



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Pinnacle at La Cabana	Number:	008-MP-22
Application Type:	New Plat	Legistar Number:	22-1444
Applicant:	City of Miramar	Commission District:	7
Agent:	Keith	Section/Twn./Range:	29/51/41
Location:	North side of Miramar Parkway, between Palm Avenue/Southwest 101 Avenue and Douglas Road	Platted Area:	2.34 Acres
Municipalities:	Miramar	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
FS 125.022 Waiver	An extension waiver was granted until October 9, 2023		
Recommendation:	APPROVAL		
Meeting Date:	October 11, 2022		

A location map of the plat is attached, see **Exhibit 2**.

The Application is attached, as **Exhibit 8**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	Vacant
Proposed Use:	110 Midrise Units
Plan Designation:	Commercial
Adjacent Uses	Adjacent Plan Designations
North: Single Family Residential	North: Low 5 Residential
South: Multi-Family Residential	South: Irregular 19.9 Residential
East: Commercial	East: Commercial
West: Fire Station	West: Commercial
Existing Zoning	Proposed Zoning
Transit Oriented Corridor-Mixed Use Low	Transit Oriented Corridor-Mixed Use Low

In accordance with the Land Development Code, mid-rise units are defined as four (4) or more attached dwelling units in a building with four (4) to eight (8) stories (exclusive of parking levels).

1. Land Use

Planning Council staff has reviewed this application and determined that the City of Miramar's Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat uses permitted in the "Commercial" land use category. Planning Council staff has received written documentation that the City of Miramar allocated up to 120 "flexibility units" to this plat on October 2, 2019, through Resolution No. 20-03. Therefore, the proposed 110 mid-rise dwelling units are in compliance with the permitted uses of the effective land use plan. Planning Council memorandum is attached, **Exhibit 3**.

1. Affordable Housing

This plat is not subject to Policy 2.16.2 because it was not the subject of a Broward County Land Use Plan amendment. However, the City of Miramar has determined that the proposed residential development will be designated Affordable Housing and Age Restricted.

2. Trafficways

Trafficways approval is valid for 10 months. Approval was received on June 23, 2022.

3. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code, as shown in the attached memorandum, **Exhibit 4**. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

4. Concurrency – Transportation

This plat is located in the South-Central Transportation Concurrency Management Area, which is subject to Transportation concurrency fees, as defined in Section 5-182.1(a)(1)a) of Land Development Code.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	43
Non-residential	0	0
Total	43	

5. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	City of Miramar	City of Miramar
Plant name:	Miramar (05/21)	Miramar (MIR) (06/22)
Design Capacity:	17.75 MGD	12.70 MGD
Annual Average Flow:	15.18 MGD	9.74 MGD
Estimated Project Flow:	0.0385 MGD	0.0014 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.

6. Concurrency – Regional Parks

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	0.50
Local	N/A

7. Concurrency - Public School

School Board staff has reviewed this application and determined that this plat proposes 110 mid-rise units which will be restricted to “housing for older person”, as a result it is not anticipated to generate additional students into the Broward County Public Schools. Therefore, this plat will not be subject to school concurrency and/or school impact fees, provided the applicant restricts the plat accordingly, or provides documentation acceptable to the County Attorney’s Office confirming the age restriction status of this plat. See the attached School Capacity Availability Determination received from the School Board, **Exhibit 5**.

8. Impact Fee Payment

Park impact and transportation concurrency will be calculated by Urban Planning 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.

The applicant has stated that the residential development will be designated both “Affordable Housing” and “Age Restricted”. Prior to plat recordation applicant must obtain an Affordable Housing Certificate from the Broward County Housing Finance Division, obtain from the Broward School Board both a determination on the affordable housing waiver and age restricted designation and through the Urban Planning Division the execution of a Declaration of Restrictive Covenants for Affordable Housing and Age Restriction.

9. Environmental Review

This plat has been reviewed by Environmental Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development, **Exhibit 6**.

Natural Resources Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

10. Additional Environmental Protection Actions

Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit approval. Approval to connect to such systems is approved by the Environmental Permitting Division as a prerequisite to, and just prior to, approval of building permits by the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

11. Historic Resources

This plat has been reviewed by the Broward County’s consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. The subject plat is located in the City of Miramar and is within the jurisdiction of Broward County’s historic preservation

ordinance (B.C. Ord. 2014-32). See the attached historic and archaeological comments, **Exhibit 7**.

12. Aviation

The Broward County Aviation Department (BCAD) has no objection to this. However, this property is within 3 miles of the Broward County's North Perry Airport. Any proposed construction on this property or 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. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. The Applicant should visit bit.ly/AirspaceReview to determine if the proposed project exceeds the height limitations in the Airport Airspace Imaginary Surfaces Composite Map.

13. Utilities

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

14. 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 Urban Planning 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 District. This district meets the regional transportation concurrency standards as specified in Section 5-182.1(a)(1)a) of the Land Development Code.
2. This plat has been reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code. See the attached School Capacity Availability Determination received from the School Board, see the attached SCAD letter, **Exhibit 5**.
3. 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.
4. This plat satisfies the regional park concurrency requirement of Section 5-182.7 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. Conditions attached in Highway Construction and Engineering Memorandum, see **Exhibit 4**.

2. Place note on the face of the plat, preceding municipal official's signature, reading:

Concurrency/impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.

3. Place a note on this face of the plat reading:

- a. This plat is restricted to 110 Midrise Units.
- b. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.
- c. Any structure within this plat must comply with Section 2.1.f Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

4. If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[CLD/HWC]