



Public Works and Environment Services Department

**HOUSING AND URBAN PLANNING DIVISION**

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521

**DEVELOPMENT REVIEW REPORT FOR A NOTE AMENDMENT**

Project Description			
Plat Name:	Pembroke Oaks	Application Number:	050-MP-03
Application Type:	Note Amendment	Legistar Number:	25-819
Owner/Applicant:	RIKING ENTERPRISES V LLC	Commission District:	6
Authorized Agent:	Turner Planning Solutions LLC	Section/Twn./Range:	30/51/42
Location:	South side of Hallandale Beach Boulevard, between Southwest 52 Avenue and Martin Luther King Jr. Boulevard/Southwest 56 Avenue.	Folio Number (s):	5142-30-39-0010
Municipality:	Town of Pembroke Park	Platted Area:	7.08 Acres
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommendation:	<b>APPROVAL</b>		
FS 125.022 Waiver	An extension waiver was granted until May 30, 2027.		
Meeting Date:	March 26, 2026		

A location map of the plat is attached as **Exhibit 2**.

The Application is attached (**Exhibit 4**). The Housing and Urban Planning Division (UPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Plat History and Development Rights			
Plat Board Approval:	January 24, 2006	Plat Book and Page Number:	177-39
Date Recorded:	July 30, 2007	Current Instrument Number:	107252023
Plat Note Restriction			
Current Plat Note:	This plat is restricted to 168 "free standing" high rise apartments (of which 33 are "moderate income" affordable units); 7,000 square feet of commercial, and 2,000 square feet of private recreation accessory to the residential units.		
Proposed Note:	This plat is restricted to 350 multifamily units.  This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Board of County Commissioners. The proposed development is authorized pursuant to Chapter 2023-17, Laws of Florida, as may be amended (the "Live Local Act"). As required by the Live Local Act, as may be amended, forty percent (40%) of the residential units to be constructed on the		

	<p>proposed development (as set forth on the final site plan approved by the County or City/Town) shall be rental units that are affordable (the "Affordable Housing Units"), as defined in Section 420.0004, Florida Statutes (the "Affordable Housing Restrictions"), for a period of at least thirty (30) years (the "Restriction Period"). If the affordable housing restrictions are violated at any point during the Restriction Period, the owner of the Affordable Housing Units (the "Owner") shall be given a reasonable time to cure such violation. If the violation is not cured within a reasonable time, the Owner and the County [and the City/Town, if applicable,] agree that the proposed development shall be treated as a nonconforming use. The notation and any amendments thereto (i) indicate the approved development level for property located within the plat; and (ii) provide a certification that the proposed development is authorized pursuant to Chapter 2023-17, Laws of Florida, as may be amended, and will comply with the affordability requirements of the Live Local Act. Other than as provided above, the notation and any amendments thereto do not operate as a restriction in favor of any property owner, including an owner or owners of property within this plat who took title to the property with reference to this plat.</p>
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**1. Land Use and Affordable Housing**

Planning Council staff has reviewed this application and determined that the Town of Pembroke Park Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat uses permitted in the "Commercial" land use category. Regarding the proposed residential use, Planning Council staff has received written confirmation from the Town of Pembroke Park that this plat is being processed under Florida Statutes 125.01055, also known as the Live Local Act (LLA); therefore, the Town of Pembroke Park is required to determine consistency with the same, as the LLA supersedes the effective land use. Planning Council memorandum is attached (**Exhibit 3**).

The applicant must record a Live Local Act-Affordable Housing Declaration of Restrictive Covenants prior to the recordation of the Plat Note Amendment Agreement.

**2. Adjacent Municipality**

The City of West Park was notified of this application and did not provide a response.

**3. Municipal Review**

The Town of Pembroke Park provided a letter of no objection dated January 16, 2026, supporting the note amendment.

**4. Access**

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and have no objection to this plat note amendment.

This project is located on State Road 858 (Hallandale Beach Boulevard). FDOT has issued a pre-application letter valid until May 19, 2026. Openings or improvements on functionally classified State Roads are subject to the "Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards."

**5. Concurrency – Transportation**

This plat is located in the Southeast Transportation Concurrency Management Areas (TCMA), where level of service (LOS) is expressed in term of bus headways, and where Transportation Concurrency Assessment Fees apply per Sec. 5-182.1(a) of Land Development Code. The proposed development generates an increase of 53 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	67	213
Non-residential	93	0
Difference	213-160=53	

Pursuant to Sec. 5-182.9(b) of the Land Development Code, where multifamily development is permitted, the presumption is that three (3) bedroom townhouses will be constructed for trip generation calculations. The appropriate trip rate will be applied based on development level during the review of construction plans submitted for Broward County Development and Environmental review.

This plat was recorded with a note requiring development to occur before five (5) years from the date of the 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 Hollywood	City of Hollywood
Plant name:	Hollywood (HOL) (05/25)	Hollywood (HOL) (03/25)
Design Capacity:	37.5 MGD	55.5 MGD
Annual Average Flow:	31.67 MGD	45.74 MGD
Estimated Project Flow:	00.1225 MGD	00.1225 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, or that sufficient capacity will exist at time of building permit approval.

**7. Concurrency – Regional Parks**

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	1.575
Local	0

**8. Concurrency - Public School**

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 350 high-rise units will generate 6 (3 elementary, 1 middle, 2 high school) students. This plat will be subject to school impact fees which will be assessed in accordance with the fee schedule specified in the Land

Development Code. **The School Board staff provided a School Capacity Availability Determination (SCAD) letter, this determination expires on July 26, 2026.**

#### **9. Impact Fee**

All impact fees (school impact, park impact, transportation impact and administrative fee) will be calculated by Housing and Urban Planning Division, Development and Environmental Review Section, in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for Broward County Development and Environmental review. Fees must be paid prior to the issuance of the building permit.

#### **10. Environmental Review**

This plat was reviewed by Environmental Permitting Division and have the following recommendations regarding environmental permitting for the future development.

##### **A. Domestic & Non-Domestic Wastewater and Surface Water Management**

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat note amendment. Nonetheless, should there be a significant flow generation from the site, advanced planning and upgrades to the downstream/off-site wastewater facilities may be warranted. Contact the Environmental Permitting Division at 954-519-1483 or [WWLicense@broward.org](mailto:WWLicense@broward.org) for specific code requirements.

The Broward County Non-Domestic Wastewater Program has no objection to the described plat note amendment because no non-domestic wastewater discharge is anticipated for the site. Nonetheless, should there be proposed non-domestic wastewater discharges, these must meet the criteria under Chapter 27, Article V, Sections 27-193(b)(3)a, 27-193(b)(4)a, 27-194(b), and 27-198(c) of the Broward County Code of Ordinances. Contact the Environmental Permitting Division at 954-519-1483 or [NDDLICENSE@broward.org](mailto:NDDLICENSE@broward.org) for specific code requirements.

In accordance with Chapter 27, Article V, Sections 27-198 through 27-200 of the Broward County Code, titled Water Resources Management, prior to any alteration to the site grading, or construction of a surface water management system, a Broward County Surface Water Management License is required. Contact the Environmental Permitting Division at 954-519-1483 or [SWMLicense@broward.org](mailto:SWMLicense@broward.org) for specific code requirements.

##### **B. Aquatic and Wetland Resources**

The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division has not yet conducted a site inspection on this project; however, aerial photographs and light detection and ranging data (LIDAR) indicate that this property may contain County jurisdictional wetlands. The applicant must request a wetland determination from the Water and Environmental Licensing Section prior to any land clearing or filling. If the site is determined to contain wetlands, an Environmental Resource License will be required prior to any dredging, filling, or other alteration of wetlands. Contact the Environmental Engineering and Permitting Division at 954-519-1483 or [AWRLicense@broward.org](mailto:AWRLicense@broward.org) for specific code requirements.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at Florida Exotic Pest Plant Council ([invasive.org](http://invasive.org)).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or [AWRLicense@broward.org](mailto:AWRLicense@broward.org) for specific code requirements.

**C. Tree Preservation**

This site is subject to Chapter 27, Article XIV, Sections 27-401 through 27-414, titled Broward County Tree Preservation and Abuse Ordinance. A Broward County Tree Removal License will be required for any tree removal or relocation for this property. Contact the Environmental Permitting Division at 954-519-1483 or at [Tree@broward.org](mailto:Tree@broward.org) for specific code requirements.

**D. Clean-Up and Waste Regulation**

Not a known contaminated site; not within one-quarter mile of a contaminated site; not a licensed waste regulation facility; not an abandoned dump or landfill.

**E. Air Program**

Since the subject plat relates to vacant land, there are no building demolition or asbestos renovation applicable requirements.

**F. Natural Resources Division**

Natural Resources Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

**11. Additional Environmental Protection Actions**

Approval to connect to any wastewater collection, treatment, or disposal system is approved by the Environmental Permitting Division as a prerequisite prior to issuance of building permits. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

**12. Historical and Archaeological Resource Review**

This plat was reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project has the potential to have an adverse effect on previously recorded resources. The subject property is located within designated Archaeological Zone – 17 and exhibits characteristics and physiographic features associated with the Atlantic Coastal Ridge / Large Island formations that have been demonstrated to support prehistoric and historic period settlement sites and camps.

The subject property is located within the jurisdiction of Broward County's historic preservation ordinance (B.C. Ord. 2014-32). Pursuant to B.C. Ord. 2014-32, Section 5-536.5(g), no person shall undertake development within an archaeological site; an archaeological zone; or a paleontological zone without first obtaining a Certificate to Dig (CTD) from the County Historic Preservation Officer and the property owner/agent shall contact the Broward County Historic Preservation Officer, Rick Ferrer to obtain appropriate application forms at the Public Works and Environment services department, Housing and Urban Planning Division, Historic Preservation Program, at 1 North University Drive, Plantation, Florida 33324 or by phone at (954) 357-9731 for additional information about historical preservation regulations.

In the event any unmarked human burial remains are discovered, then pursuant to Florida Statutes, Chapter 872.05, all activities that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall

be notified. The district medical examiner can be reached via email at [Med\\_Exam\\_Trauma@broward.org](mailto:Med_Exam_Trauma@broward.org) or via phone at (954) 357-5200. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.

### **13. Aviation**

The Broward County Aviation Department (BCAD) has no objections to this plat. This property is within close proximity of Broward County's North Perry Airport (HWO) and may need to be reviewed by Broward County and FAA to determine if the project is a hazard to aviation. The project is subject to compliance with Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use) including Sec. 5-182.10 (Airports) and may also be subject to Federal Aviation Regulation Part 77. The applicant should visit [www.FLL.net/Airspacerreview](http://www.FLL.net/Airspacerreview) to determine if the proposed project exceeds the height limitations in the Airport Airspace Imaginary Surfaces Composite Map.

To initiate the Broward County Review, please contact [AirspaceReview@Broward.org](mailto:AirspaceReview@Broward.org)  
To initiate the Federal Aviation Review, access the FAA Web Page at: <https://oeaaa.faa.gov>

### **14. Utilities**

Florida Power and Light (FPL) and AT&T have been advised of this plat application. FPL did not provide a response and AT&T provided no objections.

### **15. 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 Housing and Urban Planning Division's web page at: [www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf](http://www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf).

## **FINDINGS**

Staff 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 Southeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(1)(a) of the Land Development Code.
2. This plat was reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code.
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 5-182.7 of the Broward County Land Development Code.

5. The proposed project has the potential to have an adverse effect on previously recorded resources. No person shall undertake development within an archaeological site; an archaeological zone; or a paleontological zone without first obtaining a Certificate to Dig (CTD) from the County Historic Preservation officer.

#### **RECOMMENDATIONS**

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall ensure compliance with the standards and requirements of the Land Development Code.

1. Obtain a Certificate to Dig (CTD) from the Broward County Historic Preservation Officer prior to the Development and Environmental Review Approval.
2. Prior to the recordation of the Plat Note Amendment Agreement, a Live Local Act-Affordable Housing Declaration of Restrictive Covenants must be reviewed, approved and recorded.
3. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **March 26, 2027**.
4. Delete the plat note that references expiration of the Findings of Adequacy.
5. Any structure within this plat must comply with Section 2.1.f, Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

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.

[DM]