



Resilient Environment Department

**URBAN PLANNING DIVISION**

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**DEVELOPMENT REVIEW REPORT FOR A NEW PLAT**

Project Description			
Plat Name:	Shops at Pembroke Gardens	Application Number:	111-MP-05
Application Type:	Note Amendment	Legistar Number:	25-1101
Owner/Applicant:	FR Pembroke Gardens, LLC	Commission District:	1
Authorized Agent:	Miskel Backman, LLP	Section/Twn./Range:	15/51/40
Location:	South of Pines Boulevard, between Interstate 75 and Southwest 145 Avenue.	Folio Number (s):	5140-15-05-0010
Municipality:	City of Pembroke Pines	Platted Area:	40.00 Acres
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommendation:	<b>APPROVAL</b>		
FS 125.022 Waiver	This application expires on January 10, 2026.		
Meeting Date:	October 7, 2025		

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

The Application is attached (**Exhibit 4**). The 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:	June 27, 2006	Plat Book and Page Number:	176-101
Date Recorded:	November 1, 2006	Current Instrument Number:	112263508
Plat Note Restriction			
Current Plat Note:	This plat is restricted to 440,000 square feet of commercial use <b>(399,825 square feet existing, 40,175 square feet proposed.) Free standing banks or banks with drive-thru facilities are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.</b>		
Proposed Note:	This plat is restricted to 440,000 square feet of commercial use <b>on Parcel A (see attached legal description) and 308 midrise dwelling units on Parcel B (see attached legal description) of which 44 dwelling units are restricted to affordable housing at the "moderate-income" level as defined by the Broward County Land Use Plan for a period of at least 30 years.</b>		

In accordance with the Land Development Code, midrise are defined as four (4) or more attached dwelling units in

a building with four (4) to eight (8) residential stories, exclusive of parking levels.

### 1. Land Use

Planning Council staff has reviewed this application and determined that the City of Pembroke Pines Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat for the uses permitted in the “Commercial” land use category. The existing commercial uses are in compliance with the permitted uses of the effective land use plan.

Regarding the proposed residential use, it is noted that the City of Pembroke Pines’ certified land use plan permits freestanding multi-family residential uses on parcels designated “Commercial,” subject to the allocation of “flexibility units.” Planning Council staff has received written documentation that the City allocated 44 “flexibility units” through Ordinance No. 2047 on August 6, 2025. Said units will be restricted to affordable housing at the “moderate-income” level as defined by the Broward County Land Use Plan (BCLUP) for a period of at least 30 years. The proposed development of 308 dwelling units is in compliance with the permitted uses of the effective land use plan, subject to the note on the face of the plat restricting 44 dwelling units to affordable housing at the “moderate-income” level as defined by the Broward County Land Use Plan for a period of at least 30 years. Planning Council memorandum is attached (**Exhibit 3**).

Planning Council staff notes that this allocation of “flexibility units” is not subject to Policy 2.10.1 of the BCLUP as the subject parcel is not located within 500 feet of a Broward County or regional park, or an Environmentally Sensitive Land, as defined by the Broward County Comprehensive Plan, and is not located adjacent to another municipality.

### 2. Affordable Housing

The applicant proposes 308 dwelling units and, Planning Council staff has received written documentation that the City allocated 44 “flexibility units” through Ordinance No. 2047 on August 6, 2025. Said units will be restricted to affordable housing at the “moderate-income” level as defined by the Broward County Land Use Plan (BCLUP) for a period of at least 30 years.

### 3. Municipal Review

The City of Pembroke Pines has submitted Resolution No. 2025-R-31 dated August 6, 2025, 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.

### 5. Concurrency – Transportation

This plat is located in the South Central 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 generates an increase of 120 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	120
Non-residential	1780	0
Total	(1,780 + 120) = 1,900	

## 6. 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 (PPI) (04/25)	Pembroke Pines (PPI) (04/25)
Design Capacity:	18 MGD	10.45 MGD
Annual Average Flow:	16.276 MGD	7.00 MGD
Estimated Project Flow:	0.01078 MGD	0.01078 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this Plat Note Amendment 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	1.386
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 308 mid-rise units will generate 12 (5 elementary, 3 middle, 4 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. **This determination will expire on October 22, 2025.**

## 9. Impact Fee

All impact fees (school impact fees, park impact fees, transportation impact fees, road impact fees and administrative fee) will be calculated by 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.

This site does not require a Broward County Surface Water Management License because it is located outside of the jurisdiction of the Broward County Surface Water Management Licensing Program.

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

An Environmental Resource License, No. DF06-1029, was issued on 6/5/2006 and expired on 6/5/2011. This plat has previously been reviewed by the Aquatic & Wetland Resources Section of the Environmental Permitting Division to authorize the filling of 117.8 acres of wetlands.

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 does not fall under the jurisdiction of the Broward County Tree Preservation and Abuse Ordinance.

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

The subject plat is within one-quarter mile of known contaminated sites. Section 27-353, Broward County Code, prohibits dewatering at or within one-quarter mile of contaminated sites without approval from the Environmental Permitting Division (EPD). In order to receive approval to dewater, a certified Dewatering Plan must be submitted in accordance with EPD's Standard Operating Procedure for Dewatering, which can be found at: <https://www.broward.org/Environment/ContaminatedSites/Pages/Dewatering.aspx>. The interactive map of contaminated sites in Broward County can be found on the internet at <https://broward.org/Environment/ContaminatedSites/Pages/Default.aspx>. Any questions can be directed to 954-519-1483 or [EAR@broward.org](mailto:EAR@broward.org).

#### **E. Air Program**

If any existing facility (e.g. existing structures on site including residential building(s) and/or utility building(s) or facility component (including roof system, insulation, walls, attached piping, mechanical systems, etc.) is planned to be demolished or renovated, the project shall comply with applicable asbestos regulations. More information on the asbestos requirements can be found at:

<https://www.broward.org/ePermits/Pages/AsbestosCertificate.aspx>.

Submit a Statement of Responsibilities Regarding Asbestos (SRRA) electronically at [ePermits.broward.org](https://www.broward.org/ePermits.broward.org) at least 10 working-days before commencing work on demolition and/or renovation of facility components subject to asbestos regulations. For assistance, contact Broward County's asbestos program at [AsbestosHelp@broward.org](mailto:AsbestosHelp@broward.org) or call 954-519-0340.

**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 will not have an adverse effect on any known historical or archaeological resources or areas of archaeological sensitivity.

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), if, "in the event that archaeological materials are uncovered during development activities, such development activities in the immediate vicinity of the discovery shall be discontinued," and the property owner shall contact Rick Ferrer, Historic Preservation Officer, Resilient Environment Department, 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. 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 Code of Ordinance's Chapter 5 (Building Regulations and Land Use). 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 and not provide a response.

**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 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 South Central 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.

### **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. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to October 7, 2026.
2. 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]