

STAFF REPORT
Duke Pembroke "B"
043-MP-08

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 January 26, 2010 for 299,999 square feet of office use on 18.7 acres. The property is located north of Pembroke Road, between Southwest 145 Avenue, and I-75, in the City of Pembroke Pines. The plat was recorded on June 17, 2010 (P.B. 179, PG. 100).

An application for a new Findings of Adequacy for 299,999 square feet of office use on the plat was approved by the County Commission on August 11, 2015; **therefore, the new Findings of Adequacy expiration date for this plat is August 11, 2020.** The current note reads as follows (INSTRUMENT # 113387023):

This plat is restricted to **299,999 square feet of office use.** No free standing or drive-thru bank facilities and/or commercial/retail uses are permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

The applicant is requesting to increase the office use by 50,001 square feet for an amended total of 350,000 square feet. The proposed note reads as follows:

This plat is restricted to **350,000 square feet of office use on Parcel A.** No free standing or drive-thru bank facilities and/or commercial/retail uses are permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

A companion request to amend the note on Parcel A-2 of the adjacent plat DUKE PEMBROKE "A" (P.B. 178, PG. 142) to reduce the office use by 50,001 square feet, for an amended total of 102,584 square feet, is also scheduled for County Commission consideration on November 7, 2017.

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 "Office Park" land use category and that this request is in compliance with the permitted uses of the effective Land Use Plan.

The Broward County Aviation Department has no objections to this plat. However, the applicant is advised by staff of the Aviation Department that any proposed construction on this property with a height exceeding 200 feet, or the use of cranes or other high-lift equipment, must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply to this development. Based on the location of the proposed project, the FAA may need to conduct a review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

A previous review in 2015 of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) by the County's consulting archaeologist indicated that previously recorded FMSF archaeological site 8BD3163, Pembroke Center, was located within this plat just east of I-75. However, a *Cultural Resource Assessment Survey of the Northern Portion of Site 8BD3163, Broward County, Florida*, conducted by Environmental Services, Inc. for Duke Realty in May 2015, confirmed that no archaeological materials were present with the area of concern, located north of the recorded archaeological site boundaries, and validated by visual assessment that any known resources associated within the boundaries of site 8B3163 have formerly been impacted by grading and capped by fill. Therefore, the proposed development on this plat is not likely to further compromise archeological site 8B3163 and the consulting archaeologist had no objections.

The consulting archaeologist also noted 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 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.

The Environmental Planning and Community Resilience Division has reviewed this request and at this time, this site is not included in the Protected Natural Lands Inventory; however, the Pembroke Harbor Mitigation Area, which is included in the Protected Natural Lands Inventory, is adjacent to the eastern boundary of this plat. 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-20 indicates no objection to this request which was approved by the City Commission on May 17, 2017.

This plat with the amended note satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Land Development Code. In addition, this request represents a decrease of 56 PM peak hour trips. The plat is located within the South Central Transportation Concurrency Management District and the proposed office use in subject to transportation concurrency fees; however, it is also adjacent to the Southwest Standard Concurrency District, and Section 5-182(a)(5)a)6) of the Land Development Code provides that, in lieu of the payment of some or all of the transportation concurrency assessment, a Developer may participate in implementing an alternative improvement which may be a roadway improvement.

Accordingly, the developer executed an Amendment to a Regional Road Concurrency Agreement Relating to the Duke Pembroke "A" Plat (recorded as INSTRUMENT NO. 108582853) which states that all transportation concurrency payments for the current plat note, which equates to the initial 415 PM peak hour trips generated by the proposed development, shall be applied towards the County's road project to construct a bridge on Pembroke Road over I-75 as a four-lane facility, from Southwest 136 Avenue to Southwest 160 Avenue, in lieu of the concurrency payments being allocated to transit improvements in the South Central Transportation Concurrency Management District. The County no longer requires security for the payment of concurrency fees, and a first amendment to this agreement, deleting the surety bond requirement, was approved by the County Commission on June 13, 2017 (ITEM #38). The amended agreement has been recorded as INSTRUMENT # 114445604.

The transportation concurrency fees for the proposed office use will be assessed and paid in accordance with the fee schedule in effect during the review of construction plans by the Development and Environmental Review Section of the Planning and Development Management Division. These fees will be based on the gross square footage of any building(s) as defined in the ordinance.

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

- 1) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **November 7, 2018**.

The amended note must also include language stating the following:

- A) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **August 11, 2020**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or
- B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **August 11, 2020**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity,

documenting compliance with this requirement within the above referenced time frame.

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.

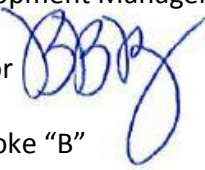
Finally, the applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the 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.

SMC





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

FROM: Barbara Blake Boy, Executive Director 

RE: Delegation Request for Duke Pembroke "B"
(043-MP-08) City of Pembroke Pines

DATE: September 12, 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 299,999 square feet of office use.

TO: This plat is restricted to 350,000 square feet of office use.

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 "Office Park" land use category. This plat is generally located north of Pembroke Road, between Northwest 145 Avenue and Interstate 75.

The proposed office use is in compliance with the permitted uses of the effective land use plan.

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

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

Application: Request to amend the note to increase 50,001 square feet of office use.)
File Number: 043-MP-08
Project Name: Duke Pembroke "B"
Comments Due: September 8, 2017
Development Type: Office (350,000 Square Feet)

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' Water Treatment Plant which has a capacity of 18.000 MGD and a maximum daily flow of 14.800 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:	Pembroke Pines
Flow Data:	As of 7/17
EPGMD Licensed Capacity	9.5000 MGD
12 Month Average Flow:	6.2500 MGD
Existing Flow Reserved by Building Permit:	0.3700 MGD
Total Committed Flow:	6.6200 MGD
Estimated Project Flow	0.0700 MGD

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 Environmental Engineering and Licensing Section of the Environmental Licensing and Building Permitting Division at 954-519-1483.

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043-MP-08 DUKE PEMBROKE "B"

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.

Review of available information indicates that, at this time, there are no wetlands within the boundaries of this plat, therefore, a Conceptual Dredge and Fill Review Report is not required. Wetland impacts have been reviewed and licensed under Environmental Resource License DF06-1029. Other activities, such as lake or canal excavation regulated under Article XI of the Natural Resource Protection Code, may require a license. The Applicant is encouraged to contact the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division at 954-519-1483 at the earliest time to determine if, and what type of, a license may be required prior to undertaking any surface disturbing activities.

The Aquatic and Wetland Resources Section of the Environmental Licensing and Building 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 Aquatic and Wetland Resources 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 is adjacent to Pembroke Harbor Mitigation Area, which is included 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 the Natural Land. 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 for each of the Protected Natural Lands and may be accessed at <http://gis.broward.org/flex/ProtectedNaturalLands/>.

Additional Comments Addressing Certain Environmental Protection Actions Needed to Implement the Project

1. Any discharges to ground or surface waters, excluding stormwater, will require review and approval from the Environmental Engineering and Licensing Section of the Environmental Licensing and Building Permitting Division prior to discharge.
2. An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code which were not reviewed and licensed under Environmental Resource License DF06-1029. Contact the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division at 954-519-1483 for specific license requirements.

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043-MP-07 DUKE PEMBROKE "B"

Be advised that approval of a plat note amendment 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 Licensing and Building 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-20

RESOLUTION NO. 3548

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT (DELEGATION REQUEST) FOR THE DUKE PEMBROKE 'B' PLAT FOR THE APPROXIMATE 18.68-ACRE PROPERTY GENERALLY LOCATED EAST OF I-75 AND NORTH OF PEMBROKE ROAD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; INCREASING THE OFFICE USE ON THE SUBJECT PROPERTY FROM TWO HUNDRED NINETY-NINE THOUSAND NINE HUNDRED NINETY-NINE (299,999) SQUARE FEET TO THREE HUNDRED AND FIFTY THOUSAND (350,000) SQUARE FEET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On September 16, 2009, the City Commission approved Resolution 3240, adopting the Duke Pembroke "B" Plat which restricted the approximate 18.68-acre parcel of property generally located east of I-75 between Pines Boulevard and Pembroke Road, as more particularly described in **Exhibit "A"**; to two hundred ninety-nine thousand nine hundred ninety-nine (299,999) square feet of office use; and;

WHEREAS, the plat note on the Duke Pembroke "B" Plat must be amended to be consistent with the recent land use plan amendment which increased the office use on Parcel A to 350,000 square feet; and,

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

THIS PLAT IS RESTRICTED TO 299,999 SQUARE FEET OF OFFICE USE. NO BANKS AND/OR COMMERCIAL/RETAIL USES ARE PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.

WHEREAS, the plat must be amended to reflect an increase as to office use on parcel A to 350,000 square feet; and,

PROPOSED RESOLUTION NO. 2017-R-20

RESOLUTION NO. 3548

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 350,000 SQUARE FEET OF OFFICE USE ON PARCEL A. NO BANKS AND/OR COMMERCIAL/RETAIL USES ARE PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.

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

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:

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 Duke Pembroke "B" Plat which restricted the approximate 18.68-acre parcel of property generally located east of I-75 between Pines Boulevard and Pembroke Road, as more particularly described in **Exhibit "A,"** increasing the office use on the subject property from Two Hundred Ninety-Nine

PROPOSED RESOLUTION NO. 2017-R-20

RESOLUTION NO. 3548

Thousand Nine Hundred Ninety-Nine (299,999) square feet to Three Hundred and Fifty Thousand (350,000) square feet, and to amend the plat note to state:

THIS PLAT IS RESTRICTED TO 350,000 SQUARE FEET OF OFFICE USE ON PARCEL A. NO BANKS AND/OR COMMERCIAL/RETAIL USES ARE PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.

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.

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.

PROPOSED RESOLUTION NO. 2017-R-20

RESOLUTION NO. 3548

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
PEMBROKE PINES, FLORIDA, THIS 17TH DAY OF MAY, 2017.

CITY OF PEMBROKE PINES, FLORIDA

By: 
MAYOR FRANK C. ORTIS

ATTEST:


MARLENE GRAHAM, CITY CLERK

ORTIS AYE

CASTILLO AYE

APPROVED AS TO FORM:

SCHWARTZ AYE

SHECHTER AYE


OFFICE OF THE CITY ATTORNEY

SIPLE AYE



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 Duke Pembroke B Plat

Plat Number 043-MP-08 Plat Book - Page 179-100 (If recorded)

Owner/Applicant Pembroke 145 Office, LLC Phone 770-436-1791

Address 3350 Riverwood Parkway, Suite 750 City Atlanta State GA Zip Code 30339

Owner's E-mail Address mprince@TPA-grp.com Fax # _____

Agent Greenspoon Marder, PA Phone 954-491-1120

Contact Person Dennis D. Mele, Esq., copy to Sarah Stewart, AICP

Address 200 East Broward Blvd., Ste 1800 City Fort Lauderdale State FL Zip Code 33301

Agent's E-mail Address dennis.mele@gmlaw.com copy to sarah.stewart@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
7960 Johnson Street, Pembroke Pines, FL 33024

Will project be served by an approved sewage treatment plant? If YES, state name and address Yes No
13955 Pembroke Road, Pembroke Pines, FL 33027

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 _____

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

Number of students for a daycare center or school STUDENTS N/A

Reasons for this request (Attach additional sheet if necessary.) Plat Note Amendment

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?
N/A					

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 GEORGIA
 County of Cobb

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 _____
 Sworn and subscribed to before me this 11 day of April, 2017
 by J. BRADFORD SMITH He/she is personally known to me
 Has presented _____ as identification

Signature of Notary Public Jacqueline Marie Denier
 Type or Print Name Jacqueline M. Denier



FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY

Time _____ Application Date 08-16-17 Acceptance Date 08-24-17
 Comments Due 09-08-17 C.C. Mtg. Date 10-10-17 Fee \$ 2,090

Plats Survey Site Plan City Letter Agreements

Other Attachments(Describe) Resolution No. 2017-R-20
 Title of Request note amendment

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 miramar Received by [Signature]

EXHIBIT "B"

AMENDMENT TO NOTATION ON PLAT

The existing notation shown on the face of the PLAT clarifying and limiting the use of the platted property is amended from:

THIS PLAT IS RESTRICTED TO 299,999 SQUARE FEET OF OFFICE USE. NO BANKS AND/OR COMMERCIAL/RETAIL USES ARE PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.

The notation shown on the face of the PLAT clarifying and limiting the use of the platted property is amended to:

THIS PLAT IS RESTRICTED TO 350,000 SQUARE FEET OF OFFICE USE ON PARCEL A. NO BANKS AND/OR COMMERCIAL/RETAIL USES ARE PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.