



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:	United States Postal Service Plat	Number:	133-MP-88
Application Type:	Note Amendment	Legistar Number:	21-386
Applicant:	Lennar Homes, Inc.	Commission District:	8
Agent:	Greenspoon Marder, LLP	Section/Twn./Range:	16/51/40
Location:	East side of Southwest 160 Avenue, between Southwest 3 Street and Pines Boulevard	Platted Area:	13.8 Acres
Municipality:	Pembroke Pines	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	April 6, 2021		

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.

Platting History and Development Rights			
Plat Board Approval:	November 8, 1988	Plat Book and Page Number:	137-18
Date Recorded:	December 23, 1988	Current Instrument Number:	88516420
Plat Note Restriction			
Original Plat:	Parcels A-1 and A-2B is restricted to 130,000 square feet of commercial use, and Parcel A-1A is restricted to 5,000 square feet of commercial use, and Parcel A-2A is restricted to 125 detached single-family units.		
Proposed Note:	Parcels A-1 and A-2B is restricted to 130,000 square feet of commercial use, and Parcel A-1A is restricted to 5,000 square feet of commercial use, and Parcel A-2A is restricted to 165 townhome units.		
Extensions:	Not Applicable		

1. Land Use

Broward County Planning Council has reviewed this application and determined that the City of Pembroke Pines Future Land Use Map is the effective Land Use Plan, see **Exhibit 3**.

That plan designates the area covered by Parcel A-2A of this plat for the uses permitted in the “Irregular (2.24) Residential within a Dashed-Line Area” land use category. The Planning Council Staff has received written documentation that the City allocated 40 “flexibility units” through Ordinance No. 1953, on November 11, 2020. Therefore, the proposed 165 dwelling units on Parcel A-2A are in compliance with the permitted uses and densities of the effective land use plan.

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 which is a State Roadway. Florida Department of Transportation (FDOT) has issued a pre-approval letter, see **Exhibit 5**.

3. Municipal Review

The City of Pembroke Pines has adopted a Resolution, No. 3723 on December 2, 2020 supporting the application, which is attached in **Exhibit 4**.

4. Concurrency – Transportation

This plat is located within the Southwest Standard Concurrency Management Area which is subject to road impact fees, as defined in Section 5- 182.1(a)(5)a) of Land Development Code.

Proposed Use	Trips per Peak Hour (PM)
Residential	109
Non-residential	801
Total	910

Road impact fees were satisfied for 310,000 square feet of postal facility use or an equivalent of 3,478 PM peak hour trips at the time of platting. Therefore, sufficient credit exists for the proposed level of development on this plat.

The plat was recorded 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:	Pembroke Pines	Pembroke Pines
Plant name:	Pembroke Pines (05/20)	Pembroke Pines (09/20)
Design Capacity:	18.00 MGD	9.500 MGD
Annual Average Flow:	15.923 MGD	6.870 MGD
Estimated Project Flow:	0.017 MGD	0.054 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 - Public School

In accordance with Section 5-182.9(a)(1) of the Land Development Code this plat is subject to public school concurrency because it will generate several students at one or more levels (i.e. elementary, middle and high). School Board staff have reviewed this plat and provide a School Capacity Availability Determination (SCAD) letter as attached. The student associated with this development are vested for public school concurrency purposes until April 27, 2021, see **Exhibit 7**.

7. Impact Fee Payment

All impact fees will be calculated by Planning and Development Management 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. Fees are subject to increase annually on October 1st.

In accordance with the credit provisions of Section 5-182.13 of the Land Development Code, this structure may be eligible for credit towards road impact fee provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. No credit will be granted for demolition occurring more than three (3) years prior to the review of construction plans submitted for County environmental review approval.

8. Environmental Review

This plat has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 6** provides recommendations to the developer regarding environmental permitting for the future development.

This site is not included in the Natural Lands Inventory but abuts Pembroke Shores Mitigation Area, a mixed forested and non forested wetland included in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. Although, the site abuts Pembroke Shores Mitigation Area, the site does not have any indications of wetlands within the boundaries of the plat. Nevertheless, additional licenses may be required prior to issuance of Development and Environmental Review Certificates.

9. 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 will not have an adverse impact on historical or archaeological resources, and the consulting archaeologist has no objections to this application.

This property is located within the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The applicant is advised to contact Rick Ferrer, Historic Preservation Officer for Broward County, at 954-357-9731, 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.

10. Aviation

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

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 Planning and Development Management 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 Southwest Standard Concurrency District. This meets the regional road concurrency standards specified in Section 5-182.1(a)(2)b) 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(m)(1)a) of the Land Development Code. It is also, exempt from public school concurrency on the basis that no residential development is currently proposed for the plat. See the attached School Capacity Availability Determination received from the School Board.
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(i) 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 **April 6, 2022**.
2. 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.