



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Pines and 72nd	Number:	015-MP-22
Application Type:	New Plat	Legistar Number:	24-308
Applicant:	Trinity Lutheran Church, Inc./BP-Pines, LLC	Commission District:	7
Agent:	Dunay, Miskel & Backman, LLP	Section/Twn./Range:	14/51/41
Location:	Southeast corner of Pines Boulevard and Southwest 72 Avenue	Platted Area:	4 Acres
Municipalities:	Pembroke Pines	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	An Extension waiver was granted until May 22, 2024		
Recommendation:	APPROVAL		
Meeting Date:	April 16, 2024		

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

The Application is attached as **(Exhibit 9)**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Section 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	Place of Worship
Proposed Use:	12,500 sq. ft. of church use on Parcel A, and convenience store with 16 fueling positions on Parcel B
Plan Designation:	Community Facilities (i.e. Parcel A) and Commercial (i.e. Parcel B)
Adjacent Uses	Adjacent Plan Designations
North: Single family residence	North: Low Residential (City of Hollywood)
South: Single family residence	South: Low 5 (3-5 DU/AC)
East: Commercial	East: Commercial and Low 5 (3-5 DU/AC)
West: Public school	West: Community Facilities
Existing Zoning	Proposed Zoning
A	A and B-3

1. Land Use

Planning Council staff has reviewed this application and determined that the City of Pembroke Pine Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat uses permitted in the "Community Facilities" (i.e. Parcel A) and "Commercial" (i.e. Parcel B) land use categories. The proposed religious institution use located in "Parcel A" is in compliance with the permitted uses and densities of the effective land use plan. The proposed convenience store use with 16 fueling positions which is located in Parcel B must be restricted to that portion of the plat designated "Commercial" (i.e. Parcel B) to be in compliance. Planning Council memorandum is attached (**Exhibit 3**).

2. Adjacent City

The City of Hollywood was notified of this application and did not provide a response (**Exhibit 4**).

3. Trafficways

Trafficways is valid for 10 months. Approval was received on June 29, 2023.

4. Access

Highway Construction and Engineering Division, Traffic Engineering Division, and Transit Division have reviewed the plat application and provided comments and recommendations with respect to the safe and adequate access standards of the Broward County Land Development Code, as shown in the attached memorandum. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans (**Exhibit 5**).

This project is located on Pines Boulevard (SR 820). Florida Department of Transportation (FDOT) has issued a pre-application letter. 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" (**Exhibit 6**).

5. Concurrency – Transportation

This plat is located in the South-Central Concurrency Management Area, which is subject to transportation concurrency fees, as defined in Section 5-182.1(a)(1)a) of Land Development Code. The proposed is an increase of 148 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	0
Non-residential	13	161
Total	(161 – 13) = 148	

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 Hollywood
Plant name:	City of Pembroke Pines (06/21)	Hollywood (HOL) (12/23)
Design Capacity:	18.00 MGD	55.50 MGD
Annual Average Flow:	15.788 MGD	43.87 MGD
Estimated Project Flow:	0.010 MGD	0.0005 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat 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. Impact Fee Payment

Transportation concurrency and administrative fees will be calculated by Urban Planning Division, Development, and Environmental Review Section; assessed based on construction plans submitted for environmental review approval and must be paid on the date of building permit issuance.

An 8,930 square foot community facility building exist on this site, which the applicant stated will be replaced. In accordance with the credit provisions of Section 5-182.13 of the Land Development Code, this structure may be eligible for credit towards transportation concurrency impact fees, provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. **No credit will be granted for demolition occurring more than three (3) years prior to the review of construction plans submitted for County environmental review approval.**

8. Environmental Review

This was reviewed by Environmental Permitting Division. See the attached environmental review report which provides recommendations to the developer regarding environmental permitting for future development. See attached Environmental Review Report (**Exhibit 7**).

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

9. 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 approval. Approval to connect to such systems is approved by the Environmental Permitting Division as a prerequisite to, and just prior to, approval 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.

10. Historic and Archaeological Resources

This 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 applicant is advised to contact Rick Ferrer, Historic Preservation Officer, Resilient Environment Department, Broward County at 1 North University Drive, Plantation, FL 33324 or by phone at (954) 357-9731 for additional information.

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. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. See the attached historic and archaeological comments (**Exhibit 8**).

11. Aviation

This property is within 3 miles of the Broward County's North Perry Airport. Any proposed construction on this property or 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. The project is subject to compliance with Broward County Code of Ordinance's Chapter (Building Regulations and Land Use) including Sec. 5-182.10 (Airports). To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>. To initiate the Broward County Aviation Department Review, please contact AirspaceReview@Broward.org.

12. Utilities

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

13. 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.

FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies the 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 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. Conditions attached in Highway Construction and Engineering Memorandum (**Exhibit 5**).
2. Place a note on the face of the plat, preceding the municipal official's signature, reading:

Concurrency/impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.
3. Place a note on the face of the plat reading:
 - a. This plat is restricted to 12,500 sq. ft. of church use on Parcel A, and convenience store with 16 fueling positions on Parcel B.

- b. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and 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.
- 4. If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[CLD]