

STAFF REPORT  
Pembroke Pines City Center  
067-MP-03

A request to amend the note on the plat has been filed with the Planning and Development Management Division. This plat was approved by the County Commission on April 19, 2005, for 340,000 square feet of office use; 133,000 square feet of commercial use; 120,000 square feet of government facilities; 425 high rise units; 325 townhouse units; and a 150-room hotel on 133.6 acres. The property is located on the west side of Palm Avenue (Southwest 101 Avenue), between Pines Boulevard and Washington Street, in the City of Pembroke Pines. The plat was recorded on October 12, 2006 (P.B. 176, PG. 86).

The current note, approved by the County Commission on March 18, 2014 (INSTR # 112256222), reads as follows:

This plat is restricted to 120,000 square feet of office use; **265,000 square feet of commercial use; 1,365 multi-family dwelling units consisting of 497 mid-rise units, 250 high-rise units, 280 townhouse units and 338 garden apartments;** and 350 hotel rooms. Freestanding banks and 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.

The **250 high-rise units** shall be restricted to “moderate affordable” units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include “workforce housing” or any similar concept if adopted and defined as part of the BCLUP.

The applicant is requesting to increase the commercial use by 60,000 square feet for a total of 325,000 square feet, and to add 476 multi-family units, which includes 139 high-rise units, 102 townhouse units and 235 garden apartments, for a total of 1,841 dwelling units. There are no changes to the office use, hotel rooms or mid-rise units. The requested note reads as follows:

This plat is restricted to 120,000 square feet of office use; **325,000 square feet of commercial use; 1,841 multi-family dwelling units consisting of 497 mid-rise units, 389 high-rise units, 382 townhouse units and 573 garden apartments;** and 350 hotel rooms. Freestanding banks and 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.

**276 high-rise units** shall be restricted to “moderate affordable” units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include “workforce housing” or any similar concept if adopted and defined as part of the BCLUP.

The proposed designation for the 276 dwelling units will be affordable housing defined as rents or monthly mortgage payments (including taxes and insurance) do not exceed 30% of an amount representing the 120% of the median income limits adjusted for family size for the household.

This request was evaluated by the Reviewing Agencies.

The attached memorandum from the Broward County Planning Council indicates that the effective Land Use Plan designates the area covered by this plat for the uses permitted in the "Local Activity Center" land use category, and the plat is subject to the "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Local Activity Center" (O.R.B. 46264, PGS. 1461-1466, B.C.R.). Section 2.1 of the Agreement requires the City of Pembroke Pines to monitor development activity and to enforce permitted land use densities and intensities within the Local Activity Center (LAC).

Planning Council staff further notes that this request is in compliance with the effective Land Use Plan, pending approval of the third amendment to the tri-party Educational Mitigation Agreement, which is scheduled for County Commission action on June 6, 2017.

The attached School Capacity Availability Determination (SCAD) issued by the School Board indicates that this request will generate an additional 140 students, and that this application satisfies the requirements of public school concurrency on the basis that the project is vested for public school concurrency and that sufficient school capacity is anticipated to be available to support the development as proposed by this application. School Board staff approval is conditional upon recordation of the third amendment to the tri-party Educational Mitigation Agreement to be consistent with the proposed development mix recorded in Official Records Book 42695, Page 32.

The Aviation Department has indicated that the property is located within 20,000 feet of the North Perry Airport. Any proposed construction or the use of construction cranes 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. To initiate the Federal Aviation Review, access the FAA Web page at: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

In addition, this property's close proximity to the North Perry Airport will make it subject to overflight and associated noise of arriving and departing aircraft during the course of normal operations. Pursuant to Section 5-182(n), Protection of Air Navigation and Notice of Potential Noise Impacts, and as a condition of plat approval, the property owner recorded a Potential Aircraft Overflight and Noise Impact Notice (O.R.B. 42930, PGS. 548-554), advising prospective purchasers of potential aircraft overflight and noise impacts on this property. The recorded document also serves as notice to prospective purchasers of property within this plat that, pursuant to Broward County Ordinance 2006-27 and consistent with the FAA "Change in FAA's Noise Mitigation Policy," effective October 1, 1998, the County will only provide noise mitigation for existing "incompatible development" and not for new incompatible development. The determination of "compatible" and incompatible development" will be based on the County's most current FAA approved Noise Exposure Map and the Airport's most current noise compatibility program which has been reviewed and approved by the FAA for the Airport. For additional information, contact the Broward County Aviation Department at 954-359-6170.

The Service and Capital Planning staff of the Transit Division notes that this plat is currently serviced on Pines Boulevard by BCT Route #7 and two (2) improved bus stops (ID # 68 and 3077).

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 is not likely to impact any significant historical or archaeological resources, and the consulting archaeologist has no objections to this application. The consulting archaeologist also notes that this plat is located within the City of Pembroke Pines which is within the jurisdictional boundaries of Broward County 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](mailto: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](mailto:med_exam_trauma@broward.org).

The Natural Resources Planning and Management Division has reviewed this request and determined that the southern portion of this plat contains one of the Pembroke Pines City Center Mitigation Areas, and another City Center Mitigation Area is located on the western boundary of this plat. The Landings of Pembroke Pines Mitigation Area is also located on the southern boundary of this plat. These Mitigation Areas are located in the Protected Natural Lands Inventory and the applicant is advised that this plat must not propose any development that may have a negative impact upon the continued preservation of the Natural Land. The Environmental Review Report, coordinated by the Planning and Development Management Division, is attached.

The attached resolution (No. 2017-R-06) from the City of Pembroke Pines indicates this request was approved by the City Commission on March 1, 2017.

This plat with the amended note satisfies the regional park concurrency requirement of Section 5-182(i) and the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code. This request represents an increase of 431 PM peak hour trips. This plat is located within the South Central Transportation Concurrency Management Area; therefore, the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Land Development Code are satisfied.

Although this plat is now located within the South Central Transportation Concurrency Management Area, it was subject to road impact fees at the time of plat approval. Therefore, the remaining unpaid vested PM peak hour trips associated with the previously approved development within the plat remain subject to road impact fees.

The additional 431 pm peak hour trips generated by this request will be subject to transportation concurrency fees.

Road impact fees have been satisfied for 700 dwelling units (425 mid-rise units and 275 townhouse units), 118,134 square feet of commercial and 6,697 square feet of restaurant uses which have been constructed or are under construction. The remaining balance of 334.45 unpaid PM peak hour trips vested for road impact fees will be applied on a "first come first serve basis." In addition, the "Amendment to Traffic Concurrency Agreement Relating to the Monarch Lakes Plat, the Park Plaza Plat, the Beach Realty Office Center Plat, the Marketplace Partnership Center Plat, the Halverson Real Estate Corp. Plat, and the Trammel Crow Industrial Center Plat," recorded in O.R. Book 46816, Page 1151, assigns the balance of road impact fee credit to the City of Pembroke Pines in the amount of **\$250,168** to be utilized within Pembroke Pines City Center by the City or their designated assignee.

Regional park impact fees and school mitigation fees (student station costs) have been satisfied for the 700 dwelling units (425 mid-rise units and 275 townhouse units) either built or under construction. Regional park impact fees will be due for remaining unpaid units. Either school impact fees or student mitigation fees (cost per student station fees) will be due for all remaining dwelling units in accordance with the amended Educational Mitigation Agreement. Administrative fees for regional parks were satisfied for 1,000 dwelling units (675 high rise units and 325 townhouse units). The additional 476 dwelling units proposed by this application are also subject to administrative fees for parks. The applicant is advised that road and park impact and administrative fees are subject to an annual adjustment on October 1 and that student mitigation fees increase monthly.

All remaining impact fees, concurrency fees, mitigation fees and administrative fees will be assessed and paid in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval. The 276 high-rise "moderate" income affordable units are not eligible for waivers of any impact, concurrency, administrative or student mitigation fees.

Staff recommends **APPROVAL** of this request provided the applicant accomplishes the following:

- 1) Records the third Amendment to Educational Mitigation Agreements in Connection with Broward County Land Use Text Amendment PCT 04-2 as Amended by PCT 06-1, PCT 13-2 and PCT 16-2, prior to recordation of the note amendment agreement; and
- 2) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **June 13, 2018**.

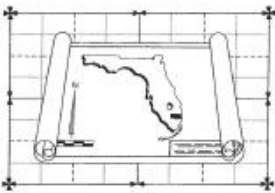
In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Finally, 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.

*smh*






## BROWARD COUNTY PLANNING COUNCIL

115 South Andrews Avenue, Room 307 • Fort Lauderdale, Florida 33301 • Phone: 954.357.6695

TO: Josie P. Sesodia, AICP, Director  
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director 

RE: Delegation Request for Pembroke Pines City Center  
(067-MP-03) City of Pembroke Pines

DATE: May 4, 2017

Planning Council staff has reviewed the proposed revision to the restrictive note on the above referenced plat. The proposal is to change the restrictive note on the plat:

FROM: This plat is restricted to 120,000 square feet of office use, 265,000 square feet of commercial use, 1,365 multi-family dwelling units consisting of 497 mid-rise units, 250 high-rise units, 280 townhouse units and 338 garden apartments, and 350 hotel rooms.

250 high-rise units shall be restricted to “moderate affordable” units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include “workforce housing” or any similar concept if adopted and defined as part of the BCLUP.

TO: This plat is restricted to 120,000 square feet of office use, 325,000 square feet of commercial use, 1,841 multi-family dwelling units consisting of 497 mid-rise units, 389 high-rise units, 382 townhouse units and 573 garden apartments, and 350 hotel rooms.

276 high-rise units shall be restricted to “moderate affordable” units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include “workforce housing” or any similar concept if adopted and defined as part of the BCLUP.

The Future Land Use Element of the City of Pembroke Pines Comprehensive Plan is the effective land use plan for the City of Pembroke Pines. That plan designates the area covered by this plat for the uses permitted in the “Local Activity Center” land use category. This plat is generally located on the west side of Palm Avenue, between Pines Boulevard and the vacated right-of-way of Washington Street.

**Pembroke Pines City Center**  
**May 4, 2017**  
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Regarding the proposed uses, this plat is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Local Activity Center,” as recorded in Official Record Book 46264, Pages 1461-1466.

Planning Council staff notes that this plat is in compliance pending approval of the Amended Educational Mitigation Agreement which is tentatively scheduled for consideration by the Broward County Commission on June 6, 2017.

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

BBB:DBT

cc: Charles F. Dodge, City Manager  
City of Pembroke Pines

Michael Stamm, Director, Planning and Economic Development Department  
City of Pembroke Pines



The School Board of Broward County, Florida  
**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION**

PLAT

SBBC-1014-2011

County Number: 067-MP-03 Municipality Number:  
Pembroke Pines City Center

May 23, 2017

Growth Management  
Facility Planning and Real Estate Department  
600 SE 3rd Avenue, 8th Floor  
Fort Lauderdale, Florida 33301  
Tel: (754) 321-2177 Fax: (754) 321-2179  
[www.browardschools.com](http://www.browardschools.com)

**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION  
PLAT**

PROJECT INFORMATION	NUMBER & TYPE OF PROPOSED UNITS	OTHER PROPOSED USES	STUDENT IMPACT
<b>Date:</b> May 23, 2017 4:06:45	<b>Single-Family:</b>	120,000 SF Office Use, 325,000 SF Commercial Use	<b>Elementary:</b> 77
<b>Name:</b> Pembroke Pines City Center	<b>Townhouse:</b> 102		<b>Middle:</b> 42
<b>SBBC Project Number:</b> SBBC-1014-2011	<b>Garden Apartments:</b> 285		<b>High:</b> 48
<b>County Project Number:</b> 067-MP-03	<b>Mid-Rise:</b>		<b>Total:</b> 167
<b>Municipality Project Number:</b>	<b>High-Rise:</b> 389		
<b>Owner/Developer:</b> City of Pemroke Pines	<b>Mobile Home:</b>		
<b>Jurisdiction:</b> Pembroke Pines	<b>Total:</b> 776		

**SHORT RANGE - 5-YEAR IMPACT**

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity	Cumulative Reserved Seats
Pines Lakes	927	927	565	-362	-20	60.9%	77
Pines	1,769	1,769	964	-805	-36	54.5%	42
Flanagan, Charles W	3,034	3,034	2,762	-272	-10	91.0%	48

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Cap. Adj. Benchmark	Projected Enrollment				
				17/18	18/19	19/20	20/21	21/22
Pines Lakes	642	-285	69.3%	544	528	511	509	517
Pines	1,006	-763	56.9%	922	900	873	866	845
Flanagan, Charles W	2,810	-224	92.6%	2,689	2,616	2,543	2,470	2,397

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. Information contained herein is current as of the date of review. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is taken on the Monday following Labor Day and is used to apply individual charter school enrollment impacts against school facility review processes.

**CHARTER SCHOOL INFORMATION**

Charter Schools within 2-mile radius	2016-17 Contract Permanent Capacity	2016-17 Benchmark Enrollment	Over/(Under)	Projected Enrollment		
				17/18	18/19	19/20
Atlantic Montessori Charter	219	119	-100	119	119	119
Atlantic Montessori Charter West	150	147	-3	147	147	147
Kidz Choice Charter	750	178	-572	178	178	178
Pembroke Pines E_west Central	2,470	1,902	-568	1,902	1,902	1,902
Renaissance Charter @ Pines	1,145	867	-278	867	867	867
Renaissance Charter Ms @ Pines	1,145	424	-721	424	424	424

**PLANNED AND FUNDED CAPACITY ADDITIONS IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN**

School(s)	Description of Improvements
Pines Lakes	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school
Pines	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school
Flanagan, Charles W	The removal of portable buildings to allow permanent classroom addition

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. Information contained herein is current as of the date of review. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The benchmark enrollment count taken on the first Monday following Labor Day is used to apply individual charter school enrollment impacts against school facility review processes.

### Comments

District staff previously reviewed and issued a Final School Capacity Availability Determination (SCAD) Letter for this plat application. As such, it is vested for the student impact associated with the 1,365 approved units consisting of 280 (three or more bedroom townhouse, 338 (three or more bedroom) garden apartment, 497 mid-rise and 250 high-rise units, and based on the effective student generation rates, generate 283 (132 elementary, 66 middle and 85 high school) students. The application proposes an additional 476 units for a total of 1,841 units comprised of 382 (three or more bedroom) townhouse, 573 (three or more bedroom) garden apartment, 497 (two or more bedroom) midrise and 389 high-rise units, which are anticipated to generate 423 (197 elementary, 102 middle and 124 high school) students for a net increase of 140 students. The application also indicates that the 280 townhouse, 288 garden apartment and 497 midrise units are already built on the site and are not scheduled for demolition, and should already be factored into the District's five-year student enrollment projections. Therefore staff removed those units from the analysis and reviewed the plat only for the unbuilt 102 (three or more bedroom) townhouse, 285 (three or more bedroom) garden apartment, 389 high-rise units, which are determined to generate 167 (77 elementary, 42 middle and 48 high school) students. Therefore, the students anticipated from the unbuilt units from this plat note amendment are an additional 167 students.

Schools serving the amendment site in the 2016/17 school year are Pine Lakes Elementary, Pines Middle, and Charles Flanagan High. Based on the District's Public School Concurrency Planning Document, all the Schools are operating below the adopted LOS of 100% of their capacities in the 2016/17 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2016/17- 2018/19), all of the Schools are expected to operate below the adopted LOS of 100% through the 2018/19 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP FY 2016/17 – 2020/21. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the site in the 2016/17 school year are depicted above.

This plat falls within the boundary of Land Use Plan Amendments (LUPA) PC 04-2, PCT 06-1, and PCT 16-2, which is the subject of a Tri-Party Agreement between the School Board, the City of Pembroke Pines and the County. This plat note amendment proposes a change to the development mix for the project which requires that the recorded Tri-Party Agreement be amended. DESPITE THAT THE PROPOSED PLAT NOTE AMENDMENT DOES NOT RESTRICT THE BEDROOM MIX OF THE ADDITIONAL UNITS, THE APPLICANT VOLUNTARILY RESTRICTED THE DEVELOPMENT OF THE UNBUILT 776 UNITS IN THE AMENDED THE TRI-PARTY AGREEMENT TO: 51 two bedroom and 51 three or more bedroom townhouse; 171 one bedroom, 90 two bedroom, and 24 three or more bedroom garden apartments; and 389 high rise units and REQUIRES PAYMENT OF MITIGATION BASED ON THE COST PER DWELLING UNIT AS SPECIFIED IN THE TRI-PARTY AGREEMENT RATHER THAN IMPACT FEES. The amended Agreement was approved by the School Board on May 2, 2017 and is scheduled for approval by the Broward County Commission on June 6, 2017.

This application satisfies public school concurrency on the basis that the project is vested for public school concurrency requirements. This public school concurrency determination is conditional upon the County Commission's approval of the amendment (as approved by the School Board) and subsequent recordation by the applicant PRIOR TO APPROVAL OF THE PLAT NOTE AMENDMENT. The determination shall be valid for 180 days and conditioned upon final approval by the applicable governmental body. As such, this determination will expire on November 18, 2017. This preliminary school concurrency determination shall be deemed to be void unless prior to the referenced expiration of the Preliminary School Capacity Availability Determination (SCAD), notification of final approval to the District has been provided and/or an extension of this Preliminary SCAD has been requested in writing and granted by the School District. Upon the District's receipt of sufficient evidence of final approval which shall specify at the minimum the number, type and bedroom mix for the approved residential units, the District will issue and provide a final SCAD letter for the approved units.

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**SBBC-1014-2011 Meets Public School Concurrency Requirements**

Yes  No

Reviewed By:

5-23-17  
Date

  
Signature

Lisa Wight  
Name  
Planner  
Title

**ENVIRONMENTAL REVIEW AND COMMENTS REPORT  
TO THE PLANNING AND DEVELOPMENT MANAGEMENT DIRECTOR**

**Application:** Request to amend the note to add 60,000 square feet of commercial use and increase the number of multi-family residential units by 476.  
**File Number:** 067-MP-03  
**Project Name:** Pembroke Pines City Center  
**Comments Due:** May 5, 2017  
**Development Type:** Office (120,000 Square Feet), Commercial (325,000 Square Feet), Hotel (350 Rooms), and Residential (497 Mid-Rise Units; 389 High Rise Units; 382 Townhouse Units; and 573 Garden Apartment Units)

The Planning and Development Management Division of the Broward County Environmental Protection and Growth Management Department (EPGMD) has coordinated with other Divisions in this Department along with the County Health Department to provide the following comments on the above referenced plat:

**Surface Water Management**

This plat is located in the City of Pembroke Pines and is in the South Broward Drainage District. Surface water management plans for this plat must meet the criteria of the Drainage District. A surface water management permit must be obtained from this District prior to any construction.

**Potable Water Review**

This plat will be served by the City of Pembroke Pines's Water Treatment Plant which has a capacity of 18.000 MGD and a maximum daily flow of 14.760 MGD. According to the Health Department, there is sufficient available water treatment plant capacity to serve the proposed uses at this point in time.

**Wastewater Review**

Wastewater Treatment Plant:	<b>Hollywood</b>
Flow Data:	<b>As of 02/17</b>
EPGMD Licensed Capacity	<b>55.5000 MGD</b>
12 Month Average Flow:	<b>34.6500 MGD</b>
Existing Flow Reserved by Building Permit:	<b>1.6420 MGD</b>
Total Committed Flow:	<b>36.2920 MGD</b>
Estimated Project Flow:	<b>0.5693 MGD</b>

In accordance with Section 5-182(g) of the Broward County Land Development Code, to date the existing wastewater treatment and disposal facility has sufficient plant capacity to provide for the wastewater treatment and disposal needs of the development proposed by this application.

The applicant is advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding, or altering either a gravity sanitary sewer, a sanitary force main, or a pump station. Wastewater receiving lift stations and force mains are critical components to the conveyance system. Accordingly, adequate capacity for this project will need to be demonstrated of the receiving off-site sanitary sewer conveyance system. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483.

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**Natural Resources Preservation**

This plat is not located in a wellfield zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into the Broward County Code of Ordinances, Chapter 27, Article XIII.

See the attached Conceptual Dredge and Fill Review Report. An Environmental Resource License, No. DF04-1109, was issued on May 15, 2006 and expired on May 15, 2013. This plat has previously been reviewed by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division to authorize the filling of 78.19 acres of wetlands.

Applicant has been informed that the proposed development contains or abuts water bodies or will be creating same. Excavation or filling of lakes or canals is regulated under Article XI of the Natural Resource Protection Code and may require an Environmental Resource License. Design criteria shall be in compliance with Section 27-337, which requires that lake slopes be a minimum of 4:1 (H:V) to a depth of two (2) feet below the average dry season low water elevation as demonstrated by water management district or county maps. Littoral areas should be constructed and designed to encourage the growth of native, aquatic vegetation to improve filtration of runoff and to increase biological productivity per South Florida Water Management District and Broward County surface water management requirements.

The Water and Environmental Licensing Section of the Environmental Engineering and 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 Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section.

Review of aerial photographs indicates that the subject site contains tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Pembroke Pines if trees are to be removed or relocated. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.

This site includes and abuts the Pembroke Pines City Center Mitigation Area which is identified as protected natural lands in the Protected Natural Lands Inventory. The applicant is advised that this plat must not propose any development that may have a negative impact upon the continued preservation of these natural lands. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. This Inventory provides information regarding the ownership and management of each of the Protected Natural Lands, may be accessed at the following website:

<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>.

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**Additional Comments Addressing Certain Environmental Protection Actions Needing to be Taken to Implement the Project**

1. A Storage Tank License may be required if there will be fuel storage associated with an emergency generator system. Contact the Environmental and Consumer Protection Division at 954-519-1260 for specific license requirements.
2. Any discharges to ground or surface waters, excluding stormwater, will require review and approval from the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.
3. An Environmental Resource License may be required for any excavation or filling of existing wetlands, lakes, or canals or any other activities regulated under Article XI of the Natural Resource Protection Code which were not permitted and completed under License No. DF04-1109, issued on May 15, 2006 and expired on May 15, 2013. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements
4. The subject plat is in the vicinity of known contaminated sites and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Environmental Assessment and Remediation Section must approve any dewatering activities at the subject location.
5. Please note that the Environmental Protection and Growth Management Department's records indicate that at least one underground fuel pipeline is located in the vicinity of this plat. Prior to conducting any subsurface work, the developer must contact Sunshine State On-Call at 1-800-432-4770 to properly mark the location of the pipeline(s) to ensure that work is not in the location of this fuel pipeline(s).

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Be advised that approval of a delegation request 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. Connections to such systems are approved by the Environmental Engineering and 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 a waiver or approval of any license or permit that is, or may be, required for any aspect of the project.





**PROPOSED RESOLUTION NO. 2017-R-06**

**RESOLUTION NO. 3538**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE PEMBROKE PINES CITY CENTER PLAT, GENERALLY LOCATED WEST OF PALM AVENUE, SOUTH OF PINES BOULEVARD AND NORTH OF WASHINGTON STREET, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN; AUTHORIZING CITY ADMINISTRATION TO TAKE ANY ACTION NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, On June 15, 2016, the City Commission approved Ordinance 1847, adopting the City Center Local Activity Center Land Use Plan Amendment which amended the levels of development within the City Center Local Activity Center (LAC); and,

**WHEREAS**, the City has a purchase and sale agreement approved by Ordinance 1785, as amended, with the Terra Group to develop property within the Pembroke Pines City Center Plat, located generally west of Palm Avenue, south of Pines Boulevard and north of Washington Street, as more particularly described in Exhibit "A"; and,

**WHEREAS**, the plat note on the Pembroke Pines City Center Plat must be amended to be consistent with that recent land use plan amendment; and,

**WHEREAS**, the existing plat note for the subject property currently states:

This plat is restricted to 120,000 square feet of office use; 265,000 square feet of commercial use; 1,365 multi-family dwelling units consisting of 497 mid-rise units, 250 high-rise units, 280 townhouse units and 338 garden apartments; and 350 hotel rooms. Freestanding banks and banks with drive-thru facilities are not permitted without the approval of the Board of County

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Commissioners who shall review and address these uses for increased impacts.

The 250 high-rise units shall be restricted to "moderate affordable" units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include "workforce housing" or any similar concept if adopted and defined as part of the BCLUP

**WHEREAS**, Broward County requires City approval for any amendment to the plat note; and,

**WHEREAS**, the City approves and requests that Broward County approves the following proposed plat note language:

This plat is restricted to 120,000 square feet of office use; 325,000 square feet commercial use; 1,841 multi-family dwelling units consisting of 497 mid-rise units, 389 high-rise, 382 townhouse units, and 573 garden apartments; and 350 hotel rooms. Freestanding banks and 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.

The 276 high-rise units shall be restricted to "moderate affordable" units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include "workforce housing" or any similar concept if adopted and defined as part of the BCLUP.

**WHEREAS**, the City's professional staff has reviewed the proposed plat note amendment and has no objection to the same; and

**WHEREAS**, the City Commission of the City of Pembroke Pines finds that the proposed Plat Note Amendment request to be in the best interests of the citizens and residents of the City of Pembroke Pines.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:**

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**Section 1.** The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the City Commission. All exhibits referenced herein and attached hereto are hereby incorporated herein.

**Section 2.** The City Commission of the City of Pembroke Pines, Florida, hereby approves the Plat Note Amendment (Delegation Request) for the Pembroke Pines City Center Plat located west of Palm Avenue, south of Pines Boulevard and north of Washington Street, as more particularly described in **Exhibit "A"**, attached hereto, to amend the plat note to state:

This plat is restricted to 120,000 square feet of office use; 325,000 square feet commercial use; 1,841 multi-family dwelling units consisting of 497 mid-rise units, 389 high-rise, 382 townhouse units, and 573 garden apartments; and 350 hotel rooms. Freestanding banks and 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.

The 276 high-rise units shall be restricted to "moderate affordable" units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include "workforce housing" or any similar concept if adopted and defined as part of the BCLUP.

**Section 3.** City Administration is hereby authorized to take any action necessary to implement the intent of this Resolution.

**Section 4.** All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

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**Section 5.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**Section 6.** This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, THIS 1ST DAY OF MARCH, 2017.

CITY OF PEMBROKE PINES, FLORIDA

By:

  
MAYOR FRANK C. ORTIS

ATTEST:

  
MARLENE GRAHAM, CITY CLERK

APPROVED AS TO FORM:

  
OFFICE OF THE CITY ATTORNEY

ORTIS

ABSENT

CASTILLO

AYE

SCHWARTZ

AYE

SHECHTER

AYE

SIPLE

AYE



Planning and Development Management Division  
Environmental Protection and Growth Management Department  
Board of County Commissioners, Broward County, Florida

**Application to Amend or Revise Level of Approved Development**

**INSTRUCTIONS**

This form is used to apply for amendments or revisions to the current level of development previously approved. For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate required documentation attached. Please type this application or print legibly in black ink.

**PROJECT INFORMATION**

Plat Name Pembroke Pines City Center

Plat Number 067-MP-03 Plat Book - Page 176/86 (If recorded)

Owner/Applicant City of Pembroke Pines Phone 954.431.4884

Address 10100 Pines Boulevard City Pembroke Pines State FL Zip Code 33026

Owner's E-mail Address swilliams@ppines.com Fax # \_\_\_\_\_

Agent Greenspoon Marder, PA Phone 954-761-2929

Contact Person Marla Neufeld, Esq.

Address 200 E. Broward Blvd, Suite 1800 City Ft. Lauderdale State FL Zip Code 33301

Agent's E-mail Address marla.neufeld@gmlaw.com Fax # \_\_\_\_\_

**PROPOSED CHANGES**

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. Be sure to include the current level of development. (Attach additional sheet if necessary.)

Current note for entire plat See attached

Proposed note for entire plat See attached

**PLEASE ANSWER THE FOLLOWING QUESTIONS**

Has flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?  
 Yes  No  Don't Know  
 If YES, consult Policy 13.01.10 of the Land Use Plan. A compatibility determination may be required.

Is any portion of this plat currently the subject of a Land Use Plan Amendment (LUPA)?  Yes  No  
 If YES, provide LUPA number: \_\_\_\_\_

Does the note represent a change in TRIPS?  Increase  Decrease  No Change  
 Does the note represent a major change in Land Use?  Yes  No

Will project be served by an approved potable water plant? If YES, state name and address.  Yes  No  
City of Pembroke Pines

Will project be served by an approved sewage treatment plant? If YES, state name and address  Yes  No  
City of Pembroke Pines

Are on-site wells for potable water currently in use or proposed?  Yes  No  
 If YES, see page 2 of this form for additional required documentation.

Are septic tanks current in use or proposed?  Yes  No  
 If YES, see page 2 of this form for additional required documentation.

Estimate or state the total number of on-site parking spaces to be provided SPACES 1,200+/-

Number of seats for any proposed restaurant or public assembly facility, including places of worship SEATS NA

Number of students for a daycare center or school STUDENTS NA

Reasons for this request (Attach additional sheet if necessary.) Increase of office use and 1,841 multi family

**FOR APPLICATIONS PROPOSING INDUSTRIAL USE(S) - SUPPLEMENTAL REQUIREMENT**

Proposed industrial plat notes which abut residential land use categories or are separated from a residential land use plan category by rights-of-way, easements, canals or lakes with a width of 100 feet or less must submit written documentation from the municipality stating how the City will address compatibility between the proposed industrial use(s) and the residential land use plan category. Industrial uses include manufacturing, assembly, processing, indoor and outside storage, warehouse, distribution, excavation and landfills. Residential land use plan categories include all residentially named categories plus Agricultural, Rural Ranches, Rural Estates, TOC, TOD, RAC and LAC. Please consult with Planning and Development Management staff if you have any questions.

**Please see reverse side for Required Documentation and Owner/Agent Certification**

**REQUIRED DOCUMENTATION:** Submit one (1) original of each document and electronic copy of each item listed below. Each document listed below must also be submitted electronically as a separate pdf on a CD, flash drive, etc.

- Recorded or approved plat.
- Letter of approval from the applicable municipality, dated within six (6) months of this application, specifically stating the precise note language. If the property is located within a Development of Regional Impact (DRI), the letter shall also indicate if the proposed note is consistent with the approved DRI Development Order.
- Current letter is required from the appropriate utility service area stating the location of the closest approved potable water line and/or sanitary sewer line and the exact distance to the property if on-site wells for potable water and/or septic tanks that are currently in use or proposed.
- Signed and sealed sketch and legal description for any new parcel or tract created by the application.
- A check for the application fees made payable to: Broward County Board of County Commissioners. Please consult the Development Permit Application Fee Schedule.

**School Concurrency Submission Requirements**

- RESIDENTIAL APPLICATIONS ONLY:** Provide a receipt from the School Board documenting that a Public School Impact Application (PSIA) and fee have been accepted by the School Board.

**REQUIRED DOCUMENTATION FOR EXISTING BUILDINGS**

Are there any existing structures on the plat and/or parcel that is currently being amended? Yes or No? If "Yes," you are required to submit documentation providing evidence of the use, size (gross sq. ft.), unit type, and bedroom number as well as complete the table below. Please be advised that gross non-residential square footage includes permanent canopies and overhangs for gas stations, drive thru facilities, and overhangs designed for outdoor tables at a restaurant. A building is defined by the definition in the Land Development Code.

LAND USE	Gross Building sq. ft.* or Dwelling Units	Date Last Occupied	EXISTING STRUCTURE(S)		
			Remain the same?	Change Use?	Has been or will be demolished?
Vacant land					

The following are examples of documentation that may be used to confirm the existence of buildings on the plat and/or parcel:

- An "as built" survey prepared within six (6) months of this application showing the existing buildings.
- A copy of the latest approved site plan showing the existing buildings along with evidence from the municipality documenting that site plan is the latest approved site plan.
- If the existing structures are residential, evidence will be required of the bedroom mix and unit type. A letter from the city and or copies of permit records may be acceptable forms of evidence.
- Other evidence may be accepted if it clearly documents the use and gross square footage of the existing buildings.

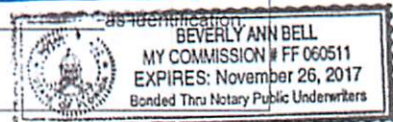
**OWNER/AGENT CERTIFICATION**

State of Florida  
County of Broward

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent Cynthia Pasch  
Sworn and subscribed to before me this 28 day of February, 2017  
by CYNTHIA PASCH  He/she is personally known to me or

Has presented Beverly Ann Bell  
Signature of Notary Public Beverly Ann Bell  
Type or Print Name \_\_\_\_\_



**FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY**

Time \_\_\_\_\_ Application Date 04/13/17 Acceptance Date 04/21/17  
Comments Due 05/05/17 C.C. Mtg. Date 06/13/17 Fee \$ 1840

Plats  Survey  Site Plan  City Letter  Agreements

Other Attachments (Describe) SCAD app / rpt Reso # 2017-R-06

Title of Request amend note

Distribute to:  Full Review  Planning Council  School Board  Land Use & Permitting

Health Department (on septic tanks and/or wells)  Zoning Code Services (unincorporated area only)

Planning & Redevelopment (unincorporated area only)  Other \_\_\_\_\_

Adjacent City none Received by me



888-491-1120  
www.gmlaw.com

From the desk of:  
Cynthia A. Pasch, AICP  
200 E. Broward Boulevard  
Fort Lauderdale, Florida 33301  
Direct Phone: 954.527.6266  
Direct Fax: 954.333.4266  
Email: cynthia.pasch@gmlaw.com

February 3, 2017

Plat Note Amendment Application  
Pembroke Pines City Center  
(067-MP-03)

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The note on the Pembroke Pines City Center Plat note currently is as follows:

This plat is restricted to 120,000 square feet of office use; 265,000 square feet of commercial use; 1,365 multi-family dwelling units consisting of 497 mid-rise units, 250 high-rise units, 280 townhouse units and 338 garden apartments; and 350 hotel rooms. Freestanding banks and 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.

The 250 high-rise units shall be restricted to "moderate affordable" units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include "workforce housing" or any similar concept if adopted and defined as part of the BCLUP

The City and County Commissions approved a land use plan amendment for the Pembroke Pines City Center to increase the allowable commercial and residential development. This land use plan amendment increased the allowable dwelling units to 1,841 and the commercial square footage to 325,000. The Applicant is requesting that the note on the Plat be amended to be consistent with that recent land use plan amendment and site plans that have been approved for the City Center development. The Applicant requests that the City and County Commission approve the following language for the note:

This plat is restricted to 120,000 square feet of office use; 325,000 square feet



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**commercial use; 1,841 multi-family dwelling units consisting of 497 mid-rise units, 389 high-rise, 382 townhouse units, and 573 garden apartments; and 350 hotel rooms. Freestanding banks and 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.**

**The 276 high-rise units shall be restricted to "moderate affordable" units as defined by the Broward County Land Use Plan provided, however, that said definition shall also include "workforce housing" or any similar concept if adopted and defined as part of the BCLUP**