



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NOTE AMENDMENT

Project Description			
Plat Name:	U.S. Oncology Center-Sunrise	Application Number:	032-MP-06
Application Type:	Note Amendment	Legistar Number:	25-713
Owner/Applicant:	Pine Island Park, LLC	Commission District:	3
Authorized Agent:	Paul Bilton	Section/Twn./Range:	20/49/41
Location:	South side of Northwest 44 Street, between Northwest 94 Avenue and Pine Island Road.	Folio Number (s):	4941-20-61-0010
Municipality:	City of Sunrise	Platted Area:	4.82 Acres
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommendation:	APPROVAL		
FS 125.022 Waiver	An extension waiver was granted until January 8, 2027		
Meeting Date:	June 10, 2025		

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

The Application is attached (**Exhibit 5**). The Urban Planning Division (UPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Platting History and Development Rights			
Plat Board Approval:	February 27, 2007	Plat Book and Page Number:	177-56
Date Recorded:	August 14, 2007	Current Instrument Number:	107301065
Plat Note Restriction			
Current Plat Note:	This plat is restricted to 36,500 square feet of office use. Banks and commercial/retail are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.		
Proposed Note:	This plat is restricted to 120 rental apartment units along with customary amenities such as a management office and common area elements for the use of the tenants.		

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

1. Land Use

Planning Council staff has reviewed this application and determined that the City of Sunrise 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. Regarding the proposed residential use, Planning Council staff has received written confirmation from the City of Sunrise that this plat is being processed under Florida Statutes 125.01055, also known as the Live Local Act (LLA); therefore, the City of Sunrise is required to determine consistency with the same, as the LLA supersedes the effective land use. Planning Council memorandum is attached (**Exhibit 3**).

2. Affordable Housing

The applicant proposes 120 affordable dwelling units, and the City of Sunrise has confirmed that this development is being processed under Florida Statutes 125.01055, also known as the Live Local Act (LLA) for affordable housing.

3. Access

Staff from the Highway Construction and Engineering Division and the Transit Division have reviewed this application and recommend approval subject to the conditions contained in the attached memorandum (**Exhibit 4**) including approval of the companion application item for the amendment to a nonvehicular access line (NVAL).

4. Municipal Review

The City of Sunrise has submitted Resolution No. 25-66 dated April 22, 2025, supporting the note amendment.

5. Concurrency – Transportation

This plat is located in the Central Transportation Concurrency Management Areas (TCMA), where level of service (LOS) is expressed in term of bus headways, and where Transportation Concurrency Assessment Fees apply per Sec. 5-182.1(a) of Land Development Code. The proposed note amendment generates 47 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	47
Non-residential	0	0
Total		47

This plat was recorded with a note requiring development to occur before five (5) years from the date of the 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:

	Potable Water	Wastewater
Utility Provider:	City of Sunrise	City of Sunrise
Plant name:	Spring Tree (05/24)	Spring Tree (09/24)
Design Capacity:	25.5 MGD	11.5 MGD
Annual Average Flow:	11.11 MGD	7.84 MGD
Estimated Project Flow:	0.042 MGD	0.042 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, or that sufficient capacity will exist at time of building permit approval.

7. 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	1.188
Local	0

8. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 120 mid-rise units will generate 5 (2 elementary, 1 middle, 2 high school) student. This plat will be subject to school impact fees which will be assessed in accordance with the fee schedule specified in the Land Development Code. The School Board staff provided a School Capacity Availability Determination (SCAD) letter, this determination expires on August 27, 2025. Also, any waiver or reduction to be given by Broward County requires the property owner and its mortgagee to enter into a "Declaration of Restrictive Covenant for Affordable Housing" and a separate application from the Broward County School Board.

9. Impact Fee

All impact fees (school impact, park impact, transportation impact, road impact and administrative fee) will be calculated by Urban Planning Division, Development and Environmental Review Section, in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for Broward County Development and Environmental review. Fees must be paid prior to the issuance of the building permit.

10. Environmental Review

This plat was reviewed by Environmental Permitting Division and have the following recommendations regarding environmental permitting for the future development.

A. Domestic & Non-Domestic Wastewater and Surface Water Management

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat note amendment. Nonetheless, should there be a significant flow generation from the site, advanced planning and upgrades to the downstream/off-site wastewater facilities may be warranted. Contact the Environmental Permitting Division at 954-519-1483 or WWLicense@broward.org for specific code requirements.

The Broward County Non-Domestic Wastewater Program has no objection to the described plat note amendment because no non-domestic wastewater discharge is anticipated for the site. Nonetheless, should there be proposed non-domestic wastewater discharges, these must meet the criteria under Chapter 27, Article V, Sections 27-193(b)(3)a, 27-193(b)(4)a, 27-194(b), and 27-198(c) of the Broward County Code of Ordinances. Contact the Environmental Permitting Division at 954-519-1483 or NDDLICENSE@broward.org for specific code requirements.

A Surface Water Management License (No. SWM2024-060-0) has been issued for this site.

B. Aquatic and Wetland Resources

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Permitting Division determined that, at this time, there are no indications of wetlands

within the boundaries of the plat. An Environmental Resource License DF24-1177 was issued for the creation of jurisdictional surface waters.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at Florida Exotic Pest Plant Council (invasive.org).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

C. Tree Preservation

This site does not fall under the jurisdiction of the Broward County Tree Preservation and Abuse Ordinance.

D. Clean-Up and Waste Regulation

Not a known contaminated site; not within one-quarter mile of a contaminated site; not a licensed waste regulation facility; not an abandoned dump or landfill.

E. Air Program

Since the subject plat relates to vacant land, there are no building demolition or asbestos renovation applicable requirements.

F. Natural Resources Division

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.

11. Additional Environmental Protection Actions

Approval to connect to any wastewater collection, treatment, or disposal system is approved by the Environmental Permitting Division as a prerequisite prior to issuance of building permits. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

12. Historical and Archaeological Resource Review

This plat was 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 sensitivity.

The subject property is located within the jurisdiction of Broward County's historic preservation ordinance (B.C. Ord. 2014-32). Pursuant to B.C. Ord. 2014-32, Section 5-536.5(g), if, "in the event that archaeological materials are uncovered during development activities, such development activities in the immediate vicinity of the discovery shall be discontinued," and the property owner shall contact Rick Ferrer, Historic Preservation Officer, Resilient

Environment Department, Urban Planning Division, Historic Preservation Program, at 1 North University Drive, Plantation, Florida 33324 or by phone at (954) 357-9731 for additional information about historical preservation regulations.

In the event any unmarked human burial remains are discovered, then pursuant to Florida Statutes, Chapter 872.05, all activities that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. The district medical examiner can be reached via email at Med_Exam_Trauma@broward.org or via phone at (954) 357-5200. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.

13. Aviation

The Broward County Aviation Department (BCAD) has no objections to this plat. The applicant is advised that any proposed construction on this property with a height exceeding 200 feet or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use).

To initiate the Federal Aviation Review, access the FAA Web Page at: <https://oeaaa.faa.gov>

14. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat application and did not provide a response.

15. 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 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 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 was reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code.
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. Prior to the recordation of the Note Amendment Agreement, the companion NVAL application for this plat must be reviewed, approved, and recorded.
2. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **June 10, 2026**.
3. Delete the plat note that references expiration of the Findings of Adequacy.
4. 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.

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.

[DM]