

STAFF REPORT
Forty-Fourth Associates Trust
031-MP-84

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 Broward County Board of County Commissioners (“Board”) on June 5, 1984, for 270,000 square feet of commercial use. The property is located on 30.8 acres on the west side of Pine Island Road, between Northwest 41 Street and Northwest 44 Street, in the City of Sunrise. The plat was recorded on September 18, 1984 (Plat Book 121, Page 8).

The current note on the face of the plat, approved by the Board on August 22, 2017 (Instrument No. 114909975) reads as follows:

This plat is restricted as follows: 10,232 square feet of commercial use on Parcel A; 17,604 square feet of commercial use on Parcel B; **156,330 square feet of commercial use on Parcel D-1**; 74,186 square feet of commercial use on Parcel D-2; 5,832 square feet of commercial use on Parcel D-3; and 5,816 square feet of commercial use on Parcel D-4.

The applicant is requesting to revise the note on the face of the plat to eliminate the 156,330 square feet of commercial use on Parcel D-1 and add 288 garden apartments. The proposed note language reads as follows:

This plat is restricted as follows: 10,232 square feet of commercial use on Parcel A; 17,604 square feet of commercial use on Parcel B; **288 garden apartments on Parcel D-1**; 74,186 square feet of commercial use on Parcel D-2; 5,832 square feet of commercial use on Parcel D-3; and 5,816 square feet of commercial use on Parcel D-4.

This request was evaluated by the Reviewing Agencies.

Land Use

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 “Irregular 19.2 Residential” land use category. Planning Council staff note the proposed density is consistent with the land use. In addition, this plat was subject to Broward County Land Use Plan (“BCLUP”) amendment PC 18-6, which amended the future land use designation from “Commerce” to Irregular (19.2) Residential.” Said amendment was adopted by the the Board on September 13, 2018 and this plat is subject to the following conditions:

- \$500 per constructed dwelling unit for the City’s affordable housing programs.

Further it is noted this amendment was subject to Broward Next – BLCLUP Policy 2.16.2 and the City’s affordable housing programs were found to adequately address the requirements of said policy.

Concurrency Review

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 670 PM peak hour trips. The plat is located within the Central Transportation Concurrency Management Area and meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Broward County Land Development Code.

The attached School Capacity Availability Determination (SCAD) issued by the Broward County School Board indicates that the 297 (three or more bedroom) garden apartments, which exceeds the number proposed by this request, will generate 128 students into the public school system. School Board staff has determined that this application satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. Therefore, these dwelling units will be subject to school impact fees.

Impact Fees

Road impact fees for 270,000 square feet of commercial were satisfied prior to plat recordation and represented 1,209 PM peak hour trips. This request represents a decrease in the vested PM peak hour trips; therefore, transportation concurrency fees will not be assessed. However, the dwelling units proposed by this request shall be subject to school impact, regional recreational impact and administrative fees which will be assessed and paid in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval.

Reviewing Agency Comments

The attached Resolution No. 84-66-18-A from the City of Sunrise indicates no objection to this request.

The attached letter to the adjacent City of Lauderhill indicates no objection to this request.

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

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.

The Broward County Aviation Department has no objections to this request, however, the information submitted with this plat application does not indicate the height of any proposed buildings. The applicant is advised 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.

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 will not have an adverse effect on 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 Sunrise, which is in 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 Rick Ferrer, Historic Preservation Officer, Planning and Development Management Division, Broward County, at 954-357-9731, 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 of State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

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

- 1) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **June 4, 2020**.

The amended note must also include language stating the following:

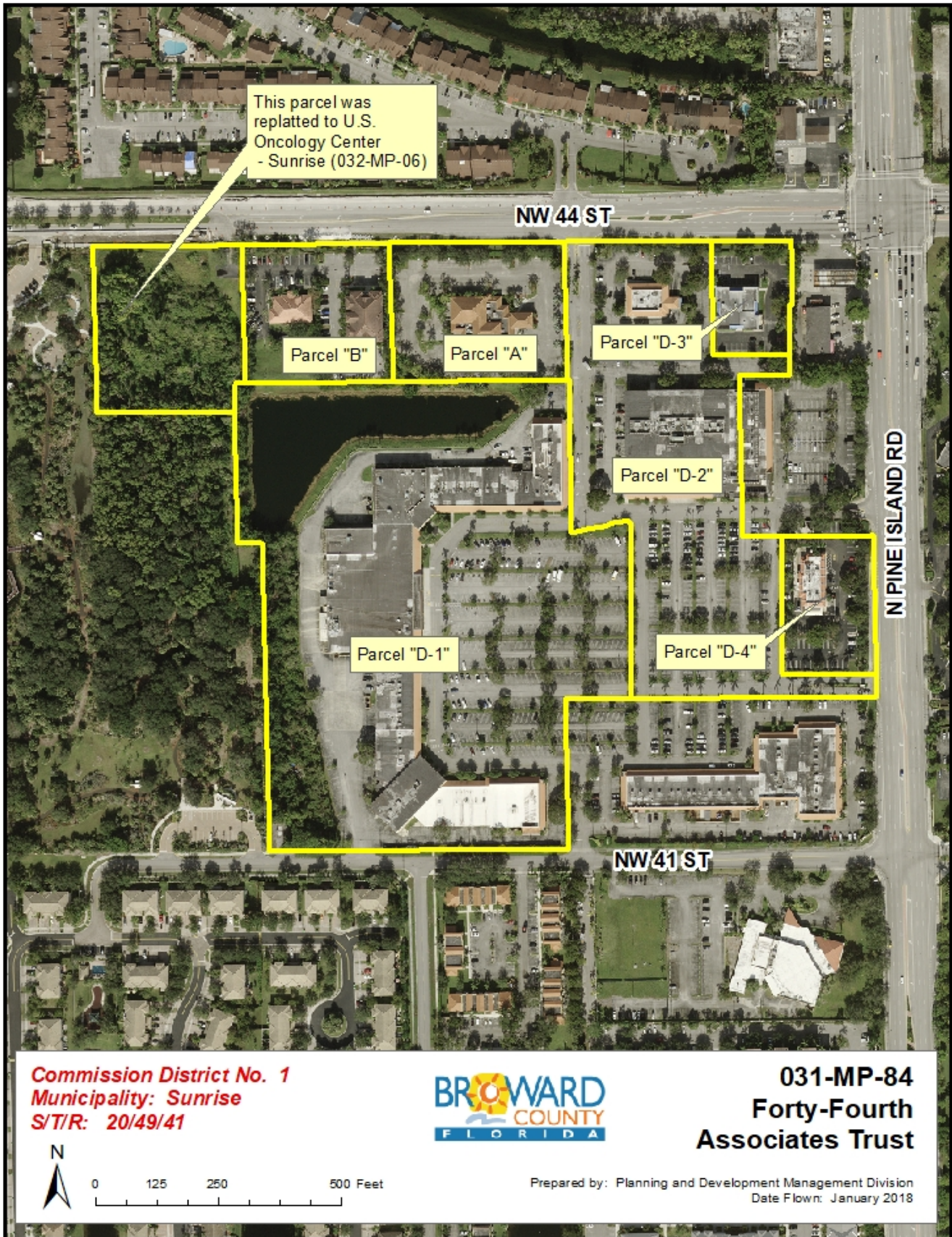
- A) Any structure within this plat must comply with Section 2B.1.f., Development Review requirements of the Broward County Land Use Plan regarding hazards to air navigation.
- B) If a building permit for a principal building (excluding dry models, sales and construction offices) first inspection approval are not issued **for Parcel D-1 by June 4, 2024**, 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

- C) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed **for Parcel D-1** by **June 4, 2024**, 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.

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.

JWP



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

FROM: Barbara Blake Boy, Executive Director 

RE: Delegation Request for Forty-Forth Associates Trust Plat (Parcel D-1)
(031-MP-84) City of Sunrise

DATE: April 11, 2019

This memorandum updates our previous comments regarding the referenced plat dated January 30, 2019.

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 D-1 is restricted to 156,330 square feet of commercial use. Commercial/retail uses are not permitted within the office use.

TO: Parcel D-1 is restricted to 288 garden apartments.

The Future Land Use Element of the City of Sunrise Comprehensive Plan is the effective land use plan for the City of Sunrise. That plan designates the area covered by Parcel D-1 of this plat for the uses permitted in the “Irregular (19.2) Residential” land use category. Parcel D-1 of this plat is generally located on the north side of Northwest 41 Street, west of Pine Island Road.

The density of the proposed development of 288 dwelling units on approximately 15.5 acres of land is 18.6 dwelling units per gross acre, which is in compliance with the permitted uses and densities of the effective land use plan.

Planning Council staff notes that this plat was the subject of Broward County Land Use Plan (BCLUP) amendment PC 18-6, which amended the future land use designation from “Commerce” to “Irregular (19.2) Residential.” Said amendment was adopted by the Broward County Commission on September 13, 2018, subject to the following voluntary restriction:

- \$500 per constructed dwelling unit for the City’s affordable housing programs

Further, it is noted that this amendment was subject to BrowardNext – Broward County Land Use Plan Policy 2.16.2 and the City’s affordable housing programs were found to adequately address the requirements of said policy.

Forty-Forth Associates Trust Plat (Parcel D-1)

April 11, 2019

Page Two

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:GSM

cc: Richard Salamon, City Manager
City of Sunrise

Jim Koeth, AICP, Assistant Director/City Planner, Community Development Department
City of Sunrise



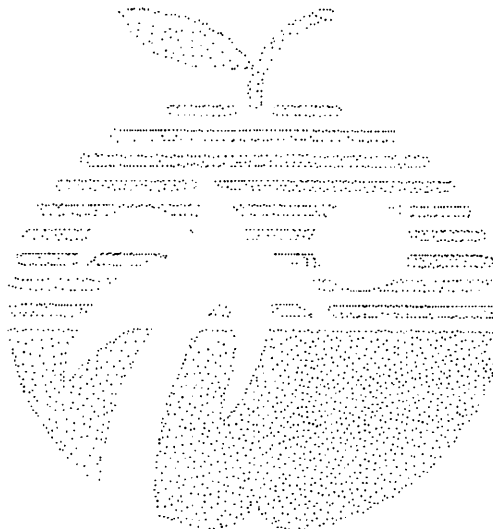
The School Board of Broward County, Florida
PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION

PLAT

SBBC-2156-2016

County Number: 031-MP-84 Municipality Number: 17:67
Pine Plaza Apartments

December 20, 2018



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

**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION
PLAT**

PROJECT INFORMATION	NUMBER & TYPE OF PROPOSED UNITS	OTHER PROPOSED USES	STUDENT IMPACT
Date: December 20, 2018	Single-Family:		Elementary: 57
Name: Pine Plaza Apartments	Townhouse:		
SBBC Project Number: SBBC-2156-2016	Garden Apartments: 297		Middle: 34
County Project Number: 031-MP-84	Mid-Rise:		
Municipality Project Number: 17:87	High-Rise:		High: 37
Owner/Developer: Pine Plaza Holdings, LLC	Mobile Home:		
Jurisdiction: Sunrise	Total: 287		Total: 128

SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of LOS Capacity	Cumulative Reserved Seats
Welleby	915	915	802	-113	-8	87.7%	57
Westpine	1,272	1,399	1,022	-377	-17	73.1%	34
Piper	3,479	3,479	2,439	-1,040	-41	70.1%	37

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% LOS Cap. Adj. Benchmark	Projected Enrollment				
				19/20	20/21	21/22	22/23	23/24
Welleby	859	-56	93.9%	805	803	801	799	797
Westpine	1,056	-343	83%	1,036	1,047	1,050	1,068	1,108
Piper	2,476	-1,003	71.2%	2,445	2,451	2,456	2,462	2,467

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

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2018-19 Contract Permanent Capacity	2018-19 Benchmark Enrollment	Over/(Under)	Projected Enrollment		
				19/20	20/21	21/22
Academic Solutions High School	250	176	-74	176	176	176
Bridge Prep Academy Of Bc	1,000	319	-681	319	319	319
Championship Acad Of West Broward	640	233	-407	233	233	233
Franklin Academy Sunrise	1,475	1,338	-137	1,338	1,338	1,338

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

School(s)	Description of Improvements
Welleby	There no capacity additions scheduled in the ADEFP that would increase the reflected FISH capacity of the school.
Westpine	There no capacity additions scheduled in the ADEFP that would increase the reflected FISH capacity of the school.
Piper	There no capacity additions scheduled in the ADEFP that would increase the reflected FISH capacity of the school.

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

Comments

According to the application, no units are on the site. The application proposes 297 (three or more bedroom) garden apartment units, which is anticipated to generate 128 (57 elementary, 34 middle and 37 high school) students.

The school Concurrency Service Areas (CSA) serving the project site in the 2018/19 school year include Welleby Elementary, Westpine Middle and Piper High Schools. Based on the Public School Concurrency Planning Document (PSCPD), all three schools are currently operating below the Level of Service Standard (LOS), which is established as the higher of: 100% gross capacity or 110% permanent capacity. Incorporating the cumulative students anticipated from this project and approved and vested developments anticipated to be built within the next three years (2018/19- 2020/21), these schools are expected to maintain their current status through the 2020/21 school year. Additionally, the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment.

Charter schools located within a two-mile radius of the site in the 2018/19 school year are depicted above. Students returning, attending or anticipated to attend charter schools are factored into the five-year student enrollment projections for District schools. Enrollment projections are adjusted for all elementary, middle and high schools impacted by a charter school until the charter school reaches full enrollment status.

To ensure maximum utilization of the impacted CSA, the Board may utilize school boundary changes to accommodate students generated from developments in the County.

Capital Improvements scheduled in the currently Adopted District Educational Facilities Plan (DEFP), Fiscal Years 2018/19 to 2022/23 regarding pertinent impacted schools are depicted above.

This application satisfies public school concurrency on the basis that there is adequate school capacity anticipated to be available to support the project as proposed. This preliminary determination shall be valid until the end of the current (2018/19) school year or 180 days, whichever is greater, for a maximum of 297 (three or more bedroom) garden apartment units and conditioned upon final approval by the applicable governmental body. As such, this Preliminary School Capacity Availability Determination (SCAD) Letter will expire on August 19, 2019. This preliminary school concurrency determination shall be deemed to be void unless prior to the referenced expiration of the preliminary SCAD, notification of final approval to the District has been provided and/or an extension of this preliminary SCAD has been requested in writing and granted by the School District. Upon the District's receipt of sufficient evidence of final approval which shall minimally specify the number, type and bedroom mix for the approved residential units, the District will issue and provide a final SCAD letter for the approved units, which shall ratify and commence the vesting period for the approved residential project.

Please be advised that if a change is proposed to the development, which increases the number of students generated by the project, the additional students will not be considered vested for public school concurrency.

SBBC-2156-2016 Meets Public School Concurrency Requirements

Yes No

Reviewed By:

12-20-18
Date


Signature

Lisa Wight
Name
Planner
Title

CITY CLERK
CITY OF SUNRISE
18 NOV 14 PM 12:25

SUNRISE, FLORIDA

RESOLUTION NO. 84-66-18-A

A RESOLUTION OF THE CITY OF SUNRISE, FLORIDA, APPROVING A REVISION TO THE RESTRICTIVE NOTE ON THE "FORTY-FOURTH ASSOCIATES TRUST" PLAT; LOCATED AT THE SOUTHWEST CORNER OF NORTH PINE ISLAND ROAD AND NW 44TH STREET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat known as "Forty-Fourth Associates Trust" Plat was approved by the City Commission by Resolution No. 84-66 on April 24, 1984; and

WHEREAS, the owner, Pine Plaza Holdings, LLC, intends to revise the note associated with said plat for a 288-unit apartment project on a 15-acre portion of Parcel D of the "Forty-Fourth Associates Trust" Plat; and

WHEREAS, the Planning and Zoning Board held a meeting on October 4, 2018 and recommended approval of the proposed restrictive note on the "Forty-Fourth Associates Trust" Plat; and

WHEREAS, Broward County requires that the City of Sunrise concur with this revision prior to a review by the Broward County Board of County Commissioners.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNRISE, FLORIDA:

Section 1. In accordance with Section 16-34 of the City's Land Development Code, the City Commission of the City of Sunrise does hereby approve the proposed revision to the restrictive note on the plat:

Current Note:

"This Plat is restricted as follows:

156,330 square feet of commercial use on Parcel D-1 (see attached legal description).

Commercial/retail uses are not permitted within the office use and no free standing or drive-thru bank facilities are permitted on this plat without the approval of the Board of County Commissioners who shall and review and address these uses for increased impacts."

Proposed Note:

"This Plat is restricted as follows:

288 garden apartments on Parcel D-1 (see attached legal description).

No free standing or drive-thru bank facilities are permitted on this plat without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts."

The proposed revision is specifically described in the Community Development Department's Staff Report to the City Commission, including those listed in the Staff Evaluation Section, a copy of which is attached hereto and made a part of this Resolution as Exhibit A.

Section 2. This plat note amendment is subject to the owner obtaining approval from the Broward County Board of County Commissioners.

Section 3. Effective Date. This Resolution shall be effective upon Broward County's approval of the plat note amendment.

PASSED AND ADOPTED THIS 23RD DAY OF OCTOBER, 2018.



Mayor Michael J. Ryan

Authentication:


Felicia M. Bravo
City Clerk



MOTION: SOFIELD
SECOND: KERCH

DOUGLAS: YEA
KERCH: YEA
SCUOTTO: ABSENT
SOFIELD: YEA
RYAN: YEA

Approved by the City Attorney
as to Form and Legal Sufficiency.


Kimberly A. Kisslan



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
1 North University Drive, Suite 102-A • Plantation, Florida 33324 • 954-357-6666 • FAX 954-357-6521

April 25, 2019

Stephen Tawes, ASLA, CLARB
Planning and Zoning
5581 West Oakland Park Boulevard
Lauderhill, FL 33313

RE: Municipal notification of a delegation request to revise the note on a recorded plat adjacent to the municipal limits of Lauderhill:

Plat name: Forty-Fourth Associates Trust
Plat No. 031-MP-84

Written comments must be received on or before **May 6, 2019**

As per Broward County Commission Policy effective March 24, 1998, we are forwarding a copy of an application for a delegation request to all municipalities that are adjacent to the plat.

If your municipality desires to comment on this application, the comments must be in writing and electronically submitted to the Planning and Development Management Division on or before the above referenced date. Please send your comments via e-mail to our offices at padminfo@broward.org.

Any written comments received will be forwarded to the applicant along with the comments from other agencies reviewing the application.

If you have any questions, please contact Jean-Paul W. Perez at 954-357-6637 (or jpperez@broward.org).

Sincerely,

Jean-Paul W. Perez, Senior Planner
Planning and Development Management Division

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

Application: Delegation Request to amend the note to replace 156,330 square feet of commercial use on Parcel D-1 with 288 garden apartment units.
File Number: 031-MP-84
Project Name: Forty-Fourth Associates Trust
Comments Due: February 1, 2019
Development Type: Parcel D-1: Residential (288 Garden Apartment Units)

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

Surface Water Management

This plat is located in the City of Sunrise and is under the jurisdiction of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division. Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. A surface water management license from the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division will be required prior to any construction.

Potable Water Review

This plat will be served by the City of Sunrise's Water Treatment Plant which has a capacity of 49.500 MGD, a maximum daily flow of 29.800 MGD, and the estimated project's flow is 0.073 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:	Sunrise Springtree
Flow Data:	As of 12/18
EPGMD Licensed Capacity	10.0000 MGD
12 Month Average Flow:	7.9200 MGD
Existing Flow Reserved by Building Permit:	0.0510 MGD
Total Committed Flow:	7.9710 MGD
Estimated Project Flow:	0.0720 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. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483.

Natural Resources Preservation

This plat is located in a wellfield zone 3 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.

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., 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 Water and Environmental Licensing Section at 954-519-1483 at the earliest time to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.

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 Sunrise 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=85f453365417459f8ba45fa6e5dddb9c>

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.



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

Application to Amend or Revise Level of Approved Development

INSTRUCTIONS

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

PROJECT INFORMATION

Plat Name Forty-Fourth Associates Trust PLAT - Parcel D-1

Plat Number 031-MP-84 Plat Book - Page 121/8 (If recorded)

Owner/Applicant Pine Plaza Holdings, LLC Phone 305-535-6305

Address 4125 NW 88th Avenue City Sunrise State FL Zip Code 33351

Owner's E-mail Address rholihan@gfinvestments.com Fax # _____

Agent Greenspoon Marder Phone 954-491-1120

Contact Person Dennis D. Mele, Esq., and Sarah Stewart, AICP

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

Agent's E-mail Address dennis.mele@gmlaw.com, copy to sarah.stewart@ 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
4350 Springtree Drive, Sunrise, FL 33351

Will project be served by an approved sewage treatment plant? If YES, state name and address Yes No
4350 Springtree Drive, Sunrise, FL 33351

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 548

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.) New Residential Development

FOR APPLICATIONS PROPOSING INDUSTRIAL USE(S) - SUPPLEMENTAL REQUIREMENT

Proposed industrial plat notes which about 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?
Residential Irregular 19.2 du/ac	135,295 sf	July, 2017			X (will be)

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

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

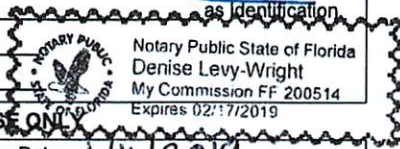
OWNER/AGENT CERTIFICATION

State of Florida _____
 County of Broward _____

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

Signature of owner/agent _____
 Sworn and subscribed to before me this 20th day of Sept, 2018
 by Doron Valero He/she is personally known to me or _____ as identification
 Has presented _____

Signature of Notary Public _____
 Type or Print Name Denise Levy-Wright



FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY

Time 3:10 PM Application Date 12/ Acceptance Date 1/11/2019
 Comments Due 2/1/2019 C.C. Mtg. Date TBD Fee \$ 2,090

Plats Survey Site Plan City Letter Agreements

Other Attachments (Describe) Resolution No. 84-66-18-A

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 FDOT

Adjacent City Lauderhill 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 as follows:

156,330 square feet of commercial use on Parcel D-1 (see attached legal description).

Commercial/retail uses are not permitted within the office use and no free standing or drive-thru bank facilities are permitted on this plat without the approval of the Board of County Commissioners who shall and 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 as follows:

288 garden apartments on Parcel D-1 (see attached legal description).

No free standing or drive-thru bank facilities are permitted on this plat without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts

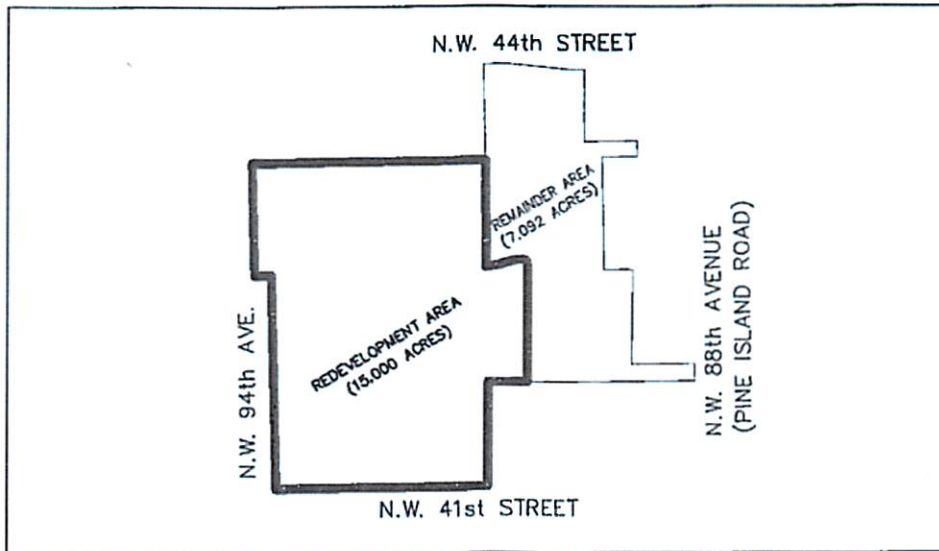
DESCRIPTION: (REDEVELOPMENT AREA)

EXHIBIT A - PARCEL D-1

PORTION OF PARCEL D, FORTY-FOURTH ASSOCIATES TRUST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 121, PAGE 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERNMOST SOUTHWEST CORNER OF SAID PARCEL "D"; THENCE ALONG WESTERLY BOUNDARY OF SAID PARCEL "D" THE NEXT THREE (3) COURSES: (1) NORTH 01°27'06" WEST 627.49 FEET; (2) SOUTH 89°28'02" WEST 50.01 FEET; (3) NORTH 01°27'23" WEST 326.24 FEET; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL "D", NORTH 89°28'11" EAST 684.89 FEET; THENCE SOUTH 00°31'49" EAST 310.51 FEET TO A POINT ON A 195.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE NORTH WHOSE RADIUS POINT BEARS NORTH 02°27'57" WEST; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°52'13" AN ARC DISTANCE OF 64.22 FEET TO A POINT OF REVERSE CURVATURE OF A 125.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTH; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°47'04" AN ARC DISTANCE OF 47.53 FEET TO A POINT OF COMPOUND CURVATURE OF A 13.50 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°28'37" AN ARC DISTANCE OF 21.08 FEET TO A POINT OF TANGENCY; THENCE SOUTH 00°04'29" EAST 346.67 FEET; THENCE SOUTH 89°28'56" WEST 134.41 FEET; THENCE SOUTH 01°27'09" EAST 303.76 FEET; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL "D", SOUTH 89°28'56" WEST 609.73 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING, AND BEING IN THE CITY OF SUNRISE, BROWARD COUNTY, FLORIDA AND CONTAINING 653204 SQUARE FEET (15.000 ACRES) MORE OR LESS.



LOCATION MAP
NOT TO SCALE

SEE SHEETS 2 THROUGH 5 OF 5 FOR SKETCH SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

DATE	REVISIONS	DWG.	CHK.
7-17-17	REVISED LEGAL DESCRIPTION	KL	MR
6/6/16	REVISED LESS PORTION OF PARCEL A	MR	MR
5/26/16	REVISED LOCATION MAP (REMAINDER AREA)	LP	MR
5/18/16	REVISED BEARING IN DESCRIPTION	MR	MR
5/11/16	REVISED SKETCH & DESCRIPTION	MR	MR
	DRAWN BY: LP	CHECKED BY: MR	

CERTIFIED TO:
PINE PLAZA SUNRISE
GLOBAL INVESTMENTS, LLC

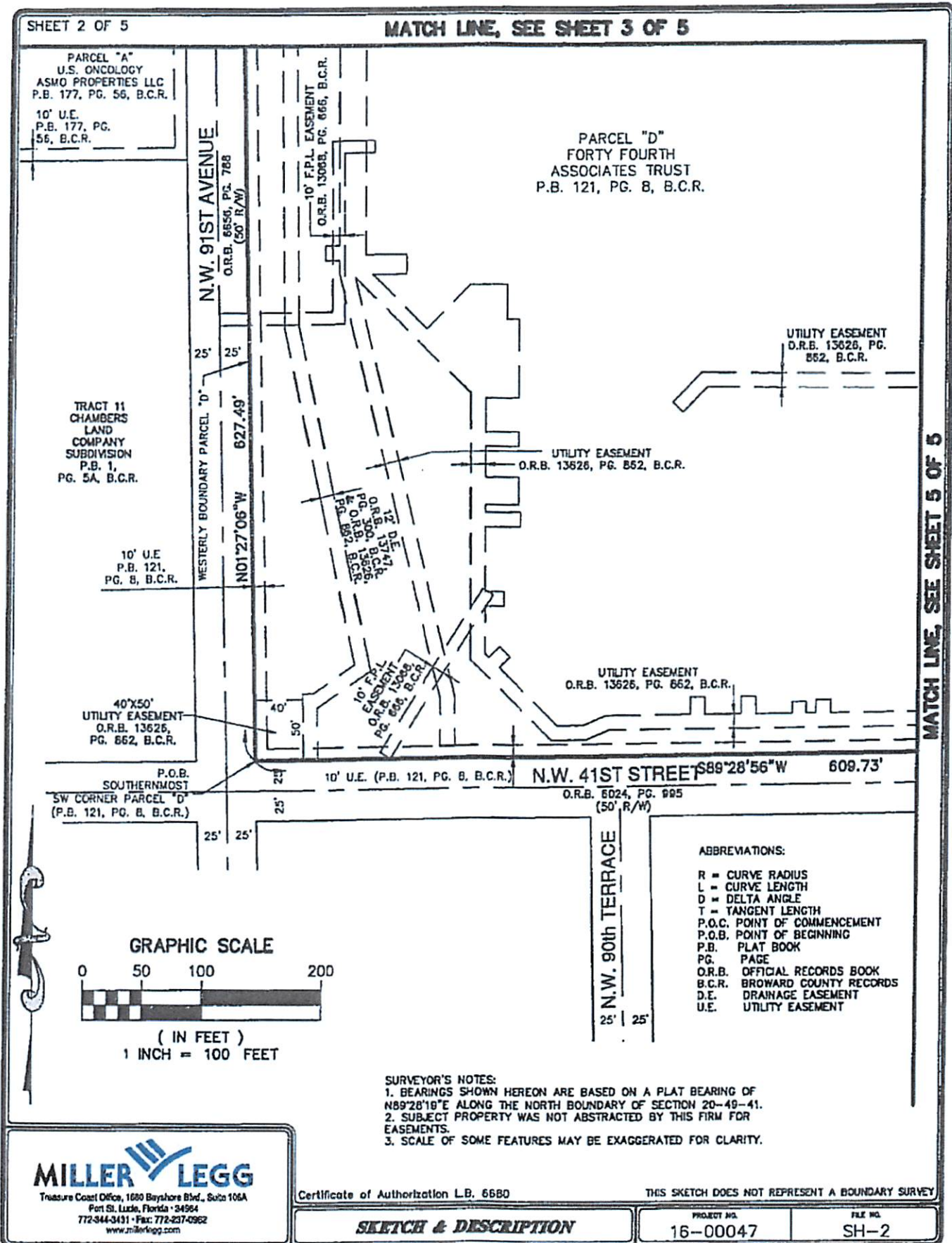
MILLER LEGG
St. Lucie Office: 264 NW Peacock Boulevard - Suite 102
Port St. Lucie, Florida - 34986-2272
772-344-3431 - Fax: 561-689-8108
www.millerlegg.com

I HEREBY CERTIFY THAT THIS SKETCH MEETS STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES, DATED THIS 11th DAY OF APRIL, 2016 A.D.

Martin P. Rossi
MARTIN P. ROSSI
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION No. 5857
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
CERTIFICATE OF AUTHORIZATION: LB6680

16-00047

SH-1



MILLER LEGG

Treasure Coast Office, 1680 Bayshore Blvd., Suite 106A
Fort St. Luise, Florida 34984
772-344-3431 • Fax: 772-237-0962
www.millerlegg.com

Certificate of Authorization L.B. 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

SKETCH & DESCRIPTION

PROJECT NO.
16-00047

FILE NO.
SH-2

SHEET 3 OF 5

ABBREVIATIONS:

- R = CURVE RADIUS
- L = CURVE LENGTH
- D = DELTA ANGLE
- T = TANGENT LENGTH
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.B. PLAT BOOK
- PG. PAGE
- O.R.B. OFFICIAL RECORDS BOOK
- B.C.R. BROWARD COUNTY RECORDS
- D.E. DRAINAGE EASEMENT
- U.E. UTILITY EASEMENT

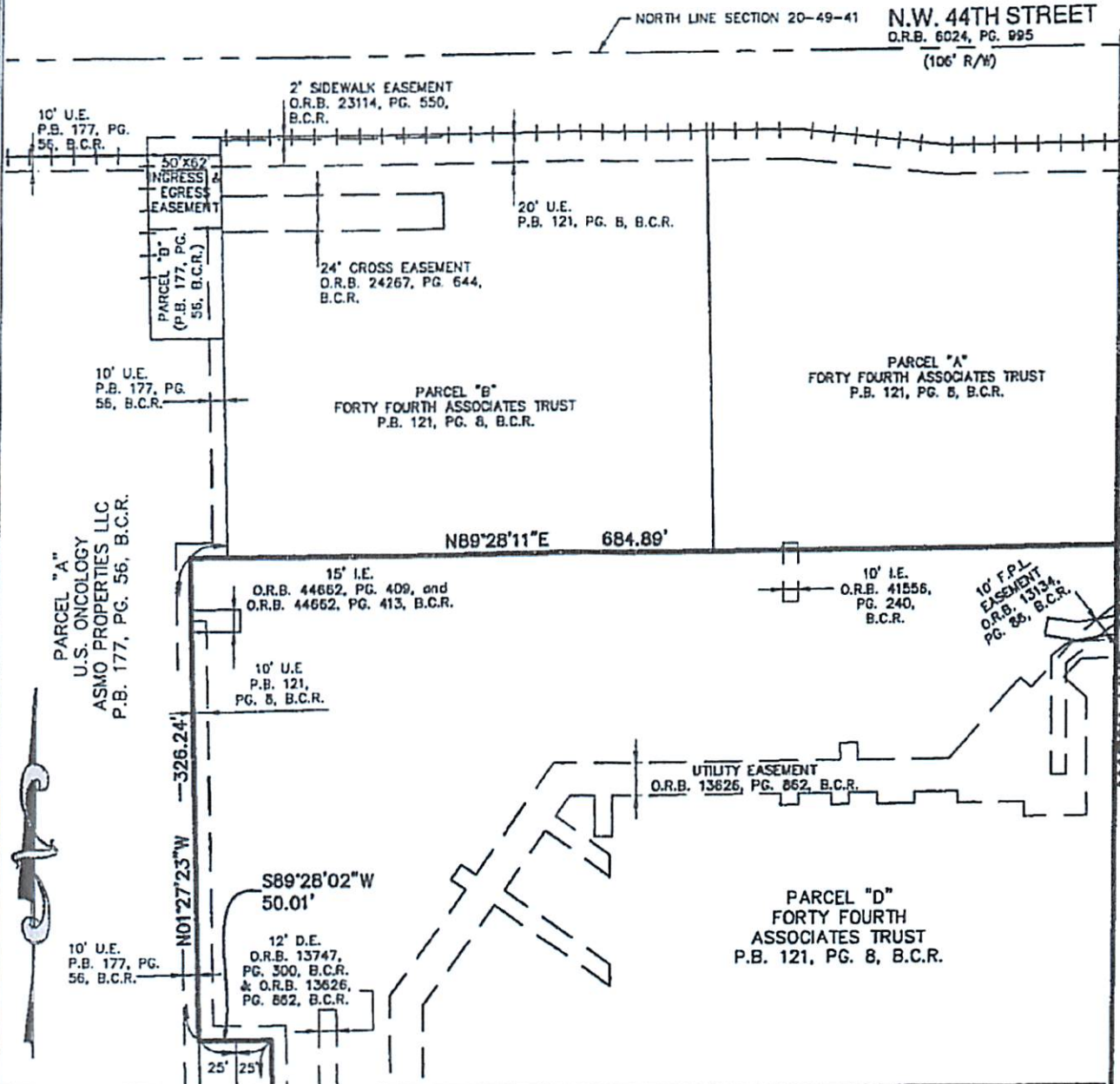
SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON A PLAT BEARING OF N89°28'19"E ALONG THE NORTH BOUNDARY OF SECTION 20-49-41.
2. SUBJECT PROPERTY WAS NOT ABSTRACTED BY THIS FIRM FOR EASEMENTS.
3. SCALE OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY.

GRAPHIC SCALE



(IN FEET)
1 INCH = 100 FEET



MATCH LINE, SEE SHEET 4 OF 5

MATCH LINE, SEE SHEET 2 OF 5

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Treasurer Coast Office, 1680 Bayside Blvd., Suite 106A
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Certificate of Authorization L.B. 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

SKETCH & DESCRIPTION

PROJECT NO.
16-00047

FILE NO.
SH-3

SHEET 4 OF 5

ABBREVIATIONS:

- R = CURVE RADIUS
- L = CURVE LENGTH
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- P.O.C. POINT OF COMMENCEMENT
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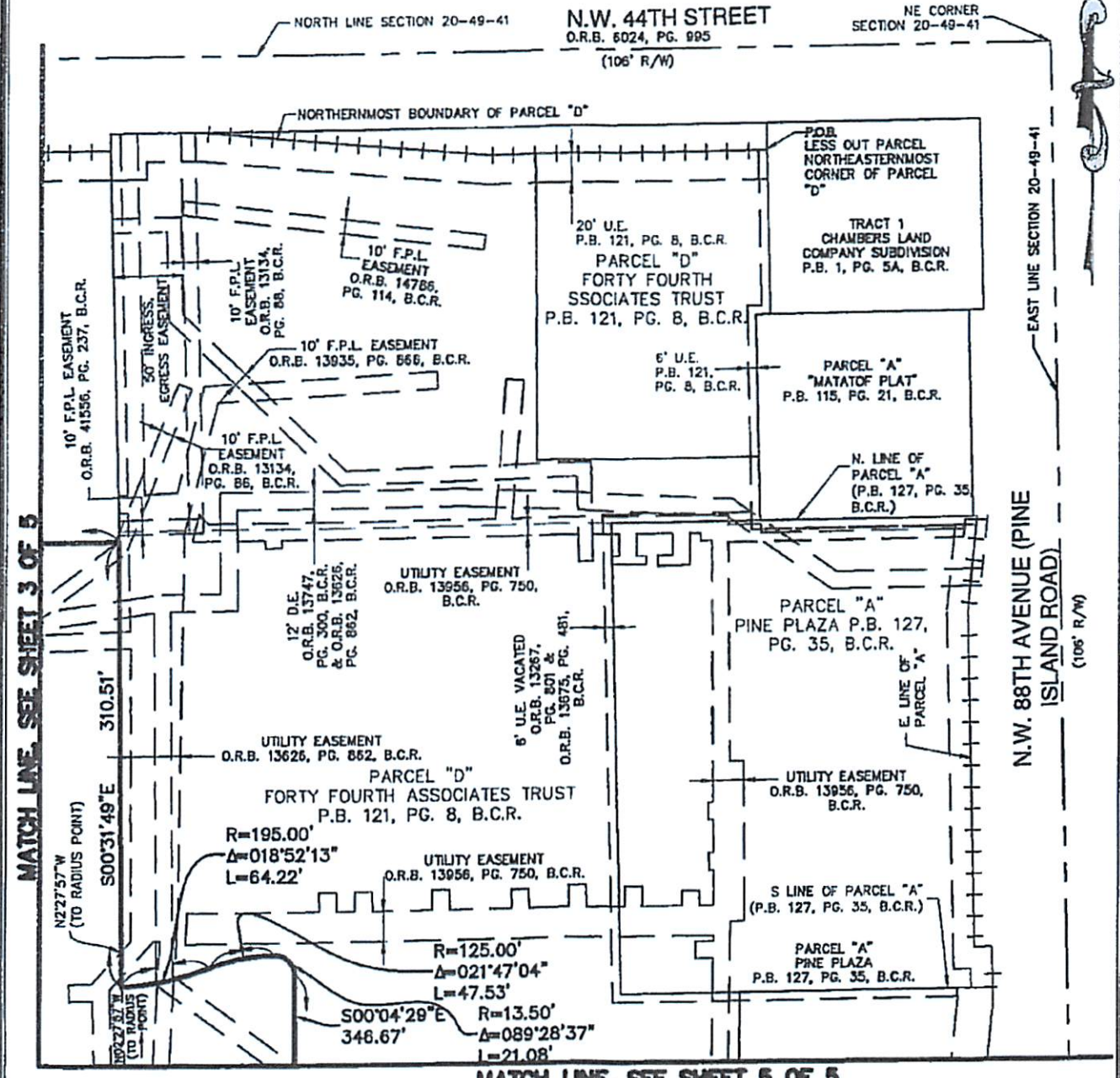
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(IN FEET)
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Certificate of Authorization L.B. 6680

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

SKETCH & DESCRIPTION	PROJECT NO. 16-00047	FILE NO. SH-4
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V:\PROJECTS\2016\16-00047 PINE PLAZA SURVEY-SKETCH & DESCRIPTIONS REDEVELOPMENT AREA\DRAWINGS\16-00047_501 RMSELD_58_26_18.DWG 6/6/18 by MIROSSI

