



Weston City Commission

Agenda Package

December 5, 2016

MONDAY
DECEMBER 5, 2016
7:00 P.M.



WESTON CITY HALL
17200 ROYAL PALM BOULEVARD
WESTON, FLORIDA

CITY COMMISSION
REGULAR MEETING AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Broward Sheriff's Office Law Enforcement Employee(s) of the Month
4. Audience Comments
5. Consent Agenda
 - A. Commissioners' Items Removed for Later Discussion
 - B. Approval of Balance of Consent Agenda

QUASI-JUDICIAL HEARING

The following items are quasi-judicial in nature and are governed by the City's quasi-judicial procedures. If you wish to object or comment upon these items, please wait to do so when the announcement regarding the particular quasi-judicial item is made. You will be required to be sworn in before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations. The material in the City Commission's agenda backup and the staff résumés on file with the City Clerk will be considered as evidence without authentication.

6. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 16-8946, a variance from Section 126.11(B) of the Code of Ordinances of the City, Permanent Signs, to allow for a wall sign that exceeds the maximum height and length permitted in the Code, for a proposed Pet Supermarket, located at 1380 Weston Road, in Country Isles Plaza, Weston, Florida.

Pet Supermarket Sign Variance

Pages 5-26

7. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 16-9055, special exception pursuant to Section 124.16 of the Code of Ordinances of the City to allow a 138,000 square foot self-storage facility within the I-1 Industrial Zoning District, for the property located at 1500 North Park Drive, Weston Park of Commerce, Weston, Florida.

Self-Storage Facility Special Exception

Pages 27-41

8. An Ordinance of the City of Weston, Florida, amending the Future Land Use map designation within the City's Comprehensive Plan from Residential Irregular 5 to Residential Irregular 26 on property generally located north and south of Racquet Club Road, and west of Bonaventure Boulevard, as further legally described on Exhibit "A," and consisting of approximately 27.40 acres; and providing for an effective date.

Public Hearing and First Reading*

Pages 42-131

***The City Commission will be sitting simultaneously as the Local Planning Agency when considering this item.**

END OF QUASI-JUDICIAL HEARING

CITY OF WESTON

9. An Ordinance of the City of Weston, Florida, amending Section 60.04, "Declaration of a state of local emergency pertaining to a disaster;" to revise the notice and City Commission meeting requirement; and providing for an effective date.

Second and Final Reading

Pages 132-136

10. An Ordinance of the City of Weston, Florida, amending Section 32.10, "Cone of Silence;" to clarify the violations provision; and providing for an effective date.

Second and Final Reading

Pages 137-141

11. An Ordinance of the City of Weston, Florida, amending Section 124.34, "Swimming Pools," to revise the swimming pool barrier requirements; and providing for an effective date.

Second and Final Reading

Deferred from November 21, 2016 Meeting

Pages 142-146

12. An Ordinance of the City of Weston, Florida, providing for Amendment of the City Charter by amending Section 2.03, "Election and Term of Office," to remove term limits for service as Mayor or City Commissioner; providing requisite ballot language for submission to electors; providing for adoption of enabling resolution; and providing for an effective date.

Public Hearing and First Reading

Pages 147-152

13. A Resolution of the City Commission of the City of Weston, Florida, calling an Election on a proposed amendment to the City Charter, to be held on March 14, 2017; providing for submission of the Charter Amendment recommended by the City Commission to the Electors for approval or disapproval; providing for requisite ballot language; providing for notice; providing for an effective date.

Pages 153-158

14. A Resolution of the City Commission of the City of Weston, Florida, appointing a member to serve on the Broward Metropolitan Planning Organization.

Pages 159-163

15. A Resolution of the City Commission of the City of Weston, Florida, appointing _____ as a Director, _____ as an Alternate Director, and _____ as a Second Alternate Director for the 2016-2017 Broward League of Cities Board of Directors.

Pages 164-167

16. **CONSENT AGENDA**

CITY OF WESTON, INDIAN TRACE DEVELOPMENT DISTRICT

- A. A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, accepting a Bill of Sale, and Grant of Easement for certain utility facilities for Sagemont Upper School Fine Arts Addition, located at 2585 Glades Circle, on a portion of Parcel B, Sector 1 Boundary Plat, according to the Plat thereof as recorded in Plat Book 165, at Page 16, Public Records of Broward County, Florida.

Pages 168-194

17. Adjournment

PUBLIC PARTICIPATION AT COMMISSION MEETINGS

Anyone wishing to address the Commission with regard to a matter appearing on the Agenda or during audience comments must sign in with the City Manager or his designee. Each individual must state his or her name and the name of the entity represented (if applicable) and the item on the agenda to be addressed prior to conclusion of the discussion of the matter. Each person addressing the Commission shall approach the lectern, shall give their name and address in an audible tone of voice for the record, and unless further time is granted by the Presiding Officer, shall limit their address to three (3) minutes. All remarks shall be addressed to the Commission as a body and not to any member thereof. A person speaking on an item on the agenda shall limit their comments to matters relevant to the item. A person speaking during audience comments shall not address any item on the agenda and is strongly encouraged to refrain from making political statements. No person addressing the Commission shall make personal attacks on any member of the Commission or any other individuals or entities. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Presiding Officer. No question shall be asked of a Commissioner except through the Presiding Officer.

Any person who addresses the Commission on behalf of an individual, corporation or special interest group for compensation must disclose that representation when stating his or her name, as described above.

Pursuant to Florida Statutes 286.0105, if a person decides to appeal any decision made by the body with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting may call the City Clerk's Office at (954) 385-2000 at least three (3) business days prior to the meeting.

6



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 6

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 16-8946, a variance from Section 126.11(B) of the Code of Ordinances of the City, Permanent Signs, to allow for a wall sign that exceeds the maximum height and length permitted in the Code, for a proposed Pet Supermarket, located at 1380 Weston Road, in Country Isles Plaza, Weston, Florida.

Pet Supermarket Sign Variance

SUMMARY EXPLANATION & BACKGROUND:

Application No. 16-8946 has been submitted by Gregory T. Davis of Thomas Sign & Awning Co., Inc., on behalf of Little Britain Holdings, LLC, Property Owner, for a variance for Pet Supermarket for a wall sign that exceeds the maximum height permitted in the Code by one foot, and exceeds the maximum length permitted in the Code by four feet, three and a half inches

REQUESTED ACTION:

Consideration.

EXHIBITS (LIST): (i) Resolution, (ii) Staff Memorandum dated December 5, 2016, and (iii) Copy of Resolution No. 2013-128 adopted by the City Commission on October 21, 2013 permitting a larger sign for Publix

PREPARED BY:

Sarah Sinatra Gould, AICP
Director of Development Services

PETITIONER/REPRESENTATIVE:

Gregory T. Davis of Thomas Sign & Awning Co., Inc., on behalf of Little Britain Holdings, LLC, Property Owner

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
Jamie Alan Cole, City Attorney
Sarah Sinatra Gould, AICP
Director of Development Services

FUNDING SOURCE:

Cost Recovery

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

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**CITY OF WESTON, FLORIDA
RESOLUTION NO. 2016-_____**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CONSIDERING APPLICATION NO. 16-8946, A VARIANCE FROM SECTION 126.11(B) OF THE CODE OF ORDINANCES OF THE CITY, PERMANENT SIGNS, TO ALLOW FOR A WALL SIGN THAT EXCEEDS THE MAXIMUM HEIGHT AND LENGTH PERMITTED IN THE CODE, FOR A PROPOSED PET SUPERMARKET, LOCATED AT 1380 WESTON ROAD, IN COUNTRY ISLES PLAZA, WESTON, FLORIDA.

WHEREAS, First, Section 124.80 of the of the Code of Ordinances of the City (the "Code") provides that it shall be the duty of the City Commission, in appropriate cases and subject to appropriate conditions and safeguards, to review applications for variances to the terms of this code to ensure that they are in harmony with the general purpose and intent of this code and in accordance with general or specific rules contained therein, unless an article, section, subsection, or paragraph specifically provides that no variance is permitted; and

WHEREAS, Second, Section 126.11, Permanent Signs, more specifically Section 126.11(B), Retail Shopping Center, limits wall signage to 50% of the length of the storefront not to exceed 20 feet in length and 18 inches in height; and

WHEREAS, Third, completed Application No. 16-8946 has been submitted by Gregory T. Davis of Thomas Sign & Awning Co., Inc., on behalf of Little Britain Holdings, LLC, Property Owner, for a variance for Pet Supermarket for a wall sign that exceeds the maximum height permitted in the Code by one foot, and exceeds the maximum length permitted in the Code by four feet, three and a half inches, located at 1380 Weston Road, in Country Isles Plaza, Weston, Florida; and

WHEREAS, Fourth, the City's Departments have reviewed the application for the requested variance and forwarded their comments to the City Manager; and

WHEREAS, Fifth, the notice requirements have been complied with; and

WHEREAS, Sixth, the City Manager recommends that the City Commission consider the application.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: Application No. 16-8946, a variance from Section 126.11(B) to allow for a wall sign that exceeds the maximum height permitted in the Code by one foot, and exceeds the maximum length permitted in the Code by four feet, three and a half inches, for a proposed Pet Supermarket, located at 1380 Weston Road, in the Country Isles Plaza, is/is not in substantial compliance with the requirements of Section 124.80 to grant a variance.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CONSIDERING APPLICATION NO. 16-8946, A VARIANCE FROM SECTION 126.11(B) OF THE CODE OF ORDINANCES OF THE CITY, PERMANENT SIGNS, TO ALLOW FOR A WALL SIGN THAT EXCEEDS THE MAXIMUM HEIGHT AND LENGTH PERMITTED IN THE CODE, FOR A PROPOSED PET SUPERMARKET, LOCATED AT 1380 WESTON ROAD, IN COUNTRY ISLES PLAZA, WESTON, FLORIDA.

1 Section 3: Application No. 16-8946, a variance to allow for a wall sign that exceeds the maximum
2 height permitted in the Code by one foot, and exceeds the maximum length permitted in the Code
3 by four feet, three and a half inches, for a proposed Pet Supermarket, located at 1380 Weston Road,
4 in the Country Isles Plaza, is approved/denied subject to the following condition/conditions:
5

6 1. The issuance of a development permit by the City does not in any way create any
7 right on the part of an applicant to obtain a permit from a state or federal agency and does not
8 create any liability on the part of the City for issuance of the permit if the applicant fails to obtain
9 requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes
10 actions that result in a violation of state or federal law. In addition, all applicable state and federal
11 permits shall be obtained by the applicant before commencement of the development.
12

13 2.
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16 Section 4: The appropriate City officials are authorized to execute all necessary documents to
17 effectuate the intent of this Resolution.
18

19 Section 5: This Resolution shall take effect upon its adoption.
20

21 ADOPTED by the City Commission of the City of Weston, Florida, this 5th day of December 2016.
22
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25 _____
Daniel J. Stermer, Mayor

26 ATTEST:
27

28 _____
29 Patricia A. Bates, City Clerk
30
31

32 Approved as to form and legality
33 for the use of and reliance by the
34 City of Weston only:
35

36 _____
37 Jamie Alan Cole, City Attorney
38
39

Roll Call:

Commissioner Brown _____

Commissioner Feuer _____

Commissioner Kallman _____

Mayor Stermer _____

40 This Resolution was filed in the
41 Office of the City Clerk on this
42 _____ day of December 2016.
43
44

45 _____
Patricia A. Bates, City Clerk



MEMORANDUM

TO: Honorable Mayor and Commissioners
THRU: John R. Flint, City Manager
FROM: Sarah Sinatra Gould, AICP, Director of Development Services
CC: David E. Keller, Assistant City Manager/CFO
Jamie Alan Cole, City Attorney
Patricia A. Bates, MMC, City Clerk
DATE: December 5, 2016
RE: Pet Supermarket Wall Sign Variance
NO.: 16-8946 CGA

Requested Action: Gregory T. Davis of Thomas Sign & Awning Co. Inc., on behalf of Little Britain Holdings has submitted a variance for Pet Supermarket for a wall sign located at 1380 Weston Road. The request a sign that exceeds the maximum height permitted in the code by one foot and to exceed the maximum length permitted in the code by four feet, three and a half inches.

Name: Pet Supermarket Wall Sign Variance

Location: 1380 Weston Road

Folio: 5040 17 02 0025

Zoning: C-1 Commercial

Land Use: Commercial

Applicant/Relationship: Little Britain Holdings, LLC, property owner

Owner: Little Britain Holdings, LLC

Code Section: *§126.11B Wall signs are limited to 50% of the length of the storefront not to exceed 20 feet in height and 18 inches in height.*

Staff Evaluation for Special Exception or Variance:

§124.80 (A) Requires the following City Commission findings. (Staff evaluations are in italics below):

- a. **The subject property has unique and special conditions, not applying generally to other properties in the same zoning district, which occasion the necessity for the petitioned variance.**

The need for the variance is a result of the store being setback over 500 feet from Weston Road. Publix is the anchor tenant of the shopping center and that site has a four foot high sign. Pet Supermarket has 82 feet of frontage. Most tenants have less storefront area, which makes Pet Supermarket unique. The sign is proposed to be proportionate to the storefront.

- b. **The development resulting from the granting of such variance shall be in harmony with the policies embodied within the City Comprehensive Plan.**

The variance requested is in harmony with the policies set forth in the City's Comprehensive Plan. The requested signage is due to the property conditions as well as aesthetics.

- c. **The granting of such variance shall be consistent with the general purpose and intent of the applicable zoning district regulations governing the property on which approval is granted.**

The zoning code limits length and height of signage, however, the large setback of this property off of Weston Road as well as the length of the storefront demonstrate consistency with the general purpose and intent of the zoning district.

- d. **The granting of such variance shall not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations nor hinder or discourage appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.**

Granting the sign variance is not expected to have a negative effect on neighboring properties. The signage on the neighboring office building is permitted to have signage that is 80 square feet. The sign at Publix has four foot high letters. This proposed sign will have lettering that is two feet, six inches in height and 24 feet, three and a half inches in length.

- e. **The literal and strict enforcement of the applicable provisions of the Land Use Regulations or other provisions of the city code would result in undue or unnecessary hardship to the applicant and would deprive the applicant of rights commonly enjoyed by the owners of other property in the zoning district.**

The literal and strict enforcement of the sign code will not permit adequate signage for the business, which would result in an undue hardship to the applicant. The location off of Weston Road, as well as the length of the storefront justifies the request for a variance.

- f. **The granting of the requested variance will provide substantial justice and not be contrary to the public interest as reflected in the applicable regulations.**

The granting of the sign variance will not be contrary to the public interest, and in fact, will provide greater visibility for patrons visiting the business.

- g. The need for the variance does not arise from conditions which are personal to the owner but instead relate to the uniqueness of the property.**

The need for the variance results in the configuration of the existing shopping center. The building is setback over 500 feet from Weston Road, which requires a larger sign for visibility. The length of the storefront also contributes to the need for a variance as the intent is to provide a proportionate sign for the façade.

- h. The alleged hardship is not self-imposed by the owner, prior owners or by any persons having an interest in the property.**

The hardship is a result of the shopping center's existing layout, which was originally approved by Broward County, prior to the adoption of the City's Code of Ordinances.

- i. The variance granted is the minimum variance necessary for the applicant to make reasonable use of the property.**

The requested variance is the minimum necessary for the applicant to make reasonable use of the property.

Project History

- **Original Approvals:**
 - Approved by Broward County in 1987.
- **Subsequent Actions:**
 - Resolution 2002-15 approved January 22, 2002 to permit 44 outdoor seats at four locations within Country Isles Plaza.
 - Resolution 2013-127 approved October 21, 2013 to approve the expansion of Publix and to convert two retail bays to two restaurants with 30 additional outdoor seats.
 - Resolution 2013-126 approved October 21, 2013 to grant a 21 space parking variance.
 - Resolution 2013-128 approved October 21, 2013 to permit a larger sign for Publix.
- **Current Code Violations:** None
- **Related Applications:** None

Staff Recommendation: Consideration

Exhibits:

1. Location Map
2. Application & Business Owner Affidavit



CITY OF WESTON, PLANNING AND ZONING DEPARTMENT
 C/O CALVIN, GIORDANO & ASSOCIATES, INC.
 1800 ELLER DRIVE, SUITE 600
 FORT LAUDERDALE, FLORIDA 33316

PETITION FOR ZONING VARIANCE

PURSUANT TO CODE OF ORDINANCES §124.80, §124.82 AND CHAPTER 125

The undersigned presents its Petition to the City Commission of the City of Weston, Florida for a Zoning Variance under the Zoning Regulations of the City of Weston as follows:

Section No. _____ Zoning District C1
 Lot No. _____ Block No. 1 Subdivision Country Isles Plaza
 Address 1380 Weston Road

- Name of Petitioner Gregory Davis / Thomas Sign & Awning Co.
- Petitioner's Interest (Owner, Lessee, etc.) contractor
- Project Name PetSupermarket
- Has a previous petition been filed on this property? No If yes, give date of hearing and finding _____
- Existing Land Use _____ Existing Zoning C1
 Current Use of Site retail
- Explain how this petition meets necessary criteria (refer to §124.80(A)). Use additional sheet, if necessary.
see attached

I/we certify on _____ day of _____, 20____, that the property is not subject to a pending code violation.

[Signature]
 Petitioner's Signature
GREGORY T. DAVIS.
 Print Petitioner's Name
4590 118th Ave. North.
 Address
Clematis, FLA 33762
 City, State, Zip
 Phone 727-573-7157
 Fax 727-573-0328

[Signature]
 Owner's Signature (required)
Kathy Muller
 Print Owner's Name
C/o Sansone Group
 Address
1401 N. UNIVERSITY DR
Coral Spring FL
 City, State, Zip
 Phone 314-727-6664
 Fax _____

DEPARTMENT USE ONLY

Date Received _____
 Agenda _____

Fee Paid _____
 Receipt No. _____



APPLICANT REPRESENTATIVE AFFIDAVIT

(MUST BE COMPLETED BY PROPERTY OWNER
AND EACH APPLICANT REPRESENTATIVE)

STATE OF FLORIDA)
COUNTY OF BROWARD)

Before me, the undersigned authority, personally appeared the affiant who, upon first being duly sworn, deposes and says:

(FOR INDIVIDUAL APPLICANTS)

1(a). I am the owner of the property described below, and have submitted the following application to the City of Weston:

Name of Applicant _____

Application for: Land Use Plan Amendment Rezoning Special Exception Zoning Variance
 Site Plan Approval Site Plan Amendment Plat Approval Plat Amendment

Property Location _____

CG&A Permit Process Number _____

(FOR ENTITY APPLICANTS)

1(b). I am the Agent (position) of Little Britain Holdings LLC (name of entity "Applicant") that owns the property described below, and has submitted an application to the City of Weston, and I have the authority to file this affidavit and to bind the Applicant.

Name of Applicant Little Britain Holdings LLC | Pet Supermarket

Application for: Land Use Plan Amendment Rezoning Special Exception Zoning Variance
 Site Plan Approval Site Plan Amendment Plat Approval Plat Amendment

Property Location 1380 Weston Road Weston, FL

CG&A Permit Process Number _____

2. The Applicant acknowledges that Section 125.04(C)(1) of the Land Development Code of the City of Weston requires that any applicant for a development permit must disclose "all persons representing the individual or entity applying for the development permit in connection with the application, including, but not limited to, all attorneys, architects, landscape architects, engineers and lobbyists."

3. The Applicant acknowledges that Section 125.04(C)(2) of the Land Development Code of the City of Weston requires that the Applicant, the property owner, and any person representing the Applicant must disclose "whether it has any Business Relationships with any member of the City Commission or any City Advisory Board, and, if so, disclose the identity of the member with which it has a Business Relationship and the nature of the Business Relationship." *Business Relationship is defined as:*

Business Relationship: a member of the City Commission or a City Advisory Board has a business relationship with a person or an entity if any of the following exist:

- a) the member of the City Commission or City Advisory Board has any ownership interest, directly or indirectly, in excess of 1% in the entity; or
- b) the member of the City Commission or City Advisory Board is a partner, co-shareholder or joint venturer with the person in any business venture;
- c) the entity or person is a client of the member of the City Commission or City Advisory Board, or a client of another professional working from the same office and for the same employer as the member of the City Commission or City Advisory Board;
- d) the member of the City Commission or City Advisory Board is a client of the entity or the person;
- e) the entity or person is a customer of the member of the City Commission or City Advisory Board (or his/her employer) and transacts more than 5% of the business in a given calendar year of the member of the City Commission or City Advisory Board (or his/her employer) or more than \$25,000 of business in a given calendar year; or
- f) the member of the City Commission or City Advisory Board is a customer of the entity or the person and transacts more than 5% of the business in a given calendar year of the entity or person or more than \$25,000 of business in a given calendar year.

The following is a complete list of the Applicant, the property owner and all persons representing the Applicant in connection with the application including, but not limited to, all attorneys, architects, landscape architects, engineers, lobbyists, tenants and/or contract purchasers:

	Name (print)	Business Relationship		Signature
		Yes*	No	
a)	<u>Kathy Mulken</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>[Signature]</u>
b)	<u>Gregory Davis</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>[Signature]</u>
c)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
d)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
e)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
f)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____
g)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____

* If yes, then identified person shall fill out a Business Relationship Affidavit

4. The Applicant agrees that he/she/it will be bound by any statements, representations and promises made in connection with the Application by any of the individuals identified above.

Little Britain Holdings, LLC
Boston, MA 02116

August 12, 2016

City of Weston
Building Department
Weston, Florida

Re: Country Isles Plaza
1110-1392 Weston Rd
Weston, Florida
Permit Applications

To Whom It May Concern:

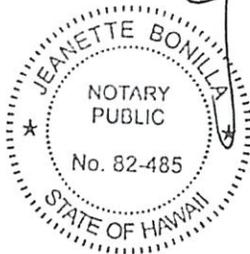
This letter will serve as written authorization for Kathy Mulkern, Regional Director for Sansone Group/DDR LLC, Managing Agent for Little Britain Holdings, LLC, to sign as Representative of Little Britain Holdings, LLC, on the City of Weston permit applications for the above referenced property.

Sincerely,



Charles R. Wichman Jr

STATE OF Hawaii COUNTY OF Kauai
Sworn to and subscribed before me this 12th day of August 2016
By Charles R. Wichman, Jr. who is personally
known to me.
(Seal) 



Notary Public

MY COMMISSION EXPIRES 07-25-2018

Variance Criteria and Response:

124.80 It is the responsibility of the Applicant to submit documentation that addresses the following criteria. The Applicant shall have the burden of proof which shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the City Commission.

124.80 (A)(1) The subject property has unique and special conditions, not applying generally to other properties in the same zoning district, which occasion the necessity for the petitioned variance.

Response: PetSupermarket has a standard branding process for each store according to their registered trademark. Because of the size of the storefront and height of the sign band area, the sign cannot be stacked and must be installed according to the plans submitted.

124.80 (A)(2) The Development resulting from the granting of such variance shall be in harmony with the policies embodied within the City Comprehensive Plan.

Response: The City Comprehensive Plan is developed to provide signage that is proportional to the retail space with details given to the overall appearance and the architectural design of the signage to be installed.

124.80 (A)(3) The granting of such variance shall be consistent with the general purpose and intent of the applicable zoning district regulations governing the property on which approval is granted.

Response: The general intent of the zoning regulations is to allow signage for each business or property that is architecturally pleasing to the eye, proportional to its location, as well as beneficial for the public to adequately locate the business.

124.80 (A)(4) The granting of such variance shall not adversely affect the Use or Development of neighboring properties in accordance with the applicable zoning district regulations nor hinder or discourage appropriate Development and Use of adjacent or nearby land and/or Buildings or impair the value thereof.

Response: The proposed signage will be compatible with signage in the shopping center and other signs in the general area.

124.80 (A)(5) The literal and strict enforcement of the applicable provisions of the Land Use Regulations or other provisions of the City code would result in undue or unnecessary hardship to the Applicant and would deprive the Applicant of rights commonly enjoyed by the owners of other property in the zoning district.

Response: The strict enforcement of the code as it relates to letter height and length of the sign places us in an undue hardship due to the size of the sign band and the length of the storefront. A vertical layout is the only option.

124.80 (A)(6) The granting of the requested variance will provide substantial justice and not be contrary to the public interest as reflected in the applicable regulations.

Response: *Visibility being a primary concern, our request would provide signage that is seen by the general public at a distance that would allow them time for safe access to the store.*

124.80 (A)(7) The need for the variance does not arise from conditions that are personal to the Owner but instead relate to the uniqueness of the property.

Response: *We feel that our request will not be injurious or detrimental to the public welfare. Instead, it would provide the general public and visitors the ability to identify the store for safe and easy access. Adequate signage is critical to the survival of each tenant which in turn becomes critical for their success.*

124.80 (A)(8) The alleged hardship is not self-imposed by the Owner, prior owners or by any Person having an interest in the property.

Response: *No*

124.80 (A)(9) The variance granted is the minimum variance necessary for the Applicant to make reasonable Use of the property.

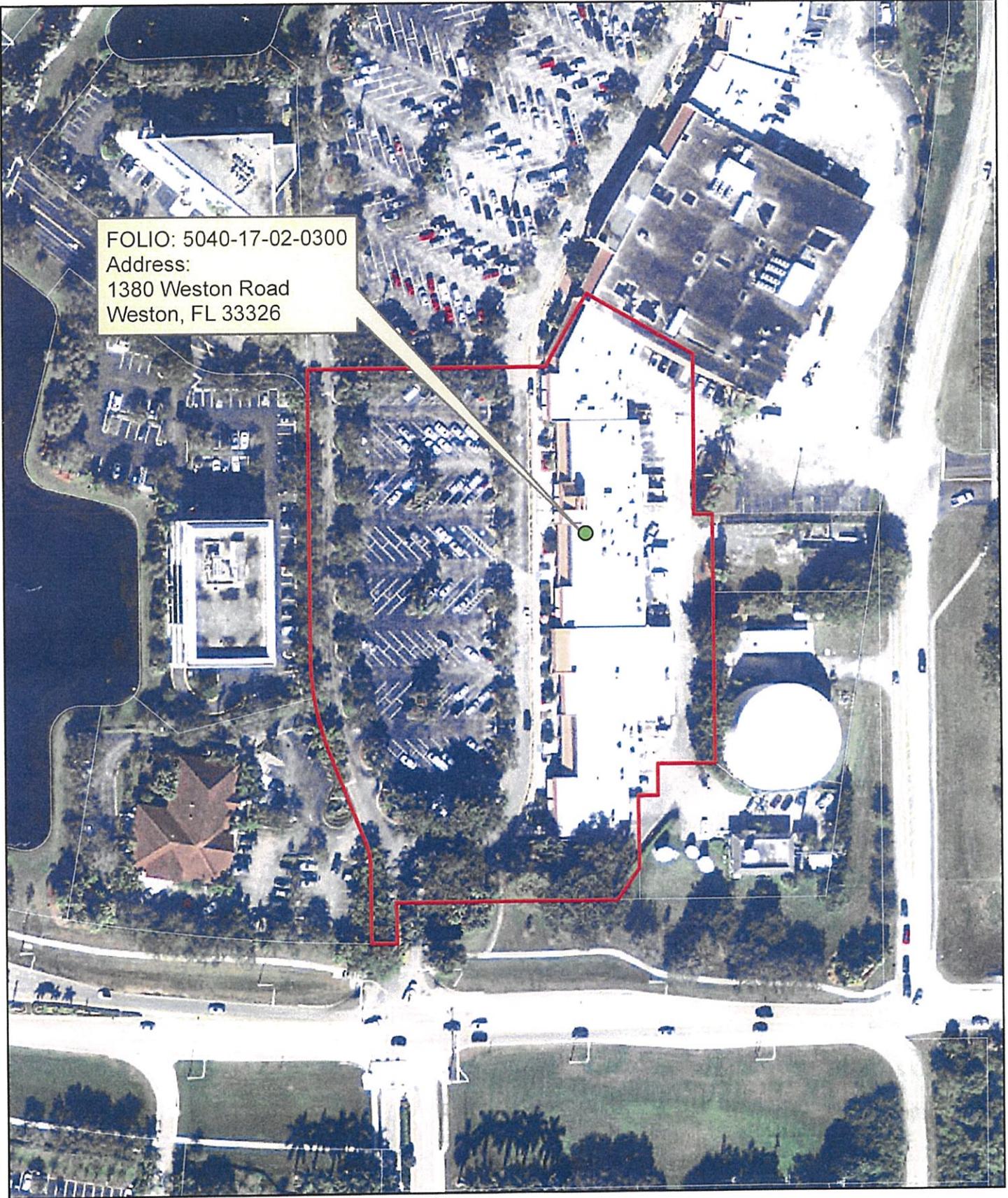
Response: *Our request is the minimum variance needed to answer the concerns of size as it relates to the sign being proportional to the overall size of the storefront. Our request will not be injurious to the neighborhood or detrimental to the public welfare, but instead will benefit the general public by providing greater visibility.*



Pet Supermarket 1380 Weston Road

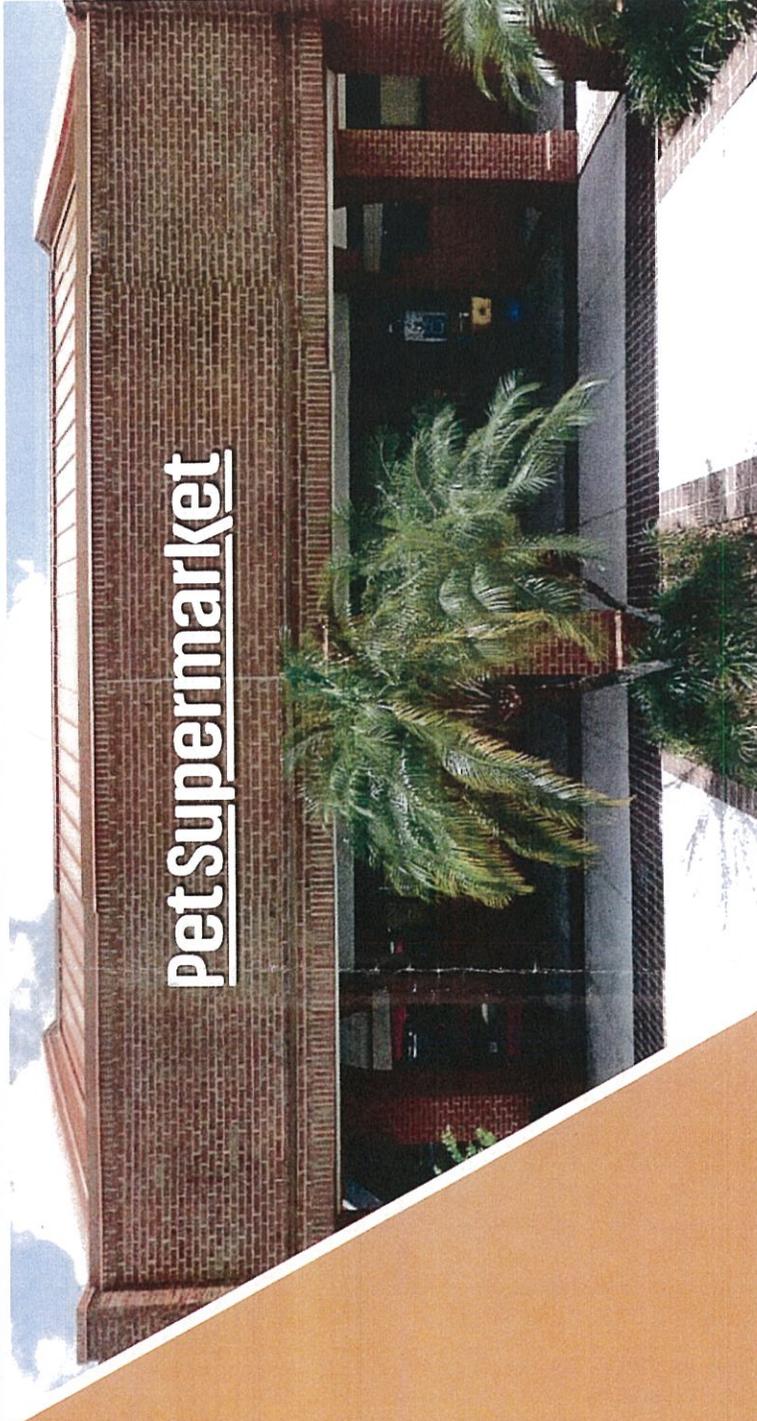


FOLIO: 5040-17-02-0300
Address:
1380 Weston Road
Weston, FL 33326



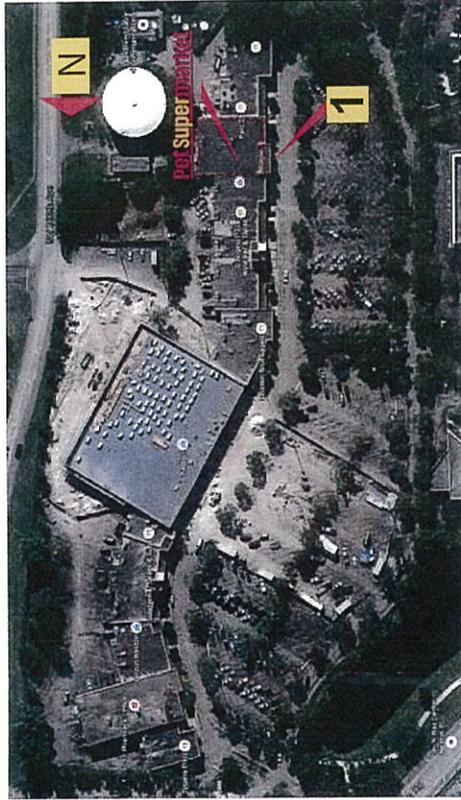
Pet Supermarket

184



PID: 65963 • Drawing No. 57514

1380 WESTON ROAD, WESTON, FL



Satellite Image

Enhanced Satellite Image - Signage Locations



Satellite Image

Location of Sign 1 Channel Letters - Main Entrance

KEY:



THOMAS

SIGN & AWNING CO INC

4590 118TH Avenue North
Clearwater, Florida 33762

800-526-3325

www.thomassign.com

CLIENT

Pet Supermarket #184

Design Number:
57514

Installation Address:
11360 Weston Road
Weston, FL

Project Identity Number:
65963

Sales Associate: **MT**

Project Team:

Designer: **MT**

Date: 12-1-15



3M™ MCS™ Warranty

Municipality:

X Square Footage Allowable:

Square Footage Shown:

Project Updates:

Rev A, update to new logo 10.12.16 CPC

Approval:

Approved

DATE:

Approved as noted

DATE:

Review & Re-Submit

DATE:

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Page

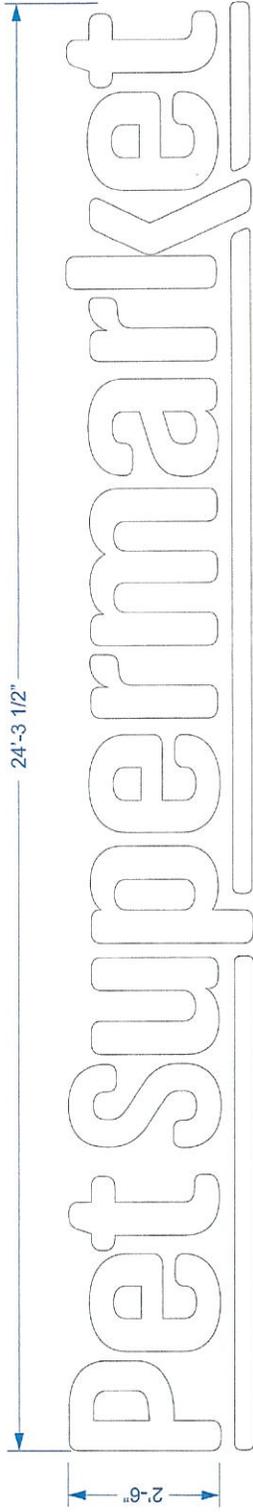
Sheet

1

1 of 6

Local: 727-573-7157

Fax: 727-573-0328



Custom Illuminated Channel Letters

Scope of Work:

New front lit channel letters will feature all aluminum construction with 8" deep Black returns and 1" Black Jewelite to be used as retainer.
All Letters & Underscore faces to be #2447 Milky White Acrylic.
Illumination to be provided by LED technology (White LEDs).
Entire display to be mounted flush on existing wall with remote power supplies.

*** Note: Landlord (at their expense) is to do better job patching & painting the brick storefront fascia where the previous building sign has caused damaged. The current paint match on the building is not acceptable.**

OPTION 2

Scale: 1/2" = 1'-0"



Existing Condition



Illuminated Channel Letters - Store Front (West) Elevation

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Installation Address:
11380 Weston Road
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65963

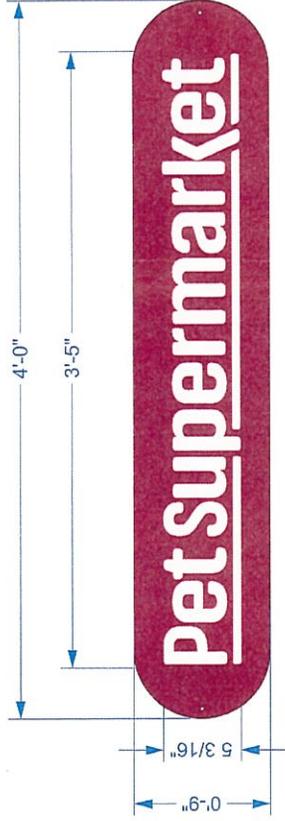
Sales Associate: MT
Project Team: MT
Designer: GGI
Date: 12.1.15



3M™ MCS™ Warranty

Municipality:
X Square Footage Allowable
Square Footage Shown
Project Updates:
12-18-15 JLF
CHANGELLETTER OPTIONS ADDED
Rev 2: update to new logo, 10.12.14 CPC
Rev 3: change CL faces to white, 10.24.15 CPC

Approval:
 Approved
DATE:
 Approved as noted
DATE:
 Revise & Resubmit
DATE:
The design, concept, drawing and construction of this project is the property of Thomas Sign & Awning Company. It shall remain the property of Thomas Sign & Awning Company. It shall not be used for any other project without the written consent of Thomas Sign & Awning Company.



Under Canopy Sign - 2 Req

Aluminum panel painted white with 1st surface red vinyl copy
3M 3630-33 "Red" with reverse weeded white.
Reuse exiting bracket on the wall & leave it the current color.

Scale: 1 1/2"=1'-0"

VINYL COLORS



3M 3630-33
RED



Existing Condition



Proposed Upgraded Condition



THOMAS

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Pet Supermarket #184

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57514

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Project Identity Number:
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Sales Associate: MT

Designer: MT

DATE: 12-1-15

GGJ



3M™ MCS™ Warranty

Item(s) apply:

X

Square Footage Allowable:

Square Footage Shown:

Project Updates:

Rev:1 update to new logo. 10.12.16 CFC
Revised to red/white only. 10.27.16 AMP

Approval:

Approved

DATE:

Approved as noted

DATE:

Revise & Re-Submit

DATE:

The design, concept, drawings and specifications are the property of Thomas Sign & Awning Company and shall not be reproduced or used in any manner without the prior written consent of Thomas Sign & Awning Company.

Page

4

4 of 5

Local: 727-573-7757

Fax: 727-573-0328

**CITY OF WESTON, FLORIDA
RESOLUTION NO. 2013-128**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CONSIDERING APPLICATION NO. 13-6131, A VARIANCE FROM SECTION 126.11(B) OF THE CODE OF ORDINANCES OF THE CITY, PERMANENT SIGNS, NONRESIDENTIAL USES, RETAIL SHOPPING CENTER, TO INCREASE THE WALL SIGNAGE LETTERING HEIGHT, FOR THE PROPOSED PUBLIX REBUILD AT COUNTRY ISLES PLAZA, FOR THE PROPERTY LOCATED AT 1170 WESTON ROAD, WESTON, FLORIDA.

WHEREAS, First, Steven Wernick, Esq., of Akerman Senterfitt, on behalf of the applicant the Sansone Group, agent for the property owner Little Britain Holdings, LLC, has submitted a completed Application No. 13-6131 for a variance from the provisions of Section 126.11(B) Permanent Signs, Nonresidential uses, Retail Shopping Center, which requires wall signage lettering to be no greater than 18 inches in height, proposing 48 inch high lettering, the size of the existing sign, for the proposed new wall sign for the Publix rebuild at Country Isles Plaza, located at 1170 Weston Road; and

WHEREAS, Second, the City Commission may grant a variance petition in accordance with the provisions of Section 124.80 of the Code of Ordinances of the City; and

WHEREAS, Third, the City's Departments have reviewed the variance application and forwarded their comments to the City Manager; and

WHEREAS, Fourth, the notice requirements have been complied with; and

WHEREAS, Fifth, the City Manager recommends the City Commission consider the application.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: Application No. 13-6131 for a variance from the provisions of Section 126.11(B) Permanent Signs, Nonresidential uses, Retail Shopping Center, which requires wall signage lettering to be no greater than 18 inches in height, proposing 48 inch high lettering, the size of the existing sign, for the proposed new wall sign for the Publix rebuild at Country Isles Plaza, located at 1170 Weston Road, is in substantial compliance with the requirements of Section 124.80 to grant a variance.

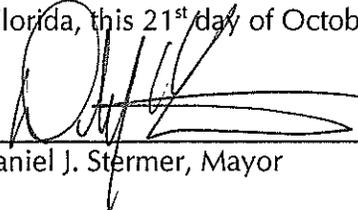
Section 3: Application No. 13-6131 for a variance from the provisions of Section 126.11(B) Permanent Signs, Nonresidential uses, Retail Shopping Center, which requires wall signage lettering to be no greater than 18 inches in height, proposing 48 inch high lettering, the size of the existing sign, for the proposed new wall sign for the Publix rebuild at Country Isles Plaza, located at 1170 Weston Road, is approved subject to the following conditions:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CONSIDERING APPLICATION NO. 13-6131, A VARIANCE FROM SECTION 126.11(B) OF THE CODE OF ORDINANCES OF THE CITY, PERMANENT SIGNS, NONRESIDENTIAL USES, RETAIL SHOPPING CENTER, TO INCREASE THE WALL SIGNAGE LETTERING HEIGHT, FOR THE PROPOSED PUBLIX REBUILD AT COUNTRY ISLES PLAZA, FOR THE PROPERTY LOCATED AT 1170 WESTON ROAD, WESTON, FLORIDA.

1. The issuance of a development permit by the City does not in any way 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 City 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. In addition, all applicable state and federal permits shall be obtained by the applicant before commencement of the development.
2. Prior to the issuance of a certificate of occupancy, the property owner shall convey to the City any existing or relocated water and sewer facilities on the property and grant to the City any necessary water and sewer easements.

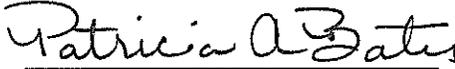
Section 4: This Resolution shall take effect upon its adoption.

ADOPTED by the City Commission of the City of Weston, Florida, this 21st day of October 2013.



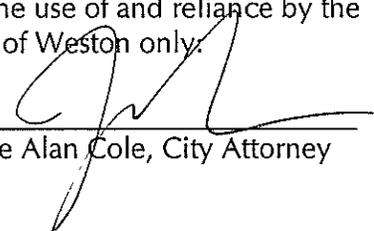
Daniel J. Stermer, Mayor

ATTEST:



Patricia A. Bates, City Clerk

Approved as to form and legality
for the use of and reliance by the
City of Weston only:

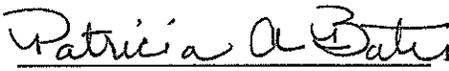


Jamie Alan Cole, City Attorney

Roll Call:

Commissioner Norton	<u>Yes</u>
Commissioner Feuer	<u>Yes</u>
Commissioner Kallman	<u>Yes</u>
Commissioner Gomez	<u>Yes</u>
Mayor Stermer	<u>Yes</u>

This Resolution was filed in the
Office of the City Clerk on this
25th day of October 2013



Patricia A. Bates, City Clerk

7



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 7

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 16-9055, special exception pursuant to Section 124.16 of the Code of Ordinances of the City to allow a 138,000 square foot self-storage facility within the I-1 Industrial Zoning District, for the property located at 1500 North Park Drive, Weston Park of Commerce, Weston, Florida.

Self-Storage Facility Special Exception

SUMMARY EXPLANATION & BACKGROUND:

Manuel Synalovski, of Synalovski Romanik Saye, Petitioner/Architect, on behalf of the Owner, Becknell Properties, has submitted a completed Application No. 16-9055, for the property located at 1500 North Park Drive, Weston Park of Commerce, for a special exception to permit a 138,000 square foot self-storage facility in the I-1 Industrial Zoning District.

REQUESTED ACTION:

Consideration.

EXHIBITS (LIST): (i) Resolution, and (ii) Staff Memorandum dated December 5, 2016

PREPARED BY:

Sarah Sinatra Gould, AICP
Director of Development Services

PETITIONER/REPRESENTATIVE:

Manuel Synalovski, Synalovski Romanik Saye, Petitioner/Architect, on behalf of the Owner, Becknell Properties

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
Jamie Alan Cole, City Attorney
Sarah Sinatra Gould, AICP
Director of Development Services

FUNDING SOURCE:

Cost Recovery

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N	Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

1 CITY OF WESTON, FLORIDA
2 RESOLUTION NO. 2016-____
3

4 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON,
5 FLORIDA, CONSIDERING APPLICATION NO. 16-9055, SPECIAL EXCEPTION
6 PURSUANT TO SECTION 124.16 OF THE CODE OF ORDINANCES OF THE
7 CITY TO ALLOW A 138,000 SQUARE FOOT SELF-STORAGE FACILITY
8 WITHIN THE I-1 INDUSTRIAL ZONING DISTRICT, FOR THE PROPERTY
9 LOCATED AT 1500 NORTH PARK DRIVE, WESTON PARK OF COMMERCE,
10 WESTON, FLORIDA.
11

12 WHEREAS, First, Manuel Synalovski, of Synalovski Romanik Saye, Petitioner/Architect, on
13 behalf of the Owner, Becknell Properties, has submitted a completed Application No. 16-9055, for
14 the property located at 1500 North Park Drive, Weston Park of Commerce, for a special exception
15 to permit a 138,000 square foot self-storage facility in the I-1 Industrial Zoning District; and
16

17 WHEREAS, Second, Section 124.16 (D), Permitted Uses, of the Code of Ordinances of the
18 City permits this type of use; however, the use requires special exception approval in the I-1
19 Industrial Zoning District; and
20

21 WHEREAS, Third, the City Commission may grant a special exception in accordance with
22 the provisions of Section 124.81, Special Exceptions, of the Code of Ordinances of the City; and
23

24 WHEREAS, Fourth, the Applicant shall have the burden of proof to provide competent
25 substantial evidence in the record that demonstrates the requirements of Section 124.81 of the
26 Code of Ordinances of the City have been met; and
27

28 WHEREAS, Fifth, the City's Departments have reviewed the special exception and
29 forwarded their comments to the City Manager; and
30

31 WHEREAS, Sixth, the notice requirements have been complied with; and
32

33 WHEREAS, Seventh, the City Manager recommends that the City Commission consider the
34 application.
35

36 NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:
37

38 Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by
39 reference herein.
40

41 Section 2: Application No. 16-9055, special exception to allow a 138,000 square foot self-storage
42 facility in a I-1 Industrial Zoning District for the property located at 1500 North Park Drive, Weston
43 Park of Commerce, is/is not in substantial compliance with the requirements of the City's Land
44 Development Regulations.
45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CONSIDERING APPLICATION NO. 16-9055, SPECIAL EXCEPTION PURSUANT TO SECTION 124.16 OF THE CODE OF ORDINANCES OF THE CITY TO ALLOW A 138,000 SQUARE FOOT SELF-STORAGE FACILITY WITHIN THE I-1 INDUSTRIAL ZONING DISTRICT, FOR THE PROPERTY LOCATED AT 1500 NORTH PARK DRIVE, WESTON PARK OF COMMERCE, WESTON, FLORIDA.

1 Section 3: Application No. 16-9055, special exception to allow a 138,000 square foot self-storage
2 facility in a I-1 Industrial Zoning District for the property located at 1500 North Park Drive, Weston
3 Park of Commerce, is approved/denied subject to the following condition(s):
4

- 5 1. The issuance of a development permit by the City does not in any way create any
6 right on the part of an applicant to obtain a permit from a state or federal agency
7 and does not create any liability on the part of the City for issuance of the permit if
8 the applicant fails to obtain requisite approvals or fulfill the obligations imposed by
9 a state or federal agency or undertakes actions that result in a violation of state or
10 federal law. In addition, all applicable state and federal permits shall be obtained
11 by the applicant before commencement of the development.
12

13 2.
14

15 Section 4: This Resolution shall take effect upon its adoption.
16

17 ADOPTED by the City Commission of the City of Weston, Florida, this 5th day of December 2016.
18
19

20
21 _____
22 Daniel J. Stermer, Mayor

23 ATTEST:
24

25 _____
26 Patricia A. Bates, City Clerk
27

28 Approved as to form and legality
29 for the use of and reliance by the
30 City of Weston only:
31

32 _____
33 Jamie Alan Cole, City Attorney
34
35

Roll Call:
36 Commissioner Brown _____
37 Commissioner Feuer _____
38 Commissioner Kallman _____
39 Mayor Stermer _____
40

36 This Resolution was filed in the
37 Office of the City Clerk on this
38 ____ day of December 2016.
39

40 _____
41 Patricia A. Bates, City Clerk



MEMORANDUM

TO: Honorable Mayor and Commissioners
THRU: John R. Flint, City Manager
FROM: Sarah Sinatra Gould, AICP, Director of Development Services
CC: David E. Keller, Assistant City Manager/CFO
Jamie Alan Cole, City Attorney
Patricia A. Bates, MMC, City Clerk
DATE: December 5, 2016
RE: 1500 North Park Drive – Proposed Self Storage
NO.: 16-9055

Requested Action: Manuel Synalovski of Synalovski Romanik Saye, the petitioner, is requesting special exception approval to locate a 138,000 square foot self-storage facility at 1500 North Park Drive. The property is zoned I-1 Industrial which requires a special exception for self-storage use per Code Section §124.16, For All Permitted Uses, in the I-1 zoning district.

Name: 1500 North Park Drive Self Storage

Location: 1500 North Park Drive

Folio: 504017020062

Zoning: I-1 Industrial

Land Use: Industrial

Applicant/Relationship: Petitioner/Architect

Owner: Becknell Properties

Code Section: §124.16, Permitted Uses, require a Special Exception for Self-Storage Facility in the I-1 Zoning District.

Section 124.81 of the Code of Ordinances requires the following City Commission findings regarding special exceptions:

(B)(1). The use is compatible with the existing natural environment and other properties within the vicinity.

Staff Evaluation

The proposed self-storage facility is within the Park of Commerce, adjacent to I-75. It will not create additional impacts to the natural environment or other properties in the vicinity since the site was developed in the early 1990's as a warehouse building. The applicant is proposing a partial mezzanine within the interior of the building to expand the square footage of the building from 90,620 square feet to 138,000 square feet. However, the addition of the 47,380 square foot mezzanine will not require additional parking to be added to the site nor will it change the building elevations.

(B)(2) There will be adequate provisions for safe traffic movement, both vehicular and pedestrian, both internal to the use and in the area which will serve the use.

Staff Evaluation

There are no changes proposed to the previously approved vehicular and pedestrian use areas, which remains adequate for the proposed use. Truck traffic may be reduced in the vicinity with the repurposing of the building from warehouse space to self-storage. The interior square footage is proposed to be increased by 47,380 square feet. The existing 92 parking spaces are sufficient to support the increase in square footage. The parking area and drive aisles loop around the building with a site entry in the north east corner of the site and a site entry and exit in the northwest corner of the site. There is also an access point in the south west corner of the site via the adjacent property. Pedestrian access is along a sidewalk adjacent to the northwest access point and connects to the sidewalk which runs long North Park Drive.

(B)(3) There will be adequate setbacks, buffering, and general amenities in order to control any adverse effects of noise, light, dust, or other potential nuisances.

Staff Evaluation

The site is already developed as a warehouse space and as such has appropriate setbacks and buffers from adjacent buildings and properties. Existing setbacks, buffering, exterior lighting, paving, drainage and landscape improvements are in place to mitigate any potential nuisance. In addition, the proposed self-storage use may reduce the number of larger commercial vehicles to the site.

(B)(4) The land area is sufficient, appropriate, and adequate for the use as proposed.

Staff Evaluation

The land area is adequate and appropriate for this use. The applicant proposes to repurpose an existing warehouse facility into a self-storage facility within the existing building footprint. The interior square footage is proposed to be increased by 47,380 square feet. The existing 92 parking spaces are sufficient to support the increase in square footage.

(B)(5) The proposed Special Exception use shall disclose the square feet of use sought for approval so that an adequate evaluation can be made of the Special Exception use in keeping with the standards and criteria of this chapter.

Staff Evaluation

The applicant is seeking special exception approval for a 138,000 square foot self-storage business.

(B)(6) It is the responsibility of the Applicant to submit documentation that addresses the above criteria.

The applicant has provided a site plan with site data.

(B)(7) Conditions may be stipulated and made a requirement in granting any application for special exception when it is found by the City Commission to be necessary to further the purpose of the zoning district or compatibility with other property within the vicinity.

Staff Evaluation

Acknowledged.

Project History

- Original Approvals:
 1. Approved by Broward County.
- Subsequent Actions:
 1. Minor Amendment approved June 13, 2008 to modify a drive and parking area, add additional truck docking area, add additional parking, adjust landscaping, and correct ADA compliance issues.
- Current Code Violations: None
-
- Related Applications: None

Staff Recommendation: Consideration.

Exhibits

1. Application and Special Exception Criteria
2. Proposed Site Plan
3. Location Map



PETITION FOR SPECIAL EXCEPTION
 PURSUANT TO CODE OF ORDINANCES §124.81, §124.82 AND CHAPTER 125

The undersigned presents its Petition to the City Commission of the City of Weston, Florida for a SPECIAL EXCEPTION under the Zoning Regulations of the City of Weston as follows:

Section No. _____ Zoning District I-1
 Lot No. _____ Block No. _____ Subdivision Park of Commerce 110-15B
 Address 1500 North Park Drive Name/Business _____

1. Name of Petitioner Manuel Synalovski
2. Petitioner's Interest (Owner, Lessee, etc.) Architect
3. Project Name Self Storage
4. Has a previous petition been filed on this property? NO If yes, give date of hearing and finding _____
5. Briefly describe proposed business self storage facility (138,000 SF)
6. Explain how this petition meets necessary criteria (refer to §124.81(B)). Use additional sheet, if necessary.
See attached

I/we certify on 7 day of November, 2016, that the property is not subject to a pending code violation.



 Petitioner's Signature

* 

 Owner's Signature (required)

Manuel Synalovski

 Print Petitioner's Name
1800 Eller Drive, Ste. 500

 Address
Fort Lauderdale, FL 33316

 City, State, Zip
 Phone (954) 961-6806

 Fax (954) 961-6807

Joel Halverson

 Print Owner's Name
4242 South 1st Ave, Ste. A

 Address
Lyons, IL 60534

 City, State, Zip
 Phone (708) 221-9182

 Fax (708) 443-9301

DEPARTMENT USE ONLY

Date Received _____
 Agenda _____

Fee Paid _____
 Receipt No. _____



APPLICANT REPRESENTATIVE AFFIDAVIT

(MUST BE COMPLETED BY PROPERTY OWNER
AND EACH APPLICANT REPRESENTATIVE)

STATE OF FLORIDA)
COUNTY OF BROWARD)

Before me, the undersigned authority, personally appeared the affiant who, upon first being duly sworn, deposes and says:

(FOR INDIVIDUAL APPLICANTS)

1(a). I am the owner of the property described below, and have submitted the following application to the City of Weston:

Name of Applicant _____

Application for: Land Use Plan Amendment Rezoning Special Exception Zoning Variance
 Site Plan Approval Site Plan Amendment Plat Approval Plat Amendment

Property Location _____

CG&A Permit Process Number _____

(FOR ENTITY APPLICANTS)

1(b). I am the S.V.P. (position) of Becknell Properties (name of entity "Applicant") that owns the property described below, and has submitted an application to the City of Weston, and I have the authority to file this affidavit and to bind the Applicant.

Name of Applicant Joel Halverson

Application for: Land Use Plan Amendment Rezoning Special Exception Zoning Variance
 Site Plan Approval Site Plan Amendment Plat Approval Plat Amendment

Property Location 1500 North Park Drive

CG&A Permit Process Number _____

2. The Applicant acknowledges that Section 125.04(C)(1) of the Land Development Code of the City of Weston requires that any applicant for a development permit must disclose "all persons representing the individual or entity applying for the development permit in connection with the application, including, but not limited to, all attorneys, architects, landscape architects, engineers and lobbyists."

3. The Applicant acknowledges that Section 125.04(C)(2) of the Land Development Code of the City of Weston requires that the Applicant, the property owner, and any person representing the Applicant must disclose "whether it has any Business Relationships with any member of the City Commission or any City Advisory Board, and, if so, disclose the identity of the member with which it has a Business Relationship and the nature of the Business Relationship." *Business Relationship is defined as:*

Business Relationship: a member of the City Commission or a City Advisory Board has a business relationship with a person or an entity if any of the following exist:

- a) the member of the City Commission or City Advisory Board has any ownership interest, directly or indirectly, in excess of 1% in the entity; or
- b) the member of the City Commission or City Advisory Board is a partner, co-shareholder or joint venturer with the person in any business venture;
- c) the entity or person is a client of the member of the City Commission or City Advisory Board, or a client of another professional working from the same office and for the same employer as the member of the City Commission or City Advisory Board;
- d) the member of the City Commission or City Advisory Board is a client of the entity or the person;
- e) the entity or person is a customer of the member of the City Commission or City Advisory Board (or his/her employer) and transacts more than 5% of the business in a given calendar year of the member of the City Commission or City Advisory Board (or his/her employer) or more than \$25,000 of business in a given calendar year; or
- f) the member of the City Commission or City Advisory Board is a customer of the entity or the person and transacts more than 5% of the business in a given calendar year of the entity or person or more than \$25,000 of business in a given calendar year.

The following is a complete list of the Applicant, the property owner and all persons representing the Applicant in connection with the application including, but not limited to, all attorneys, architects, landscape architects, engineers, lobbyists, tenants and/or contract purchasers:

Name (print)	Business Relationship		Signature
	Yes*	No	
a) <u>Joel Halverson</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b) <u>Manuel Synalovski</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c) _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
d) _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
e) _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
f) _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
g) _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

* If yes, then identified person shall fill out a Business Relationship Affidavit

4. The Applicant agrees that he/she/it will be bound by any statements, representations and promises made in connection with the Application by any of the individuals identified above.

5. The Applicant acknowledges that Section 125.04(C)(3) of the Land Development Code requires this information to be updated "If, at any time prior to City Commission consideration of an application for a development permit, the information contained in any Applicant Representative Affidavit or Business Relationship Affidavit becomes incorrect or incomplete, the person or entity submitting the affidavit must supplement the affidavit and, if the supplementation requires the submission of additional Applicant Representative Affidavits or Business Relationship Affidavits, ensure that such affidavits are also filed." The Applicant further understands that "If any supplementary affidavits are submitted less than fourteen days before the application is scheduled for consideration by the City Commission or any City Advisory Board, the application may be withdrawn by the City Manager, or his designee, and placed on a subsequent agenda."

Further the affiant sayeth naught.



(Signature of Applicant)

Joel Halverson

(Print Name)

SWORN TO AND SUBSCRIBED before me this 4th day of November, 2016 by Joel Halverson (Affiant), who is personally known to me or has produced _____ as identification.

My commission expires: 7/8/20
Commission No.: _____



Heidi Dahlstrand
NOTARY PUBLIC



SYNALOVSKI ROMANIK SAYE
Architecture • Planning • Interior Design

PROPOSED SELF STORAGE

1500 North Park Drive
Weston, FL
11/7/16

SPECIAL EXCEPTION CRITERIA 124.81(B)

124.81(B)(1): The Use is compatible with the existing natural environment and other properties within the vicinity.

The proposed **Self Storage Use** intends to “repurpose” an existing warehouse facility in Weston’s Park of Commerce. Said warehouse was developed in ±1990 in an I-1 (Industrial) Zoning District. To the east, the existing warehouse overlooks I-75. To the south, the existing warehouse overlooks a larger warehouse facility. To the west and north the existing warehouse overlooks smaller commercial development with appropriate buffering and separation.

The proposed **Self Storage Use** is extremely compatible with the property’s natural environment and the other properties within the vicinity.

124.81(B)(2): There will be adequate provision for safe Traffic movement, both vehicular and pedestrian, both internal to the Use and in the area which will serve the Use.

The proposed **Self Storage Use** will reduce both the internal vehicular and pedestrian traffic on-site and in the area which it will serve.

The diminished traffic is acknowledged by the City of Weston’s Code of Ordinance as the parking requirement for the proposed **Self Storage Use** is less than that required by the existing Warehouse Use. Further, where the existing Warehouse Use may allow 20% of office space (±18,000 SF), the proposed **Self Storage Use** will have very limited office space (±1,000 SF).

124.81(B)(3): There will be adequate setbacks, buffering and general amenities in order to control any adverse effects of noise, light, dust or other potential nuisances.

The proposed **Self Storage Use** diminishes any potential nuisances inclusive of and not limited to noise, light, dust and any adverse effect caused. By “repurposing” the existing Warehouse Use, the larger commercial vehicles currently traveling throughout the right-of-ways in the vicinity will be replaced with automobile traffic.

Regardless, significant existing setbacks, buffering, exterior lighting, paving, drainage and landscape improvements are in place to mitigate any potential nuisance.

SYNALOVSKI ROMANIK SAYE
Architecture • Planning • Interior Design

1800 Eller Drive, Suite 500 • Fort Lauderdale, FL 33316
T 954.961.6806 • F 954.961.6807 • www.synalovski.com

124.81(B)(4): The land area is sufficient, appropriate, and adequate for the Use proposed.

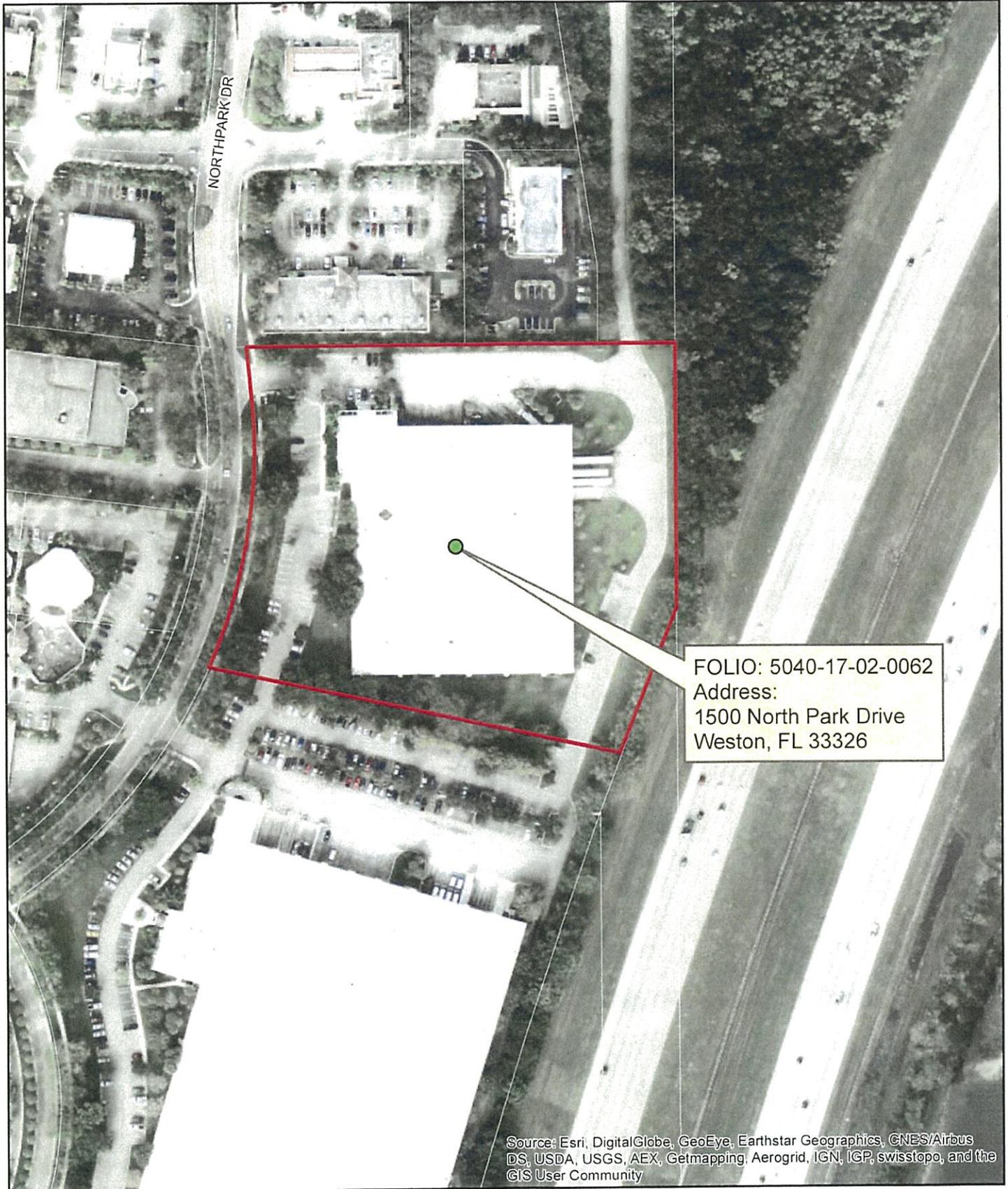
The proposed **Self Storage Use** intends to “repurpose” an existing warehouse facility within the existing warehouse building footprint. Further, existing parking will satisfy the proposed use. No additional building area will be developed at this time regardless that significant pavement area exists for previously used commercial vehicular traffic that no longer will be required. It is certain the existing land area is sufficient, appropriate and adequate for the **Self Storage Use** proposed.

124.81(B)(5): The proposed special exception use shall disclose the square feet of the Use sought for approval so that an adequate evaluation can be made of the special exception Use in keeping with the standards and criteria of this Chapter.

The proposed **Self Storage Use** shall total 138,000 SF. Said area includes the sum of 90,620 SF of Existing Building and 47,380 SF of New Mezzanine . Note the existing 92 parking spaces satisfy the total 138,000 SF (1PS/1,500SF) of the **Self Storage Use** proposed.



1500 North Park Drive Self Storage



FOLIO: 5040-17-02-0062
Address:
1500 North Park Drive
Weston, FL 33326

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



8



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 8

FOR:
 City of Weston Indian Trace Development District Bonaventure Development District

TITLE:
 An Ordinance of the City of Weston, Florida, amending the Future Land Use map designation within the City's Comprehensive Plan from Residential Irregular 5 to Residential Irregular 26 on property generally located north and south of Racquet Club Road, and west of Bonaventure Boulevard, as further legally described on Exhibit "A," and consisting of approximately 27.40 acres; and providing for an effective date.
*Public Hearing and First Reading**
 *The City Commission will be sitting simultaneously as the Local Planning Agency when considering this item.

SUMMARY EXPLANATION & BACKGROUND:
 The City Commission desires to amend the Future Land Use Plan Map designation within the City's Comprehensive Plan from Residential Irregular 5 to Residential Irregular 26 for the approximately 27.40 acre property located on the north and south sides of Racquet Club Road, west of Bonaventure Boulevard.

REQUESTED ACTION:
 Approval.

EXHIBITS (LIST): (i) Ordinance, and (ii) Staff Memorandum dated December 5, 2016

PREPARED BY:
 Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:
 Not Applicable

RECOMMENDED FOR CONSIDERATION BY:
 John R. Flint, City Manager
 Jamie Alan Cole, City Attorney

FUNDING SOURCE:
 Not Applicable

VOTING REQUIRED FOR PASSAGE:
 Majority Majority Plus One Unanimous

COMMISSION ACTION:					
	M	2	Y	N	
					Approved as presented
					Approved as amended
Commissioner Brown					Approved with conditions
Commissioner Feuer					Continued to
Commissioner Kallman					Deferred to
Mayor Stermer					To deny

Notes:

**CITY OF WESTON, FLORIDA
ORDINANCE NO. 2016-____**

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA, AMENDING THE FUTURE LAND USE MAP DESIGNATION WITHIN THE CITY'S COMPREHENSIVE PLAN FROM RESIDENTIAL IRREGULAR 5 TO RESIDENTIAL IRREGULAR 26 ON PROPERTY GENERALLY LOCATED NORTH AND SOUTH OF RACQUET CLUB ROAD, AND WEST OF BONAVENTURE BOULEVARD, AS FURTHER LEGALLY DESCRIBED ON EXHIBIT "A," AND CONSISTING OF APPROXIMATELY 27.40 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, First, Bonnie Miskel, Esq. of Dunay, Miskel & Backman, LLP, on behalf of Hospitality Investing Group, LLC, has applied to the City to amend the Future Land Use Map within the City's Comprehensive Plan on approximately 27.40 acres of land located at 250 Racquet Club Road, as shown on the attached Exhibit "A" (the "Property"), from Residential Irregular 5 to Residential Irregular 26; and

WHEREAS, Second, the Director of Development Services has reviewed the Comprehensive Plan amendment and has recommended consideration; and

WHEREAS, Third, the City Commission, in its capacity as the Local Planning Agency, has reviewed the amendment and recommends approval; and

WHEREAS, Fourth, after review and consideration, the City Commission finds that it is in the best interest of the residents of the City to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Weston, Florida:

Section 1. Recommendation of Approval by the Local Planning Agency.

The City Commission, in its capacity as the Local Planning Agency, has reviewed the proposed Ordinance and recommends approval.

Section 2. Comprehensive Plan Amendment.

The Future Land Use Map Designation within the City's Comprehensive Plan of the approximately 27.40 acre Property, as further legally described on the attached Exhibit "A," is changed as follows:

Existing:	Residential Irregular 5
New:	Residential Irregular 26

Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, **shaded** text reflects changes to provisions that are proposed to be re-adopted.

1 **Section 3. Severability.**

2
3 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be
4 declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of
5 this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.
6

7 **Section 4. Conflict.**

8
9 That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of
10 Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to
11 the extent of such conflict.
12

13 **Section 5. Effective Date.**

14
15 This Ordinance shall be effective immediately upon passage by the City Commission on second
16 reading, except that the effective date of the amendment(s) adopted by this Ordinance shall go into effect
17 31 days after the state land planning agency notifies the City that the plan amendment(s) package is
18 complete. If timely challenged, the amendment(s) adopted by this Ordinance do not become effective
19 until the state land planning agency or the Administration Commission enters a final order determining
20 the adopted amendment(s) to be in compliance.
21
22

23 PASSED ON FIRST READING _____.

24
25 PASSED AND ADOPTED ON SECOND READING _____.

26
27 CITY COMMISSION
28 CITY OF WESTON, FLORIDA
29

30
31 By _____
32 Daniel J. Stermer, Mayor

33 ATTEST:

34
35 _____
36 Patricia A. Bates, City Clerk

37
38 Approved as to form and legality
39 for the use of and reliance by the
40 City of Weston only:

41
42 _____
43 Jamie Alan Cole, City Attorney
44

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

Coding: underlined words are additions to existing text, ~~struck through~~ words are deletions from existing text, **shaded** text reflects changes to provisions that are proposed to be re-adopted.

Exhibit A

LEGAL DESCRIPTION FOR THE BONAVENTURE RESORT & SPA (ENTIRE)

PARCEL I: ALL OF TRACT 12, "BONAVENTURE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA .

TOGETHER WITH: PARCEL II:

A PORTION OF TRACT 57, "BONAVENTURE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT 22, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA;

THENCE SOUTH 00 DEGREES 01 MINUTES 52 SECONDS WEST ALONG THE WEST BOUNDARY OF SAID TRACT 22, A DISTANCE OF 306.30 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 105 DEGREES 29 MINUTES 39 SECONDS, AN ARC DISTANCE OF 46.03 FEET TO A POINT OF A REVERSED CURVATURE;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 640.00 FEET, A DELTA OF 18 DEGREES 25 MINUTES 43 SECONDS, AN ARC DISTANCE OF 205.85 FEET TO A POINT OF REVERSE CURVATURE;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25 FEET, A DELTA OF 84 DEGREES 23 MINUTES 27 SECONDS, AN ARC DISTANCE OF 36.82 FEET;

THENCE TANGENT TO SAID CURVE NORTH 08 DEGREES 30 MINUTES 46 SECONDS WEST, 48.18 FEET;

THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 710.00 FEET, A DELTA OF 32 DEGREES 09 MINUTES 22 SECONDS, AN ARC DISTANCE OF 398.47 FEET;

THENCE NORTH 23 DEGREES 39 MINUTES 36 SECONDS EAST, 31.87 FEET (THE LAST SIX (6) COURSES DESCRIBED BEING COINCIDENT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF RACQUET CLUB ROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF EAST MALL ROAD AS SHOWN ON SAID BONAVENTURE PLAT);

THENCE SOUTH 89 DEGREES 58 MINUTES 08 SECONDS EAST, 204.24 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 52 SECONDS WEST, 180.00 FEET TO THE POINT OF BEGINNING.



MEMORANDUM

TO: Honorable Mayor and Commissioners
THRU: John R. Flint, City Manager
FROM: Sarah Sinatra Gould, AICP, Director of Development Services
CC: David E. Keller, Assistant City Manager/CFO
Jamie Alan Cole, City Attorney
Patricia A. Bates, MMC, City Clerk
DATE: December 5, 2016
NO.: 16-8723
RE: Bonaventure Resort & Spa Land Use Plan Amendment

Requested Action: **Requested Action:** Bonnie Miskel, Esq. of Dunay, Miskel & Backman, LLP, on behalf of Hospitality Investing Group, LLC is requesting to amend the underlying land use designation of the City's Future Land Use Map from *Residential Irregular 5* to *Residential Irregular 26* for the approximately 27.40 acre property located on the north and south sides of Racquet Club Road, west of Bonaventure Boulevard.

The current land use on the property is *Residential Irregular 5* which allows a maximum of 504 hotel rooms or 252 dwelling units (for density calculations, one dwelling unit equal 2 hotel rooms). In order for the applicant to redevelop the property with 591 residential units and 240 hotel rooms (120 residential dwelling equivalents), the applicant has submitted a Land Use Plan Amendment.

The applicant has stated in their rationale that there have been changes in the hotel industry. Years ago, rooms were booked in large blocks and inventory was needed to attract conventions. Since the construction of the Broward County Convention center, there has been a decline in the demand for large blocks of rooms at a "conference" hotel. However, there is greater demand for smaller boutique hotels. Additionally, the proposed residential units will meet the demand for entry level and empty nest housing within the City of Weston.

In the analysis of this request, the applicant has demonstrated how this proposed change is consistent with the applicable Goals, Objectives and Policies of the City's Comprehensive Plan. The applicant has further demonstrated and confirmed from the applicable service providers that all public facilities

and services will continue to meet the established Levels of Service requirements of the Comprehensive Plan.

Name: Bonaventure Resort & Spa

Location: 250 Racquet Club Road

Folio: 504005AE0020

Zoning: MF-4

Land Use: Residential Irregular 5

Applicant/Relationship: Bonnie Miskel, Esq. /Agent

Owner: Hospitality Investing Group, LLC

Code Section: §125.23 requires conformity to the City's certified land use plan prior to any development of land in the City.

The applicant is applying for approval of a land use plan amendment on 27.40 acres to allow a Residential Irregular Land Use designation of 26 units per acre in order to redevelop the property with 591 residential units and 240 hotel rooms (120 residential dwelling equivalents).

Project History

- **Original Approvals:**

The area was designated with a Land Use of Residential/ Irregular 5 since the County's first land Use Plan was adopted in 1977.

- **Subsequent Actions:**

- Broward County approved a site plan amendment in 1982 for an addition.
- Resolution 2005-81 approved June 6, 2005 to consider a sign variance.
- Resolution 2005-123 approved September 6, 2005 to consider a site plan amendment for building elevation changes, a new paint palette and a new entry feature.
- Ordinance 2016-XXX approved November 21, 2016 to rezone Bonaventure Resort & Spa to MF-4
- Resolution 2016-XXX approved November 21, 2016 to approve Bonaventure Resort and Spa

- **Current Code Violations:** Failure to maintain property to wit: asphalt, curbing, wheel stops and striping in disrepair.

- **Related Applications:**

- None

Staff Recommendation: Consideration on first reading to transmit the application to Broward County and the Florida Department of Economic Opportunity.

Exhibits:

1. Application & Business Owner Affidavit
2. Location Map



**DUNAY
MISKEL
BACKMAN** LLP

Gary Dunay
Bonnie Miskel
Scott Backman

Hope Calhoun
Dwayne Dickerson
Ele Zachariades

Christina Bilenki
Heather Jo Allen
Andrea Keiser

November 10, 2016

Via Electronic Mail

Ms. Shelley Eichner, AICP
Senior Vice President
City of Weston
c/o Calvin, Giordano & Associates, Inc.
1800 Eller Drive, Suite 600
Fort Lauderdale, Florida 33316

RE: Resubmittal of Land Use Plan Amendment – Bonaventure Resort & Spa

Dear Ms. Eichner:

This is a request to amend the underlying land use designation on the City's Future Land Use Map from Irregular 5 to Irregular 26 for the approximately 27.40 acre property generally located north of Blatt Boulevard, south of Interstate 75, east of West Mall Road and west of Bonaventure Boulevard at 250 Racquet Club Road. The reasoning behind this request is twofold:

1. The hotel industry is changing from larger block-like hotel complexes to a more intimate boutique environment; and
2. There is a real deficiency in starter and entry level and empty nest housing.

In the 1970's, 1980's and 1990's, it was not uncommon to find hotel and resort complexes with 500 or more hotel rooms. They were typically designed around convention centers or tourist attractions such as Disney World. In the case of conference hotels, rooms were booked in blocks and a large inventory of rooms was needed in order to attract the better conventions or conferences. Where Counties are building their own convention centers today, the trend for the larger resorts has declined and rarely do groups book blocks of rooms in areas that have county convention centers. With the construction of the Broward County convention center in 1991, the demand for the conference center has steadily declined and with that, the need for large blocks of hotel rooms has likewise declined. There continues to be, however, a demand for high quality hotels to serve the Weston area. Like other parts of the country, hotel designers and developers are constructing more boutique like hotels with high end amenities and services to meet the ever changing demand.

The Bonaventure Hotel & Resort intends to meet the changing demands by constructing a 240 room hotel with boutique spa and fitness amenities. With the reduction in hotel rooms, the environment will be more intimate and the amenities per guest will be equally intimate. Resort hotels are also opening up

their resort like facilities to the surrounding communities in the way of premier clubs. The premier club enables club members to enjoy all of the first class amenities including the restaurant facilities as if they were guests. For the resident that chooses not to be in country club community, they may now enjoy the benefits of such without the high equity costs. Due to the lack of commercial services for the surrounding community, the club option is a real benefit to the overall community.

This request also proposes to add 591 residential units to the current uses permitted within the land use plan. Many built out communities are struggling with the lack of housing options at both the entry and the empty nest levels of the housing time pendulum. Longtime residents of Weston are forced to leave the City that they call home in an effort to downsize in anticipation of retirement. At the same time, many of the children raised in Weston are having a hard time finding economical starter housing in order to be near their families in the next phase of their lives. The housing proposed will provide the City of Weston with a needed option to serve its local population.

Please be advised that a revised School Board letter has been requested. Upon receipt, we will forward to you the revised letter.

We appreciate the time and effort the City of Weston has provided in helping to seek the necessary approvals for this project. Attached to this letter please find attached the revised land use plan amendment application depicting the modifications previously discussed. Upon review, if you have any questions, please feel free to contact me. Thank you.

Sincerely,



Bonnie Miskel, Esq.

Attachments: Revised LUPA Application and Appendix

cc: Sarah Sinatra Gould, AICP, Planning Department Director (with attachments)

BONAVENTURE RESORT & SPA

250 Racquet Club Road Weston, FL

APPLICATION FOR LARGE SCALE LAND USE PLAN AMENDMENT

SUBMITTED TO THE CITY OF WESTON

June 7, 2016

Updated September 1, 2016

Updated November 10, 2016

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APPENDIX I - IX – Attached to this application

1. TRANSMITTAL INFORMATION

A. Letter of transmittal from municipal mayor or manager documenting that the local government took action by motion, resolution or ordinance to transmit a proposed amendment to the Broward County Land Use Plan. Please attach a copy of the referenced motion, resolution or ordinance. The local government’s action to transmit must include a recommendation of approval, denial or modification regarding the proposed amendment to the Broward County Land Use Plan.

To be provided by the City of Weston.

B. Date local governing body held transmittal public hearing.

To be provided by City of Weston.

C. Whether the amendment area is within an Area of Critical State Concern or proposed for adoption under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

Not applicable.

D. Whether the amendment is one of the following:

- *Development of Regional Impact
- *Small scale development activity (Per Florida Statutes)
- *Emergency (please describe on separate page)
- *Other amendments which may be submitted without regard to Florida statutory limit

regarding amendment submittals (Brownfield amendments, etc.)

The amendment is a Large Scale Land Use Plan Amendment under the criteria established under Florida Statutes.

2. LOCAL GOVERNMENT INFORMATION

A. Local land use plan amendment or case numbers.

City issued project number: 14-7298

B. Proposed month of adoption of local land use plan amendment.

To be provided by the City of Weston.

C. Name, title, address, telephone, facsimile number and e-mail of the local government contact.

Name/Title: Ms. Sarah Sinatra-Gould, AICP-Planning Director
Address: City of Weston
c/o Calvin Giordano & Associates, Inc.
1800 Eller Drive Suite 600 Fort Lauderdale, FL 33316
Phone: 954-266-6495
Fax: 954-266-6487
E-Mail: ssinatra@cgasolutions.com

D. Summary minutes from the local planning agency and local government public hearing of the transmittal of the Broward County Land Use Plan Amendment.

Minutes from the local planning agency and local government public hearing of the transmittal will be provided upon availability.

E. Description of public notification procedures followed for the amendment by the local government.

To be provided by the City of Weston.

3. APPLICANT INFORMATION

A. Name, title, address, telephone and facsimile number and email of the applicant:

Name/Title: Hospitality Investing Group LLC- Applicant
Address: 250 Racquet Club Road Weston, FL 33326
Phone: (305) 747-6408
Email: ari.pearl@gmail.com

B. Name, title, address, telephone and facsimile number and email of the agent:

Name/Title: Bonnie Miskel, Esquire
Address: Dunay, Miskel & Backman, LLP
14 S.E. 4th Street-Suite 36 Boca Raton, FL 33432
Phone: 561-405-3300
Fax: 561-409-2341
Email: bmiskel@dmbblaw.com

C. Name, title, address and telephone and facsimile number and email of the property owner:

Name/Title: Meyer Chetrit, Managing Member
CG Bonaventure LLC through CG Bonaventure Resort LLC
Address: 2915 Biscayne Boulevard #300 Miami, FL 33137

D. Planning Council fee for processing the amendment in accordance with Exhibit C, "Fee Schedule for Amendments to the Broward County Land Use Plan and Local Use Elements."

City of Weston Comprehensive Plan Amendment Fee-\$19,500.00
Broward County Planning Council Fee-\$12,146.00

E. Applicant's rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report (about two paragraphs).

The Applicant requests a large scale land use plan amendment to the Broward County Future Land Use Plan and City of Weston Comprehensive Plan Map based upon the following evidence and rationale:

This request is to amend the land use of the Bonaventure Resort & Spa (hereinafter referred to as the "Subject Property") consisting of a total of 27.40 (gross) acres (divided between two (2) parcels of land) located within the City of Weston (hereinafter referred to as the "City"), in Broward County (hereinafter referred to as the "County") and located at 250 Racquet Club Road which is generally located north of Botaniko Drive North, south of Interstate 75/State Road 84, west of Bonaventure Boulevard and east of West Mall Road and is within the area formerly located within Unincorporated Broward County and known as Bonaventure. A location map is provided as **Map A-Location Map**.

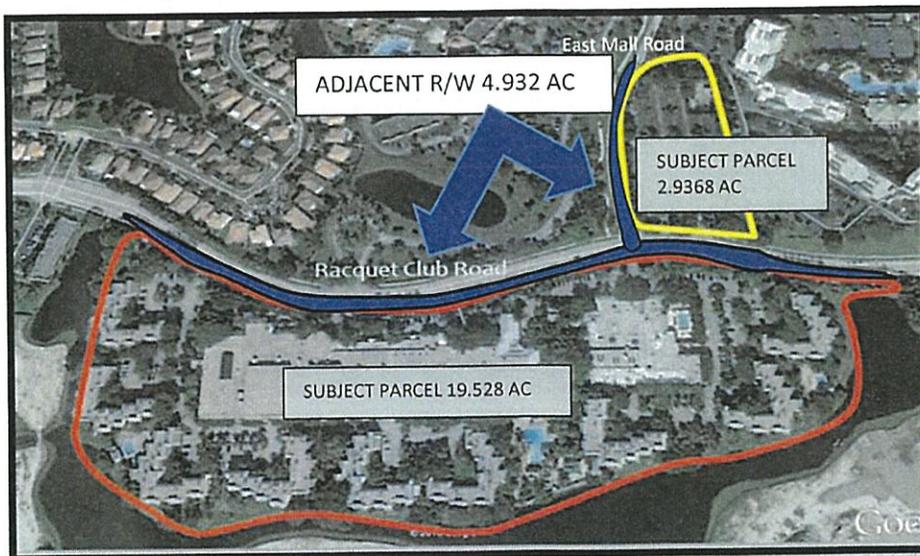
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Map A – Location Map



The area calculation for the Bonaventure Resort & Spa, based upon the two (2) parcels of land, one located south of Racquet Club Road (19.528 acres) and the other parcel located north of Racquet Club Road (2.9368 acres) for a total of 22.4648 acres. Adjacent right-of-way totaling 4.9352 acres has been calculated and added to the net acreage in order to achieve the gross density of 27.40 acres. Please refer to Map B-Gross Acreage which depicts the adjacent right-of-way acreage utilized for this LUPA.

Map B – Gross Acreage Map



LAND USE PLAN AMENDMENT – BONAVENTURE RESORT & SPA

The Subject Property was developed in the mid 1970's as a resort and golfing destination known then as the Bonaventure Resort. The Resort and the surrounding area was historically referred to as Bonaventure and, over time, the area was developed with mid to high rise density residential and became built out comprising a total of approximately 6,388 residential units. The Resort and surrounding lands were originally developed based upon a land use designation of Irregular (Residential) Dashed Line (5) dwelling units (du) per acre. However, like in many areas of Broward County the overall density of Bonaventure is 5 du/acre was the overall average with some parcels of land developed as a cluster containing greater densities per acre, yet the overall density of the area is maintained at no more than 5 du/acre. Shortly after the incorporation of Weston, as its own municipality in 1995, the City annexed the Bonaventure area. Hence, the Bonaventure Resort became a part of the City of Weston in 1996. The Bonaventure Resort & Spa has, in large part, remained the same since its construction in the early 1980's. The existing future land use designation for both the parcels located north and south of Racquet Club Road, is Irregular (Residential) Dashed Line (5) as designated within the Broward County Land Use Plan and the City of Weston Comprehensive Plan. The existing zoning designation for the entire Subject Property is Commercial (C-1) as shown on the City Zoning Map.

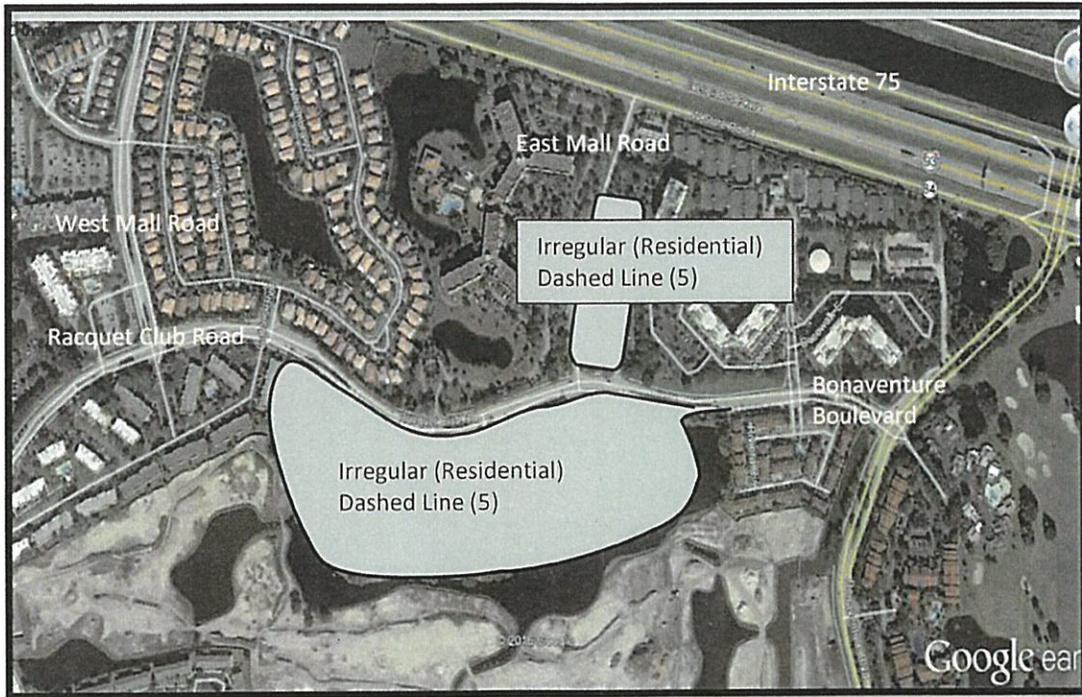
In accordance with the Broward County Land Use Plan and the City of Weston Comprehensive Plan, hotel rooms are counted as double the maximum number of dwelling units permitted by the land use plan designation. Based upon the existing and established use, the Subject Property currently consists of 504 hotel rooms (or 252 residential dwelling unit equivalents), 51,815 square feet (SF) of conference center/meeting space area, 38,800 SF of spa, 8,756 SF of dining area, 2,198 SF of recreation areas, surface parking and other ancillary uses for the hotel.

Based upon the current development plan for the Resort, this application requests the reduction of the hotel rooms from 504 hotel rooms (or 252 residential dwelling units equivalents) to 240 hotel rooms (or 120 residential unit equivalents) and the addition of 591 residential units which are slated to be developed as condominium units. Therefore, this land use plan application requests to amend 27.40 gross acres from Irregular (Residential) Dashed Line (5) to Irregular (Residential) Dashed Line (26) to be shown within the Broward County Land Use Plan and the City of Weston Comprehensive Plan

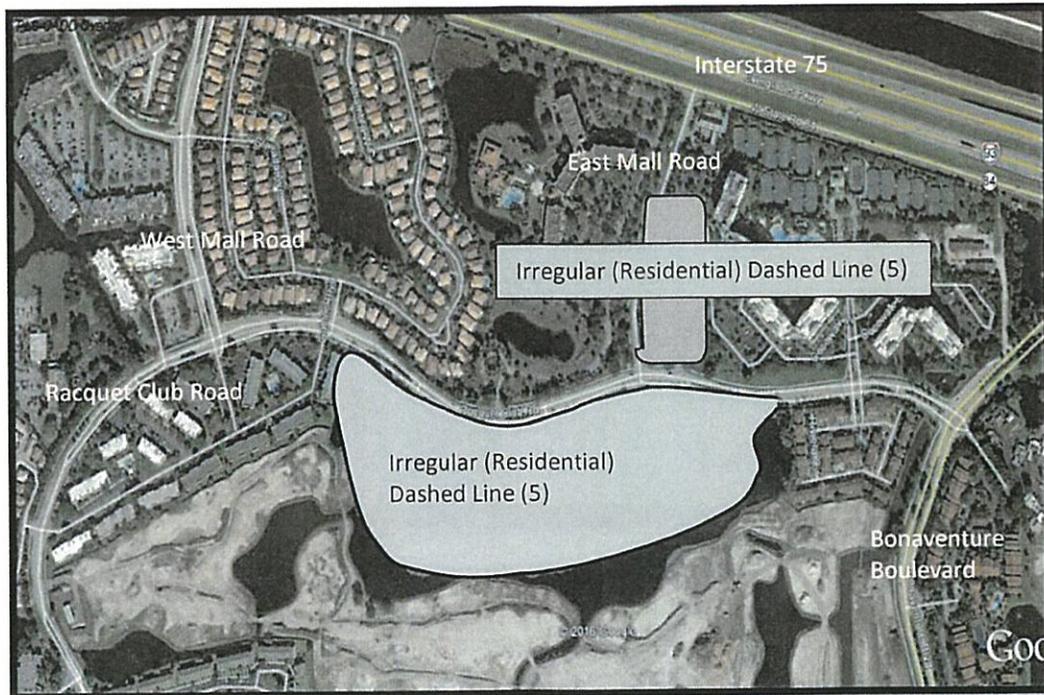
The 26 du/ac is derived by taking the total number of proposed units which is 591 units, plus the 120 residential equivalents (or 240 hotel rooms). Together, the total number of units slated for the Subject Property is 711 units. 711 units divided by the gross acreage of 27.40 acres yields 26 du/acre.

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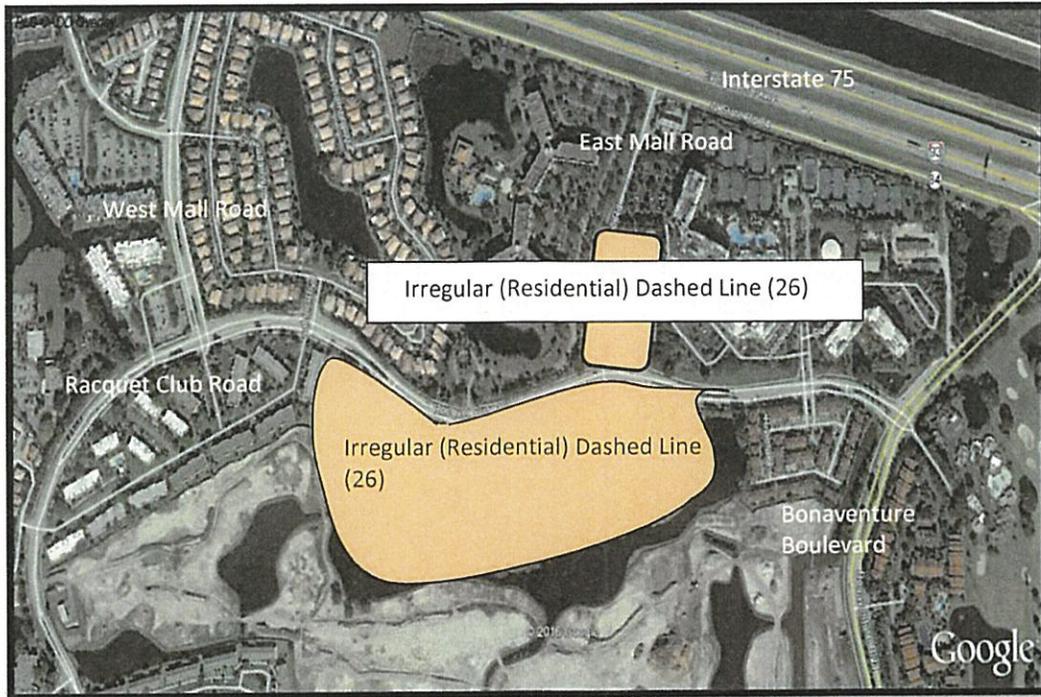
Map C – Broward County – Existing Land Use Designation



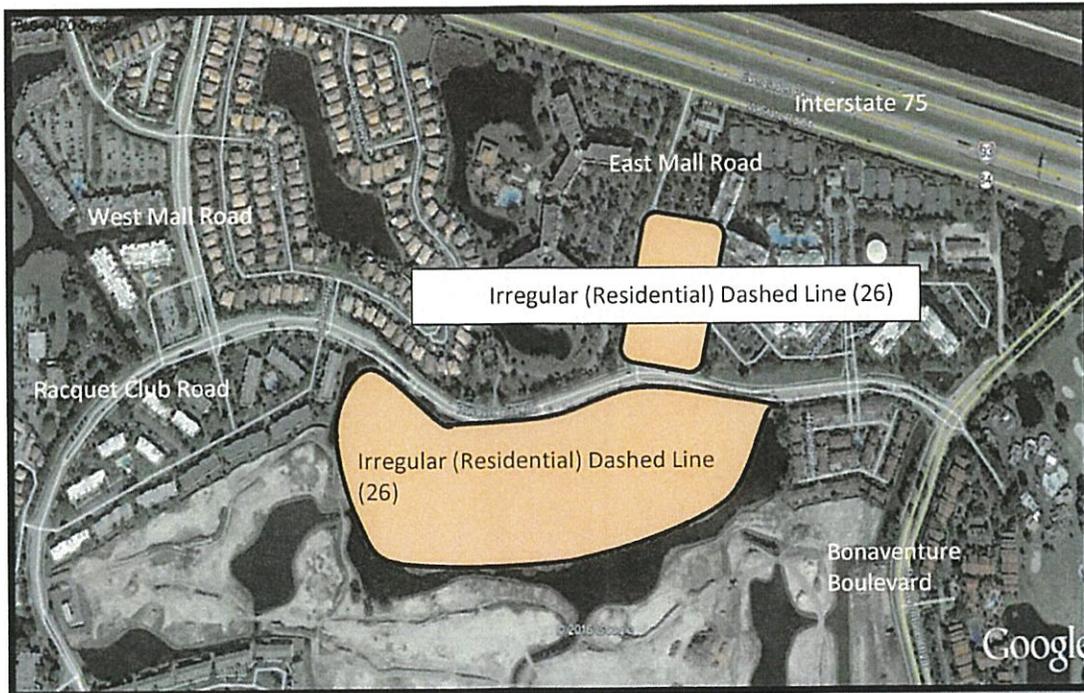
Map D – City of Weston-Existing Land Use Designation



Map E – Broward County Proposed Future Land Use Designation



Map F – City of Weston Proposed Future Land Use Designation



A map depicting the County's existing Land Use designation is labeled as **Map C** and a map depicting the City's existing Land Use designation is labeled as **Map D**. A map depicting the

LAND USE PLAN AMENDMENT – BONAVENTURE RESORT & SPA

County's proposed Future Land Use designation is shown as **Map E** and a map of the City's proposed Future Land Use designation is depicted as **Map F**.

Today, the existing site is vested for 504 hotel rooms (or 252 residential equivalents). Under the proposed land use plan amendment application, the Subject Property will continue to have a specified limitation on the number of units permitted. The Irregular (Residential) Dashed line land use designation will continue to limit the underlying land use to a specific number of units to no more than 711 units, including the hotel rooms.

The land use designation surrounding all sides of the Subject Property consists of the same Irregular (Residential) Dashed Line (5), but the parcels around the Subject Property have historically been developed with mostly higher density multi-family residential or multi-family time share units that cater to seasonal residents. However, within recent years, some newer residential housing opportunities have been offered which has attracted more year round residents to this area of the City. The proposed land use plan amendment is designed to provide compatibility, consistency and a proper transition of land uses adjacent to the existing developments. This proposed land use amendment will create the opportunity to upgrade and enhance this portion of the City and provide the City with the new housing inventory needed to service number of existing and new residents to the City.

The proposed land use amendment allows for the maintenance of the existing hotel use while adding a residential component to the site and will help establish greater revenues for the City. With the improvements intended for the hotel renovations, the Resort will become an attractive amenity for the residents of Weston to utilize. The hotel industry has changed since the 1980's. Hotels today are developed with under 300 hotel rooms to provide a more boutique environment. Many 4 and 5 star hotels are expanding the hotel amenities to not only attract a more sophisticated tourist but to provide the surrounding communities with a club like experience. The Boca Hotel and Resort's premier club is one such club. The Bonaventure hotel, although there will be fewer amenities, is another form of club. Unique to the City is that many the uses that have been established in the City truly provide a place where residents can live, work and play in the same area. Additionally, the City has been successful by offering a high level of service and the provision of housing options in order to encourage residents to age in place or to relocate within the City. This has created a community that is has consistent home ownership, high property values, low crime rates and highly rated schools. The City is a place that is very desirable for people of all age groups and contains the following goals, objectives and policies that support the requested land use plan amendment which strives to uphold the City's high standards

Goal 1:1

Provide residential areas with a variety of housing types and densities offering convenient and affordable housing opportunities to all segments of Weston's population while maintaining a desired quality of life and adequate public services and facilities.

Objective 1:1

The City shall maintain a pattern of overall low density residential use with limited medium and high density residential uses in selected areas to preserve the low intensity character of the residential neighborhood. Proposed amendments to the Future Land Use Map shall occur in accordance with the densities provided therein.

Objective 1:3

City shall create, preserve and maintain scenic vistas in keeping with the classic tradition as embodied in the original City plan.

Objective 1:6

City shall develop and implement land use controls through the zoning code and land development regulations which promote residential neighborhoods that are attractive, well-maintained and contribute the health, safety and welfare of their residents.

Policy 1.6.1

Evaluate and revise the Weston Zoning Code and Land Use Regulations, as necessary, to reflect the unique characteristics of Weston and to provide the appropriate instruments to enforce and effectively carry out the requirements of this plan.

Policy 1.7.4

Zoning Code and Land Development regulations shall include provisions to encourage or enable a variety of housing opportunities in varying price ranges.

Objective 4.2

City shall maintain a system of public and private open space areas compatible with the character of Weston.

Policy 4.2.1

City shall pursue programs that will ensure the provision of and access to open space areas.

Objective 13.1

Develop and implement land use programs to encourage redevelopment activities within identified blighting and deteriorating areas.

Policy 13.1.1

City shall provide for redevelopment activities in the creation of land development regulations and zoning code.

Objective 13.2

Develop and implement land use programs to encourage the elimination or reduction of existing incompatible land uses and prevent future incompatible land uses.

Policy 13.2.1

City shall continue to assure the compatibility of existing and future land uses.

Policy 13.2.2

Weston's Land Use Plan shall ensure that commercial, industrial and other non-residential land use plan designations are located in a manner which facilitates their serving, but does not adversely impact existing and designated residential areas.

Policy 13.2.3

City shall minimize the impacts of existing incompatible land uses through requirements within the land development code and regulations, such as buffering and setbacks.

Policy 13.2.4

The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Weston Comprehensive Plan.

Policy 14.2.4:

City shall continue to reduce the heat island effect by maintaining its green infrastructure through maintenance of its tree canopy, parks, open spaces, wetland mitigation areas, landscaped medians and scenic vistas.

The themes above, as demonstrated in the City of Weston Comprehensive Plan, have identified the City's desire to 1) ensure existing and proposed land uses are compatible with one another; 2) prevent impacts to surrounding neighborhoods as a result of the proposed land use plan amendment; and 3) to preserve the natural conditions in order to maintain scenic views, preserve existing habitats and the comingling to uses where appropriate. The Subject Property seeks to keep intact the existing use currently residing on the land. The hotel use will be upgraded and enhanced to provide the needed renovation, upgrading and aesthetic improvements consistent with the City's current standards.

The addition of the residential component surrounds the hotel use and serves to transition the surrounding areas from residential to the commercial and transient nature of the hotel use. The existing use is not new to the area and many of the residents have been inquiring about the renovation of the existing use in order to utilize the facility more often and provide for a location to house friends and relatives visiting the City. Furthermore, the Subject Property contains a very scenic nature path which stretches the entire southern boundary of the project. The nature path is wide and meanders within the existing waterbody and mature landscape areas. If this path were to be constructed today, this path would not be feasible due to the increased level of regulation and development requirements. As a result, the nature path is being preserved in accordance with the City's desire to support and preserve the natural habitats and amenities that residents expect and enjoy.

4. AMENDMENT SITE DESCRIPTION

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

The amendment site consists of two (2) parcels of land located within the City. Although the parcels will be unified and developed as one (1) site, the current address of the Subject Property is 250 Racquet Club Road. Collectively, the two (2) parcels of land consist of 27.40 gross acres of land or 22.47 net acres located, north of Bontaniko Drive North, south of Interstate 75/State Road 84, east of West Mall Road and west of Bonaventure Boulevard. The gross acreage calculation includes one-half of the applicable rights-of-way adjacent to the Subject Property. Please refer to Map B.

- B. Sealed survey, including legal description of the area proposed to be amended.**

A survey of the Subject Property is included in the application and attached as **APPENDIX I**. The legal description of the land area proposed to be amended from Irregular (Residential) Dashed Line (5) to Irregular (Residential) Dashed Line (26) is attached as **APPENDIX II**.

- C. Map at a scale of 1"-300' clearly indicating the amendment's location, boundaries and proposed land uses. (Other scales may be accepted at the discretion of the Planning Council Executive Director.)

A map depicting the amendment location, boundaries and proposed land uses are labeled as Maps E & F.

5. EXISTING AND PROPOSED USES

- A. Current and proposed local and Broward County Land Use Plan designation(s) for the amendment site. If multiple designations, describe gross acreage within each designation.

The current land use designation as depicted by Broward County and the City of Weston is Irregular (Residential) Dashed Line (5) and is shown on **Maps C & D**. This application is proposing to amend the Subject Property from Irregular (Residential) Dashed Line (5) to Irregular (Residential) Dashed Line (26). A map depicting the proposed Broward County and City of Weston future land use plan designations are shown as **Maps E & F**.

- B. Current land use designations for the adjacent properties.

TABLE 1: CURRENT FUTURE LAND USE DESIGNATIONS

Subject Parcel	North	South	East	West
irregular (Residential) Dashed Line (5)				

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

None

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

The existing use of the property is currently the Bonaventure Resort & Spa is the same use proposed as part of this land use plan amendment. The table below depicts the uses located on the adjacent parcels.

TABLE 2: ADJACENT SITE USES

Subject Parcel Existing Use	North Existing Use	South Existing Use	East Existing Use	West Existing Use
Hotel/Resort	Multi-family residential, single-family residential & time share units	Single-family residential (formerly golf course)	Multi-family	Multi-family

E. Proposed use of the amendment site including proposed square footage for each non-residential use and/or dwelling unit count.

The land use plan amendment will retain the hotel component that is currently constructed on the site and permitted under the residential land use designation. In addition to the hotel use, we propose 591 units and a reduction to the number of hotel units from 504 hotel rooms to 240 hotel rooms (or 120 residential equivalents). The number of proposed units (591) plus the number of revised hotel rooms (120 residential equivalents) provide a total of 711 units. The non-residential uses on the property are existing and considered ancillary to the existing hotel use; however, the amount on non-residential square footage is as follows:

- 51,815 SF of meeting space area;
- 38,800 SF of spa;
- 8,756 SF of dining area; and
- 2,198 SF of recreation area
- 101,569 SF – Proposed SF of non-residential use

TABLE 3: PROPOSED USES OF AMENDMENT SITE

Proposed Use	Proposed Land Use Designation	Non-Residential Square Footage Proposed	Residential Units Proposed
Hotel/Resort & Multi-family	Irregular (Residential) (26)	none	711 units

F. Maximum allowable development per local government land use plans under existing designation for the site, including square footage for each non-residential use and/or dwelling unit count.

The existing future land use designation for the entire property, based upon the Broward County Land Use Plan and the City of Weston Comprehensive Plan, is Irregular (Residential) Dashed Line (5), but is vested to contain a maximum allowable density of 504 hotel rooms (or 252 residential equivalents). In addition to the existing 504 hotel rooms, there is 101,569 SF of existing accessory hotel uses which includes the convention center, meeting space, restaurants and other uses ancillary to the hotel use.

TABLE 4: EXISTING USES OF AMENDMENT SITE

Existing Use	Existing Land Use Designation	Non-Residential Square Footage Existing	Residential Units Existing
Hotel/Resort	Irregular (Residential) (5)	None, however, an existing 101,569 SF of non-residential use which is ancillary to the existing hotel use	504 hotel rooms (252 residential equivalents)

In accordance with the City of Weston’s Comprehensive Plan, the Residential land use designation permits for the following uses:

- Dwelling units, subject to the density limits for a parcel as designated on the Weston

Future Land Use Plan map;

- Home occupation and other uses accessory to the dwelling unit;
 - Parks, golf courses and other outdoor recreational facilities;
 - Community facilities;
 - Hotels, motels and similar lodging. The maximum number of hotel, motel or similar lodging units permitted on any parcel designated for residential use is double the maximum number of dwelling units permitted by the land use plan designation;
 - Public utilities;
 - Agriculture;
 - Special Residential Categories. Special Residential Facilities subject to: meeting one of the Category definitions as contained in the Special Residential Facilities Permitted Use subsection; meeting density provisions by Category type stated below; and the limitations as expressed by the certified land use plan map; and if applicable; the provisions regarding the use and allocation of reserve units, flexibility units or bonus sleeping rooms as contained in the “Administrative Rules Document: Broward County Land Use Plan”;
 - Offices and/or retail sales of merchandise or services subject to the review and approval requirements of the Broward County Comprehensive Plan and the following limitations and provisions:
 - a. No more than a total of five percent (5%) of the area designated for residential use on the Weston Future Land Use Plan within a flexibility zone may be used for neighborhood offices and/or retail sales of merchandise or services;
 - b. No added contiguous area used for neighborhood, offices and/or retail sales of merchandise or services may exceed ten (10) acres. For the purpose of this provision, contiguous if defined as: attached; located within 500 feet; or separate only by streets and highways, canals and rivers or easements.
- G. Indicate if the amendment is part of a larger development project that is intended to be developed as a unit such as a site plan, plat or Development of Regional Impact. If so, indicate the name of the development; provide the site plan or plat number; provide a location map; and, identify the proposed uses.

The amendment is not part of a larger development.

6. ANALYSIS OF PUBLIC FACILITIES AND SERVICES

A. Sanitary Sewer Analysis

1. Identify whether the amendment site or a portion is currently and/or proposed to be serviced by septic tanks.

The existing buildings on the Subject Property are currently serviced by a gravity sanitary sewer system which discharges into an existing public lift station. The existing lift station is owned and maintained by the City of Sunrise Utility Department.

2. Identify the sanitary sewer facilities serving the amendment site including the current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.

The existing wastewater treatment plant that services this property is owned and maintained by the City of Sunrise Utility Department. The Sawgrass Wastewater Treatment Plant, operated by the City of Sunrise, has a permitted capacity of 20.0 MGD (Million Gallons Per Day). The current demand on the plant based on data projected for 2015 is 18.66 MGD. The City of Weston, by itself, creates 7.4 MGD of the 18.66 MGD. The planned capacity of 20.0 MGD is projected to be sufficient for the next 14 years based on population projections.

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

The existing property contains service for 504 hotel rooms or 252 residential equivalents and 101,569 square feet of non-residential uses of the hotel, convention center and spa. The current gallons per day based upon 252 residential equivalents are 56,700 GPD and 10,157 gallons per day for the non-residential uses. The proposed development will consist of a total of 711 residential units, less 252 units already existing, which is an impact of 459 new residential units.

The net increase on the water and sewer demand for the development will be based upon an additional 459 new residential units. The City of Sunrise calculates one (1) equivalent residential connection (ERC) to equal 225 gallons of demand. Therefore, the proposed development requires an addition of 103,275 (GPD). The projected flows are calculated as follows:

TABLE 5: SANITARY SEWER IMPACT – CURRENT AND PROPOSED

	Use	Calculation	Total
Current	Residential-504 hotel rooms or 252 residential equivalents	252 units X 225 GPD per DU	56,700 GPD
	Non-Residential-101,569 SF	101,569 SF X .1 GPD	<u>10,157 GPD</u>
	TOTAL		66,857 GPD
Proposed	Residential-240 hotel rooms or 120 residential equivalents	120 units X 225 per DU	27,000 GPD
	Residential – 591 units	591 X 225 GPD per DU	132,975 GPD
	Non-Residential-101,569 SF	101,569 X .1 GPD	<u>10,157 GPD</u>
	SUB-TOTAL		170,132 GPD
	TOTAL		<u>-66,857 GPD-Existing</u> 103,275 GPD

Based upon the analysis, the existing demand for sanitary sewer as compared to the proposed demand is an increase of 36,418 GPD based upon the additional residential units. The non-residential use demand is the same based since no additional square footage is being allotted to the non-residential components of the project.

4. Identify the projected plant capacity and demand for the short and long range planning horizons as identified within the local government’s adopted comprehensive plan. Provide demand projections and information regarding planned plant capacity expansions including year, identified funding sources and other relevant information.

The existing wastewater treatment plant that services this property is owned and maintained by the City of Sunrise Utility Department. The following chart below provides the requested demand projections for the short and long range planning horizons for the City of Weston.

TABLE 6: WASTEWATER FLOW PROJECTIONS

Sawgrass WWTP				
Year	City of Weston Population Projections	Total Population Projections for WWTP	City of Weston Annual Average Daily Flow (AADF) (mgd)	Total Population Average Daily Flow (AADF) (mgd)
2010	64,384	153,415	7.2	17.16
2015	66,038	166,878	7.4	18.66
2020	67,272	176,530	7.5	19.74
2025	67,961	178,783	7.6	19.99
2030	68,326	179,910	7.7	20.12

Source: City of Sunrise Utilities Water & Wastewater Master Plan

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

Correspondence from the sanitary sewer provider verifying the information is attached as APPENDIX III of this application.

Name: Rodrigo de Castro, PE, CFM
 Agency: City of Sunrise
 Phone: 954-746-3270
 Address: 1601 N.W. 136th Avenue, Building A Sunrise FL 33323

B. Potable Water Analysis

1. Data and analysis demonstrating that a sufficient supply of potable water and related infrastructure will be available to service the proposed amendment site through the long term planning horizon, including the nature, timing and size of proposed water supply and related infrastructure improvements.

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The existing buildings are currently serviced by a water distribution system that is owned and maintained by the City of Sunrise Utility Department. There is an existing 12” water main located within Racquet Club Road that will provide both potable water and fire protection service to the existing and future developments. There will be an on-site looped 8” water main system that will service both the existing and future buildings.

2. Identify the facilities serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and South Florida Water Management District (SFWMD) permitted withdrawal, including expiration date of the SFWMD permit.

The Southwest Water Treatment Plant services the Subject Property and is operated by the City of Sunrise Utility Department. The Southwest Water Treatment Plan is one of three (3) water treatment plants (WTPs) with a total permitted design treatment capacity of 50 MGD. The Southwest Water Treatment Plant is located at 15400 Watermill Road within the City of Davie. The water treatment facility is a lime-softening treatment plant with a treatment capacity of 2 MGD. The residual handling systems for this facility consist of one wash water recovery basin (Sav-All Tank) and two sludge lagoons.

The SFWMD regulates the volume of water that can be withdrawn from surface and groundwater through the use of a Consumptive Use Permit (CUP) pursuant to Part II of Chapter 373 of the Florida Statutes. The last CUP issued to the City by the SFWMD was in May of 2008. The City of Sunrise is working closely with the SFWMD on alternative water supply projects in conjunction with the renewal of the permit. The last Permit No 06-00120-W included the Springtree, Sawgrass (Arena), Southwest, and Flamingo Park wellfields and allows a combined average withdrawal of 29.09 MGD from the four wellfields and a maximum day withdrawal allocation of 37.82 MGD. In addition to a system-wide maximum day allocation, the CUP also identifies a maximum day withdrawal for each wellfield as described below:

**TABLE 7: CONSUMPTIVE USE PERMIT (CUP) - BISCAYNE WELLFIELD
MAXIMUM WITHDRAWAL**

Biscayne Wellfield Locations	Equivalent Annual Average Day (mgd)	Equivalent Maximum Permitted (mgd)
Sawgrass Arena (only)	6.00	15.26*
Sawgrass and Flamingo Park (combined)	11.31	22.50
Springtree	10.70	22.48
Southwest Facilities	1.08	2.33
TOTALS	29.09	62.57

*Limited to minimize an adjacent wetland impact

3. Identify the wellfield serving the service area in which the amendment is located including the permitted capacity, committed capacity, remaining capacity and expiration date of the permit.

The City of Weston via the City of Sunrise withdraws from the Biscayne and Floridan Aquifers. The Biscayne Aquifer has a constructed capacity of 60 MGD with a permitted water use allocation of 29.09. The Floridan Aquifer has a capacity of 2 MGD. The City of Sunrise also operates four (4) active wellfields- Springtree, Sawgrass (Arena), Sawgrass (Flamingo Park) and Southwest. Below are charts which provide the total installed capacities of the wellsites currently located within the Biscayne and Floridan Wellfields.

TABLE 8: BISCAYNE WELLFIELD CAPACITY

Wellfield Location	WTP Served	Total* Installed Capacity (mgd)	Total Installed Firm Capacity (mgd)
Springtree	Springtree	24**	22**
Sawgrass (Arena)	Sawgrass	18	15
Flamingo Park	Sawgrass	15	11
Southwest	Southwest	3	2
TOTAL		60**	50

*Wellfield Total Capacity includes the Standby Capacity.

**Well Capacities for rehabilitated wells (S-10R, S-11R, S-12R, S-13R, S-14R, S-15R, 16R and S-18R) are based on field testing results and are subject to change.

Source: City of Weston Comprehensive Plan

TABLE 9: FLORIDAN WELLFIELD CAPACITY

Wellfield Location	WTP Served	Total* Installed Capacity (mgd)	Total Installed Firm Capacity (mgd)
Springtree	Springtree	2	0
Sawgrass	Sawgrass	0	0
TOTAL		2	0

- 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.

The existing property is vested for 504 hotel rooms or 252 residential equivalents and 101,569 square feet of non-residential uses of hotel, convention center and spa. The current gallons per day based upon 252 residential equivalents are 56,700 gallons per day and 10,157 gallons per day for the non-residential uses. The proposed development will consist

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of a total of 591 residential units, 240 hotel rooms or 120 residential equivalents in addition to the existing 101,569 square feet non-residential uses of hotel, convention center and spa which requires 10,157 gallons per day.

The net increase on the water demand for the development will be based upon an additional 591 residential units less the existing hotel and non-residential uses. The City of Sunrise calculates one equivalent residential connection (ERC) to equal 225 gallons of demand. Therefore, the proposed development requires 170,132 gallons per day less the existing of 66,857 gallons per day; the net increase is 103,275 gallons per day.

TABLE 10: POTABLE WATER IMPACT-CURRENT AND PROPOSED

	Use	Calculation	Total
Current	Residential-504 hotel rooms or 252 residential equivalents	252 units X 225 GPD per DU	56,700 GPD
	Non-Residential-101,569 SF	101,569 SF X .1 GPD	10,157 GPD
	TOTAL		<u>66,857 GPD</u>
Proposed	Residential-240 hotel rooms or 120 residential equivalents	120 units X 225 per DU	27,000 GPD
	Residential – 591 units	591 X 225 GPD per DU	132,975 GPD
	Non-Residential-101,569 SF	101,569 X .1 GPD	10,157 GPD
	TOTAL		<u>170,132 GPD</u>
	NET INCREASE		(-)66,857 Gallons per day existing <u>103,275 GPD</u>

Based upon the analysis, the existing demand for sanitary sewer as compared to the proposed demand is an increase of 36,418 GPD based upon the additional residential units. The non-residential use demand is the same based since no additional square footage is being allotted to the non-residential components of the project.

5. Identify the projected capacity and demand for the short and long range planning horizons as identified within the adopted comprehensive plan – provide demand projections and information regarding planned plant capacity expansions including year, funding sources and other relevant information. If additional wellfields are planned, provide status including the status of any permit applications.

The existing water treatment plant that services this property is owned and maintained by the City of Sunrise Utility Department.

6. Correspondence from potable water provider 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.

Correspondence from the potable water provider verifying the information is attached as APPENDIX IV of this application.

Name: Rodrigo de Castro, PE, CFM
Agency: City of Sunrise
Phone: 954-746-3270
Address: 1601 N.W. 136th Avenue, Building A Sunrise FL 33323

C. Drainage Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located.

The property is located in the City of Weston, specifically within the Bonaventure Development District (BDD) Basin. The existing and proposed surface water management systems will be governed by the current basin design criteria. In addition, the existing property is connected to the overall existing BDD lake system. The City Weston has set and maintains the level of service standards which shall be the minimum levels of service standards for drainage per the South Florida Water Management District standards and are the following:

- 10-Year Frequency Storm
24-Hour Duration for the Minimum Road Crown Elevation
- 25-Year Frequency Storm
72-Hour Duration for Allowable Discharge
- 100-Year Frequency Storm
24-Hour Duration for Minimum Finished Floor Elevation

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

Please refer to the response in Item #1.

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

At this time, we are not aware of any proposed drainage improvements within the BDD basin that will impact our existing and/or proposed developments.

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.

As mentioned previously, the property is located within the Bonaventure Development District (BDD) Basin. The BDD Basin is permitted under the master South Florida Water Management District (SFWMD) Permit No. 06-00067-S.

Identify the permit number(s), or application numbers(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.

Not applicable.

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 for proposed water management retention area, elevations for buildings, roads and years, storage and runoff calculations for the design storm and estimated time for floor waters to recede to the natural land elevation.

The Subject Property is currently permitted under the existing master SFWMD permit. All the proposed drainage modifications and improvements for the existing and proposed development will be located on-site, within the area under renovation. No additional drainage outfalls are being proposed at this time. The Subject Property will meet the adopted level of service. Development within the site will be required to meet the drainage standards of the City of Weston, Broward County Department of Planning and Environmental Protection and SFWMD.

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.**

Correspondence from the drainage provider verifying the information is attached as **APPENDIX V** of this application.

Name: Karl Thompson, Director of Public Works
Agency: City of Weston
Phone: 954-385-2000
Address: 17200 Royal Palm Boulevard Weston, FL 33326

D. Solid Waste Analysis

1. **Provide the adopted level of service standard for the municipality in which the amendment is located.**

The Interlocal Agreement with Broward County requires that the disposal facilities accommodate all municipal solid waste generated by the City of Weston. The waste-to-energy facilities allow the County to provide this level of service by reducing the amount of waste that enters the County's landfills. Additionally, the City's major recycling effort also reduces the volume of waste to the landfills. The duration of the Interlocal agreement is ongoing. The City of Weston's adopted level of service for solid waste collection is 8.72 lbs per dwelling unit per day.

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2. 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 landfill/plant capacity and planned landfill/plant capacity.

The North Broward Resource Recovery Plant (NBRRP), opened in 1991, is located adjacent to the Central Disposal Sanitary Landfill on the northwest corner of Powerline and Sample Roads. This facility accepts waste from the City of Weston. This is a waste-to-energy facility which is capable of processing 2,250 tons of waste per day to provide an environmentally safe and cost-effective method of reducing the volume of solid waste sent to landfills in addition to recovering energy. The current and committed demand is 50,000,000 tons per year. The City of Weston requires the continuing reduction of solid waste with a goal of reducing the current level of waste by 30% by the year 2020, but no expansions are planned at this time.

3. Identify the net impact on solid waste demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

TABLE 11: SOLID WASTE IMPACT-CURRENT AND PROPOSED

	Use	Calculation	Total
Current	Residential-504 hotel rooms (or 252 residential equivalents)	X 8.72 LBS/Day	2,197 LBS/Day
	Non-residential use – 101,567 SF	X 4LBS/100 SF/Day =	4,063 LBS/Day
Proposed	Residential use–240 hotel room (or 120 residential equivalents)	X 8.72 LBS/Day	1,046 LBS/Day
	Residential-591 units	X 8.72 LBS/Day	5,153 LBS/Day
	Non-residential use-101,567 SF	X 4LBS/100 SF/Day	4,063 LBS/Day
	SUB-TOTAL		10,262
	TOTAL		-6,260 LBS/Day (EXISTING)
			4,002 LBS/Day

Based upon the analysis of the existing level of service and the proposed level of service for solid waste, there is net increase of 4,002 lbs/day based on the proposed land use amendment.

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 verifying information.**

Correspondence from the solid waste provider verifying the information is attached as APPENDIX VI of this application.

Name: Frank Valdes
Agency: Republic Services
Position: Sales Supervisor
Phone: 954-336-0129
Address: 7581 NW 31st Avenue Fort Lauderdale, FL 33311

E. Recreation and Open Space Analysis

1. **Provide the adopted level of service standard for the service area in which the amendment is located and the current level of service.**

The level of service as defined by the Broward County Land Use Plan for recreation and open space is 3.0 acres per 1,000 persons for local parks and 3.0 acres per 1,000 persons or regional parks.

The City's current LOS is 6 acres per 1,000 persons and as established the following LOS based upon the type of activity:

- Parks & Open Space: 6 acres per 1,000 persons
- Baseball/Softball: 1 field a per 5000 persons
- Football/Soccer: 1 field per 6,000 persons
- Basketball: 1 court per 5,000 persons
- Roller Hockey: 1 rink per 10,000 persons
- Tennis: 1 court per 5,000 persons
- Playground: 1 playground per 7,500 persons
- Volleyball: 1 court/per 30,000 persons

The City of Weston exceeds the County's LOS by double the required park area and open space and exceeds the LOS established for the facilities provided above. The City has a surplus of 1,550 acres of park area and open space.

2. **Identify the parks serving the service area in which the amendment is located including acreage and facility type, e.g. neighborhood, community or regional park.**

Included as part of a list of the City of Weston's parks are included for reference. Please refer to

APPENDIX VII.

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

TABLE 12: PARK IMPACT-CURRENT AND PROPOSED

	Use	Calculation	Total
Current	Residential Use-504 Hotel Rooms (or 252 residential equivalents)	252 units X 1.5 x .003 =	1.1340 AC-Provided
	Non-Residential Use -101,567 SF	N/A	N/A
Proposed	Residential Use-120 Hotel Rooms (or 120 residential equivalents)	X 1.5 pp x .003	0.54 AC
	Residential Use-591 units	X 1.5 pp x .003	2.6595 AC
	Non-Residential Use- 101,567 SF	N/A	<u>N/A</u>
	SUB-TOTAL		3.1995 AC <u>-1.1340 AC (EXISTING)</u>
TOTAL			2.0655 AC

4. Identify the projected park needs for the short and long range planning horizons as identified within the adopted comprehensive plan-provide need projections and information regarding planned expansions including year, identified funding sources and other relevant information.

Included and attached as APPENDIX VII, a list of the City of Weston’s short and long range planning horizons pertaining to projected park needs is attached. The City of Weston possesses a significant surplus in the parks and open space.

F. Traffic Circulation Analysis

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.

The roadway network that will be most impacted by the proposed land use plan amendment includes two (2) north-south roadways and three (3) east-west roadways. These five (5) roadways include State Road 84, Saddle Club Road, Indian Trace, Weston Road, and Bonaventure Boulevard.

The number of lanes, current traffic volumes, adopted levels of service, and current operating conditions (LOS) of the roadway segments located within the study area are documented in Tables 1a and 1b. Table 1a documents the existing conditions on all study roadway segments for daily conditions while Table 1b presents the current conditions during the critical PM peak hour. As shown in these two tables, all study roadways are currently operating at acceptable levels of service (LOS).

TABLE 13: EXISTING TRAFFIC CONDITIONS- DAILY VOLUMES

TABLE 1a Bonaventure - Weston, Florida Existing (2013) Traffic Conditions (Daily Volumes)						
Roadway	From	To	Number of Lanes	Year 2013 AADT	Level of Service	
					Adopted	Current
State Road 84	Glades Parkway	Indian Trace	4	17,200	D	C
	Indian Trace	Bonaventure Blvd	4	22,500	D	C
	Bonaventure Blvd	Weston Road	4	15,900	D	C
Saddle Club Road	Indian Trace	Bonaventure Blvd	4	7,000	D	C
	Bonaventure Blvd	Weston Road	4	7,700	D	C
Indian Trace	State Road 84	Saddle Club Road	4	16,500	D	C
	Saddle Club Road	Bonaventure Blvd	4	11,000	D	C
	Bonaventure Blvd	Weston Road	4	20,500	D	C
Weston Road	Royal Palm Blvd	Indian Trace	4	28,000	D	C
	Indian Trace	Saddle Club Road	4	18,500	D	C
	Saddle Club Road	State Road 84	4	21,000	D	C
Bonaventure Boulevard	Royal Palm Blvd	Indian Trace	4	15,500	D	C
	Indian Trace	Saddle Club Road	4	13,500	D	C
	Saddle Club Road	State Road 84	4	8,900	D	C

Source: Broward County Metropolitan Planning Organization

TABLE 14: EXISTING TRAFFIC CONDITIONS-PM PEAK HOUR DEMANDS

TABLE 1b Bonaventure - Weston, Florida Existing (2013) Traffic Conditions (PM Peak Hour Volumes)						
Roadway	From	To	Number of Lanes	Year 2013 Peak Volume	Level of Service	
					Adopted	Current
State Road 84	Glades Parkway	Indian Trace	4	1,634	D	C
	Indian Trace	Bonaventure Blvd	4	2,138	D	C
	Bonaventure Blvd	Weston Road	4	1,511	D	C
Saddle Club Road	Indian Trace	Bonaventure Blvd	4	665	D	C
	Bonaventure Blvd	Weston Road	4	732	D	C
Indian Trace	State Road 84	Saddle Club Road	4	1,568	D	C
	Saddle Club Road	Bonaventure Blvd	4	1,045	D	C
	Bonaventure Blvd	Weston Road	4	1,948	D	C
Weston Road	Royal Palm Blvd	Indian Trace	4	2,660	D	C
	Indian Trace	Saddle Club Road	4	1,758	D	C
	Saddle Club Road	State Road 84	4	1,995	D	C
Bonaventure Boulevard	Royal Palm Blvd	Indian Trace	4	1,473	D	C
	Indian Trace	Saddle Club Road	4	1,283	D	C
	Saddle Club Road	State Road 84	4	846	D	C

Source: Broward County Metropolitan Planning Organization

- Identify the projected level of service for the roadways impacted by the proposed amendment for the short (five year) and long term (2035) planning horizons. Please utilize average daily traffic volumes and PM peak hour traffic volumes per Broward County Metropolitan Planning Organization plans and projections.

Tables 15 and 16 provide the projected levels of service (LOS) for the roadways located near the proposed amendment. The short term horizon year was assumed to be the year 2020 while the long term planning horizon was assumed to be the year 2035. The 2020 and 2035 projected daily traffic volumes (AADT) and PM peak hour volumes were based on information contained in Broward County’s Roadway Level of Service Analysis for 2013 and 2035.

TABLE 15: FUTURE TRAFFIC CONDITIONS-DAILY VOLUMES

TABLE 2a Bonaventure - Weston, Florida Future Traffic Conditions (Daily Volumes)							
Roadway	From	To	# of Lanes 2020/2035	Short Term (2020)		Long Term (2035)	
				AADT	LOS	AADT	LOS
State Road 84	Glades Parkway	Indian Trace	4/4	19,020	C	26,300	C
	Indian Trace	Bonaventure Blvd	4/4	22,514	C	22,572	C
	Bonaventure Blvd	Weston Road	4/4	16,820	C	20,498	C
Saddle Club Road	Indian Trace	Bonaventure Blvd	4/4	6,845	C	6,226	C
	Bonaventure Blvd	Weston Road	4/4	7,530	C	6,852	C
Indian Trace	State Road 84	Saddle Club Road	4/4	16,876	C	18,380	C
	Saddle Club Road	Bonaventure Blvd	4/4	12,037	C	16,184	C
	Bonaventure Blvd	Weston Road	4/4	22,284	C	29,422	C
Weston Road	Royal Palm Blvd	Indian Trace	4/4	27,720	C	26,598	C
	Indian Trace	Saddle Club Road	4/4	21,240	C	32,198	C
	Saddle Club Road	State Road 84	4/4	22,426	C	28,129	C
Bonaventure Boulevard	Royal Palm Blvd	Indian Trace	4/4	17,702	C	26,511	C
	Indian Trace	Saddle Club Road	4/4	12,741	C	9,703	C
	Saddle Club Road	State Road 84	4/4	9,159	C	10,196	C

Source: Broward County Metropolitan Planning Organization

↑
Year 2020/Year 2035

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TABLE 16: FUTURE TRAFFIC CONDITIONS-PM PEAK HOUR VOLUMES

TABLE 2b Bonaventure - Weston, Florida Future Traffic Conditions (PM Peak Hour Volumes)							
Roadway	From	To	# of Lanes 2020/2035	Short Term (2020)		Long Term (2035)	
				Peak Volume	LOS	Peak Volume	LOS
State Road 84	Glades Parkway	Indian Trace	4/4	1,807	C	2,499	C
	Indian Trace	Bonaventure Blvd	4/4	2,139	C	2,144	C
	Bonaventure Blvd	Weston Road	4/4	1,598	C	1,947	C
Saddle Club Road	Indian Trace	Bonaventure Blvd	4/4	650	C	591	C
	Bonaventure Blvd	Weston Road	4/4	716	C	651	C
Indian Trace	State Road 84	Saddle Club Road	4/4	1,604	C	1,746	C
	Saddle Club Road	Bonaventure Blvd	4/4	1,143	C	1,537	C
	Bonaventure Blvd	Weston Road	4/4	2,117	C	2,795	C
Weston Road	Royal Palm Blvd	Indian Trace	4/4	2,633	C	2,527	C
	Indian Trace	Saddle Club Road	4/4	2,018	C	3,059	C
	Saddle Club Road	State Road 84	4/4	2,130	C	2,672	C
Bonaventure Boulevard	Royal Palm Blvd	Indian Trace	4/4	1,682	C	2,519	C
	Indian Trace	Saddle Club Road	4/4	1,211	C	922	C
	Saddle Club Road	State Road 84	4/4	871	C	969	C

Source: Broward County Metropolitan Planning Organization

↑
Year 2020/Year 2035

3. Planning Council staff will analyze traffic impacts resulting from the amendment. You may provide a traffic impact analysis for this amendment – calculate anticipated average daily 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 and identify the resulting level of service change for the short (5 year) and long range planning horizons.

A trip generation comparison analysis was undertaken between the existing (approved) land use and intensity and the proposed land use and intensity. The trip generation comparison analysis was based on the following assumptions:

EXISTING LAND USE AND INTENSITY

- o The subject site has a gross area of 27.40 acres and an existing land use designation of Irregular 5 (i.e. 5 residential dwelling units per acre). The site contains and 504 existing hotel rooms (391,376 square feet of hotel and spa) or 252 residential dwelling units. From a trip generation standpoint, the most intensive land use scenario is that of 504 hotel rooms.

PROPOSED LAND USE AND INTENSITY

- o The subject site (27.40 acres) is proposed for a land use designation of Irregular 26 (26 residential dwelling units per acre). This designation is based upon a 240 room hotel (or 120 dwelling unit residential equivalent) and 591 residential condominium units for a total dwelling unit count of 711.

Table 17 provides a trip generation comparison between the existing and proposed impact.

TABLE 17: TRIP GENERATION COMPARISON ANALYSIS

Bonaventure – Weston, Florida Trip Generation Comparison Analysis				
Land Use	Size	Number of Trips		
		Daily	AM Peak	PM Peak
APPROVED LAND USE				
Hotel	504 Rooms	4,138	267	302
PROPOSED LAND USE				
Condominiums	711 D.U.	3,544	248	300
Difference	-	-594	-19	-2

Source: ITE Trip Generation Manual (9th Edition)

The results of the trip generation comparison analysis indicate that the proposed land use plan amendment will result in 594 fewer daily vehicle trips, 19 fewer AM peak hour vehicle trips and two (2) fewer PM peak hour vehicle trips. Since the proposed change in use results in a decrease in daily, AM peak hour and PM peak hour trips, the proposed use is projected to have a positive impact on traffic conditions at and near the amendment area.

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

A transportation analysis is presented herein. (Please refer to Tables 1a, 1b, 2a, 2b and 3.)

G. MASS TRANSIT ANALYSIS

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

The Broward County Mass Transit Division operates Broward County Transit (BCT), a fixed-route bus system servicing a significant percentage of the residents of the City of Weston. More specifically, the amendment area is served by Route 23. This route, which serves the Weston Road corridor, is located approximately one (1) mile from the subject site. The nearest bus stops are located on Weston Road immediately north and south of Blatt Road. This route currently provides service Monday through Friday with 45-minute headways during morning peak period (generally between 6:00 AM and 10:30 AM) and afternoon / evening peak period (generally between 3:00 PM and 7:30 PM).

2. Quantify the change in mass transit demand resulting from this amendment.

The amendment area is located along Racquet Club Road. As noted previously, the nearest transit route is approximately one (1) mile to the east along Weston Road. As such, the change in mass transit demand as a result of this amendment is expected to be minimal.

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

A letter from the Broward County Mass Transit Division was provided on July 19, 2016 and is provided as part of this application. Correspondence from the transit provider verifying the information is attached as **APPENDIX VIII** of this application.

Name: Nicolas A. Sofoul, AICP
Agency: Broward County Mass Transit
Phone: 954-357-8381
Address: 1 North University Drive Plantation, FL 33324

- 4. Describe how the proposed amendment furthers or supports mass transit service.**

The proposed residential / hotel / resort development will be designed in a manner that provides for increased employment opportunities and greater density within the subject site. As such, these transit supportive characteristics may serve as justification for the future expansion of transit services in the Weston area.

7. 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.**

In accordance with the Broward County Cultural Resources Map, there are no historic sites or districts on the National Register of Historic Places on the Subject Property. In addition, there are no locally designated historic sites in the location of the Subject Property.

- B. Archeological sites listed on the Florida Master Site File.**

There are no archeological sites in the location of the Subject Property.

- C. Wetlands.**

The property was originally platted under the Bonaventure Plat (Broward County Plat Book 82, Page 43). The site has been developed since the early 1980's with over nine (9) buildings and surface parking facilities. There is a landscaped buffer adjacent to the existing lake bank area, which is located along the southern boundary of the property. There does appear to be any existing wetland areas within the Subject Property at this time.

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

The Subject Property is not identified as a Local Area of Particular Concern (LAPC). In addition, the property is not an Environmentally Sensitive Land (ESL), Natural Resource Area (NRA) or a Tree Resource as identified by the Broward County Land Use Plan.

E. Priority Planning Area map and Broward County Land Use Plan Policy A.03.05 regarding sea level rise.

The Subject Property is not identified as a Priority Planning Area.

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 Agricultural and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

Not Applicable.

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

Not Applicable.

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

The Amendment Area is not located within any wellfield protection zone as indicated on the Broward County Wellfield Protection Zones and Contamination Sites Map.

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.

The site has previously been developed and will not require alteration of the soil conditions or topography. No special soil conditions exist on the Subject Property that would impact land development activity.

J. Beach Access-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.

Not applicable.

8. AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 1.07.07.

In accordance with the City of Weston’s Comprehensive Plan, the City has responded to the demand for affordable housing by providing a community known as Fairlake at Weston, which offers affordable rents for very-low, low, and moderate income households. This complex consists of 368 units and is successful in meeting the needs of this portion of the population. The property has a deed restriction requiring it remain affordable to lower income residents. Funding for this development was achieved through a bond issued by the Broward County Housing Finance Authority and requires that no unit be rented to a family whose income is above 150 percent of the County median gross income.

Another community within the City, the Falls at Bonaventure, is located at 201 Racquet Club Road and north of the Subject Property offers 300 units to low and moderate income families through a 9 percent Housing Tax Credit. This program, made available through the Florida Housing Finance Corporation, provides a dollar-for-dollar tax credit over ten years against federal tax liability in exchange for the new construction or acquisition and substantial rehabilitation of affordable rental housing units by nonprofit and for-profit organizations. This is a competitive allocation of tax credits. Tenants must have household incomes no greater than 60 percent of area median income. Rent restrictions are also in place.

Additionally, to ensure future affordable housing needs are met, the City requires that 10 percent of its total available flex and reserve units are established as “Affordable Housing Units.” These have been deducted from the total number of flex and reserve units and fixed into a pool for affordable housing, as deemed by the Policy 1.7.2 of the Future Land Use Element. Additionally, the location proximity of the Falls at Bonaventure, the Bonaventure Resort & Spa is a benefit to those seeking employment or other job opportunities in the hospitality industry or construction field. The distance allows those that may be working at the Resort to walk to work as no transportation between the sites is required.

9. LAND USE COMPATIBILITY

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

The proposed land use is consistent with the overall pattern of development surrounding the Subject Property. The area originally developed as a resort enclave of the County. As a result, mostly medium to high-rise densities developed around the site. Once the Bonaventure area became a part of the City of Weston which is primarily established with low densities, the integration of the higher buildings and multi-family development is required. The Resort is the main node of activity in the area and based upon the condition and age of the Resort, activity on the property has declined. The goal is to make upgrades the Resort so that the hotel may possess a more modern look and an appearance that conforms to the balance of the City. The new MF-4 zoning district will allow for a mix of high-density residential combined with a hotel use. However, certain buffers and distances must be maintained and are being required as part of the development standards in order to reduce the impact on the adjacent and surrounding communities. The preservation of existing trees and the addition of more vegetation will provide the necessary continuity and appearance as experienced throughout the City.

10. HURRICANE EVACUATION ANALYSIS

The project site is located west of Interstate 75 (I-75) and south of Interstate 595 (I-595) / State Road 84 (SR 84) in south-central Broward County. Based on Broward County’s Evacuation Routes and Zones map, the project site is not in an evacuation zone (i.e. not in Zones AB or Zones CDE). Therefore, a hurricane evacuation analysis is not applicable to this project due to its location.

11. REDEVELOPMENT ANALYSIS

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

The Subject Property is not located within a CRA.

12. 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.

The Subject Property is located within the City of Weston and is not directly adjacent to any other local governments.

13. CONSISTENCY WITH GOALS, OBJECTIVES & POLICES OF THE BROWARD COUNTY LAND USE PLAN

List the goals, objectives and policies of the Broward County Land Use Plan, which the proposed amendment furthers.

The following are the goals, objectives and policies as provided in the Broward County Land Use Plan which furthers the objective of the land use amendment:

Objective A.01.00: Adopt, implement and encourage land use provisions which promote the principles of the “Smart Growth” initiative seeking to maintain and create desirable and efficient communities for Broward County residents, visitors and economic interests including quality housing for all, integrated with excellent and sufficient public facilities and services, recreational opportunities and open space areas, and which maximizes preservation and conservation of natural resources.

POLICY A.01.01: Provide a range of housing opportunities and choices, including those in the medium” to “high” densities where compatible with the physical location and services needs of residents in all age and income groups.

POLICY A.01.02: Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, an increased efficiency of utilizing water and energy resources to reduce the consumption of water and fossil fuel energy and the production of waste materials via techniques such

as efficient design, renewable energy, efficient equipment and green infrastructure management systems.

POLICY A.01.04: Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, the creation of distinctive buildings and neighborhoods with a strong sense of place that will give residents the satisfaction of living in a unique and desirable neighborhood.

POLICY A.01.07: Broward County shall promote, encourage, and endeavor to make development decisions more predictable, timely and cost effective via county and in support of applicable local government plans and regulations consistent with a “smart growth” vision and to attract high quality development.

POLICY A.01.10: Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, the direction of (re)development towards existing communities to capitalize on the availability and economies of existing infrastructure, the need for select neighborhood and commercial revitalization and the public need to maximize its tax base of property.

POLICY A.01.11: Broward County shall promote and encourage, and shall implement to the maximum extent feasible for those (re)development projects and lands owned by the County or within unincorporated areas, to take advantage of compact building design to preserve more open space, support wider transportation choices, make public transportation viable, reduce public infrastructure cost and improve the health condition of residents and the wider community.

Objective 1.03.00: Correlate the impacts of residential development with the regional roadway network of Broward County and all existing and planned transit facilities to ensure the adequacy and safety of all transportation facilities.

Policy 1.03.02: Residential densities in the Medium High and High ranges should be located with adequate access to major and minor arterials, expressway and mass transit routes.

Goal 1.00.00: Provide residential areas with a variety of housing types and densities offering convenient and affordable housing opportunities to all segments of Broward County’s population while maintaining a desired quality of life and adequate public services and facilities.

Objective 8.01.00: Coordinate future land uses with the availability of regional and community facilities and services sufficient to meet the current and future needs of Broward County’s population and economy without endangering environmental resources.

Objective 8.03.00: Discourage urban sprawl and encourage a separation of urban and rural land uses by directing new development into areas where necessary regional and community facilities and services exist.

Policy 9.09.01: New development shall provide water storage capacity equal to that which existed under predevelopment conditions consistent with the water management regulations and plans of the South Florida Water Management District, Broward County Department of Planning and Environmental Protection, Broward County and independent drainage districts.

Goal 10.00.00: Promote the efficient use of public facilities and services through planned communities with mixed land uses.

Objective 10.01.00: Encourage the use of innovative land development regulations and techniques for both residential and non-residential development in order to promote planned communities and activity centers designed for efficient use of public services and facilities.

Goal 01.00.0: The attainment of a living environment which provides the maximum physical and social well-being for the City and its residents through the thoughtful and planned use and control of the natural and manmade environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

Objective 01.07.00: Encourage the adoption of innovative land development regulations, adopt new land use designations for residential, mixed use, Transportation Oriented Districts, Transportation Oriented Corridors and amend the land development regulations, including the creation of new zoning districts for these land use designations.

14. CONSISTENCY WITH GOALS, OBJECTIVES & POLICES OF THE CITY OF WESTON LAND USE PLAN

The following goals, objectives and policies are included within the City's Comprehensive Plan and are consistent with the proposed land use plan amendment.

Goal 1:1: Provide residential areas with a variety of housing types and densities offering convenient and affordable housing opportunities to all segments of Weston's population while maintaining a desired quality of life and adequate public services and facilities.

1.1 Objective: City shall maintain a pattern of overall low density residential use with limited medium and high density residential uses in selected areas to preserve the low intensity character of the residential neighborhood. Proposed amendments to the Future Land Use Map shall occur in accordance with the densities provided therein.

1.3 Objective: City shall create, preserve and maintain scenic vistas in keeping with the classic tradition as embodied in the original City plan.

1.6 Objective: City shall develop and implement land use controls through the zoning code and land development regulations which promote residential neighborhoods that are attractive, well-maintained and contribute to the health, safety and welfare of their residents.

1.6.1 Policy: Evaluate and revise the Weston Zoning Code and Land Use Regulations, as necessary, to reflect the unique characteristics of Weston and to provide the appropriate instruments to enforce and effectively carry out the requirements of this plan.

2.2. Objective: The City shall maintain land development regulations that address controlled access to adjacent traffic circulation facilities, the provision of adequate on-site traffic circulation and off-street parking relative to existing and planned commercial development.

2.2.2 Policy: The City shall maintain land use regulations, which ensure safe and convenient on-site traffic circulation and adequate off-street parking.

4.2 Objective: City shall maintain a system of public and private open space areas compatible with the character of Weston.

7.1 Objective: Coordinate future land uses with availability of regional and community facilities and services sufficient to meet the current and future needs of Weston's population and economy without endangering its environmental resources.

7.3 Objective: Discourage urban sprawl and encourage a separation of urban and rural land uses by directing new development into areas where necessary regional and community facilities and services exist.

7.5.11 Policy: City shall support the efforts of the School Board to achieve diversity within Broward County district schools by implementing regulations that promote a diversity of housing types and redevelopment opportunities.

8.12 Objective: Increase Weston's attractiveness to tourists through the establishment of a land use pattern and development regulations aimed at enhancing the area's natural and man-made environments.

8.12.1 Policy: To ensure the adequate provision of public services and facilities, Weston shall take into consideration Broward County's tourist population and the seasonal demands placed upon the County's infrastructure.

Goal 1:9: Promote the efficient use of public facilities and services through planned communities with Mixed Land Uses.

9.1 Objective: Encourage the use of innovative land development regulations and techniques, for both residential and non-residential development in order to promote planned communities and activity centers designed for efficient use of public services and facilities.

9.1.1 Policy: Encourage the use of mixed land use development regulations in those areas where compatible mixed land use patterns currently exist or are planned.

9.1.2 Policy: In order to create aesthetically pleasing living, shopping, working and recreational environments, Weston will maintain land development regulations to maximize opportunities for the application of innovative site planning concepts.

Goal 1:13: Eliminate areas of blight and incompatible land uses.

13.1 Objective: Develop and implement land use programs to encourage redevelopment activities within identified blighted and deteriorating areas.

13.1.1 Policy: City shall provide for redevelopment activities in the creation of land development regulations and zoning code.

13.2 Objective: Develop and implement land use programs to encourage the elimination or reduction of existing incompatible land uses and prevent future incompatible land uses.

13.2.1 Policy: City shall continue to assure the compatibility of existing and future land uses.

13.2.3 Policy: City shall minimize the impacts of existing incompatible land uses through requirements within the land development code and regulations, such as buffering and setbacks.

13.2.4 Policy: The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Weston Comprehensive Plan.

14.1.7 Policy: Zoning Code and Land Development regulations shall include provisions to encourage or enable a variety of housing opportunities in varying price ranges.

15. POPULATION PROJECTIONS

A. Population projections for the 20 year planning horizon (indicate year).

Based upon the City of Weston’s Comprehensive Plan, the population projections for the 20 year planning horizon is as follows

TABLE 18: POPULATION PROJECTIONS-CITY OF WESTON

Source:	Year Data Provided	2007	2010	2015	2020	2025	2030
Broward County-WESTON (as shown in City Comp Plan)	2007	65,503	64,384	66,038	67,272	67,961	68,326
US Census	2010		65,521	69,959			
Water Supply Facilities Work Plan	2015	N/A	N/A	65,900	65,100	64,300	63,700
Actual Population			65,333				

Source: US Census & City of Weston Comprehensive Plan

The population projections for the City vary based upon the resource provided and are shown in Table 18. The US Census and Broward County provide population estimates that exceed the most recent data provided in the Water Supply Facilities Work Plan (WSFWP) contained within the City’s Comprehensive Plan. Based upon the data for 2015, the US Census shows the estimated population to be 4,600 more people than in 2010. The City has lacked the new housing inventory to produce that level of population increase. In contrast, the WSFWP shows an increase of 567 persons from 2010 to 2015 which appears more likely given the lack of new housing inventory occurring in the last five (5) years.

The population projections utilized for the WSFWP were published in 2015 and uses the 2014 Broward County Forecasting Model. Utilizing the most recent data, it would appear the population projections as shown in the WSFWP shows a decrease in population after the 2015. However, only 12% of the City’s housing inventory contains medium to high density housing product. The multi-family component is a very important housing type that must be considered in order to provide the opportunity for residents to age in place or to downsize from larger, estate homes to a multi-family type of unit where there is less property maintenance and the demand for large lot home decreases.

The density being proposed under this land use plan amendment is going to be contained within a resort setting and allow residents the ability to remain active and located near a community amenity where the residents can utilize the hotel and other amenities and still be part of an active lifestyle. The proposed units are close to the City's Tennis Center as well as the Resort courts and will provide the opportunity for residents to have closer access to active facilities. This added density in this part of this City is in keeping with the surrounding area and provides a housing type that is not readily available and located within this type of setting.

B. Population projections resulting from the proposed land use (if applicable).

The population projection based upon 591 proposed residential units utilizing the City's estimate of household size of 3.16 results in 2,247 persons.

C. Using population projections for the 20 year planning horizon, demonstrate the effect of the proposed amendment on the land needed to accommodate the projected population.

The proposed amendment provides for an increase of approximately 2,247 persons. Based upon the most population projections, the addition of the Subject Property provides the population as anticipated. When making population projections, accounting for migration of people due to age, the decision to live in Weston for only a portion of the year and the health and employment of the population are all factors in determining where to live long term. Based upon the historical population projections, the City has anticipated this additional growth. The growth is timed with age of housing inventory within the City. Recently, the City has approved the elimination of one (1) of the original golf courses that was originally developed as part of the Bonaventure community. The change of use has gone from a golf course to low density single-family homes. This is likely in response to desire for new housing inventory on large lots which is a product that has decreased in popularity since the mid-2000. The addition of the units proposed under this application provides an opportunity for existing residents to downsize existing home sites and to provide housing opportunities to other members of the family that currently reside with family members in the City, but want to live independently, but do not desire a single-family home. Therefore, the population projection provides the maximum number of potential residents being added to the population, but does not take into account that a portion of the projected population may already reside in the City as a member of another household.

The desire and popularity of the City continues to be strong and the demands for additional housing opportunities remain. The levels of service within the City remain high and the infrastructure is in place to accommodate the increase in population. The proposed density contemplated under this land use plan amendment will allow residents to live with the same high level of service, but will allow for a change of lifestyle that is more typical of those looking for a more modern or urban lifestyle or for those that prefer less maintenance and concierge level service that cater to this type of environment.

16. ADDITIONAL SUPPORT DOCUMENTS

A. Other support documents or summary of support documents on which the proposed amendment is based.

None included.

- B. Any proposed voluntary mitigation or draft agreements.
None Included.

17. PUBLIC EDUCATION ANALYSIS

Please be advised that the Planning Council staff will request from The School Board of Broward County, as per Policy 8.07.01 of the BCLUP, an analysis of the impacts of the amendment on public education facilities as indicated below. Please note that as per The School Board of Broward County, Florida, Policy 1161, amended and adopted January 15, 2008, the applicant will be subject to a fee for the review of the application. The applicant is encouraged to contact the School Board staff to discuss this review as soon as possible.

- 1. Identify the existing public elementary and secondary education facilities serving the area in which the amendment is located.

The elementary school serving the Subject Property is Eagle Point Elementary.

The middle school serving the Subject Property is Tequesta Trace Middle.

The high school serving the Subject Property is Western High.

- 2. Identify the existing school enrollment and permanent design capacity of the public elementary and secondary education facilities serving the area.

TABLE 20: SCHOOL IMPACT-CITY OF WESTON

School	Benchmark Enrollment	Gross Capacity	Over + Under -
Eagle Point Elementary	1,363	1,228	+135
Tequesta Trace Middle	1,462	1,364	+98
Western High	3,136	3,208	-72

Source: Broward County School Board

- 3. Identify the additional student demand resulting from this amendment-calculations must be based on applicable student generation rate specified in the Broward County Land Development Code.

The following are the calculations, based upon the Broward County Land Development Code student generation rates:

Elementary:	591 high rise units x 0.01013 students per unit =	5.98 students
Middle:	591 high rise units x 0.00356 students per unit =	2.10 students
High:	591 high rise units x 0.00575 students per unit =	<u>3.39 students</u>
		11.47 students

The Subject Property is projected to generate 11.47 students as a result of this amendment. A School Concurrency Letter has been provided by The Broward County School Board and is attached as **APPENDIX IX**. Please note this letter provided in Appendix IX shows the addition of 469 proposed units. This letter together with the school concurrency approving the phase 1 site plan for 122 proposed units accommodates the proposed density requested under this application.

- 4. Identify the planned and/or funded improvements to serve the area in which the amendment is located as included within the School Board’s five year capital plan-provide student demand projections and information regarding planned permanent design capacities and other relevant information.**

Student demand projections and permanent design capacities are addressed in the response to question 3. and 2., respectively. Based upon the Tentative District Educational Facilities Plan 2014-2019 the following improvements are slated to occur in school located within the amendment area:

Eagle Point Elementary-Current improvements pending include: fire alarms, music room renovation and instruments, conversion of existing music and art labs, art room renovation and equipment, wireless network upgrade, School Choice enhancement, HVAC improvements, CAT 6 Data port upgrade, building envelope improvements and technology infrastructure additional computers

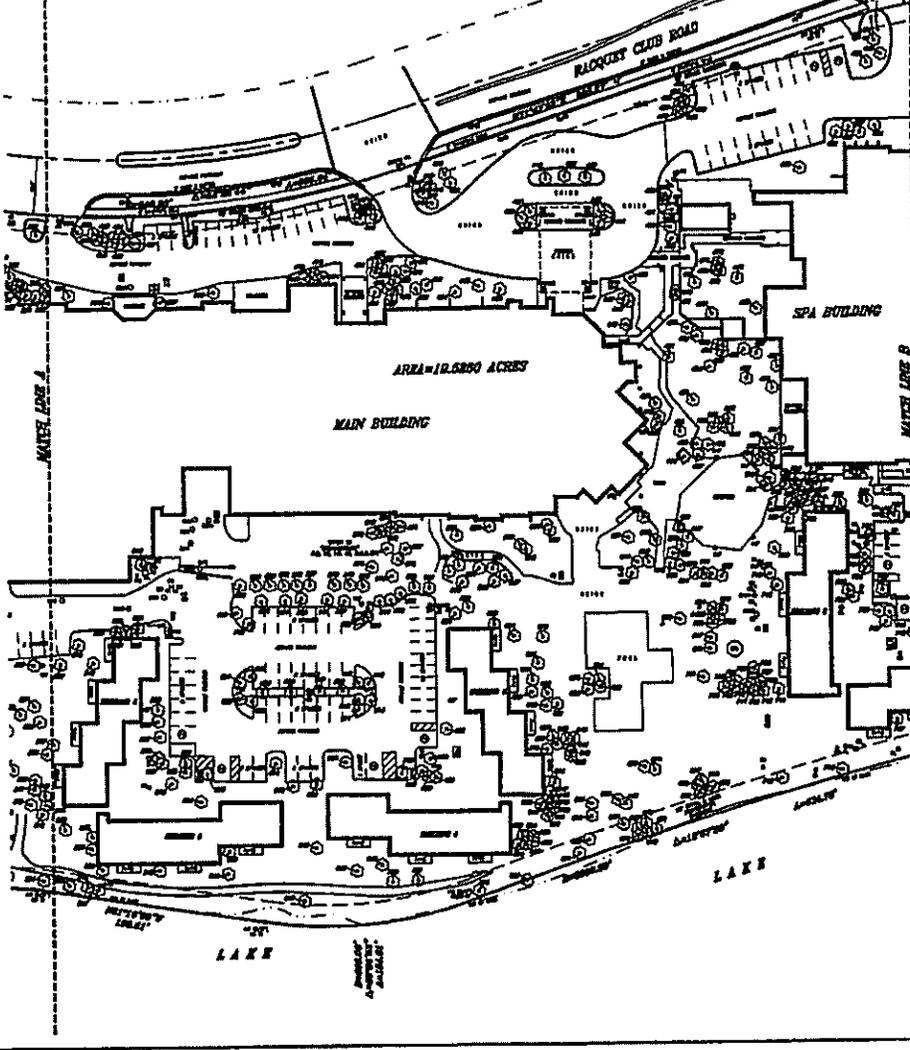
Tequesta Trace Middle School-Current improvements pending include: fire sprinklers. Improvements to be made between 2016-2018 school years include: construction of single point of entry, fire alarm, CAT 6 Data port upgrade, building envelope improvements, wireless network upgrade, School Choice enhancement, HVAC improvements, electrical improvements, technology infrastructure and additional computers.

Western High School-Current improvements pending include: track resurfacing, wireless network, CAT 6 Data port, technology infrastructure, additional computers. Improvements to be made between 2016-2018 school years to include: weight room renovation, STEM lab improvements, School Choice enhancement, Media Center improvements, HVAC improvements, electrical improvements and building envelope improvements.

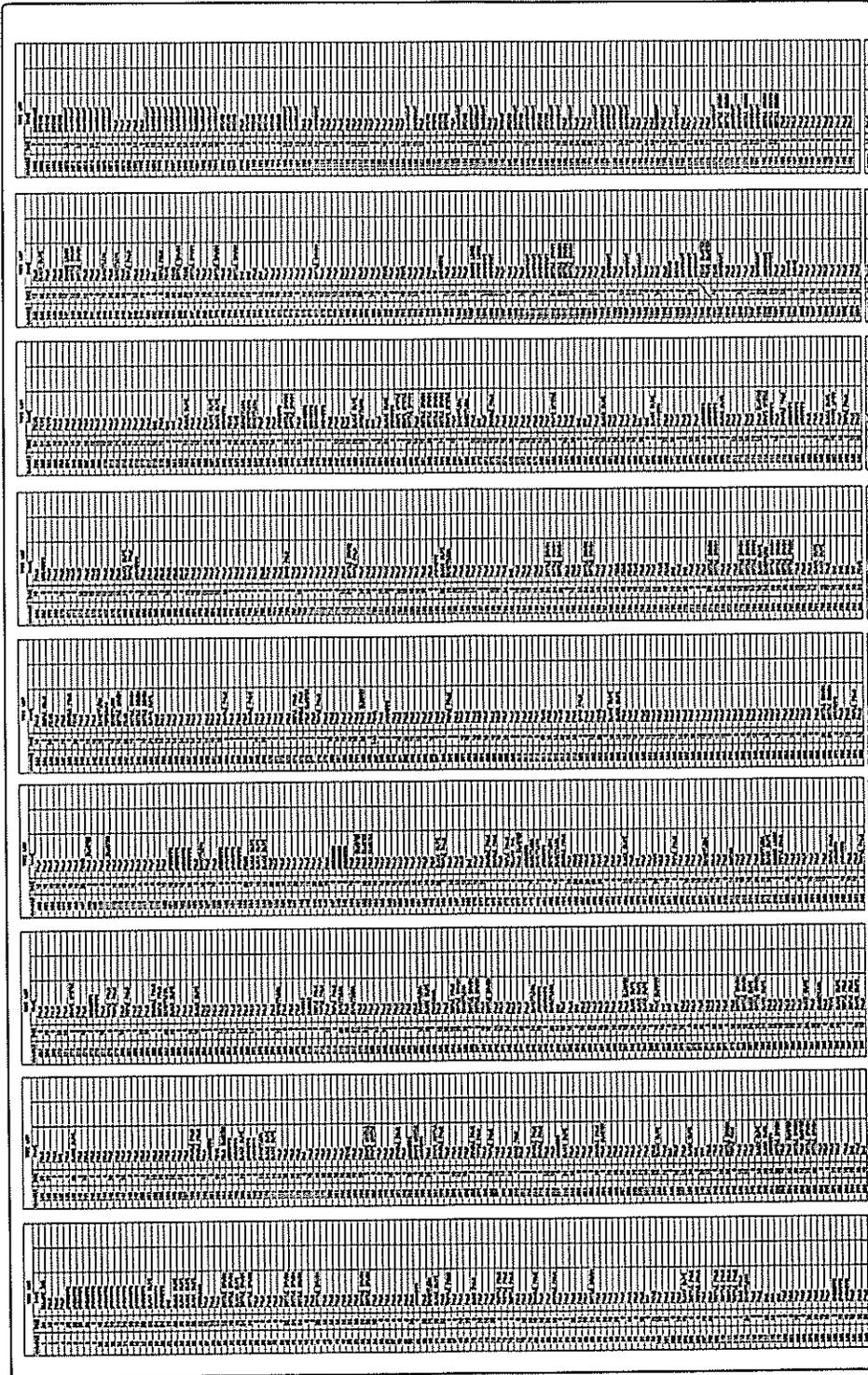
APPENDIX I

SKETCH OF SURVEY

LOCAL DESCRIPTION:
 PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



PROJECT NUMBER	1000-0000
DATE	10/1/00
SCALE	1" = 30'
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DESIGNER	COUSINS SURVEYORS & ASSOCIATES, INC.
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PROJECT AREA	1000-0000
PROJECT PERIOD	1000-0000
PROJECT STATUS	1000-0000
PROJECT TYPE	1000-0000
PROJECT VALUE	1000-0000
PROJECT RISK	1000-0000
PROJECT COMPLEXITY	1000-0000
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PROJECT OUTCOMES	1000-0000
PROJECT LESSONS LEARNED	1000-0000
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PROJECT MAINTENANCE COMPLIANCE	1000-0000



PROJECT NUMBER: 1011-94
 SCALE: N/A
 DATE: 10/11/94
 SURVEYOR: [Signature]
 CLIENT: AIR FLOOR
 A PORTION OF TRACT 57
 "BONAVENTURE", P.S. 82, PG. 43, B.C.R.
 COUSINS SURVEYORS & ASSOCIATES, INC.
 201 24 4TH AVENUE, SUITE 101
 CITY OF ALBUQUERQUE, N.M. 87104
 PHONE (505) 845-8883 FAX (505) 845-8713

SKETCH OF SURVEY

APPENDIX II

LEGAL DESCRIPTION FOR THE BONAVENTURE RESORT & SPA (ENTIRE)

PARCEL I: ALL OF TRACT 12, "BONAVENTURE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA .

TOGETHER WITH: PARCEL II:

A PORTION OF TRACT 57, "BONAVENTURE", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 82, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TRACT 22, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO.1", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA;

THENCE SOUTH 00 DEGREES 01 MINUTES 52 SECONDS WEST ALONG THE WEST BOUNDARY OF SAID TRACT 22, A DISTANCE OF 306.30 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 105 DEGREES 29 MINUTES 39 SECONDS, AN ARC DISTANCE OF 46.03 FEET TO A POINT OF A REVERSED CURVATURE;

THENCE WESTERLY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 640.00 FEET, A DELTA OF 18 DEGREES 25 MINUTES 43 SECONDS, AN ARC DISTANCE OF 205.85 FEET TO A POINT OF REVERSE CURVATURE;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 25 FEET, A DELTA OF 84 DEGREES 23 MINUTES 27 SECONDS, AN ARC DISTANCE OF 36.82 FEET;

THENCE TANGENT TO SAID CURVE NORTH 08 DEGREES 30 MINUTES 46 SECONDS WEST, 48.18 FEET;

THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 710.00 FEET, A DELTA OF 32 DEGREES 09 MINUTES 22 SECONDS, AN ARC DISTANCE OF 398.47 FEET;

THENCE NORTH 23 DEGREES 39 MINUTES 36 SECONDS EAST, 31.87 FEET (THE LAST SIX (6) COURSES DESCRIBED BEING COINCIDENT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF RACQUET CLUB ROAD AND THE EASTERLY RIGHT-OF-WAY LINE OF EAST MALL ROAD AS SHOWN ON SAID BONAVENTURE PLAT);

THENCE SOUTH 89 DEGREES 58 MINUTES 08 SECONDS EAST, 204.24 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 52 SECONDS WEST, 180.00 FEET TO THE POINT OF BEGINNING.

APPENDIX III



April 14, 2016

Guillermo Hidalgo, CM
HSQ Group, Inc.
5951 NW 173rd Drive, Suite 4
Miami, FL 33015

Re: **Water and Sewer Availability
Weston Bonaventure, A4-23.1
250 Racquet Club Road
Weston, FL 33326**

Dear Mr. Hidalgo:

Please be advised that there are City of Sunrise owned and operated water and sewer mains abutting the above referenced parcel of land at this time.

Please note that the information provided within this letter is an approximation based on the City's schematic water and sewer atlas, and the City recommends that this information be verified through field inspections and as-built information prior to any civil engineering design.

If we may be of further assistance to you, please feel free to contact us.

Sincerely,

CITY OF SUNRISE

Rodrigo de Castro, P.E., CFM
Deputy Director

RdC:jem

APPENDIX IV



April 14, 2016

Guillermo Hidalgo, CM
HSQ Group, Inc.
5951 NW 173rd Drive, Suite 4
Miami, FL 33015

Re: **Water and Sewer Availability
Weston Bonaventure, A4-23.1
250 Racquet Club Road
Weston, FL 33326**

Dear Mr. Hidalgo:

Please be advised that there are City of Sunrise owned and operated water and sewer mains abutting the above referenced parcel of land at this time.

Please note that the information provided within this letter is an approximation based on the City's schematic water and sewer atlas, and the City recommends that this information be verified through field inspections and as-built information prior to any civil engineering design.

If we may be of further assistance to you, please feel free to contact us.

Sincerely,

CITY OF SUNRISE

Rodrigo de Castro, P.E., CFM
Deputy Director

RdC:jem

APPENDIX V



Daniel J. Stermer
Mayor

Angel M. Gomez
Commissioner

Toby Feuer
Commissioner

Jim Norton
Commissioner

Thomas M. Kallman
Commissioner

John R. Flint
City Manager/CEO



April 26, 2016

Mr. Guillermo Hidalgo, CM
HSQ Group, Inc.
5951 Northwest 173 Drive, Suite 4
Miami, Florida 33015

Subject: **City of Weston – Bonaventure Infrastructure
HSQ Project Number 1601-01**

Dear Mr. Hidalgo:

I am in receipt of your letter dated April 11, 2016, requesting verification of utilities in the Bonaventure area of the City of Weston. Please be aware that the infrastructure in the Bonaventure area of the City of Weston is owned and maintained by the City of Sunrise.

Please contact Mr. Tim Welch, Director of Utilities with the City of Sunrise. You can reach him at twelch@sunrisefl.gov or twelch@cityofsunrise.org.

Please feel free to contact me should you require any further information.

Very truly yours,

CITY OF WESTON



Karl C. Thompson, P.E.
Director of Public Works

#63571v1

The Nation's Premier Municipal CorporationSM

APPENDIX VI



May 19, 2016

Service Availability Letter

Re:

Weston Bonaventure – The Parcel of land#: A4-23.1
250 Racquet Club Road
Weston FL 33326

Republic Services of Florida dba All Service Refuse provides Solid Waste and Recycling Services within the boundaries of the property in Weston mentioned above.

Should you need any further assistance, feel free to contact me.

Regards,

Frank Valdes – Sales Supervisor

Republic Services

751 NW 31st Avenue. Ft. Lauderdale, FL 33311.

954-336-0129 fvaldes@republicservices.com

APPENDIX VII

Activity-Based: Parks with features such as baseball fields, basketball courts, football fields, roller hockey rinks, soccer fields, etc.

Resource-Based: Parks with features such as picnic areas, shelters, walkways, trails, or boardwalks oriented toward unique natural features.

Neighborhood Park: A park having up to 10 acres designed to serve the recreational needs of the population living in the immediate residential area. Neighborhood parks may include recreational activities such as field games, court games, playground apparatus, walking, jogging, picnicking, etc.

Community Park: A park having more than 10 acres designed to serve the recreational needs of several neighborhoods. Community parks may include recreational activities such as field games, court games, playground apparatus, walking, jogging, picnicking, etc.

Regional Park: A park having more than 100 acres intended to serve the recreational needs of the population of the entire City. A regional park may include active facilities, passive facilities, or a combination of the two.

Open Space: Lands such as conservation areas, natural preserves, and wetlands set aside for preservation and are protected by local, state, or federal law.

Sites and Facilities Ownership

The City of Weston owns all the property listed in Table 5A. The privately owned facilities previously mentioned are also a very important part of the City's recreation resources. These areas, along with Markham Park, supplement city-owned facilities and provide additional diversity. It must be recognized that these areas contribute significantly to the level of available recreational opportunities for City residents.

Specific Recreation Sites and Facilities

Country Isles Park: A passive 4.214-acre neighborhood park located at 2260 Country Isles Road. Facilities include a gazebo with benches, an exercise path, a covered playground area, and a volleyball court.

Eagle Point Park: An active 7-acre neighborhood park located at 18691 North Lake Boulevard, adjacent to Eagle Point Elementary School. Facilities include 2 basketball courts, 2 baseball fields, a covered playground area, an exercise path, and a lakefront passive area.

Emerald Estates Park: An active 5-acre neighborhood park located at 16400 Emerald Park Circle. Facilities include 1 covered playground, 2 tennis courts, 1 basketball court, 2 picnic shelters with tables and grills, 1 exercise path, and restrooms.

Gator Run Park: A passive 7-acre neighborhood park located at 1101 Gator Parkway, adjacent to Gator Run Elementary School. Facilities include 1 covered playground, 3 small picnic shelters, lighted walkways, and an exercise path.

Heron Park: An active 5.253-acre neighborhood park located at 2300 Country Isles Road, adjacent to Country Isles Elementary School. Facilities include 2 baseball fields and 1 football/soccer field.

Indian Trace Park: An active 5-acre neighborhood park located at 400 Indian Trace, adjacent to Indian Trace Elementary School. Facilities include 1 playground, 4 basketball courts, 1 baseball field, and 1 football/soccer field.

Library Park: Currently under construction, this will be a 5-acre passive “reading” park located adjacent to the Weston Branch Library at the corner of Bonaventure Boulevard and Vista Park Boulevard. Facilities will include 3 gazebos, a unique water fountain with informational signage on Florida authors, pathways, seating, and open areas.

Peace Mound Park: A passive 8.16-acre waterfront neighborhood park with lush landscaping located at 1300 Three Village Road. Facilities include 1 playground, 1 lighted exercise path, 1 fishing dock with wooden bridge, and 2 small picnic shelters with tables. This park is the site of a Tequesta Indian burial mound with archaeological exhibits and features included in its design.

Regional Park at Weston: A 102-acre active regional park with extensive athletic facilities located at 20200 Saddle Club Road. The park opened in 2000 and cost over \$15 million to construct. Facilities include 8 baseball/softball fields, 8 football/soccer fields, 8 basketball courts, 4 full size roller hockey rinks, 3 junior size roller hockey rinks, 2 covered playgrounds, 2 sand volleyball courts, 5 concessions stands with restrooms, 3 picnic shelters with tables and grills, an exercise trail measuring 1.4 miles, and a covered event stage. This park is also home to the West Broward Family YMCA, which contains an Olympic size swimming pool, as well as the Weston Community Center, a 7,376 sq. ft. facility providing activity and meeting rooms. Weston Regional Park also offers a skate park for in-line skaters and skateboarders.

Tequesta Trace Park: An active 42-acre community park located at 600 Indian Trace. Facilities include 4 baseball/soccer fields, 3 football/soccer fields (one with stadium seating), 1 roller hockey rink, 1 covered playground area, 1 nature trail/boardwalk, concessions stand with restrooms, and an administration/maintenance building.

Town Center Park: A passive 6-acre linear waterfront park located at 1900 Bell Tower Lane, along the south end of the Weston Town Center shopping plaza. Facilities include a lighted waterfront walkway, benches, and an outdoor amphitheater band shell.

Vista Park: An active 30-acre community park located at 18800 Vista Park Boulevard, adjacent to Cypress Bay High School. Facilities include 4 baseball/softball fields, 4 football/soccer fields, 2 concessions with restrooms, 2 picnic shelters, and a covered playground.

Weston Tennis Center: A 7-acre tennis complex located at 16451 Racquet Club Road. Facilities include 15 lighted hydroclay courts, 1 lighted hardcourt, and a clubhouse with pro shop and locker rooms. The City contracts with Cliff Drysdale Tennis Management to run the facility’s day-to-day operations.

Windmill Ranch Park: An active 5.272-acre neighborhood park located at 2900 Bonaventure Boulevard, adjacent to Everglades Elementary School. Facilities include a covered playground area and 1 football/soccer field.

In addition to the aforementioned recreational facilities, Weston has four major wetlands preservation areas:

- A 275-acre resource-based conservation area west of South Post Road and south of the Weston Regional Park

- A 118-acre resource-based conservation area abutting U.S. 27 near SW 26th and SW 16th Streets
- A 108-acre resource-based conservation area abutting U.S. 27 near SW 26th and SW 16th Streets
- A 1,185-acre resource-based conservation area between the Savanna community and U.S. 27, the largest wetland mitigation project in the United States

RECREATION AND OPEN SPACE ANALYSIS AND NEEDS ASSESSMENT

The quantity and quality of a city's parks, landscaped areas, waterways, natural preserves, and open spaces play a major role in determining where one chooses to reside. In the years prior to Weston's incorporation, the local developers and Broward County did a commendable job of meeting the demand for parks and recreation. The City's rapid growth, however, soon overburdened those activity-based facilities. In response, the City spearheaded the development of several new parks. Weston now boasts an elaborate parks system complete with a Community Center, a Tennis Center, and a YMCA. While Weston's population is not expected to increase at the same rate as it did during its first decade, the challenge for both the short and long term planning periods is to continue to provide and maintain these facilities at acceptable levels.

Current and Future Recreation Demand

With over 10,000 registrants with the Weston Sports Alliance, Weston is undeniably an active sports-oriented community with large numbers of participants in baseball, basketball, soccer, softball, football, lacrosse, and roller hockey leagues. A number of these athletic facilities are lighted for evening play.

In order to assess current demand, level of service standards must be determined. Local governments within Broward County are required to provide for a minimum of 3 acres of Community level parks for every 1,000 existing and projected permanent residents within their jurisdiction. As per the Broward County Land Use Plan, all park acreage that is owned by the municipality and zoned for open space use is considered a Community Park. Therefore, all of Weston's City-owned parks and wetland preserves may be used to meet the County's Community park requirement.

To meet the expectations of its residents, Weston has set its parks LOS standard at 6 acres per 1,000 population—twice that of the County's requirement. Individual athletic facilities (i.e., fields, courts, rinks) must also meet a minimum service standard. For the purposes of this element, the guidelines listed below have been used.

Parks and Open Space: 6 acres per 1,000 population

Baseball/Softball: 1 field per 5,000 population

Football/Soccer: 1 field per 6,000 population

Basketball: 1 court per 5,000 population

Roller Hockey: 1 rink per 10,000 population

APPENDIX VIII



Transportation Department
TRANSIT DIVISION-Service and Capital Planning
1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482

July 19, 2016

Karl B. Peterson, P.E.
Traf Tech Engineering / KBP Consulting
8400 N. University Drive, Suite 309
Tamarac, FL 33321

RE: LUPA Verification for Transit – Weston Bonaventure

Dear Mr. Peterson,

Broward County Transit (BCT) has reviewed your correspondence dated July 11, 2016 regarding the proposed Land Use Plan Amendment (LUPA) for Weston Bonaventure located in the City of Weston for current and planned transit service. There is no current transit service provided within one-quarter mile from the amendment site.

As described in *Mass Transit Analysis #2*, transit demand is not anticipated to increase as a result of this LUPA. As specified in the Broward County Transit Development Plan (TDP) and subject to available funding, future fixed-route bus service is planned near the amendment site.

BCT recommends that any proposed redevelopment on the amendment site is designed to provide safe movement for pedestrians and bicycles including connectivity to the existing sidewalk and bicycle network along Racquet Club Drive.

Please feel free to call (954) 357-8381 or email me nsofoul@broward.org if you require any additional information or clarification on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. Sofoul".

Nicholas A. Sofoul, AICP
Senior Planner
Service and Capital Planning

APPENDIX IX

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

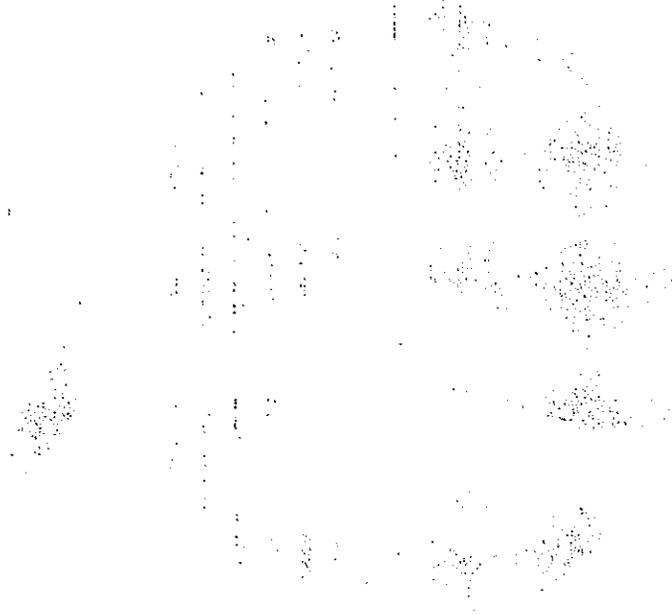
LAND USE

SBBC-2117-2016

County No: TBD

Bonaventure Resort & Spa

September 30, 2016



Growth Management
Facility Planning and Real Estate Department
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301
Tel: (754) 321-2177 Fax: (754) 321-2179
www.browardschools.com

LONG RANGE - TEN-YEAR IMPACT

Impacted Planning Area	School District's Planning Area Data							
	Aggregate School Capacity	Aggregate Enrollment	Aggregate Over/(Under) Enrollment	20/21	21/22	22/23	23/24	24/25
Area D - Elementary	18,345	16,246	-2,099	17,664	17,797	17,931	18,065	18,199
Area D - Middle	8,685	7,455	-1,230	8,450	8,430	8,411	8,392	8,372
Area D - High	14,044	12,449	-1,595	12,341	12,437	12,533	12,629	12,725

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2015-16 Contract Permanent Capacity	2015-16 Benchmark* Enrollment	Over/(Under)		Projected Enrollment		
					16/17	17/18	18/19
No Charter Schools							

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

*The first Monday following Labor Day
 INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

School Consistency Review Report - Prepared by the Facility Planning and Real Estate Department - The School Board of Broward County, Florida

Page 2

PLANNED AND FUNDED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN
(Years 1 - 5)

School(s)	Description of Capacity Additions
Eagle Point Elementary	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Tequesta Trace Middle	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Western High	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.

PLANNED CAPACITY ADDITION IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN
(Years 6 - 10)

Capacity Additions for Planning Area D	
School Level	Comments
Elementary	None
Middle	None
High	None

*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

Comments

Information contained in the application indicates that the approximately 22.46-acre site is generally located at the south side of I-75 and west of Bonaventure Boulevard in the City of Weston. The current land use designation for the site is Irregular-5 which allows no residential units. The applicant proposes to change the land use designation to Irregular-15 and Commercial to allow 469 high-rise units which are anticipated to generate 10 additional students (5 elementary, 2 middle, and 3 high schools) into Broward County Public Schools.

This application was reviewed based on its location in the School District's Long Range Seven Planning Areas, and Ten-Year Long Range Plan contained in the Adopted District Educational Facilities Plan (DEFP). However, the statistical data regarding the Level of Service (LOS) standard status of the actual schools impacted by this land use application in the initial five years of the ten-year period is depicted herein for informational purposes only.

Please be advised that this application was reviewed utilizing 2015-16 school year data because the current school year (2016-17) data will not be available until updates are made utilizing the Benchmark Day Enrollment Count.

Schools serving the amendment site in the 2015-16 school year were Eagle Point Elementary, Tequesta Trace Middle, and Western High. The same schools are serving the amendment site in the 2016-17 school year. Based on the District's Public School Concurrency Planning Document, Western High School is operating below the adopted LOS of 100% of their gross capacities in the 2015-16 school year but Eagle Point Elementary and Tequesta Trace Middle Schools are operating above the adopted LOS of 100% (at 104.5% and 102.1%) of their gross capacities in the 2015-16 school year. Incorporating the cumulative students anticipated from approved and vested developments anticipated to be built within the next three years (2015-16 – 2017-18), Tequesta Trace Middle and Western High Schools are expected to operate below the adopted LOS of 100% of gross capacities through the 2017-18 school year but Eagle Point Elementary School is anticipated to operate above the adopted LOS of 100% (at 100.4%) of gross capacities through the 2017-18 school year. It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment and the permanent capacity additions that are planned for the schools within the first three years of the Five-Year Adopted DEFP, FY 2016-17 – 2020-21. Also, to ensure maximum utilization of the impacted Concurrency Service Areas, the Board may utilize other options such as school boundary changes to accommodate students generated from developments in the County. Charter schools located within a two-mile radius of the subject site in the 2015-16 school year are depicted above.

Capital Improvements scheduled in the long range section of the currently Adopted DEFP Fiscal Years 2016-17 – 2020-21 regarding pertinent impacted schools are depicted above. Based on the School District's Seven Long Range Planning Areas, the amendment site is located within School District Planning Area "D" and the elementary, middle, and high schools currently serving Planning Area "D" and their cumulative student enrollments, cumulative capacities, and pertinent student enrollment projections are depicted herein. Therefore, Planning Area "D" is anticipated to have sufficient excess capacity to support the students generated by the residential units proposed in the Planning Area.

Please be advised that if approved, the units from this project will be subject to a public school concurrency review at the plat, site plan (or functional equivalent) phase of development review, whichever comes first.

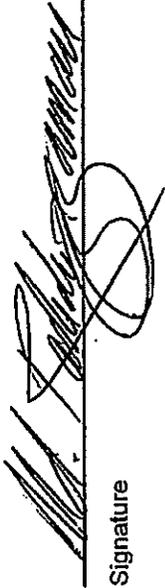
*The first Monday following Labor Day
INFORMATION CONTAINED HEREIN IS CURRENT AS OF THE DATE OF REVIEW

The School Board of Broward County, Florida
SCHOOL CONSISTENCY REVIEW REPORT

PROJECT NUMBER: SBBC-2117-2016

9/30/2014
Date

Reviewed By:


Signature

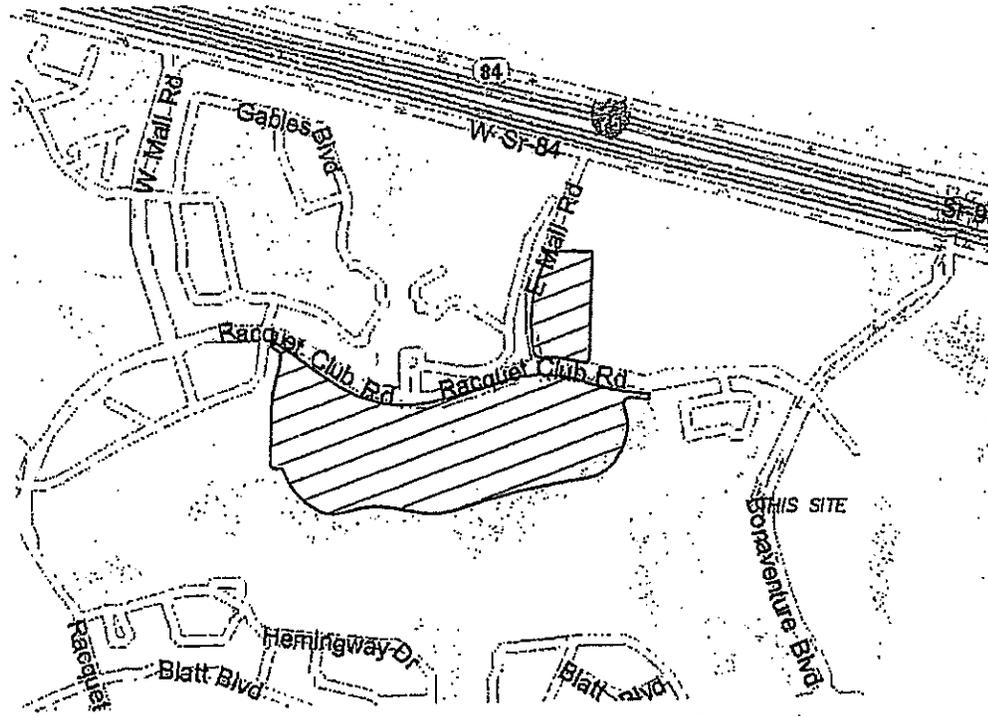
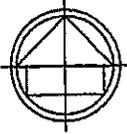
Mohammed Rasheduzzaman, AICP

Name

Planner

Title

1/EY



LOCATION MAP (NTS)

LEGEND

- CKD CHECKED BY
- DWN DRAWN BY
- FB/PG FIELD BOOK AND PAGE
- FIP FOUND IRON PIPE
- FIR FOUND IRON ROD
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG PAGE
- SQ.FT. SQUARE FEET
- Δ CENTRAL ANGLE
- R RADIUS
- A ARC DISTANCE
- ///- NON VEHICULAR ACCESS LINE
- SIR SET IRON ROD & CAP #8448
- FND FOUND NAIL & DISC
- B.C.R. BROWARD COUNTY RECORDS
- X- WOOD/CHAIN LINK FENCE
- WLP WOOD LIGHT POLE
- CLP CONCRETE LIGHT POLE
- MLP METAL LIGHT POLE
- CPP CONCRETE POWER POLE
- EB ELECTRIC BOX
- SV SEWER VALVE
- WV WATER VALVE
- FH FIRE HYDRANT
- CLF CHAIN LINK FENCE
- SLP STREET LIGHT POLE
- TSP TRAFFIC SIGNAL POLE
- TSB TRAFFIC SIGNAL BOX
- CONC CONCRETE
- CO CLEAN OUT
- ANC ANCHOR
- M/D.C.R. MIAMI/DADE COUNTY RECORDS
- WM WATER METER
- P.O.B. POINT OF BEGINNING
- CB CATCH BASIN
- SSMH SANITARY SEWER MANHOLE
- ICV IRRIGATION CONTROL VALVE
- DMH DRAINAGE MANHOLE
- BFP BACK FLOW PREVENTER
- WPP WOOD POWER POLE
- FDC FIRE DEPARTMENT CONNECTION
- FV FIRE VALVE
- ML METAL LID
- GL GROUND LIGHT
- BL BOLLARD LIGHT
- LB LIGHT BASE
- YD YARD DRAIN
- 6.85 ELEVATIONS

FLOOD ZONE INFORMATION	
COMMUNITY NUMBER	120678
PANEL NUMBER	0320 H
ZONE	0.2 PCT
BASE FLOOD ELEVATION	N/A
EFFECTIVE DATE	08/18/14

NOTES :

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. THIS SURVEY WAS DONE SOLELY TO SHOW BOUNDARY INFORMATION AND DOES NOT DEPICT THE JURISDICTION OF ANY MUNICIPAL, STATE, FEDERAL OR OTHER ENTITIES.
4. THE LAND DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT.
5. UNDERGROUND IMPROVEMENTS ARE NOT SHOWN.
6. ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929.
7. BENCHMARK REFERENCE : BROWARD COUNTY BENCHMARK # 2498 ELEVATION = 10.26'
8. BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF TRACT 57, "BONAVENTURE", P.B. 02, PG. 45, B.C.R. SAID LINE BEARS N75°05'58"W.
9. DATUM CONVERSION FACTOR FROM NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD29) TO NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) IS (-)1.509 FEET.

I HEREBY CERTIFY THAT THE "SKETCH OF SURVEY" OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER MY DIRECTION IN SEPTEMBER, 2015. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA ACCORDING TO CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE. PURSUANT TO SECTION 472.027, FLORIDA STATUTES, THERE ARE NO ABOVE GROUND ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

FOR THE FIRM, BY: Richard E. Cousins
 RICHARD E. COUSINS
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTRATION NO. 4188

SURVEY DATE : 09/30/15

SKETCH OF SURVEY

REVISIONS	DATE	FB/PG	DWN	CKD
BOUNDARY & DIMENSION SURVEY	08/22/14	10/14/14	NY	EDC
PROPOSED TRUSS ADDED SIGNIFY THE TRUSS LOCATION MAP	10/15/14		NY	EDC
TRUSS SURVEY	09/29/15		AW	EDC
ADDED PARKING SPACES	11/14/15		AW	EDC
REV. FLOOD ZONE DATA, & ADDED DATUM CONVERSION	03/15/16		EDC	EDC

PROJECT NUMBER : 5213-08

SCALE : 1" = 30'

SHEET
 1
 OF
 5
 SHEETS



APPLICANT REPRESENTATIVE AFFIDAVIT
(MUST BE COMPLETED BY PROPERTY OWNER
AND EACH APPLICANT REPRESENTATIVE)

STATE OF FLORIDA)
COUNTY OF BROWARD)

Before me, the undersigned authority, personally appeared the affiant who, upon first being duly sworn, deposes and says:

(FOR INDIVIDUAL APPLICANTS)

1(a). I am the owner of the property described below, and have submitted the following application to the City of Weston:

Name of Applicant _____

Application for: Land Use Plan Amendment Rezoning Special Exception Zoning Variance
 Site Plan Approval Site Plan Amendment Plat Approval Plat Amendment

Property Location _____

CG&A Permit Process Number _____

(FOR ENTITY APPLICANTS)

1(b). I am the Ari Pearl, Rep. (position) of Hospitality Investing Group, LLC (name of entity "Applicant") that owns the property described below, and has submitted an application to the City of Weston, and I have the authority to file this affidavit and to bind the Applicant.

Name of Applicant Hospitality Investing Group, LLC

Application for: Land Use Plan Amendment Rezoning Special Exception Zoning Variance
 Site Plan Approval Site Plan Amendment Plat Approval Plat Amendment

Property Location 250 Racquet Club Road Weston, FL 33326

CG&A Permit Process Number 14-7298

2. The Applicant acknowledges that Section 125.04(C)(1) of the Land Development Code of the City of Weston requires that any applicant for a development permit must disclose "all persons representing the individual or entity applying for the development permit in connection with the application, including, but not limited to, all attorneys, architects, landscape architects, engineers and lobbyists."

3. The Applicant acknowledges that Section 125.04(C)(2) of the Land Development Code of the City of Weston requires that the Applicant, the property owner, and any person representing the Applicant must disclose "whether it has any Business Relationships with any member of the City Commission or any City Advisory Board, and, if so, disclose the identity of the member with which it has a Business Relationship and the nature of the Business Relationship." *Business Relationship is defined as:*

Business Relationship: a member of the City Commission or a City Advisory Board has a business relationship with a person or an entity if any of the following exist:

- a) the member of the City Commission or City Advisory Board has any ownership interest, directly or indirectly, in excess of 1% in the entity; or
- b) the member of the City Commission or City Advisory Board is a partner, co-shareholder or joint venturer with the person in any business venture;
- c) the entity or person is a client of the member of the City Commission or City Advisory Board, or a client of another professional working from the same office and for the same employer as the member of the City Commission or City Advisory Board;
- d) the member of the City Commission or City Advisory Board is a client of the entity or the person;
- e) the entity or person is a customer of the member of the City Commission or City Advisory Board (or his/her employer) and transacts more than 5% of the business in a given calendar year of the member of the City Commission or City Advisory Board (or his/her employer) or more than \$25,000 of business in a given calendar year; or
- f) the member of the City Commission or City Advisory Board is a customer of the entity or the person and transacts more than 5% of the business in a given calendar year of the entity or person or more than \$25,000 of business in a given calendar year.

The following is a complete list of the Applicant, the property owner and all persons representing the Applicant in connection with the application including, but not limited to, all attorneys, architects, landscape architects, engineers, lobbyists, tenants and/or contract purchasers:

	Name (print)	Business Relationship		Signature
		Yes*	No	
a)	Bonnie Miskel, Esq.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b)	Tony Quevedo, PE	<input type="checkbox"/>	<input type="checkbox"/>	_____
c)	Kobi Karp, RA, AIA, NCARB	<input type="checkbox"/>	<input type="checkbox"/>	_____
d)	Jennifer McConney-Gayaso, RA	<input type="checkbox"/>	<input type="checkbox"/>	_____
e)	Erez Bar-Nur, PLA, ASLA	<input type="checkbox"/>	<input type="checkbox"/>	_____
f)	Tara-Lynn Patton, AICP	<input type="checkbox"/>	<input type="checkbox"/>	_____
g)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____

* If yes, then identified person shall fill out a Business Relationship Affidavit

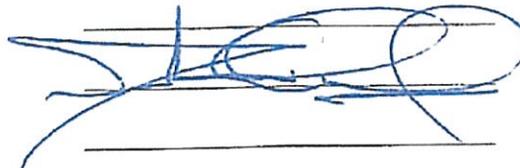
4. The Applicant agrees that he/she/it will be bound by any statements, representations and promises made in connection with the Application by any of the individuals identified above.

3. The Applicant acknowledges that Section 125.04(C)(2) of the Land Development Code of the City of Weston requires that the Applicant, the property owner, and any person representing the Applicant must disclose "whether it has any Business Relationships with any member of the City Commission or any City Advisory Board, and, if so, disclose the identity of the member with which it has a Business Relationship and the nature of the Business Relationship." *Business Relationship is defined as:*

Business Relationship: a member of the City Commission or a City Advisory Board has a business relationship with a person or an entity if any of the following exist:

- a) the member of the City Commission or City Advisory Board has any ownership interest, directly or indirectly, in excess of 1% in the entity; or
- b) the member of the City Commission or City Advisory Board is a partner, co-shareholder or joint venturer with the person in any business venture;
- c) the entity or person is a client of the member of the City Commission or City Advisory Board, or a client of another professional working from the same office and for the same employer as the member of the City Commission or City Advisory Board;
- d) the member of the City Commission or City Advisory Board is a client of the entity or the person;
- e) the entity or person is a customer of the member of the City Commission or City Advisory Board (or his/her employer) and transacts more than 5% of the business in a given calendar year of the member of the City Commission or City Advisory Board (or his/her employer) or more than \$25,000 of business in a given calendar year; or
- f) the member of the City Commission or City Advisory Board is a customer of the entity or the person and transacts more than 5% of the business in a given calendar year of the entity or person or more than \$25,000 of business in a given calendar year.

The following is a complete list of the Applicant, the property owner and all persons representing the Applicant in connection with the application including, but not limited to, all attorneys, architects, landscape architects, engineers, lobbyists, tenants and/or contract purchasers:

Name (print)	Business Relationship		Signature
	Yes*	No	
a) <u>Bonnie Miskel, Esq.</u>	<input type="checkbox"/>	<input type="checkbox"/>	
b) <u>Tony Quevedo, PE</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c) <u>Kobi Karp, RA, AIA, NCARB</u>	<input type="checkbox"/>	<input type="checkbox"/>	
d) <u>Jennifer McConney-Gayaso, RA</u>	<input type="checkbox"/>	<input type="checkbox"/>	
e) <u>Erez Bar-Nur, PLA, ASLA</u>	<input type="checkbox"/>	<input type="checkbox"/>	
f) <u>Tara-Lynn Patton, AICP</u>	<input type="checkbox"/>	<input type="checkbox"/>	
g) _____	<input type="checkbox"/>	<input type="checkbox"/>	

* If yes, then identified person shall fill out a Business Relationship Affidavit

4. The Applicant agrees that he/she/it will be bound by any statements, representations and promises made in connection with the Application by any of the individuals identified above.

3. The Applicant acknowledges that Section 125.04(C)(2) of the Land Development Code of the City of Weston requires that the Applicant, the property owner, and any person representing the Applicant must disclose "whether it has any Business Relationships with any member of the City Commission or any City Advisory Board, and, if so, disclose the identity of the member with which it has a Business Relationship and the nature of the Business Relationship." *Business Relationship is defined as:*

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- c) the entity or person is a client of the member of the City Commission or City Advisory Board, or a client of another professional working from the same office and for the same employer as the member of the City Commission or City Advisory Board;
- d) the member of the City Commission or City Advisory Board is a client of the entity or the person;
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a) <u>Bonnie Miskel, Esq.</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
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c) <u>Kobi Karp, RA, AIA, NCARB</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
d) <u>Jennifer McConney-Gayaso, RA</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
e) <u>Erez Bar-Nur, PLA, ASLA</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
f) <u>Tara-Lynn Patton, AICP</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
g) _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

* If yes, then identified person shall fill out a Business Relationship Affidavit

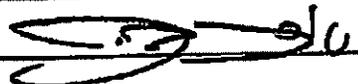
4. The Applicant agrees that he/she/it will be bound by any statements, representations and promises made in connection with the Application by any of the individuals identified above.

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- d) the member of the City Commission or City Advisory Board is a client of the entity or the person;
- e) the entity or person is a customer of the member of the City Commission or City Advisory Board (or his/her employer) and transacts more than 5% of the business in a given calendar year of the member of the City Commission or City Advisory Board (or his/her employer) or more than \$25,000 of business in a given calendar year; or
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	Name (print)	Business Relationship		Signature
		Yes*	No	
a)	<u>Bonnie Miskel, Esq.</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
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f)	<u>Tara-Lynn Patton, AICP</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
g)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____

* If yes, then identified person shall fill out a Business Relationship Affidavit

4. The Applicant agrees that he/she/it will be bound by any statements, representations and promises made in connection with the Application by any of the individuals identified above.

3. The Applicant acknowledges that Section 125.04(C)(2) of the Land Development Code of the City of Weston requires that the Applicant, the property owner, and any person representing the Applicant must disclose "whether it has any Business Relationships with any member of the City Commission or any City Advisory Board, and, if so, disclose the identity of the member with which it has a Business Relationship and the nature of the Business Relationship." *Business Relationship is defined as:*

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- d) the member of the City Commission or City Advisory Board is a client of the entity or the person;
- e) the entity or person is a customer of the member of the City Commission or City Advisory Board (or his/her employer) and transacts more than 5% of the business in a given calendar year of the member of the City Commission or City Advisory Board (or his/her employer) or more than \$25,000 of business in a given calendar year; or
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The following is a complete list of the Applicant, the property owner and all persons representing the Applicant in connection with the application including, but not limited to, all attorneys, architects, landscape architects, engineers, lobbyists, tenants and/or contract purchasers:

	Name (print)	Business Relationship		Signature
		Yes*	No	
a)	<u>Bonnie Miskel, Esq.</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
b)	<u>Tony Quevedo, PE</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
c)	<u>Kobi Karp, RA, AIA, NCARB</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
d)	<u>Jennifer McConney-Gayaso, RA</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
e)	<u>Erez Bar-Nur, PLA, ASLA</u>	<input type="checkbox"/>	<input type="checkbox"/>	_____
f)	<u>Tara-Lynn Patton, AICP</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Tara-Lynn Patton</u>
g)	_____	<input type="checkbox"/>	<input type="checkbox"/>	_____

* If yes, then identified person shall fill out a Business Relationship Affidavit

4. The Applicant agrees that he/she/it will be bound by any statements, representations and promises made in connection with the Application by any of the individuals identified above.

HOSPITALITY INVESTING GROUP, LLC
2915 Biscayne Boulevard
Suite 300
Miami, Florida 33137

AUTHORIZATION

I, Meyer Chetrit, hereby authorize Mr. Ari Pearl, to sign and represent HOSPITALITY INVESTING GROUP, LLC in its behalf with the City of Weston, Florida.

By: 

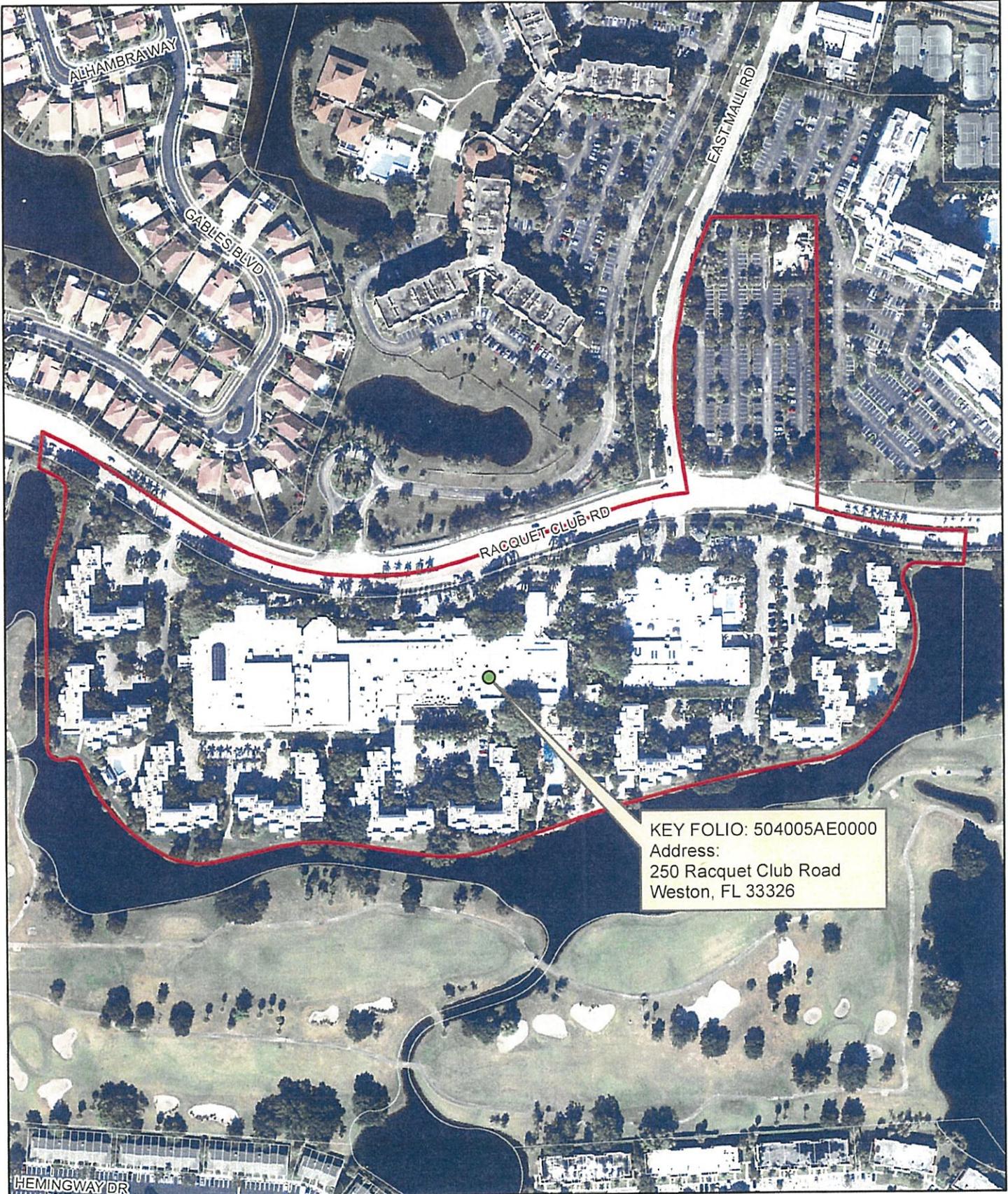
Meyer Chetrit

Hospitality Investing Group, LLC whose managing member is
CG Bonaventure Resort LLC, whose managing member is
CG Bonaventure, LLC whose managing member is Meyer Chetrit



Bonaventure Resort & Spa

250 Racquet Club Road



KEY FOLIO: 504005AE000
 Address:
 250 Racquet Club Road
 Weston, FL 33326

HEMINGWAY DR

Print Date: 11/16/2016



250 Feet

9



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 9

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

An Ordinance of the City of Weston, Florida, amending Section 60.04, "Declaration of a state of local emergency pertaining to a disaster;" to revise the notice and City Commission meeting requirement; and providing for an effective date.

Second and Final Reading

SUMMARY EXPLANATION & BACKGROUND:

The City Commission desires to amend the City Code to revise the notice and City Commission meeting requirement regarding a state of local emergency.

REQUESTED ACTION:

Approval.

EXHIBITS (LIST): Ordinance

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N	Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

CITY OF WESTON, FLORIDA
ORDINANCE NO. 2016-__

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA, AMENDING SECTION 60.04, "DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO A DISASTER;" TO REVISE THE NOTICE AND CITY COMMISSION MEETING REQUIREMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, First, it is the intent of the City Commission to amend the City Code to revise the notice and City Commission meeting requirement regarding a state of local emergency; and

WHEREAS, Second, the City Commission finds that this legislation is in the best interest of the City of Weston.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Weston, Florida:

Section 1. Recitals. The foregoing Whereas clauses are ratified and incorporated as the legislative intent and factual findings underlying this Ordinance.

Section 2. Amendment to Chapter 60.

Chapter 60, "Emergency Management," of the Code of Ordinances of the City of Weston, is amended to read as follows:

\$60.04 DECLARATION OF A STATE OF LOCAL EMERGENCY PERTAINING TO A DISASTER.

* * *

60.04(D) **Meeting of the City Commission.** Upon the declaration of a state of local emergency, the City Manager shall ensure that a meeting of the City Commission shall be called as soon as possible, in order to apprise the City Commission advise the City Commission as to the status of the state of local emergency, and may, at any time after a declaration of a state of local emergency, call a meeting of the City Commission and the City Commission may take such actions as deemed necessary.

* * *

Section 3. Codification.

It is the intention of the City Commission that the provisions of this Ordinance become and be made part of the City Code, and that the Sections of this Ordinance and Code may be renumbered or relettered and the word "ordinance" may be changed to "section" or such other appropriate word or phrase to accomplish such intentions.

Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, shaded text reflects changes made from First Reading.

1 **Section 4. Severability.**

2
3 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be
4 declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity
5 of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.
6

7 **Section 5. Conflict.**

8
9 That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of
10 Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this ordinance are repealed
11 to the extent of such conflict.
12

13 **Section 6. Effective Date.**

14 This Ordinance shall become effective upon passage and adoption.
15
16

17
18 PASSED ON FIRST READING November 21, 2016.
19

20 PASSED AND ADOPTED ON SECOND READING _____.
21

22 CITY COMMISSION
23 CITY OF WESTON, FLORIDA
24

25
26 By _____
27 Daniel J. Stermer, Mayor
28

29 ATTEST:
30

31 _____
32 Patricia A. Bates, City Clerk

33 Approved as to form and legality
34 for the use of and reliance by the
35 City of Weston only:
36

37 _____
38 Jamie Alan Cole, City Attorney

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

Coding: underlined words are additions to existing text, ~~struck through~~ words are deletions from existing text, **shaded** text reflects changes made from First Reading.

10



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 10

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

An Ordinance of the City of Weston, Florida, amending Section 32.10, "Cone of Silence;" to clarify the violations provision; and providing for an effective date.

Second and Final Reading

SUMMARY EXPLANATION & BACKGROUND:

The City Commission desires to amend the City Code to clarify the Cone of Silence violations provision.

REQUESTED ACTION:

Approval.

EXHIBITS (LIST): Ordinance

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
 Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

CITY OF WESTON, FLORIDA
ORDINANCE NO. 2016-__

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA, AMENDING SECTION 32.10, "CONE OF SILENCE;" TO CLARIFY THE VIOLATIONS PROVISION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, First, it is the intent of the City Commission to amend the City Code to clarify the Cone of Silence violations provision; and

WHEREAS, Second, the City Commission finds that this legislation is in the best interest of the City of Weston.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Weston, Florida:

Section 1. Recitals. The foregoing Whereas clauses are ratified and incorporated as the legislative intent and factual findings underlying this Ordinance.

Section 2. Amendment to Chapter 32.

Chapter 32, "Acquisition of Goods and Services and Disposal of City Property," of the Code of Ordinances of the City of Weston, is amended to read as follows:

§32.10 CONE OF SILENCE.

* * *

32.10(E) **Violations.** Any action in violation of this Section ~~shall~~ may be cause for disqualification of the bidder, responder or proposer. The determination of a violation and/or disqualification shall be made by the City Commission.

* * *

32.10(G) **Exceptions.** If a prohibited communication occurs, it is in the City Manager's discretion to determine whether the communication is innocuous and not intended to influence the outcome of the Sealed Competitive Method or whether the communication may be cause for disqualification. If the City Manager determines the prohibited communication may be cause for disqualification, the City Manager shall place the item on an upcoming City Commission agenda.

Section 3. Codification.

It is the intention of the City Commission that the provisions of this Ordinance become and be made part of the City Code, and that the Sections of this Ordinance and Code may be renumbered or relettered and the word "ordinance" may be changed to "section" or such other appropriate word or phrase to accomplish such intentions.

Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, shaded text reflects changes made from First Reading.

1 **Section 4. Severability.**

2
3 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be
4 declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity
5 of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.
6

7 **Section 5. Conflict.**

8
9 That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of
10 Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this ordinance are repealed
11 to the extent of such conflict.
12

13 **Section 6. Effective Date.**

14
15 This Ordinance shall become effective upon passage and adoption.
16

17
18 PASSED ON FIRST READING November 21, 2016.
19

20 PASSED AND ADOPTED ON SECOND READING _____.
21

22 CITY COMMISSION
23 CITY OF WESTON, FLORIDA
24

25
26 By _____
27 Daniel J. Stermer, Mayor
28

29 ATTEST:

30
31 _____
32 Patricia A. Bates, City Clerk
33

34 Approved as to form and legality
35 for the use of and reliance by the
36 City of Weston only:
37

38 _____
39 Jamie Alan Cole, City Attorney

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

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1

1



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 11

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

An Ordinance of the City of Weston, Florida, amending Section 124.34, "Swimming Pools," to revise the swimming pool barrier requirements; and providing for an effective date.

*Second and Final Reading
Deferred from November 21, 2016 Meeting*

SUMMARY EXPLANATION & BACKGROUND:

The City Commission desires to amend the City Code to revise the swimming pool barrier requirements.

REQUESTED ACTION:

Approval.

EXHIBITS (LIST): Ordinance

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

CITY OF WESTON, FLORIDA
ORDINANCE NO. 2016-____

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA, AMENDING SECTION 124.34, "SWIMMING POOLS," TO REVISE THE SWIMMING POOL BARRIER REQUIREMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, First, the City Commission desires to amend the City Code to revise the swimming pool barrier requirements; and

WHEREAS, Second, the City Commission, in its capacity as the Local Planning Agency, has reviewed the Ordinance and recommends approval; and

WHEREAS, Third, the City Commission finds that this legislation is in the best interest of the City of Weston.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Weston, Florida:

Section 1. Recitals. The foregoing Whereas clauses are ratified and incorporated as the legislative intent and factual findings underlying this Ordinance.

Section 2. Recommendation of Approval by the Local Planning Agency.

The City Commission, in its capacity as the Local Planning Agency, has reviewed the proposed Ordinance and recommends approval.

Section 3. Amendment to Chapter 124.

Chapter 124, "Zoning," of the Code of Ordinances of the City of Weston, is amended to read as follows:

§ 124.34 SWIMMING POOLS.

124.34(A) ~~All swimming pools shall be completely enclosed by either an open mesh screen enclosure or a fence or wall a minimum five feet in height with such design and material as will prevent unauthorized access to the pool area. All screen doors and fence gates shall be equipped with self closing and self locking mechanisms. All mesh safety barriers shall not be required to be equipped with self closing and self locking mechanisms.~~

All swimming pools shall comply with the barrier requirements as provided for in the Florida Building Code with the exception that the top of the barrier, if used as a component of a perimeter yard area fence, shall be at least 60 inches above grade. All barriers, including perimeter yard area fences, shall be located on the property that the swimming pool is located on, and may not connect to a barrier or fence on an abutting property.

* * *

Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, shaded text reflects changes made from First Reading.

1 **Section 4. Codification.**

2
3 It is the intention of the City Commission that the provisions of this Ordinance become and
4 be made part of the City Code, and that the Sections of this Ordinance and Code may be
5 renumbered or relettered and the word "ordinance" may be changed to "section" or such other
6 appropriate word or phrase to accomplish such intentions.
7

8 **Section 5. Severability.**

9
10 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be
11 declared by a court of competent jurisdiction to be invalid, such decision shall not affect the
12 validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be
13 invalid.
14

15 **Section 6. Conflict.**

16
17 That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of
18 Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this ordinance are repealed
19 to the extent of such conflict.
20

21 **Section 7. Effective Date.**

22
23 This Ordinance shall become effective upon passage and adoption.

24
25 PASSED ON FIRST READING October 17, 2016.

26
27 PASSED AND ADOPTED ON SECOND READING _____.

28
29 CITY COMMISSION
30 CITY OF WESTON, FLORIDA

31
32
33 By _____
34 Daniel J. Stermer, Mayor

35
36 ATTEST:

37
38 _____
39 Patricia A. Bates, City Clerk

40
41 Approved as to form and legality
42 for the use of and reliance by the
43 City of Weston only:

44
45 _____
46 Jamie Alan Cole, City Attorney

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, **shaded** text reflects changes made from First Reading.

12



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 12

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

An Ordinance of the City of Weston, Florida, providing for Amendment of the City Charter by amending Section 2.03, "Election and Term of Office," to remove term limits for service as Mayor or City Commissioner; providing requisite ballot language for submission to electors; providing for adoption of enabling resolution; and providing for an effective date.

Public Hearing and First Reading

SUMMARY EXPLANATION & BACKGROUND:

The City Commission has determined to submit a certain proposed Charter Amendment for approval or disapproval by the electors.

REQUESTED ACTION:

Approval.

EXHIBITS (LIST): Ordinance

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
 Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

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**CITY OF WESTON, FLORIDA
ORDINANCE NO. 2017-**

AN ORDINANCE OF THE CITY OF WESTON, FLORIDA, PROVIDING FOR AMENDMENT OF THE CITY CHARTER BY AMENDING SECTION 2.03, "ELECTION AND TERM OF OFFICE," TO REMOVE TERM LIMITS FOR SERVICE AS MAYOR OR CITY COMMISSIONER; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; PROVIDING FOR ADOPTION OF ENABLING RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission has determined to submit a certain proposed Charter Amendment for approval or disapproval by the electors.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Weston, Florida:

Section 1. Section 2.03, "Election and Term of Office," of the City Charter is amended to read as follows:

Section 2.03. Election and Term of Office.

* * *

~~(e) TERM LIMITS.~~

~~— (1) No person may serve in the position of Mayor for more than two consecutive terms; provided, however, that service, as Mayor during the unexpired portion of a term which another person was elected shall not be counted when applying this limitation. If a person who has previously served in the position of Mayor does not serve in the position of Mayor for at least one full term, that person's prior service shall not be counted when applying this limitation.~~

~~— (2) No person may serve in the position of City Commissioner (regardless of Seat) for more than two consecutive terms; provided, however, that service, as Commissioner during the unexpired portion of a term which another person was elected shall not be counted when applying this limitation. If a person who has previously served in the position of Commissioner does not serve in the position of Commissioner for at least one full term, that person's prior service shall not be counted when applying this limitation.~~

Section 2. Form of ballot. The form of the ballot for the Charter amendment provided for herein shall be as follows:

Removal of Term Limits

The current City Charter prohibits a person from serving more than two consecutive terms in the position of Mayor or City Commissioner. The proposed amendment would remove the terms limits for service as Mayor or City Commissioner.

Shall the above-described Amendment be adopted?

Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, shaded text reflects changes made from First Reading.

1 YES

2
3 NO

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5
6 **Section 3. Severability.**

7
8 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be
9 declared by a court of competent jurisdiction to be invalid, such decision shall not affect the
10 validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be
11 invalid.
12

13 **Section 4. Inclusion in City Charter.**

14
15 It is the intention of the City Commission, and it is hereby ordained that the provisions of
16 this Ordinance shall become and be made a part of the Charter of the City of Weston and that the
17 Sections of this Ordinance and Charter may be renumbered or relettered and the word "Ordinance"
18 may be changed to "section" or other appropriate word or phrase to accomplish such intentions.
19

20 **Section 5. Conflict.**

21
22 That all Sections or parts of Sections of the Charter, all Sections or parts of Sections of the
23 Code of Ordinances, all Ordinances or parts of Ordinances, and all Resolutions, or parts of
24 Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.
25

26 **Section 6. Enabling Resolution.**

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28 The City Commission shall provide for enactment of an enabling Resolution submitting the
29 proposed Charter amendment to the electorate pursuant to Section 6.02, City Charter.
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Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, **shaded** text reflects changes made from First Reading.

1 **Section 7. Effective Date.**

2
3 This Ordinance shall become effective upon passage and adoption. The Charter
4 amendment provided herein shall be effective only upon approval by a majority of electors voting
5 on the measure, effective upon certification of the election results.

6
7 PASSED ON FIRST READING _____.

8
9 PASSED AND ADOPTED ON SECOND READING _____.

10
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12 CITY COMMISSION
13 CITY OF WESTON, FLORIDA

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16 By _____
17 Daniel J. Stermer, Mayor

18 ATTEST:

19
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21 _____
22 Patricia A. Bates, City Clerk

23 Approved as to form and legality
24 for the use of and reliance by the
25 City of Weston only:

26
27 _____
28 Jamie Alan Cole, City Attorney

29
Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

Coding: underlined words are additions to existing text, ~~struck-through~~ words are deletions from existing text, shaded text reflects changes made from First Reading.

13



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 13

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

A Resolution of the City Commission of the City of Weston, Florida, calling an Election on a proposed amendment to the City Charter, to be held on March 14, 2017; providing for submission of the Charter Amendment recommended by the City Commission to the Electors for approval or disapproval; providing for requisite ballot language; providing for notice; providing for an effective date.

SUMMARY EXPLANATION & BACKGROUND:

The City Commission desires to set an election so that the proposed amendment may be considered by the electors of the City.

REQUESTED ACTION:

Approval.

EXHIBITS (LIST): Ordinance

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

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**CITY OF WESTON, FLORIDA
RESOLUTION NO. 2016-__**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CALLING AN ELECTION ON A PROPOSED AMENDMENT TO THE CITY CHARTER, TO BE HELD ON MARCH 14, 2017; PROVIDING FOR SUBMISSION OF THE CHARTER AMENDMENT RECOMMENDED BY THE CITY COMMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR NOTICE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, First, pursuant to Ordinance No. 2017-01, the City Commission has proposed an amendment to the City Charter for submission to the electors; and

WHEREAS, Second, the City Commission desires to set an election so that the proposed amendment may be considered by the electors of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

Section 1: An election is called for Tuesday, the 14th day of March 2017, to present to the electors of the City the ballot question provided in Ordinance No. 2017-01, and reproduced in Section 4 of this Resolution.

Section 2: Balloting shall be conducted as provided for by the Broward County Supervisor of Elections. All qualified electors residing within the City shall be entitled to vote.

Section 3: Notice of said election shall be published in accordance with Section 100.342, Florida Statutes, in a newspaper of general circulation within the City at least 30 days prior to said election, the first publication to be in the fifth week prior to the election, and the second publication to be in the third week prior to the election, and shall be in substantially the following form:

"NOTICE OF ELECTION"

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PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO ORDINANCE NO. 2017-01 OF THE CITY COMMISSION OF WESTON, FLORIDA, (THE "CITY") AND AN ENABLING RESOLUTION DULY ADOPTED BY THE CITY COMMISSION, AN ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE CITY ON MARCH 14, 2017, AT WHICH TIME THE FOLLOWING PROPOSITION SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY:

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The proposed amendment to the City Charter as described in Ordinance No. 2017-01, which proposal is referred to by the ballot title "Removal of Term Limits."

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Polling place information and the full text of the proposed City Charter amendment is available at the Office of the City Clerk, located at 17200 Royal Palm Boulevard, Weston, Florida 33326.

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Section 4: The form of ballot question for the proposed Charter amendment shall be as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CALLING AN ELECTION ON A PROPOSED AMENDMENT TO THE CITY CHARTER, TO BE HELD ON MARCH 14, 2017; PROVIDING FOR SUBMISSION OF THE CHARTER AMENDMENT RECOMMENDED BY THE CITY COMMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR NOTICE; PROVIDING FOR AN EFFECTIVE DATE.

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Removal of Term Limits

The current City Charter prohibits a person from serving more than two consecutive terms in the position of Mayor or City Commissioner. The proposed amendment would remove the terms limits for service as Mayor or City Commissioner.

Shall the above-described Amendment be adopted?

YES

NO

Section 5: The County registration books shall remain open at the Office of the Broward County Supervisor of Elections until February 13, 2017, at which date the registration books shall close in accordance with the provisions of the general election laws.

Section 6: The Broward County Supervisor of Elections and the appropriate City officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 7: This election shall be canvassed by the Broward County Canvassing Board in accordance with the provisions of the general election laws.

Section 8: Copies of this Resolution and the Ordinance adopting the Charter amendment, subject to referendum approval, are on file in the Office of the City Clerk, located at 17200 Royal Palm Boulevard, Weston, Florida 33326, and will be available for public inspection during regular business hours up to and including the day of the election.

Section 9: If a majority of the qualified electors voting on the proposed Charter amendment votes for its adoption, it shall be considered adopted and effective upon certification of the election results.

Section 10: This Resolution shall become effective upon its adoption and adoption of Ordinance No. 2017-01.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, CALLING AN ELECTION ON A PROPOSED AMENDMENT TO THE CITY CHARTER, TO BE HELD ON MARCH 14, 2017; PROVIDING FOR SUBMISSION OF THE CHARTER AMENDMENT RECOMMENDED BY THE CITY COMMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR NOTICE; PROVIDING FOR AN EFFECTIVE DATE.

1 ADOPTED by the City Commission of the City of Weston, Florida, this 5th day of December 2016.

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Daniel J. Stermer, Mayor

ATTEST:

Patricia A. Bates, City Clerk

Approved as to form and legality
for the use of and reliance by the
City of Weston only:

Jamie Alan Cole, City Attorney

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

14



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 14

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

A Resolution of the City Commission of the City of Weston, Florida, appointing a member to serve on the Broward Metropolitan Planning Organization.

SUMMARY EXPLANATION & BACKGROUND:

The City Commission finds that it is in the best interest of the City to replace the member position currently held by Commissioner Toby Feuer and appoint a new member to represent the City at MPO meetings and serve as the City's voting delegate.

REQUESTED ACTION:

Approval.

EXHIBITS (LIST): Ordinance

PREPARED BY:

Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager
 Jamie Alan Cole, City Attorney

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N		
					Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

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CITY OF WESTON, FLORIDA
RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE BROWARD METROPOLITAN PLANNING ORGANIZATION.

WHEREAS, First, Florida Statutes provide for the creation of Metropolitan Planning Organizations for the identification and resolution of regional public transportation issues in each metropolitan area of the State; and

WHEREAS, Second, pursuant to the Broward Metropolitan Planning Organization ("MPO") districting plan (the "Plan"), the City of Weston may appoint one of its elected officials to serve as a member of the MPO; and

WHEREAS, Third, Resolution No. 2002-214 dated November 4, 2002, appointed Commissioner Daniel J. Stermer as the City's member on the MPO; and

WHEREAS, Fourth, former Commissioner Daniel J. Stermer's term of office, as a City Commissioner, expired on November 15, 2010; and

WHEREAS, Fifth, Resolution No. 2010-143 dated November 15, 2010, appointed Commissioner Toby Feuer as the City's member on the MPO; and

WHEREAS, Sixth, the City Commission finds that it is in the best interest of the City to replace the member position previously held by Commissioner Toby Feuer and appoint a new member to represent the City at MPO meetings and serve as the City's voting delegate.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The City Commission wishes to appoint a member to represent the City at MPO meetings and to serve as the City's voting delegate.

Section 3: _____ is appointed as the City's member on the MPO.

Section 4: This Resolution shall take effect upon its adoption.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE BROWARD METROPOLITAN PLANNING ORGANIZATION.

1 ADOPTED by the City Commission of the City of Weston, Florida, this 5th day of December 2016.

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Daniel J. Stermer, Mayor

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6 ATTEST:

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8

Patricia A. Bates, City Clerk

9

10
11 Approved as to form and legality
12 for the use of and reliance by the
13 City of Weston only:

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

14
15

Jamie Alan Cole, City Attorney

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AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 15

FOR:

City of Weston Indian Trace Development District Bonaventure Development District

TITLE:

A Resolution of the City Commission of the City of Weston, Florida, appointing _____ as a Director, _____ as an Alternate Director, and _____ as a Second Alternate Director for the 2016-2017 Broward League of Cities Board of Directors.

SUMMARY EXPLANATION & BACKGROUND:

The Broward League of Cities By-Laws provides for each member City to select a voting representative and an alternate to represent the City on issues discussed at the monthly Broward League of Cities Board of Directors meetings.

REQUESTED ACTION:

Approval.

EXHIBITS (LIST): Resolution

PREPARED BY:

John R. Flint, City Manager

PETITIONER/REPRESENTATIVE:

Not Applicable

RECOMMENDED FOR CONSIDERATION BY:

John R. Flint, City Manager

FUNDING SOURCE:

Not Applicable

VOTING REQUIRED FOR PASSAGE:

Majority Majority Plus One Unanimous

COMMISSION ACTION:

	M	2	Y	N	Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

CITY OF WESTON, FLORIDA
RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON,
FLORIDA, APPOINTING _____ AS A DIRECTOR,
_____ AS AN ALTERNATE DIRECTOR, AND
_____ AS A SECOND ALTERNATE DIRECTOR FOR THE
2016-2017 BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS.

WHEREAS, First, the Broward League of Cities was chartered in 1957 to represent the concerns of municipalities in Broward County; and

WHEREAS, Second, the Broward League of Cities' emphasis is on the identification and resolution of problems that affect the day to day operations of municipal government, including legislation at the county, state and federal levels; and

WHEREAS, Third, the By-Laws of the Broward League of Cities provide for a Board of Directors consisting of one member from each member city.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida:

Section 1: _____ is the City's appointment as a Director for the 2016-2017 Broward League of Cities Board of Directors.

Section 2: _____ is the City's appointment as an Alternate Director for the 2016-2017 Broward League of Cities Board of Directors.

Section 3: _____ is the City's appointment as a Second Alternate Director for the 2016-2017 Broward League of Cities Board of Directors.

Section 4: This Resolution shall take effect upon its adoption.

ADOPTED by the City Commission of the City of Weston, Florida, this 5th day of December 2016.

ATTEST:

Patricia A. Bates, City Clerk

Approved as to form and legality
for the use of and reliance by the
City of Weston only:

Jamie Alan Cole, City Attorney

Daniel J. Stermer, Mayor

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

16

A



AGENDA ITEM SUMMARY

MEETING DATE: December 5, 2016

AGENDA ITEM NO.: 16-A

FOR:
 City of Weston Indian Trace Development District Bonaventure Development District

TITLE:
 A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, accepting a Bill of Sale, and Grant of Easement for certain utility facilities for Sagemont Upper School Fine Arts Addition, located at 2585 Glades Circle, on a portion of Parcel B, Sector 1 Boundary Plat, according to the Plat thereof as recorded in Plat Book 165, at Page 16, Public Records of Broward County, Florida.

SUMMARY EXPLANATION & BACKGROUND:
 Sagemont Real Estate, Inc., as the Grantor, is the Owner and Developer of a project at 2585 Glades Circle, City of Weston, Florida. The Code of Ordinances of the City requires the Owner to convey to the City, and the District, by Bill of Sale, the water distribution facilities and sewage collection facilities, including all pipes, valves, hydrants, manholes, etc. serving the Project; and requires the Owner to grant to the City and the District an easement over and across portions of the Property for ingress, egress and access to the Facilities serving the Project.

REQUESTED ACTION:
 Approval.

EXHIBITS (LIST): (i) Resolution, (ii) Owner's No Lien Affidavit, and (iii) Opinion of Title for Conveyance of Water Distribution and Wastewater Collection Facilities to the City of Weston

PREPARED BY:
 Jamie Alan Cole, City Attorney

PETITIONER/REPRESENTATIVE:
 Not Applicable

RECOMMENDED FOR CONSIDERATION BY:
 John R. Flint, City Manager
 Karl C. Thompson, P.E., Director of Public Works
 Jamie Alan Cole, City Attorney

FUNDING SOURCE:
 Not Applicable

VOTING REQUIRED FOR PASSAGE:
 Majority Majority Plus One Unanimous

COMMISSION ACTION:						
	M	2	Y	N	Approved as presented	
					Approved as amended	
Commissioner Brown					Approved with conditions	
Commissioner Feuer					Continued to	
Commissioner Kallman					Deferred to	
Mayor Stermer					To deny	

Notes:

**CITY OF WESTON, FLORIDA
RESOLUTION NO. 2016-__**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, AND AS THE GOVERNING BOARD OF THE INDIAN TRACE DEVELOPMENT DISTRICT, ACCEPTING A BILL OF SALE, AND GRANT OF EASEMENT FOR CERTAIN UTILITY FACILITIES FOR SAGEMONT UPPER SCHOOL FINE ARTS ADDTION, LOCATED AT 2585 GLADES CIRCLE, ON A PORTION OF PARCEL B, SECTOR 1 BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 165, AT PAGE 16, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

WHEREAS, First, the Indian Trace Development District ("District") is a dependent special district of the City of Weston for the purpose of exercising all those rights, powers and authority contained in Chapters 189 and 190, Florida Statutes; and

WHEREAS, Second, the City Commission of the City of Weston ("City") serves as the governing board of the District; and

WHEREAS, Third, Sagemont Real Estate, Inc., ("Grantor"), is the Owner and Developer of a project ("Project") at 2585 Glades Circle, City of Weston, which Project is located a portion of Parcel B, Sector 1 Boundary Plat, according to the plat thereof as recorded in Plat Book 165, at Page 16, Public Records of Broward County, Florida (the "Property"); and

WHEREAS, Fourth, in connection with the development of the Project, the City, pursuant to Section 127.15 of the Code of Ordinances of the City, requires the Owner to convey to the City and the District by Bill of Sale the water distribution facilities and wastewater collection facilities, including all pipes, valves, hydrants, manholes, etc. (collectively, "Facilities") serving the Project; and

WHEREAS, Fifth, pursuant to Section 127.15 of the Code of Ordinances of the City, the City requires the Owner to grant to the City and the District an easement over and across portions of the Property for ingress, egress and access to the Facilities serving the Project; and

WHEREAS, Sixth, the Owner has delivered to the City Attorney a Bill of Sale, Grant of Easement, Owner's No Lien Affidavit, and Opinion of Title, all of which have been approved by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District:

Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

Section 2: The Bill of Sale for the Facilities attached hereto as Exhibit "A" is hereby accepted by the City and the District.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, AND AS THE GOVERNING BOARD OF THE INDIAN TRACE DEVELOPMENT DISTRICT, ACCEPTING A BILL OF SALE, AND GRANT OF EASEMENT FOR CERTAIN UTILITY FACILITIES FOR SAGEMONT UPPER SCHOOL FINE ARTS ADDTION, LOCATED AT 2585 GLADES CIRCLE, ON A PORTION OF PARCEL "B", SECTOR 1 BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 165, AT PAGE 16, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

1 Section 3: The Grant of Easement attached hereto as Exhibit "B" is hereby accepted by the City
2 and the District.

3
4 Section 4: The appropriate City officials are authorized to execute all necessary documents and to
5 take any necessary action to effectuate the intent of this Resolution.
6

7 Section 5: This Resolution shall take effect upon its adoption.
8

9 ADOPTED by the City Commission of the City of Weston, Florida, and as the governing board of
10 the Indian Trace Development District, this 5th day of December 2016.
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15 _____
16 Daniel Stermer, Mayor of the City of Weston
17 Chair of the Indian Trace Development District

18 ATTEST:
19

20 _____
21 Patricia A. Bates, City Clerk

22 Approved as to form and legality
23 for the use of and reliance by the
24 City of Weston only:

25 _____
26 _____
27 _____

27 Jamie A. Cole, City Attorney

Roll Call:
Commissioner Brown _____
Commissioner Feuer _____
Commissioner Kallman _____
Mayor Stermer _____

Exhibit "A"

Bill of Sale

THIS INSTRUMENT PREPARED BY:

Gail D. Serota, Esq.
Weiss Serota Helfman Cole & Bierman P.L.
2525 Ponce de Leon Blvd., Suite 700
Coral Gables, Florida 33134
Telephone: 305.854.0800

RECORD AND RETURN TO:

City of Weston Building Department
17250 Royal Palm Boulevard
Weston, Florida 33326

BILL OF SALE

FOR TEN DOLLARS and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Sagemont Real Estate, Inc.**, a Delaware Corporation ("**Grantor**"), whose mailing address is 1615 West Chester Pike, Suite 200, West Chester, PA., hereby grants, bargains, sells, transfers, and delivers to the **CITY OF WESTON**, a Florida municipal corporation ("**City**"), and the **INDIAN TRACE DEVELOPMENT DISTRICT**, a Florida community development district established and operated pursuant to the provisions of Chapter 190, Florida Statutes ("**District**"), the following goods, chattel and equipment ("**Improvements**"):

All of the water distribution facilities and wastewater collection facilities, and all appurtenances thereto, which lie within publicly dedicated rights-of-way or within dedicated easements located on the real property described in attached **Exhibit A**.

All of the above described in Water & Sewer As-builts prepared by Radius Professional Surveyor & Mapper, Inc. under Project Number 13340 last revised 7/8/14 which have been submitted to and are on file with the City and the District.

Grantor represents that the value of the Improvements is as set forth in the Schedule of Values attached as **Exhibit B**.

Grantor, for itself and its successors and assigns, covenants to and with the City and the District, and their successors and assigns, that it is the lawful owner of the Improvements; that the Improvements are free from all encumbrances; that Grantor has

good right to sell the Improvements, and that Grantor will warrant and defend the sale of the Improvements to the City and the District, and their successors and assigns, against the lawful claims and demands of all persons whomsoever.

Grantor has executed this Bill of Sale on the date set forth below its signature.

Witnesses:

[Signature]

Print name: NEW GARLAND

[Signature]

Print name: Linda E Grobman

Sagemont Real Estate, Inc
Delaware Corporation

By: [Signature]

Print name: G. Lee Bohs

Title: Secretary

Date: November 4, 2016

COMMONWEALTH OF PENNSYLVANIA

STATE OF FLORIDA)
CHESTER) SS:
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me on November 4, 2016 by G. Lee Bohs as Secretary of Sagemont Real Estate, Inc. a Delaware Corporation on behalf of the Corporation. He or she is personally known to me or has produced _____ as identification.

[Signature]

NOTARY PUBLIC, STATE OF FLORIDA
COMMONWEALTH of PENNSYLVANIA

My Commission Expires 11/15/16

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
BARBARA J. BRENECK, Notary Public
Westtown Twp., Chester County
My Commission Expires November 15, 2016

[SEAL]

Exhibit A to Bill of Sale

Legal Description of the Property

A portion of Parcel "B", SECTOR 1 BOUNDARY PLAT, according to the Plat thereof, recorded in Plat Book 165, Page 16, of the Public Records of Broward County, Florida and being more particularly described as follows:

Commencing at the Northwest corner of said Parcel "B"; thence South 00°01 '04" East, along the West line of said Parcel "B", a distance of 726.17 feet; thence North 89°58'56" East, a distance of 98.58 feet; thence South 00°01 '04" East, a distance of 22.16 feet to the Point of Beginning; thence North 89°42'00" East, a distance of 191.23 feet; thence South 00°57'09" East, a distance of 62.71 feet to the Northeast corner of that certain easement recorded in Official Records Book 36244, Page 838, Broward County, Florida; thence North 89°54'22" West, along the North line of said easement, a distance of 15.00 feet; thence North 00°57'24" East, a distance of 34.60 feet; thence South 89°42'00" West, a distance of 124.79 feet; thence North 00°18'00" West, a distance of 13.00 feet; thence South 89°42'00" West, a distance of 34.25 feet; thence South 00°17'47" East, a distance of 25.05 feet; thence South 89°42'00" West, a distance of 17.50 feet; thence North 00°17'47" West, a distance of 40.05 feet to the Point of Beginning.

Parcel No. 493935-04-0026

It

Exhibit B to Bill of Sale
Schedule of Values of the Improvements

**Engineer's Construction Materials Cost Estimate for Maintenance Bond
Sagemont Upper School Fine Arts Addition**

Prepared By:
Mendez Engineering Design, Inc.
9000 Sheridan Street, PMB #15
Pembroke Pines, FL 33024

	<u>Description</u>		<u>UM</u>	<u>Unit \$</u>	<u>Qty</u>	<u>Subtotal</u>
	Water Main	8" DIP		LF	\$42.50	190
6" DIP			LF	\$38.00	200	\$7,600.00
8"x8" Tapping Sleeve & Gate Valve			EA	\$3,756.00	1	\$3,756.00
8"x6" Tapping Sleeve & Gate Valve			EA	\$2,960.00	1	\$2,960.00
8" Gate Valves			EA	\$1,000.00	2	\$2,000.00
6" Gate Valves			EA	\$700.00	1	\$700.00
Fire Hydrant Assembly			EA	\$3,000.00	1	\$3,000.00
Fittings			LS	\$1,350.00	1	\$1,350.00
2" Single Water Service			EA	\$2,915.00	1	\$2,915.00
2" RPZ			EA	\$1,300.00	1	\$1,300.00
Total Category						\$33,656.00
Sewer	Manhole		EA	\$1,900.00	2	\$3,800.00
	8" PVC Sanitary Sewer Line		LF	\$23.50	170	\$3,995.00
	6" PVC Sanitary Sewer Line		LF	\$20.00	136	\$2,720.00
	6" Single Service		LF	\$350.00	1	\$350.00
	CO		EA	\$300.00	3	\$900.00
	Total Category					
Total Cost						\$45,421.00

JOINDER AND CONSENT TO BILL OF SALE

TD Bank, N.A., as the owner and holder of that certain Amended and Restated Open-End Mortgage, Security Agreement and Fixture Filing dated June 3, 2013 and recorded in Official Records Book 49859, at Page 1876, of the Public Records of Broward County, Florida, hereby joins in and consents to the Bill of Sale given by Sagemont Real Estate, Inc. to the City of Weston and the Indian Trace Development District.

Witnesses:	TD Bank, N.A., a national banking association
Signature: <u>Cara Sayles</u>	By: <u>[Signature]</u>
Print name: <u>Cara Sayles</u>	Print name: <u>Robert J. Mindick</u>
Signature: <u>[Signature]</u>	Title: <u>Senior Vice President</u>
Print name: <u>Michael Gers</u>	

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Philadelphia

The foregoing instrument was acknowledged before me on Nov 2, 2014, by Robert mindick as SUP of TD Bank, N.A., who is personally known to me or who presented a Driver's License as identification.

[Signature]
NOTARY PUBLIC

Print name: Angelina Calvano

My Commission Expires Sept 12, 2018

[SEAL]

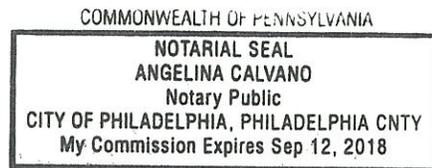


Exhibit "B"
Easement Dedication

THIS INSTRUMENT PREPARED BY:

Jamie A. Cole, Esquire
Weiss Serota Helfman
Cole and Bierman, P.A.
200 East Broward Blvd., Ste. #1900
Fort Lauderdale, FL 33301

AFTER RECORDING, RETURN TO:

City of Weston Building Department
17250 Royal Palm Boulevard
Weston, FL 33326

City of Weston

EASEMENT DEDICATION

On this 12th day of November, 2014, Sagemont Real Estate, Inc. having an address of 1615 West Chester Pike, Suite 200 West Chester, PA 19382-6233 (hereinafter "Grantor"), expressly grants an easement to the City of Weston, a municipal corporation of the State of Florida, through the Indian Trace Development District, its dependent special district, having an address at 17200 Royal Palm Boulevard, Weston, Florida 33326 (hereinafter "Grantee"), subject to the following provisions and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee to Grantor, receipt and sufficiency of which is hereby acknowledged by both parties.

Grantor is the fee simple owner of that parcel of real property, a legal description of which is attached hereto as Exhibit "A", and incorporated by reference herein (hereinafter "the servient estate").

Grantor hereby grants, bargains and sells to Grantee, its successors and assigns, the perpetual easement described below in, under, over, through, across and upon a portion of the servient estate, a legal description of which is attached hereto as Exhibit "B" and incorporated by reference herein (hereinafter "the easement area").

Grantor does hereby grant unto the Grantee, full and free right and authority to construct, maintain, repair, install, rebuild or replace water distribution or wastewater distribution and collection facilities and water management, lakes and mitigation maintenance and control facilities within the Easement Area (hereinafter collectively referred to as "systems").

Grantor may, for its own purposes, utilize the easement area and shall retain a right of free ingress and egress under, over and upon the easement area; provided that, in no event, shall any of the rights herein reserved to Grantor impede the easement herein granted or the exercise of Grantee's rights of use thereunder.

Grantor grants to Grantee, a perpetual non-exclusive easement upon the servient estate whereby Grantee shall have access necessary to fully exercise Grantee's rights within the easement area.

Grantee agrees to own, maintain and repair the systems at Grantee's sole cost. Grantee shall not be responsible for any damage to improvements now or hereafter existing within the Easement Areas including, but not limited to, sidewalks, pavement, landscaping, signage, irrigation equipment or machinery, or any other improvements, including other facilities within the easement area constructed by other utilities, including without limitation BellSouth, Florida Power & Light Company, Advanced Cable Communications, AT&T Corporation and COMCAST Communications or any other cable company, which may result from the Grantee's access to or repair or maintenance of the systems and if it is necessary, to excavate within the area of such systems in order to repair or maintain same. The Grantee's sole obligations after repairing or maintaining the Systems shall be to adequately fill and compact any such excavation to a grade determined by the Grantee, in its sole and absolute discretion.

Grantor hereby waives any rights it may now or hereafter have to require the Grantee to repair, replace, restore or improve the affected area beyond that described in this paragraph. Furthermore, Grantor agrees not to install any permanent improvements, except asphalt, concrete curbing, irrigation lines or sidewalks within a 10' strip on either side of the easement area.

The provisions of this Easement Dedication shall be binding on the parties hereto and their respective successors and assigns as a covenant running with and binding upon the servient estate.

This easement shall not be released or amended without consent of the Grantee as evidenced by a document in the Public Records of Broward County, Florida.

This instrument contains the entire agreement between the parties relating to the rights granted and the obligations assumed pursuant to this instrument. Any oral representations or modifications concerning this instrument, shall be of no force and effect, excepting a subsequent modification reduced to writing, signed by the party to be charged therewith.

Grantee shall record this document in the Public Records of Broward County, Florida.

Grantor and/or Grantee shall each have the right to enforce the terms of this Easement and the rights and obligations created herein by all remedies provided under the laws of the State of Florida, including, without limitation, the right to sue for damages for breach or for injunction or specific performance.

EXHIBIT "A"
LEGAL DESCRIPTION

A PORTION OF PARCEL B, SECTOR 1 BOUNDARY PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 165, AT PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL B, THENCE SOUTH 00°01'04" EAST, ALONG THE WEST LINE OF SAID PARCEL B, A DISTANCE OF 726.17 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89°58'56" EAST A DISTANCE OF 450.00 FEET, THENCE SOUTH 00°01'04" EAST, A DISTANCE OF 199.76 FEET, THENCE SOUTH 57°49'53" EAST, A DISTANCE OF 46.15 FEET TO A POINT ON THE WESTERLY LINE OF AN 80 FOOT WIDE INGRESS EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 28433, AT PAGE 439, OF SAID PUBLIC RECORDS, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 400.00 FEET AND TO SAID POINT A RADIAL LINE BEARS NORTH 57°49'53" WEST, THE NEXT TWO COURSES BEING ON SAID WESTERLY LINE, THENCE SOUTHWESTERLY, AND SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°30'57", FOR AN ARC DISTANCE OF 254.93 FEET TO A POINT OF REVERSE CURVATURE, THENCE SOUTHERLY, ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 3920.00 FEET, A CENTRAL ANGLE OF 01°00'37" FOR AN ARC DISTANCE OF 69.12 FEET, THENCE SOUTH 89°58'56" WEST, ALONG A NON-TANGENT LINE, A DISTANCE OF 433.34 FEET TO SAID WEST LINE OF PARCEL B, THENCE NORTH 00°01'04" WEST ON SAID WEST LINE, A DISTANCE OF 536.58 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING AND SITUATED IN THE CITY OF WESTON, BROWARD COUNTY, FLORIDA

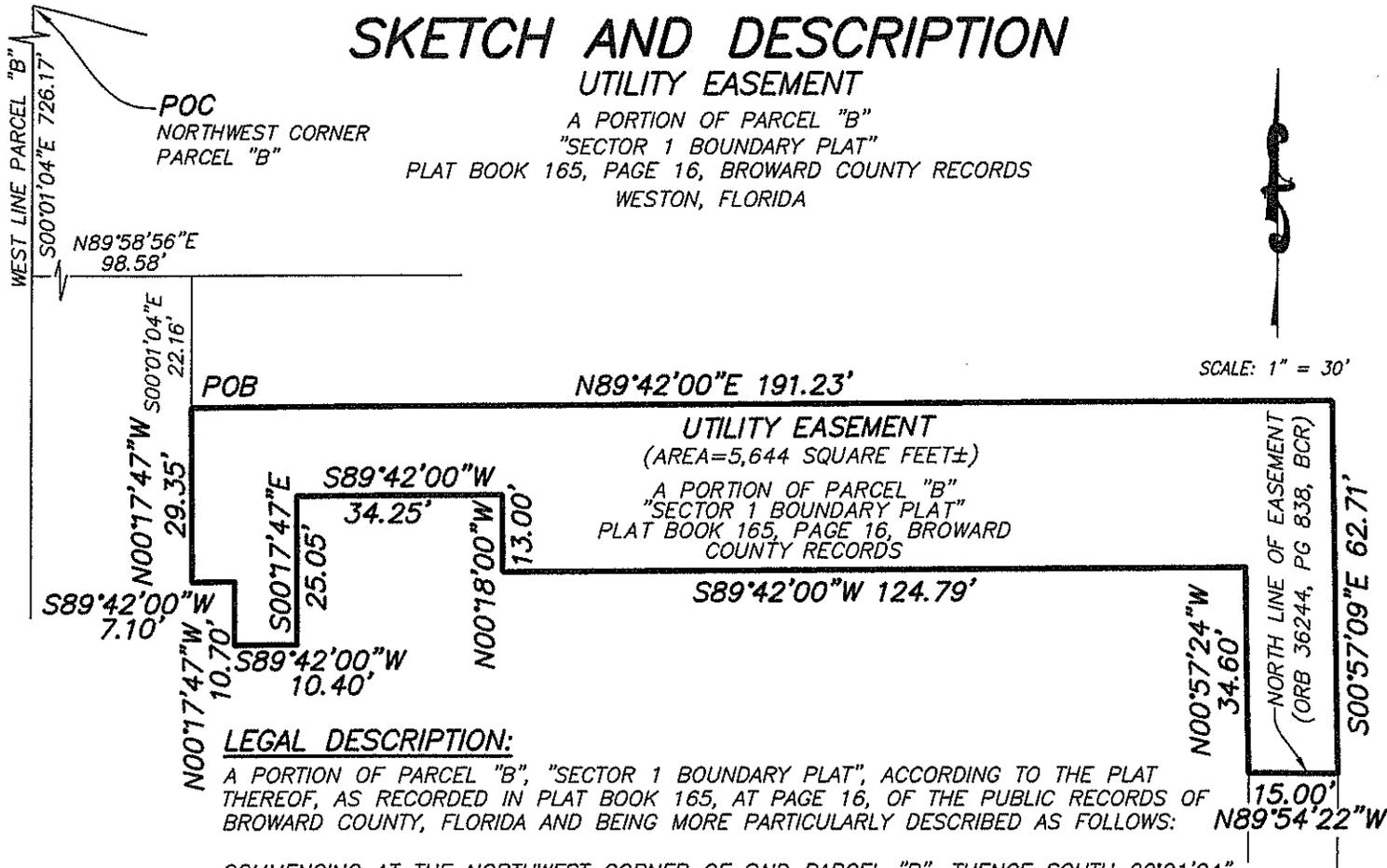
SUBJECT TO EXISTING RIGHTS OF WAY, EASEMENTS, COVENANTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY.

REFER TO SURVEY PROVIDED BY CCL CONSULTANTS, INC. DATED FEBRUARY 12, 1999

SKETCH AND DESCRIPTION

UTILITY EASEMENT

A PORTION OF PARCEL "B"
 "SECTOR 1 BOUNDARY PLAT"
 PLAT BOOK 165, PAGE 16, BROWARD COUNTY RECORDS
 WESTON, FLORIDA



SCALE: 1" = 30'

LEGEND:

- POC = POINT OF COMMENCEMENT
- POB = POINT OF BEGINNING
- ORB = OFFICIAL RECORDS BOOK
- PG = PAGE
- BCR = BROWARD COUNTY RECORDS

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS "SKETCH AND DESCRIPTION" IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472-027, FLORIDA STATUTES.

DATE: 3-24-16

BY:

MICHAEL D. KLIMKIEWICZ
 PROFESSIONAL SURVEYOR & MAPPER
 FLORIDA REGISTRATION No. LS6611

SURVEYOR'S NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.
2. BEARINGS SHOWN HEREON ARE RELATIVE TO "SECTOR 1 BOUNDARY PLAT", PLAT BOOK 165, PAGE 16, BROWARD COUNTY RECORDS. BEARING REFERENCE LINE IS THE WEST LINE OF PARCEL "B" OF SAID PLAT, BEARING S00°01'04"E
3. THIS IS NOT A LAND SURVEY.

PROJECT No.: 13340

Radius

PROFESSIONAL SURVEYOR & MAPPER, LLC
 30 PINEHURST LANE
 BOCA RATON, FL 33431
 (561)244-5153 (561)981-4066
 LICENSED BUSINESS No. LB7733

REVISION	DWN	DATE	FB/Pg.	CKD
SKETCH & DESCRIPTION	MRM	3-18-14		MDK
REVISE SKETCH & DESCRIPTION	MK	1-26-16		MDK

JOINDER AND CONSENT TO GRANT OF EASEMENT

TD Bank, N.A., as the owner and holder of that certain Amended and Restated Open-End Mortgage, Security Agreement and Fixture Filing dated June 3, 2013 and recorded in Official Records Book 49859, at Page 1876, of the Public Records of Broward County, Florida, hereby joins in and consents to the Grant of Easement given by Sagemont Real Estate, Inc. to the City of Weston and the Indian Trace Development District.

Witnesses:	TD Bank, N.A., a national banking association
Signature: <u>Cara Sayles</u>	By: <u>[Signature]</u>
Print name: <u>Cara Sayles</u>	Print name: <u>Robert J. Mindick</u>
Signature: <u>[Signature]</u>	Title: <u>Senior Vice President</u>
Print name: <u>Michael Gers</u>	

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Philadelphia

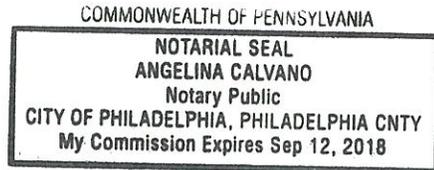
The foregoing instrument was acknowledged before me on Nov 2, 2016,
by Robert Mindick as
SVP of TD Bank, N.A., who is personally known to
me or who presented a Driver's License as identification.

[Signature]
NOTARY PUBLIC

Print name: Angelina Calvano

My Commission Expires Sept 12, 2018

[SEAL]



**Owner's
No Lien Affidavit**

8. Affiant further states that he/she is familiar with the nature of an oath and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he/she has read, or has heard read to them the full facts of this Affidavit and understands its context.

AFFIANT FURTHER SAYETH NAUGHT.

SIGNED AND SEALED
IN THE PRESENCE OF:

Neil Young

NEIL CARAWITZ
Print Name

Dorothy Doherty
Print Name

Sagemont Real Estate, Inc.
Developer Name

By G Lee Bohs

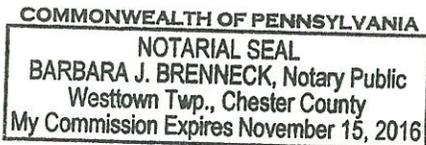
Secretary
Title

The foregoing was acknowledged before me this 12th day of November, 2014, by G. Lee Bohs As Secretary for Sagemont Real Estate, Inc., and who is personally known to me or who produced _____ as identification.

Barbara J Brenneck
Signature of Notary Public

Barbara J. Brenneck
Notary Printed or Typed Name

My Commission Expires: 11/15/16



Opinion of Title for Conveyance
of
Water Distribution and Wastewater Collection Facilities
to the
City of Weston

**OPINION OF TITLE FOR CONVEYANCE OF
WATER DISTRIBUTION AND WASTEWATER COLLECTION FACILITIES
TO THE CITY OF WESTON**

This Opinion of Title is furnished to City of Weston, Broward County, Florida, as inducement for the acceptance of a Bill of Sale and a Grant of Easement in connection with certain water distribution and wastewater collection facilities for the Project known as Sagemont Upper School Fine Arts Building, located at 2585 Glades Circle, Weston FL 33327. I hereby certify that I have examined Chicago Title Insurance Company's Ownership and Encumbrance Search, prepared under Order No. 5876966 and dated July 11, 2016, as updated by Chicago Title Insurance Company Certificate of Search dated August 26, 2016, which search is based on that certain Owners' Title Insurance Policy issued by Old Republic National Title Insurance Company with an effective date of December 27, 2012, and covering the period from the beginning to November 9, 2016, at the hour of 6:00 a.m. inclusive, of the following described property (the "Property"):

A portion of Parcel "B", SECTOR 1 BOUDARY PLAT, according to the Plat thereof, recorded in Plat Book 165, Page 16, of the Public Records of Broward County, Florida and being more particularly described as follows:

Commencing at the Northwest corner of said Parcel "B"; thence South 00°01'04" East, along the West line of said Parcel "B", a distance of 726.17 feet; thence North 89°58'56" East, a distance of 98.58 feet; thence South 00°01'04" East, a distance of 22.16 feet to the Point of Beginning; thence North 89°42'00" East, a distance of 191.23 feet; thence South 00°57'09" East, a distance of 62.71 feet to the Northeast corner of that certain easement recorded in Official Records Book 36244, Page 838, Broward County, Florida; thence North 89°54'22" West, along the North line of said easement, a distance of 15.00 feet; thence North 00°57'24" East, a distance of 34.60 feet; thence South 89°42'00" West, a distance of 124.79 feet; thence North 00°18'00" West, a distance of 13.00 feet; thence South 89°42'00" West, a distance of 34.25 feet; thence South 00°17'47" East, a distance of 25.05 feet; thence South 89°42'00" West, a distance of 10.40 feet; thence North 00°17'47" West, a distance of 10.70 feet; thence South 89°42'00" West, a distance of 7.10 feet; thence North 00°17'47" West, a distance of 29.35 feet to the Point of Beginning.

Parcel No. 493935-04-0026

It is my opinion that on the last mentioned date, the fee simple title to the Property was vested in:

SAGEMONT REAL ESTATE, INC.

Subject to the following encumbrances, liens and other exceptions:

1. RECORDED MORTGAGES AND MORTGAGE-RELATED DOCUMENTS:

- | | | |
|---|-------------------|------------|
| (a) Continuing Collateral Mortgage and Security Agreement | December 27, 2012 | 49362/1342 |
| (b) Collateral Assignment of Leases and Rentals | December 27, 2012 | 49362/1370 |

(c) Subordination Agreement	December 27, 2012	49362/1385
(d) Assignment of Mortgage	June 5, 2013	49859/1872
(e) Amended And Restated Open-End Mortgage, Security Agreement And Fixture Filing	June 5, 2013	49859/1876
(f) Assignment of Leases and Rents	June 5, 2013	49859/1922
(g) UCC Financing Statement	June 5, 2013	49859/1938
(h) Subordination, Non-Disturbance and Attornment Agreement	June 5, 2013	49859/1945
(i) Discharge of Collateral Assignment of Leases and Rentals	June 14, 2013	49893/86

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

Memorandum of Lease	May 31, 2013	49844/115
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3. **GENERAL EXCEPTIONS:**

- 3.1 Taxes for 2016 and subsequent years, and taxes or special assessments which are not shown as existing liens by the Public Records.
- 3.2 Rights or claims of parties in possession not shown by the Public Records.
- 3.3 Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the Property.
- 3.4 Easements or claims of easements not shown by the Public Records.
- 3.5 Any lien or right to a lien for labor, equipment, material, or supplies heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
- 3.6 Any adverse claim to all or any part of the Property which is now under water or which has previously been under water but filled or exposed through the efforts of man.

4. **SPECIAL EXCEPTIONS:**

(a) Agreement For Amendment of Notation on Plat	August 5, 2013	50051/1427
(b) Resolution No. 2013-110	October 8, 2013	50238/363
(c) Resolution No. 2013-111	October 8, 2013	50238/366
(d) Recorded Notice of Environmental Resource Permit	May 22, 2014	50800/1050

All recording references are to the Public Records of Broward County, Florida.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions. It is my opinion that the following parties must join in the Bill of Sale and Grant of Easement in order to make

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions. It is my opinion that the following parties must join in the Bill of Sale and Grant of Easement in order to make these instruments valid and binding conveyances of the interests described therein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
Sagemont Real Estate, Inc. TD Bank, N.A.	Fee Simple Owner Mortgagee	

I HEREBY CERTIFY that the legal description covered by this Opinion of Title is the same as the legal description in the Bill of Sale and the Grant of Easement.

I further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

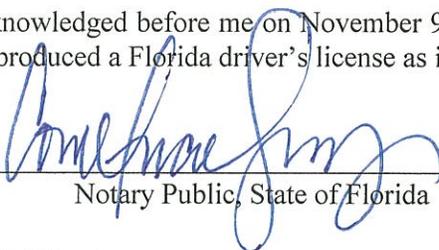
Respectfully submitted on November 9, 2016.



Print name: Liliana Cano
Florida Bar No. 500348
Clear Title Group, LLC
1691 Michigan Avenue, Suite 360
Miami Beach FL 33139
(305) 695-2699

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me on November 9, 2016, by Liliana Cano who is personally known to me or has produced a Florida driver's license as identification.



Notary Public, State of Florida



Print Name: _____

My commission expires: _____