

**CITY OF MIRAMAR
PROPOSED CITY COMMISSION AGENDA ITEM**

Meeting Date: August 21, 2019

Presenter's Name and Title: Eric Silva, Director, on behalf of Community & Economic Development Department

Prepared By: Michael Alpert, Principal Planner

Temp. Reso. Number: 6998

Item Description: Temp. Reso. #6998, CONSIDERING CONDITIONAL USE APPLICATION NO. 1900388, SITE PLAN APPLICATION NO. 1900384 AND COMMUNITY APPEARANCE BOARD APPLICATION NO. 1900385, FOR CASA SANT'ANGELO SENIOR HOUSING, LOCATED AT 16800 MIRAMAR PARKWAY. (Community & Economic Development Director Eric Silva) (*Continued from July 10, 2019 agenda*)

Consent ☐ Resolution ☐ Ordinance ☐ Quasi-Judicial ☒ Public Hearing ☐

Instructions for the Office of the City Clerk:

Public Notice – As required by the Sec. ____ of the City Code and/or Sec. ____, Florida Statutes, public notice for this item was provided as follows: on _____ in a _____ ad in the _____; by the posting the property on 06/26/19 and/or by sending mailed notice to property owners within 1,000 feet of the property on 06/26/19 (fill in all that apply)

Special Voting Requirement – As required by Sec. _____, of the City Code and/or Sec. _____, Florida Statutes, approval of this item requires a _____ (unanimous, 4/5ths etc.) vote by the City Commission.

Fiscal Impact: Yes ☐ No ☒

REMARKS:

Content:

- **Agenda Item Memo from the City Manager to City Commission**
- **Resolution TR 6998**
- **Attachment(s)**
 - **Attachment 1: Location Map**
 - **Attachment 2: Project Plans**
 - **Attachment 3: Development Review Analysis**



**CITY OF MIRAMAR
INTEROFFICE MEMORANDUM**

TO: Mayor, Vice Mayor, & City Commissioners

FROM: Vernon E. Hargray, City Manager *for [Signature]*

BY: Eric Silva, Director of Community & Economic Development

DATE: August 15, 2019

RE: Temp. Reso. No. 6998, for the approval of conditional use, site plan, and Community Appearance Board for Casa Sant'Angelo senior housing, located at the 16800 Miramar Parkway

RECOMMENDATION: The City Manager recommends approval of Temp. Reso. No. 6998, considering Application Nos. 1900388 Conditional Use, 1900384 Site Plan, and 1900385 for Community Appearance Board ("CAB"), all for the development of a senior housing project, with the following conditions:

1. All applicable state and federal permits shall be obtained before commencement of the Development subject to this approval; and
2. The proposed use shall be a Special Residential Facility as defined by the Comprehensive Plan; and
3. No later than ninety (90) days subsequent to City Commission approval, the Owner/Developer shall restore existing, and replace missing, landscaping on the entire Subject Property; and
4. Prior to the issuance of the first building permit, the Owner/Developer shall provide a recorded Plat Note Amendment Agreement to accommodate the additional dwelling units; and
5. Prior to the issuance of a building, engineering, and landscaping permit, the Owner/Developer shall obtain a Tree Removal/Relocation Permit and pay for any outstanding mitigation fees; and

6. Prior to the issuance of a building permit, the Owner/Developer must provide an executed Shared Parking and Cross Access Agreement for the Subject Property in a format approved by the City Attorney, which shall be recorded in the Public Records of Broward County prior to the issuance of a Certificate of Occupancy. An executed consent and joinder from all holders of mortgagees or security interests in the Subject Property, shall also be submitted and recorded; and

7. Prior to the issuance of a building permit, the Owner/Developer shall provide a final list of sustainable building, site, lighting, and landscaping practices, consistent with the final construction documents, for review and approval by the Community & Economic Development Director; and

8. Prior to the issuance of a Certificate of Occupancy, Business Tax Receipt (unless exempt pursuant to Florida law) and Zoning Certificate of Use, the Owner/Developer shall provide a plan to arrange for shuttle/van transportation of future residents to local commercial establishments, which the Owner/Developer shall thereafter implement and continuously operate said shuttle/van transportation services; and

9. Prior to the issuance of a Certificate of Occupancy, Business Tax Receipt and Zoning Certificate of Use, the Owner/Developer shall provide a disaster plan to the City's Social Services Department; and

10. Prior to the issuance of a Certificate of Occupancy, the Owner/Developer must provide a Perpetual Maintenance Agreement for the Subject Property site landscaping, together with an executed consent and joinder from all holders of mortgagees or security interests in the Subject Property, all for recording in the Public Records of Broward County, Florida; and

11. Any future renovation or exterior painting of the buildings and structures on the Subject Property subsequent to this approval shall be subject to the City's prior approval in accordance with the established design standards and community appearance procedures in effect at that time, including façade improvements, prior to the issuance of a building or zoning (repainting) permit.

ISSUE: City Commission approval is required for the site planning, the granting of architectural design approval for new construction, and the granting of conditional uses for properties within the City.

BACKGROUND: The Owner/Developer, The Most Reverend Thomas G. Wenski, Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, and his successors and assigns (sometimes referred to as the Archdiocese of Miami, a corporation sole) (the "Owner/Developer") had requested and been granted approval and several extensions for the conditional use and site plan for the Casa Sant'Angelo Senior Housing development as follows:

- Conditional Use (Application 1404235), Site Plan (Application 1404231) and Community Appearance Board (Application 1404233) approvals were originally granted for the Casa Sant'Angelo project on July 1, 2015 by Resolution Nos. 15-163, 15-164 and 15-165, respectively.
- On November 14, 2016, the Owner/Developer was granted a 12-month extension by Resolution No. 17-44.
- On November 27, 2017, the Owner/Developer was granted a second 12-month extension by Resolution No. 18-47.
- On November 28, 2018, Resolution No. 19-51 granted a third extension until December 31, 2019 for the Owner/Developer to obtain a building permit.

The proposed development comprises Phase II of the St. John XXIII Catholic Church (a/k/a Blessed John XXIII). Earlier this year, the applicant submitted an amended site plan, conditional use and CAB applications, which have been reviewed by and recommended for approval with conditions by the Development Review Committee ("DRC") and CAB. The amended development calls for 113 units. The previous approval had 112 units in two buildings. A smaller three story building was located near the street, while a larger four story U-shaped building was located behind it. The new plan calls for 113 units in a five story L-shaped located close to Miramar Parkway.

The DRC recommended approval of the conditional use application with conditions on February 27, 2019. Pursuant to Section 301.11.5. of the Land Development Code, a Community Meeting was held on March 18, 2019 at the church property, and no one from the public attended. The Planning and Zoning Board recommended approval of this application with conditions on March 19, 2019. The DRC and CAB recommended approval of the site plan application with conditions on June 12, 2019.

COMPREHENSIVE PLAN ELEMENT:

This development project is consistent with the Future Land Use Map designations of "Estate" and "Low 3 Residential" for the Subject Property, per Policies 1.2A (d) and 1.3G.

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**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, CONSIDERING CONDITIONAL USE APPLICATION NO. 1900388, SITE PLAN APPLICATION NO. 1900384 AND COMMUNITY APPEARANCE BOARD APPLICATION NO. 1900385, FOR CASA SANT'ANGELO SENIOR HOUSING, LOCATED AT 16800 MIRAMAR PARKWAY; PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Owner/Developer has submitted Application No. 1900388, a complete application for conditional use review as provided for in Section 305 of the Land Development Code ("LDC") for a Special Residential Facility pursuant to Section 405.5 of the LDC; and

WHEREAS, the Development Review Committee ("DRC") has reviewed Conditional Use Application No. 1900388 and made a determination that the conditional use is in substantial conformance with the applicable requirements, including those set forth in Section 305.4 of the LDC; and

WHEREAS, pursuant to Section 305.6 of the LDC, a community meeting was held on March 18, 2019, regarding the proposed Special Residential Facility to ensure procedural due process and maintain citizen access to the local decision-making process regarding the approval of the request; and

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WHEREAS, pursuant to Section 305.7 of the LDC, the Planning and Zoning Board has evaluated the Conditional Use Application No. 1900388 and has made a determination that the conditional use is in substantial conformance with the applicable requirements, including those set forth in Section 305.4 of the LDC; and

WHEREAS, the Owner/Developer has submitted Application No. 1900384, a complete application for site plan review as provided for in Section 310 of the LDC; and

WHEREAS, pursuant to Section 310 of the LDC, the DRC has evaluated Site Plan Application No. 1900384 and has made a determination that the Site Plan is in substantial conformance with the applicable requirements, including those set forth in Section 310.6 of the LDC; and

WHEREAS, the Owner/Developer has submitted Application No. 1900385, a complete application for Community Appearance Review (“CAB”) review as provided for in Section 311 of the LDC; and

WHEREAS, pursuant to the established community appearance design criteria and procedural rules of Sections 311 and 813 of the LDC, the CAB reviewed the submitted materials for Application No. 1900385 and made a determination that the application is in substantial conformance with the established criteria; and

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WHEREAS, the Owner/Developer has complied with the courtesy notice requirements of Section 301.11.1. of the LDC; and

WHEREAS, the Owner/Developer has voluntarily agreed to the conditions set forth in Section 4 of this Resolution; and

WHEREAS, the City Manager recommends approval; and

WHEREAS, the City Commission finds that the approval of Conditional Use Application No. 1900388, Site Plan Application No. 1900384, and CAB Application No. 1900385, are in the best interest of the citizens and residents of the City of Miramar, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Section 1: Recitals; Definitions.

(a) That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

(b) As used herein, unless the context or City Code of Ordinances requires to the contrary, the following terms will be defined as set forth below:

(1) “City” means the City of Miramar, a Florida Municipal Corporation.

(2) “CAB” means the City’s Community Appearance Board.

(3) “Development” is defined as set forth in Section 163.3164,

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Florida Statutes.

(4) “DRC” means the City’s Development Review Committee.

7/17/19

(5) “LDC” means the City’s Land Development Code of Ordinances.

(6) “Owner/Developer” means The Most Reverend Thomas G. Wenski, Archbishop of the Archdiocese of Miami, his successors in office, a corporation sole, and his successors and assigns (sometimes referred to as the Archdiocese of Miami, a corporation sole).

(7) “Site Plan” means the 47-page document entitled Casa Sant’Angelo Civil Development Plans including:

(A) The 27-page document entitled Casa Sant’Angelo prepared by Schwebke Shiskin & Associates, Inc. of Miramar, FL under Project No. B-1956, including the Cover Sheet with no date of revision; Boundary Survey Sheets 1 and 2, dated 4/19/19; Site Plan Sheets SP-1 thru SP-4, dated 4/24/19; Paving, Grading, and Drainage Sheets PGD-1 thru PGD-7 and Water & Sewer Sheets WS-1 thru WS-6, and Pavement Marking and Signage Sheet SM-1 and Pollution Prevention Plan Sheets PPP-1 thru PPP-2 and Fire Protection Sheets FP-1 thru FP-4, dated 4/24/19

(B) The two-page Plat prepared by Calvin Giordano & Associates, Inc.;

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(C) The twelve-page landscaping and irrigation drawings prepared by JFS Design Inc., of Pembroke Pines, FL with Project No. 18-75, dated 4/24/19 for Sheets TD-1 and TD-2 (tree disposition plans), L-1 thru L-5 (landscape plans), and IRR-1 thru IRR-5 (irrigation plans).

(D) The five-page architectural drawings prepared by GHA Gallo Herbert Architects of Deerfield Beach, FL with Project No. 98-2017, dated 6/10/19 for Sheets AS-101 (concept site plan), A-101 and A-102 (floor plans), and A-201 and A-202 (elevations).

(E) The one-page Photometric Plan prepared by Lighting Dynamics Incorporated dated 6/18/19, Sheet L1.

(8) "Subject Property" is real property situate and lying in the State of Florida, County of Broward, City of Miramar, to-wit:

Parcel A, Blessed John XXIII Plat, according to the plat thereof, as recorded in Plat Book 177, Pages 99-100, Public Records of Broward County, Florida, less and except Parcel LS 1, containing approximately 774,379 Square feet or 17.777 acres, more or less (Broward County Property Appraiser's Folio Number 5140-29-16-0010).

Section 2: Applications in Substantial Compliance. That the City Commission finds that:

(a) The **Conditional Use application** of the Owner/Developer for a special residential facility, on the Subject Property is in substantial compliance with the requirements of Section 305 of the LDC. Conditional Use Application No. 1900388 shall

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be approved subject to the Site Plan as set forth in Section 2(b) of this Resolution; and

(b) The **Site Plan application** for the Owner/Developer on the Subject Property is in substantial compliance with the requirements of Section 310 of the LDC. Approval of Application No. 1900384 will approve the Site Plan subject to the above conditional use application; and

(c) The **Community Appearance Board application** for the Owner/Developer on the Subject Property is in substantial compliance with LDC Sections 311 and 813. Approval of Application No. 1900385 will grant CAB approval for the Subject Property.

Section 3: Approval of Applications. That subject to the conditions of approval set forth in Section 4. of this Resolution, the City Commission hereby approves on the Subject Property:

(a) **Conditional Use Application No. 1900388** allowing a special residential facility, as part of a larger place of worship campus, for the Owner/Developer on the Subject Property, as recommended for approval by the DRC on February 27, 2019. The conditional use approval is subject to the Site Plan.

(b) **Site Plan Application No. 1900384** approving the Site Plan for the Owner/Developer on the Subject Property, as recommended for approval by the DRC on June 12, 2019.

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(c) **Community Appearance Board Application No. 1900385** granting community appearance approval for the Owner/Developer on the Subject Property and based in part on the Site Plan, as recommended for approval by the CAB on June 12, 2019.

Section 4: Conditions of Approval. That the following conditions shall apply to this approval:

(a) All applicable state and federal permits shall be obtained before commencement of the Development subject to this approval; and

(b) The proposed use shall be a Special Residential Facility as defined by the Comprehensive Plan; and

(c) No later than ninety (90) days subsequent to City Commission approval, the Owner/Developer shall restore existing and replace missing landscaping on the entire Subject Property; and

(d) Prior to the issuance of the first building permit, the Owner/Developer shall provide a recorded Plat Note Amendment Agreement to accommodate the additional dwelling units; and

(e) Prior to the issuance of a building, engineering, and landscaping permit, the Owner/Developer shall obtain a Tree Removal/Relocation Permit and pay for any outstanding mitigation fees; and

(f) Prior to the issuance of a building permit, the Owner/Developer must provide an executed Shared Parking and Cross Access Agreement for the Subject Property in a format approved by the City Attorney, which shall be recorded in the Public Records of Broward County prior to the issuance of a Certificate of Occupancy. An executed consent and joinder from all holders of mortgagees or security interests in the Subject Property, shall also be submitted and recorded; and

(g) Prior to the issuance of a building permit, the Owner/Developer shall provide a final list of sustainable building, site, lighting, and landscaping practices,

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consistent with the final construction documents, for review and approval by the Community & Economic Development Director; and

(h) Prior to the issuance of a Certificate of Occupancy, Business Tax Receipt (unless exempt pursuant to Florida law) and Zoning Certificate of Use, the Owner/Developer shall provide a plan to arrange for shuttle/van transportation of future residents to local commercial establishments, which the Owner/Developer shall thereafter implement and continuously operate said shuttle/van transportation services; and

(i) Prior to the issuance of a Certificate of Occupancy, Business Tax Receipt and Zoning Certificate of Use, the Owner/Developer shall provide a disaster plan to the City's Social Services Department; and

(j) Prior to the issuance of a Certificate of Occupancy, the Owner/Developer must provide a Perpetual Maintenance Agreement for the Subject Property site landscaping, together with an executed consent and joinder from all holders of mortgagees or security interests in the Subject Property, all for recording in the Public Records of Broward County, Florida; and

(k) Any future renovation or exterior painting of the buildings and structures on the Subject Property subsequent to this approval shall be subject to the City's prior approval in accordance with the established design standards and community appearance procedures in effect at that time, including façade improvements, prior to the issuance of a building or zoning (repainting) permit.

Section 5: Approval does not Create a Vested Right. That issuance of this approval by the City does not in any way create any right on the part of the Owner/Developer to obtain a permit from a state or federal agency and does not create any liability on the part of the City for issuance of the approval, if the Owner/Developer fails to obtain the requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in the violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the Development on the Subject Property. This condition is included pursuant to Section

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166.033, Florida Statutes, as amended.

Section 6: Failure to Adhere to Resolution. That failure to adhere to the approval terms and conditions contained in this Resolution shall be considered a violation of this Resolution and the City Code, and persons found violating this Resolution shall be subject to the penalties prescribed by the City Code, including but not limited to the revocation of any of the approval(s) granted in this Resolution and any other approvals conditioned on this approval. The Owner/Developer understands and acknowledges that it must comply with all other applicable requirements of the City Code before it may commence construction or operation, and that the foregoing approval in this Resolution may be revoked by the City at any time upon a determination that the Owner/Developer is in non-compliance with the City Code.

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Section 7: **Effective Date.** This Resolution shall become effective upon adoption.

PASSED AND ADOPTED this _____ day of _____, _____.

Mayor, Wayne M. Messam

Vice Mayor, Alexandra P. Davis

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this RESOLUTION as to form:

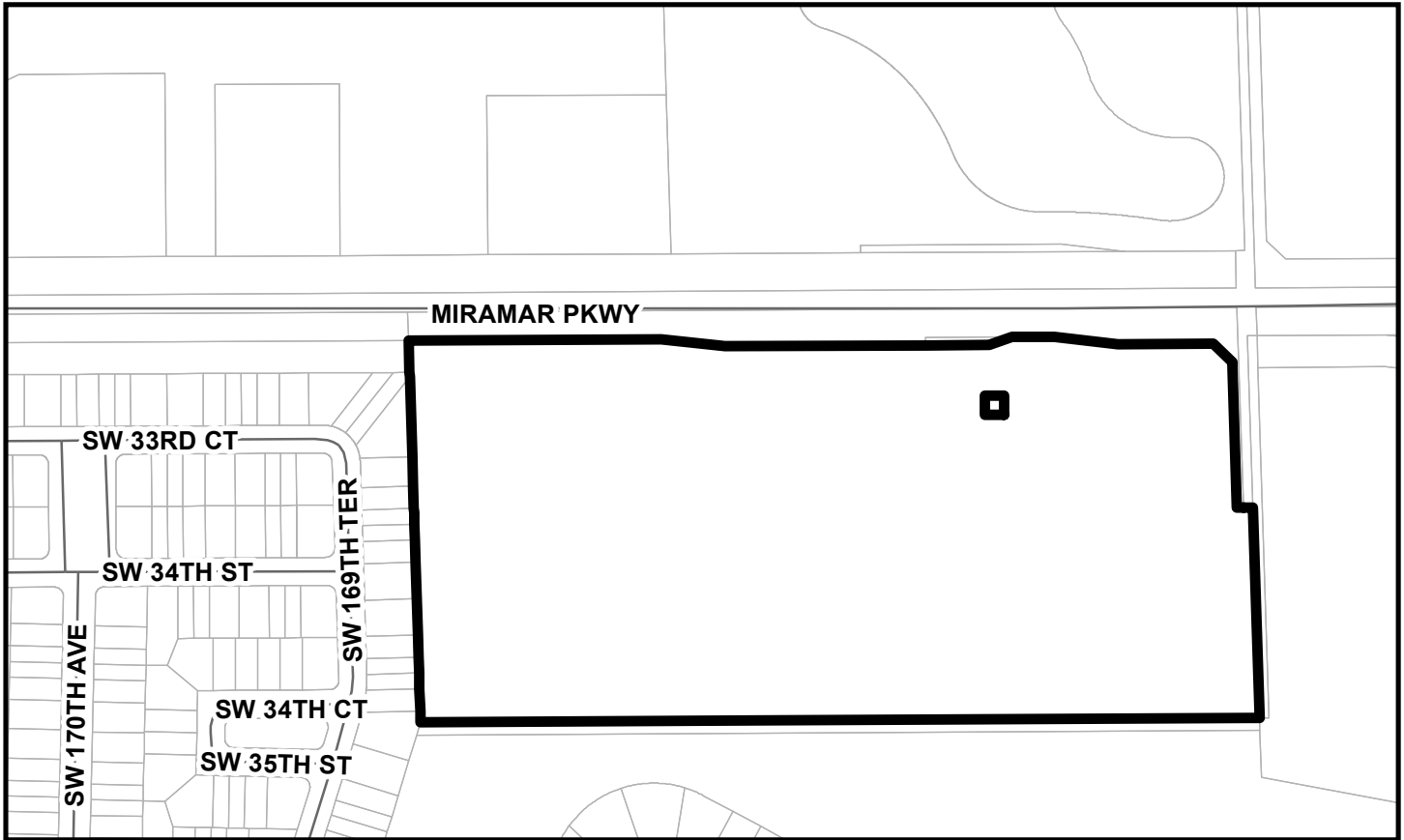
City Attorney
Weiss Serota Helfman
Cole & Bierman, P. L.

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	_____
Commissioner Maxwell B. Chambers	_____
Commissioner Yvette Colbourne	_____
Vice Mayor Alexandra P. Davis	_____
Mayor Wayne M. Messam	_____

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Location Map/Aerial View
CU # 1900388

Attachment 1



CASA SANT'ANGELO

MIRAMAR, BROWARD COUNTY, FL. SEC. 29, TWP. 51, RNG. 40

LEGAL DESCRIPTION:
PARCEL A, "BLESSED JOHN XXIII PLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 177, PAGE 99, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

CIVIL DEVELOPMENT PLANS December 18

Schwebke-Shiskin & Associates

CIVIL ENGINEERING PROJECT

Schwebke-Shiskins & Associates, Inc.
3240 Corporate Way
Miramar, FL 33025

JFS **JFS Design Inc.**
LANDSCAPE ARCHITECTURE
LC 000393
www.jfsdesignfl.com
1833 N.W. 140th TERRACE
PEMBROKE PINES, FL 33028
jimmy@jfsdesignfl.com

LANDSCAPE ARCHITECTS

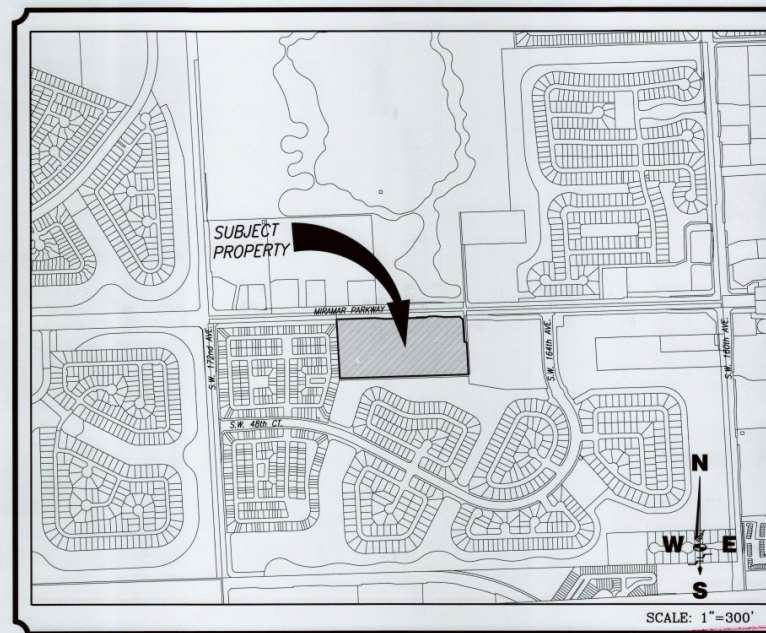
JFS Design Inc.
1833 N.W. 140th TERRACE
PEMBROKE PINES, FLORIDA 33028

GHA
GALLO HERBERT ARCHITECTS
1311 W NEWPORT CENTER DRIVE DEERFIELD BEACH, FLORIDA 33442
PH. 561.794.0300 FAX 561.794.0301

ARCHITECTS

GALLO HERBERT ARCHITECTS
1311 W NEWPORT CENTER DRIVE
DEERFIELD BEACH, FLORIDA 33442

DRAWINGS INDEX	
Sheet Number	Sheet Title
CIVIL	
C-1	COVER SHEET
S-1	SURVEY PLAN
S-2	SURVEY PLAN
P-1	BLESSED JOHN XXIII PLAT
P-2	BLESSED JOHN XXIII PLAT
SP-1	OVERALL SITE PLAN
SP-2	GEOMETRIC SITE PLAN
SP-3	GEOMETRIC SITE PLAN
SP-4	MONUMENT AND SIGN DETAILS
PGD-1	OVERALL PAVING, GRADING AND DRAINAGE PLAN
PGD-2	PAVING, GRADING AND DRAINAGE PLAN
PGD-3	PAVING, GRADING AND DRAINAGE PLAN
PGD-4	PAVING, GRADING AND DRAINAGE DETAILS
PGD-5	PAVING, GRADING AND DRAINAGE DETAILS
PGD-6	PAVING, GRADING AND DRAINAGE DETAILS
PGD-7	PAVING, GRADING AND DRAINAGE DETAILS
WS-1	WATER AND SEWER FACILITIES PLAN
WS-2	WATER AND SEWER FACILITIES NOTES
WS-3	CITY OF MIRAMAR UTILITIES STANDARD DETAILS
WS-4	CITY OF MIRAMAR UTILITIES STANDARD DETAILS
WS-5	CITY OF MIRAMAR UTILITIES STANDARD DETAILS
WS-6	CITY OF MIRAMAR UTILITIES STANDARD DETAILS
SM-1	PAVEMENT MARKING AND SIGNAGE PLAN
PPP-1	POLLUTION PREVENTION PLAN
PPP-2	POLLUTION PREVENTION DETAILS
FP-1	FIRE DEPARTMENT PLAN
FP-2	FIRE DEPARTMENT CONSTRUCTION PLANS
FP-3	FIRE DEPARTMENT DETAILS
FP-4	FIRE DEPARTMENT DETAILS
LANDSCAPE	
TD-1	TREE DISPOSITION PLAN
TD-2	TREE DISPOSITION PLAN
L-1	SITE LANDSCAPE PLAN
L-2	PLANT LIST, CITY LANDSCAPE NOTES, ETC.
L-3	NORTH SECTOR LANDSCAPE PLAN
L-4	SOUTH SECTOR LANDSCAPE PLAN
L-5	LANDSCAPE DETAILS, SPECIFICATIONS, ETC.
IRR-1	SITE IRRIGATION PLAN
IRR-2	IRRIGATION DETAILS, NOTES, SPECIFICATION, ETC.
IRR-3	NORTH SECTOR IRRIGATION PLAN
IRR-4	SOUTH SECTOR IRRIGATION PLAN
IRR-5	DRIP IRRIGATION DETAILS, SPECIFICATIONS, ETC.
ARCHITECT	
AS-101	CONCEPTUAL SITE PLAN
AS-102	SITE PLAN DETAILS
A-101	FIRST FLOOR PLAN
A-201	ELEVATIONS
A-202	ELEVATIONS
LIGHTING	
L-1	PHOTOMETRIC LAYOUT



LOCATION SKETCH

SEC. 29, TWP. 51, RNG. 40

prepared by

SCHWEBKE-SHISKIN & ASSOCIATES, INC.

3240 CORPORATE WAY, MIRAMAR, FL. 33025

LAND PLANNERS - ENGINEERS - LAND SURVEYORS (LB & CA#87)

TEL: (305)652-7010 FAX: (305)652-8284

Final Engineering Plan Review
& Approval is Required Prior
To Construction Permit.

D.B.C. APPROVAL

Building	Use	Approved	Comments	Noted	Noted
Building	MA	6/13/11			
Engineering	SA	6/13/11			
Plan	SA	6/13/11			
Landscaping	SA	6/13/11			
Planning & Zoning	SA	6/13/11			
Drinking	SA	6/13/11			
Water	SA	6/13/11			
Sanitary	SA	6/13/11			

THE ELEVATIONS SHOWN HEREON REFER TO NATIONAL GEODETIC VERTICAL DATUM OF 1929 (N.G.V.D.) AND ARE EXPRESSED IN FEET. TO CONVERT TO M.S.L.D. PLEASE USE THE OFFICIAL BROWARD COUNTY SINGLE AVERAGE CONVERSION FACTOR (ACF). THE ACF IN BROWARD COUNTY IS (-1.51 FEET)

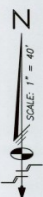
REVISIONS		
Date	Remarks	By
5/11/10	SITE PLAN REVIEW	D.M.

SITE PLAN
FILE No. B-1956
C-1
SHEET 1 OF 47

John C. Teller, P.E.
Professional Engineer
Registration No. 71567
State of Florida

Always call 811 two full business days before you dig

Sunshine811.com

[illegible]

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[illegible]

Schwelke-Shiskin & Associates, Inc.
LAND PLANNERS • ENGINEERS • LAND SURVEYORS
2540 CORPORATE WAY, BIRMINGHAM, ALABAMA 35202
TEL: (804) 435-7010 FAX: (804) 438-3088

This is a "Boundary Survey."	File No.	B-1953	Sheet	2	of	2	Sheet(s)

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A REPLAT OF PARCEL A AND BUFFER TRACT 1, "MIRAMAR PARKWAY PLAT", PLAT BOOK 170, PAGES 123 AND 124, BROWARD COUNTY RECORDS AND OF PARCEL A, "MIRAMAR PARKWAY SOUTHWEST PLAT", PLAT BOOK 170, PAGES 134 AND 135, BROWARD COUNTY, RECORDS; TOGETHER WITH A PORTION OF TRACT 34 AND THE ADJOINING PLATTED ROADWAY, AS SHOWN ON "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", PLAT BOOK 2, PAGE 17 OF DADE COUNTY RECORDS, LYING IN SECTION 29, TOWNSHIP 51 SOUTH, RANGE 40 EAST, IN THE CITY OF MIRAMAR, BROWARD COUNTY, FLORIDA.

ALL OF PARCEL A AND BUSER TRACT 1, "MIRAMAR PARKWAY PLAT", PLAT BOOK 170, PAGES 123 & 124, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, ALL OF PARCEL A "MIRAMAR PARKWAY SOUTHWEST PLAT", PLAT BOOK 170, PAGES 131 & 135, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND A PORTION OF TRACT 34, SECTION 29, TOWNSHIP 51 SOUTH, RANGE 40 EAST, TOGETHER WITH THE ADJOINING PLATTED ROADWAY, AS SHOWN ON "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1", PLAT BOOK 2, PAGE 17, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST QUARTER (E 1/4) CORNER OF SAID SECTION 29,
THENCE S 89°04'27"N, ON THE NORTH LINE OF THE SOUTH ONE-HALF (S 1/2) OF SAID SECTION 29, A
DISTANCE OF 2,635.37 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID
SECTION 29;
THENCE S 1/4°07'22"E ON THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 29, A
DISTANCE OF 60.02 FEET TO THE NORTHWESTLY CORNER OF "NAUTICA PLAT", PLAT BOOK 168, PAGE 1, OF THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND THE WESTERLY LINE OF SAID "NAUTICA PLAT",
A DISTANCE OF 270.24 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE S 1°07'22"E, A DISTANCE OF 330.26 FEET TO THE INTERSECTION WITH THE NORTHERLY LINE
OF SAID "NAUTICA PLAT", PLAT BOOK 168, PAGE 1, OF THE PUBLIC RECORDS OF BROWARD COUNTY,
FLORIDA;
THENCE S 89°04'34"N ON THE NORTHERLY LINE OF SAID "NAUTICA PLAT", ON THE SOUTH LINE OF SAID TRACT
34, AND ON THE SOUTH LINE OF SAID "MIRAMAR PARKWAY SOUTHWEST PLAT", A DISTANCE OF 1,517.86 FEET TO
THE SOUTHERLY CORNER OF SAID "MIRAMAR PARKWAY SOUTHWEST PLAT", PLAT BOOK 168, PAGE 1, OF THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;
THENCE N 01°45'53"W ON THE WEST LINE OF SAID "MIRAMAR PARKWAY SOUTHWEST PLAT", AND ON THE
EASTERLY LINE OF SAID "PARCEL A NAUTICA PLAT" A DISTANCE OF 600.36 FEET TO THE INTERSECTION WITH
THE SOUTHERLY RIGHT-OF-WAY OF MIRAMAR PARKWAY AS DEDICATED BY SAID "MIRAMAR PARKWAY PLAT";
THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF MIRAMAR PARKWAY, THE FOLLOWING SEVEN (7) COURSES:

1. N 89°40'12"E, A DISTANCE OF 396.76 FEET;
2. S 83°29'14"E, A DISTANCE OF 100.72 FEET;
3. N 89°40'12"E, A DISTANCE OF 315.00 FEET;
4. N 00°19'48"W, A DISTANCE OF 12.00 FEET;
5. N 89°40'12"E, A DISTANCE OF 202.07 FEET;
6. S 83°29'14"E, A DISTANCE OF 100.72 FEET;
7. N 89°40'12"E, A DISTANCE OF 150.00 FEET;

THENCE S 46°03'35"E, A DISTANCE OF 41.88 FEET;
THENCE S 01°47'22"E, A DISTANCE OF 228.99 FEET;
THENCE N 89°40'23"E, A DISTANCE OF 25.01 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN THE CITY OF MIRAMAR, BROWARD COUNTY, FLORIDA, AND CONTAINING 776,695 SQUARE FEET OR 17.830 ACRES, MORE OR LESS.

KNOW ALL MEN BY THESE PRESENTS: THAT THE MOST REVEREND JOHN C. FAVALORA, AS ARCHBISHOP OF THE ARCHDIOCESE OF MIAMI, HIS SUCCESSORS IN OFFICE, A CORPORATION SOLE, IS THE OWNER IN FEE SIMPLE OF LANDS SHOWN AND DESCRIBED HEREON AND TO BE KNOWN AS "BLESSED JOHN XXIII PLAT", A REPLAT.

THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES

THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES

LIFT STATION PARCEL LS#1 SHOWN HEREON IS HEREBY DEDICATED TO THE CITY OF MIRAMAR FOR PROPER PURPOSES.

THE BUS BAY RIGHT-OF-WAY SHOWN HEREON IS HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES.

THE BUS SHELTER/SIDEWALK EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES.

THE LANDSCAPE EASEMENT SHOWN HEREON IS HEREBY RESERVED TO THE MOST REVEREND JOHN C. FAVALORA, AS ARCHBISHOP OF THE ARCHDIOCESE OF MIAMI, HIS SUCCESSORS IN OFFICE, A CORPORATION SOLE, FOR LANDSCAPE, OPEN SPACE AND OTHER PURPOSES, IN FULL FULFILLMENT OF THE MOST REVEREND JOHN C. FAVALORA, A.C.

NO IMPROVEMENTS, TREES OR ENCROACHMENTS INCLUDING UTILITIES (EXCEPT FOR OVERHEAD POWER, CABLE OR TELEPHONE LINES WITH A MINIMUM 25 FOOT CLEARANCE) OR LANDSCAPING ARE ALLOWED WITHIN EASEMENTS DEDICATED TO SOUTH BROWARD DRAINAGE DISTRICT WITHOUT THE APPROVAL OF AND A PERMIT FROM SOUTH BROWARD DRAINAGE DISTRICT. IT IS THE INTENT OF THIS PROVISION THAT ALL UTILITIES (EXCEPT FOR OVERHEAD POWER, CABLE OR TELEPHONE LINES WITH A MINIMUM 25 FOOT CLEARANCE) PROPOSED TO BE LOCATED WITHIN THE EASEMENTS TO CROSS OR ADJACENT TO THE SOUTH BROWARD DRAINAGE DISTRICT MUST BE MAINTAINED, REPAIRED BY SOUTH BROWARD DRAINAGE DISTRICT.



NOT TO SCALE

THIS IS TO CERTIFY: THAT THIS PLAT HAS BEEN APPROVED AND ACCEPTED FOR RECORD
BY THE CITY COMMISSION OF MIRAMAR, FLORIDA IN AND BY RESOLUTION
NO. 06-258 ADOPTED THIS 13 DAY OF September, 2006.

IN WITNESS WHEREOF THE CITY COMMISSION HAS CAUSED THESE PRESENTS TO BE
SIGNED BY ITS CITY MANAGER AND THE CORPORATE SEAL OF SAID CITY AFFIXED
HERETO THIS 28 DAY OF September 2006
ALL PREVIOUS PLATS OF SAID LANDS ARE HEREBY VOIDED, CANCELLED AND
SUPERSEDED.

THE CITY OF MIRAMAR ACCEPTS THE UTILITY EASEMENT AND RIGHT-OF-WAY
AS DEDICATED BY THIS PLAT.

"NO BUILDING PERMITS SHALL BE ISSUED FOR THE CONSTRUCTION, EXPANSION, AND/OR CONVERSION OF A BUILDING WITHIN THIS PLAT UNTIL SUCH TIME AS THE DEVELOPER PROVIDES THE MUNICIPALITY WITH WRITTEN CONFIRMATION FROM BROWARD COUNTY THAT ALL APPLICABLE IMPACT FEES HAVE BEEN PAID OR ARE NOT DUE."

ATTEST: Yvette M. McLeary BY: [Signature] 9.28.06
CITY CLERK CITY MANAGER

THIS IS TO CERTIFY: THAT THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY THE CITY
ENGINEER OF THE CITY OF MIRAMAR, FLORIDA, THIS 19 DAY OF September, 2007

BY: J. J. J.
CITY ENGINEER

THIS PLAT WAS APPROVED BY THE SOUTH BROWARD DRAINAGE DISTRICT ON THE FOLLOWING DATES:

BY: Shirley Hall 9-27-05 BY: Donna B. Hall 9/18/07
SUPERVISOR DATE DISTRICT DIRECTOR DATE

"PRIOR TO DEVELOPMENT OF THIS PROPERTY, THE DEVELOPER SHALL CONTACT SOUTH BROWARD DRAINAGE DISTRICT FOR DETERMINATION OF ADDITIONAL DRAINAGE/FLOWAGE/STORAGE EASEMENTS AND OR OTHER DEDICATIONS WHICH MAY BE REQUIRED BY THE SOUTH BROWARD DRAINAGE DISTRICT FOR DRAINAGE PURPOSES."

Page1 of 2

Recorded 10/01/2007 at 12:22 PM

STATE OF FLORIDA } ss.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 12th DAY OF August, 2005, BY JOHN C. FAVALORA, AS ARCHBISHOP OF THE ARCHDIOCESE OF MIAMI, A CORPORATION SOLE. HE IS PERSONALLY KNOWN TO ME AND DID NOT TAKE AN OATH.








MY COMMISSION EXPIRES: June 5, 2009 BY: Ethel Marinelli
NOTARY PUBLIC - STATE OF FLORIDA
PRINT NAME: ETHEL MARINELLI

ALL PREVIOUS PLATS WITHIN THE DESCRIBED LANDS SHOWN HEREON ARE CANCELLED AND SUPERCEDED. IT IS THE EXPRESSED INTENT OF THIS PLAT TO CLOSE, VACATE AND ABANDON FROM PUBLIC RECORD AND USE THAT PORTION OF ROADWAYS DEDICATED BY FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, RECORDED IN PLAT BOOK 2, PAGE 17 (D.C.R.), LYING WITHIN THE LIMITS OF THIS PLAT.

WITNESS: Ethel Marinelli
PRINT NAME: ETHEL MARINELLI

John C. Favalora
BY: JOHN C. FAVALORA
ARCHBISHOP OF THE ARCHDIOCESE
OF MIAMI

WITNESS: _____
PRINT NAME: **ROBERT BROWN.**

DEDICATION	NOTARY DEDICATION	CITY OF MIAMI	BROWARD COUNTY COMMISSION	BROWARD COUNTY ENGINEER	BROWARD COUNTY SURVEYOR	SURVEYOR
	 <p>NOTARY PUBLIC, STATE OF FLORIDA Ethel Marinelli Commission # 00431066 Expires AUG 26, 2008 Licensed thru Atlantic Sealing Co., Inc.</p>					



City of Miramar
Community & Economic Development Department
Development Review Report – Conditional Use

I. Project Summary

Project Name: 1900388 – Casa Sant’Angelo Senior Conditional Use for the establishment of a senior housing facility.

Application Summary: The applicant is proposing to establish senior housing at 16800 Miramar Parkway, located west of I-75 and east of SW 172nd Avenue on the south side of the street. Land Development Code (LDC) Section 405.5 requires residential/care facilities for the aged and nursing homes to obtain conditional use approval. Casa Sant’Angelo, (the ‘Applicant’) is requesting site plan approval for a senior housing facility which includes a total of 113 units. The development will include site amenities for the residents including dining venues, a library, club room, and community room. This Application is part of a larger overall site plan which was approved in 2004 and the first phase including a multi-purpose building has already been constructed. This is an amendment to Conditional Use application 1404235 approved in July of 2015 and extended through December of 2019.

Related Application(s): **1900384**, Site Plan Amendment
1900385, Community Appearance Board
1900389, Escrow
1404231, Site Plan for the Senior Living Facility
1404233, Community Appearance Board
1404235, Conditional Use

Prior Site Approvals for portion existing and overall site

- 04-DRC-07, Site Plan
- 04-CAB-35, Community Appearance Board
- 05-CU-03, Conditional Use (Senior Housing)

Agent: Contact: John C. Tello, P.E., LEED AP

Schwebke-Shiskin & Associates, Inc.
 3240 Corporate Way
 Miramar, FL 33025
 Phone: 305.652.7010
 Email: johntello@shiskin.com

Owner:

Contact: The Most Reverend Thomas G. Wenski
 Archbishop of the Archdiocese of Miami &
 Casa Sant'Angelo

II. Planning Information**Site Location:**

16800 Miramar Parkway, located west of I-75
 and east of Southwest 172nd Avenue (on the
 campus of St. John XXIII Catholic Church f/n/a
 Blessed John XXIII Catholic Church)

(Folio No. 514029160010)

Land Use Plan Designation:

Residential – Low 3 on the north half
 Residential – Estate on the south half

Zoning District:

Community Facility (CF)

Existing Use:

Vacant and Multi-Purpose (Parish Hall)

Proposed Uses of Property:

Senior Housing

Adjacent properties:

	Existing Use	Zoning	Land Use Plan
North	Northwest – SuperTarget and fuel service station (<i>under construction</i>) Northeast – Miramar Regional Park	Northwest – Commercial (B2) Northeast - Recreation/Open Space (OS)	Northwest – Commercial Northeast – Recreation & Open Space
East	Dolphin Bay Elementary School	Community Facility (CF-School)	Residential – Low 3
South	Lake with existing single family residential – Nautica	Residential 7 District (RS-7)	Residential - Low 3
West	Existing Phase 1 of same facility - Multi-Purpose Building; Nautica Townhomes	Community Facility (CF)	Residential – Low 3 on north Residential – Low 2 on south



III. Background

LDC Section 305.1 provides the purpose for a Conditional Use as follows:

Conditional uses are generally not compatible with the other uses permitted in a zoning district, but may be permitted following individual review as to their consistency with the comprehensive plan, compatibility, size, massing, impacts, number, location, design, configuration, and/or methods and hours of operation. To ensure that the particular use is compatible with the surrounding neighborhoods and appropriate at a particular location, consideration of the public need and the possible imposition of individualized conditions to ensure the use is compatible, will be analyzed.

IV. Review Criteria

Land Development Code Section 305.3 establishes the standards, outlined below, for reviewing and approving conditional uses.

a) The proposed use shall be consistent with the Comprehensive Plan.

Applicant's Response: The proposed use shall be consistent with the Comprehensive Plan because the proposed development is consistent with the uses, densities and intensities of the City of Miramar's Land Development Code and because it assists in creating a more prosperous, convenient and healthy place for present and future residents. The proposed development is designed to meet the needs and desires of existing and future members of the community. Specifically, the subject property is located in a Community Facilities District. Pursuant to the Code, a Community Facilities District provides a full range of institutional and community uses such places of

worship, public assembly, schools, government and cultural facilities, public facilities, hospitals, parks and other facilities that benefit the community. Consistent with § 405.5, the project will provide a special residential facility offering much needed, low-income elderly housing to the community managed by a non-profit organization that has successfully operated over 16 low-income elderly housing facilities in South Florida for over fifty years.

Staff's Evaluation: The proposed conditional use is consistent with the Goals, Objectives and Policies of the Comprehensive Plan. Staff concurs with the applicant's analysis above, and notes that the proposed use is consistent with the two land use categories that are designated on this property, as a Special Residential Facility Category 3 use is permitted in both ***Estate*** Land Use (per Future Land Use [FLUE] ***Policy 1.2A(d)***) and in ***Low 3 Residential*** Land Use (per ***FLUE Policy 1.3g (3)***).

- b) ***The establishment, maintenance or operation of the use shall not be detrimental to or endanger the public health, safety, aesthetics, comfort, or general welfare:***

Applicant's Response: The establishment, maintenance or operation of the proposed use is not detrimental to and does not endanger the public health, safety, comfort or general welfare because the project will be consistent with the Comprehensive Plan and will satisfy all building code requirements. The proposed use will benefit the public and community by satisfying a community need and offering a newly developed, elderly housing facility within the City.

Staff's Evaluation: Staff concurs with applicant's response.

- c) ***The use shall be consistent with the existing natural environment and community character of the immediate neighborhood, and is appropriate at the particular location:***

Applicant's Response: The proposed use is consistent with the existing natural environment and community character of the immediate neighborhood of the proposed use because the existing neighborhood consists of other community facilities including schools, parks and churches. In addition, the landscape of the subject property will be in full compliance with the code requirements and in conformity with the community character. The proposed development is located on the campus of St. John XXIII Catholic Church and will be consistent with the natural environment and community character of that existing space.

Staff's Evaluation: The proposed use does not appear to have a negative impact on the character of the community. In fact, a portion of the site (to the west) with a community building has been providing community services to the community since 2006 with no detriment. Additionally, the landscape buffers surrounding the entire property have been installed since 2006 and are therefore providing a more mature and enhancing buffer. The DRC and CAB review process will also ensure that the project adheres to appropriate architectural, lighting, and landscaping design standards, in addition to filling in gaps in the buffers as needed.

- d) *Utilities, roadway capacity, drainage, and other necessary public facilities, including police and fire protection and emergency-rescue services, shall exist at a minimum at the city's adopted level of service, or will be available prior to issuance of any certificate of occupancy: of the immediate neighborhood, and is appropriate at the particular location:*

Applicant's Response: Utilities, roadway capacity, drainage, and other necessary public facilities, including police and fire protection and emergency-rescue services, shall exist at a minimum at the city's adopted level of service, or will be available prior to issuance of any certificate of occupancy. The Applicant supports these public facilities and agrees they will be provided for as is necessary for its residents and pursuant to both City and County requirements.

Staff's Evaluation: Utilities, roadway capacity, drainage, infrastructure, police, fire and emergency services are established with capacity to serve this site.

- e) *Adequate measures exist or shall be taken by the applicant or the property owner to provide safe ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion in the public streets and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right":*

Applicant's Response: Adequate measures exist for shall be taken by the applicant or the property owner to provide safe ingress and egress to the proposed use, for both vehicles and pedestrians, in a manner that minimizes traffic congestion in the public streets because the property includes sufficient internal roadways and pedestrian access to the buildings. The applicant will work with the City to assure that all vehicular and pedestrian ingress and egress continue to be sufficient for the property. In addition, the use of the subject property as a special residential facility will not result in a significantly greater amount of traffic as elderly housing does not result in high traffic. In addition, other uses permitted in the Community Facilities District have much greater

traffic demands on the neighborhood such as parks, public assemblies or cultural facilities.

Staff's Evaluation: Staff concurs with applicant's response.

- f) *The establishment of the conditional use shall not impede the development and improvement of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties:*

Applicant's Response: The establishment of the conditional use shall not impede the development and improvement of surrounding properties for uses permitted in the zoning district nor have a negative impact on the value of those properties because the proposed use will benefit the community by providing elderly housing facilities consistent with the Community Facilities District, will be built in full compliance with code requirements, and will enhance the aesthetics of the property.

Staff's Evaluation: The surrounding properties are developed as single- and multi-family dwelling units and an elementary school; all of which are compatible uses with the proposed uses on this site. The proposed use is also not expected to have a negative impact on the value of adjacent properties.

- g) *The design of the proposed use shall minimize adverse effects, including noise, light, dust or other potential nuisances, of the proposed use on adjacent property through the use of building orientation and design, setbacks, buffers, landscaping and other design criteria:*

Applicant's Response: The design of the proposed use shall minimize adverse effects, including noise, light, dust or other potential nuisances, of the proposed use on adjacent property through the use of building orientation and design, setbacks, buffers, landscaping and other design criteria because the proposed development will be built to current building codes with all required permits, will at a minimum meet the City's Land Development Code including requirements for setbacks, buffers and landscaping, and will enhance the aesthetics of the property. In addition, the proposed use will be located on the campus of St. John XXIII Catholic Church and will be consistent with the natural environment and community character of that existing space.

Staff's Evaluation: Staff concurs with applicant's response.

- h) *The use meets a public need and does not have an adverse impact on the economic stability of the neighborhood:*

Applicant's Response: The use meets a public need for low income elderly housing and will not have an adverse impact on the economic stability of the neighborhood because the use will provide the community with stability in offering affordable housing to its residents. In addition, the future residents of the elderly housing community will contribute to neighboring retail and other business.

Staff's Evaluation: Staff concurs with applicant's response.

- i) *The land area must be sufficient, appropriate and adequate for the proposed use:*

Applicant's Response: The land area will be sufficient, appropriate and adequate for the proposed use because the subject property's site plan area includes 228,539 square feet (5.246 acres). The proposed development will include a total building footprint of 21,544 square feet providing more than 206,995 square feet of open land. Additionally, the proposed development meets all code requirements including landscaping requirements and green space.

Staff's Evaluation: Staff agrees that the land area is appropriate and adequate for the proposed use.

- j) *The proposed use, based on size, massing, impact, aesthetics, impacts, number, location, design, configuration, and methods and hours of operation is compatible with adjacent properties and the neighborhood:*

Applicant's Response: The proposed use, based on size, massing, impact, aesthetics, number, location, design, configuration, and methods and hours of operation is compatible with adjacent properties and the neighborhood. The size and massing of the proposed use is consistent with the Communities Facilities District and the neighboring properties. The elderly housing facility will be located on a campus consisting of over 17 acres. The development will be limited to a total building footprint of 21,544. The impacts of the development will be positive for the City of Miramar by providing new, affordable housing to its residents. In addition, the design and configuration of the property will be compatible with adjacent properties as it will be consistent with the natural environment and community character of the neighborhood and the campus of St. John XXIII.

Staff's Evaluation: Staff agrees that the proposed use is compatible with the adjacent properties with respect to its operation, size, massing, site configuration and design, and aesthetic appeal.

V. Development Review Committee (DRC) and Community Appearance Board (CAB)

The DRC recommended approval of the conditional use application on February 27, 2019.
The DRC and CAB recommended approval of the site plan on June 12, 2019.

VI. Community Meeting

A community meeting was conducted on March 18, 2019 at the church campus. No one from the public was in attendance.

VII. Planning and Zoning Board Meeting

The Planning and Zoning Board recommended approval with conditions on March 19, 2019.

VIII. Staff Recommendation

Staff recommends approval with conditions.