



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

| Project Description | | | |
|---------------------|--|----------------------|---|
| Plat Name: | Miramar Town Center Plat | Number: | 042-MP-00 |
| Application Type: | Note Amendment | Legistar Number: | 21-392 |
| Applicant: | RD Manor Miramar, LLC | Commission District: | 8 |
| Agent: | Greenspoon Marder LLP | Section/Twn./Range: | 24 & 25/51/40 |
| Location: | Northwest corner of Hiatus Road and Red Road | Platted Area: | 54.2 Acres |
| Municipality: | Miramar | Gross Area: | N/A |
| Previous Plat: | N/A | Replat: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Meeting Date: | April 6, 2021 | | |

A location map showing this Plat and parcels designated within the plat for the purpose of assigning development entitlement is attached as **Exhibit 2**.

The Application is attached as **Exhibit 7**. The Planning and Development Management Division (PDMD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

| Platting History and Development Rights | | | |
|---|---|----------------------------|-----------|
| Plat Board Approval: | December 11, 2001 | Plat Book and Page Number: | 172-141 |
| Date Recorded: | November 24, 2020 | Current Instrument Number: | 116884048 |
| Plat Note Restriction | | | |
| Current Plat: | This plat is restricted to 62,795 square feet of community facility and 72,205 square feet of library/institutes of higher learning-use; 95,000 square feet of government office use; 26,000 square feet of wellness center; 144,155 square feet of commercial use; 51,705 square feet of office use; 6,000 square feet of bank use; 80,000 square feet of police station use; 134 townhouse units; 370 midrise units on Parcel A, and 7 townhouse units and 386 midrise units on Parcel A-1. | | |
| Proposed Note: | This plat is restricted to 62,795 square feet of community facility and 72,205 square feet of library/institutes of higher learning-use; 95,000 square feet of government office use; 26,000 square feet of wellness center; 144,155 square feet of commercial use; 51,705 square feet of office use; 6,000 square feet of bank use; 80,000 square feet of police station use; 134 townhouse units; 370 midrise units on Parcel A; and 7 townhouse units; 386 midrise units; and 27,284 square feet of commercial use on Parcel A-1. | | |
| Extensions: | Not Applicable | | |

1. Land Use

Broward County Planning Council finds that the proposed plat note is in “Miramar Regional Activity Center” land use category. Regarding the proposed use, this plat is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center” as stated in **Exhibit 3**.

2. Affordable Housing

No residential units proposed under this request. The 2,350 additional dwelling units resulting from PCT 19-7 were subject to the Broward County Land Use Policy 2.16.2 and requires either a 15 percent set aside or a \$500 per dwelling unit affordable housing contribution. See **Exhibit 3**.

3. Access

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and have no objection to this note amendment.

This project is located on Red Road (SR 823), which is a State Roadway. FDOT has issued a pre-approval letter, approving this request with conditions, shown in **Exhibit 5**.

4. Municipal Review

The City of Miramar has submitted a letter dated November 24, 2020 supporting the application, which is attached in **Exhibit 4**.

5. Concurrency – Transportation

This plat is located in South Central Transportation Concurrency Management Area which is subject to Transportation concurrency fees, as defined in Section 5-182.1(a)(5)a) of Land Development Code.

| Proposed Use | Trips per Peak Hour (PM) |
|-----------------|--------------------------|
| Residential | 387 |
| Non-residential | 2,250 |
| Total | 2,638 |

The plat was recoded with a note requiring development to occur before five (5) years from date of plat approval. This note is no longer required by the Land Development Code.

6. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below for Parcel A-1:

| | Potable Water | Wastewater |
|-------------------------|-----------------|-----------------|
| Utility Provider: | City of Miramar | City of Miramar |
| Plant name: | Miramar | Miramar |
| Design Capacity: | 17.75 MGD | 12.70 MGD |
| Annual Average Flow: | 15.34 MGD | 9.86 MGD |
| Estimated Project Flow: | 0.14 MGD | 0.099 MGD |

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

7. Impact Fee Payment

This plat is located within Increment II of the East Miramar Area-wide Development of Regional Impact (DRI). Transportation concurrency and road impact fee for this plat have been satisfied through payments and improvements required through the Master Agreement for Increment II of the East Miramar Area-wide Development of Regional Impact (DRI).

Non-transportation impact fees will be calculated by Planning and Development Management Division, Development and Environmental Review Section; assessed based on construction plans submitted for environmental review approval and must be paid on date of building permit issuance. Fees are subject to increase annually on October 1st.

8. Environmental Review

This plat has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 6** provides recommendations to the developer regarding environmental permitting for the future development.

This plat is not located in a wellfield zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.

Environmental Planning and Community Resilience Division has reported that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

The Environmental Protection and Growth Management Department's records indicate that at least one underground fuel pipeline is located in the vicinity of this plat. Prior to conducting any subsurface work, the developer shall contact Sunshine 811 or 800-432-4770 to properly mark the location of the pipeline(s) to ensure that work is not in the location of this fuel pipeline(s).

9. Historic Resources

Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting archaeologist indicates that the proposed development will not have an adverse effect on any known historical or archaeological resources, and the consulting archaeologist has no objections to this application.

This property is located in the City of Miramar and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The applicant is advised to contact Nixon Lebrun, Senior Planner at City of Miramar's Community and Economic Development Department at 954-602-3281 to seek project review for compliance with municipal historic preservation regulations.

In the event any unmarked human burial remains are discovered, pursuant to Florida Statute Chapter 872.05, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

10. Aviation

The Broward County Aviation Department has no objections to this plat. The applicant is advised by staff of the Aviation Department that any proposed construction on this property with a height exceeding 200 feet, or the use of cranes or other high-lift equipment, must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply to this development. Based on the location of the proposed project, the FAA may need to conduct a review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

11. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat and provided no comments.

12. Notice to Applicant

The applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Planning and Development Management Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the South Central Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(5)a) of the Land Development Code.
2. This plat satisfies the drainage, water, wastewater, and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.

RECOMMENDATIONS

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall assure compliance with the standards and requirements of the Land Development Code:

1. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **April 6, 2022**.
2. Delete the plat note that references expiration of the Findings of Adequacy.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments and recommendations.

MR