



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Project Description			
Plat Name:	Pembroke Pines City Hall Plat	Number:	090-MP-86
Application Type:	Note Amendment	Legistar Number:	22- 1178
Applicant:	City of Pembroke Pines	Commission District:	7
Agent:	Greenspoon Marder, LLP	Section/Twn./Range:	18/51/41
Location:	Southwest corner of Pines Boulevard and Southwest 101 Avenue/Palm Avenue	Platted Area:	15 Acres
Municipality:	Pembroke Pines	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
Meeting Date:	October 11, 2022		

A location map depicting the parcels designated within the plat for the purpose of assigning development entitlement is attached, see **Exhibit 2**.

The Application is attached, see **Exhibit 9**. The Urban Planning Division (UPD) 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:	November 04, 1986	Plat Book and Page Number:	136-23
Date Recorded:	September 29, 1988	Current Instrument Number:	116832361
Plat Note Restriction			
Original Plat:	This plat is restricted to 60,000 square feet of City Hall complex office use.		
Current Note:	This plat is restricted to 175 high-rise units, 9,700 square feet of commercial use, and 120,000 square feet of office use on Tract A, 120,000 square feet of self-storage use on Tract A-1, 150 hotel rooms on Tract A-2, a service station/convenience store with 16 fueling positions on Tract A-3, and 150 Adult Living Facility (ALF) units on Tract A-4 (see attached Legal Description).		
Proposed Note:	This plat is restricted to 150 mid-rise units, of which at least 80 percent are age-restricted, on Tract A; 120,000 square feet of office use on Tract A-1, Tract A-2, and Tract A-3; and 150 Adult Living Facility (ALF) units on Tract A-4.		

1. Land Use

Planning Council has reviewed this application and determined that the City of Pembroke Pines' Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat for the uses permitted in the "Regional Activity Center" land use category. This plat is subject to the executed "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Local Activity Center," as recorded in Official Record Book 46264, Pages 1461-1466.

This plat was the subject of Broward County Land Use Plan (BCLUP) amendments PC 17-4/PCT 17-2, which amended the future land use designation from "Employment Center" to "Regional Activity Center." The residential units were found to satisfy BCLUP Policy 2.16.2 based on the City's affordable housing programs and policies, as well the City's commitment to provide 325 of the 2,215 total dwelling units as affordable housing units within the Activity Center, see **Exhibit 3**.

2. 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 Pines Boulevard (SR 820). Florida Department of Transportation (FDOT) has issued a pre-application letter, see the attached. Openings or improvements on functionally classified State Roads are subject to the "Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards," see **Exhibit 5**.

3. Municipal Review

The City of Pembroke Pines has approved Resolution No.3792 dated May 18, 2022, supporting the application, see **Exhibit 4**.

4. Concurrency – Transportation

This plat is located within 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 the Land Development Code. The proposed note amendment will be a decrease of 409 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	98	91
Non-Residential	615	213
Total	713	304
Difference	A decrease of 409 Trips per PM Peak Hour	

5. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	City of Pembroke Pines	Hollywood
Plant name:	Pembroke Pines (11/21)	Hollywood HOL (03/22)
Design Capacity:	18.00 MGD	55.50 MGD
Annual Average Flow:	14.37 MGD	38.16 MGD
Estimated Project Flow:	0.117 MGD	0.084 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. Impact Fee Payment

This plat was subject to the Traffic Concurrency Agreement Between Broward County and the City of Pembroke Pines for Road Concurrency relating to the Pembroke Pines City Hall Plat (Instrument No. 101161896) ("Traffic Mitigation Agreement") which obligated the City of Pembroke Pines to pay fair share costs of \$122,148 to Broward County for the widening of Pembroke Road between Flamingo Road and Douglas Road. This payment was secured through City Resolution No. 2001-R-21 and conditions of the agreement were satisfied, as required by the note amendment approval by the Board on August 20, 2019.

This property will no longer function as a city hall, the trips generated have been accounted for on the road network, and equivalency of office use will be used in lieu of the city hall use for trip vesting purposes. Therefore, this plat will be vested for 125,000 square feet of office use of 219 PM peak hour trips. Additional PM peak hour trips generated by this request shall be subject to Transportation Concurrency and administrative fees during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Urban Planning Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

7. School Impact Fee Payment

The applicant proposes to age restrict at least 120 units (80 percent of the proposed 150 mid-rise units). The plat falls within the boundary of Land Use Plan Amendments PCT 17-2/PC 17-4 which is the subject of a Tri-Party Agreement recorded in the Official Records of Broward County with Instrument Number 115697465. The third land use plan text amendment PC 17-2/PCT 17-4, see **Exhibit 3**, between the School Board, the City of Pembroke Pines and Broward County which amended the subject to require payment of mitigation based on the higher of cost factors fees or school impact fees per dwelling unit for any residential units that are not age restricted. Attached is the preliminary school capacity availability determination, see **Exhibit 6**.

8. Environmental Review

The plat note amendment application has been reviewed by Environmental Permitting Division. The attached document provides recommendations to the developer regarding environmental permitting for the future development, see **Exhibit 7**.

The Resilient Environment Department, Environmental Permitting Division'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

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 or paleontological sensitivity, see **Exhibit 8**.

10. Aviation

The Broward County Aviation Department has no objections to this plat. However, this property is within three (3) miles of the Broward County's North Perry Airport and may need to be reviewed by the Broward County and FAA to determine if the project is hazard to aviation. The project is subject to compliance with Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use) including Sec. 5-182.10 (airports). The applicant should visit <https://www.broward.org/Airport/Business/AirspaceReview/Pages/Maps.aspx> to determine if the proposed project exceeds the height limitations in the Airport Airspace Imaginary Surfaces Compose Map. This project may also be subject to Federal Aviation Regulation Part 77. To initiate the Federal Aviation Review, access

the FAA Web Page at: <http://oeaaa.faa.gov>. To initiate the Broward County Review, please contact AirspaceReview@Broward.org.

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 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 Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(1)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.
3. 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 **Exhibit 6**.
4. This plat satisfied the regional parks and recreation 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. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **October 11, 2023**.
2. Records a Declaration of Restrictive Covenants to place an age restriction on the plat prior to recordation of the note amendment agreement.

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.

MGA