



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:	Sunset Lakes	Number:	093-MP-95
Application Type:	Note Amendment	Legistar Number:	21-1434
Applicant:	Calvary Fellowship, Inc.	Commission District:	8
Agent:	Cordova Rodriguez & Associates, Inc.	Section/Twn./Range:	25/51/39
Location:	Northeast corner of Miramar Parkway and Southwest 186 Avenue.	Platted Area:	1,255.8 Acres
Municipality:	Miramar	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	October 5, 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:	September 24, 1996	Plat Book and Page Number:	163-20
Date Recorded:	July 23, 1997	Current Instrument Number:	103113388
Plat Note Restriction			
Original Plat:	This plat is restricted to a public elementary school on Parcel A, 24.055 acres of park on Parcel B, 100,000 square feet of commercial use on Parcel C, 394 garden apartments on Parcel D, 247 detached single family units on Parcel E, 90 single family units on Parcel F, 135 detached single family units on Parcel G, 4 detached single family units on Parcel H, 122 detached single family units on Parcel I, 277 detached single family units on Parcel J, 190 detached single family units on Parcel K, and 36,750 square feet of private school and 12,250 square feet of private preschool on Parcel P.		
Current Plat:	This plat is restricted to Parcel A public elementary school; Parcel B 30,035 square feet of public safety facilities (fire station and police substation) and park; Parcel C 100,000 square feet of commercial use; and Parcel P 30,665 square feet of church use, 21,144 square feet of private school and 8,680 square feet of private preschool.		
Proposed Note:	This plat is restricted to Parcel A public elementary school; Parcel B 30,035 square feet of public safety facilities (fire station and police substation) and park; Parcel C 100,000 square feet of commercial use; and Parcel P 50,000 square feet of church use and 21,180 square feet of daycare.		
Extensions:	N/A		

1. Land Use

Planning Council finds that the proposed plat note is consistent with the effective Land Use plan for the City of Miramar. The plan designates the area covered by Parcel P of this plat for the uses permitted in the “Irregular (1.5) Residential within a Dashed-Line Area” (northern approximate 3.5 net acres of Parcel P) and “Commercial within a Dashed-Line Area” (southern approximate 2.3 net acres of Parcel P) land use categories, and the existing and proposed commercial and office uses are in compliance with the permitted uses of the effective land use plan. The existing and proposed church and proposed daycare uses on Parcel P are in compliance with the permitted uses of the effective land use plan, see **Exhibit 3**. Parcels A, B and C remain the same as it is not part of this request.

2. Access

Staff from the Highway Construction and Engineering Division and the Transit Division have reviewed this request and recommend APPROVAL pursuant to the attached memorandum in **Exhibit 4**. This request shall meet the standards of the Broward County Land Development Code at the time of permit.

3. Municipal Review

The City of Miramar has submitted a letter of no objections dated February 11, 2021, supporting the application, see **Exhibit 5**.

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)b) of Land Development Code. The proposed plat generates 997 trips per PM peak hour, and the existing generates 848 trips per PM peak hour. This is an increase of 149 trips per PM peak hour.

	Existing Use Trips per Peak Hour (PM)	Proposed Use Trips per Peak Hour (PM)
Residential	0	0
Non-Residential	848	997
Total	997	
Difference	Increase of 149 Trips per Peak Hour	

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.

5. 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	Miramar
Design Capacity:	17.75 MGD	12.70 MGD
Annual Average Flow:	15.29 MGD	10.18 MGD
Estimated Project Flow:	00.016 MGD	00.002 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 is located within the Southwest Standard Transportation Concurrency District, and road impact fees have been satisfied for the existing note for Parcel P, which includes a 30,655 square foot church. The remaining vested trips will be allocated within Parcel P to the proposed daycare use and remaining development rights for church use on a first come, first serve basis. The additional 149 pm peak hour trips generated by this request will be assessed road impact fees in accordance with the fee schedule at time of building permit issuance.

7. 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.

8. Additional Environmental Protection Actions

Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit issuance. Approval to connect to such systems is reviewed by the Environmental Engineering and Permitting Division as a prerequisite to, and just prior to, issuance of building permits by the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

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 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 Historic Preservation, Eric B. Silva, AICP, Director, Community and Economic Development Department with the City of Miramar at 954-602-3254, 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, 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 Management Area. This meets the regional road concurrency standards specified in Section 5-182.1(a)(2)b) 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 **October 5, 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.

MR