PLAT; THENCE NORTH 89°52'53" EAST, ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF SHERIDAN STREET, A DISTANCE OF 1319.86 FEET; THENCE SOUTH 01°48'27" EAST, ALONG THE WEST LINE OF TRACT 2 OF SAID EVERGLADE LAND COMPANYS SUBDIVISION, AS SHOWN ON SAID CHAPEL TRAIL II PLAT, A

DISTANCE OF 560.92 FEET; THENCE NORTH 89°52'36" EAST, ALONG THE SOUTH LINE OF SAID TRACT 2, A DISTANCE OF 140.30 FEET; THENCE SOUTH 00°07'24" EAST, A DISTANCE OF 206.67 FEET; THENCE SOUTH 33°23'32" WEST, A DISTANCE OF 249.89 FEET; THENCE SOUTH 01°48'29" EAST, A DISTANCE OF 2638.10 FEET; THENCE NORTH 88°11'31" EAST, A DISTANCE OF 669.53 FEET TO A POINT ON THE SAID EAST LINE OF SECTION 10; THENCE SOUTH 01°48'29" EAST, ALONG THE SAID EAST LINE OF SECTION 10, A DISTANCE OF 1512.75 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF PEMBROKE PINES, BROWARD COUNTY, FLORIDA AND A CONTAINING 272.227 ACRES MORE OR LESS.

TOGETHER WITH:

A PORTION OF PARCEL "A", "B", "C", "D", "E", "F" AND "G", ALL OF CHAPEL TRAIL II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 112, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALSO BEING A PORTION OF THE RIGHT-OF-WAY OF JOHNSON STREET (NOW VACATED), 196th AVENUE (TO BE VACATED), 200th AVENUE (TO BE VACATED) AND 208th AVENUE (NOW VACATED), TOGETHER WITH A PORTION OF CHAPEL TRAIL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 112, PAGE 15 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTH HALF OF SECTION 13, TOWNSHIP 51 SOUTH, RANGE 39 EAST, LESS THE RIGHT-OF-WAY OF HOLLYWOOD BOULEVARD (NOW KNOWN AS PINES BOULEVARD), ALSO LESS THE RIGHT-OF-WAY OF 184th AVENUE, BOTH AS SHOWN ON THE SAID PLAT OF CHAPEL TRAIL II;

TOGETHER WITH:

ALL OF THE SOUTH HALF OF SECTION 12, TOWNSHIP 51 SOUTH, RANGE 39 EAST, LESS THE RIGHT-OF-WAY 184th AVENUE AS SHOWN ON THE SAID PLAT OF CHAPEL TRAIL II;

TOGETHER WITH:

ALL OF THE SECTION 11, TOWNSHIP 51 SOUTH, RANGE 39 EAST, LESS TRACTS 1, 5, 6, 8, 9, 10, 11, 12, 25, 26, 33, AND 49 OF EVERGLADE LAND COMPANY'S SUBDIVISION OF THE NORTH ONE-HALF (N. 1/2) OF SECTION 11, TOWNSHIP 51 SOUTH, RANGE 39 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, ALSO LESS TRACT 50 OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1 OF THE SOUTH ONE-HALF (S. 1/2) OF SAID SECTION 11, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, ALL AS SHOWN ON THE SAID PLAT OF CHAPEL II TRAIL;

TOGETHER WITH:

ALL OF THE NORTH HALF OF SECTION 14, TOWNSHIP 51 SOUTH, RANGE 39 EAST, LESS THE RIGHT-OF-WAY OF HOLLYWOOD BOULEVARD (NOW KNOWN AS PINES BOULEVARD) AS SHOWN ON THE PLAT OF CHAPEL TRAIL, AS RECORDED IN PLAT BOOK 112, PAGE 15, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF THE RIGHT-OF-WAY OF JOHNSON STREET (NOW VACATED), TOGETHER WITH A PORTION OF SAID PARCEL "G", BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 01°48'29" EAST, ALONG THE WEST LINE OF SAID SECTION 11, A DISTANCE OF 660.91 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF TRACT 1 OF EVERGLADE LAND COMPANY'S SUBDIVISION OF THE NORTHEAST ONE-QUARTER (N.E. 1/4) OF SECTION 10, TOWNSHIP 51 SOUTH, RANGE 39 EAST, AS RECORDED IN SAID PLAT BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; THENCE SOUTH 89°52'36" WEST, ALONG THE SOUTH LINE OF SAID TRACT 1 AND CONTINUING ALONG A PORTION OF THE SOUTH LINE OF SAID SUBDIVISION OF THE NORTHEAST ONE-QUARTER (N.E. 1/4), A DISTANCE OF 319.63 FEET; THENCE SOUTH 00°07'24" EAST, A DISTANCE OF 206.67 FEET; THENCE SOUTH 33°23'32" WEST, A DISTANCE OF 249.89 FEET; THENCE SOUTH 01°48'29" EAST, A DISTANCE OF 2638.10 FEET; THENCE NORTH 88°11'31" EAST, A DISTANCE OF 669.53 FEET TO A POINT ON THE SAID WEST LINE OF SECTION 11; THENCE NORTH 01°48'29" WEST, ALONG THE SAID WEST LINE OF SECTION 11, A DISTANCE OF 3033.60 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF PEMBROKE PINES, BROWARD COUNTY, FLORIDA, CONTAINING 1522.892 ACRES MORE OR LESS.

A PORTION OF FLORIDA FRUIT LANDS COMPANY'S SUB. NO.1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17. OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, TOGETHER WITH A PORTION OF PARCEL "H", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 112, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID PARCEL "H", THENCE SOUTH 89°49'31" WEST ALONG A PORTION OF THE NORTH RIGHT-OF-WAY LINE OF PINES BOULEVARD (FORMERLY KNOWN AS HOLLYWOOD BOULEVARD) AS SHOWN ON THE SAID PLAT OF CHAPEL TRAIL II, A DISTANCE OF 1399.91 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27 AS SHOWN ON THE SAID PLAT OF CHAPEL TRAIL II; THENCE NORTH 01°47'41" WEST ALONG A PORTION OF SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 56.58 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1442.00 FEET, A CENTRAL ANGLE OF 11°47'41" AND AN ARC DISTANCE OF 296.85 FEET TO THE POINT OF TANGENCY; THENCE NORTH 13°35'22" WEST, A

DISTANCE OF 200.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1358.00 FEET, A CENTRAL ANGLE OF 11°47'41" AND AN ARC DISTANCE OF 279.55 FEET TO THE POINT OF TANGENCY; THENCE NORTH 01°47'41" WEST, A DISTANCE OF 506.12 FEET; THENCE NORTH 44°01'30" EAST, A DISTANCE OF 50.20 FEET; THENCE NORTH 89°50'41" EAST, A DISTANCE OF 934.72 FEET; THENCE SOUTH 54°55'30" EAST, A DISTANCE OF 40.38 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 880.00 FEET, A CENTRAL ANGLE OF 03°28'33" AND AN ARC DISTANCE OF 53.39 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 23°10'13" EAST, A DISTANCE OF 507.30 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 46°31'25" AND AN ARC DISTANCE OF 430.36 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 01°46'02" EAST ALONG A LINE NOT RADIAL TO THE LAST DESCRIBED CURVE AND ALONG A PORTION OF THE WEST LINE OF SAID PARCEL "H" A DISTANCE OF 563.85 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF PEMBROKE PINES, BROWARD COUNTY, FLORIDA, CONTAINING 40.647 ACRES MORE OR LESS.

TOGETHER WITH:

TRACT 1 OF THE FLORIDA FRUIT LANDS COMPANY'S SUB. NO. 1 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF PEMBROKE PINES BROWARD COUNTY, FLORIDA CONTAINING 9.5 ACRES, MORE OR LESS.



City of Pembroke Pines, FL

601 City Center Way
Pembroke Pines, FL
33025
www.ppines.com

Agenda Request Form

Agenda Number: 23.

File ID: 2020-R-31	Type: Resolution	Status: Passed
Version: 1	Agenda Section:	In Control: City Commission
		File Created: 08/04/2020
Short Title: Proposed Resolution 2020-R-31: Plat Note Amendment Chapel Trail II		Final Action: 08/19/2020

Title: MOTION TO ADOPT PROPOSED RESOLUTION 2020-R-31

PROPOSED RESOLUTION 2020-R-31 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 113,558 SQUARE FEET OF COMMERCIAL USE AND PROVIDING FOR COMMERCIAL FLEXIBILITY; 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.

***Agenda Date:** 08/19/2020

Enactment Date: 08/19/2020

Agenda Number: 23.

Enactment Number: 3710

Internal Notes:

Attachments: 1. Proposed Resolution 2020-R-31 Chapel Trail II Plat Note Amendment), 2. Exhibit A - Legal Description Chapel Trail DRI, 3. Exhibit B - Sketch and Legal Description Parcel G-1, 4. Aerial Map, 5. Close Up Aerial Parcel G-1, 6. Letter of request with Resolution 3678, 7. Resolution 3426 - Chapel Trail Essentially Built Out Agreement

Indexes:

1 City Commission

08/19/2020 adopt

Pass

Agenda Request Form Continued (2020-R-31)

Action Text: A motion was made by Vice Mayor Siple, seconded by Commissioner Good, Jr., to adopt Proposed Resolution 2020-R-31. The motion carried by the following vote:
Aye: - 5 Mayor Ortis, Vice Mayor Siple, Commissioner Good Jr., Commissioner Schwartz, and Commissioner Chanzas
Nay: - 0

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 City Commission at its December 4, 2019 approved resolution 3678 adopting a plat note request consistent with tonight's proposed language. Resolution 3678 was then transmitted to Broward County for processing. During the County review process, Broward County Planning Council (BCPC) staff noted that commercial flexibility needed to be applied in order for compliance with the city's land use plan. This updated resolution request will replace Resolution 3678 and includes the provision for the City to allocate 10 acres of commercial flexibility to this site as per County requirements.
3. 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.

Agenda Request Form Continued (2020-R-31)

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.

4. 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.

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

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 2020-R-31.

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.