



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:	Plantation Business Park	Number:	012-MP-85
Application Type:	Note Amendment	Legistar Number:	20-1644
Applicant:	PIXL Development LLC	Commission District:	9
Agent:	KEITH	Section/Twn./Range:	01/50/41
Location:	North side of Northwest 8 Street, between Northwest 46 Avenue and Northwest 43 Avenue	Platted Area:	25.4 Acres
Municipality:	Plantation	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	October 6, 2020	Action Deadline:	N/A

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 8**. 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.

Applicant seeks to correct previously recorded sketches, as parcels depicted on document were inaccurately labeled on recorded agreement.

Platting History and Development Rights			
Plat Board Approval:	August 6, 1985	Plat Book and Page Number:	125-40
Date Recorded:	December 16, 1985	Current Instrument Number:	113982128
Plat Note Restriction			
Original Plat:	225,000 square feet of office and 150,000 square feet of industrial uses.		
Current Note:	Parcel A-1A is restricted to NO DEVELOPMENT and Parcel A-1B is restricted to NO DEVELOPMENT; Parcel A-2 is restricted to 147 townhouse units; and Parcel A-3 is restricted to 40,000 square feet of office use. Commercial, retail, and bank uses are not permitted within the plat without the approval of the Board of County Commissioners who shall review and address these uses for increased impact.		
Proposed Note:	Parcel A-1A is restricted to 330 mid-rise units and Parcel A-1B is restricted to NO DEVELOPMENT; Parcel A-2 is restricted to 147 townhouse units; and Parcel A-3 is restricted to 40,000 square feet of office use.		
Extensions:	Not Applicable		

1. Land Use

Broward County Planning Council finds that the proposed plat note is consistent with the effective Land Use plan for the City of Plantation. The plan designates the area covered by this plat for the uses permitted in the “Local Activity Center” land use category. Regarding the proposed uses, 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 stated in **Exhibit 3**.

2. Access

This project is located on Sunrise Boulevard, which is a State Roadway. FDOT has issued a pre-approval letter, approving this request with conditions, shown in **Exhibit 4**.

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.

3. Municipal Review

The City of Plantation has submitted a letter dated August 20, 2020 supporting the application, which is attached in **Exhibit 5**.

4. 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	137
Non-residential	N/A
Total	137

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.

5. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	City of Plantation	City of Plantation
Plant name:	City of Plantation	Plantation (PLA)
Design Capacity:	24.000 MGD	17.5000 MGD
Annual Average Flow:	15.300 MGD	11.5700 MGD
Estimated Project Flow:	0.116 MGD	0.0825 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 have reviewed this application and

have no objection to this note amendment. This plat with the amended note satisfies the regional park concurrency requirement and the solid waste disposal concurrency requirement of Broward County Land Development Code.

Regional Park impact fees and regional park administrative fees for the proposed dwelling units will be paid in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval.

7. Concurrency - Public School

Broward County Planning Council notes this plat is subject to Broward County Land Use Plan (BCLUP) amendments PC 04-3/PCT 04-3, therefore this plat is subject to a voluntary restriction of student station fees for the additional 1,538 dwelling units. See **Exhibit 3**.

The School Board has reviewed the application and satisfies public school concurrency on the basis that a portion of the project is vested and there is adequate school capacity anticipated to be available to support the project as proposed. This plat fall within the boundary of the Land Use Plan Amendment (LUPA) PCT 04-3, for a Local Activity Center (LAC) land use designation that is subject to the mitigation stated in a recorded Tri-Party Agreement Between the City, and School Board and the County. The School Board states a condition for approval of the proposed plat note amendment, the Tri-Party Agreement should be amended to enable the development of the proposed additional units and recorded prior to recordation of this plat note amendment. The School Board staff provided a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 6**.

Either school mitigation fees or student impact fees for the proposed dwelling units, whichever is greater, will be paid in accordance with the tri-party Educational Mitigation Agreement.

8. Impact Fee Payment

Road impact fees were paid for 225,000 square feet of office and 150,000 square feet of industrial uses, prior to plat recordation. This request represents an increase in the number of PM peak hour trips; therefore; transportation concurrency fees will be due for the 330 mid-rise units on parcel A-1A.

Transportation impact fees will be calculated by PDMD DER 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.

9. Environmental Review

This plat has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 7** 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.

10. 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 is not likely to impact any significant historical or archaeological resources, and the consulting archaeologist has no objections to this application.

This property is located in the City of Plantation and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The applicant is advised to contact Dan Holmes, Director at City of Plantation's Planning, Zoning & Economic Development at 954-797-2200 or dholmes@plantation.gov 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.

11. 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.

12. Utilities

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

13. 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

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 6, 2021**.
2. Records revised sketches with document acceptable to the County Attorney's Office.
3. 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.

kdl