STAFF REPORT Bel Lago Villas Plat 037-MP-08

A request to revise the note on the plat has been filed with the Planning and Development Management Division. This plat was approved by the County Commission on February 28, 2012, for 270 garden apartments (78 one-bedroom, 156 two-bedroom, 36 three-bedroom) on Parcel A; 116,293 square feet of self-storage (including 1,850 square feet of office and one resident manager unit) on Parcel B; and 8,750 square feet of restaurant on Parcel C. The 18.16-acre property is located on the north side of Wiles Road, between State Road 7 and Banks Road, in the City of Coconut Creek.

The applicant is requesting to revise the note on the plat to eliminate the restaurant use from Parcel C and add 89,966 square feet of self-storage including 1,945 square feet of office. The proposed note language reads as follows:

This plat is restricted to 270 garden apartments (78 one-bedroom, 156 two-bedroom, 36 three-bedroom) on Parcel A; 116,293 square feet of self-storage (including 1,850 square feet of office and one resident manager unit) on Parcel B; and 89,966 square feet of self-storage (including 1,945 square feet of office) on Parcel C.

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 "Residential 10 du/ac" land use category. Planning Council staff received written documentation that the City of Coconut Creek applied the "5% residential to commercial" flexibility rule to Parcel C pursuant to Ordinance No. 2010-013 on August 26, 2010; therefore, this request complies with the permitted uses and densities of the effective Land Use Plan.

This application has been reviewed by Highway Construction and Engineering Division staff who has no objections to this request.

The attached letter from the City of Coconut Creek indicates no objection to the requested amendment.

Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting archaeologist indicates that the proposed development is not likely to impact any significant historical or archaeological resources, and the consulting archaeologist has no objections to this application. The consulting archaeologist also notes that this plat is located within the City of Coconut Creek which is within the archaeological and historical jurisdiction 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 <a href="mailto:referrer@broward.org">referrer@broward.org</a>, 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,

#### Continued

and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner of 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 and is not adjacent to a site in the inventory. The Environmental Review Report, coordinated by the Planning and Development Management Division, is attached.

This plat with the amended note satisfies the regional park concurrency requirement of Section 5-182(i) and the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code. This request represents a decrease of 64 PM peak hour trips. The plat is located within the North Central Transportation Concurrency Management District and meets the regional transportation concurrency standards specified in Section 5-182(a)(5) (a) of the Broward County Land Development Code.

The transportation concurrency fees for the proposed industrial 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 **January 23, 2019.** 

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) for Parcel C and first inspection approval are not issued by January 23, 2023, 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 for Parcel C have not been substantially completed by January 23, 2023, 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

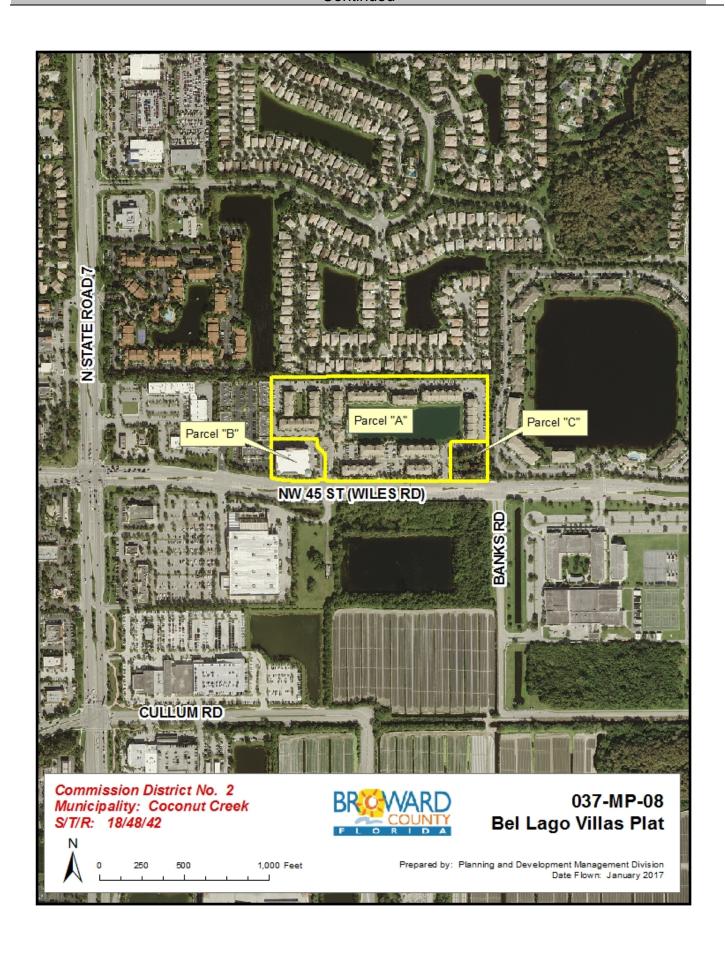
#### Continued

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.

KDL





TO: Josie P. Sesodia, AICP, Director

Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director

RE: Delegation Request for Bel Lago Villas Plat (Parcel C)

(037-MP-08) City of Coconut Creek

DATE: November 29, 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 as follows:

FROM: Parcel C is restricted to 8,750 square feet of restaurant use.

TO: Parcel C is restricted to 89,966 square feet of self-storage use (including 1,945

square feet of office).

The Future Land Use Element of the City of Coconut Creek Comprehensive Plan is the effective land use plan for the City of Coconut Creek. That plan designates the area covered by this plat for the uses permitted in the "Residential 10 du/ac" land use category. This plat is generally located on the north side of Wiles Road, between State Road 7/U.S. 441 and Lyons Road.

Planning Council staff has received written documentation that the City of Coconut Creek applied the "5% residential-to-commercial" flexibility rule to Parcel "C" of this plat through Ordinance No. 2010-013 on August 26, 2010. Therefore, the proposed self-storage 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:KJW

cc: Mary C. Blasi, City Manager City of Coconut Creek

> Sheila Rose, AICP, Director, Department of Sustainable Development City of Coconut Creek



### DEPARTMENT OF SUSTAINABLE DEVELOPMENT **PLANNING & ZONING DIVISION**

4800 WEST COPANS ROAD COCONUT CREEK, FLORIDA 33063



SHEILA N. ROSE DEPARTMENT DIRECTOR

September 19, 2017

Josie P. Sesodia, Director Environmental Protection and Growth Management Department Planning and Development Division 1 N. University Drive Plantation, Florida 33324

RE: Bel Lago Villas Plat

Dear Josie Sesodia:

Please be advised that the City of Coconut Creek has no objection to the proposed note amendment described below.

From: This Plat is restricted to 270 garden apartments (78 one-bedroom, 156 twobedroom, and 36-three bedroom) on Parcel A; 116,293 square feet of selfstorage (including 1,850 square feet of office and one resident manager unit) on Parcel B, and 8,750 square feet of restaurant on Parcel C.

This Plat is restricted to 270 garden apartments (78 one-bedroom, 156 two-To: bedroom, and 36-three bedroom) on Parcel A; 116,293 square feet of selfstorage (including 1,850 square feet of office and one resident manager unit) on Parcel B, and 89,966 square feet of self-storage (including 1,945 square feet of office) on Parcel C.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely

W. SCOTT STOUDENMIRE, AICP

Deputy Director of Sustainable Development

WSS:jw

NpdcldatalDevelopment Services\Common\Documents\PLANNING & ZONING\Project Coordinator\Letters\L-17094 Bel Lago Villas Plat Note docx

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

**Application:** Request to amend the note to remove 8,750 square feet of restaurant

use and add 89,966 square feet of industrial use on Parcel C.

File Number: 037-MP-08

Project Name: Bel Lago Villas Plat Comments Due: November 30, 2017

Development Type: Residential (270 Garden Apartments on Parcel A), Self-storage

(116,293 Square Feet and one manager's unit on Parcel B) and Self-

storage (89,966 Square Feet on Parcel C)

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 Coconut Creek and is in a dependent water control district under the jurisdiction of the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division. Surface water management plans must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances and the criteria of the Cocomar Water Control District. A surface water management license from the Water and Environmental Licensing Section will be required prior to any construction.

### **Potable Water Review**

This plat will be served by the Broward County System 2A Water Treatment Plant which has a capacity of 30.000 MGD, a maximum daily flow of 15.100 MGD, and the estimated project's flow is 0.0094 MGD. Therefore, 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:
Flow Data:

EPGMD Licensed Capacity
12 Month Average Flow:
Existing Flow Reserved by Building Permit:
Total Committed Flow:
Estimated Project Flow for Parcel C:

B. C. North Regional
As of 09/17
95.0000 MGD
64.0400 MGD
64.0400 MGD
66.620 MGD
0.0009 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 of the conveyance system. Accordingly, adequate capacity for this project will need to be demonstrated of the receiving off-site sanitary sewer conveyance system. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483.

Page 2 037-MP-08 BEL LAGO VILLAS PLAT

#### **Natural Resources Preservation**

This 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 Broward County Code of Ordinances, Chapter 27, Article XIII.

See the attached Conceptual Dredge and Fill Review Report. The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division has not yet conducted a site inspection on this project; however, aerial photographs and light detection and ranging (LIDAR) data indicate that this property may contain County jurisdictional wetlands. The applicant must request a formal wetland determination from the Water and Environmental Licensing Section. If the site is determined to contain wetlands, an Environmental Resource License will be required prior to any dredging, filling, or other alteration of wetlands. Contact the Water and Environmental Licensing Section at 954-519-1483.

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

The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian-pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of south Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section.

Review of aerial photographs indicates that the subject site contains tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Coconut Creek 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 not included in the Protected Natural Lands Inventory and is 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, which provides information regarding the ownership and management of each of the Protected Natural Lands, may be accessed at the following website:

http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8 ba45fa6e5dddb9c

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

- 1. An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
- 2. Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.

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 Engineering and Permitting Division as a prerequisite to, and just prior to, approval of Building Permits by the appropriate Building Department for any structures that are to be built on the platted site. These comments do not indicate a waiver or approval of any license or permit that is, or may be, required for any aspect of the project.



Environmental Protection and Growth Management Department
ENVIRONMENTAL LICENSING and BUILDING PERMITTING DIVISION
Environmental Engineering and Licensing Section

1 North University Drive, Suite 201A, Plantation, Florida 33324 • 954-519-1483 • FAX 954-519-1412

# **Conceptual Dredge and Fill Review Report**

Plat Name: Bel Lago Villas Plat

**Plat No:** 037-MP-08

LOCATION

Section: 18 Township: 48 South Range: 42 East

Address: 5351, 5401 and 5479 Wiles Rd, City of Coconut Creek

(Folio # 484218240030, 484218200010, and 484218240020)

#### **FINDINGS**

Wetland Characteristics present:	Yes	No	Maybe	_X_
•	<del></del>		,	

#### COMMENTS

A site inspection has not been conducted on this project. Based on GIS LIDAR data, Parcel C of this site may contain wetlands. The applicant is advised to submit an application for a wetland determination to determine licensing requirements.

The applicant shall be advised that an Environmental Resource License may be required prior to any dredging, filling, or other alteration of any wetlands or surface waters that are present on-site. Other activities such as lake or canal excavation are regulated under Article XI of the Natural Resource Protection Code and may also require an Environmental Resource License from this Department.

The information included in this plat is not detailed enough to allow us to determine what types of impacts would result should development occur on this site. As such, the applicant is encouraged to contact the Aquatic and Wetland Resources Program at the earliest convenient time to identify what County license(s) may be required prior to undertaking any surface disturbing activities. Should wetland impacts be proposed, avoidance and minimization of impacts must be demonstrated prior to consideration of compensatory mitigation.

This report is for informational purposes only and does not constitute waiver or approval of any license or permit that is, or may be, required for any aspect of this project.



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

# Application to Amend or Revise Level of Approved Development

INSTRUCTIONS

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

PROJECT INFORMATION
Plat Name_Bel Lago Villas Plat
Plat Number 037 - NP · OS Plat Book - Page PB 180, Pg 67-71 (If recorded)
Owner/Applicant C S S Building & Design Inc. c/o The Pugliese Company Phone 561-454-1626
Address 101 Pugliese's Way City Delray Beach State FL Zip Code 33444
Owner's E-mail Address azurita@puglieseco.com Fax # 561-454-1625
Agent Shah, Drotos & Associates Phone 954-943-9433
Contact Person Michael F. Giani, P.E.
Address 3410 N. Andrews Ave. Ext. City Pompano Beach State FL Zip Code 33064
Agent's E-mail Address mgiani@shahdrotos.com Fax #_954-783-4754
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 THIS PLAT IS RESTRICTED TO 270 GARDEN APARTMENTS (78 ONE-BEROOM, 156 TWO-BEDROOM, AND
36-THREE BEDROOM) ON PARCEL A; 116,293 SQUARE FEET OF SELF-STORAGE (INCLUDING 1,850 SQUARE FEET OF OFFICE AND ONE
RESIDENT MANAGER UNIT) ON PARCEL B, AND 8750 SQUARE FEET OF RESTAURANT ON PARCEL C.
Proposed note for entire plat THIS PLAT IS RESTRICTED TO 270 GARDEN APARTMENTS (78 ONE-BERCOM, 156 TWO-BEDROOM, AND 36-THREE BEDROOM) ON PARCEL A; 116,293 SQUARE FEET OF SELF-STORAGE (INCLUDING 1,850 SQUARE FEET OF OFFICE AND ONE RESIDENT MANAGER UNIT)
DN PARCEL B, AND 89,968 SQUARE FEET OF SELF-STORAGE (INCLUDING 1,945 SF OF OFFICE) ON PARCEL C.
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 If YES, provide LUPA number:
Does the note represent a change in TRIPS? Increase V Decrease No Change No Change No No
Will project be served by an approved potable water plant? If YES, state name and address. ☑Yes ☐No
City of Coconut Creek ———————————————————————————————————
Broward County Copans Road Wastewater Plant Are on-site wells for potable water currently in use or proposed? Yes V 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 12
Number of seats for any proposed restaurant or public assembly facility, SEATS N/A
including places of worship
Number of students for a daycare center of school
Reasons for this request (Attach additional sheet if necessary.) See attached Exhibit "A"
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.

<ul> <li>Recorded or approved p</li> </ul>	olat.
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- 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.

	Gross Building sq.	Date Last	EXI	STING STRUC	TURE(S)
LAND USE	Gross Building sq. ft.* or Dwelling Units	Occupied	Remain the same?	Change Use?	Has been or will be demolished?

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

- An "as built" survey prepared within six (6) months of this application showing the existing buildings.

  A copy of the latest approved site plan showing the existing buildings along with evidence from the municipality documenting that site plan is the latest approved site plan.
- If the existing structures are residential, evidence will be required of the bedroom mix and unit type. A letter from the city and or copies of permit records may be acceptable forms of evidence.

  Other evidence may be accepted if it clearly documents the use and gross square footage of the existing buildings.

OWNER/AGENT CERTIFICATION
State of Florida
County of Broward Palm Beach
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 201
by Allundro Zurita He/she is personally known to me or
The presented as identification.
Signature of Notary Public State of Florida
Type or Print NameCommission # FF 135840
FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY
Time Application Date 11/07/2017 Acceptance Date 11/14/17
Comments Due 11/30/17 C.C. Mtg. Date Fee \$ 2, 090
✓ Plats □ Survey ☑ Site Plan ☑ City Letter □ Agreements
Other Attachments(Describe)
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 Other
Adjacent City Mone Received by Garage

Revised 10/15

# Exhibit - "A"

This application requests an amendment to the type and level of approved development for Parcel C of the Bel Lago Villas Plat (PB 180, Pg 67-71). Parcel C is currently entitled to build up to 8,750 SF of restaurant use.

This application requests that the use of Parcel C be changed from Restaurant to Self-Storage with a maximum square footage of 89,966 including 1,945 square feet of office space.