



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:	Blessed John XXIII	Number:	020-MP-04
Application Type:	Note Amendment	Legistar Number:	21-745
Applicant:	Archbishop of the Archdiocese of Miami St. John XXIII	Commission District:	8
Agent:	Schwebke-Shiskin & Associates, Inc.	Section/Twn./Range:	29/51/40
Location:	South side of Miramar Parkway, between 160 Avenue and Southwest 172 Avenue.	Platted Area:	18 Acres
Municipality:	Miramar	Gross Area:	N/A
Meeting Date:	June 1, 2021		

A location map showing this Plat designated within the plat for the purpose of assigning development entitlement is attached as **Exhibit 2**.

The Application is attached as **Exhibit 7**. 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:	March 6, 2007	Plat Book and Page Number:	177-99
Date Recorded:	October 1, 2007	Current Instrument Number:	107415161
Plat Note Restriction			
Original and Current Plat:	This plat is restricted to 59,840 square feet of church; 50,810 square feet of private school (9,901 square feet of pre-K; 27,273 square feet of elementary school, and 13,636 square feet of middle school); and 75 senior garden apartments.		
Proposed Note:	This plat is restricted to 59,840 square feet of Church; 50,810 square feet of private school; and a special facility category 3(d) consisting of 114 sleeping rooms (57 dwelling units).		
Extensions:	Not Applicable		

1. Land Use

The Future Land Use Element of the City of Miramar Comprehensive Plan is the effective land use plan for the City of Miramar. That plan designates the area covered by this plat for the uses permitted in the “Low (3) Residential” and “Estate (1) Residential” land use category. Planning Council staff has received written documentation that the City allocated up to 35 “reserve units” (70 sleeping room equivalents) to the referenced plat, see **Exhibit 3**.

2. Affordable Housing

Applicant is requesting Affordable Housing waiver approval. Per Land Development Code Section 5-184.(b)(4) the developer as condition of approval, shall record in the public records restrictive covenants upon the property, or shall enter into an agreement with Broward County acceptable to the Office of the County Attorney, to ensure that the affordability will be for persons meeting specified income levels.

3. 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.

4. Municipal Review

The City of Miramar has no objections to this request, see **Exhibit 4**.

5. Concurrency – Transportation

This plat is located within a Standard Concurrency District which is subject to Roadway Impact fees, as defined in Section 5 -182.1(a)(5)a) of Land Development Code. The current request represents a decrease of 20 PM peak hour trips.

	Existing Use Trips per Peak Hour	Proposed Use Trips per Peak Hour
Residential	45	25
Non-Residential	337	337
Total	382	362
Difference	Decrease of 20 PM peak hour trips	

This 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.

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	City of Miramar	City of Miramar
Plant name:	Miramar (MIR) (07/20)	Miramar (MIR) (12/20)
Design Capacity:	17.75 MGD	12.7 MGD
Annual Average Flow:	15.24 MGD	10.5 MGD
Estimated Project Flow:	0.040 MGD	0.028 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.

7. Concurrency – Regional Parks

Broward County Parks and Recreation Division 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 of Broward County Land Development Code.

The proposed Special Residential Facility Category 3(d) containing 114 sleeping rooms (equivalent to 57 dwelling units) is also subject to regional park impact fees and administrative fees.

8. Concurrency - Public School

The School Board has reviewed the application and this application as proposed will not generate any additional students for Broward County Public Schools and is considered exempt for purposes of public-school concurrency review. The School Board staff provided a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 5**.

No educational impact fees will be assessed for the proposed Special Residential Facility Category 3(d), subject to developer placing an age restriction on this property through the execution of a Declaration of Restrictive Covenants, which must be recorded prior to recordation of the note amendment agreement.

9. Impact Fee Payment

This plat is located within the Southwest Standard Transportation Concurrency District, and, at the time the property was platted, it did not satisfy the concurrency requirements of the regional transportation network. However, as mitigation, the property owner agreed to pay a proportionate fair share of the costs to construct a bridge on Pembroke Road over I-75 as a four-lane facility from Southwest 136 Avenue to Southwest 160 Avenue, per the recorded Regional Road Concurrency Agreement – County project (O.R.B. 43753, Page 686). The proportionate fair share, in the amount of \$500,860 has been paid in full.

This plat included a replat of the “MIRAMAR PARKWAY PLAT” (Plat Book 170, Pages 123-124), which was approved for 42,000 square feet of church and one single-family unit, and a replat of the “MIRAMAR PARKWAY SOUTHWEST PALT” (Plat Book 170, Pages 134-135), which was approved for 50,000 square feet of private school (grades 1-8). Road impact and administrative fees for the underlying plats were paid in the amounts of \$3,440 (for 42,000 square feet of church and on single-family unit) and \$4,966 (for 50,000 square feet of private school (grades 1-8)). The proposed church use, private school and Special Residential Facility Category 3(d) are subject to road impact fees and administrative fees, which will be assessed and paid in accordance with the fee schedule at time of building permit issuance. Road impact and administrative fees for the existing 16,501 square feet of church use were satisfied through a portion of the previous payment on the underlying plats.

10. Environmental Review

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

11. 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 impact on historical or archaeological resources, and the consulting archaeologist has no objections to this application.

This property is located in the City of Miramar and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The applicant is advised to contact Eric Silva, Director, City of Miramar Community and Economic

Development at 954-602-3274, 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.

12. Aviation

Aviation Department has no objection to the plat application. However, the applicant is advised that any proposed construction on this property with a height exceeding 200 feet, 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. 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>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

13. Utilities

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

14. 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, and this application satisfies the concurrency requirements for regional road network as specified in Section 5-182.1(a)(5)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 satisfied the regional parks and recreation concurrency requirement of Section 5-182.7 (a) 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 **June 1, 2022**.
2. Records a Declaration of Restrictive Covenants to place an age restriction on the plat prior to recordation of the note amendment agreement.
3. Records a Declaration of Restrictive Covenants for affordable housing on the plat prior to recordation of the note amendment agreement.
4. 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