



AGENDA PLANNING AND ZONING MEETING/LOCAL PLANNING AGENCY

6:00 PM - Thursday, January 5, 2023
Commission Chambers

	Page
1. CALL TO ORDER	
2. PLEDGE OF ALLEGIANCE	
3. ROLL CALL	
4. APPROVAL OF THE PREVIOUS MEETING MINUTES	
4.1. Adoption of Minutes from October 6, 2022	3 - 5
Recommendation: That the Minutes be adopted as presented 10 06 2022 PLANNING AND ZONING MEETING	
5. ADDITIONS, DELETIONS, WITHDRAWALS AND CONTINUANCES	
6. APPLICATIONS/PUBLIC HEARINGS	
6.1. File No: 22-CP-03	6 - 10
Applicant: Town of Pembroke Park	
Location: SW 30th Avenue	
Request: Town Only Land Use Plan Amendment from Industrial to Commercial	
22-CP-03 - Land Use Plan Amendment Application	
SW 30th PZB Staff Report	
6.2. File No: 22-CP-04	11 - 18
Applicant: Town of Pembroke Park	
Location: Town-wide	
Request: Request Redevelopment Units from the Broward County Planning Council	
22-CP-04 Land Use Plan Amendment Application	
22-RZ-04 Rezoning to MXUE District	
Redevelopment Application DRAFT-(21-12-2022)	
6.3. File No: 22-RZ-01	19
Applicant: Town of Pembroke Park	
Location: SW 30th Avenue	
Request: Text Amendment – Creation of Mixed Use-Entertainment District (MXE)	
22-RZ-01 Text Amendment	
6.4. File No: 22-RZ-04	20 - 58
Applicant: Town of Pembroke Park	
Location: SW 30th Avenue	

Request: Rezone from C-1 and M-1 to MXE Mixed Use-
Entertainment District

[Text Amendment Mixed Use Entertainment District](#)
[LUPA FINAL](#)

- 6.5. Zoning Legal Description 59
[Zoning Legal Descriptin](#)
- 7. NEW BUSINESS
- 8. ORDINANCES
 - 8.1. Amending responsibility for connection to Town system - Building 60 - 62
Official Nunez
ORDINANCE NO. 2022-017
AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA,
**AMENDING SECTION 28-279 “Responsibility for connection to
Town system” WITHIN CHAPTER 28 “ZONING” AND MOVING THE
SECTION TO CHAPTER 26 “UTILITIES”; RESCINDING ORDINANCE
NO. 2022-010; PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING
CONFLICTING ORDINANCES AND RESOLUTIONS; AND
PROVIDING AN EFFECTIVE DATE.**
[2022-017 Planning Utilities rescinding 2022-010](#)
- 9. OLD BUSINESS
- 10. ADJOURNMENT

IN ACCORDANCE WITH THE PROVISIONS OF F.S. SECTION 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ANY PERSON REQUIRING AUXILIARY AIDS AND SERVICES AT THIS MEETING MAY CALL THE TOWN CLERKS OFFICE AT 954-966-4600 AT LEAST TWO CALENDAR DAYS PRIOR TO THE MEETING. IF YOU ARE HEARING OR SPEECH IMPAIRED PLEASE CONTACT THE FLORIDA RELAY SERVICES BY USING THE FOLLOWING NUMBERS: 1-800-955-8770 (VOICE) OR 1-800-955-8771 (TDD)

DECORUM - ALL COMMENTS MUST BE ADDRESSED TO THE COMMISSION AS A BODY AND NOT TO INDIVIDUALS. ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS, OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION, SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION IS GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR IN OPPOSITION TO A SPEAKER OR HIS/HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PLEASE MUTE OR TURN OFF YOUR CELL PHONE OR PAGER AT THE START OF THE MEETING. FAILURE TO DO SO MAY RESULT IN BEING BARRED FROM THE MEETING. PERSONS EXITING THE CHAMBER SHALL DO SO QUIETLY.

Marlen D. Martell
Town Clerk



MINUTES PLANNING AND ZONING MEETING/LOCAL PLANNING AGENCY Meeting

6:00 PM - Thursday, October 6, 2022
Commission Chambers

The PLANNING AND ZONING MEETING/LOCAL PLANNING AGENCY of the Town of Pembroke Park was called to order on Thursday, October 6, 2022, at 6:00 PM, in the Commission Chambers, with the following members present:

PRESENT:

EXCUSED:

1 CALL TO ORDER

Meeting was called to order at 6:10PM

2 PLEDGE OF ALLEGIANCE

MEETING RECESSED AT 6:12PM

MEETING RESUMED 6:35PM

3 NEW BUSINESS

SW 30th Avenue Mixed-Use/Entertainment District

MIKE VONDER MULEN SPOKE ON RECORD AND GAVE A PRESENTATION

4 ROLL CALL

Board Members present were Reneesha McNeil; Erik Morrisette; Vice Chair Charisse Colon

Absent: Shauniel Brown

5 APPROVAL OF THE PREVIOUS MEETING MINUTES

Adoption of Minutes

APRIL 6, 2022 Planning and Zoning Board Meeting Minutes

6 ADDITIONS, DELETIONS, WITHDRAWALS AND CONTINUANCES

NONE

7 APPLICATIONS / PUBLIC HEARINGS

MIKE VONDER MULEN SPOKE ON RECORD AND GAVE A PRESENTATION
DAVID SIEGAL SPOKE ON RECORD
MS. GARCIA SPOKE ON RECORD

VICE CHAIR OPENED THE FLOOR FOR PUBLIC COMMENTS - NONE
VICE CHAIR CLOSED THE FLOOR FOR PUBLIC COMMENT

File No: 22-SP-01
Applicant: Pembroke BSD LLC / Pembroke Park Holdings, Inc
Location: 3711-3715 Southwest 52nd Avenue

Request: Site Plan approval to construct five (5) two stories' buildings comprised of 47 residential townhome units including a 1106 square foot community center, which is referred to as Magnolia at Pembroke Park.

8 OLD BUSINESS

ALL MEMBERS AGREED TO ANOTHER P&Z MEETING ON OCTOBER 20, 2022 AT 6:00PM

9 ADJOURNMENT

VICE CHAIR COLON MOVED TO ADJOURN THE MEETING. ALL WERE IN FAVOR

THE MEETING WAS ADJOURNED AT 7:02PM

ATTEST:

(SEAL)

Suzi Reutlinger, Board Secretary

IN ACCORDANCE WITH THE PROVISIONS OF F.S. SECTION 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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Marlen D. Martell

Town Clerk



TOWN OF PEMBROKE PARK PLANNING & ZONING DIVISION

3150 SW 52nd Avenue Pembroke Park, Florida 33023
954.966.4600
www.tppfl.gov

MASTER APPLICATION

Consideration of an application type by the Town or issuance of a permit by the Town does not in of itself in any way create a right to obtain a permit from a County, State or Federal Agency. Applicants must comply with all legal requirements and obtain all requisite approvals imposed by County, State and Federal Agencies and the Town bears no legal responsibility for Applicant's failure to do so.

Project Name		Application Type	
Owner		Parcel (ID Number)	
Address		Parcel Size (Acres)	
Scope of Work Description			
Code Information		Yes	No
Is this an after-the-fact request? (If yes, attach a copy of any related information)			
Is this request the result of a Town code violation? (If yes, attach copy of violation notice)			
Has this same or similar request been proposed previously on the property?			
Agent			
Name:			
Company/Firm:			
Address:			
City/State/Zip:			
Phone:		Email:	
Signature:		Date:	
This is to certify that I am the agent of this application for the subject property(s) and the statements contained herein are accurate to the best of my knowledge and I will be present at any required hearings to represent this application.			
Property Owner Certification			
This is to certify that I am the owner of the subject property(s) described in this application. By signing this application, I hereby authorize the above signatory to serve as agent for this project. The agent is authorized by me to agree to any and all binding conditions throughout the review of this application. I hereby agree to be bound by any and all conditions, or amendments required by this application.			
Printed of Name of Property Owner:			
Signature of Property Owner:		Date:	
State of _____ County of _____			
Sworn to (or affirmed) and subscribed before me by means of _____ physical presence or _____ online notarization.			
this _____ day of _____, 202____, by _____ (name of person making statement)			
Personally known: OR Produced Identification, Type _____			
My Commission Expires:(stamp)			
Notary Public Signature			
TOWN USE ONLY			
Submittal Date:		Project Number:	

Sec. 166.033(6), Florida Statutes: Issuance of a development permit or development order by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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. A municipality shall attach such a disclaimer to the issuance of development permits and shall include a permit condition that all other applicable state or federal permits be obtained before commencement of the development.

Master_App_10-20-22

Town of Pembroke Park

3150 SW 52nd Avenue • Pembroke Park, Florida 33023

954.966.4600 • www.tppfl.gov



TO: Planning and Zoning Board

FROM: Mike Vonder Meulen, AICP, Consultant Town Planner

MEETING DATE: January 5, 2023

SUBJECT: SW 30th Avenue (between Pembroke Road and Hallandale Beach Boulevard)
22-CP-03 Town only Land Use Plan Amendment from Industrial to Commercial
22-CP-04 Request Redevelopment Units from the Broward County Planning Council
22-RZ-01 Text Amendment Mixed Use-Entertainment District (MXE)
22-RZ-04 Rezone from B-1 and M-1 to MXE

APPLICANT: Town of Pembroke Park

PROJECT BACKGROUND

The Town has received interest from property owners along SW 30th Avenue to redevelop their property in a manner that is not consistent with the current M-1 zoning district and Town's Industrial land use. In multiple meetings with Town staff, it was recommended to make a presentation to the Town Commission to discuss the potential to redevelop SW 30th into mixed use-entertainment district and receive direction from the Town Commission on moving forward. Town staff made presentations to the Town Commission at the September 28, 2022, Commission Workshop and at the October 15, 2022, Special Commission Meeting. Staff had also made a presentation to the Planning and Zoning Board on October 6, 2022. All presentations were received positively.

In order to create a mixed use-entertainment district for SW 30th Avenue, multiple applications need to be presented to the Town. The first application would be to change the land use from Industrial to Commercial. The industrial land use does not allow the uses for a mixed-use entertainment district. This Land Use Plan Amendment is a Town only application. Several years ago, Broward County collapsed many of their land uses (commercial, industrial and employment center) into one category called “commerce”. The county land use plan, which the Town is required to be consistent with, already allows the uses proposed in the mixed use-entertainment district.

The second application is to obtain additional residential units from Broward County through an application for redevelopment units. The Town can request up to 15% of the current number of dwelling units existing in the Town. The request is for 568 units. Obtaining these units allows the Town the flexibility to allow residential within the mixed use-entertainment district.

The third application is to create the mixed use-entertainment district. The Town will be creating a new zoning district specifically for the redevelopment of SW 30th Avenue which will allow for a mix of uses with an emphasis on entertainment.

The fourth and final application is to rezone all of the properties along SW 30th Avenue to the new mixed use-entertainment district.

PROJECT ANALYSIS

SW 30th Avenue serves as the east face of the Town from Interstate-95 and the CSX railway which includes Tri-Rail commuter rail service. Many of the current buildings along SW 30th Avenue are reaching the end of their life cycle and are prime for redevelopment. SW 30th Avenue is strategically located near I-95 and CSX railway. The location straddles two large counties each having their own ports, airports, and urban centers. SW 30th Avenue direct access to and from the interstate. The location appears ideal for providing lodging, entertainment and residential for people who like to take advantage of both major regions. Due to SW 30th Avenue being separated from the remainder of the Town by the railway, entertainment uses which occasionally can be noisy are separated from the quieter sections of the Town.

The LUPA application essentially changes the land use from industrial to commercial to allow for the mixed-use entertainment use.

The application for redevelopment units will allow an additional 568 units to be built in the Town. Currently, the Town has 118 flex units remaining in their pool of units which they can allocate to projects. Requirements from Broward County for the redevelopment unit application include the creation of a Flex Receiving Map. This map is an exhibit in the redevelopment application. The flex receiving map includes all properties in the Town designated as commercial on the Town Land Use Plan Map and SW 30th Avenue. The 568 redevelopment units and the remaining 118 flex units may be allocated to any of the properties identified as a receiving area on the map. A second requirement of Broward County is to provide a minimum of 15% of the redevelopment units as affordable housing. The Town accomplishes this requirement by requiring the 15% affordability requirement onto the project which receive the units within the new mixed-use entertainment district.

The text amendment creates the new mixed-use entertainment MXE zoning district. Highlights within new zoning district include:

- Specific permitted uses which allow for commercial, residential, entertainment and commercial recreation uses all with one area.
- Reduced setbacks to allow for intense development.
- Height allowance to 150 feet and a bonus height of an additional 50 feet if the development meets certain criteria.
- A requirement to provide a minimum of 15% of the units as affordable housing.
- A density allowance of 50 units per acre and a density bonus program to allow up to an additional 50 units per acre if the development meets certain criteria and subject to the allocation of the units by the Town Commission.
- A roadway exhibit which allows for pedestrian and landscape zones and on-street parking.
- The option to build over SW 30th Avenue. The lease agreement is subject to approval by the Town Commission.
- Design standards to ensure proper design which include activating the ground level of the development, screening the loading and dumpster area, screening of the structured parking from public rights-of-way, encouraging of upper-level and rooftop decks for

additional pedestrian activity and bicycle parking.

The rezoning application will rezone all properties along SW 30th Avenue including the properties at the corners of Hallandale Beach Boulevard and Pembroke Road and SW 30th Avenue. One parcel is zoned B-1 while the remainder of the properties are zoned M-1. All will be rezoned to MXE.

RECOMMENDATION

The Town Planner recommends approval of all four applications and will forward the Planning and Zoning Board recommendation to the Town Commission. Each application must be voted on separately.

ATTACHMENTS

Town LUPA Application

Town Redevelopment Unit Application & Flex Receiving Map

Mixed Use-Entertainment District Text

Town Rezoning Application & Legal Description



TOWN OF PEMBROKE PARK PLANNING & ZONING DIVISION

3150 SW 52nd Avenue Pembroke Park, Florida 33023
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Project Name		Application Type	
Owner		Parcel (ID Number)	
Address		Parcel Size (Acres)	
Scope of Work Description			
Code Information		Yes	No
Is this an after-the-fact request? (If yes, attach a copy of any related information)			
Is this request the result of a Town code violation? (If yes, attach copy of violation notice)			
Has this same or similar request been proposed previously on the property?			
Agent			
Name:			
Company/Firm:			
Address:			
City/State/Zip:			
Phone:		Email:	
Signature:		Date:	
This is to certify that I am the agent of this application for the subject property(s) and the statements contained herein are accurate to the best of my knowledge and I will be present at any required hearings to represent this application.			
Property Owner Certification			
This is to certify that I am the owner of the subject property(s) described in this application. By signing this application, I hereby authorize the above signatory to serve as agent for this project. The agent is authorized by me to agree to any and all binding conditions throughout the review of this application. I hereby agree to be bound by any and all conditions, or amendments required by this application.			
Printed of Name of Property Owner:			
Signature of Property Owner:		Date:	
State of _____ County of _____			
Sworn to (or affirmed) and subscribed before me by means of _____ physical presence or _____ online notarization.			
this _____ day of _____, 202____, by _____ (name of person making statement)			
Personally known: OR Produced Identification, Type _____			
My Commission Expires:(stamp)			
Notary Public Signature			
TOWN USE ONLY			
Submittal Date:		Project Number:	

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Master_App_10-20-22



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Company/Firm:			
Address:			
City/State/Zip:			
Phone:		Email:	
Signature:		Date:	
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Printed of Name of Property Owner:			
Signature of Property Owner:		Date:	
State of _____ County of _____			
Sworn to (or affirmed) and subscribed before me by means of _____ physical presence or _____ online notarization.			
this _____ day of _____, 202____, by _____ (name of person making statement)			
Personally known: OR Produced Identification, Type _____			
My Commission Expires:(stamp)			
Notary Public Signature			
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Submittal Date:		Project Number:	

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Master_App_10-20-22



TOWN OF PEMBROKE PARK APPLICATION FOR ALLOCATION OF REDEVELOPMENT UNITS

DECEMBER 19, 2022

TOWN OF PEMBROKE PARK TOWN PLANNING

3150 SW 52nd Avenue Pembroke
Park, Florida 33023 954.966.4600
www.tppfl.gov

TRANSMITTAL INFORMATION

A. LETTER OF TRANSMITTAL TO THE PLANNING COUNCIL.
To be provided

APPLICANT INFORMATION

A. Name, Title, Address, Telephone, and E-mail of the applicant(See example below)

Town of Pembroke Park
3150 SW 52 Ave
Pembroke Park, FL 33023
954-849-8575
TownPlanner@tppl.gov

UPDATED TABLE OF FLEXIBILITY AND/OR REDEVELOPMENT

UPDATED FLEXIBILITY TABLE DEMONSTRATING THAT FEWER THAN 250 COMBINED “FLEXIBILITY UNITS” OR “REDEVELOPMENT UNITS,” OR 10% OF THE NUMBER OF DWELLING UNITS PERMITTED BY THE CERTIFIED MUNICIPAL LAND USE PLAN, WHICHEVER IS LESS, ARE AVAILABLE WITHIN THE MUNICIPALITY.

Policy 2.35.1 of the Broward County Land Use Plan (“BCLUP”) states that “Municipalities that have fewer than 250 combined ‘Flexibility Units’ or ‘Redevelopment Units’ may apply to the Broward County Planning Council for the allocation of ‘Redevelopment Units’ in allocations of 500 dwelling units, or 10% of the number of dwelling units permitted by the certified municipal land use plan, whichever number is less.” As per the most recent Unified Flexibility Table the Town of Pembroke Park (the “Town”) currently has 118 Flexibility (“Flex”) Units available for allocation. Policy 2.35.1 also provides that the application may be increased to 750, or 15% of the number of dwelling units permitted by the

certified land use plan, whichever number is less, if the municipality demonstrates a commitment for at least 10% very low or low affordable housing, with a legally enforceable mechanism for a minimum period of 15 years. Pursuant to Policy 2.35.1, the Town is requesting the allotment of its first 568 Redevelopment Units to replenish its general “flex pool.”

<u>TOWN OF PEMBROKE PARK ALLOCATION OF FLEX AND RESERVE UNITS (WHICH DID NOT REQUIRE AN AMENDMENT TO THE LOCAL LAND USE PLAN) CALENDER YEAR 2022</u>			
	<u>TOTAL</u>	<u>ALLOCATED</u>	<u>BALANCE</u>
<i>FLEX</i>	213	95	118
<i>RESERVE</i>	117	117	0
<i>AFFORDABLE</i>	33	33	0

MAP OF RECEIVING AREAS SUITABLE FOR REDEVELOPMENT

MAP IDENTIFYING AREAS WHICH ARE APPROPRIATE (RECEIVING AREAS) AND NOT APPROPRIATE (NON-RECEIVING AREAS) FOR ALLOCATIONS OF “REDEVELOPMENT UNITS,” CONSISTENT WITH AN ADOPTED MUNICIPAL PLAN OR PLANS, SUCH AS COMPREHENSIVE PLANS, REDEVELOPMENT PLANS, VISION PLANS, OR SIMILAR PLANS THAT HAVE BEEN THE SUBJECT OF MUNICIPAL PUBLIC PARTICIPATION AND INPUT.

The Town has had numerous public participation meetings on the vision for redevelopment of the Town and changes necessary to facilitate the vision which will require redevelopment units and updated land development code modifications. The meetings included the Town Commission Workshop on September 28, 2022, a Special Town Commission Meeting on October 15, 2022 and a Planning and Zoning Board Meeting of October 6, 2022. Paramount to the redevelopment vision is the allocation of Redevelopment Units to the appropriate areas which are identified on the Receiving Areas Map, attached hereto as Attachment “A.” The Town is nearing build-out and, redevelopment will mainly occur through infill and redevelopment of the existing commercial corridor and the SW 30th Avenue corridor. An analysis of the existing land uses in the city indicates that the appropriate allocation of redevelopment units is along the major commercial corridor (Hallandale Beach Boulevard) and on SW 30th Avenue where a mixed-use entertainment district is proposed. Other commercial land use areas in the Town have been included since many of those locations may no longer be viable for commercial uses.

The Town will work with developers on the allocations of Redevelopment Units to ensure that the Town's Land Development Code is followed, meeting affordable housing requirements and making the project compatible with any adjacent uses through design and buffers.

LAND USE COMPATIBILITY AND PUBLIC SERVICES

DEMONSTRATE SUFFICIENT CAPACITY FOR IMPACTS TO PUBLIC FACILITIES AND SERVICES, INCLUDING PUBLIC SCHOOLS.

Concurrency determinations will be made at time of plan review to ensure the availability of public facilities and their adequacy to meet established acceptable levels of service as provided in the Comprehensive Plan and Land Development Code sections. Adequate public services are available or will be available prior to development of areas outlined in the Receiving Area Map.

Potable Water

The Town receives potable water from Broward County. In the Demand Report for the Town dated December 14, 2022, based on the total peak demand was 632 GPM calculated by square footage and conceptual future use of the land. Based on the Level of Service in the Comprehensive Plan of 103 per capita per day the Redevelopment Units will generate is 152,110 gallons per day ("gpd"). Broward County will have adequate capacity to meet peak water demands from existing residents and commercial customers and from the requested Redevelopment Units over the planning period.

Wastewater

The Town receives wastewater treatment from the City of Hollywood Wastewater Treatment Plant. The Sanitary Sewer Demand Report prepared for the Town dated December 14, 2022, indicated that the total peak demand would be 909,800 GPD. The Level of Service in the Comprehensive Plan is 258 gallons per capita per day. The anticipated demand that the redevelopment units will generate is 381,014 gallons per day. Portions of the proposed receiving area currently are utilizing septic tanks which the Town is proposing to be eliminated with a new wastewater system and incorporated into the Hollywood system that will require further agreements between the City and Town.

Solid Waste

The Town contracts with Waste Management, Inc., to collect and dispose of solid waste material and garbage within the Town. The Town has adopted level of service standard for residential at 8.9 pounds per residential unit per day. Solid waste is collected and transported to the Wheelabrator waste to energy plant on State Road 7. The facility is projected to have capacity through 2030 with a remaining capacity of 19 million cubic yards and an average annual consumption of 1.5 million cubic yards. Analysis indicates the 568 Redevelopment Units will generate 5,055 pounds per day which is within the facility capacity.

Parks and Recreation

The adopted level of service for recreation and open space in the Town is three acres per 1,000 residents. It is anticipated that the requested Redevelopment Units will generate a demand for 4.4 acres of park land. The Town has 36.8 acres of parks which is enough park land to accommodate the proposed request and meets the Town's level of service for the projected population beyond the current planning horizon.

Public Schools

Every development application with residential units must receive a School Capacity Availability Determination (SCAD) letter from the Broward County ensuring school concurrency is met prior to issuance of a permits. This time, there are no capacity issues reported within the Town.

COMPLIANCE WITH BCLUP POLICIES ON AFFORDABLE

THE MUNICIPALITY SHALL ENSURE COMPLIANCE WITH BROWARD COUNTY LAND USE PLAN POLICIES REGARDING AFFORDABLE HOUSING.

In conformity with Policy 2.16.1 of the BCLUP, the Town is currently working on a text amendment to its Land Development Code to establish standards for the review and approval of Flex/Redevelopment Units allocation requests. Specifically, the Town will require a minimum of 15 percent of all Flex/Redevelopment Units allocated to a specific site be priced affordable to households at or below 120 percent of the Area Median Income ("AMI") adjusted for family size, pursuant to a deed restriction or any other legally enforceable agreement. The regulations will include deed restricting the units for a minimum of 15 years consistent with the affordable housing policies of the BCLUP.

Redevelopment Receiving Areas Map





TOWN OF PEMBROKE PARK PLANNING & ZONING DIVISION

3150 SW 52nd Avenue Pembroke Park, Florida 33023
954.966.4600
www.tppfl.gov

MASTER APPLICATION

Consideration of an application type by the Town or issuance of a permit by the Town does not in of itself in any way create a right to obtain a permit from a County, State or Federal Agency. Applicants must comply with all legal requirements and obtain all requisite approvals imposed by County, State and Federal Agencies and the Town bears no legal responsibility for Applicant's failure to do so.

Project Name		Application Type	
Owner		Parcel (ID Number)	
Address		Parcel Size (Acres)	
Scope of Work Description			
Code Information		Yes	No
Is this an after-the-fact request? (If yes, attach a copy of any related information)			
Is this request the result of a Town code violation? (If yes, attach copy of violation notice)			
Has this same or similar request been proposed previously on the property?			
Agent			
Name:			
Company/Firm:			
Address:			
City/State/Zip:			
Phone:		Email:	
Signature:		Date:	
This is to certify that I am the agent of this application for the subject property(s) and the statements contained herein are accurate to the best of my knowledge and I will be present at any required hearings to represent this application.			
Property Owner Certification			
This is to certify that I am the owner of the subject property(s) described in this application. By signing this application, I hereby authorize the above signatory to serve as agent for this project. The agent is authorized by me to agree to any and all binding conditions throughout the review of this application. I hereby agree to be bound by any and all conditions, or amendments required by this application.			
Printed of Name of Property Owner:			
Signature of Property Owner:		Date:	
State of _____ County of _____			
Sworn to (or affirmed) and subscribed before me by means of _____ physical presence or _____ online notarization.			
this _____ day of _____, 202____, by _____ (name of person making statement)			
Personally known: OR Produced Identification, Type _____			
My Commission Expires:(stamp)			
Notary Public Signature			
TOWN USE ONLY			
Submittal Date:		Project Number:	

Sec. 166.033(6), Florida Statutes: Issuance of a development permit or development order by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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. A municipality shall attach such a disclaimer to the issuance of development permits and shall include a permit condition that all other applicable state or federal permits be obtained before commencement of the development.

Master_App_10-20-22

Division 5.8 – MXE MIXED USE-ENTERTAINMENT DISTRICT

Sec. 28-209 Intent

A. Purpose

The MXE mixed use entertainment district is designed to encourage the redevelopment of SW 30th Avenue into an active entertainment district with a mix of uses including commercial, restaurant, various entertainment, hotel, office and residential. The purpose of the district standards is to stimulate economic revitalization, create a pedestrian-friendly environment and promote mixed-use developments along the corridor.

B. Permitted Uses

1. The following uses are permitted in the MXE Mixed Use Entertainment District:

Accommodation uses including hotel, condominium hotel, extended stay hotel.

Commercial Recreation uses including indoor and outdoor commercial recreation facilities which are open to the public or require membership.

Entertainment uses including theater, entertainment venue, convention center, hall-for-hire, aquarium, nightclub, bar, tavern, billiard room, museum, exhibition space.

Retail uses including antiques, clothing, convenience market, florist, gift, greeting cards, grocery, jewelry, leather goods, newsstand, notions, pharmacy, souvenir, sporting goods, stationery and books and sundry.

Restaurant uses including bakery, delicatessen and ice cream parlor.

Office uses including general office, medical office, banks and financial institutions.

Multi-family Residential uses as specified in Sec. 28-209.C Specific Use Regulations

2. Existing Uses

Existing non-conforming uses are permitted to remain pursuant to Article V.-Non-conforming Uses of the Town Zoning Code.

C. Specific Use Regulations

1. All Residential units are subject to the following regulations:

- a. Allocation of Units. Allocation of flex/redevelopment units are granted by the Town Commission and are subject to the availability of Flex/Redevelopment Units.

- b. Affordable Housing. A minimum of 15% of units allocated to a project must be affordable as defined by the Town and Broward County. A project is encouraged to propose affordable housing units consistent with Policies 2.16.3 and 2.16.4 of Broward County Land Use Plan. Affordable housing units must be deed restricted for a minimum period of 30 years. The recorded deed restriction shall be provided to the Town prior to the issuance of a building permit for the development

The Town Commission may approve a fee in lieu providing affordable housing. The Town Commission will establish the fee. The fee cannot be lower than the fee established in Policies 2.16.3 and 2.16.4. The town may apply to various Town affordable housing strategies including:

- i. Programs to facilitate the purchase or renting of new or existing affordable housing stock.
 - ii. Programs to facilitate the maintenance of the existing supply of affordable housing.
 - iii. Other programs or initiatives designed by the Town to address specific affordable housing market needs, including strategies to reduce the cost of housing production, promote affordable housing development; prevent displacement, and promote transit amongst low-income populations.
- c. Density. The permitted density in the MXE district is 50 dwelling units per net acre.
- d. Density Bonus Options. A development may request a density bonus based on the following criteria. A development cannot exceed a maximum of 100 units per acre including the density bonus.
- i. 50 units/acre. Development which is designated LEED Silver, Gold or Platinum or the equivalent for Florida Green Building Coalition standard or other sustainable development equivalent approved by the Town Commission
 - ii. 25 units/acre. Provide public art using one of the following options:
 - i. A fee equal to 1% of the project's construction costs or \$200,000 whichever is less;
 - ii. A piece of artwork valued at 1% of the project's construction costs or a maximum of \$200,000. whichever is less. The artwork shall be accessible to the public. If the artwork is placed on public property, the public art shall be approval from the City Commission.
 - iii. 25 units/acre. Properties that provide upper-level pedestrian connection between abutting properties. The pedestrian connection shall be a minimum 10-foot-wide and must be ADA compatible.
 - iv. 25 units/acre. Structured Parking to accommodate 100% of the proposed parking.

D. Uses Not Permitted

The following uses are prohibited including:

Single family and duplex residential. Townhomes-unless integrated into a development as liner residential to screen structured parking.

Vehicle and marine oriented uses including sales, parts, repair. Service and gasoline stations.

Drive-thru facilities including, restaurant, pharmacy, bank, atm.

Places of worship.

Industrial uses including warehouse manufacturing and self-storage facilities

E. Height Restrictions

1. The maximum height of any structure shall be 150 feet.
2. A height bonus option may be granted by the Town Commission to a maximum height of 200 feet if the development provides one of the following options if the option was not used for a density bonus.
 - a. Structured Parking to accommodate 100% of the proposed parking.
 - b. 5% of the provided parking is reserved for electric vehicle charging stations.
 - c. Provide public art using one of the following options:
 - i. A fee equal to 1% of the project's construction costs or \$200,000 whichever is less;
 - ii. A piece of artwork valued at 1% of the project's construction costs or a maximum of \$200,000. whichever is less. The artwork shall be accessible to the public. If the artwork is placed on public property, the public art must be accepted and approved by the Town Commission.

All structure heights above 100 feet are subject to a determination of no hazard from the Federal Aviation Administration (FAA).

F. Size of Plot and Floor Area

There is no minimum plot size or floor area.

G. Setbacks

1. The setback for all street front and street side yards shall be in compliance with the SW 30th road profiles established in Exhibit G.1.a and Exhibit G.1.b. Additional right-of-way necessary to complete the SW 30th Avenue Road profile may be granted in the form of an easement.

SW 30TH AVE ABUTTING 1-95

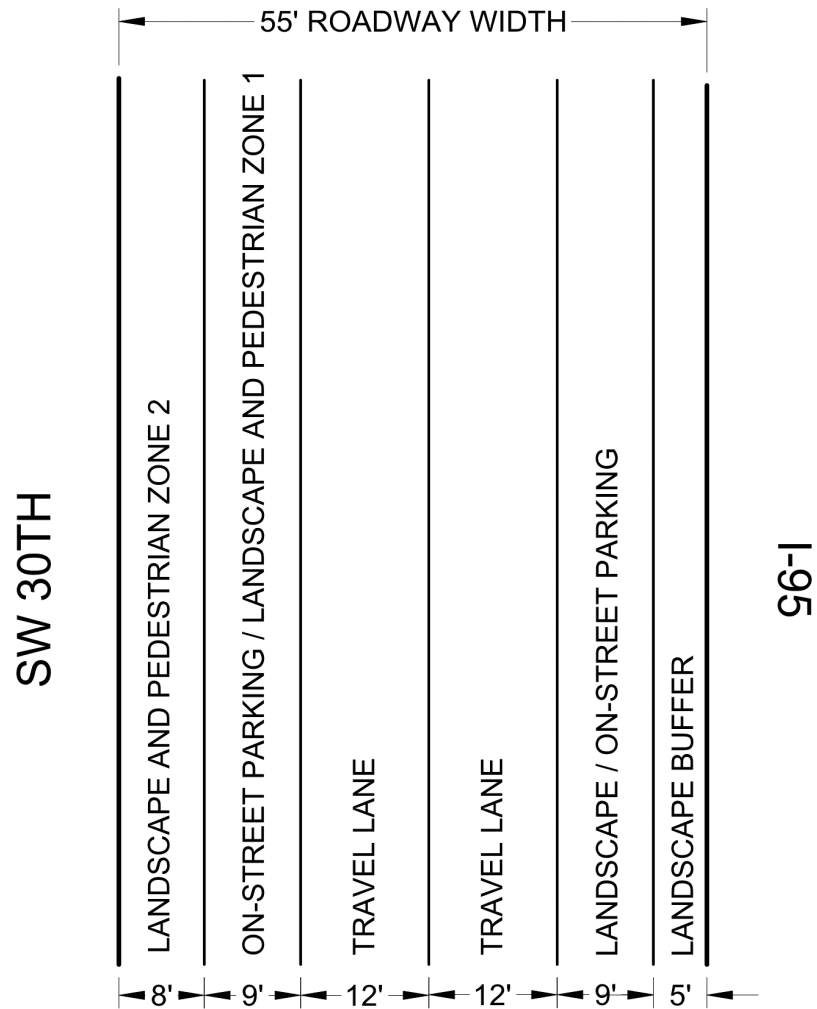
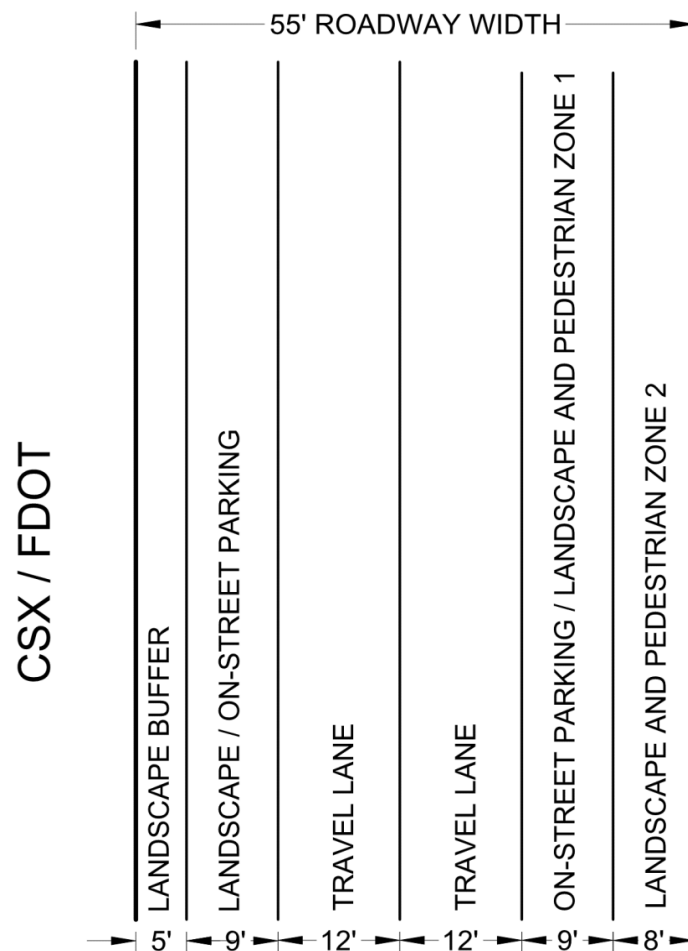


Exhibit G.1.b SW 30th Avenue Road Profile Not Abutting Interstate-95

SW 30TH AVE NOT ABUTTING 1-95



NOTE: WEST LANDSCAPE BUFFER & ON-STREET PARKING MAY BE LOCATED ON CSX/FDOT PROPERTY BY APPROVED EASEMENT

The Town Commission may modify the dimensions and requirements for Landscape/Pedestrian Zones 1 and 2 if determined to be in the best interest of the Town as part of the site plan approval process.

2. All remaining setbacks are zero.

H. Off-Street Parking

All developments are required to provide off-street parking in accordance with Sec. 28-301. A development is encouraged seek a parking reduction utilizing approved parking reduction and or demand study methods from Institute of Traffic Engineers (ITE), Urban Land Institute (ULI), American Planning Association (APA) or other organization accepted by the Town Commission.

I. On-Street Parking

On-street parking shall be provided pursuant to the roadway profile in Exhibits G.1.a and G.1.b. It will be the responsibility of the abutting property owner to provide the on-street parking. On-street parking shall be applied to off-street parking requirements for the development.

J. Building over Town Right-of-way

A property owner abutting SW 30th Avenue may enter into a lease agreement with the Town Commission to allow for the ability to develop on the air rights of SW 30th Avenue.

Setback requirements shall be waived for structure within the air rights of SW 30th Avenue.

Other than structural supports for the structure above SW 30th Avenue, the air rights of the first 30 feet from ground level shall remain open to allow for natural light, ventilation, landscape and the service of utilities.

K. Design Standards

The following design standards shall apply to all new developments in the MXE Mixed Use-Entertainment District.

1. Landscape and Pedestrian zone 1. Landscape and pedestrian zone 1 is intended to be flexible space to allow a mix of on-street parking, landscape, street furniture including seating, artwork and fountains, and/or expanded pedestrian walkways. The development is encouraged to be creative with the public space immediately fronting the development.
2. Landscape and Pedestrian zone 2. Landscape and pedestrian zone 2 is intended to create an expanded pedestrian walkway area with grade level landscape. Planter boxes are prohibited. The development is encouraged to be creative with the public space immediately fronting the development.
3. Active uses on ground level. Activation of the ground level is required. The development must adequately provide active uses on the ground level. Activation methods include retail, restaurants, hotel lobbies, residential lobbies, public or private fitness centers or similar uses. 70% of the ground level facade must include clear glass unless waived by Town Commission.

4. Upper-level and rooftop decks/Coordination with abutting properties. Upper-level and rooftop decks are encouraged. Upper-level and rooftop decks should include indoor and outdoor commercial uses and be open to the public. Upper-level decks should be coordinated between abutting properties. Upper-level decks must connect when abutting or be connected with skywalks or other creative connections. The Town may require cross access easements to upper-level decks to implement the goals and visions of the Town.
5. Vehicle openings. Ground level openings for structured parking and back of house shall be the minimum width practicable. The ground level opening for structured parking and back of house should be shared to avoid conflicts with the active pedestrian areas.
6. Back of house/Loading/Refuse. The back of house for all buildings must be screened from view from the public right-of-way (SW 30th Avenue). The back of house should be screened by a wall or active ground floor use. Dumpster and loading areas shall not be seen from the public right-of-way.
7. Screening of structured parking. On the ground level, the structured parking (except for the opening) must be screened from the view from the public right-of-way (SW 30th Avenue). Screening of structured parking may include active uses, residential liner units and green walls.

Above the ground level, the structured parking shall be screened along the east and west facades. Screening of structured parking may include decorative screens, liner residential units and liner commercial;/office space.

For properties fronting Pembroke Road and Hallandale Beach Boulevard, structured parking shall be screened from all rights-of-way. Screening of structured parking may include decorative screens, liner residential units and liner commercial;/office space.

8. Bicycle parking. Ground level public bicycle parking shall be provided in a location agreed to by the development and the Town. Bicycle parking may be located in the landscape/on-street parking area opposite the development or within landscape and pedestrian zone 1 and zone 2 per exhibits G.1.a and G.1.b or within private property via an easement.

A development shall also provide bicycle parking or bicycle storage for customers, employees and/or residents. The amount of bicycle storage shall be agreed to by the Town and development prior to site plan approval.



SW 30th Avenue

Town Only Amendment to the Land Use Plan Industrial to Commercial

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Exhibits

- Exhibit A List of Property Owners
- Exhibit B Legal Description
- Exhibit C Project Location Map
- Exhibit D Existing Town of Pembroke Park Land Use
- Exhibit E Proposed Town of Pembroke Park Land Use
- Exhibit F Potable Water Provider Letter
- Exhibit G Sanitary Sewer Provider Letter
- Exhibit H Solid Waste Provider Letter
- Exhibit I Drainage Provider Letter
- Exhibit J Mass Transit Verification Letter

1. APPLICANT INFORMATION

- A. Name, title, address, telephone, facsimile number and e-mail of the applicant.

Town of Pembroke Park
3150 SW 52 Ave
Pembroke Park, FL 33023
954-849-8575
TownPlanner@tppl.gov

- B. Name, title, address, telephone, facsimile number and e-mail of the agent.

KEITH
301 E. Atlantic Blvd.
Pompano Beach, FL 33060
954-788-3400
mvondermeulen@keithteam.com

- C. Name, title, address, telephone, facsimile number and e-mail of the property owner.

A list of all property owners, folio numbers and site addresses are in **Exhibit A**.

- D. Applicant's rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report (about two paragraphs). Planning Council staff may accept greater than two paragraphs, if submitted in an electronic format.

Response: SW 30th Avenue serves as the east face of the Town from Interstate-95 and the CSX railway which includes Tri-Rail commuter rail service. Many of the current buildings along SW 30th Avenue are reaching the end of their life cycle and are prime for redevelopment. SW 30th Avenue is strategically located near I-95 and CSX railway. The location straddles two large counties each having their own ports, airports and urban centers. SW 30th Avenue direct access to and from the interstate. The location appears ideal for providing lodging, entertainment and commercial activities for people who like to take advantage of both major regions. Due to SW 30th Avenue being separated from the remainder of the Town by the railway, entertainment uses which occasionally can be noisy are separated from the quieter sections of the Town.

The proposed amendment site fronts on I-95 and provides an image of the Town of Pembroke Park that is inconsistent with the future vision of the Town. The area was originally platted in 1898 in Dade County and portions have been subsequently replatted. A portion of the existing area is comprised of the Meekins Plat dated back to 1949 and there are a few newer plats. For the most part, the development date

back to the 1960’s and 70’s when zoning codes had minimal requirements. As a result, there are many deficiencies that contribute to the deterioration of the area and prevent redevelopment without intervention. The most striking observations are poor parking standards, lack of landscape, pedestrian connectivity, and septic tanks and drainage issues.

The proposed amendment is aimed as the first step in creating the foundation for the redevelopment of SW 30th Avenue. Changing the land use designation to Commercial will allow modern mixed-use codes to be developed for the area that will provide the basis for a sustainable future, as well as improve the infrastructure.

2. **AMENDMENT SITE DESCRIPTION**

- A. Concise written description of the general boundaries and gross acreage (as defined by BCLUP) of the proposed amendment.

Response: The site is located between Pembroke Road to the north and Hallandale Beach Boulevard to the South, lying between I-95 to the east and the CSX railway corridor. The buildable area is approximately 12.01 acres and accounting for half the rights-of-way and the site is 13.85 acres. The land use plan amendment area which includes the total SW 30th Avenue rights-of-way that has an Industrial land use designation is approximately 16.56 acres.

- B. Sealed Survey, including legal description of the proposed to be amended.

Response: A legal description is provided as **Exhibit B**.

- C. Map at a scale clearly indicating the amendment’s location, boundaries, and proposed land uses.

Response: A map clearly indicating the amendment’s location, and boundaries is provided as **Exhibit C**.

3. **EXISTING AND PROPOSED USES**

- A. Current and proposed local and Broward County Land Use Plan designation(s) for the amendment site. If multiple land use designations, describe gross acreage within each designation. For Activity Center amendments, the proposed text indicating the maximum residential and nonresidential uses must be included.

	<u>Broward County</u>	<u>Town of Pembroke Park</u>
Current	Commerce	Industrial
Proposed	Commerce	Commercial

Response: The property is 16.56 acres and has a Town of Pembroke Park Land Use designation of Industrial (**Exhibit D**), and the proposed designation is Commercial (**Exhibit E**).

- B. Indicate if the flexibility provisions of the Broward County Land Use Plan have been used for adjacent areas

Response: Broward County flexibility provisions have not been used.

- C. Existing use of amendment site and adjacent areas.

Response: The amendment site is developed industrial.

Adjacent Properties: North: Pembroke Road and the City of Hollywood
 South: Hallandale Beach Blvd. and Commercial Land Use
 East: I-95 and the City of Hallandale Beach
 West: CSX railway corridor and Industrial Land Use

- D. Proposed use of the amendment site including proposed square footage (for analytical purposes only) for each non-residential use and/or dwelling unit count. For Activity Center amendments, also provide each existing non-residential use square footage and existing dwelling unit count within the amendment area.

PROPOSED USES

Type of Use	Square footage*
Office	172,255 SF
Restaurants	500 Seats
Hotel/Motel	1,120 Rooms

*Based on concept of mixed uses allowed per zoning code for analytical purposes.
 Based on the zoning code 2,897,304 SF would be permitted.

- E. Maximum allowable development per local government adopted and certified municipal land use plans under existing designation for the site, including square footage/floor area ratio/lot coverage/height limitations/ for each non-residential use and/or dwelling unit count.

Response:

ADOPTED ENTITLEMENTS

Land Use Category	Lot Coverage	Height
Industrial	85%	80 Ft

The Industrial Land Use is based on the adopted zoning code that permits 85% coverage and a height of 80 feet. For analytical purposes, the assumption was 3 floors at 85% coverage.

NET CHANGE IN ENTITLEMENTS BY LAND USE CATEGORY

Type of Land Use	Allowed	Proposed	Net Change
Commercial	2,897,304 SF*		
Office		172,255 SF	+172,255 SF
Restaurants		500 Seats	+ 500 Seats
Hotel/Motel		1,120 Rooms	+1,120 Rooms
Industrial	1,539,192 SF	0 SF	-1,539,192 SF

*The commercial land use is based on the allowable coverage by code. Proposed uses identified for analytical purposes.

4. ANALYSIS OF PUBLIC FACILITIES

The items below must be addressed to determine the impact of an amendment on existing and planned public facilities and services. Provide calculations for each public facility and/or service. If more than one amendment is submitted, calculations must be prepared on an individual and cumulative basis.

A. Potable Water Analysis

1. Provide the potable water level of service per the adopted and certified local land use plan, indicating the adoption date of the 10 Year Water Supply Facilities Plan.

Response: The current 10 Year Water Supply Facilities Work Plan was adopted in October 2017. The adopted level of service for potable water service is 103 gallons per person capita per day.

2. Identify the potable water facility serving the area in which the amendment is located including the current plant capacity, current and committed demand on the plant and planned plant capacity expansions, including year and funding sources. Identify the well field serving the area in which the amendment is located including the South Florida Water Management District (SFWMD) permitted withdrawal and expiration date of the SFWMD permit.

Response: Broward County Utilities is the potable water provider. Plant capacity will be provided by County prior to Town Council Hearings.

3. Identify the net impact on potable water demand, based on adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Response: The potable water demand as illustrated in Table compares the existing Commercial Land Use to the proposed Industrial amendment. The net estimated demand increase is 143,684 gallons/day.

POTABLE WATER DEMAND

Current Land Use Plan Designation: Industrial		
Development Intensity	Generation Rate	Demand
Industrial 1,539,193 SF	26 GPD/1,000 SF	40,019 GPD
Proposed Land Use Designation: Commercial*		
Development Intensity	Generation Rate	Demand
Office 172,255 SF	42 GPD/1,000 SF	7,235 GPD
Restaurant 51,028 SF/500 Seats	356GPD/1,000 GBA	51,028 GPD
Hotel/Motel 1,120 Rooms	112 GPD/Room	125,440 GPD
Net Change:		+ 143,684 GPD

*Based on conceptual uses for analytical purposes. Commercial and industrial Rates are Based on Broward County generation.

- Correspondence from potable water provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position, and contact information of party providing verification.

Response: The letter from the potable water will be provided prior to Town Council Hearing **Exhibit F**.

B. Sanitary Sewer Analysis

- Provide the sanitary sewer level of service per the adopted and certified local land use plan.

Response: The level of service in the adopted, certified land use element is 258 gallons per capita per day.

- Identify the sanitary sewer facility serving the area in which the amendment is located including the current plant capacity, current and committed demand on the plant and planned plant capacity expansions, including year and funding source.

Response: The City of Hollywood provides sanitary sewer collection only. The City's collection system consists of gravity lines, pump stations and force mains.

The Town has a Large User Agreement with The City of Hollywood to provide treatment. The area of the amendment is currently served by septic tanks and will require an amended agreement to provide additional capacity. Plant capacity will be provided prior to Town Council hearings.

3. Identify the net impact on sanitary sewer demand, based on the adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Response: The sanitary sewer demand as illustrated in Table below compares the Commercial Land Use to the Industrial amendment. The net estimated demand increase is 73,532 gallons/day.

SANITARY SEWER DEMAND

Current Land Use Plan Designation: Industrial		
Development Intensity	Generation Rate	Demand
Industrial 1,539,193 SF	.10 GPD/SF	153,919 GPD
Proposed Land Use Designation: Commercial*		
Development Intensity	Generation Rate	Demand
Office 172,255 SF	.2 GPD/SF	34,451 GPD
Restaurant 500 Seats	50 GPD/Seat	25,000 GPD
Hotel/Motel 1,120 Rooms	150 GPD/ bedrooms	168,000 GPD
		Net Change: +73,532 GPD

*Based on conceptual uses for analytical purposes. Commercial and industrial rates based on Broward County Code Section 27-201.

4. Correspondence from sanitary sewer provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position, and contact information of party providing verification.

Response: The letter from the sanitary sewer provider will be provided prior to Town Council hearing as **Exhibit G**.

C. Solid Waste Analysis

1. Provide the solid waste level of service per the adopted and certified local land use plan.

Response: The Town has adopted Broward County level of service standard of 8.9 pounds per residential unit per day. For non-residential uses use Broward County Land Development Code.

Residential	8.9 lbs. per unit per day
Factory/Warehouse	2 lbs per 100 sq.ft. per day
Office Building	1 lbs per 100 sq.ft. per day
Retail/ Service	4 lbs per 100 sq.ft. oer day
Hotel/Motel	3 lbs per room per day

- Identify the solid waste facilities serving the service area in which the amendment is located including the landfill/plant capacity, current and committed demand on the landfill/plant capacity and planned landfill/plant capacity.

Response: The majority of solid waste in the Town is managed by Waste Management, Inc., which collects and disposes of solid waste material and garbage within the Town. The majority of material collected within the Town is transported to the appropriate Landfill/Waste to Energy Plant. The facility is projected to have capacity through 2032 with a remining capacity of 19 million cubic yards and an average annual consumption of 1.5 million cubic yards.

- Identify the net impact on solid waste demand, based on the adopted level of service, resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Response: Analysis indicates that there will decrease the solid waste demand by 24,069 pounds per day.

SOLID WASTE DEMAND

Current Land Use Plan Designation: Industrial		
Development Intensity	Generation Rate	Demand
Industrial 1,539,193 SF	2 Lbs/100 SF/day	30,784 Lbs Day
Proposed Land Use Designation: Commercial*		
Development Intensity	Generation Rate	Demand
Office 172,255 SF	1 Lbs/100 SF/day	1,722 Lbs/Day
Restaurant 40,822 SF	4 Lbs/100 SF/day	1,633 Lbs/Day
Hotel/Motel 1,120 Rooms	3 Lbs/Room/ day	3,360 Lbs/Day
Net Change:		-24,069 Lbs/Day

*Based on Broward County LOS and proposed conceptual uses for analytical purposes. Industrial based on factory/warehouse and restaurant converted to square feet.

4. Correspondence from the solid waste provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position, and contact information of party providing verification.

Response: The letter from the solid waste provider will be provided prior to Town Council hearing as **Exhibit H**.

D. **Drainage Analysis**

1. Provide the drainage level of service per the adopted and certified local land use plan.

Response: The Town has adopted the following LOS standards for Drainage:

One inch (1") in 25-year storm with attenuation (24-hour storm event) and treatment of the first 1" of run-off on-site.

2. Identify the drainage district and drainage systems serving the amendment area.

Response: Broward County and South Florida Water Management District.

3. Identify any planned drainage improvements, including year, funding sources and other relevant information.

Response: Portions of the area are prone to flooding and a comprehensive drainage plan is proposed to alleviate the current issues and proposed redevelopment. Funding will be provided by the Town and developers.

4. Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the amendment site.

Identify the permit number(s), or application number(s) if the project is pending, for the amendment site. If an amendment site is not required to obtain a SFWMD permit, provide documentation of same.

Response: The amendment area covers approximately a mile in length. Many of properties were developed in the 60's and permits are not available. Since there are so many properties, obtaining permits would not be productive.

5. If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrates how the site will be drained and the impact on the surrounding properties. The information should include the wet season water level for the amendment site, design storm elevation, natural and proposed land elevation, one-hundred-year flood elevation, acreage of proposed management retention area, elevations for buildings, roads and yards, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

Response: The Town has prepared a draft comprehensive analysis of the amendment site to alleviate the issues.

6. Correspondence from local drainage district verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position, and contact information of party providing verification.

Response: The letter from the local drainage district will be provided prior to Town Council hearings as **Exhibit I**.

E. Recreation and Open Space Analysis

1. Provide the recreation level of service per the adopted and certified local land use plan.

Response: The City's level of service standard for parks is three acres per 1,000 residents.

2. For amendments which will result in an increased demand for "community parks" acreage, as required by the Broward County Land Use Plan, an up-to-date inventory of the municipal community parks inventory must be submitted.

Response: The Town has three park sites; McTyre Park, Pembroke Park Preserve, and Patrick Behn Park. The parks total 36.81 acres. Based on 2021 census estimate of the population at 6,195 the Town Park requirement is 18.58 acres. The Town has ample available acres to accommodate future growth.

3. Identify the net impact on demand for "community parks" acreage, as defined by the Broward County Land Use Plan, resulting from this amendment.

Response: Based on the proposed uses there will not be an increase in park demand.

4. Identify the projected “community parks” acreage needs based on the local government’s projected buildout population.

Response: Both existing Industrial and proposed Commercial land use do not impact park demand and do not affect population buildout projections.

5. As applicable, describe how the local government and/or applicant are addressing Broward County Land Use Plan Policies 2.5.4 and 2.5.5. (a. through e.) regarding the provision of open space.

Response: POLICY 2.5.4 does not apply to this amendment since there is no loss of open space and a local plan amendment.

F. Traffic Circulation Analysis

Please be advised, if required, that the Planning Council staff will request from the Broward Metropolitan Planning Organization (MPO), as per Policy 2.14.6 of the BCLUP, an analysis of the impacts of the amendment to the regional transportation network. The MPO will charge a separate cost-recovery fee directly to applicants for technical assistance requested by the Planning Council for the preparation and review of the land use plan amendment transportation analysis. Please contact the MPO for additional information regarding this fee.

1. Identify the roadways impacted by the proposed amendment and indicate the number of lanes, current traffic volumes, adopted level of service and current level of service for each roadway.

Response: Major roadways serving the amendment site include:

- Pembroke Road
- Hallandale Beach Boulevard.
- I-95

The level of service standards maintained by Broward County and the Town of Pembroke Park are summarized below in Table 1.

Broward County

The amendment site is located within the Transportation Concurrency District which

is subject to the provisions of the Broward County Transportation Concurrency System. Therefore, the level of service standard determined by the Broward County Development Review Services was considered for this analysis. The level of service standard for all roadways within the impact area is LOS D for long range planning purposes.

Town of Pembroke Park

The Town of Pembroke Park recognizes the County's level of service (LOS) D standards in its adopted Comprehensive Plan. The Town is located within Broward County Transportation Concurrency Management Area (TCMA). All new development in the Town is subject to payment of Transit Impact fees to the Broward County.

2. Identify the projected level of service for the roadways impacted by the proposed amendment for the long-range planning horizons. Please utilize average daily and P.M. peak hour traffic volumes per Broward County Metropolitan Planning Organization plans and projections.

Response: The projected level of service for the short-term (i.e., 2024) planning horizon was determined using linear interpolation of the currently available 2017 peak hour volumes; and the long-term (2040) currently available peak hour volumes to obtain the short-term peak hour volume. Once the interpolated value was obtained, FDOT's 2013 *Quality/Level of Service Handbook* was used to find the appropriate level of service standard.

The level of service for the short and long-term planning horizon will be provided prior to Town hearings.

3. Planning Council staff will analyze traffic impacts resulting from the amendment. The applicant may provide a traffic impact analysis for this amendment – calculate anticipated average daily and pm peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the amendment site and provide a distribution of the additional traffic on the impacted roadway network for the long-range planning horizon.

Response: The trip generation potential for the amendment site was calculated using rates reported by the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 10th Edition.

A detailed trip generation calculation will be provided to the Town prior to hearings.

4. Provide any transportation studies relating to this amendment, as desired.

Response: Supplemental transportation studies relating to this amendment are not provided.

G. **Mass Transit Analysis**

1. Identify the mass transit modes, existing and planned mass transit routes and scheduled service (headway) serving the amendment area within one-quarter of a mile.

Response:

Existing Broward County Bus Transit Service

- **Broward County Transit Route 5** operates on Pembroke Road linking the site in an east west direction. Route 5 operates on 50-minute headways.
- **Broward County Transit Route 28** operates on Hallandale Beach Boulevard in an east west direction. Route 28 has 30-minute headways.
- **County also has Route 110 and community shuttles 733 and 755 within proximity of the site.** Route 110 has 30-minute headways and 733 and 755 operate on 60-minute headways.

2. Describe how the proposed amendment furthers or supports mass transit use.

Response: Redevelopment will provide potential additional riders for the transit system.

3. Correspondence from transit provider verifying the information submitted in items 1-2 above. Correspondence must contain name, position, and contact information of party providing verification.

Response: The mass transit verification letter from Broward County Transit is provided as **Exhibit J**.

H. **Public Education Analysis**

Please be advised that the Planning Council staff will request from The School Board of Broward County (SBBC), as per Policy 2.15.2 of the BCLUP, an analysis of the impacts of the amendment on public education facilities. Per SBBC Policy 1161, the applicant will be subject to a fee for the analysis and review of the land use plan amendment application. The applicant should contact the SBBC to facilitate this review and determine the associated fees.

1. Public School Impact Application

Response: There are no impacts from the proposed Commercial Land Use.

2. The associated fee in the form of a check made payable to the SBBC.

Response: Public School Impact Application and fee is not necessary since the site is proposed to be Commercial. If future flex or redevelopment units are, developers will need to provide school board concurrency analysis.

5 ANALYSIS OF NATURAL AND HISTORIC RESOURCES

Indicate if the site contains, is located adjacent to or has the potential to impact any of the natural and historic resource(s) listed below, and if so, how they will be protected or mitigated. Planning Council staff will request additional information from Broward County regarding the amendment's impact on natural and historic resources.

- A. Historic sites or districts on the National Register of Historic Places or locally designated historic sites.

Response: There are no listed historic sites or districts associated with the site.

- B. Archaeological sites listed on the Florida Master Site File.

Response: Site is not listed on the Florida Master Site File.

- C. Wetlands.

Response: No wetlands are located within the subject property.

- D. Local Areas of Particular Concern as identified within the Broward County Land Use Plan.

Response: The subject property is not within an area designated as a Local Area of Particular Concern by the Broward County Land Use Plan.

- E. Priority Planning Area map and Broward County Land Use Plan Policy 2.21.1 regarding sea level rise.

Response: A small portion of the site which appears to be limited to a portion of 30th Avenue is highlighted within a Priority Planning Area for sea level rise. The map identifies areas near tidal water bodies at increased risk of inundation under a 3.3-foot sea level rise scenario, projected to occur as soon as 2070. An exact determination was not made due to the exact limits.

- F. “Endangered” or “threatened species” or “species of special concern” or “commercially exploited” as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

Response: The subject property is developed, as well as surrounding areas. There has been no evidence to date of any endangered, threatened or species of special concern associated with the amendment area.

- G. Plants listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services.

Response: The subject property is developed as well as surrounding areas. There has been no evidence to date of any plant species listed on the index being located on the subject property.

- H. Wellfields – indicate whether the amendment is located within a wellfield protection zone of influence as defined by Broward County Code, Chapter 27, Article 13 “Wellfield Protection.” If so, specify the affected zone and any provisions which will be made to protect the wellfield.

Response: The amendment site is not located within a Wellfield Protection Zone.

- I. Soils – describe whether the amendment will require the alteration of soil conditions or topography. If so, describe what management practices will be used to protect or mitigate the area’s natural features.

Response: Soil is suitable for development. On-site cut and fill will utilize best management practices required by the water management design engineering standards.

- J. Indicate if the amendment site fronts the ocean or would impact access to public beaches. If so, describe how public beach access will be addressed.

Response: Not Applicable

6 AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 2.16.2 consistent with Article 5 of this Document.

Response: Amendment site does not contain any housing units. If redevelopment units are utilized in the future, the Town and the developers will be subject to affordable housing requirements.

7 LAND USE COMPATABILITY

Describe how the amendment is consistent with existing and planned future land uses in the area (including adjacent municipalities and/or county jurisdictions). Identify specific land development code provisions or other measures that have or will be utilized to ensure land use compatibility.

Response: The amendment site is located between two major transportation corridors; Interstate-95 on the east and the CSX Railroad corridor on the west. The existing use is industrial and amending the site to commercial will not impact the adjacent areas. The frontage along I-95 north and south has similar uses. The amendment site is essentially isolated.

8 HURRICANE EVACUATION ANALYSIS

(Required for those land use plan amendments located in a hurricane evacuation zone as identified by the Broward County Emergency Management Division).

Provide a hurricane evacuation analysis based on the proposed amendment, considering the number of permanent and seasonal residential dwelling units (including special residential facilities) requiring evacuation, availability of hurricane shelter spaces, and evacuation routes and clearance times. The hurricane evacuation analysis shall be based on the best available data/modeling techniques as identified by the Broward County Emergency Management Division.

Response: Site is not within a Hurricane Evaluation Zone.

9 REDEVELOPMENT ANALYSIS

Indicate if the amendment is located in an identified redevelopment area (i.e., Community Redevelopment Agency, Community Development Block Grant). If so, describe how the amendment will facilitate redevelopment and promote approved redevelopment plans.

Response: Site is not part of a designated redevelopment area. The amendment site will promote redevelopment in concert with future land development code amendments which will enable the highest and best use; and provide employment and increased tax base.

10 INTERGOVERNMENTAL COORDINATION

Indicate whether the proposed amendment site is adjacent to other local governments. If so, please provide additional copies for the notification and/or review by adjacent local governments.

Response: The City of Hollywood could be considered adjacent on the north at Pembroke Road. The City of Hallandale Beach could be considered adjacent across I-95. Notices to adjacent municipalities will be provided as part of the participation process.

11 PUBLIC OUTREACH

Describe how the applicant and/or local government notified and coordinated with adjacent property owners, master association, homeowner associations etc.

Response: There is not a master association of the amendment area. The Town of Pembroke will notify each property owner, publish legal notices, post the site and solicit public input thru the Town website.

12 CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES WITH THE TOWN OF PEMBROKE PARK LAND USE PLAN

The Comprehensive Plan Goals, Objectives and Policies support redevelopment of the area. Several of the GOPS are:

Policy #1.3.5: The Land Use Plan Map may be amended by the Town's Commission in the manner provided by the Broward County Charter and Florida Local Government Comprehensive Planning and Land Development Regulation Act and local regulations. All amendment shall consider the compatibility of existing and future land uses.

Policy #1.3.8: The Town shall require all redevelopment activities to address existing problems, if any.

Policy # 1.3.9: The Town shall consider the availability of water supply facilities during evaluation of any proposed Comprehensive Plan Land Use Amendments or rezonings.

Policy #1.5.16: The Town will continue to eliminate all existing septic tank systems in the Town and extending municipal sewage treatment facilities to each site where economically feasible.

Policy # 1.5.22 The Town shall require all development and redevelopment activities within identified flood plains to address existing or potential flooding problems, if, any. All flood plain protection provisions pertaining to public roads and parking lot shall be included in Land Development Regulations consistent with the criteria and mapping of FEMA and S.F. Water Management.

Objective: 4-A.2: Complete the process begun in 1995 to phase out all septic tanks in the Town. Maintain and improve the Town's sewage collection system in order to maximize the use of the Town's existing infrastructure.

13. ADDITIONAL SUPPORTING DOCUMENTS

None

14. PLAN AMENDMENT COPIES

EXHIBIT A

List of Property Owners

30th AVE FOLIO'S		
FOLIO NO.	PROPERTY OWNER	PROPERTY/SITE ADDRESS
F0-51422180029	M & C DEVITA REV LIV TR DEVITA, MICHAEL A TRS ETAL	SW 30 Ave Pembroke Park FL, 33009
F1-514221280021	1730 PR LLC	1730 SW Ave Pembroke Park FL33009
F3-514221280025	ROLINS CONTINENTAL INC	1731 SW Ave Pembroke Park FL33009
F4-514221280026	1950 SOUTH AVENUE LLC PURACOSTA MANAGEMENT	1732 SW Ave Pembroke Park FL33009
F5-514221280027	ANO LLC	1960 SW Ave Pembroke Park FL,33009
F6-514221280024	BKI-95 LLC	2000 SW 30 Ave Pembroke Park FL,33009
F7-514221010101	LIVMA LLC	2050 SW 30 Ave Pembroke Park FL,33009
F8-514221010103	SLR REALTY CORP	2150 SW 30 Ave Pembroke Park FL,33009
F9-514221010107	SLR REALTY CORP	SW 30 Ave Pembroke Park FL, 33009
F10-514221010117	2250 WAREHOUSE LLC	2250 SW Ave Pembroke Park FL, 33021
F11-514221010108	AMITA DEVELOPMENT LLC	2350 SW Ave Pembroke Park FL, 33009
F12-514221010109	2400 SW30 LLC	2400 SW 30 Ave Pembroke Park FL,33009
F13-514221010113	XYD INVESTMENTS LLC	2500 SW 30 Ave Pembroke Park FL, 33009
F14-514221010118	TAI GROUP INC	2520 SW 30 Ave Pembroke Park FL, 33009
F15-514221010114	FINE LINE INTERIORS INC	2530 SW Ave Pembroke Park FL,33009
F16-514221010120	THX REAL ESTATE LLC	2540 SW 30 Ave Pembroke Park FL, 33009
F17-514221010131	ROB INVESTMENT PROPERTY LLC	2512 SW 30 Ave Pembroke Park FL,33009
F18-514228710010	BH 2550 LLC	2550 SW 30 Ave Pembroke Park FL, 33009
F19-514228000102	THARP FAMILY REV TR	2865 SW 30 Ave Pembroke Park FL, 33009
F20-514228740010	TIMELY PROPERTY INC	2885 SW 30 Ave Pembroke Park FL, 33009
F21-514228640010	TIMELY PROPERTY INC	3001 W Hallandale Beach Blvd Pembroke Park FL, 33009
S1-514228320120	TOWN OF PEMBROKE PARK	SW 30 Ave Pembroke Park FL, 33009
S2-514228320100	FDOT	SW 30 Ave Pembroke Park FL, 33009
S3-514228320023	PEGGY MESSINGSCHLAGER REV TR, MESSINGSCHLAGER, PEGGY TRSTEE	2521 SW 30 Ave Pembroke Park FL, 33009
S4-514228320110	PEGGY MESSINGSCHLAGER REV TR, MESSINGSCHLAGER, PEGGY TRSTEE	SW 30 Ave Pembroke Park FL, 33009
S5-514228320122	TOWN OF PEMBROKE PARK	SW 30 Ave Pembroke Park FL, 33009
S6-514228320121	TOWN OF PEMBROKE PARK	SW 30 Ave Pembroke Park FL, 33009
S7-514221010112	TOWN OF PEMBROKE PARK	SW 30 Ave Pembroke Park FL, 33009
S8-514221010370	TOWN OF PEMBROKE PARK	SW 30 Ave Pembroke Park FL, 33009
S9-514221280028	TOWN OF PEMBROKE PARK	SW 30 Ave Pembroke Park FL, 33009
S10-ROW	ROW	ROW
S11- 514228320070	FDOT Office of ROW	SW 30 Ave Pembroke Park FL, 33009
S12-514228320080	FDOT Office of ROW	SW 30 Ave Pembroke Park FL, 33009
S13-514228320090	FDOT Office of ROW	SW 30 Ave Pembroke Park FL, 33009
S14-514221280020	FDOT Office of ROW	1701 S 30 Ave Pembroke Park FL, 33009
S15-514221280022	TOWN OF PEMBROKE PARK	SW 30 Ave Pembroke Park FL, 33009

EXHIBIT B

Legal Description

Legal Description

That portion of Sections 21 and 28, Township 51 South, Range 42 East, lying westerly of I-95 (SR 9) as shown on Right of Way Map 8607-201, as recorded in Right of Way Map Book 3, Page 18, Broward County Records, lying northerly of the north line of Parcel A, Timely Property Inc Plat, as recorded in Plat Book 162, Page 27, Broward County Records, and lying southerly of the north line of Meekins Addition Number 1, as recorded in Plat Book 26, Page 5, Broward County Records.

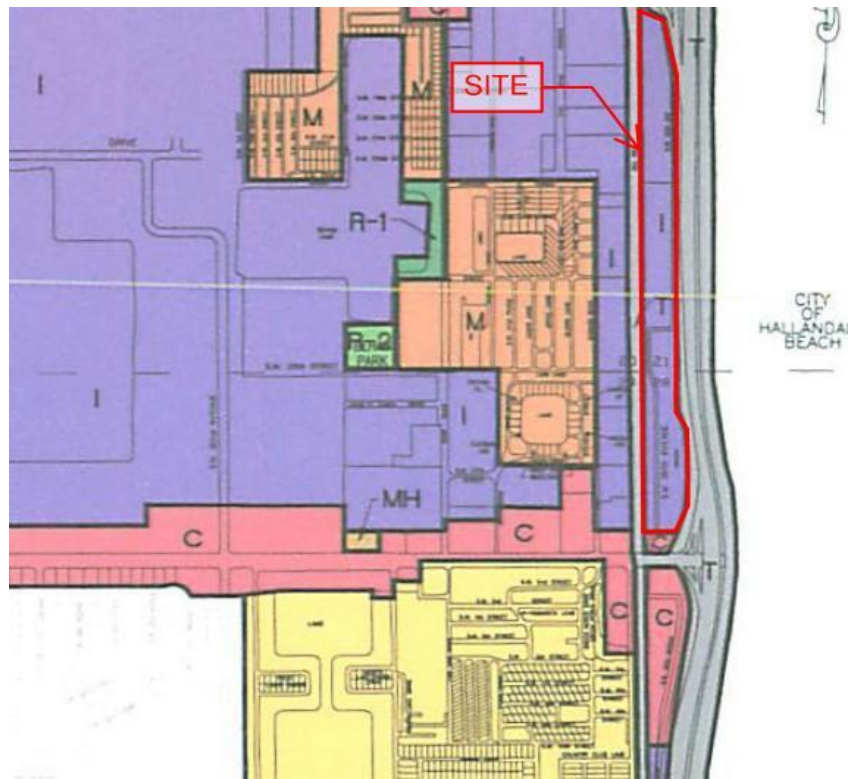
EXHIBIT C

Project Location Map



EXHIBIT D

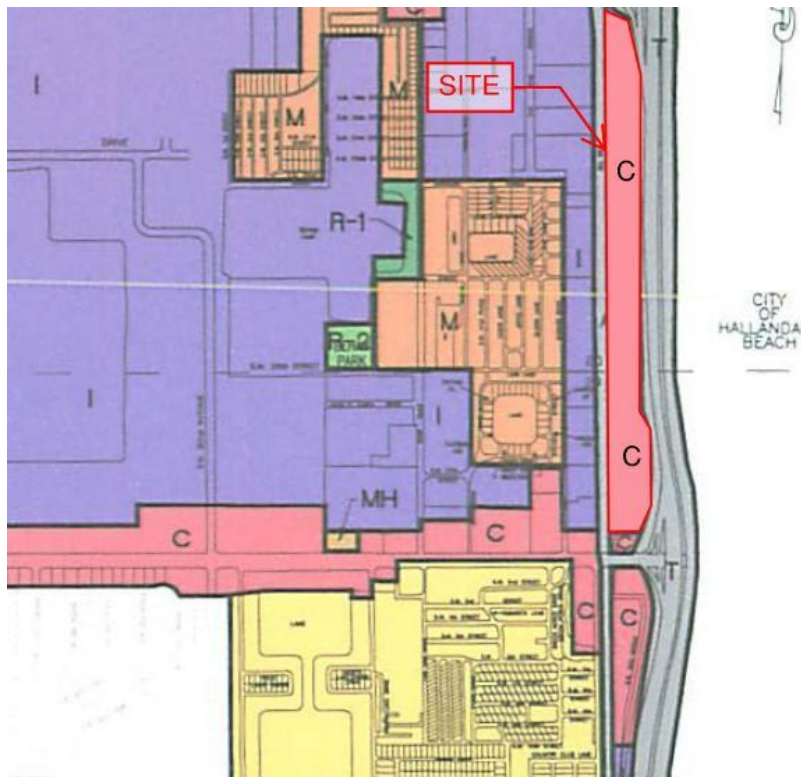
Existing Town of Pembroke Park Land Use



LEGEND	
	INDUSTRIAL
	COMMERCIAL
	MEDIUM DENSITY
	LOW-MEDIUM DENSITY

EXHIBIT E

Proposed Town of Pembroke Park Land Use



LEGEND

	INDUSTRIAL
	COMMERCIAL
	MEDIUM DENSITY
	LOW-MEDIUM DENSITY

EXHIBIT F

Potable Water Provider Letter

To be provided

EXHIBIT G

Sanitary Sewer Provider Letter

To be provided

EXHIBIT H

Solid Waste Provider Letter

To be provided

EXHIBIT I

Drainage Provider Letter

To be provided

EXHIBIT J

Mass Transit Verification Letter

To be provided



Transportation Department

Service and Strategic Planning Division

1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8382

VIA EMAIL

November 4, 2022

Juan Chapa
Planning Intern
KEITH
301 E Atlantic Boulevard Pompano Beach, FL 33060

RE: "30th AVE-Pembroke Park, FL 33009" Land Use Plan Amendment (LUPA)

Dear Mr. Chapa

Broward County Transit (BCT) has reviewed your correspondence dated November 2, 2022, regarding the proposed Land Use Plan Amendment (LUPA) for SW 30th Ave, Pembroke Park FL 33009 (folio numbers 51422180029 and additional listed below) for current and planned transit service. The transit service provided within a quarter mile of the amendment site is limited to BCT Routes 5, 28, 110 and community shuttle Routes 733, 755. Please refer to the following table for detailed information.

Folio # of Included Parcels				
514221280021	514221280025	514221280026	514221280027	514221280024
514221010101	514221010103	514221010107	514221010117	514221010108
514221010109	514221010113	514221010118	514221010114	514221010120
514221010131	514228710010	514228000102	514228740010	514228640010

Broward County Board of County Commissioners
Torey Alston • Mark D. Bogen • Lamar P. Fisher • Beam Furr • Steve Geller • Jared E. Moskowitz • Nan H. Rich • Tim Ryan • Michael Udine
www.broward.org

Page 1 of 1

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
5	Weekday	5:46a-10:24p	50/55 minutes
	Saturday	6:40a-10:12p	50/55 minutes
	Sunday	7:59a-8:48p	55/60 minutes
28	Weekday	4:45a-1:07a	20/30 minutes
	Saturday	5:13a-12:50p	20/30 minutes
	Sunday	7:28a-10:15p	25/45 minutes
110	Weekday	5:20a-8:08p	30 minutes
733 Hallandale 3	Weekday Saturday	7:00a-7:00p	65 minutes
755 Hallandale 4	Weekday Saturday Sunday	7:00a-7:00p	60 minutes

BCT can accommodate additional transit demand, as described in the Mass Transit Analysis, with planned fixed route bus service to the amendment site.

As part of the 30 year, one-cent surtax for transportation, BCT will be implementing fixed route bus improvements, including shorter headways and increased span of service on weekdays and weekends. The development of subject property will support the utilization of mass transit by increasing the employment opportunities along an existing transit route. The proposed development will provide safe circulation routes for pedestrians and bicycles including transit connectivity between existing sidewalks and proposed future bus stops.

Please be advised that the needs of any existing or future bus stops located adjacent or within the amendment site will be addressed during the project's development review process.

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

Sincerely,

Romary A. Justafort

Romary Justafort
Service Planner
Service and Strategic Planning – Broward County Transit

Rezoning Legal Description

That portion of Sections 21 and 28, Township 51 South, Range 42 East, lying westerly of I-95 (SR 9) as shown on Right of Way Map 8607-201, as recorded in Right of Way Map Book 3, Page 18, Broward County Records, lying southerly of the south line of Parcel A, Timely Property Inc Plat, as recorded in Plat Book 162, Page 27, Broward County Records, and lying southerly of the north line of Meekins Addition Number 1, as recorded in Plat Book 26, Page 5, Broward County Records.

ORDINANCE NO. 2022-017

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING SECTION 28-279 "RESPONSIBILITY FOR CONNECTION TO TOWN SYSTEM" WITHIN CHAPTER 28 "ZONING" AND MOVING THE SECTION TO CHAPTER 26 "UTILITIES"; RESCINDING ORDINANCE NO. 2022-010; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Town staff has determined that Section 28-279 of Chapter 28 "Zoning" should be amended and moved to the Utilities chapter of the Code because the subsection pertains to utilities rather than zoning; and

WHEREAS, Ordinance 2022-017 shall replace Ordinance 2022-010 in whole and, therefore, Ordinance 2022-010 must be rescinded.

WHEREAS, the Town Commission of the Town of Pembroke Park finds that it would promote the public health, safety, and general welfare of its citizenry to amend Section 28-279 of the Chapter 28 "Zoning" and move Section 28-279 to the Utilities section of the Code.

NOW, THEREFORE, BE IT ORDAINED by the **Town Commission** of the **Town of Pembroke Park**:

Section 1: Section 28-279 "Responsibility for Connection to the Town System" within Chapter 28. Section 28-279 "Responsibility for Connection to the Town System" within Chapter 28 "Zoning" is deleted in its entirety from Chapter 28 and moved to Chapter 26 "Utilities" as set forth below, as shown in ~~striketrough~~ and underline format.

* * *

DIVISION 2. - CONNECTION AND SERVICE CHARGES

* * *

Sec. 26-22. – Responsibility for Connection to the Town System.

(a) It shall be the responsibility of every owner, operator or manager of a mobile home park in the Town to ensure that every mobile home or recreational vehicle located in the mobile home park which such person owns, operates or manages, is connected to the Town wastewater collection system in accordance with the provisions of this article and to pay the cost and expense of making such connection.

(b) The Town shall be responsible for the maintenance of the wastewater collection system in each mobile home park up to the sanitation tee on each mobile home lot or recreational vehicle lot or site.

* * *

Section 2. Rescinding Ordinance 010-2022. Ordinance 2022-010 is hereby rescinded.

Section 3. Codification. It is the intention of the Town Commission of the Town of Pembroke Park, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Pembroke Park's Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 4. Severability. The provisions of this Ordinance are to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Conflict. All Ordinances, parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 6. Effective Date. This Ordinance shall be enacted immediately upon its passage and adoption after Second Reading by the Town Commission.

PASSED AND ADOPTED on First Reading this ____ day of _____, 2022.

PASSED AND ADOPTED on Second Reading this ____ day of _____, 2022.

ATTEST:

Clerk

GEOFFREY JACOBS
Mayor-Commissioner

Approved as to form and legal sufficiency

Melissa P. Anderson
Town Attorney