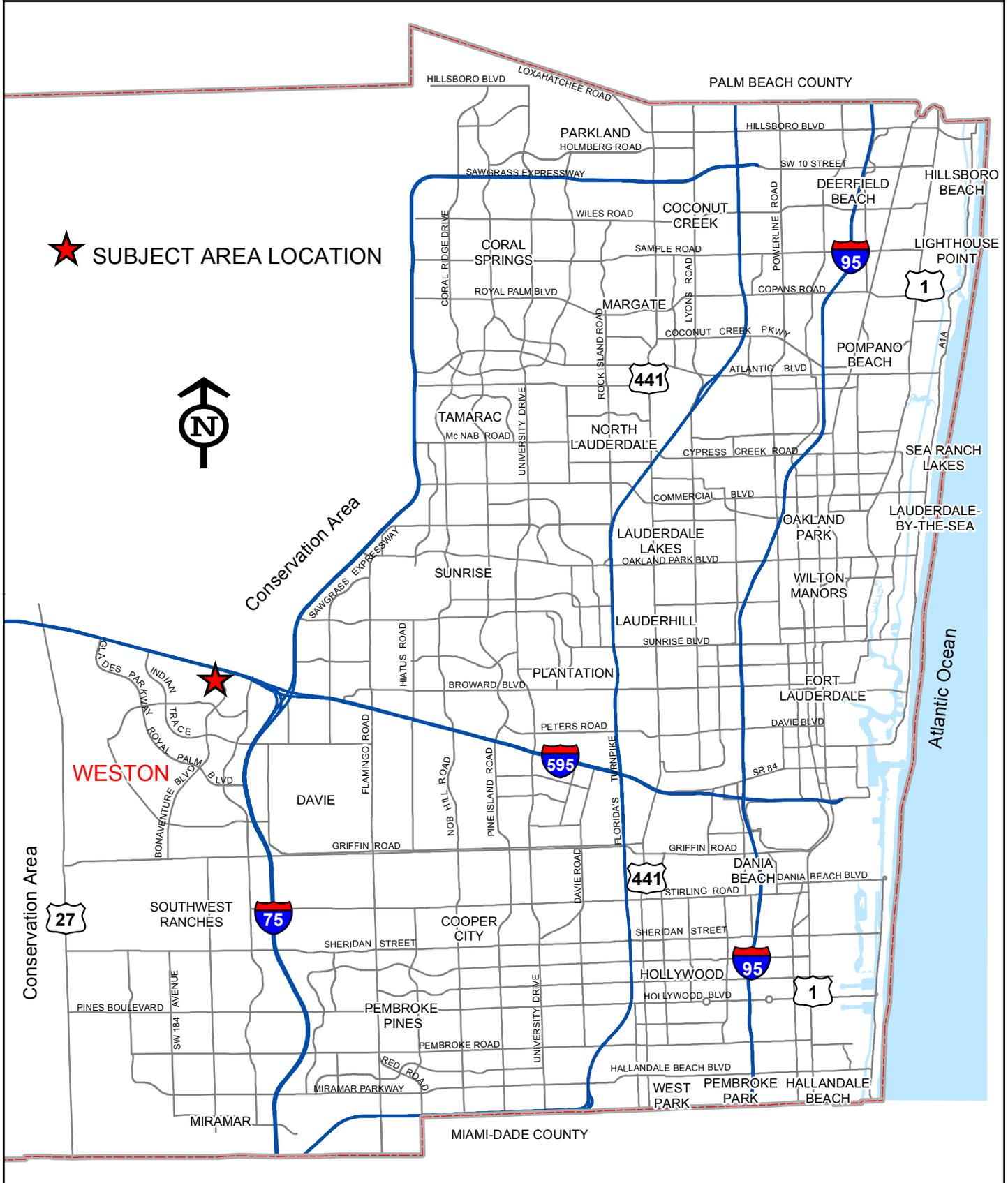


BROWARDNEXT - BROWARD COUNTY LAND USE PLAN GENERALIZED LOCATION MAP AMENDMENT PC 17-13



★ SUBJECT AREA LOCATION



WESTON

Conservation Area

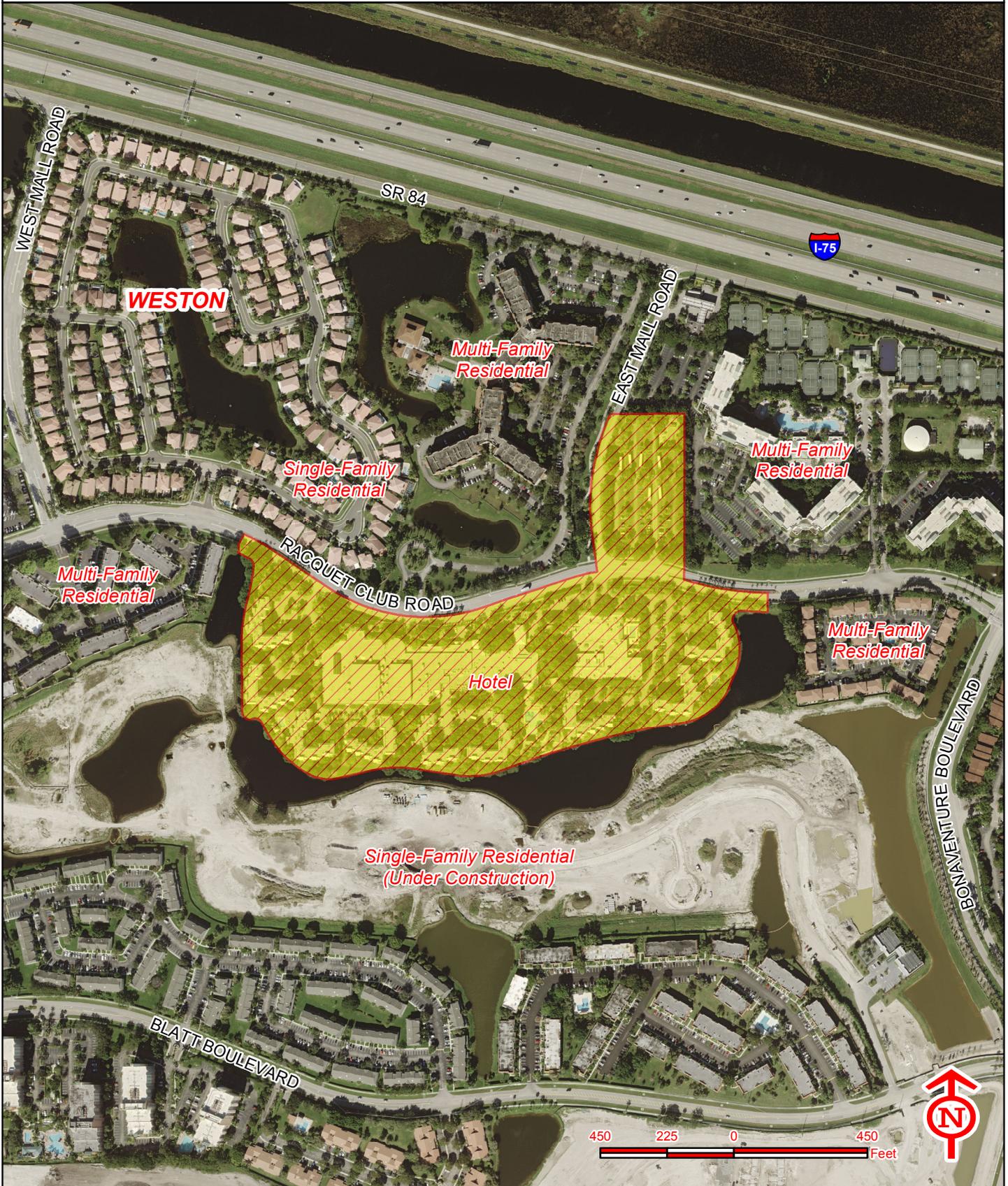
Conservation Area

Atlantic Ocean

MIAMI-DADE COUNTY

PALM BEACH COUNTY

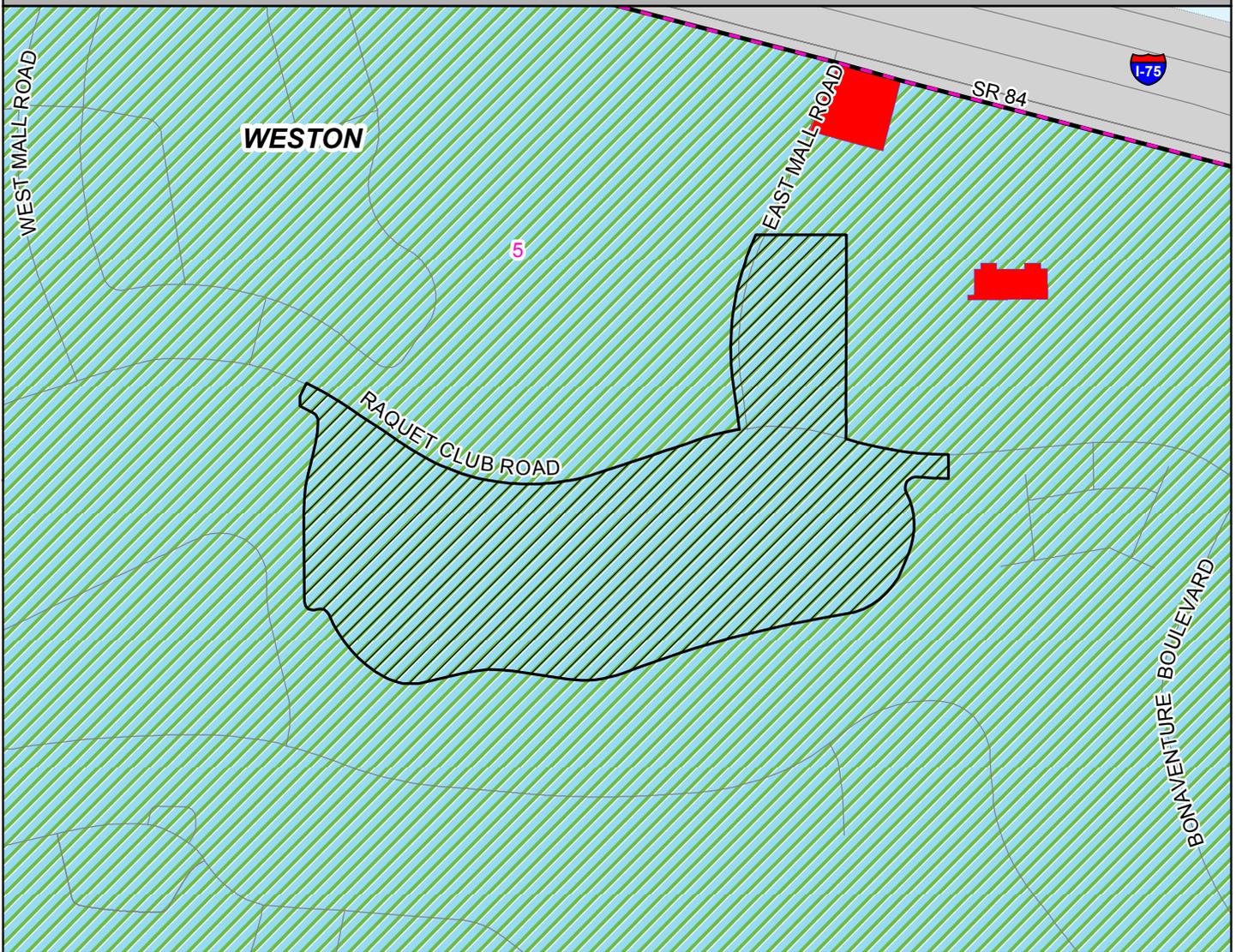
MAP 1
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
AERIAL PHOTOGRAPH
AMENDMENT PC 17-13



MAP 2
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
CURRENT FUTURE LAND USE DESIGNATIONS
AMENDMENT PC 17-13

Current Land Use: Irregular (5) Residential within a Dashed-Line Area

Gross Acres: Approximately 25 acres



Site



Dashed-Line Area



Irregular Residential



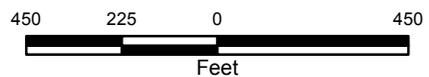
Commerce



Transportation



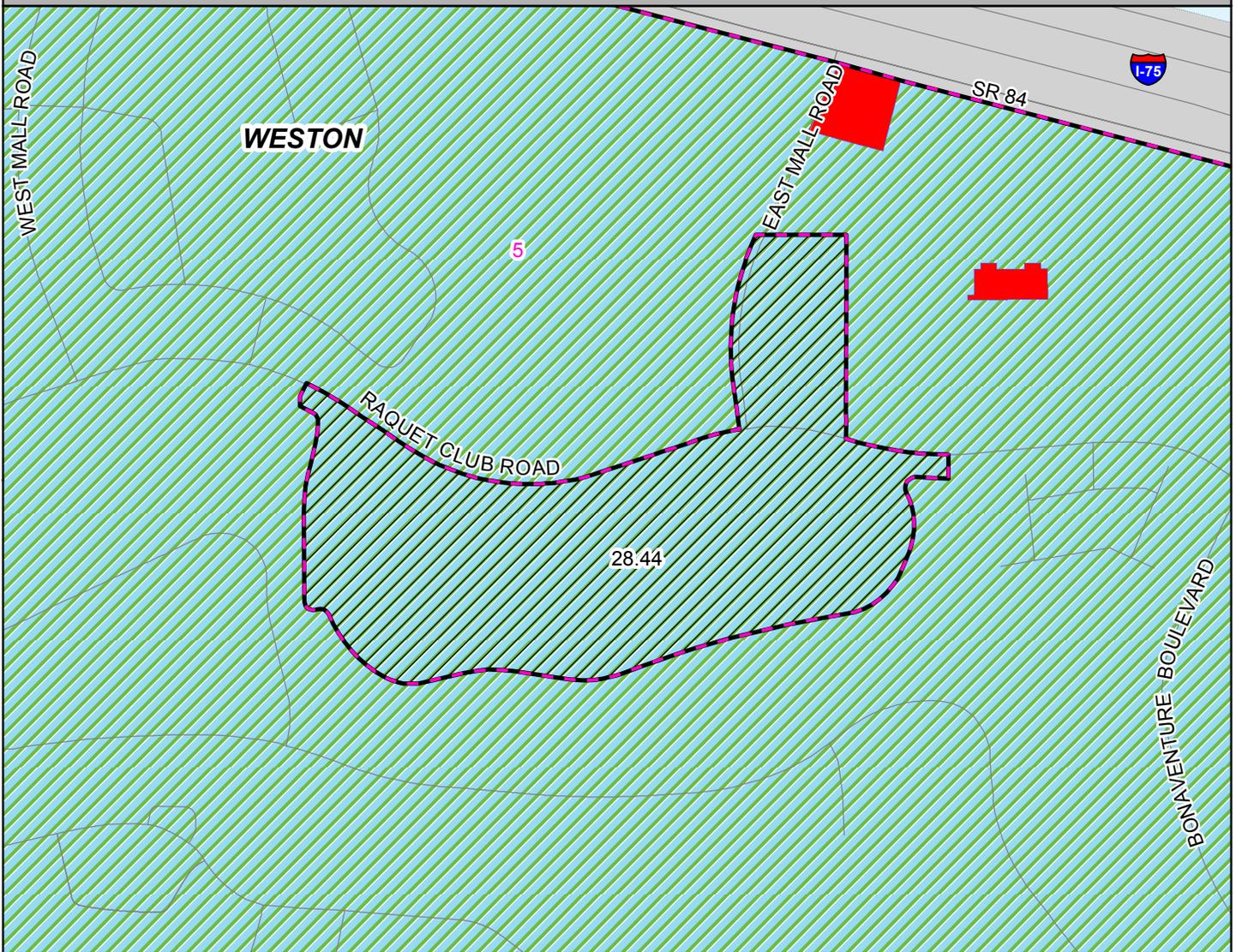
Water



MAP 3
BROWARDNEXT - BROWARD COUNTY LAND USE PLAN
PROPOSED FUTURE LAND USE DESIGNATIONS
AMENDMENT PC 17-13

Proposed Land Use: Irregular (28.44) Residential

Gross Acres: Approximately 25 acres



Site



Dashed-Line Area



Irregular Residential



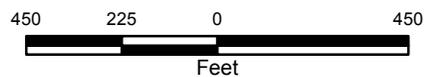
Commerce



Transportation



Water



SECTION I
AMENDMENT REPORT
BROWARD COUNTY LAND USE PLAN
PROPOSED AMENDMENT PC 17-13
(WESTON)

RECOMMENDATIONS/ACTIONS**DATE**

- I. Planning Council Staff Transmittal Recommendation August 15, 2017

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan. Therefore, it is recommended that the proposed amendment be approved, subject to the applicant's voluntary contribution of \$1 per gross square foot per additional dwelling unit for affordable housing to be paid at time of building permit. See Attachment 7.

Further, effectiveness of the approval shall not occur until after the recordation in the public records of Broward County, Florida, to the satisfaction of Broward County, of the Declaration of Restrictive Covenants proffered by the applicant, as an inducement for Broward County to favorably consider its application.

- II. Planning Council Transmittal Recommendation August 24, 2017

Approval per Planning Council staff transmittal recommendation. (Vote of the board; Unanimous: 13-0; Blackwelder, Blattner, DiGiorgio, Ganz, Gomez, Graham, Grosso, Rosenof, Rosenzweig, Ryan, Seiler, Williams and Stermer)

SECTION II
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-13

INTRODUCTION AND APPLICANT’S RATIONALE

- I. Municipality: Weston
- II. County Commission District: District 1
- III. Site Characteristics
- A. Size: Approximately 25.0 acres
- B. Location: In Sections 5 and 6, Township 50 South, Range 40 East; generally located on both sides of Racquet Club Road, between West Mall Road and Bonaventure Boulevard.
- C. Existing Uses: Hotel and parking lot
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designation: Dashed-Line Area* consisting of 25.0 acres of Irregular (5) Residential
- B. Proposed Designation: Irregular (28.44) Residential
- C. Estimated Net Effect: Addition of 586 dwelling units [125 dwelling units currently permitted by the Broward County Land Use Plan]
- V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site
- A. Existing Uses:
- | | |
|---------------|--|
| <i>North:</i> | Single-family residential and multi-family residential |
| <i>East:</i> | Multi-family residential |
| <i>South:</i> | Single-family residential (under construction) |
| <i>West:</i> | Single-family residential and multi-family residential |

*A “Dashed-Line Area” is defined as an area having a particular maximum overall allowable density of dwelling units for all land and land uses within the area for which the permitted overall density appears inside the dashed line area shown on the land use plan map. That number is multiplied by the total number of acres inside the dashed line, including non-residential areas, to calculate the total number of dwelling units permitted within the same.

INTRODUCTION AND APPLICANT'S RATIONALE (continued)V. Existing Uses and BCLUP Designations Adjacent to the Amendment Site (continued)

B.	<i>Planned Uses:</i>	<i>North:</i>	Irregular (5) Residential within a Dashed-Line Area
		<i>East:</i>	Irregular (5) Residential within a Dashed-Line Area
		<i>South:</i>	Irregular (5) Residential within a Dashed-Line Area
		<i>West:</i>	Irregular (5) Residential within a Dashed-Line Area

VI. Applicant/Petitioner

A.	<i>Applicant:</i>	Hospitality Investing Group, LLC
B.	<i>Agent:</i>	Bonnie Miskel, Esquire Dunay, Miskel & Backman, LLP
C.	<i>Property Owners:</i>	There are numerous property owners in the subject area.

VII. Recommendation of Local Governing Body:

The City of Weston recommends approval. The City anticipates adopting the corresponding local amendment in October of 2017.

VIII. Applicant's Rationale

The applicant states: "This request is to amend the land use of the Bonaventure Resort & Spa (hereinafter referred to as the "Subject Property") consisting of two (2) parcels which consist of 25 gross acres located within the City of Weston (hereinafter referred to as the "City"), in Broward County (hereinafter referred to as the "County"). The Subject Property was developed in the mid 1970's as a resort and golfing destination known then as Bonaventure. The Bonaventure Resort was developed as an overnight stay hotel and the surrounding area was developed with mid- to high-rise density residential and became built-out comprising a total of approximately 6,388 residential units within this area.

The Resort and surrounding lands were originally developed based upon a land use designation of Irregular (Residential) Dashed Line (5) dwelling units (du) per acre. However, like in many areas of Broward County the overall density of Bonaventure at 5 du/acre was the overall average with some parcels of land developed as a cluster containing greater densities per acre, yet the overall density of the area is maintained at no more than 5 du/acre. Shortly after the incorporation of Weston as its own municipality in 1995, the City annexed the Bonaventure area. Hence, the Bonaventure Resort became a part of the City of Weston in 1996.

INTRODUCTION AND APPLICANT'S RATIONALE (continued)**VIII. Applicant's Rationale (continued)**

The Bonaventure Resort & Spa has, in large part, remained the same since its construction in the early 1980's. The existing future land use designation for both the parcels located north and south of Racquet Club Road is Irregular (Residential) Dashed Line (5) as designated within the Broward County Land Use Plan and the City of Weston Comprehensive Plan. The zoning designation for the entire Subject Property was developed as Commercial (C-1); however, in late 2016 in anticipation of the Subject Property's request to amend the existing future land use designation, the zoning district was amended and approved from Commercial (C-1) to High-Rise Multi-Family (MF4) which permits the uses and density contemplated within this application.

In accordance with the Broward County Land Use Plan and the City of Weston Comprehensive Plan, hotel rooms are counted as double the maximum number of dwelling units permitted by the land use plan designation. Based upon the existing and established use, the Subject Property currently consists of 504 hotel rooms (or 252 residential dwelling unit equivalents), 51,815 square feet (SF) of conference center/meeting space area, 38,800 SF of spa, 8,756 SF of dining area, 2,198 SF of recreation areas, surface parking and other ancillary uses for the hotel.

Based upon the current development plan for the Bonaventure Resort & Spa, this application requests the reduction of the hotel rooms from 504 hotel rooms (or 252 residential dwelling units equivalents) to 240 hotel rooms (or 120 residential unit equivalents) and the addition of 591 residential units which are slated to be developed as condominium units. Therefore, this land use plan application requests to amend 25 gross acres from Irregular (Residential) Dashed Line (5) to Irregular (Residential) Dashed Line (28.44) to be shown within the Broward County Land Use Plan and the City of Weston Comprehensive Plan."

SECTION III
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-13

REVIEW OF PUBLIC FACILITIES AND SERVICES

I. Potable Water/Sanitary Sewer/Drainage/Solid Waste/Parks & Open Space

Adequate potable water facility capacity and supply, sanitary sewer facility capacity, drainage, solid waste services, and park and open space acreage will be available to serve the proposed land use. See Attachment 1.

Regarding the long-range planning horizon for potable water supply, it is noted that the City of Weston adopted its 10-year Water Supply Facilities Work Plan on February 17, 2015.

II. Transportation & Mobility

The proposed amendment removes 25 acres of land from the Bonaventure Dashed-Line Area and amends it to Irregular (28.44) Residential, for a total of 586 additional dwelling units. The proposed amendment is projected to increase the number of p.m. peak hour vehicle trips on the regional transportation network at the long-term planning horizon by approximately 346 p.m. peak hour trips. See Attachment 2.

Distribution of the projected additional p.m. peak hour trips indicates that the proposed amendment is projected to impact the operating conditions of the regional transportation network. The MPO Year 2040 Transportation Plan model analysis indicates that the proposed amendment would impact one (1) affected roadway segment of Bonaventure Boulevard, between Saddle Club Road and State Road 84. However, said roadway segment is projected to operate at an acceptable level of service (LOS) "C," with or without the proposed amendment.

Planning Council staff notes the following roadway levels of service for informational purposes only:

- State Road 84, between Indian Trace and Bonaventure Boulevard, is currently operating at and is projected to continue operating at an acceptable level of service (LOS) "C," with or without the subject amendment.
- Saddle Club Road, between Indian Trace and Bonaventure Boulevard, is currently operating at and is projected to continue operating at an acceptable level of service (LOS) "C," with or without the subject amendment.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)**II. Transportation & Mobility (continued)**

Planning Council staff utilizes a “significance” threshold corresponding to additional p.m. peak hour trips in excess of three-percent (3%) of such capacity of a regional roadway link at the long-range planning horizon. Planning Council staff utilizes this significance threshold for several reasons, including a) per Policy 2.14.9 of the Broward County Land Use Plan, a “significance” threshold corresponding to additional p.m. peak hour trips in excess of three-percent (3%) of such capacity of a regional roadway link at the long-range planning horizon, b) the threshold is also considered a margin of error to recognize that there is a range of potential permitted uses and development scenarios for any given land use plan designation, and c) recognition that all new development, independent of any land use plan amendment traffic analysis, is required to comply with Broward County traffic concurrency mitigation provisions, which are assessed at the plat/site planning stage.

The Broward County Transit Division (BCT) staff report states that there are no existing or future fixed route transit services within ¼ mile of the amendment site. The BCT recommends that any proposed development be designed to provide safe movement for pedestrians and bicycles, including connectivity to the existing or planned sidewalk and bicycle network. See Attachment 3.

The Broward County Planning and Development Management Division (PDMD) report notes that to enhance connectivity, the installation of continuous bicycle lanes and sidewalks along East Mall Road should be considered. The PDMD report also recommends that the design of the site provides safe and convenient connections between the development and the surrounding transportation network. Pedestrian and bicycle enhancements should be considered, such as pedestrian-scale lighting, shade trees, bicycle racks, and bicycle repair stations within and around the development. See Attachment 4.

III. Public Schools

The Broward County School Board staff report states that the proposed amendment would generate 246 additional students into Broward County Public Schools, consisting of 108 elementary school students, 66 middle school students and 72 high school students. The report further states that Western High School is under-enrolled in the 2016/2017 school year, and is anticipated to operate below the adopted level of service (LOS) of 100% of gross capacity through the 2018/2019 school year. Eagle Point Elementary and Tequesta Trace Middle Schools are operating above the adopted LOS of 100% of gross capacity (at 105.7% and 103.3% respectively) in the 2016/2017 school year, and are anticipated to continue to operate above the adopted LOS through the 2018/2019 school year (at 108.1% and 107.1% respectively). In addition, the School Board report indicates that there are no charter schools located within a two-mile radius of the proposed amendment site. See Attachment 5.

REVIEW OF PUBLIC FACILITIES AND SERVICES (continued)

III. Public Schools (continued)

The School Board report indicates that there are no planned improvements for the affected elementary, middle and high schools in the currently adopted 5-year or 10-year School Board District Educational Facilities Plans. See Attachment 5.

Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "D," which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. In addition, the residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 5.

SECTION IV
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-13

REVIEW OF NATURAL RESOURCES

I. Designated Protected/Regulated Areas

The Broward County Environmental Protection and Growth Management Department (EPGMD) report indicates that the proposed amendment site does not contain Natural Resource Areas, Local Areas of Particular Concern, or Urban Wilderness Inventory sites within its boundaries. See Attachment 6.

II. Wetlands

The EPGMD report indicates that no aquatic or wetland resources will be impacted by this land use amendment. See Attachment 6.

III. Sea Level Rise

The EPGMD report indicates that the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. See Attachment 6.

IV. Other Natural Resources

The EPGMD report indicates that the subject site contains mature tree canopy. Development of the site must comply with the Tree Preservation regulations of the City of Weston if trees are to be removed or relocated. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use designation is not expected to have a negative impact on upland resources. It is further noted that development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. See Attachment 6.

V. Historical/Cultural Resources

The Broward County Planning and Development Management Division (PDMD) report states that the proposed amendment will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See Attachment 4.

SECTION V
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-13

OTHER PLANNING CONSIDERATIONS/INFORMATION

I. Affordable Housing

The proposed land use plan amendment is subject to Broward County Land Use Plan (BCLUP) Policy 2.16.2, as it proposes 586 additional dwelling units to be permitted by the BCLUP. Planning and Development Management Division (PDMD) staff reviewed the application and notes that prior to a determination of consistency with Policy 2.16.2, PDMD staff respectfully requests that the local government provide an estimate of the existing and projected supply of affordable housing within the City in comparison to the estimated affordable housing supply that is needed to achieve and/or maintain a sufficient supply. See Attachment 4.

In order to meet the requirements of the policy, the applicant has voluntarily committed to contribute one dollar (\$1) per gross square foot (gross floor area) of the additional residential dwelling units (payment would apply to dwelling unit numbers 126-711) to be paid at time of building permit to Broward County to facilitate the affordable purchase or rental of housing. See Attachment 7.

The updated PDMD report notes that the voluntary commitment is consistent with Policy 2.16.2 of the Broward County Land Use Plan. See Attachment 8.

II. BrowardNext - Broward County Land Use Plan Policies

The proposed amendment is found to be generally consistent with the policies of the BrowardNext - Broward County Land Use Plan.

III. Other Pertinent Information/Dashed-Line Area

Planning Council staff notes that the amendment site is within the Bonaventure Dashed-Line Area. The amendment proposes to remove approximately 25 acres from the Dashed-Line Area and amend the land use designation to Irregular (28.44) Residential to allow an additional 586 dwelling units, with the remaining uses unchanged. The Bonaventure Dashed-Line Area will continue to have an overall density of 5 dwelling units per gross acre, and will remain in compliance with the densities and intensities permitted by the Broward County Land Use Plan.

Further, it is noted that the Broward County Planning Council staff sent approximately 170 courtesy notices to all property owners within the land use plan amendment boundaries, as well as within 300 feet of the boundaries.

SECTION VI
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-13

PLANNING ANALYSIS

Our analysis finds that the proposed amendment would be generally compatible with surrounding existing and future land uses. The amendment site is surrounded by the Bonaventure Dashed-Line Area with an overall density of 5 dwelling units per acre, which includes multi-family and single-family residential developments.

Planning Council staff's analysis also finds that adequate **potable water plant capacity and supply, sanitary sewer, drainage, solid waste capacity and park acreage** will be available to serve the proposed land use. Further, no adverse impacts to **natural or cultural resources** were identified.

Regarding the **regional transportation network**, the proposed amendment is projected to increase the number of p.m. peak hour vehicle trips on the regional transportation network at the long-term planning horizon by approximately 346 p.m. peak hour trips. The MPO Year 2040 Transportation Plan model analysis indicates that the proposed amendment would impact one (1) affected roadway segment of Bonaventure Boulevard, between Saddle Club Road and State Road 84, which is projected to operate at an acceptable level of service (LOS) "C," with or without the proposed amendment. Therefore, the proposed amendment is not projected to adversely impact the operating conditions of the regional transportation network. See Attachment 2.

Concerning impacts to **public schools**, the Broward County School Board staff report states that the proposed amendment would generate 246 additional students into Broward County Public Schools, consisting of 108 elementary school students, 66 middle school students and 72 high school students. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "D," which is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area. In addition, the residential dwelling units will be subject to a public school concurrency review at the plat or site plan phase of development review, whichever comes first. See Attachment 5.

Regarding **affordable housing**, the proposed land use plan amendment is subject to Broward County Land Use Plan (BCLUP) Policy 2.16.2, as it proposes 586 additional residential units to be permitted by the BCLUP. The applicant has provided a draft Declaration of Restrictive covenants committing to a voluntary contribution of \$1 per gross square foot per additional dwelling units for affordable housing (dwelling unit numbers 126-711) to be paid at time of building permit. See Attachment 7. The updated PDMD report notes that the voluntary commitment is consistent with Policy 2.16.2 of the Broward County Land Use Plan. See Attachment 8.

PLANNING ANALYSIS (continued)

Planning Council staff finds that the proposed amendment is generally consistent with the policies of the BrowardNext - Broward County Land Use Plan, and recommends that the proposed amendment be approved subject to the applicant's voluntary commitment regarding affordable housing.

SECTION VII
AMENDMENT REPORT
PROPOSED AMENDMENT PC 17-13

ATTACHMENTS

1. Broward County Planning Council Supplemental Report of July 2017
2. Broward County Planning Council Traffic Analysis of May 19, 2017
3. Broward County Transit Division Report of May 16, 2017
4. Broward County Planning and Development Management Division Report of May 23, 2017
5. School Board of Broward County Consistency Review Report of July 7, 2017
6. Broward County Environmental Protection and Growth Management Department Report of May 30, 2017
7. Draft Declaration of Restrictive Covenants regarding Affordable Housing
8. Broward County Planning and Development Management Division Report of August 7, 2017
9. Broward County Parks and Recreation Division Report of May 10, 2017
10. Broward County Water Management Division Report of May 30, 2017

**BROWARD COUNTY PLANNING COUNCIL
SUPPLEMENTAL REPORT
PUBLIC SERVICES AND FACILITIES****BROWARD COUNTY LAND USE PLAN AMENDMENT NUMBER PC 17-13**

Prepared: July, 2017

POTABLE WATER

The proposed amendment site will be served by the City of Sunrise, which consists of three (3) water treatment plants with a combined capacity of 51.5 million gallons per day (mgd). The current and committed demand of the treatment plants is 31.78 mgd, with 19.72 mgd available. The wellfields serving the amendment site have a permitted withdrawal of 40.07 mgd, with 8.29 mgd available, which expires on May 15, 2028. The proposed amendment will result in a net increase of 0.23 mgd on the projected demand for potable water. Planning Council staff utilized level of service of 127 gallons per capita (3.08 persons per household (pph)) per day for residential uses. Sufficient potable water supply and treatment capacity will be available to serve the proposed amendment site.

SANITARY SEWER

The proposed amendment site will be served by the Sunrise Sawgrass Wastewater Treatment Plant, which has a current capacity of 20 mgd. The current and committed demand on the treatment plant is 18.66 mgd, with 1.34 mgd available. The proposed amendment will result in a net increase of 0.13 mgd on the projected demand for sanitary sewer. Planning Council staff utilized level of service of 225 gallons per day for residential uses. Sufficient sanitary sewer capacity will be available to serve the proposed amendment site.

SOLID WASTE

The proposed amendment site will be served by the Broward County South Wheelabrator Facility, which has a current capacity of 2,250 tons per day and a current and committed demand of 1,500 tons per day. The proposed amendment will result in a net increase of 15,702 pounds per day (7.85 tons per day) on the projected demand for solid waste. Planning Council staff utilized level of service of 8.7 pounds per capita (3.08 pph) per day for residential uses. Sufficient solid waste capacity will be available to serve the proposed amendment site.

DRAINAGE

The proposed amendment site is located within the jurisdiction of the Bonaventure Development District (BDD). A surface water management license from BDD will be required prior to any construction.

PARKS AND OPEN SPACE

The City of Weston has 238.89 acres in its parks and open space inventory. The projected population requires approximately 188.81 acres to meet the community parks acreage requirement of 3 acres per one thousand persons population. The proposed amendment will result in a net increase of 5.4 acres on the projected demand for local parks. The City of Weston continues to meet the community parks acreage requirement of the Broward County Land Use Plan of 3 acres per one thousand persons population.

ATTACHMENT 2

TRAFFIC ANALYSIS PC 17-13

Prepared: May 19, 2017

INTRODUCTORY INFORMATION

Jurisdiction: City of Weston

Size: Approximately 25.0 acres

TRIPS ANALYSIS

Potential Trips - Current Land Use Designation

Current Designation: Dashed-Line Area* consisting of 25.0 acres of Irregular (5) Residential

Potential Development: 125 single-family dwelling units

Trip Generation Rate: "ITE Equation (210) Single-Family Detached Housing" **

Total P.M. Peak Hour Trips: 130 peak hour trips

Potential Trips - Proposed Land Use Designations

Proposed Designation: Irregular (28.44) Residential

Potential Development: 711 multi-family dwelling units

Trip Generation Rate: "ITE Equation (220) Apartment"

Total P.M. Peak Hour Trips: 476 peak hour trips

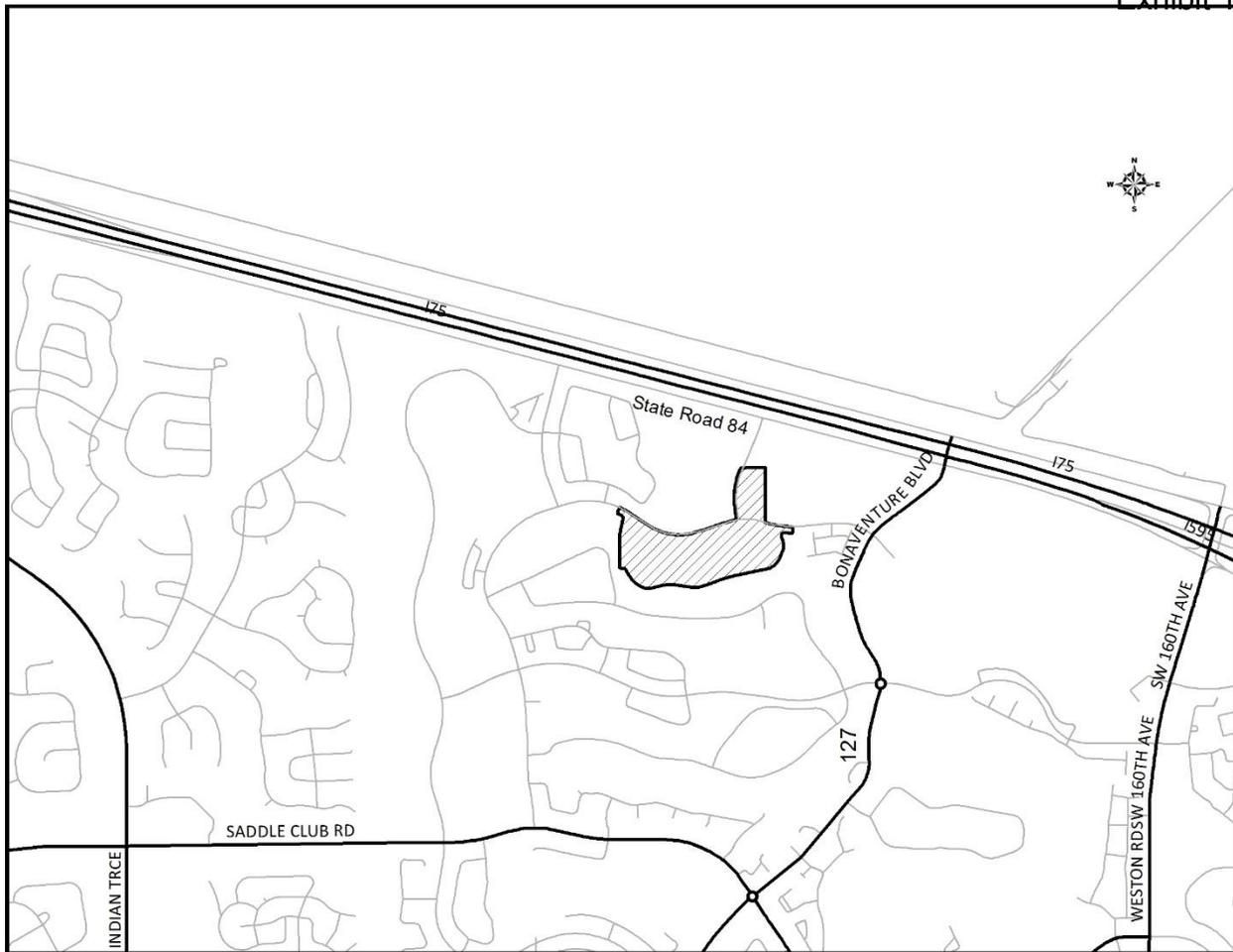
Net P.M. Peak Hour Trips + 346 p.m. peak hour trips

PLANNING COMMENTS

The proposed amendment is projected to increase traffic on the regional roadway network by approximately 346 p.m. peak hour trips at the long-range planning horizon.

*"Dashed-Line Area" means an area having a particular maximum overall allowable density of dwelling units for all land and land uses within the area for which the permitted overall density appears inside the dashed line area shown on the land use plan map. That number is multiplied by the total number of acres inside the dashed line, including non-residential areas, to calculate the total number of dwelling units permitted within the same.

**Institute of Transportation Engineers (ITE) traffic generation equations from "Trip Generation - Ninth Edition," the professionally accepted methodology for estimating the number of vehicle trips likely to be generated by a particular land use.



Affected Regional Transportation Network Without the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Bonaventure Boulevard	Saddle Club Road to State Road 84	969	2,920	C

Affected Regional Transportation Network With the Proposed Amendment: Traffic 2040:

<u>Trafficway</u>	<u>Section</u>	<u>VOL</u>	<u>CAP</u>	<u>LOS</u>
1. Bonaventure Boulevard	Saddle Club Road to State Road 84	1,096	2,920	C

PLANNING COMMENTS

The proposed amendment is projected to increase traffic on the regional transportation network by approximately 346 p.m. peak hour trips at the long-term planning horizon. Distribution of the projected additional p.m. peak hour trips indicates that the proposed amendment would impact one (1) affected roadway segment of Bonaventure Boulevard between Saddle Club Road and State Road 84, which is projected to operate at an acceptable level of service (LOS) “C,” with or without the proposed amendment.



Transportation Department

TRANSIT DIVISION-Service and Capital Planning

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482

VIA EMAIL

May 16, 2017



Barbara Blake Boy, Executive Director
Broward County Planning Council
115 South Andrews Ave, Room 307
Fort Lauderdale, FL 33301

RE: Proposed Amendment to Broward County Land Use Plan PC 17-13

Dear Ms. Blake Boy,

Broward County Transit (BCT) has reviewed your correspondence dated May 5, 2017 regarding the proposed Land Use Plan Amendment (LUPA) for a 25 +/- acre property located in the City of Weston for current and planned transit service. There are no existing fixed route transit services within ¼ mile of the amendment site. Additionally, there no future fixed-route bus improvements specified in the Broward County Transit Development Plan (TDP) or Broward MPO 2040 Long Range Transportation Plan (LRTP).

BCT recommends that any proposed development on the amendment site is designed to provide safe movement for pedestrians and bicycles including connectivity to the existing or planned sidewalk and bicycle network.

Please feel free to call (954) 357-8554 or email me mmittelberg@broward.org if you require any additional information or clarification on this matter.

Sincerely,

A handwritten signature in blue ink that reads "Mabelle Mittelberg".

Mabelle Mittelberg
Service Planner
Service and Capital Planning



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

DATE: May 23, 2017

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council

FROM: Josie P. Sesodia, AICP, Director
Planning and Development Management Division

SUBJECT: Broward County Land Use Plan
Review of Proposed Amendment – Weston PC 17-13



The Broward County Planning and Development Management Division staff has reviewed proposed amendment PC 17-13. The subject site is located in Weston involving approximately 25.0 acres. The amendment proposes:

Current Designations: Irregular (5) Residential within Dashed Line Area

Proposed Designation: Irregular (28.44) Residential

Estimated Net Effect: Addition of 586 dwelling units [125 dwelling units currently permitted by the Broward County Land Use Plan]

Item 7 – Analysis of Natural and Historic Resources

- A. Based on the available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), the County's archaeological consultant determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.
- B. Comments and recommendations pertaining to this land use plan amendment for historic/archaeological resources:
1. The subject property is located within the City of Weston outside jurisdiction of the Broward County historic preservation ordinance (B.C. Ord. 2014-32). The property owner / agent is advised to contact the municipality to seek project review for compliance with municipal historic preservation regulations.

Contact: Attn: Director
Development Services / Planning and Zoning
17200 Royal Palm Boulevard
Weston, Florida 33326
Tel.: (954) 266-6495

2. If, in the event that unmarked burials are discovered, then, pursuant to Florida State Statutes, Chapter 872.05, "all activity that may disturb the unmarked burial shall cease immediately, and the district

Barbara Blake-Boy, Broward County Planning Council
PC 17-13
Page 2
May 23, 2017

medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.”

Contact: Broward County Medical Examiner
5301 S.W. 31st Avenue
Fort Lauderdale, Florida 33312
Telephone: (954) 357-5200
Fax: (954) 327-6580
Email: Med_Exam_Trauma@broward.org
Website: <http://www.broward.org/MedicalExaminer>

Item 8 - Affordable Housing

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 1.07.07. Policy 1.07.07 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. The net effect of the amendment will be an addition of 586 residential units; thus, Policy 1.07.07 applies.

The application states the following two rental developments provide offer affordable housing:

1. Fairlake at Weston (1201 Fairlake Boulevard):
 - 368 unit development
 - Rental housing for very-low, low, and moderate income households
 - Deed restriction requires it to remain affordable
2. Falls at Bonaventure (201 Racquet Club Road):
 - 300 unit development
 - Rent restrictions
 - Low and moderate income households

In addition, the application states the City has allocated 10 percent of its total available flex and reserve units for “Affordable Housing Units.”

Prior to a determination of consistency with Policy 1.07.07, County staff respectfully requests the following provision of the Administrative Rules Document be addressed by the City:

Article 10.4 (A) The local government shall provide an estimate of the existing and projected supply of affordable housing within the local government’s boundaries in comparison to the estimated affordable housing supply that is needed to achieve and/or maintain a sufficient supply.

Item 10 - Hurricane Evacuation Analysis

The amendment site is not located in a Hurricane Evacuation Zone based on the Broward County Land Use Plan’s “Natural Resource Map Series Eastern Broward County: Hurricane Evacuation Zones”.

Item 11 – Redevelopment Analysis

The amendment site is not located within a Community Redevelopment Area.

Barbara Blake-Boy, Broward County Planning Council
PC 17-13
Page 3
May 23, 2017

Item 12 – Intergovernmental Coordination

The proposed amendment site is located approximately ¼-mile south of Unincorporated Area land located in the Water Conservation Area (WCA). The WCA is a vital resource for water supply, flood control, and wildlife habitat. The proposed amendment site is separated from the WCA by the North New River Canal, SR 84, and I-595, as well as a commercial and residential use. Due to its distance from the WCAs and the interposed urban land uses, the proposed amendment is not expected to generate any negative impacts on the WCAs.

Complete Streets

Broward County strongly supports Complete Streets and the expansion of bicycle, pedestrian and greenway networks. The closest Broward County Transit line, Route 23, is located approximately one (1) mile to the east along Weston Road. Broward County's Transit Development Plan identifies Route 23 for a realignment and service expansion, which could result in better transit connectivity to the amendment site in the future.

Pedestrian and bicycle amenities include the following:

- Racquet Club Road: Continuous sidewalks and bike lanes on both sides of the street.
- East Mall Road: Continuous sidewalk on the west side, discontinuous sidewalk on the east side, and no bicycle lanes.

To enhance connectivity, the installation of continuous bicycle lanes and sidewalks along East Mall Road should be considered. It is recommended that that site be designed to include safe and convenient connections between the development and the surrounding transportation network. Pedestrian and bicycle enhancements should be considered, such as pedestrian-scale lighting, shade trees, bicycle racks, and bicycle repair stations within and around the development.

For the convenience of future residents who wish to reduce their carbon footprint, the installation of electric vehicle charging stations should be considered.

If you have any questions, please contact Maribel Feliciano, Assistant Director of the Planning and Development Management Division at 954-519-1424 or mfeliciano@broward.org.

cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department
Ralph Stone, Director, Housing Finance and Community Redevelopment Division
Maribel Feliciano, Assistant Director, Planning and Development Management Division
Sara Forelle, AICP, Planning Section Supervisor, Planning and Development Management Division
Nick Sofoul, Senior Planner, Planning and Development Management Division
Heather Cunniff, AICP, Senior Planner, Planning and Development Management Division

JS/hc

ATTACHMENT 5

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

LAND USE

SBBC-2117-2016

County No: PC 17-13

Bonaventure Resort & Spa

July 7, 2017 2:19:39



RECEIVED
7/7/2017

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

SCHOOL CONSISTENCY REVIEW REPORT - LAND USE

Exhibit 1

PROJECT INFORMATION	IMPACT OF PROPOSED CHANGE	PROPERTY INFORMATION								
Date: July 7, 2017 2:19:39	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Units Permitted</td> <td style="width: 10%; text-align: center;">125</td> <td style="width: 30%;">Units Proposed</td> <td style="width: 10%; text-align: center;">711</td> </tr> <tr> <td colspan="3">NET CHANGE (UNITS):</td> <td style="text-align: center;">586</td> </tr> </table>	Units Permitted	125	Units Proposed	711	NET CHANGE (UNITS):			586	Existing Land Use: Irregular (5) w/in
Units Permitted	125	Units Proposed	711							
NET CHANGE (UNITS):			586							
Name: Bonaventure Resort & Spa		Proposed Land Use: Irregular (28.44)								
SBBC Project Number: SBBC-2117-2016		Current Zoning: LR-5								
County Project Number: PC 17-13		Proposed Zoning: Irregular High 28.44								
Municipality Project Number:		Section: 5, 6								
Owner/Developer: Hospitality Investing Group, LLC		Township: 50								
Jurisdiction: Weston		Range: 40								

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
Eagle Point Elementary	1,304	1,304	1,378	74	5	105.7%
Tequesta Trace Middle	1,432	1,432	1,479	47	3	103.3%
Western High	3,754	3,754	3,179	-575	-23	84.7%

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Capacity Adjusted Benchmark	Projected Enrollment				
				17/18	18/19	19/20	20/21	21/22
Eagle Point Elementary	1,378	74	105.7%	1,395	1,410	1,386	1,370	1,374
Tequesta Trace Middle	1,479	47	103.3%	1,517	1,533	1,524	1,515	1,611
Western High	3,185	-569	84.8%	3,180	3,197	3,215	3,233	3,251

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. 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 used to apply individual charter school enrollment impacts against school facility review processes.

*The first Monday following Labor Day
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

LONG RANGE - TEN-YEAR IMPACT

Exhibit 1

Impacted Planning Area	School District's Planning Area Data			Aggregate Projected Enrollment				
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	21/22	22/23	23/24	24/25	25/26
Area D - Elementary	18,309	16,516	-1,793	17,664	17,797	17,931	18,065	18,199
Area D - Middle	8,685	7,451	-1,234	8,450	8,430	8,411	8,392	8,372
Area D - High	14,044	12,425	-1,619	12,341	12,437	12,533	12,629	12,725

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2016-17 Contract Permanent Capacity	2016-17 Benchmark* Enrollment	Over/(Under)	Projected Enrollment		
				16/17	17/18	18/19
No Charter Schools						

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. 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 school enrollment is used to apply individual charter school enrollment impacts against school facility review processes.

*The first Monday following Labor Day
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN Exhibit 1
(Years 1 - 5)

School(s)	Description of Capacity Additions
Eagle Point Elementary	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Tequesta Trace Middle	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Western High	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.

PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN
(Years 6 - 10)

Capacity Additions for Planning Area D	
School Level	Comments
Elementary	None
Middle	None
High	None

*The first Monday following Labor Day
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Comments

Information contained in the application indicates that the approximately 25-acre site is generally located at the south side of I-75 and west of Bonaventure Boulevard in the City of Weston. The current land use designation for the site is Irregular (5) (within Dashed-Line Area) which allows 125 single family (all four or more bedroom) residential units. The applicant proposes to change the land use designation to Irregular (28.44) and to allow 711 garden apartment (all three or more bedroom) units which are anticipated to generate 246 additional students (108 elementary, 66 middle, and 72 high school) into Broward County Public Schools.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Schools serving the amendment site in the 2016-17 school year are Eagle Point Elementary, Tequesta Trace Middle, and Western High. Based on the District's Public School Concurrency Planning Document, Western High School is operating below the adopted LOS of 100% of their gross capacities in the 2016-17 school year but Eagle Point Elementary and Tequesta Trace Middle Schools are operating above the adopted LOS of 100% (at 105.7% and 103.3%) of their gross 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), Western High School is expected to operate below the adopted LOS of 100% of gross capacities through the 2018-19 school year but Eagle Point Elementary and Tequesta Trace Middle Schools are anticipated to operate above the adopted LOS of 100% (at 108.1% and 107.1% respectively) of gross capacities 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. No charter school is located within a two-mile radius of the subject site in the 2016-17 school year.

Capital Improvements scheduled in the long range section of the currently Adopted DEFP Fiscal Years 2016-17 – 2020-21 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "D" and the elementary, middle, and high schools currently serving Planning Area "D" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "D" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area.

Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT
PROJECT NUMBER: SBBC-2117-2016

7/7/17

Date

Reviewed By:



Signature

Mohammed Rasheduzzaman, AICP

Name

Planner

Title

EP&GMD COMMENTS
 PC 17-13
 Page 1

**ENVIRONMENTAL PROTECTION &
 GROWTH MANAGEMENT DEPARTMENT
 REVIEW AND COMMENTS ON
 PROPOSED BROWARD COUNTY LAND USE PLAN MAP AMENDMENT**

For: Broward County Planning Council

Applicant: Hospitality Investing Group, LLC

Amendment No.: PC 17 - 13

Jurisdiction: Weston **Size:** Approximately 25.0 acres

Existing Use: Hotel and parking lot

Current Land Use Designation: Dashed Line Area consisting of 25.0 acres of Irregular (5) Residential

Proposed Land Use Designation: Irregular (28.44) Residential

Location: Sections: 5 and 6 Township: 50 South Range: 40 East; generally located on both sides of Racquet Club Road, between West Mall Road and Bonaventure Boulevard.

Note: Findings and Recommendations do not constitute waivers from any federal, state or local law.

ANALYSIS AND FINDINGS:

ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION

Air Quality - [CP Policy 13.1.15, BCLUP Policy 09.14.03] The preliminary traffic analysis indicates that the proposed amendment would result in an increase by **346 PM** peak hour trips per day compared to trips associated with the current designation. Based upon the trips generated and the projected levels of service on surrounding roadways, an amendment to the proposed land use designation can reasonably be assumed to have a moderate impact on air quality. There are five air permitted facilities in this area that have no existing issues, therefore, there are no existing or potential odor or noise concerns. Due to the attraction of mobile sources to commercial areas, if the applicant incurs the construction of parking facilities, the Broward County Code of Ordinances, Parking Facility Rule might be applicable.



EP&GMD COMMENTS

PC 17-13

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The Air Quality Program recommends pro-active long term planning methods that will result in the prevention of any further deterioration of our air quality and quality of life. The Air Quality Program recommends that the plan for development includes air quality measures or provisions that will support alternative methods of transportation. These measures include promoting the use of transit, promoting the use of ridesharing, promoting the use of alternative fuel vehicles (AFV) where appropriate and AFV infrastructure, bikeways and bike storage facilities, and the use of pedestrian friendly designs which will include native tree shaded areas. *(SMS 5/23/17)*

Contaminated Sites - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies 01.04.04, 03.04.01] GIS Database of Contaminated Sites - EAR has no objection to the land use amendment, as this is not a known contaminated site. However, there is at least one (1) active contaminated site found adjacent or in close proximity (0.25 miles) to the proposed amendment location. As such, **any dewatering necessary for development would require a Dewatering Approval** from ENVIRONMENTAL ENGINEERING AND PERMITTING DIVISION. NH052517

Solid Waste - [CP Policies 6.1.2, 6.1.3, 13.2.7; BCLUP Policies 01.04.04, 08.01.11, 08.01.13, 08.01.14, 08.01.15] There are no active solid waste facilities located within one mile of the amendment site. There are no inactive solid waste facilities located within one-quarter mile of the site. *(DL 5/17/2017)*

Upland Resources (including Tree Preservation and Greenways) - [CP Policies 13.6.11, 13.6.13, 13.6.14; BCLUP Policies 01.06.02, 05.03.02, 05.03.04, 05.03.05, 09.01.06, 09.01.08, 09.01.09, 09.01.10]

Review of aerial photographs indicates that the subject site contains mature tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Weston. The applicant is required to minimize the number of trees to be removed by incorporating suitable existing trees in the site plan design. If trees cannot be incorporated into the site plan in their current location, the applicant is required to relocate suitable trees. Any trees permitted for removal must be replaced. If the above requirements are adhered to, the proposed land use plan amendment is not expected to have a negative impact on upland resources.

Wetlands - [CP Policies 7.5.9, 7.5.11, 13.8.1, 13.8.2, 13.8.3, 13.8.5, 13.8.6, 13.9.3, 13.9.4, 13.9.6, 13.10.1, 13.10.3, 13.10.4; BCLUP Policies 09.05.01, 09.05.06, 09.05.08, 09.05.09, 09.05.13, 09.05.17 09.05.18]

No aquatic or wetland resources will be impacted by this land use amendment.

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PC 17-13
Page 3

ENVIRONMENTAL AND CONSUMER PROTECTION DIVISION

Wellfield Protection - [PC Policies 4.2.10, 4.4.13, 7.5.2, 7.5.3, 7.5.4, 13.2.2, 13.3.3; BCLUP Policies 09.02.01, 09.02.03, 09.02.05] The proposed amendment site is not currently within a wellfield zone of influence. No special restrictions apply under Broward County's Wellfield Protection regulations. NH052417

SARA TITLE III (Community Right to Know) - [CP Policy 13.2.7; BCLUP Policies 01.04.04, 03.04.01] GIS Database of SARA Title III Facilities in Broward County indicates there are no SARA Title III facilities on or adjacent to the proposed amendment site, NH052417

Hazardous Material Facilities - [CP Policies 13.2.1, 13.2.6, 13.2.7; BCLUP Policies 01.04.04, 03.04.01] GIS Database of Hazardous Material Facilities in Broward County indicates 6 active Hazardous Material facility(s), NH052417

ENVIRONMENTAL PLANNING & COMMUNITY RESILIENCE DIVISION:

Specially Designated Areas - [CP policies 13.6.1, 13.6.4, 13.6.6, 13.6.7, 13.6.9, 13.6.10, 13.7.2, 13.7.5; BCLUP Policies 09.01.01, 09.01.02, 09.01.03, 09.01.04, 09.01.05, 09.01.06, 09.01.11] County specially designated areas, e.g. Natural Resource Areas, Native Vegetative Communities Category Local Areas of Particular Concern, Urban Wilderness Inventory sites, do not exist within the boundaries of the proposed amendment site.

Protected Natural Lands – The project site is not included in the Protected Natural Lands Inventory and not adjacent to a site in the inventory. 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. The Inventory provides information regarding the ownership and management for each of the Protected Natural Lands and may be accessed at:

<http://www.broward.org/NaturalResources/LandStewardship/Pages/NaturalLands.aspx>.

Marine and Riverine Resources - [CP Policies 7.5.10, 13.2.3, 13.5.3, 13.7.6, 13.7.8; BCLUP Policies 05.03.02, 06.01.04, 06.01.05, 06.01.06, 09.02.06, 09.03.01, 09.03.02, 09.03.05, 09.03.06, 09.03.07, 09.03.08, 09.03.09, 09.03.10, 09.03.11, 09.04.02] The proposed land use designation is not expected to have an impact on marine or riverine resources. Impacts to resources require review and licensing under Article XI of Chapter 27, Broward County Code of Ordinances.

Priority Planning Areas for Sea Level Rise – [CP Policies 19.2.2, 19.3.7, 19.3.12, 19.3.13; BCLUP Policies A.03.04, A.03.05, A.03.06, A.03.07, 9.07.02, 9.09.04, 12.01.13]

The Priority Planning Areas for Sea Level Rise Map identifies areas that are at increased risk of

EP&GMD COMMENTS

PC 17-13

Page 4

flooding due to, or exacerbated by, sea level rise by the year 2060. In review of land use plan amendments, the County requires the applicant to demonstrate that the project will not increase saltwater intrusion or areawide flooding, not adversely affect groundwater quality or environmentally sensitive lands, and that subsequent development will be served by adequate stormwater management and drainage facilities.

The County also strongly discourages those amendments which would place additional residential and non-residential development at risk of flooding from sea level rise. The County will take into consideration sea level rise and flood protection mitigation strategies and requirements included within the city's local comprehensive plans and/or development regulations, or improvements committed to by the applicant which would mitigate or enhance flood protection and adaptation from rising sea levels.

While the County encourages applicants to consider these and other impacts from climate change during the site planning process, the proposed amendment site does not contain, fall within, or overlap with an area for planning consideration, as indicated on the Priority Planning Areas for Sea Level Rise Map. Therefore, Policy A.03.05 and portions of policies 9.07.02, and 9.09.04 do not apply to the review of this project.

NatureScape Program – [CP Policies 4.4.8, 13.3.5, 13.3.7, 19.4.11; BCLUP A.02.01] –

NatureScape is about creating Florida-friendly landscapes that conserve water, protect water quality, and create wildlife habitat. Development of the proposed amendment site should be coordinated with the NatureScape Broward Program for guidance in development of any related landscaping plans. Information regarding Naturescape can be accessed at:

<http://www.broward.org/NaturalResources/NatureScape/Pages/Default.aspx>

Surface Water Management - [CP Policies 7.4.2, 7.4.3, 7.5.2, 7.5.9, 13.2.4, 13.3.12; BCLUP Policies 08.01.18, 08.01.19, 09.04.01, 09.04.02, 09.07.01, 09.07.03, 09.09.01, 09.09.02, 09.09.04, 09.10.02]

The proposed amendment site is located within the jurisdiction of the Bonaventure Development District (BDD) basin within the City of Weston, and the South Florida Water Management District.

Successful compliance with the criteria established for the District should result in reducing the potential danger from flooding and maintaining the quality of surface waters. The basin is permitted under the master South Florida Water Management District (SFWMD) Permit No. 06-00067-S. Documentation regarding the drainage district response was not included in the application appendix.

The proposed amendment site is located within the Federal Emergency Management Agency (FEMA) flood insurance zone 0.2 PCT Annual Chance of Flood Hazard. Flood insurance rate zones that are outside the flood plain or the average flood depths of less than 1 foot.

EP&GMD COMMENTS

PC 17-13

Page 5

Water Recharge - [CP Policies 7.4.3, 7.5.2, 7.5.3, 7.5.4, 7.5.7, 7.5.9, 7.5.11, 7.5.12, 13.3.12, 13.3.13; BCLUP Policies 06.01.01, 06.01.03]

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be moderate.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

See attached Water Recharge Questionnaire.

Wetland Resource Questionnaire
PC 17-13

BROWARD COUNTY PLANNING COUNCIL
WETLAND RESOURCE QUESTIONNAIRE
as completed by the
ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT

I. Introductory Information

- A. ***Amendment No.:*** PC 17-13
- B. ***Municipality:*** Weston
- C. ***Project Name:*** Hospitality Investing Group, LLC

II. Site Characteristics

- A. ***Size:*** Approximately 25.0 acres
- B. ***Location:*** Generally located on both sides of Raquet Club Road, between West Mall Road and Bonaventure Boulevard.
- C. ***Existing Use:*** Hotel and parking lot

III. Broward County Land Use Plan Designation

- A. ***Current Designation:*** Dashed Line Area consisting of 25.0 acres of Irregular (5) Residential
- B. ***Proposed Designation:*** Irregular (28.44) Residential

IV. Wetland Review

- A. ***Are wetlands present on subject property?*** No
- B. ***Describe extent (i.e. percent) of wetlands present on subject property.*** None
- C. ***Describe the characteristics and quality of wetlands present on subject property.***
- D. ***Is the property under review for an Environmental Resource License?*** No
- E. ***Has the applicant demonstrated that should the proposed Land Use designation be approved, the proposed project will be consistent with the requirements of Article XI, Chapter 27 of the Broward County Code of Ordinances?***

- V. ***Comments:*** No aquatic or wetland resources will be impacted by this land use amendment.

Wetland Resource Questionnaire
PC 17-13

Completed by: Linda Sunderland, NRS
Natural Resources Manager

**BROWARD COUNTY PLANNING COUNCIL
WATER RECHARGE QUESTIONNAIRE**

as completed by

ENVIRONMENTAL PROTECTION & GROWTH MANAGEMENT DEPARTMENT

I. Introductory Information

- A. *Amendment No.:*** PC 17-13
- B. *Municipality:*** Weston
- C. *Applicant:*** Hospitality Investing Group, LLC

II. Site Characteristics

- A. *Size:*** Approximately 25.0 acres
- B. *Location:*** Sections: 5 and 6 Township: 50 South Range: 40 East; generally located on both sides of Racquet Club Road, between West Mall Road and Bonaventure Boulevard.
- C. *Existing Use:*** Hotel and parking lot

III. Broward County Land Use Plan Designation

Current Land Use Designation: Dashed Line Area consisting of 25.0 acres of Irregular (5) Residential

Proposed Land Use Designation: Irregular (28.44) Residential

IV. Water Recharge Review

A. Describe the general impacts of the current land use designation on water recharge:

The current land use designation is Dashed Line Area consisting of 25.0 acres of Irregular (5) Residential.

A typical value for an impervious area produced by this type of development is approximately 26 percent.

Water Recharge Questionnaire
PC 17-13

Page 2 of 2

B. Describe the general impacts of the proposed land use designation on water recharge:

The proposed land use designation is Irregular (28.44) Residential.

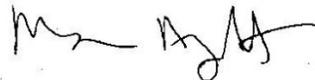
A typical value for an impervious area produced by this type of development is approximately 78 percent.

V. Impact of Change in Land Use Designation

The proposed land use designation would involve a major percentage of impervious area. The development resulting from the proposed land use designation would result in net decrease in the volume of water available for recharge. The change in recharge capacity resulting from development under the proposed designation would be moderate.

This impact level is determined by factoring the size of the site with the percent change of impervious area from the current designation to the proposed designation.

VI. Comments



By: _____

Date 5/30/2017

Maena Angelotti

Environmental Planning and Community Resilience Division

Return to: (enclose self-addressed stamped envelope)

Name: Bonnie Miskel, Esq.

Address:

Dunay, Miskel and Backman, LLP
14 S.E. 4 Street, #36
Boca Raton, FL 33432



This Instrument Prepared by:

Bonnie Miskel, Esq.
Dunay, Miskel and Backman, LLP
14 S.E. 4 Street, #36
Boca Raton, FL 33432

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Covenant") made this ____ day of _____, 20__, by HOSPITALITY INVESTING GROUP, LLC, a Florida limited liability company ("Owner"), which shall be to the benefit of BROWARD COUNTY, FLORIDA, a political subdivision of the State of Florida ("County").

W I T N E S S E T H:

WHEREAS, Owner is the fee simple owner of land located within the City of Weston, more particularly described in **Exhibit "A"** containing approximately 22.4648 net acres or 25 gross acres ("Property"), a Florida limited liability company, is the owner of the Property described in **Exhibit "A"** attached hereto and incorporated herein ("Property"); and

WHEREAS, Owner made an application to County to amend the County Land Use Plan for the Property to change the Property's designation from Broward County Commercial to Broward County Irregular (28.44) dwelling units per acre ("Application") with a density of 28.44 dwelling units per acre;

WHEREAS, in an effort to ameliorate the impacts of the proposed amendment, Owner has voluntarily agreed to place certain restrictions on the development of the Property as set for below.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, Owner hereby declares that the Property shall be subject to covenants, restrictions and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Covenant by this reference.

2. Affordable Housing Mitigation. As a contribution towards the affordable housing program implemented by the County, the Owner shall provide the County with Affordable Housing Payments of One Dollar and no/100 (\$1.00) per square foot of Gross Square Footage of each Dwelling Unit to be constructed on the Property (“Affordable Housing Payment(s)”). The term “Dwelling Unit” means each residential dwelling unit after the 125th residential dwelling unit to be built on the Property for which building permits have been issued to Owner, and does not include any improvements other than residential dwelling units to be built on the Property. By way of example and not limitation, Dwelling Units do not include entry features, guard houses, clubhouses, common areas, leasing or sales offices, or commercial space. The Affordable Housing Payment(s) shall be due in the amount of the Gross Square Footage of the particular Dwelling Unit for which the Owner is then obtaining building permits. The term “Gross Square Footage” means the sum (in square feet) of the area of each floor level, measured from principal outside faces of exterior walls, including but not limited to, (a) basements, corridors, hallways, utility areas, elevators storage rooms, stair cases and mezzanines, (b) areas that have floor surfaces with clear standing head room (6 FT, 6 inches minimum) regardless of

their use and (c) areas which are not enclosed, but roofed; however, the calculation of Gross Square Footage excludes architectural projections and unroofed areas. Compliance with this provision shall be a precondition to receipt of environmental approval for a building permit for each Dwelling Unit to be constructed on the Property for those units in excess of the 125th Dwelling Unit.

3. Amendments. This Covenant shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then owner or owner(s) of the portion of the Property affected by such modification, amendment or release and approved in writing by the County. The appropriate governmental authority of the County shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this Covenant shall be recorded in the Public records of Broward County, Florida.

4. Recordation and Effective Date. This Covenant shall not become effective and shall not be recorded in the Public records of Broward County, Florida until after approval by the County of the requested Application and the expiration of all appeal periods, or if an appeal is filed, the conclusion of such appeal in a manner that does not affect the County's approval of the Application. Once recorded, this Covenant shall run with the land for the sole benefit of the County and shall bind all successors-in-interest with respect to the Property. This Covenant shall not give rise to any other cause of action by any parties other than the County, and no party other than the County shall be entitled to enforce this Covenant. Any failure by the County to enforce this Covenant shall not be deemed a waiver of the right to do so thereafter.

5. Termination. Once the Affordable Housing Payment(s) referenced in Paragraph 2 is paid in full to the County for one or more Dwelling Units in excess of the 125th Dwelling Unit, this Covenant shall be promptly terminated as to such Dwelling Units in accordance with the form of termination provided in **Exhibit "B"** (a "Termination"). The County Administrator, or

its designee, is authorized to execute the termination without further action of the County Commission upon the satisfaction of the Owner's payment obligation of the Affordable Housing Payment (s) in Paragraph 2 of this Covenant. Notwithstanding anything herein to the contrary, upon request of the Owner, County shall promptly cause one or more terminations (as necessary) to be recorded for the first 125 residential dwelling units on the Property for which Owner pulls building permits (which Terminations shall serve as a confirmation that such residential dwelling units are not subject to this Covenant or the Affordable Housing Payment[s]).

6. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part of this Covenant invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect.

7. Captions, Headlines and Titles. Articles and paragraph captions, headings and titles inserted throughout this Covenant are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder of the terms and provisions of this Covenant.

8. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neutral form thereof, and the singular form or any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida and venue for any litigation arising hereunder shall be Broward County, Florida.

**[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK.
SIGNATURE PAGES TO FOLLOW]**

IN WITNESS WHEREOF, Owner has executed this Covenant as of the day and year set forth above.

OWNER:

Signed, sealed and delivered
in the presence of:

WITNESSES:

Hospitality Investing Group, LLC, a Florida limited liability company

Print Name: _____

By: CG Bonaventure Resort LLC, its Manager

By: CG Bonaventure LLC, its Manager

Print Name: Meyer Chetrit

Signature: _____

Title: Manager

Print Name: _____

STATE OF _____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by Meyer Chetrit, Manager of CG BONAVENTURE LLC, a Florida limited liability company, Manager of CG BONAVENTURE RESORT LLC, a Florida limited liability company, Manager of HOSPITALITY INVESTING GROUP, LLC, a Florida limited liability company, on behalf of said limited liability companies. He is personally known to me or has produced _____ as identification.

Seal:

Notary Public, State of Florida
My Commission Expires:

EXHIBIT A – LEGAL DESCRIPTION OF THE PROPERTY

LEGAL DESCRIPTION FOR THE BONAVENTURE RESORT & SPA (ENTIRE)

PARCEL I: ALL OF TRACT 12, "BONAVENTURE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH, PARCEL II:

A PORTION OF TRACT 57, "BONAVENTURE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT 22, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA;

THENCE SOUTH 00 DEGREES 01 MINUTES 52 SECONDS WEST ALONG THE WEST BOUNDARY OF SAID TRACT 22, A DISTANCE OF 306.30 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 105 DEGREES 29 MINUTES 39 SECONDS, AN ARC DISTANCE OF 46.03 FEET TO A POINT OF A REVERSED CURVATURE;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 640.00 FEET, A DELTA OF 18 DEGREES 25 MINUTES 43 SECONDS, AN ARC DISTANCE OF 205.85 FEET TO A POINT OF REVERSE CURVATURE;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25 FEET, A DELTA OF 84 DEGREES 23 MINUTES 27 SECONDS, AN ARC DISTANCE OF 36.82 FEET;

THENCE TANGENT TO SAID CURVE NORTH 08 DEGREES 30 MINUTES 46 SECONDS WEST, 48.18 FEET;

THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 710.00 FEET, A DELTA OF 32 DEGREES 09 MINUTES 22 SECONDS, AN ARC DISTANCE OF 398.47 FEET;

THENCE NORTH 23 DEGREES 39 MINUTES 36 SECONDS EAST, 31.87 FEET (THE LAST SIX (6) COURSES DESCRIBED BEING COINCIDENT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF RACQUET CLUB ROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF EAST MALL ROAD AS SHOWN ON SAID BONAVENTURE PLAT);

THENCE SOUTH 89 DEGREES 58 MINUTES 08 SECONDS EAST, 204.24 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 52 SECONDS WEST, 180.00 FEET TO THE POINT OF BEGINNING COMPRISING A TOTAL OF 22.4648 TOTAL NET ACRES.

EXHIBIT B – FORM OF TERMINATION

RECORD and Return to: (enclose self-addressed stamped envelope)

Name: Bonnie Miskel, Esq.

Address:

Dunay, Miskel and Backman, LLP
14 S.E. 4 Street, #36
Boca Raton, FL 33432

This Instrument Prepared by:

Bonnie Miskel, Esq.
Dunay, Miskel and Backman, LLP
14 S.E. 4 Street, #36
Boca Raton, FL 33432

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**FORM
TERMINATION OF DECLARATION OF RESTRICTIVE COVENANTS**

THIS TERMINATION OF DECLARATION OF RESTRICTIVE COVENANTS ("Covenant") made this ____ day of _____, 20____, by HOSPITALITY INVESTING GROUP, LLC, a Florida limited liability company ("Owner"), which shall be to the benefit of BROWARD COUNTY, FLORIDA, a political subdivision of the State of Florida ("County").

W I T N E S S E T H:

WHEREAS, Owner and County entered into that certain Declaration of Restrictive Covenants dated _____, 20____, recorded _____, 20____ in Official Records Book Instrument Number _____ amongst the Public records of Broward County, Florida ("Covenant"); and

WHEREAS, the Covenant provides for Owner to mitigate the impacts of the development proposed for the Property by making a contribution to affordable housing programs implemented by the County.

NOW, THEREFORE, know by these presents that:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. As evidenced by the receipt from the County provided herein as Exhibit "A", Owner has complied with the conditions of the Covenant and the Covenant is terminated and rendered null, void and of no further force or effect and the Property described on **Exhibit "B"** is hereby released of any and all restrictions imposed the Covenant.

IN WITNESS WHEREOF, Owner and County have made and executed this termination on _____ of 20__ acting by and through its _____, duly authorized to execute same.

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK. SIGNATURE PAGES TO FOLLOW]

OWNER:

Signed, sealed and delivered
in the presence of:

WITNESSES:

Print Name: _____

By: _____

Name: _____

Title: _____

Address: _____

Print Name: _____

Dated: _____

STATE OF FLORIDA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
20____, by _____,
as _____ of _____, a
_____, on behalf of said _____ company. He is personally known to
me or has produced _____ as identification.

Seal:

Notary Public, State of Florida
My Commission Expires:

COUNTY:

Signed, sealed and delivered
in the presence of:

WITNESSES:

BROWARD COUNTY, FLORIDA

Print Name: _____

By: _____

Its: _____

Print Name: _____

Dated: _____

Attest: _____
County Administrator and Ex-Officio
Clerk of the Board of County Commissioners
Of Broward County

STATE OF FLORIDA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____,
20__, by _____, as _____ of Broward, County, Florida. He or she
is personally known to me or has produced _____ as identification.

Seal:

Notary Public, State of Florida
My Commission Expires:



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

115 S. Andrews Avenue, Room 329K • Fort Lauderdale, Florida 33301 • 954-357-6634 • FAX 954-357-8655

DATE: August 7, 2017

TO: Barbara Blake Boy, Executive Director
Broward County Planning Council

FROM: Josie P. Sesodia, AICP, Director
Planning and Development Management Division

SUBJECT: Broward County Land Use Plan
Review of Proposed Amendment – Weston PC 17-13
--Updated Affordable Housing Comments



The Broward County Planning and Development Management Division staff has reviewed proposed amendment PC 17-13. The subject site is located in Weston involving approximately 25.0 gross acres. The amendment proposes:

Current Designations: Irregular (5) Residential within Dashed Line Area

Proposed Designation: Irregular (28.44) Residential

Estimated Net Effect: Addition of 586 dwelling units [125 dwelling units currently permitted by the Broward County Land Use Plan]

Item 8 - Affordable Housing—Updated Comments

Amendments which propose to add 100 or more residential dwelling units to the existing densities approved by the Broward County Land Use Plan (BCLUP) are subject to the requirements of BCLUP Policy 2.16.2. Policy 2.16.2 requires the involved municipality to provide those professionally accepted methodologies, policies, and best available data and analysis, which the municipality has used to define affordable housing needs and solutions within the municipality. The net effect of the amendment will be an addition of 586 residential units; thus, Policy 2.16.2 applies.

The application states the following two rental developments offer affordable housing:

1. Fairlake at Weston (1201 Fairlake Boulevard):
 - 368 unit development
 - Rental housing for very-low, low, and moderate income households
 - Deed restriction requires it to remain affordable
2. Falls at Bonaventure (201 Racquet Club Road):
 - 300 unit development
 - Rent restrictions
 - Low and moderate income households

In addition, the application states the City has allocated 10 percent of its total available flex and reserve units for "Affordable Housing Units."

Barbara Blake-Boy, Broward County Planning Council

PC 17-13

Page 2

August 7, 2017

Consistent with Policy 2.16.2, the Applicant has voluntarily offered to contribute one dollar (\$1) per gross square foot for each dwelling unit to be constructed on the property after the 125th residential dwelling unit. The Declaration of Restrictive Covenants indicates that the current land use designation of Irregular (5) Residential on 25 acres already allows 125 dwelling units to be built on the property. Since these units are considered exempt from the affordable housing policy, the voluntary commitment will apply to additional dwelling units up to a total of 586 additional units. This voluntary commitment is therefore consistent with BCLUP Policy 2.16.2.

cc: Henry Sniezek, Director, Environmental Protection and Growth Management Department
Maribel Feliciano, Assistant Director, Planning and Development Management Division
Sara Forelle, AICP, Planning Section Supervisor, Planning and Development Management Division
Heather Cunniff, AICP, Senior Planner, Planning and Development Management Division
Susanne Carrano, Senior Planner, Planning and Development Management Division

JS/sf



PARKS AND RECREATION DIVISION • Administrative Offices
 950 N.W. 38th St. • Oakland Park, FL 33309-5982 • 954-357-8100 • TTY 954-537-2844 • FAX 954-357-5991

*Winner of the National Gold Medal Award for Excellence in Park and Recreation Management
 Accredited by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA)*

MEMORANDUM

May 10, 2017

RECEIVED

MAY 23 2017

To: Barbara Blake Boy, Executive Director
 Broward County Planning Council

**BROWARD COUNTY
 PLANNING COUNCIL**

Thru: ~~Dan~~ Dan West, Director
 Parks and Recreation Division

From: John R. Fiore, Planner
 Parks and Recreation Division

A handwritten signature in black ink, appearing to read "John R. Fiore", is written over the "From:" line.

Re: **Land Use Plan Amendment Comments
 August 24, 2017 Meeting**

The Broward County Parks and Recreation Division has reviewed the proposed amendment to the Broward County Land Use Plan scheduled for the Planning Council's first public hearing at their June 2017 meeting. Our comment is as follows:

PC 17-13 No objections. However, regional park impact fees will be required at the time of platting, replatting, or a note on the face of the plat, to reflect the regional park impact fees to be paid for the 585 new residential dwelling units which this land use amendment would permit.

If you or your staff has any questions about our comments, please call me at 954-357-8133.

Broward County Board of County Commissioners

Mark D. Bogen • Beam Furr • Steve Geller • Dale V.C. Holness • Chip LaMarca • Nan H. Rich • Tim Ryan • Barbara Sharief • Michael Udine
 Broward.org/Parks • Facebook.com/BrowardCountyParks • Twitter.com/BrowardParks • YouTube.com/BrowardCountyParks



Public Works Department – Water and Wastewater Services

WATER MANAGEMENT DIVISION

2555 West Copans Road • Pompano Beach Florida 33069 • PHONE: 954-831-0751 • FAX: 954 831-3285

MEMORANDUM



May 30, 2017

TO: Barbara Blake Boy
Executive Director Broward County Planning Council

FROM: Joe Heilman
Broward County Water Management Division

SUBJECT: LAND USE PLAN AMENDMENT
PC 17-13

I have reviewed the information in the package for the referenced Land Use Plan Amendment. The drainage information in the package is essentially correct.

- PC 17-13

Our office has no objections or comments for this amendment.

Respectfully,

A handwritten signature in blue ink, appearing to be "JHeilman", written over a light blue circular stamp.

Joe Heilman
Construction Project Manager
Broward County Water Management Division
2555 W. Copans Road, Pompano Beach, FL 33069
Office:(954)-831-0764
E-mail: JHeilman@Broward.org