



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:	Pines 200 East Plat	Number:	063-MP-02
Application Type:	Note Amendment	Legistar Number:	21-839
Applicant:	HIX Snedeker Companies, LLC	Commission District:	8
Agent:	Greenspoon Marder, LLP	Section/Twn./Range:	14/51/39
Location:	South side of Pines Boulevard, between Southwest 198 Terrace and Southwest 202 Avenue	Platted Area:	4.2 Acres
Municipality:	Pembroke Pines	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	June 15, 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 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 16, 2004	Plat Book and Page Number:	174-27
Date Recorded:	October 27, 2004	Current Instrument Number:	104443382
Plat Note Restriction			
Original Plat:	This plat (Tract A) is restricted to 21,635 square feet of office use, 20,785 square feet of commercial use. The commercial uses must be restricted to retail within the office building and must comprise less than fifty percent (50%) of the total square footage. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increase impacts. Tract "B" is restricted to wetland mitigation per Broward County Department of Planning and Environmental Protection, License No. DF98-1016. Tract "C" is restricted to drainage area.		
Proposed Note:	This plat is restricted to 24,000 square feet of commercial use on Tract A . Tract B is restricted to wetland mitigation. Tract C is restricted to drainage area.		
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 “Employment Center Low” land use category. The proposed commercial use on Tract A is in compliance with the permitted uses of the effective land use plan as the staff received written documentation from the City that on February 3, 2021, the 20% Employment Center Low-to-Commercial” flexibility rule was applied. Planning Council staff notes that the allocation of “flexibility” is not subject to Policy 2.10.1 of the Broward County Land Use Plan as the subject the plat is not located within 500 feet of a Broward County or regional park, or an Environmentally Sensitive Land, and is not located adjacent to another municipality. See **Exhibit 3**.

2. Municipal Review

The City of Pembroke Pines has adopted a Resolution No. 2021-R-02 on February 3, 2021 supporting the application, which is attached in **Exhibit 4**.

3. Access

This project is located on Pines Boulevard (SR 820), which is a State Roadway. FDOT has issued a pre-approval letter, approving this request with conditions, shown in **Exhibit 5**.

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. 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)b) of Land Development Code. The current request represents a decrease of 38 PM peak hour trips.

	Existing Use Trips per Peak Hour	Proposed Use Trips per Peak Hour
Residential	NA	NA
Non-Residential	283	245
Total	283	245
Difference	Decrease of 38 PM peak hour trips	

At the time of plat approval, it did not satisfy the concurrency requirement for the regional road network as specified in Section 5-182.2.(a) of the Broward County Land Development Code. In order to mitigate this, the applicant contributed \$4,800 as a proportionate share towards a County project in the construction of a bridge on Pembroke Road over I-75 from Southwest 136 Avenue to Southwest 160 Avenue. The proposed note amendment will generate fewer peak hour TRIPS and therefore will satisfy the concurrency requirements.

This plat was recorded with a note requiring development to occur before five (5) years from date of plat approval. On August 18, 2009, in accordance with Senate Bill 360, a two-year extension was granted for the Findings of Adequacy until March 16, 2011. However, 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 Pembroke Pines	City of Pembroke Pines
Plant name:	Pembroke Pines (06/20)	Pembroke Pines (12/20)
Design Capacity:	18.00 MGD	95.00 MGD
Annual Average Flow:	15.93 MGD	7.10 MGD
Estimated Project Flow:	0.0024 MGD	0.0024 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. Impact Fee Payment

This plat application is subject to road impact fees as it is located in a Standard Concurrency District. Road impact and administrative fees will be assessed during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

7. 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.

Environmental Planning and Community Resilience Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

8. Historic Resources

Broward County’s consulting archaeologist has reviewed this request and, based on available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), has determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archeological or paleontological sensitivity.

The subject property is located within the Jurisdiction of Broward County’s Historic Preservation Ordinance 2014-32. If any archaeological materials are discovered during the course of development, the property owner must notify the Broward County Historic Preservation Officer, Richard (Rick) Ferrer, of the Planning and Development Management Division at 954-357-9731 or rferrer@broward.org, and the project may proceed in accordance with Ordinance 2014-32, Section 5-536.5(g).

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.

9. 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>.

10. Utilities

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

11. 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 Management Area. This district meets the regional road network as specified in Section 5-182.2.(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.

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 15, 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.

HW