

**CITY OF MIRAMAR  
PROPOSED CITY COMMISSION AGENDA ITEM**

**Meeting Date:** January 15, 2020

**Presenter's Name and Title:** Eric Silva, Director, on behalf of the Community Development Department

**Prepared By:** Frensky Magny, Planner II

**Temp. Reso. Number:** 7085

**Item Description:** Temp. Reso. 7085, APPROVING THE ALLOCATION OF UP TO 50 FLEXIBILITY UNITS FROM THE CITY'S UNIFIED POOL OF 384 FLEXIBILITY UNITS FOR A PROPOSED MIXED-USE DEVELOPMENT PROJECT ON THE MIRAMAR TOWN CENTER BLOCK 2 PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF RED ROAD, ABOUT 500 FEET WEST OF HIATUS ROAD, WITH BROWARD COUNTY FOLIO NUMBER 5140-2413-0020, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A". UPON CERTIFICATE OF OCCUPANCY, ANY UNUTILIZED FLEXIBILITY UNITS FROM THE ALLOCATION SHALL REVERT BACK TO THE CITY'S UNIFIED POOL; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE. *(Eric Silva, Community Development Director)*

Consent ☐ Resolution ☒ Ordinance ☐ Quasi-Judicial ☐ Public Hearing ☐

**Instructions for the Office of the City Clerk:**

**Public Notice** – As required by the Sec. \_\_\_\_ of the City Code and/or Sec. \_\_\_\_, Florida Statutes, public notice for this item was provided as follows: on \_\_\_\_\_ in a \_\_\_\_\_ ad in the \_\_\_\_\_; by the posting the property on \_\_\_\_\_ and/or by sending mailed notice to property owners within \_\_\_\_\_ feet of the property on \_\_\_\_\_  
(fill in all that apply)

Special Voting Requirement – As required by Sec. \_\_\_\_\_, of the City Code and/or Sec. \_\_\_\_\_, Florida Statutes, approval of this item requires a \_\_\_\_\_ (unanimous, 4/5ths etc.) vote by the City Commission.

**Fiscal Impact:** Yes ☐ No ☒

**REMARKS:**



**Content:**

- Agenda Item Memo from the City Manager to City Commission
- Resolution TR 7085
  - Exhibit A: City of Miramar MTC Block 2 Boundary Survey



**CITY OF MIRAMAR  
INTEROFFICE MEMORANDUM**

**TO:** Mayor, Vice Mayor, & City Commissioners

**FROM:**  Vernon E. Hargray, City Manager 

**BY:** Eric Silva, Director, Community Development Department

**DATE:** January 9, 2020

**RE:** Temp. Reso. No. 7085, approving the allocation of up to 50 flexibility units from the City's Unified Pool of Flex Units for a proposed mixed-use development project

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**RECOMMENDATION:** That the City Commission approve the allocation of up to 50 Flexibility ("Flex") Units from the City's Unified Pool of Flex Units for a proposed mixed-use development project on the Miramar Town Center property generally located on the north side of Red Road, about 500 feet west of Hiatus Road, consisting of 393 multifamily residential units and approximately 27,000 square feet of commercial tenant space.

**ISSUE:** City Commission approval is required for the allocation of Flexibility ("Flex") Units from the City's Unified Pool of Flex Units within the City.

**BACKGROUND:** The City Commission recently approved Resolution No. 19-133, for the purchase and sale agreement of the 3.742-acre Miramar Town Center Block 2 property. The agreement included the development of 27,500 to 32,500 square feet of ground floor retail space and up to 400 residential units on the property. The applicant will acquire 350 residential units from the Regional Activity Center and is requesting up to additional 50 Flexibility ("Flex") Units from the City's Unified Pool of Flex Units.

**COMPREHENSIVE PLAN ELEMENT:** The following Comprehensive Plan Objectives and Policies support this issue:

**Future Land Use Element - Objective 7D**

Ensure that the Town Center continues to serve as the focal point of activity for the City.

**Future Land Use Element - Objective 10 Housing Opportunities - Policy 10.6**

The City shall promote new housing projects which contain compact building design principles, mixed use, medium to high densities, promote pedestrian activity and support

multi-modal transportation options by offering density and intensity bonuses and fast tracking options.

**Future Land Use Element - Objective 10 Tourism - Policy 11.2**

Encourage tourism through the use of mixed-use developments designed in a downtown fashion that contains entertainment uses. Examples to consider are Mizner Park, Coconut Grove, Downtown Delray Beach, and City Place in West Palm Beach.

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**CITY OF MIRAMAR  
MIRAMAR, FLORIDA**

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, APPROVING THE ALLOCATION OF UP TO 50 FLEXIBILITY UNITS FROM THE CITY'S UNIFIED POOL OF 384 FLEXIBILITY UNITS FOR A PROPOSED MIXED-USE DEVELOPMENT PROJECT ON THE MIRAMAR TOWN CENTER BLOCK 2 PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF RED ROAD, ABOUT 500 FEET WEST OF HIATUS ROAD, WITH BROWARD COUNTY FOLIO NUMBER 5140-2413-0020, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; UPON CERTIFICATE OF OCCUPANCY, ANY UNUTILIZED FLEXIBILITY UNITS FROM THE ALLOCATION SHALL REVERT BACK TO THE CITY'S UNIFIED POOL; AND PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on June 12, 2019, the City Commission approved the purchase and sale agreement between the City, as seller, and Related Development, LLC, as Buyer, for the 3.742-acre Miramar Town Center Block 2 Property via Resolution 19-133; and

**WHEREAS**, a mixed-use development project consisting of up to 400 multifamily residential units and approximately 27,000 square feet of ground floor retail space is proposed on the Subject Property; and

**WHEREAS**, in order to accommodate the proposal, the development may apply 350 residential units from the Regional Activity Center and up to 50 Flexibility ("Flex") Units from the City's Unified Pool of Flex Units; and

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**WHEREAS**, upon the certificate of occupancy of the mixed-use development on Miramar Town Center Block 2, all unutilized flexibility units shall revert back to the City's Unified Pool of Flex Units; and

**WHEREAS**, there are 384 Flexibility Units within the City Unified Flexibility Zone; and

**WHEREAS**, the City Commission deems it to be in the best interest of the citizens of and residents of the City to approve the utilization of up to 50 Flexibility Units for the construction of a mixed-use development containing up to 400 residential units and approximately 27,000 square feet of retail at the Subject property.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:**

**Section 1:** That each and all of the foregoing WHEREAS clauses are hereby incorporated into this Resolution.

**Section 2:** That the City Clerk, or her designee, shall forthwith deliver certified copy of this resolution to the Broward County Planning Council.

**Section 3:** That the City Manager, or his designee, shall notify the Broward County Planning Council in writing and submit revised charts, the format certified by the latter, which reflect the current total.

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**Section 4: Repeal.** That all Resolutions and part of resolutions determined by a court of law to be inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of such conflict.

**Section 5: Severability.** That if any word, clause, phrase, sentence, paragraph or section of this Resolution is held to be unconstitutional or invalid by any court of competent jurisdiction, such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications which shall remain in full force and effect.

**Section 6: Scrivener's Error.** That the City Attorney is hereby authorized to correct scrivener's errors found in this Resolution by filing a corrected copy with the City Clerk.

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**Section 7: Effective Date.** That this Resolution shall become effective upon adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor, Wayne M. Messam

\_\_\_\_\_  
Vice Mayor, Alexandra P. Davis

ATTEST:

\_\_\_\_\_  
City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved  
this RESOLUTION as to form:

\_\_\_\_\_  
City Attorney,  
Austin Pamies Norris Weeks Powell, PLLC

**Requested by Administration**

Commissioner Winston F. Barnes  
Commissioner Maxwell B. Chambers  
Commissioner Yvette Colbourne  
Vice Mayor Alexandra P. Davis  
Mayor Wayne M. Messam

**Voted**

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