



February 25, 2020

Karina DaLuz
Planning Section Supervisor
Planning and Development Management Division
1 North University Drive, #102A
Plantation, FL 33324

Christine Hunschofsky
MAYOR

Bob Mayersohn
VICE MAYOR
DISTRICT 4

Stacy Kagan
COMMISSIONER
DISTRICT 1

Richard Walker
COMMISSIONER
DISTRICT 2

Ken Cutler
COMMISSIONER
DISTRICT 3

RE: Plat Note Amendment – Plat 002-MP-12

Ms. DaLuz:

Please allow this letter to serve as formal notice to Broward County that the City of Parkland consents to the requested change included in the attached exhibit and outlined in City of Parkland Resolution No. 2018-062.

This plat note amendment changes commercial use on Parcel C from 110,000 SF to 100,000 SF.

If you need any further information, please do not hesitate to contact me.

Sincerely,

Nancy Morando
City Manager
954-753-5040 x 4123
nmorando@cityofparkland.org

RESOLUTION NO. 2018-062

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA GRANTING SPECIAL EXCEPTION AND SITE PLAN APPROVAL TO PERMIT AN EDUCATIONAL INSTITUTION ON A PARCEL ZONED PLANNED COMMERCIAL DEVELOPMENT; LOCATED AT THE NORTHWEST CORNER OF UNIVERSITY DRIVE AND HILLSBORO BOULEVARD; PROVIDING FOR AN EFFECTIVE DATE; CASE NUMBER SE17-001.

WHEREAS, Parkland School Property, LLC (Applicant) is the owner of a 10.497 gross acre site located at the northwest corner of University Drive and Hillsboro Boulevard (the Property); and

WHEREAS, Schmidt Nichols on behalf of Parkland School Property, LLC petitioned the City for approval of a Special Exception to construct and operate a 98,638 square foot, sixty-one classroom educational institution for students in kindergarten through eighth grade (the School); and

WHEREAS, the Property has a zoning designation of Planned Commercial Development (PCD); and

WHEREAS, uses permitted in the PCD district are restricted to those permitted in the B-1, B-2 and OP zoning district; and

WHEREAS, educational institutions are permitted by special exception only in the B-2 district; and

WHEREAS, the Applicant has submitted a site plan as part of its application (SP 17-002 And CAB 17-005, and referenced as the Site Plan); and

WHEREAS, it was determined the proposed development meets the intent and purpose of Article 60 of the City of Parkland Land Development Regulations; and

WHEREAS, the City Commission, as the governing body of the City of Parkland, Florida, pursuant to the authority in Chapter 163 and Chapter 166, Florida Statutes, and the Code of Ordinances is authorized and empowered to consider petitions related to zoning and land development orders; and

WHEREAS, the notice and hearing requirements as provided in the Code of Ordinances have been satisfied; and

WHEREAS, the City Commission has considered the evidence and testimony presented by the Petitioner and other interested parties and the recommendations of the various City of Parkland review agencies and staff.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA THAT:

1 **SECTION 1.** Site Plan application 17-002 and Special Exception Application SE17-001 to
2 develop a 98,638 square foot, educational institution accommodating kindergarten through eighth grade
3 are hereby **APPROVED**, subject to the conditions of approval set forth below and subject to a
4 Developers Agreement (Agreement), to be recorded in the public records of Broward County and which
5 shall run with and bind the Property. Said Agreement shall be supplemental to and consistent with this
6 Resolution and shall delineate specific procedures to address and mitigate traffic impacts in the
7 Monitoring Zone and Study Zone (as defined in the Agreement). References in this Resolution to
8 Applicant shall include any applicant for the special exception and its successors and assigns, and to the
9 owner of the Property, and the owner and operator of the School and any structures thereon, and any
10 person/entity seeking to construct or operating the School as approved herein. The conditions set forth
11 herein are requirements of approval and must be satisfied for construction and operation of the School
12 which is the subject of the Special Exception Application. All improvements and obligations described
13 below shall be at the Applicant's sole cost and expense and shall include all costs related to the
14 obligations set forth herein. Conditions of approval are as follows:
15

- 16 A. Amendment to the Property's plat note to provide for the subject development.
17 B. Compliance with the Site Plan, except as modified herein or in any Site Plan
18 Amendment approved by the City.
19 C. Pursuant to the Agreement, Applicant shall participate in a Traffic Review Process, as
20 delineated in the Agreement, which provides for both Monthly Monitoring Reports and
21 Annual Reports as to traffic conditions in the Monitoring Zone and Study Zone (i.e.,
22 intersections, turn lanes, school entrance) immediately adjacent to the School. The
23 Traffic Review Process consists of monthly traffic review and annual traffic studies and
24 certain on-site and operational remedial measures which shall be required to be
25 undertaken by the Applicant depending on the results of the reports.
26 D. A school zone designation shall be approved by Broward County Traffic Division and
27 the school zone shall be established and completed prior to the receipt of a Certificate of
28 Occupancy and shall be functional at the time the School first opens for students.
29 E. The Applicant shall (at its sole cost and expense), and as further provided for in the
30 Agreement:
31 i. Perform and submit signal warrant studies within 90 days of the start of
32 each school year to the City and Broward County at the following
33 intersections:
34 a. Main Entrance & Hillsboro Boulevard (Main Entrance)
35 b. Hillsboro Boulevard & University Drive
36 ii. At its sole cost and expense, design and construct a traffic signal at the
37 Main Entrance within 18 months of Broward County signal warrant
38 approval. The signal design shall be approved by both the City and
39 Broward County, and shall include pedestrian crossing controls. Until
40 such time as the traffic signal is constructed and operational, Applicant
41 shall pay for and deploy two traffic control officers at the Main Entrance
42 during peak AM/PM hours of school "drop off" and "pick up". The City
43 Manager may, in his/her sole discretion, reduce the number of traffic
44 control officers at the Main Entrance.
45 iii. The Applicant shall pay to the City the sum of \$473,048.75, representing
46 the estimated cost to design, permit and construct a traffic signal at
47 University Drive & Hillsboro Boulevard (Traffic Signal Costs). The City
48 shall be obligated to construct the signal upon it being warranted,

1 designed and permitted. The signal design shall be approved by both the
2 City and Broward County, and shall include pedestrian crossing controls.
3 The payment of the foregoing sum shall be made prior to and as a
4 condition of the issuance of the building permit. Until such time as the
5 signal is constructed and operational, Applicant shall pay for and deploy
6 one traffic control officer to provide traffic control services at the
7 intersection during peak AM/PM hours of school “drop off” and “pick
8 up”. This obligation for the Traffic Signal Costs shall be secured by
9 payment of the full amount to the City prior to the issuance of the first
10 building permit.

11 iv. At its sole cost and expense, design and construct a coordinated signal
12 system between the Main Entrance and University Drive and Hillsboro
13 Boulevard. The coordinated signal system design shall be approved by
14 both the City and Broward County.

15 F. The Applicant shall complete the roadway improvements (including necessary
16 dedications) on Hillsboro Boulevard and University Drive, in accordance with all
17 applicable regulations, standards and permit requirements, prior to the issuance of
18 certificate of occupancy:

19 1) University Drive: Construct an approximately 400-foot northbound left turn lane,
20 including 100-foot taper, as approved by the City and Broward County.

21 2) University Drive: Extend the southbound turn lane approximately another 208 feet
22 for a total turn lane length of 508 feet, including a 100-foot taper, as approved by the
23 City and Broward County.

24 3) Hillsboro Boulevard: Construct an approximately 503-foot westbound right turn
25 lane ahead (east) of the Main Entrance, including a 100-foot taper as approved by
26 Broward County.

27 4) Hillsboro Boulevard: Extend the eastbound left turn lane at the Main Entrance
28 approximately another 247 feet for a total turn lane length of 547 feet, including a
29 100-foot taper, as approved by Broward County.

30 G. Upon approval by Broward County, the School, shall, at its sole cost and expense,
31 design, permit and complete construction of crosswalks across Hillsboro Boulevard at
32 the intersection of Hillsboro Boulevard and University Drive and at the Main Entrance
33 pursuant to plans approved by Broward County..

34 H. Any traffic control officer required to be provided by the Applicant pursuant to this
35 Resolution shall be a sworn police officer (or deputy) or such other person employed by
36 the law enforcement agency serving the City or such other qualified traffic control officer
37 approved by the City Manager.

38 I. The Applicant shall implement and comply with the approved Operational Management
39 Plan (on file with the City Clerk), including any amendments or modifications that have
40 been provided to the City in writing thereafter.

41 J. The Applicant shall coordinate with any City efforts to gain approval from the County to
42 construct traffic signals at the Main Entrance and the intersection of Hillsboro Boulevard
43 and University Drive, as well as intersection improvements at University Drive and Old
44 Club Road, irrespective of the standard warrant process.

45 K. Prior to the issuance of the certificate of occupancy of the first phase of the School,
46 Applicant shall pay the sum of \$57,365 to the City’s Tree Fund in full satisfaction of any
47 obligations for the removal of the oak trees on the Property and any obligation to install

1 and maintain the landscaping and irrigation in the medians on Hillsboro Boulevard
2 between the Property's east and west property lines.

3 L. The following additional requirements are hereby imposed (all at Applicant's sole cost
4 and expense):

- 5 1) The Applicant shall provide a traffic control officer at the entrance to Town Parc, on
6 school days, in the AM peak hours. The City Manager shall have the discretion to
7 determine that the traffic control officer is not required, or to suspend this obligation
8 for periods the City Manager determines necessary.
- 9 2) The Applicant shall provide one (1) School Resource Officer per 1,000 students or
10 portion thereof (thus if over 1,000 students but less than 2,000 students, two School
11 Resource Officers to be provided). The School Resource Officer shall be a Broward
12 County Sheriff's Officer or some other certified officer approved by the City Manager.
- 13 3) The Applicant shall eliminate the U-Turn at the intersection of Hillsboro and the Main
14 Entrance promptly upon approval of Broward County which approval shall be sought
15 by Applicant in cooperation with the City.
- 16 4) The Applicant shall install lighting at the property's front gate on Hillsboro Boulevard.
17 Lighting shall be subject to review and approval by City.
- 18 5) The Applicant shall install preemption devices as part of any traffic signalization. The
19 Applicant shall coordinate with the City's Fire Department for system requirements as
20 well as Broward County Traffic Engineering.
- 21 6) Wherever bonding is required for work on public facilities or in the public right of way,
22 Applicant shall promptly procure such bond and insurance at its sole cost and expense.
23 Whenever the Applicant has the obligation to construct any improvement, that
24 obligation shall include all activities and costs normally attendant to such act, including
25 but not limited to construction management and inspection, the securing of all
26 necessary permits, and the payment of necessary fees.
- 27 7) The School shall determine staggered start school times (up to three separate times)
28 between 6:45 AM to 9 AM, after consultation with the City.
- 29 8) The School shall conduct an outreach or survey program to determine community
30 desire for immediate middle school grade levels. Depending on community response,
31 the School shall incorporate middle school grades as soon as practicable. Evidence of
32 the community response shall be provided to the City prior the beginning of the initial
33 open enrollment period.
- 34 9) The maximum enrollment of the School shall be 1280 students. However, the
35 enrollment at the School shall be capped at 1,000 students until such time as the Traffic
36 Review Process set forth in the Agreement is successfully concluded with the issuance
37 of a Memorandum of Compliance. The Applicant shall provide a two phase
38 construction project plan to the City for approval by the Planning Director and building
39 department for approval prior to the issuance of any building permit. The phasing plan
40 shall assure that all infrastructure, parking, security measures, stacking lanes, and site
41 plan amenities and recreational facilities are in place as part of the first phase so that
42 phase two shall only relate to the expansion of the school instruction space
- 43 10) A sufficient number of crossing guards shall be employed by the School during
44 morning drop-off and afternoon pick-up hours.

45 M. Any approval shall be subject to the Applicant paying to the City of Parkland an amount
46 equal to the total expenses incurred by the City in the processing and finalizing of the
47 subject applications prior to issuance of any building permit. This includes, but may not
48 be limited to, expenses for planning, legal, advertising, and landscape review, and any

1 related expenses that the City has or will incur as a direct cost of the application or as a
2 result of the implementation of the conditions in this Resolution. Developer shall also
3 establish and maintain cost recovery accounts to pay the expenses incurred by the City in
4 the necessary follow-up measures and monitoring of the conditions set forth herein. No
5 building permit shall be issued while funds are due and owing for reasonable cost
6 recovery expenses.

7
8 **SECTION 2.** It shall be a condition of the issuance of any building permit that the Agreement,
9 acceptable to the City Attorney and Planning Director be executed and recorded in the public
10 records of Broward County, so as to run with and bind the land (with consents from any
11 mortgagees provided).

12
13 **SECTION 3.** This Resolution shall become effective immediately upon adoption.

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15
16 PASSED AND ADOPTED this 3rd day of April, 2019.

17
18
19 CITY OF PARKLAND

20
21 
22 _____
23 CHRISTINE HUNSCHOFSKY, MAYOR

24
25 ATTEST:

26
27 
28 _____
29 JENNIFER L. JOHNSON, CMC, CITY CLERK



30
31
32
33 APPROVED AS TO FORM AND LEGALITY:

34
35 
36 _____
37 ANDREW S. MAURODIS, CITY ATTORNEY

38
RECORD OF COMMISSION VOTE

Commissioner Kagan	<u>Yes</u>
Commissioner Mayersohn	<u>Yes</u>
Mayor Hunschofsky	<u>Yes</u>
Commissioner Walker	<u>Yes</u>
Vice Mayor Cutler	<u>Yes</u>