

REQUESTED COMMISSION ACTION:

Consent       Ordinance      Resolution      Consideration/ Discussion      Presentation

**SHORT TITLE**      AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE JOHN KNOX VILLAGE OF FLORIDA, INC. REQUEST LOCATED AT THE SOUTHWEST CORNER OF SW 3<sup>RD</sup> STREET AND SOUTH DIXIE HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 27, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**Summary of Purpose and Why:**

The Applicant is proposing a change in the land use designation of the .643 gross acre property located on the southwest corner of SW 3<sup>rd</sup> Street and South Dixie Highway. Currently the property has a Commercial (C) Land Use designation. The Applicant is requesting a change in land use to Local Activity Center (LAC). The request is concurrently being heard with an associated ordinance to amend the text of the Land Use Element changing the amount of acreage of the John Knox Village LAC to include this .643 acre property. Final reading of both ordinances will be held until after they can be heard at the Broward County Planning Council and the Broward County Commission. In a unanimous vote, the Planning & Zoning Board recommended approval of this Land Use Element text amendment.

- (1) Origin of request for this action: John Knox Village of Florida, Inc.
- (2) Primary staff contact: Robin M. Bird/ Maggie Barszewski Ext. 7921
- (3) Expiration of contract, if applicable: N/A
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Dev. Services	08/8/14	Approval	Memo# 14-347 <i>[Signature]</i>
City Attorney	09/30/14	<u>10/3/14</u>	CAC# 2014-1578 <i>[Signature]</i>

Planning and Zoning Board  
 City Manager *[Signature]*      Approval Memo #14-052 *[Signature]*

**ACTION TAKEN BY COMMISSION:**

Ordinance	Resolution	Consideration
<u>Workshop</u>		
1 <sup>st</sup> Reading <u>10/14/14</u>	1 <sup>st</sup> Reading _____	Results: _____
APPROVED		Results: _____
2 <sup>nd</sup> Reading <u>5/12/15</u>	_____	_____
_____	_____	_____
_____	_____	_____



# MEMORANDUM

## Development Services

**MEMORANDUM NO.** 15-164

**DATE:** April 28, 2015

**TO:** Dennis W. Beach, City Manager

**VIA:** Robin M. Bird, Development Services Director *RB*

**FROM:** Maggie Barszewski, AICP, Planner *MB*

**SUBJECT:** Second Reading on May 12, 2015  
for the John Knox Village LUPA Requests (Map & Text) that had been first read on  
October 14, 2014

P&Z # 14-93000002

The John Knox Land Use Plan Amendments (LUPAs) were first heard on October 14, 2014 and were approved on first reading at which time the applicant applied for the Broward County LUPA approval process. The Broward County Commission approved the proposed LUPA at their March 10 public hearing, therefore the Ordinance should be placed on the May 12, 2015 City Commission agenda for consideration of the City's LUPA Ordinance second reading.



**City Attorney's Communication #2014-1578**  
September 30, 2014

**TO:** Maggie Barszewski, AICP, Planner

**FROM:** Mark E. Berman, Assistant City Attorney

**RE:** Ordinance to Amend the Future Land Use Designation for Property Located at the Southwest Corner of SW 3<sup>rd</sup> Street and S. Dixie Highway

As requested in your memorandum to me dated September 26, 2014, Zoning Department Memorandum #14-437, I have reviewed the ordinance for the small-scale land use amendment that was attached to your memorandum and find same to be acceptable as to legal form and content.

Should you have any further questions regarding this matter, please feel free to contact me.

  
GORDON B. LINN

GBL/jrm  
l:cor/zoning/2014-1578

CITY OF POMPANO BEACH  
Broward County, Florida

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE JOHN KNOX VILLAGE OF FLORIDA, INC. REQUEST LOCATED AT THE SOUTHWEST CORNER OF SW 3<sup>RD</sup> STREET AND SOUTH DIXIE HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 27, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 163.3184 F.S., the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on August 27, 2014 on the proposed amendments to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan, and subsequently recommended approval to the City Commission; and

**WHEREAS**, said amendment proposes to change a Land Use Plan map designation of .643 gross acres in the Commercial (C) land use category to Local Activity Center (LAC) land use designation for the property legally described in Exhibit A; and.

**WHEREAS**, pursuant to Ch. 163.3187, Florida Statutes the City Commission held at least one duly noticed public hearing on the proposed amendment to the Future Land Use Map of the adopted City of Pompano Beach Comprehensive Plan; and

**WHEREAS**, at the public hearings, the parties having an interest and all other citizens so desiring had an opportunity to be and were in fact heard; and

**WHEREAS**, all staff reports, minutes of meetings, findings of fact and support documents are hereby incorporated by reference; and

**WHEREAS**, the City Commission has considered the application in its entirety, staff reports, minutes of meetings, findings of fact and support documents and determines the request is in the best interests of the City; now, therefore,

BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:

**SECTION 1**: That the foregoing application recitals, findings of fact, minutes of meetings and all staff reports and documents are true and correct, and are hereby incorporated by reference and transmitted.

**SECTION 2**: That duly noticed public hearing was held on August 27, 2014 by the Local Planning Agency in compliance with Section 163, Florida Statutes, to consider the referenced Future Land Use Map Amendment.

**SECTION 3**: That the City Commission hereby adopts the amendment to the City of Pompano Beach Future Land Use Map to change the land use designation from Commercial (C) land use category to Local Activity Center (LAC) on .643 gross acres, for the John Knox Village of Florida, Inc. request located on the Southwest corner of S.W. 3<sup>rd</sup> Street and S. Dixie Highway, as legally described in Exhibit A attached hereto and made a part.

**SECTION 4**: That the City Clerk is directed to transmit a certified copy of this Ordinance to the Department of Economic Opportunity and required State Agencies for review under the Small Scale Amendment process allowed by Ch. 163.

**SECTION 5**: The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council with the City's amended Future Land Use Map for the Planning Council to recertify the City Future Land Use Map.

**SECTION 6**: That in the event any provision or application of this Ordinance shall be held invalid, it is the legislative intent that the other provisions and applications thereof shall not be thereby affected;

**SECTION 7:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**SECTION 8:** That this Ordinance shall take effect immediately upon its passage and adoption, but the amendments shall not become effective until the Broward County Planning Council recertifies the City Comprehensive Plan as consistent with the County Land Use Plan.

PASSED FIRST READING THIS 14<sup>th</sup> DAY OF OCTOBER, 2014

PASSED SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
LAMAR FISHER, MAYOR

ATTEST:

\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

## Exhibit A - Legal Description of John Knox Village of Florida, Inc. Request

Parcel "C", "JOHN KNOX VILLAGE AMENDED", according to the plat thereof, as recorded in plat book 179, page 186, of the public records of Broward County, Florida

Together with:

A parcel of land in Government Lot 7, in Section 2, Township 49 South, Range 42 East, Broward County, Florida, described as follows: beginning at the intersection of the center line of Old Dixie Highway (State Road 811) as it is now located and north boundary of said Government Lot 7, for a point of beginning; thence southwesterly along centerline of said Old Dixie Highway a distance of 223.70 feet to a point; thence northwesterly on an interior angle of 97°, being measured from the preceding line, a distance of 162 feet; thence northeasterly on an interior angle of 83°, being measured from the preceding line a distance of 118.96 feet to a point; said point being located on the north boundary line of said Government Lot 7 (Race Track Road); thence easterly along the north boundary of said Government Lot 7, a distance of 203.28 feet to a point of beginning.

**PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY  
MEMORANDUM #14-052**

**DATE:** September 3, 2014  
**TO:** City Commission  
**FROM:** Planning and Zoning Board/ Local Planning Agency  
**SUBJECT:** Future Land Use Amendment – John Knox Village of Florida, Inc.  
P & Z #13-93000002 Project: John Knox Village

---

At the meeting of the Planning and Zoning Board/ Local Planning Agency held on August 27, 2014, the Board considered the request by **John Knox Village of Florida, Inc.** requesting a **FUTURE LAND USE AMENDMENT** of the properties located at 301 and 321 S. Dixie Highway from Commercial (C) to Local Activity Center (LAC). Additionally, the inclusion of these properties into the John Knox Village Local Activity Center requires a **TEXT AMENDMENT** to change the acreage from 68.5 to 70.0 gross acres.

It is the unanimous recommendation of the Board that the **FUTURE LAND USE MAP AMENDMENT** request and the **TEXT AMENDMENT** request be approved.

  
\_\_\_\_\_  
Jim Beeson  
Chairman  
Planning and Zoning Board/ Local Planning Agency

**ADMINISTRATIVE MEMORANDUM NO. 14-347**

**DATE:** August 8, 2014  
**TO:** Planning and Zoning Board  
**VIA:** Robin M. Bird, Development Services Director  
**FROM:** Maggie Barszewski, AICP, Planner  
**RE:** John Knox Village Small Scale Future Land Use Map and Text Amendment  
August 27, 2014 meeting P&Z # 13-93000002

**Request**

The Applicant is proposing a change in the future land use designation of the two small parcels .226 of a gross acre and .417 of a gross acre encompassing "Parcel 1" and "Parcel 2," respectively. The Applicant is also requesting a Text Amendment to increase the acreage of an existing Local Activity Center (LAC). The two adjacent parcels are generally located on the southwest corner of SW 3<sup>rd</sup> Street and South Dixie Highway as legally described in Exhibit A. Currently the two parcels have a Commercial Future Land Use designation. The Applicant is requesting a change in land use to LAC with no additional residential density in order for the parcels to be included in the adjacent John Knox Village LAC.

**Proposed Text Change**

Section 3.02 L.8. of the Land Use Implementation section of the Land Use Plan Element is proposed to be amended as follows:

8. An inter-local agreement between the municipality and Broward County must be executed no later than six months from the effective date of the adoption of a Local Activity Center which provides that monitoring of development activity and enforcement of permitted land uses densities and intensities shall be the responsibility of the affected municipality.

John Knox Village Local Activity Center shall have the following development rights  
1,224 dwelling units\*  
70,000 square feet of commercial uses  
4.28 acres of Recreation and Open Space

\* Consisting of 674 high rise units, 247 assisted dwelling unit equivalents, 216 villas and 87 garden apartments

Acreage: Approximately ~~68.5~~ 70.0 gross acres, or ~~64.42~~ net acres

General Location: South of SW 3<sup>rd</sup> Street, west of South Dixie Highway, east of I-95 and north of SW 6<sup>th</sup> Court

**Proposed Development**

This proposed amendment only increases the land size of the already approved adjacent LAC. There is no proposed increase in intensity or density being requested.

# LEGEND

## FOR LAND USE PLAN

Symbol      Classification Units/ Acre

Gross Residential Density

Residential

E      Estate

L      Low

LM      Low- Medium

M      Medium

MH      Medium-High

H      High

\*      C      Commercial

CR      Commercial Recreation

I      Industrial

T      Transportation

U      Utilities

CF      Community Facilities

OR      Recreation & Open Space

W      Water

\* >      LAC      Local Activity Center

RAC      Regional Activity Center

Boundaries

City of Pompano Beach

Number

Reflects the maximum total number of units permitted within the dashed line of Palm Aire & Cypress Bend being 9,724 and 1,998

## FOR ZONING MAP

Symbol      District

RS-1      One-Family Residence

RS-2      One-Family Residence

RS-3      One-Family Residence

RS-4      One-Family Residence

RD-1      Two- Family Residence

RM-12      Multi-Family Residence

RM-20      Multi-Family Residence

RM-30      Multi-Family Residence

RM-45      Multi-Family Residence

RM-45/HR      Overlay

RPUD      Residential Planned Unit Dev.

AOD      Atlantic Boulevard Overlay District

MH-12      Mobile Home Park

B-1      Limited Business

B-2      Neighborhood Business

B-3      General Business

B-4      Heavy Business

M-1      Marina Business

M-2      Marina Industrial

>      LAC      Local Activity Center

I-1      General Industrial

I-1X      Special Industrial

O-IP      Office Industrial Park

BP      Business Parking

BSC      Planned Shopping Center

PCI      Planned Commercial / Industrial Overlay

PR      Parks & Recreation

CR      Commercial Recreation

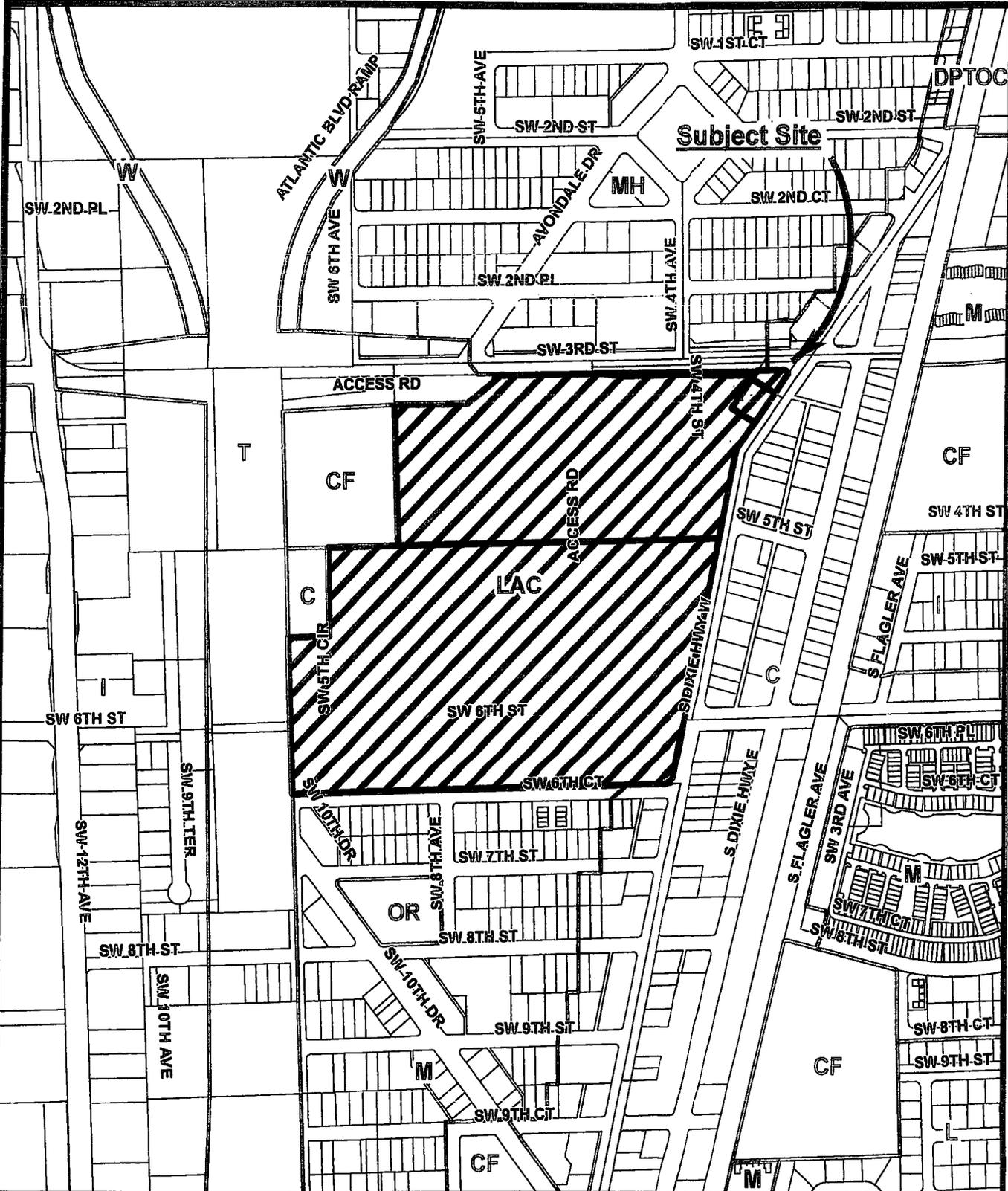
CF      Community Facilities

T      Transportation

PU      Public Utility

*      Existing
>      Proposed

# CITY OF POMPANO BEACH OFFICIAL LAND USE MAP

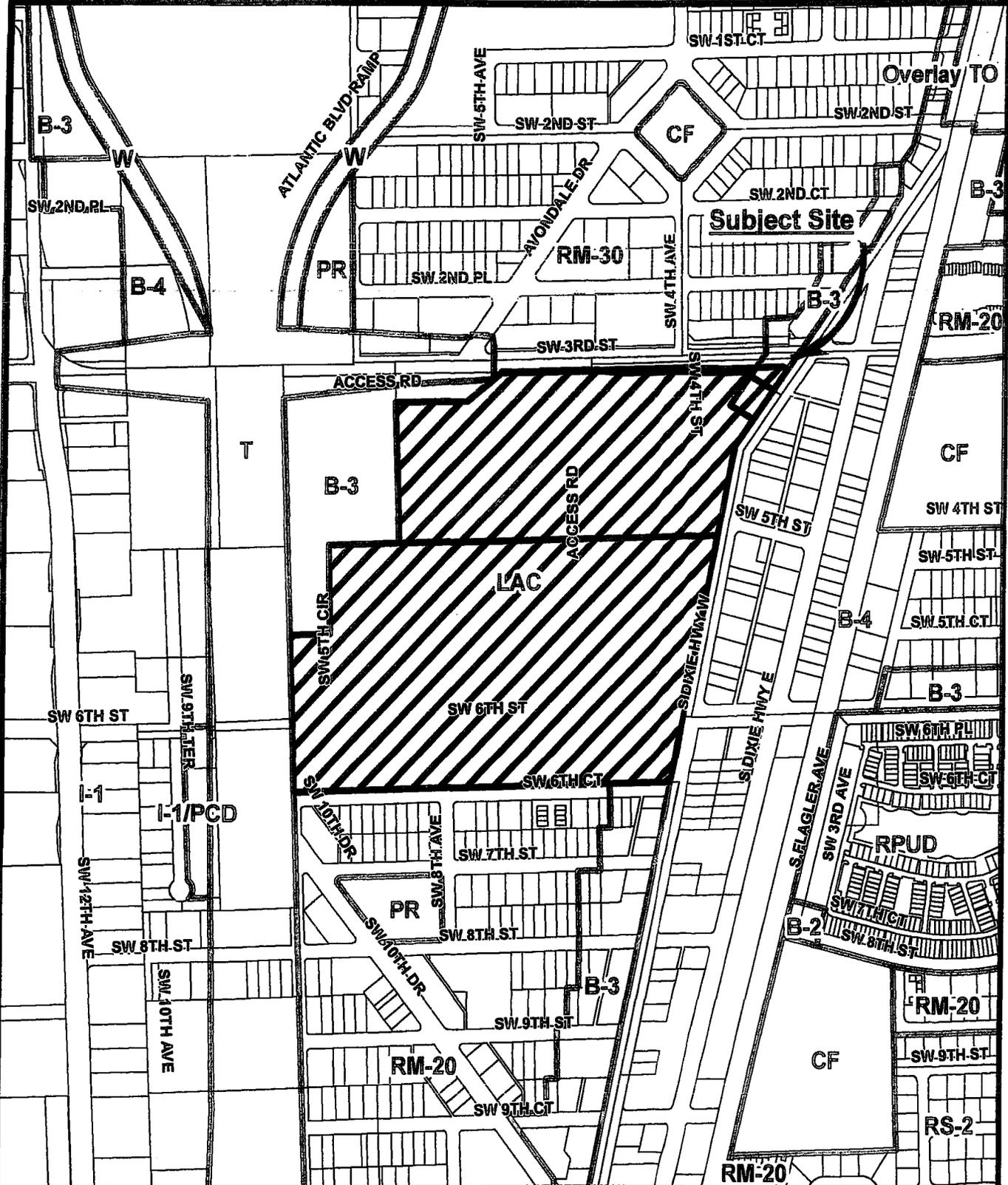


1 in = 600 ft

3

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES

# CITY OF POMPANO BEACH OFFICIAL ZONING MAP

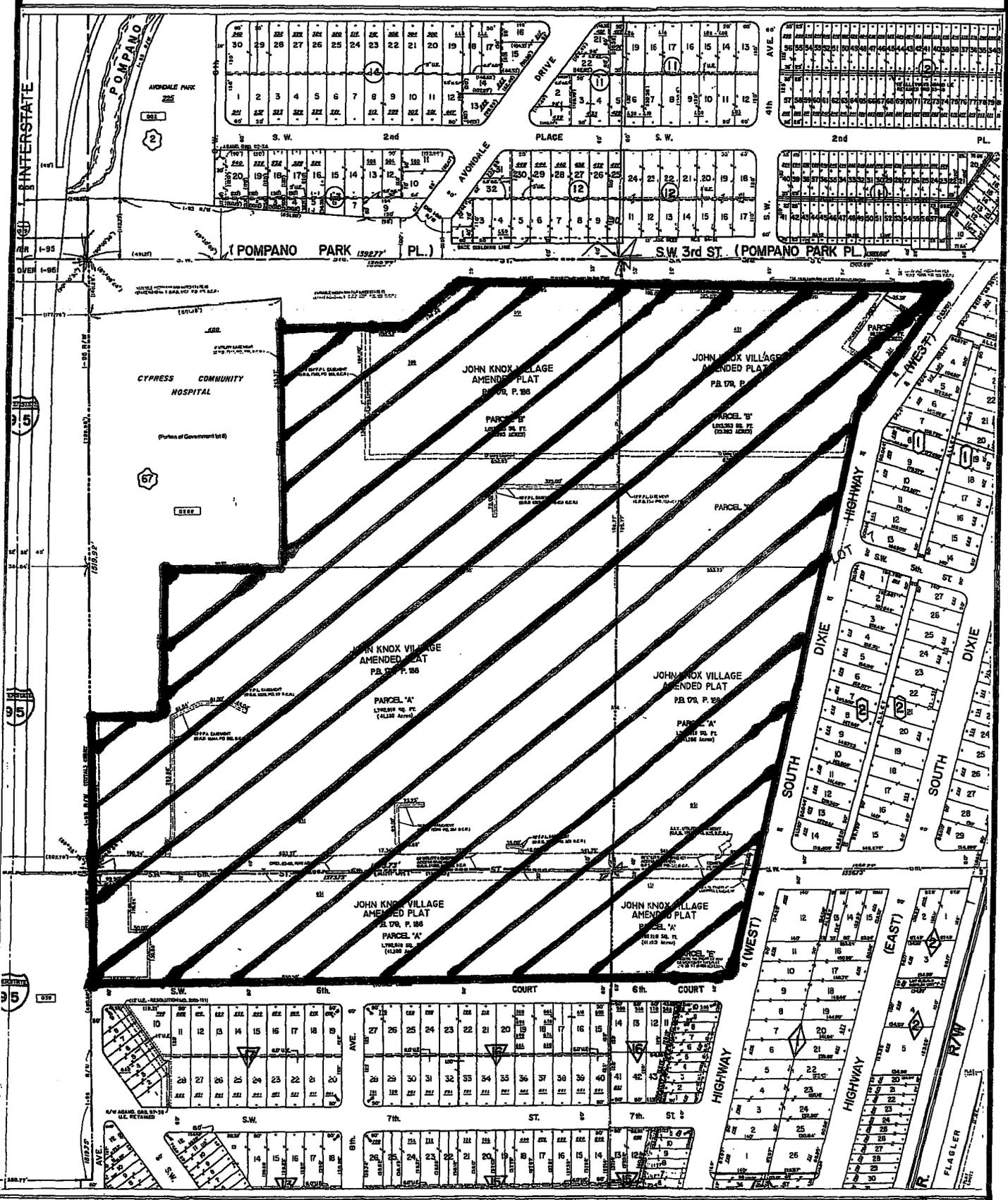


1 in = 600 ft

PREPARED BY:  
DEPARTMENT OF  
DEVELOPMENT SERVICES



# EXCERPT FROM THE CITY OF POMPANO BEACH PLAT MAP



SCALE: NTS

NORTH

**A. Existing Land Use Designations - Density/Intensities**

The land use that is currently permitted by the adopted Future Land Use Map designations within this .643 total gross-acre area is shown in Table 1. The Floor Area Ratio (FAR) used to calculate the maximum commercial square footage allowed on this property is based on the commercial FAR in the adopted Future Land Use Element policy 01.07.20. That policy specifies for Commercial, a maximum 60 percent lot coverage and a maximum 105-foot height, which results in an FAR of 6.

Land Use Designation	Density/Intensity	Gross Acres	Square Feet
Commercial	FAR 6*	.643	168,055

\* Policy 01.07.20 allows a calculated FAR of 6 permitting 168,055 square feet for Commercial

**B. Proposed Land Use Designation - Density/Intensities**

There is no density and intensity change from the existing LAC that the two parcels are being to; so the density and intensity allowed by the existing LAC stays the same as has been originally approved and is shown below in Table 2.

Land Use	Type of Use	Dwelling Units	Square Feet	Acres (minimum)
Local Activity Center	Residential	1,224*		
	Commercial		70,000	
	Open Space			4.28
	<b>Total</b>	<b>1,224</b>	<b>70,000</b>	<b>4.28</b>

\* Consisting of 674 high rise units, 247 assisted dwelling-unit equivalents, 216 villas and 87 garden apartments.

**C. Rationale for the Proposed Amendment**

The Applicant requests the Land Use Plan Amendment, both text and map, to incorporate these two contiguous remote outer parcels and bring them into the envelope of the John Knox Village LAC. It would fill out the northeast corner of the Village and allow for a more cohesive appearance for this prominent community. The Applicant's acquisition of these parcels has taken 20 years, and now the goal is to formally incorporate it into the LAC and improve the property with landscaping.

**D. Surrounding Land Uses** – The subject property is surrounded by the following land use designations:

- o North: Medium High Residential and Commercial
- o South: Local Activity Center
- o East: Commercial
- o West: Local Activity Center

**E. Proposed City Land Use Designation** - The proposed land use designation is Local Activity Center (LAC).

**F. Impact Analysis**

The proposed density and intensity of the amendment area is a net decrease over what is currently allowed under the city's adopted plan; the reduction in intensity is due to the elimination of the Commercial land use and its inclusion into the existing LAC. The impact on the public facilities and services at build-out, therefore, is less. The amendment will also not result in a population increase and therefore will not generate additional

demands on the parks systems, traffic, potable water demand, wastewater output and solid waste generation. The results of the impact analysis are provided below.

Sanitary Sewer

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of sanitary sewer resulting from the proposed amendment.

The proposed elimination of Commercial Land Use is expected to decrease sanitary sewer flows by 16,819 gallons per day (gpd) of sanitary sewer demand. This is calculated by using Broward County’s Comprehensive Plan uses 0.10 gallons per day per square-foot of floor space.

Existing Assumed Demand: 168,192 sq.ft. x 0.10 gpd = 16,819 gpd  
 Proposed Demand: 0 sq.ft. x 0.10 gpd = 0 gpd

The Broward County Water and Wastewater Engineering Division has provided a letter as Exhibit B verifying that the Broward County North Regional Wastewater Treatment Plant has adequate design capacity to serve the LAC.

Potable Water

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of potable water resulting from the proposed amendment.

The new use is expected to also decrease the demand in potable water by the same amount as the reduction in sanitary sewer output, that being 16,819 GPD (existing demand of 168,192 sq. ft. x 0.10 gpd = 16,819 gpd & proposed demand is 0 gpd). The confirmation of the capacity is provided in Exhibit B and is from the Broward County Water and Wastewater Engineering Division.

Drainage

Runoff will be stored on-site in an existing retention area (lakes) and overflow is discharged to Dixie Highway and SW 6<sup>th</sup> Street. There will be no drainage improvements since the two parcel will remain vacant.

Solid Waste

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of solid waste resulting from the proposed amendment.

Commercial demand based on increase of total square footage proposed is calculated below. This calculation assumes an average commercial waste generation of 4.2 pounds per 100 square feet per day, detailed as follows:

Industrial and Commercial Solid Waste Generation Rates

<u>Use</u>	<u>Generation Rate</u>
Factory/Warehouse	2 pounds per 100 square feet per day
Office Building	1 pound per 100 square feet per day
Department Store	4 pounds per 100 square feet per day
Supermarket	9 pounds per 100 square feet per day
Drug Store	5 pounds per 100 square feet per day
Average Generation Rate	4.2 pounds

Based on this average:

## Solid Waste Demand – Commercial Land Use

### Existing Assumed

Demand: 168,192 sq ft x 4.2 lbs/100 sq ft/day = 7,064 lbs

Proposed Demand: 0 sq ft x 4.2 lbs/100 sq ft/day = 0 lbs

Reduction in demand = 7,064 pounds per day

The new uses are expected to decrease solid waste demand by 7,064 lbs/day due to the elimination of the commercial land use designation.

The applicant has provided the information on solid waste demand reduction to Waste Management to verify that there is sufficient capacity to serve the LAC and their response is also provided in Exhibit B.

### Recreation and Open Space

The Pompano Beach level of service standard for neighborhood parks is based on 2 acres per 1,000 persons. The Broward County Land Use Plan Specifies that municipalities must meet the minimum standards of three (3) acres of open space for every 1000 residents in order to recertify plan amendments.

At buildout, John Knox Village is projected to have a population of 2,203.2 persons. According to Broward County's 1.8 persons per household, therefore, at buildout the Village would need approximately 6.6 acres of open space. The existing LAC Master Plan provides for a minimum of 4.28 acres of recreation and open space. This was based on the Village's more accurate residency trend of 1.10 persons per unit projecting a buildout population of 1,347; thus generating a need of 4.0 acres of recreation and open space. Based upon the current population of the Village of less than 1000 residents, both the City and County level of service requirements are exceeded by 2.28 acres and 1.28 acres, respectively.

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of recreation and open space resulting from the proposed amendment.

Furthermore, in compliance with Broward County LAC requirements, no net loss of open space will occur as a result of this amendment.

### Traffic Circulation

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of traffic resulting from the proposed amendment. In fact, due to the elimination of the Commercial land use as a result of this plan amendment, the proposed amendment will result in a reduction of average daily trips.

### Mass Transit

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of transit resulting from the proposed amendment. However, the existing LAC is adequately served by route 50 and Route 60. A letter from the Broward County Transit Division of the Transportation Dept. is included also in Exhibit B.

### Natural and Historic Resources

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). Furthermore, review of the Pompano Beach Comprehensive Plan Maps reveals no historic sites located on or near the subject property.

### Affordable Housing

There are no residential units proposed in the amendment. The requirements of affordable housing units per the Broward County Land Use Plan Policy 1.07.07 do not apply.

**Land Use Compatibility**

The proposed LAC use is compatible with the adjacent LAC, Commercial, and Medium High Residential Future Land Use designations to the north, east, west and south, as shown in the table below:

Location	Existing Use	City Land Use Designation
North	Vacant/retail	Medium High Res./Commercial
South	Open Space	LAC
East	Auto Service	Commercial
West	Open Space	LAC

**Hurricane Evacuation Analysis**

The subject property is not within a Hurricane Evacuation Zone so no analysis is required.

**Redevelopment Analysis**

The amendment is not within the City's CRA Boundaries.

**Intergovernmental Coordination**

The subject property is not adjacent to any other local governments.

**Public Education**

This amendment only increases the land size of the already approved LAC from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of transit resulting from the proposed amendment. However, the School Board will provide the project with a School Consistency Review Report prior to County adoption of the Land Use Plan amendment.

**Consistency with Goals, Objectives and Policies of the City's Land Use Plan**

The proposed amendment, as conditioned by Staff, is consistent with the following goals, objectives and policies of the Land Use Plan:

**Policy 01.03.06**

Consider density and intensity revisions with an emphasis on minimal negative impacts to existing residential areas, particularly single family areas.

**Policy 01.03.11**

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

**Objective Local Activity Center**

01.15.00 Local Activity Center: Encourage compact development reflecting characteristics which include a mixture of community serving uses such as commercial, office, employment, civic and institutional, recreation and open space and residential, characterized by an efficient infrastructure, close-knit neighborhood and sense of community, preservation of natural systems, promotion of pedestrian circulation and convenient access to mass transit facilities through the establishment of a Local Activity Center land use category

**Policy 01.15.03**

Park Land and/or open space that is accessible to the public must be included as a functional component within a Local Activity Center.

Summary

In summary, the proposed amendment will have the following effects on public facilities and services:

- decrease in sewer output and water demand of 16,819 gallons per day;
- Decrease in solid waste demand;
- Decrease in traffic impacts;

The City has adequate capacity in the sewer, water and parks system to handle this amendment.

**G. Recommendation of Approval**

Staff recommends approval of the Land Use Plan Map Amendment from Commercial to Local Activity Center (LAC) and the Text Amendment to change the acreage from 68.5 to 7.0 gross acres for the John Knox Village LAC property legally described in Exhibit A.

**ALTERNATIVE MOTIONS:**

- (1) Motion to recommend approval of the proposed Future Land Use Map Amendment from Commercial to Local Activity Center (LAC).
- (2) Motion to recommend approval of the Text Amendment to change the acreage from 68.5 to 7.0 gross acres for the John Knox Village LAC.

---

- (3) Motion to table the requested Comprehensive Plan Map amendment to provide time for any issues raised by the Board, Staff, Applicant or the general public.
- (4) Motion To table the requested Comprehensive Plan Text amendment to provide time for any issues raised by the Board, Staff, Applicant or the general public.

---

- (5) Motion to recommend denial as the Board finds the proposed land use map change incompatible with the goals, objectives and policies in the Comprehensive Plan.
- (6) Motion to recommend denial as the Board finds the proposed land use text change incompatible with the goals, objectives and policies in the Comprehensive Plan.

**Exhibit A**  
**Legal Description**

## Legal Description

Parcels "A", "B", and "C", "JOHN KNOX VILLAGE AMENDED", according to the plat thereof, as recorded in plat book 179, page 186, of the public records of Broward County, Florida

Together with:

A parcel of land in Government Lot 7, in Section 2, Township 49 South, Range 42 East, Broward County, Florida, described as follows: beginning at the intersection of the center line of Old Dixie Highway (State Road 811) as it is now located and north boundary of said Government Lot 7, for a point of beginning; thence southwesterly along centerline of said Old Dixie Highway a distance of 223.70 feet to a point; thence northwesterly on an interior angle of  $97^{\circ}$ , being measured from the preceding line, a distance of 162 feet; thence northeasterly on an interior angle of  $83^{\circ}$ , being measured from the preceding line a distance of 118.96 feet to a point; said point being located on the north boundary line of said Government Lot 7 (Race Track Road); thence easterly along the north boundary of said Government Lot 7, a distance of 203.28 feet to a point of beginning.

**Exhibit B**  
**Sewer and Water, Solid Waste, & Transit**  
**Capacity Confirmation**



Public Works Department • Water and Wastewater Services  
**WATER AND WASTEWATER ENGINEERING DIVISION**  
2555 West Copans Road • Pompano Beach, Florida 33069 • 954-831-0745 • FAX 954-831-0798/0825

February 17, 2014

Mr. Mike Vonder Meulen, AICP  
Keith & Associates, Inc.  
301 East Atlantic Boulevard  
Pompano Beach FL 33066-9300

**RE: JOHN KNOX VILLAGE – LAND USE AMENDMENT**

Dear Mr. Vonder Meulen,

We understand the John Knox Village of Florida Inc. is applying for a small scale Land Use Plan Amendment (LUPA) for 0.60 acres located on the Southwest corner of John Knox Village Boulevard (SW 3<sup>rd</sup> Street) and Dixie Highway.

This letter is to verify that the proposed LUPA is in the area served by the Broward County North Regional Wastewater Treatment Plant (NRWWTP). The plant has a total permitted average day operating capacity of 95.0 MGD. The current average daily flow is 68.5 MGD and has an outstanding committed flow of 1.33 MGD. According to the Broward County Sanitary Sewer Element, the capacity of the plant satisfies the short and long term (2025) regional needs of the County and its "Large Users."

The LUPA is located in the Pompano Beach customer area termed "Large User." The County's obligation to provide service is limited to the capacities reserved by Pompano Beach, the large user, which may be changed by amendment to the agreement between the City and the County.

Please contact me at (954) 831-0930 if you have any questions.

Sincerely,

Mario C. Aispuero  
Land Development Project Coordinator

MA/sh

cc: 2014 General Correspondence- Land Use Plan Amendments

March 7, 2014

Mr. Mike Vonder Meulen, AICP  
Smith & Associates, Inc.  
101 East Atlantic Boulevard  
Pompano Beach, FL 33060-6643

RE: Water and Wastewater Capacity for John Knox Village – Land Use Plan Amendment (Southwest  
Corner of John Knox Boulevard and Dixie Highway, K&A Project No. 02052.17)

Dear Mr. Meulen:

We are the provider of potable water services and wastewater collection system for the subject  
amendment area in the City of Pompano Beach.

**potable Water:** Estimations included in this application reflect no net increase in demand for potable  
water services. Our utility department can continue to accommodate the current demand used by John  
Knox Village. The 2013 Draft South Florida Water Management District Lower East Coast Plan lists our  
2010 usage/demand as 13.62 MGD and our existing allocation as 17.75 MGD. Based on these  
numbers and with current reuse and conservation projects, the City will meet its projected demand for  
2030.

There are no known impediments to the proposed development for obtaining potable water service,  
subject to the payment of hook-up or installation fees, line extensions to be paid for by the applicant in  
connection with the construction of development or other such routine administrative procedure. The  
City's water system is in full compliance with all regulatory requirements.

**Wastewater:** Estimations for volume of wastewater collections or treatment were not included in this  
application. We are assuming since there are no increases in potable water demand, that there are no  
net increases in wastewater demands. Our utility department can continue to accommodate the current  
wastewater demand. The City of Pompano Beach receives service from the Broward County North  
District Regional Wastewater Treatment Plant as per the Large User Agreement as amended. The  
2011 City of Pompano Beach Wastewater Master Plan (Mathew's Consulting) lists the 2010 average  
annual wastewater flow as a daily amount of 12.86 MGD. The City has 17.0 MGD of reserve capacity  
for wastewater treatment and disposal from Broward County.

There are no known impediments to the proposed development for obtaining wastewater service,  
subject to the payment of hook-up or installation fees, line extension to be paid for by the application in  
connection with the construction of development or other such routine administrative procedure.

Sincerely,

  
John Sfiropoulos, P.E.  
Civil Engineer III

**Waste Management Inc. of Florida  
3831 NW 21<sup>st</sup> Ave  
Pompano Beach, Florida 33073  
954-439-4067**

**February 24, 2014**

**Mr. Michael Vonder Meulen  
Keith & Associates Consulting Engineers  
301 E Atlantic Blvd  
Pompano Beach, Florida 33060-6643**

**Re: John Knox Village**

**Dear Michael:**

**I am in receipt of your request. Please be advised that Waste Management Inc., (hereinafter referred to as "WMI") is confirming the ability to supply adequate solid waste and recycling disposal services for John Knox Village. WMI has the required capacity for the solid waste and recycling.**

**If you have any further questions, please do not hesitate to contact me at 954-439-4067.**

**Sincerely,**

**/Signed/**

**Kay Bernagozzi Hurley  
Account Manager**

Via Facsimile to: 954-788-3500  
Mr. Craig Bencz  
Keith & Associates Consulting Engineers  
301 E. Atlantic Blvd.  
Pompano Beach, Florida 33060-6643

Re: John Knox Village Project

Dear Mr. Bencz:

I am in receipt of your facsimile dated March 8, 2004 addressed to Bob Bergey of our offices.

Please be advised that Waste Management, Inc., is confirming the ability to have and supply adequate solid waste and recycling disposal capacity. Waste Management, Inc., has the required capability of handling the refuse for the above-referenced account.

Waste Management, Inc., is the franchise garbage hauler for the City of Pompano Beach.

If you have any further questions, please do not hesitate to contact me at 954-917-0262.

Very truly yours,



Kay Hathaway  
Territory Manager (Pompano Beach)



Transportation Department  
Transit Division – Service and Capital Planning  
1 North University Drive, 3400A, Plantation, Florida 33324

February 24, 2014

Michael Vonder Meulen, AICP, Senior Planner  
Keith and Associates, Inc.  
301 East Atlantic Blvd, Pompano Beach, Florida 33060

RE: John Knox Village Land Use Plan Amendment – Mass Transit Service

Dear Mr. Vonder Meulen:

Broward County Transit (BCT) has reviewed your request dated February 17, 2014 regarding the John Knox Village Land Use Plan Amendment, for current and planned bus service. Current fixed-route county bus service to the amendment site is currently provided by BCT Routes . Please see the following table for detailed information:

BCT ROUTE	DAYS OF SERVICE	HOURS OF SERVICE A.M. – P.M	SERVICE FREQUENCY
50	Monday – Friday Saturday Sunday	5:20a – 10:58p 5:30a - 11:28p 7:45a - 8:55p	20/30 Min 30 Minutes 45 Minutes
60	Monday – Friday Saturday Sunday	5:25a – 10:52p 5:30a - 11:11p 9:05a - 7:58p	20/30 Min 30 Minutes 45 Minutes

Additionally, this site is serviced by the City of Pompano Beach Community Bus Service. Future fixed-route bus services including weekday & Saturday frequency, weekday & Sunday span of service, route realignment, and premium rapid bus transit improvements are specified in the Broward County Transit Development Plan (TDP) and Broward MPO 2035 Long Range Transportation Plan (LRTP).

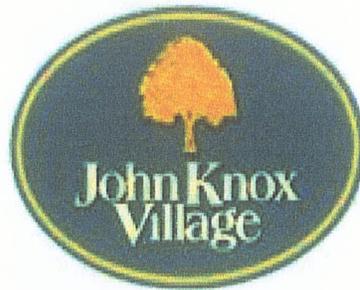
Please call or email me at 954-357-8450 / [jramos@broward.org](mailto:jramos@broward.org) if you require any additional information.

Sincerely,

  
John A. Ramos, Senior Planner  
Service and Capital Planning

# JOHN KNOX VILLAGE

## SMALL LAND USE AMENDMENT



*One Community Sharing Life.*

Prepared by:

Johnston & Metevia, P.A.  
2335 E. Atlantic Blvd., Suite 301  
Pompano Beach, FL 33062  
P: 954-942-6633 F: 954-942-3958  
E: [tjwm1@aol.com](mailto:tjwm1@aol.com)



# CAMPUS SITE PLAN



**APPLICATION FOR AMENDMENT TO  
THE BROWARD COUNTY LAND USE PLAN (MAP & TEXT)  
BROWARD COUNTY PLANNING COUNCIL**

John Knox Village

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 (map and text). 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 (map and text).

**City will answer**

- B. Date local governing body held transmittal public hearing.

**City will answer**

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

- 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 limits regarding amendment submittals (Brownfield amendments, etc.)

2. LOCAL GOVERNMENT INFORMATION

- A. Local land use plan amendments or case numbers.

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

- C. Name, title, address, telephone, facsimile number and email of the local government contact.
  
- D. Summary minutes from the local planning agency and local government public hearing of the transmittal of the Broward County Land Use Plan amendment.
  
- E. Description of public notification procedures followed for the amendment by the local government.

3. APPLICANT INFORMATION

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

**John Knox Village of Florida, Inc., 651 Village Drive, Pompano Beach, FL 33060; Tel. 954-783-4020; Fax 954-783-4097; email: [rscharmman@jkvfl.com](mailto:rscharmman@jkvfl.com)**

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

**Thomas W. Johnston, Esq., Johnston & Metevia, P.A., 2335 E. Atlantic Blvd., Suite 301, Pompano Beach, FL 33062; Tel. 954-942-6633, Fax 954-942-3958; [tjwm1@aol.com](mailto:tjwm1@aol.com)**

**Planning and civil engineering: Keith and Associates, Michael Vonder Meulen, AICP, 301 E. Atlantic Blvd., Pompano Beach, FL 33060; Tel. 954-788-3400, Fax 954-788-3500; [mvondermeulen@keith-associates.com](mailto:mvondermeulen@keith-associates.com)**

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

**John Knox Village of Florida, Inc., 651 Village Drive, Pompano Beach, FL 33060; Tel. 954-783-4020; Fax 954-783-4097; email: [rscharmman@jkvfl.com](mailto:rscharmman@jkvfl.com)**

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

**See attached photocopy of check to City of Pompano Beach in the amount of \$7,000 and copy of check for \$12,146 made payable to Broward County**

- E. Applicant's rationale for the amendment (map and text). The Planning Council requests a condensed version for inclusion in the staff report.

**Applicant requests a minor (small) land use amendment (both map and text) based on the following evidence and rationale:**

**Residential, commercial, recreation and open space (identical to parent tract LAC land use – see Exhibits 1 and 2); the surrounding land uses are completely compatible. These two parcels are encircled on their west and south sides by the larger 68.5+ acre (gross) LAC John Knox Village community – see Exhibit 3. These two parcels were acquired to fill out the NE corner of the property, filling it out to the intersection of SW 3<sup>rd</sup> Street on the north and Dixie Highway on the east. This effort is to provide the inclusion of these remaining two parcels so all of the property at that intersection flowing west and south and encompassed by the larger John Knox Village LAC, would now be included in that envelope, and be completely compatible. Across SW 3<sup>rd</sup> Street, a six-lane divided highway, is commercial and residential, and east across three lanes of Dixie Highway, one-way south of this location, is commercial.**

**John Knox Village has been attempting to acquire Parcel 1 and Parcel 2 for more than two decades. It was always the long-term goal of the Village to incorporate within the Village footprint these two contiguous remote outer parcels and bring them into the envelope of the Village properties. In 2005, the Village amended all of its various land uses into the LAC category, but had not yet acquired these two parcels although every effort had been made up to that date to do so. Now that these two parcels have been acquired, it is logical and feasible to include them into the larger adjacent John Knox Village LAC as they are bordered on two sides by John Knox Village and two sides by major roadways. This allows John Knox Village to “close the gap” which has existed for so many years at the NE corner of the property. It is logical therefore, to complete this minor land use amendment effort and include these two very small parcels into the larger John Knox Village acreage for one homogeneous compatible and inclusive land use. All principles of urban planning logically justify and support the inclusion of these two smaller parcels into the John Knox Village site plan and landscape plan now that they finally have been acquired and the land use should “match.”**

#### 4. AMENDMENT SITE DESCRIPTION

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

**The corner of SW 3<sup>rd</sup> Street and South Dixie Highway, Pompano Beach; please see attached legal description – Parcel 1, Parcel 2 – each parcel is**

adjacent to the other and adjacent to the 68.5+ acre (gross) LAC owned by John Knox Village; Parcel 1 = 9,865 square feet – 0.226 acres; Parcel 2 = 18,167 square feet – 0.417 acres; applicant owns the parent tract which lies along the contiguous westerly border of Parcels 1 and 2. Parcels 1 and 2's easterly and northerly borders are SW 3<sup>rd</sup> Street (Racetrack Road and Village Blvd.) on the north and South Dixie Highway on the east. The parent tract also runs along the southern border of Parcel 2 and is wholly contiguous to it. The parent tract has land use of LAC per PCT 05-2 and Amendment PC 05-2 to the Broward County Land Use Plan and Text Plan approved by the Broward County Commission on June 28, 2005, and approved by the City of Pompano Beach on July 27, 2005, Ordinance 2005-72.

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

See Exhibit 5 - attached survey of Parcel #1 and attached plat showing area of Parcel #2. The correct full legal descriptions are attached to the two separate opinions of title in Exhibit 6.

- C. Map at a scale of 1"=300' clearly indicating the amendment' location, boundaries and proposed land uses.

See attached color map, because this area is so small, the scale 1" =300' would be clearly insufficient. Applicant attaches a map showing Parcel 1 and 2 in a more preferable scale of 1" = 60'. See Exhibit 3.

5. EXISTING AND PROPOSED USES

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

The land use for Parcels 1 and 2 are commercial and are proposed to be LAC (no additional residential density)

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

John Knox Village LAC

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

No

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

**Residential, commercial, recreation and open space (identical to parent tract LAC land use) see Exhibit 1**

- E. Proposed use of the amendment site including proposed square footage\* for each non-residential use and/or dwelling unit count. For RAC, LAC, TOV, TOD and MUR amendments, please provide each existing dwelling units for amendment area.

**LAC (commercial) – see 4A on page 2, for Parcels 1 and 2**

- 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.

**See Exhibit 1**

- 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.

**John Knox Village: John Knox Village Amended Plat CFN #110195554, Plat Book 179, page 186, recorded 8/05/2011; see Exhibits 1 and 2.**

6. ANALYSIS OF PUBLIC FACILITIES AND SERVICES

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

Please note: This application increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC.

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 property is not serviced by septic tanks.**

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.

Established levels of service in accordance with the City's Comprehensive Plan are as follows:

Pompano Beach: 15.71 million gallons per day in Design Capacity  
12.667 million gallons per day in 2008

Broward County: 84.00 million gallons per day in Design Capacity  
(North District) 72.50 million gallons per day in 2008

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.

This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0. There is no increase in intensity or density of uses in the LAC. There is no net new impact on sanitary sewer resulting from the proposed amendment.

Broward County's Comprehensive Plan lists generation rates for commercial uses at 0.10 gallons per day per square foot of floor space. Based on this generation rate, the amendment will result in an assumed reduction of 5,395 gallons per day of sanitary sewer demand.

#### Sanitary Sewer Demand – Commercial Land Use

Existing Assumed Demand: 168,192 sq. ft. x 0.10 gpd = 16,819 gpd  
Proposed Demand: 0 sq. ft. x 0.10 gpd = 0 gpd

Reduction in Demand = 16,819 gpd

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 design capacity of the Broward County North Regional Wastewater Treatment Plant is 84 million gallons per day (MGD). The City of Pompano Beach has a reserve capacity 15.71 MGD (average daily flow). The City projections indicate that by 2015 the average flow will be 14.23 MGD, which is below reserve capacity.

Source: Pompano Beach Comprehensive Plan

5. Correspondence from 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.

**Mario Aispuro, Land Development Project Coordinator  
Broward County Water and Wastewater Engineering Division  
2555 W. Copans Road  
Pompano Beach, FL 33069**

**B. Potable Water Analysis**

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

**The City's level-of-service for potable water is 191 or lower gallons per capita per day.**

**In 2010 the actual demand was 13.62 mgd with a capacity of 17.75 mgd. The projected demand for 2020 is 14.20 mgd with a capacity of 17.75 mgd or greater.**

**Source: SFWMD Lower East Coast Plan**

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 the expiration date of the SFWMD permit.

<b>Pompano Beach Water</b>	
<b>Lime Softening Plant</b>	<b>40.00 mgd in Design Capacity</b>
<b>Membrane Plant</b>	<b>10.00 mgd in Design Capacity</b>
<b>Total</b>	<b>50.00 mgd in Design Capacity 14.00 mgd in Current Demand</b>

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 Pompano Beach owns twenty-five (25) production wells that supply potable water. There are two wellfields serving this site. The eastern wellfield is located within the Pompano Beach Airpark and the western wellfield is located within the Palm Aire development. The City's water withdrawal is authorized by South Florida Water Management Consumptive**

Use Permit Number 06-00070W, which allows for an average daily allocation of 17.75 MGD, a maximum monthly allocation of 610 MGD.

4. 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.

This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact of potable water resulting from the proposed amendment.

Based on the most conservative demand estimate for potable water consumption related to commercial land uses (0.10 gallon per square foot per day), potable water demand for commercial use will decrease as follows:

**Potable Water Demand – Commercial Land Use**

Existing Assumed Demand: 168,192 sq. ft. x 0.10 gpd = 16,819 gpd

Proposed Demand: 0 sq. ft. x 0.10 gpd = 0 gpd

Reduction in demand = 16,819 gpd

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 wellfield and 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.

In 2010 the actual demand was 13.62 mgd with a capacity of 17.75 mgd. The projected demand for 2020 is 14.20 mgd with a capacity of 17.75 mgd or greater.

Per discussion with City staff, there are no capacity expansions planned in the City's Capital Improvements Program (CIP). No additional wellfields are planned at this time, although the City can construct up to eight additional wells in the Palm Aire Wellfield.

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.

John Sfiropoulos, P.E. Civil Engineer III  
City of Pompano Beach  
Engineering Division  
100 West Atlantic Blvd., Pompano Beach, FL 33064

C. Drainage Analysis

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

The adopted level of service standards in the City of Pompano Beach are as follows:

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

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

The amendment area is located in the South Florida Water Management District. Runoff will be stored on-site in an existing retention area (lakes), and overflow is discharged to Dixie Highway and SW 6th Street.

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

Accordingly, it is not possible to obtain a letter from the drainage district verifying the information contained herein.

D. Solid Waste Analysis

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

The City of Pompano Beach's adopted level-of-service standard are as follows:

<b>Land Use</b>	<b>Level of Service</b>
<b>Residential</b>	<b>8.9 lbs. per unit per day</b>
<b>Industrial/Commercial</b>	
<b>Factory/Warehouse</b>	<b>2 lbs per 100 sq.ft. per day</b>
<b>Office Building</b>	<b>1 lbs per 100 sq.ft. per day</b>
<b>Department Store</b>	<b>4 lbs per 100 sq.ft. per day</b>

Supermarket	9 lbs per 100 sq.ft. per day
Restaurant	2 lbs per meal per day
Drug store	5 lbs per 100 sq.ft. per day
<b>Institution</b>	
Grade School	10 lbs per room per day plus 1/4 lb. per student per day
Middle/High School	8 lbs per room per day plus 1/4 lb. per student per day
Hospital	8 lbs per bed per day
Nursing Home	3 lbs. per person per day

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 the landfill/plant capacity and planned landfill/plant capacity.

Waste Management, Inc., operates a Class 1 Sanitary Landfill, which is authorized to accept all household and commercial solid waste, excluding hazardous waste. The landfill covers 500 acres, of which 400 acres are used to bury solid waste. The sanitary landfill is located north of the City of Pompano Beach city limits.

Waste Management leases land to Broward County for the Waste to Energy Plant. The Waste to Energy Plant is one of two facilities, Broward County has constructed for the incineration of solid waste. The unburnable materials and the residue ash are place in the sanitary landfill.

Waste Management, Inc. is the City's contractor for the collection and disposal of all solid waste generated within the City of Pompano Beach.

Available Landfill/Plant Capacity:	660 tons per day
Current Landfill/Plant Demand:	290 tons per day
Committed Landfill/Plant Demand:	290 tons per day

Source: City of Pompano Beach Comprehensive Plan

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.

This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact to solid waste resulting from the proposed amendment.

Commercial demand based on increase of total square footage proposed is calculated below. This calculation assumes an average commercial waste

generation rate of 4.2 pounds per 100 square feet per day, detailed as follows:

#### Industrial and Commercial Solid Waste Generation Rates

<u>Use</u>	<u>Generation Rate</u>
Factory/Warehouse	2 pounds per 100 square feet per day
Office Building	1 pound per 100 square feet per day
Department Store	4 pounds per 100 square feet per day
Supermarket	9 pounds per 100 square feet per day
Drug Store	5 pounds per 100 square feet per day

Average Generation Rate 4.2 pounds

Based on this average:

#### Solid Waste Demand – Commercial Land Use

Existing Assumed

Demand: 168,192 sq ft x 4.2 lbs/100 sq ft/day = 7,064 lbs

Proposed Demand: 0 sq ft x 4.2 lbs/100 sq ft/day = 0 lbs

Reduction in demand = 7,064 pounds per day

This amendment will result in a net reduction in solid waste demand of 7,064 pounds per day.

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

**Kay Bernagazzi Hurley, Account Manager  
Waste Management  
3831 NW 21st Avenue, Pompano Beach, FL 33073**

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 City of Pompano Beach has an adopted level-of-service of two (2) acres per 1,000 population for mini-parks, neighborhood parks and small urban open spaces. The recreation and open space facilities provided within John Knox Village meet the definition for mini-parks, which are generally less than five (5) acres in size.

The Broward County Land Use Plan specifies that municipalities must meet the minimum requirements of three (3) acres of open space for every one thousand (1,000) residents in order to have their local land use plans recertified by Broward County. At buildout, John Knox Village is projected to have a population of 2,203.2 persons -- according to Broward County's standard of 1.8 persons per household -- generating a recreation need of 6.6 acres. However, item eight (8) in this application presents a realistic population projection of 1,347 persons at buildout, based on residency trends in the Village (1.10 persons per unit). This generates a recreation need of 4.0 acres.

A minimum of 4.28 acres of recreation and open space land use will be maintained as outlined in the original LAC application.

Broward County Local Activity Center land use regulations include a provision that open space requirements should be addressed within the proposed LAC. John Knox Village meets this criterion.

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.

Regional Parks	Quiet Water	431 acres
	Tradewinds	627 acres

John Knox Village currently provides at least 4.28 acres of recreation and open space uses on-site, which includes a resident workshop, an auditorium, rose garden, orchid house, considerable green space in the vicinity of the on-site lakes, a pool area, shuffleboard courts, a putting green, and an extensive pedestrian walkway system. This calculation is conservative, and does not include the considerable green spaces around existing residential units within the Village, and does not quantify the pedestrian walkway system.

Based on the population of the Village (less than 1,000 residents), City and County level-of-service requirements are currently exceeded by 2.28 acres and 1.28 acres, respectively. John Knox Village intends to continue addressing recreation needs on-site.

3. Identify the net impact on demand for park acreage resulting from this amendment.

This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact on recreation and open space resulting from the proposed amendment.

In compliance with Broward County Local Activity Center (LAC) requirements, no net loss of open space will occur as a result of this amendment.

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.

No projected parks needs are identified in the adopted Comprehensive Plan specifically addressing John Knox Village. Based on the projected population in the Comprehensive Plan, the following needs are identified citywide:

- **Neighborhood Parks:** Projected need to purchase 19.8 acres by 2005;
- **Community Parks:** No additional community parkland needed through 2005;
- **Urban Parks:** No additional urban parkland needed through 2005;
- **Regional Parks:** Regional parks are addressed by Broward County. Three (3) regional parks are located within one-half (1/2) hour of driving distance for Pompano Beach residents.

John Knox Village LAC currently meets City and County requirements for recreation and open space uses on-site.

#### 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.

Roadways adjacent to and serving the amendment site are:

- **SW 6th Street**, a two-lane private road within the boundaries of John Knox Village. SW 6th Street is indicated as a local roadway in the City's Transportation Element;
- **John Knox Boulevard (S.W. 3rd Street)** is designated as an urban collector roadway, and is a four-lane divided roadway extending from Powerline Road to Cypress Road; and
- **Dixie Highway**, a six-lane divided roadway designated as an urban minor arterial. Dixie Highway is designated in the County's Trafficways Plan.

John Knox Village is located within a Transportation Concurrency Exception Area (TCEA). Proposed improvements within the TCEA are exempt from

transportation concurrency requirements provided that Transit Impact Fees are paid to Broward County at time of Plat approval.

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

**The Transportation Element of the City's Comprehensive Plan does not include a projected level-of-service for the affected roadways, due to their exemption status associated with the TCEA. This information is located in Table T-11 in the Transportation Element of the Comprehensive Plan.**

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 and p.m. peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the amendment site and provide a distribution of the additional traffic on the impacted roadway network for the short (5 year) and long range planning horizons.

**This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact in traffic resulting from the proposed amendment.**

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

**No traffic studies are provided. There is no impact with the proposed amendment. There is no increase in intensity or density associated with this amendment.**

#### G. Mass Transit Analysis

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

**John Knox Village provides private mass transit services to residents of the Village through a fleet of 74 automobiles, busses, and extended golf carts. Residents are encouraged to use these services for transit within the Village as well as for trips related to doctor's appointments, shopping, and religious services outside the Village. This service substantially decreases the number of trips generated by John Knox Village and supports an integrated multi-modal transportation system.**

Broward County Mass Transit bus stops are located on John Knox Boulevard (SW 3rd Street) along the northern boundary of the amendment site and on S. Dixie Highway along the eastern boundary of the John Knox Village. Route 50 operates on 30-minute intervals on weekdays and 40-minute intervals on weekends, while Route 60 operates on 20-minute weekday intervals, 30-minute intervals on Saturday, and 45-minute intervals on Sunday. A letter from Broward County Mass Transit is located in Exhibit 12, and verifies service to the site. An aerial of the site depicting transit stop locations is also included in this exhibit.

The amendment site is also serviced by the City of Pompano Beach's Community Bus Service "Blue Route", which generally operates on 45-minute intervals on weekdays. A time schedule and route map for the "Blue Route" is located in Exhibit 12.

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

This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact in mass transit resulting from the proposed amendment.

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.

Since there is no net new impact for mass transit, no correspondence was obtained.

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

The proposed amendment creates no additional impacts on mass transit; nor does the amendment further the support for mass transit. As part of the Platting exercise for John Knox Village, three bus landing pads are in the process of being constructed along Dixie Highway. One of the bus landing pads is included in the amendment area.

H. Provision of Open Space

As applicable, describe how the local government and/or applicant are addressing Broward County Land Use Plan Objective 5.04.00 and Policies 5.04.01, 5.04.02, 5.04.03 and 5.04.04 (a. through e.).

This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new

impact on recreation and open space resulting from the proposed amendment.

In compliance with Broward County Local Activity Center (LAC) requirements, no net loss of open space will occur as a result of this amendment.

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.

**Review of the Pompano Beach Comprehensive Plan Maps reveals no historic sites or districts on the National Register or locally designated historical site.**

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

**Review of Review of the Pompano Beach Comprehensive Plan Maps reveals no archeological sites in the amendment area.**

C. Wetlands.

**Review of the Pompano Beach Comprehensive Plan Maps identifies no wetlands in the amendment area.**

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

**Review of the Pompano Beach Comprehensive Plan Maps reveal no Local Areas of Particular Concern in the amendment area.**

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

**Review of the Pompano Beach Comprehensive Plan Maps shows that the area is not included in the priority planning area map for sea level rise.**

F. "Endangered" or "threatened species" or "species of special concern" or "commercially exploited" as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the

Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

**No Endangered or threatened species or species of special concern or commercially exploited have been identified in the amendment area. Additional inspections will occur prior to any development.**

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

**No plants listed in the Regulated Plant Index have been identified in the amendment area.**

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

**Review of the Pompano Beach Comprehensive Plan Maps reveals that the lands are not in a wellfield protection zone (1).**

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.

**Review of the Pompano Beach Comprehensive Plan Maps identifies nearly level, poorly or moderately drained soils which are typical for the surrounding area.**

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.

**The amendment area does not front the ocean. There is no beach access points associated with the lands in this amendment.**

8. AFFORDABLE HOUSING

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

**This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact to affordable housing resulting from the proposed amendment.**

9. LAND USE COMPATIBILITY

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

**This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new impact adjacent land uses resulting from the proposed amendment.**

10. HURRICANE EVACUATION ANALYSIS

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

**The amendment area is not located in a hurricane evacuation zone.**

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 amendment area is not located in a Community Redevelopment Area or subject to Community Block Grants.**

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.

**John Knox Village is entirely located within the municipal boundaries of the City of Pompano Beach, and is a self-contained retirement community. No impacts to adjacent governments are anticipated as a result of this amendment.**

13. **CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES OF THE BROWARD COUNTY LAND USE PLAN**

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

**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.01.10**

**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.**

**POLICY 1.03.02**

**Residential densities in the Medium High and High ranges should be located with adequate access to major and minor arterials, expressways and mass transit routes.**

**POLICY 5.04.02**

**Residential and non-residential areas, including downtown areas, should be encouraged to provide open space and other passive recreation areas.**

**OBJECTIVE 8.01.00**

**COORDINATE FUTURE LAND USES WITH AVAILABILITY OF REGIONAL AND COMMUNITY FACILITIES AND SERVICES**

**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 its environmental resources.**

**OBJECTIVE 8.03.00**

**EFFICIENT USE OF URBAN SERVICES**

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.

**GOAL 10.00.00**

**PROMOTE THE EFFICIENT USE OF PUBLIC FACILITIES AND SERVICES THROUGH PLANNED COMMUNITIES WITH MIXED LAND USES.**

**OBJECTIVE 10.01.00**

**INNOVATIVE LAND DEVELOPMENT TECHNIQUES AND REGULATIONS**

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.

**POLICY 10.01.01**

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

**OBJECTIVE 10.03.00**

**LOCAL ACTIVITY CENTER**

Encourage compact development reflecting characteristics which includes a mixture of community-serving uses such as commercial, office, employment, civic and institutional, recreation and open space and residential, characterized by an efficient infrastructure, close-knit neighborhoods and sense of community, preservation of natural systems, promotion of pedestrian circulation and convenient access to mass transit facilities through the establishment of a Local Activity Center land use category within the Broward County Land Use Plan.

**POLICY 10.03.01**

A municipality may propose a specific land area for designation as a Local Activity Center within the Broward County Land Use Plan, consistent with the criteria contained within the Local Activity Center

Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan.

**POLICY 10.03.02**

The municipality shall include within their land use element policies that ensure the proposed Local Activity Center will support the location of uses in a manner oriented around the five-minute (i.e. quarter-mile) walk. Multiple nodes of activity oriented around the five-minute (i.e. quarter-mile) walk may be included within one Local Activity Center. The municipality shall include

within their land use element policies that ensure that the proposed Local Activity Center will support the location of uses and internal circulation such that pedestrian mobility is a priority. All land uses in a Local Activity Center shall be directly accessed via pedestrian ways, and accessible to existing or future alternate public transportation modes, including bicycle and transit.

**POLICY 10.03.03**

Park land and/or open space that is accessible to the public must be included as a functional component within a proposed Local Activity Center.

**POLICY 10.03.04**

Housing opportunities must be included as a functional component within a proposed Local Activity Center.

**POLICY 10.03.06**

Local governments shall include within their local land use element policies that promote the rehabilitation and use of historic buildings within a proposed Local Activity Center.

**POLICY 10.03.07**

Local land use elements shall require design guidelines that incorporate pedestrian and bicycle paths and greenways to accomplish fully-connected routes to all destinations within the Local Activity Center. The paths should be spatially defined by buildings, trees and lighting, and should incorporate designs which discourage high speed traffic.

**POLICY 10.03.08**

To reduce reliance on automobile travel, local governments shall ensure convenient access to mass transit or multi-modal facilities within a proposed Local Activity Center.

**POLICY 10.03.09**

Local governments shall include within their local land use element policies that encourage internal transit systems to serve the residents and employees within the proposed Local Activity Center (e.g. trolley, community transit services). Transit shelters should be incorporated in the local design guidelines to provide safe and comfortable service and to encourage transit usage.

**POLICY 10.03.10**

The development of key intersections or major transit stops to create nodes of development should be promoted within a proposed Local Activity Center.

**Goal 01.00.0**

The attainment of a living environment which provides the maximum physical, economic and social well-being for the City and its residents

through the thoughtful and planned use and control of the natural and man-made environments that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions.

**Objective New Land Use Regulations 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.

**Objective Local Activity Center 01.15.00**

**Local Activity Center:** Encourage compact development reflecting characteristics which include a mixture of community serving uses such as commercial, office, employment, civic and institutional, recreation and open space and residential, characterized by an efficient infrastructure, close – knit neighborhood and sense of community, preservation of natural systems, promotion of pedestrian circulation and convenient access to mass transit facilities through the establishment of a Local Activity Center land use category.

**Policies**

**01.15.01** Local Activity Centers will support the location of uses in a manner oriented around the five-minute (i.e. quarter mile) walk. Multiple nodes of activity oriented five-minute (i.e. quarter mile) walk may be included within the one Local Activity Center.

**01.15.02**

Local Activity Centers will support the location of uses and internal circulation such that pedestrian mobility is a priority. All land uses in a Local Activity Center shall be directly accessed via pedestrian ways, and accessible to existing or future alternate public transportation modes, including bicycle and transit.

**01.15.03**

Park Land and/or open space that is accessible to the public must be included as a functional component within a Local Activity Center.

**01.15.04**

Housing opportunities must be included as a functional component with a Local Activity Center.

**01.15.06**

Promote the rehabilitation and use of historic buildings within a Local Activity Center.

**01.15.07**

The City shall adopt design guidelines that incorporate pedestrian and bicycle paths and greenways to accomplish fully connected routes to all destinations within the Local Activity Center. The paths should be spatially defined by buildings, trees and lighting, and should incorporate designs which discourage high-speed traffic.

**01.15.08**

The City ensures convenient access to mass transit or multi-modal facilities within a Local Activity Center.

**01.15.09**

The City's community shuttle shall serve the residents and employees within the Local Activity Center.

**01.15.10**

The City shall adopt local design guidelines that require mass transit shelters. Local Activity Center to provide safe and comfortable service and to encourage mass transit usage.

**01.15.11**

The City shall promote development of key intersections or major transit stops to create nodes of development should be promoted with a Local Activity Center.

**01.15.12**

The City shall review existing zoning and land development regulations and adopt changes necessary to implement the Local Activity Center land use designation.

**01.16.01**

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

14. POPULATION PROJECTIONS

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

This amendment only increases the land size of the already approved Local Activity Center (LAC) from 68.5 acres to 70.0 acres (gross). There is no increase in intensity or density of uses in the LAC. There is no net new population increase resulting from the proposed amendment.

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

**Not Applicable.**

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.

**Not Applicable.**

15. ADDITIONAL SUPPORT DOCUMENTS

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

**No additional documentation is being proposed at this time.**

B. Any proposed voluntary mitigation or draft agreements.

**There are no additional proposed voluntary mitigation or draft agreements associated with this amendment.**

16. 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 public education facilities serving the area in which the amendment is located are:**

- Cypress Elementary
- Pompano Beach Middle
- Blanche Ely High

**John Knox Village has a minimum residency age requirement of 62. As such, John Knox Village generates no students, and public education facilities are not impacted by this amendment.**

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

**Not applicable.** This land use plan amendment will not impact school enrollment; therefore, no design capacity considerations for public elementary and secondary education facilities serving the area are relevant to this application.

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

**Not Applicable.**

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.

**Not Applicable.**

5. Identify other public elementary and secondary school sites or alternatives (such as site improvements, nominal fee lease options, shared use of public space for school purposes etc.), not identified in Item #4 above, to serve the area in which the amendment is located.

**Not Applicable.**

17. PLAN AMENDMENT COPIES

A. 1 hard copy and 11 digital copies, as required by DEO, of the corresponding local land use plan amendment application, if transmitting concurrent to DEO, including transmittal letter from municipality to DEO. For small scale land use plan amendments, 1 hard copy and 5 digital copies must be submitted.

**This information will be provided as requested.**

## TABLE OF CONTENTS

### LIST OF EXHIBITS TO THE JOHN KNOX VILLAGE SMALL LAND USE AMENDMENT APPLICATION (MAP AND TEXT)

1. Parent tract Land Use Amendment to LAC-PCT 05-2 and Amendment PC-05-2 Broward County Land Use Plan and Text Plan approved by Broward County Commission on June 28, 2005 and approved by City of Pompano Beach Commission on July 27, 2005 – Ordinance 2005-72
2. Plat of parent tract of John Knox Village recorded in Plat Book 179, page 186 of the Public Records of Broward County, Florida, August 2, 2011 at 9:43 AM
3. Sketch of two parcels, numbered and colored, scale 1" = 60'
4. Copy of deed for acquisition of Parcels 1 and 2
5. Surveys of Parcels 1 and 2
6. Opinion of Title
7. Public School Impact Application
8. Broward County Transportation Department letter of February 24, 2014
9. Waste Management of Florida letter of February 24, 2014, w/email from Territory Manager
10. Broward County Water and Wastewater Engineering Division letter of February 17, 2014
11. City of Pompano Beach Engineering Division letter of March 7, 2014
12. For clarity, a proposed Text Amendment is provided

# Exhibit 1

Broward County approvals  
and  
City of Pompano Beach approvals



1           WHEREAS, the Board of County Commissioners after due consideration of all  
2 matters hereby finds that the following amendment to the 1989 Broward County  
3 Comprehensive Plan is consistent with the State Plan, Regional Plan and the Broward  
4 County Comprehensive Plan; complies with the requirements of the Local Government  
5 Comprehensive Planning and Land Development Regulation Act; and is in the best  
6 interests of the health, safety and welfare of the residents of Broward County; and

7           WHEREAS, the proposed amendment constitutes an amendment as part of  
8 Broward County's permitted first annual amendments to the Plan for 2005;

9           NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
10 COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

11           Section 1.   The 1989 Broward County Land Use Plan is hereby amended by  
12 Amendment PC 05-2, which is an amendment to the 1989 Broward County Land Use  
13 Plan Map located in the City of Pompano Beach, as set forth in Exhibit A, attached  
14 hereto and incorporated herein.

15           Section 2.   SEVERABILITY.

16           If any section, sentence, clause or phrase of this Ordinance is held to be invalid  
17 or unconstitutional by any court of competent jurisdiction, then said holding shall in no  
18 way affect the validity of the remaining portions of this ordinance.

19           Section 3.   EFFECTIVE DATE.

20           1.       The effective date of the plan amendment set forth in this ordinance shall  
21 be:

22           (a)       The date a final order is issued by the Department of Community Affairs  
23 finding the amendment to be in compliance in accordance with Section 163.3184.

24

1 (b) The date a final order is issued by the Administration Commission finding  
2 the amendment to be in compliance in accordance with Section 163.3184. The  
3 Department's notice of intent to find a plan amendment in compliance shall be deemed  
4 to be a final order if no timely petition is filed challenging the amendment.

5 2. This Ordinance shall become effective as provided by law.

6 ENACTED June 28, 2005

7 FILED WITH THE DEPARTMENT OF STATE July 7, 2005

8 EFFECTIVE July 7, 2005

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

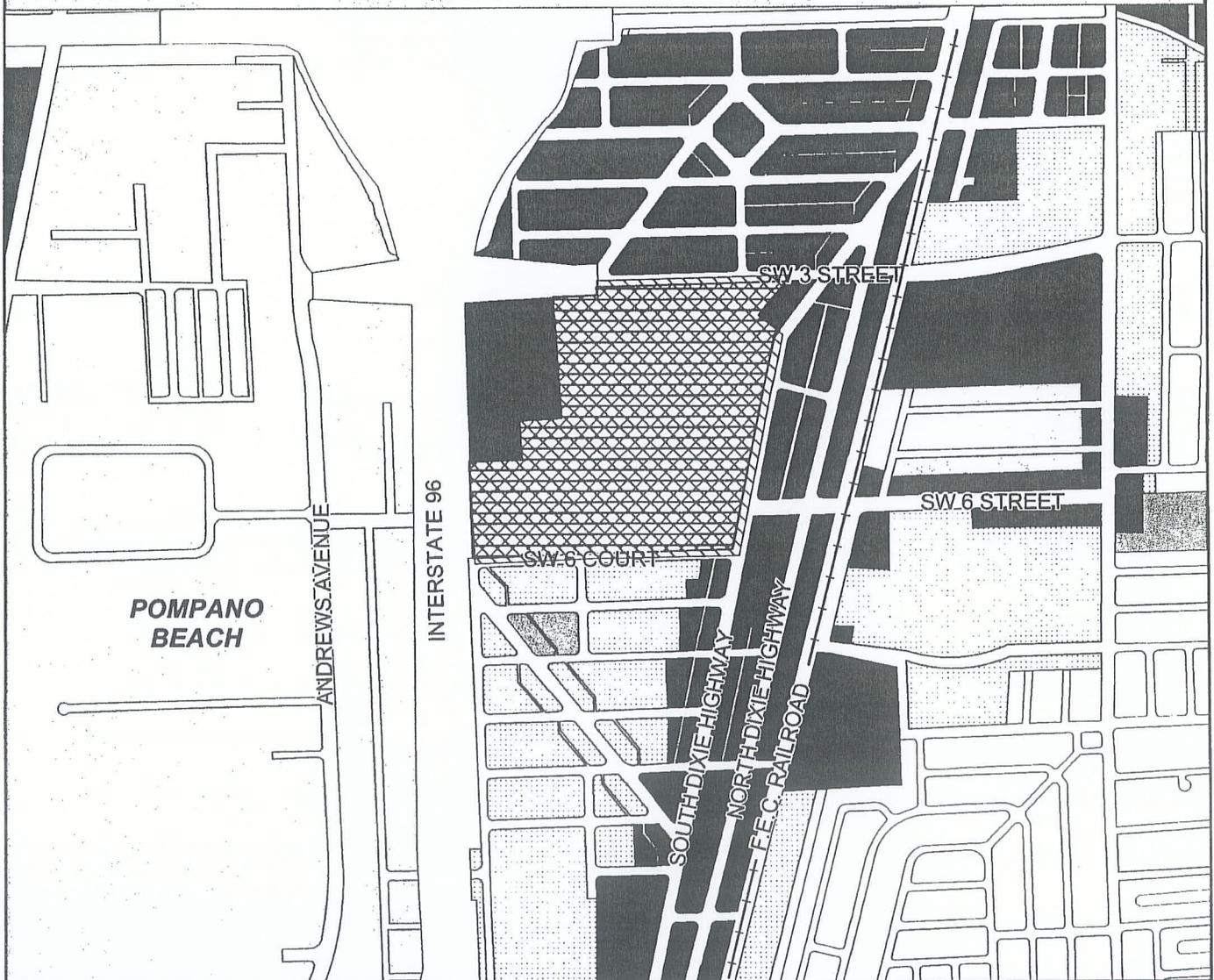
SLC/lt  
5/24/05  
#05-401.02  
g:\div2\slc\slc04\comp\pc05-2ord.doc

**EXHIBIT A**  
**BROWARD COUNTY LAND USE PLAN**  
**FUTURE LAND USE DESIGNATIONS**  
 Amendment PC 05-2

**Current Land Use:** 45.2 ACRES MEDIUM-HIGH (25) RESIDENTIAL,  
 13.0 ACRES COMMERCIAL, 10.3 ACRES MEDIUM (16) RESIDENTIAL

**Proposed Land Use:** LOCAL ACTIVITY CENTER

**Acreage:** Approximately 68.5 acres



Low (5) Residential	Industrial	Local Activity Center	Water
Medium (16) Residential	Commercial	Recreation & Open Space	Site
Medium-High (25) Residential	Community Facilities	Transportation	

Feet

**BROWARD COUNTY LAND USE PLAN  
PROPOSED AMENDMENT PC 05-2**

**INTRODUCTORY INFORMATION**

- I. Municipality: Pompano Beach
- II. County Commission District: District 4
- III. Site Characteristics
- A. Size: Approximately 68.5 acres
- B. Location: In Section 2, Township 49, Range 42; generally located south of Southwest 3 Street, west of South Dixie Highway, east of Interstate 95 and north of Southwest 6 Court.
- C. Existing Use: Retirement Community
- IV. Broward County Land Use Plan (BCLUP) Designations
- A. Current Designations: Approximately:  
45.2 acres Medium-High (25) Residential  
13.0 acres Commercial  
10.3 acres Medium (16) Residential
- B. Proposed Designation: Local Activity Center:  
Residential: maximum 1,224 dwelling units consisting of:  
674 high rise units  
247 assisted dwelling unit equivalents  
216 villas  
87 garden apartments  
Commercial: maximum 70,000 square feet  
Recreation and Open Space: 4.28 acres
- C. Net Effect: Reduction of 60,000 square feet of commercial  
Reduction of 70 dwelling units  
Addition of 4.28 acres of recreation and open space

PROPOSED AMENDMENT PC 05-2

INTRODUCTORY INFORMATION (continued)

V. Applicant/Petitioner

A. Applicant: John Knox Village of Florida, Inc.

B. Agent: Keith & Associates

C. Property Owner: John Knox Village of Florida, Inc.

VI. Recommendation of  
Local Governing Body:

The City of Pompano Beach recommends approval. The City is anticipating the adoption of the corresponding local amendment in July of 2005.



1 recommendations and comments of the Department of Community Affairs were  
2 considered; and

3 WHEREAS, the Board of County Commissioners after due consideration of all  
4 matters hereby finds that the following amendment to the 1989 Broward County  
5 Comprehensive Plan is consistent with the State Plan, Regional Plan and the Broward  
6 County Comprehensive Plan; complies with the requirements of the Local Government  
7 Comprehensive Planning and Land Development Regulation Act; and is in the best  
8 interests of the health, safety and welfare of the residents of Broward County; and

9 WHEREAS, the proposed amendment constitutes an amendment as part of  
10 Broward County's permitted first annual amendments to the Plan for 2005;

11 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
12 COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

13 Section 1. The 1989 Broward County Land Use Plan is hereby amended by  
14 Amendment PCT 05-2, which is an amendment to the 1989 Broward County Land Use  
15 Plan addressing the Pompano Beach John Knox Village Local Activity Center (LAC)  
16 Text Amendment, as set forth in Exhibit A, attached hereto and incorporated herein.

17 Section 2. SEVERABILITY.

18 If any section, sentence, clause or phrase of this Ordinance is held to be invalid  
19 or unconstitutional by any court of competent jurisdiction, then said holding shall in no  
20 way affect the validity of the remaining portions of this ordinance.

21 Section 3. EFFECTIVE DATE.

22 1. The effective date of the plan amendment set forth in this ordinance shall  
23 be:

24

1 (a) The date a final order is issued by the Department of Community Affairs  
2 finding the amendment to be in compliance in accordance with Section 163.3184.

3 (b) The date a final order is issued by the Administration Commission finding  
4 the amendment to be in compliance in accordance with Section 163.3184. The  
5 Department's notice of intent to find a plan amendment in compliance shall be deemed  
6 to be a final order if no timely petition is filed challenging the amendment.

7 2. This Ordinance shall become effective as provided by law.

8 ENACTED June 28, 2005

9 FILED WITH THE DEPARTMENT OF STATE July 7, 2005

10 EFFECTIVE July 7, 2005

11

12

13

14

15

16

17

18

19

20

21

22

23 SLC/lt  
5/17/05  
#05-401.11  
24 g:\div2\slc\slc05\comp\pct05-2ord.doc

## EXHIBIT A

### BROWARD COUNTY LAND USE PLAN TEXT AMENDMENT PCT 05-2

#### BROWARD COUNTY LAND USE PLAN

The following areas have been designated Local Activity Centers within the Broward County Land Use Plan:

Pompano Beach Local Activity Center – John Knox Village

Acreage: Approximately 68.5 acres

General Location: Generally located south of Southwest 3 Street, west of South Dixie Highway, east of Interstate 95 and north of Southwest 6 Court.

Density and Intensity of Land Uses:

<u>Residential</u>	<u>1,224 dwelling units*</u>
<u>Commercial</u>	<u>70,000 square feet</u>
<u>Recreation and Open Space</u>	<u>4.28 acres (minimum)</u>

\*Consisting of: 674 high rise units, 247 assisted dwelling unit equivalents, 216 villas and 87 garden apartments

**NOTE:** Underlined words are proposed additions.

CITY OF POMPANO BEACH  
Broward County, Florida

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH RELATING TO LAND USE PLANNING; PROVIDING FOR AN AMENDMENT OF THE ADOPTED CITY OF POMPANO BEACH COMPREHENSIVE PLAN - FUTURE LAND USE ELEMENT BY INCORPORATING THE JOHN KNOX VILLAGE LOCAL ACTIVITY CENTER (LAC) LAND USE PLAN AMENDMENT; REQUESTING THAT THE BROWARD COUNTY PLANNING COUNCIL RECERTIFY THE CITY OF POMPANO BEACH LAND USE PLAN INCLUDING THE AMENDMENT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning and Land Development Regulation Act of 1985 provides that each unit of Local Government shall prepare, adopt and implement a Comprehensive Plan including a Future Land Use Plan Element; and

WHEREAS, pursuant to Law, the Comprehensive Plan - Future Land Use Element was first adopted on the 20th day of June, 1989, through City Ordinance No. 89-73; and

WHEREAS, the City has adopted by Ordinance 97-63 certain amendments to the Comprehensive Plan based upon an Evaluation and Appraisal Report prepared in accordance with Chapter 163 of the Florida Statutes and Rule 9J-5, Florida Administrative Code; and

WHEREAS, pursuant to Law, the Comprehensive Plan - Future Land Use Element may be updated and recertified periodically whenever appropriate but no less than in five (5) year intervals; and

WHEREAS, a proposed revision to the Comprehensive Plan -Future Land Use Element has been prepared, which consists of a change to the Land Use Plan Map designation on 64.42 +/- acre parcel generally bounded by SW 3<sup>rd</sup> Street on the north, S. Dixie Highway on the east, SW 6<sup>th</sup> Court on the south and I-95 on the west from Commercial, from Residential, Medium density (10-16 dwelling units per acre) and from Residential, Medium-High density (16-25 dwelling units per acre) to Local Activity Center having a development capacity of 1,224 dwelling units, 70,000 square feet of commercial use and 4.28 acres of Recreation and Open Space, legally described in Exhibit A; and the following description of said change to Section 3: Zoning as to Permitted Uses and Densities, subsection 3.02 (M)( 9) to read as follows:

Pompano Beach Local Activity Center- John Knox Village

Acreage: approximately 68.5 gross acres, or 64.42 net acres

General Location: Generally located south of SW 3<sup>rd</sup> Street, west of South Dixie Highway, east of I-95 and north of SW 6<sup>th</sup> Court

Density and Intensity of Land Uses:	Residential	1,224 dwelling units*
	Commercial	70,000 square feet
	Recreation and Open Space	4.28 acres

\*Consisting of 674 high rise units, 247 assisted dwelling unit equivalents, 216 villas and 87 garden apartments.

WHEREAS, pursuant to Law, the Planning and Zoning Board/Local Planning Agency held a duly noticed public hearing on the proposed revision on June 27, 2004,

and subsequently recommended that the proposed revision not be approved to the City Commission; and

WHEREAS, pursuant to Section 163.3184 F.S., the City Commission held a duly noticed public hearing on the proposed revision on July 13, 2004; and

WHEREAS, at the public hearing of July 13, 2004, the City Commission authorized the transmittal of this amendment to the State of Florida Department of Community Affairs, South Florida Regional Planning Council, Florida Department of Transportation District IV Office, South Florida Water Management District and State Department of Environmental Protection, pursuant to Section 163.3184 Florida Statute; and

WHEREAS, in accordance with Florida Statutes, Section 163.3184, advertisements in accordance with said statute have been published in a newspaper of general paid circulation in the City of Pompano Beach and of general interest and readership in the community, notifying the public of two public hearings on this proposed Ordinance; and

WHEREAS, two public hearings have been held pursuant to said published hearings and all persons so desiring had the opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1:** That the City of Pompano Beach Land Use Plan Map together with the document entitled "City of Pompano Beach Comprehensive Plan - Future Land Use Element", which were both adopted June 10, 1989, and incorporated by reference herein are hereby amended by the City Commission of the City of Pompano Beach, Florida to

incorporate a change in the land use of a 64.42 +/- acre parcel generally bounded by SW 3<sup>rd</sup> Street on the north, S. Dixie Highway on the east, SW 6<sup>th</sup> Court on the south and I-95 on the west from Commercial, from Residential, Medium density (10-16 dwelling units per acre) and from Residential, Medium-High density (16-25 dwelling units per acre) to Local Activity Center having a development capacity of 1,224 dwelling unit, 70,000 square feet of commercial use and 4.28 acres of Recreation and Open Space, legally described in Exhibit A and the following description of said change to Section 3: Zoning as to Permitted Uses and Densities, subsection 3.02, subsection M, subsection 9 to read as follows:

Pompano Beach Local Activity Center- John Knox Village

Acreage: approximately 68.5 gross acres, or 64.42 net acres

General Location: Generally located south of SW 3<sup>rd</sup> Street, west of South Dixie Highway, east of I-95 and north of SW 6<sup>th</sup> Court

Density and Intensity

of Land Uses:	Residential	1,224 dwelling units*
	Commercial	70,000 square feet
	Recreation and Open Space	4.28 acres

\*Consisting of 674 high rise units, 247 assisted dwelling unit equivalents, 216 villas and 87 garden apartments.

The Amendment shall consist of a revised Land Use Plan Map and a document entitled "Amendments to the City of Pompano Beach Comprehensive Plan Statistical Abstract Appendix A".

**SECTION 2:** If any section or provision of this Ordinance shall be held invalid, such holding shall not affect or indicate any other section or provision which may be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 3: The Planning Director is hereby authorized to submit a request to recertify the City of Pompano Beach Land Use Plan including the Cypress Plaza LUPA to the Broward County Planning Council.

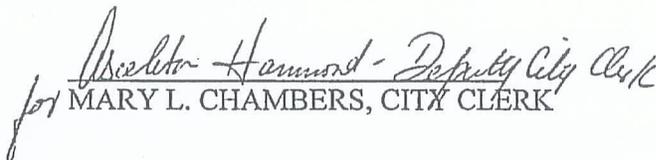
SECTION 4: The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which Ordinance shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

PASSED FIRST READING this 12 day of July, 2005

PASSED SECOND READING this 26 day of July, 2005.

  
JOHN C. RAYSON, MAYOR

ATTEST:

  
for MARY L. CHAMBERS, CITY CLERK

## Exhibit A

### PARCEL I

All of Parcel "A", JOHN KNOX VILLAGE, according to the plat thereof as recorded in Plat Book 168, Page 32, of the public records of Broward County, Florida,  
AND A portion of Government Lots 6, 7 and a portion of the South one-half (S1/2) of Section 2, Township 49 South, Range 42 East, Broward County, Florida,  
AND A portion of Airport Road, (S.W. 6th Street) (60.00 feet right-of-way),  
ALL more fully described as follows:

BEGINNING(1) at the Southwest (SW) corner of said Government Lot 6; thence North 02°09'48" West, on the West line of Government Lot 6, being the East right-of-way line of Interstate 95, a distance of 389.87 feet; thence North 88°32'02" East, a distance of 181.76 feet; thence North 01°11'25" West, on a line 1537.60 feet West of, as measured at right angles, and parallel with the East line of the West one-half (W1/2), of the Southwest one-quarter (SW1/4) of said Government Lot 7, a distance of 369.90 feet, to a point on the North line of the South one-half (S1/2) of said Government Lot 6; thence; North 88°32'02" East, on said North line, a distance of 526.90 feet; thence North 01°25'42" West, a distance of 266.77 feet; thence North 88°32'02" East, on the North line of the South 4 Acres of the North one-half (N1/2) of said Government Lot 6, a distance of 653.14 feet; thence North 01°25'42" West, on a line 15.00 feet West of and parallel with the East line of said Government Lot 6, a distance of 11.15' feet; thence North 88°37'14" East, on a line 100.00 South of and parallel with the North line of the South one-half (1/2) of the North one-half (N1/2) of said Government Lot 7, a distance of 630.60 feet, to a point on the Westerly right-of-way line of Old Dixie Highway (80.00 feet of right-of-way); thence South 11°27'45" West, on said Westerly right-of-way line, a distance of 1059.85 feet, to a point on the South line of Government Lot 7; thence North 88°24'46" East, on said South line, a distance of 0.51 feet; thence South 11°24'02" West, on said Westerly right-of-way line, a distance of 276.06 feet; thence South 88°24'46" West, on a line 269.00 feet South of, as measured at right angles, and parallel with the South lines of said Government Lots 6 & 7 and also on the South line of said Parcel "A", a distance of 1688.17 feet to the Southwest corner of said Parcel "A"; thence North 02°09'48" West, on the West line of said Parcel "A", and on the Southerly extension of the West line of said Government Lot 6, being the East right-of-way line of Interstate 95, a distance of 269.01 feet, to the POINT OF BEGINNING.

Said lands situate, lying, and being, in the City of Pompano Beach, Broward County, Florida.

### TOGETHER WITH:

#### Parcel II

All of Parcel "A", JOHN KNOX VILLAGE FIRST ADDITION, according to the plat thereof as recorded in Plat Book 170, Pages 186 and 187 of the public records of Broward County, Florida.

Said land situate, lying and being in the City of Pompano Beach, Broward County, Florida.

### TOGETHER WITH:

#### Parcel III

The North one-half (N1/2) of Government Lot 6, Section 2, Township 49 South, Range 42 East;  
LESS the North 50 feet thereof;

LESS the West 500 feet thereof;  
LESS the East 668.14 feet thereof and  
LESS that portion of the following described property, which lies within the above described and was taken for road right-of-way by Final Judgment recorded in Official Records Book 6277, Page 856, of the public records of Broward County, Florida, and being more particularly described as follows:

A Portion of land in the North One-half of Government Lot 6, Section 2, Township 49 South, Range 42 East, being more particularly described as follows:

Commence at the West boundary line of said Government Lot 6 at a point 50 feet Southerly from the Northwest corner thereof; thence North  $88^{\circ}41'20''$  East, 500.05 feet; thence North  $02^{\circ}09'48''$  West 50 feet to the Point Of Beginning (2); thence North  $88^{\circ}41'20''$  East 442.25 feet; thence South  $01^{\circ}18'40''$  East 80 feet; thence South  $51^{\circ}06'05''$  West, 147.55 feet; thence South  $88^{\circ}41'20''$  West 322.88 feet; thence North  $02^{\circ}09'48''$  West, 170.12 feet to the Point Of Beginning(2), LESS the North 50 feet thereof.

ALL LANDS SITUATE LYING AND BEING IN POMPANO BEACH, FLORIDA AND CONTAINING 2,806,291 SQUARE FEET OF 64.4236 ACRES MORE OR LESS.

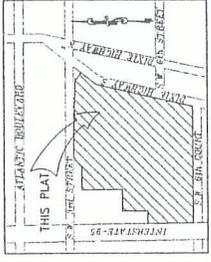
# Exhibit 2

Plat of parent tract of  
John Knox Village



# JOHN KNOX VILLAGE AMENDED

A REPLAT OF PARCEL "A", JOHN KNOX VILLAGE FIRST ADDITION (P.B. 170, PG. 187, B.C.R.), TOGETHER WITH A PORTION OF PARCEL A, JOHN KNOX VILLAGE (P.B. 168, PG. 32, B.C.R.), TOGETHER WITH A PORTION OF SECTION 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST GOVERNMENT LOTS 6 & 7, TOGETHER WITH A PORTION OF BROWARD COUNTY, FLORIDA



**DEDICATION:**  
STATE OF FLORIDA } ss KNOW ALL MEN BY THESE PRESENTS THAT JOHN KNOX VILLAGE OF FLORIDA, INC., A FLORIDA CORPORATION, HAS HEREBY DEDICATED TO THE PUBLIC THE FOLLOWING UTILITY EASEMENTS AS SHOWN HEREON HEREBY DEDICATED TO THE PUBLIC FOR THE FOLLOWING PURPOSES: TO BE USED FOR THE INSTALLATION AND MAINTENANCE OF TELEPHONE LINES FOR LIMITATIONS ON THE USE OF THIS EASEMENT BY CABLE PARCEL "D" & PARCEL "E" AS SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC FOR ROAD-PURPOSES.  
IN WITNESS WHEREOF, WE HERETO SET OUR HANDS AND AFFIX OUR CORPORATE SEAL THIS 22<sup>ND</sup> DAY OF FEBRUARY, 2011.  
WITNESSES: *[Signature]* MICHAEL VANDER MEULEN, PRESIDENT  
PRINT NAME: MICHAEL VANDER MEULEN  
BY: *[Signature]* ROBERT P. SCHMANN, PRESIDENT  
PRINT NAME: ROBERT P. SCHMANN

**MORTGAGE CONSENT:**  
STATE OF FLORIDA } ss THE UNDERSIGNED HEREBY CERTIFIES THAT PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED HEREON AND AGREES THAT THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN HEREON.  
IN WITNESS WHEREOF, WE HERETO SET OUR HANDS AND AFFIX OUR CORPORATE SEAL THIS 22<sup>ND</sup> DAY OF FEBRUARY, 2011.  
WITNESSES: *[Signature]* MICHAEL VANDER MEULEN, PRESIDENT  
PRINT NAME: MICHAEL VANDER MEULEN  
BY: *[Signature]* MICHAEL VANDER MEULEN, VICE PRESIDENT  
PRINT NAME: MICHAEL VANDER MEULEN

**MORTGAGE CONSENT:**  
STATE OF FLORIDA } ss THE UNDERSIGNED HEREBY CERTIFIES THAT PROPERTY DESCRIBED HEREON AND DOES HEREBY JOIN IN AND CONSENT TO THE DEDICATION OF THE LAND DESCRIBED HEREON AND AGREES THAT THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SHALL BE SUBORDINATED TO THE DEDICATIONS SHOWN HEREON.  
IN WITNESS WHEREOF, WE HERETO SET OUR HANDS AND AFFIX OUR CORPORATE SEAL THIS 22<sup>ND</sup> DAY OF FEBRUARY, 2011.  
WITNESSES: *[Signature]* MICHAEL VANDER MEULEN, PRESIDENT  
PRINT NAME: MICHAEL VANDER MEULEN  
BY: *[Signature]* MICHAEL VANDER MEULEN, VICE PRESIDENT  
PRINT NAME: MICHAEL VANDER MEULEN

**ACKNOWLEDGMENT:**  
STATE OF FLORIDA } ss BEFORE ME PERSONALLY APPEARED AND WHO EXECUTED AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF JOHN KNOX VILLAGE OF FLORIDA, INC., MICHAEL VANDER MEULEN, AND THAT HE IS THE PRESIDENT OF SAID ASSOCIATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION, AND THAT SAID INSTRUMENT IS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.  
WITNES MY HAND AND OFFICIAL SEAL THIS 22<sup>ND</sup> DAY OF FEBRUARY, 2011.  
BY COMMISSIONER EXPRES: *[Signature]*  
NOTARY PUBLIC  
MICHAEL VANDER MEULEN  
OF NOTARY PUBLIC

**ACKNOWLEDGMENT:**  
STATE OF FLORIDA } ss BEFORE ME PERSONALLY APPEARED MICHAEL VANDER MEULEN, WHO IS PERSONALLY KNOWN TO ME, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF JOHN KNOX VILLAGE OF FLORIDA, INC., AND THAT HE IS THE PRESIDENT OF SAID ASSOCIATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION, AND THAT SAID INSTRUMENT IS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.  
WITNES MY HAND AND OFFICIAL SEAL THIS 22<sup>ND</sup> DAY OF FEBRUARY, 2011.  
BY COMMISSIONER EXPRES: *[Signature]*  
NOTARY PUBLIC  
MICHAEL VANDER MEULEN  
OF NOTARY PUBLIC

**ACKNOWLEDGMENT:**  
STATE OF FLORIDA } ss BEFORE ME PERSONALLY APPEARED ROBERT P. SCHMANN, WHO IS PERSONALLY KNOWN TO ME, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS VICE PRESIDENT OF JOHN KNOX VILLAGE OF FLORIDA, INC., AND THAT HE IS THE PRESIDENT OF SAID ASSOCIATION, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION, AND THAT SAID INSTRUMENT IS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID CORPORATION.  
WITNES MY HAND AND OFFICIAL SEAL THIS 22<sup>ND</sup> DAY OF FEBRUARY, 2011.  
BY COMMISSIONER EXPRES: *[Signature]*  
NOTARY PUBLIC  
MICHAEL VANDER MEULEN  
OF NOTARY PUBLIC

**AREA TABULATION TABLE:**

PARCEL NAME	SQUARE FOOTAGE	ACREAGE
PARCEL "A"	1,792,919	41.160
PARCEL "B"	1,013,353	23.263
PARCEL "C"	18,167	0.417
PARCEL "D"	2,288	0.053
PARCEL "E"	276	0.006
TOTAL	2,827,003	64.899

**CITY REQUIRED AREA TABULATION:**  
TOTAL AREA 64,899  
TOTAL AREA 64,899  
TOTAL AREA 64,846

**PREPARED BY:**  
KEITH CONSULTING ENGINEERS  
301 EAST ATLANTIC BOULEVARD  
POMPANO BEACH, FLORIDA 33069-6643  
TEL: 954-781-5544 FAX: 954-781-5544  
EMAIL: M.VANDERMEULEN@KEITH-ASSOCIATES.COM LB WC 6660  
029-MP-09









# Exhibit 3

Sketch of two parcels,  
numbered and colored

3'15"E

(VARIABLE WIDTH R/W PER ORDER OF TAKING, CIVIL ACTION NO. 89-17174-11)

SEC. 86519-2603

(TOTAL) N88°46'15"E

(VARIABLE WIDTH R/W PER O.R.B. 16898, PG. 385, B.C.R.)

200.20'

134.18'

18.97'

ACREAGE

(PORTION OF GOVERNMENT LOT 7)

S36°30'26"W 25.39'  
S60°29'34"E (DEED)  
S80°32'54"W (DEED)  
S36°27'06"W (DEED)  
S36°30'26"W (FIELD)  
N36°30'26"E 150.37'  
N60°30'16"W 121.78'  
N60°30'16"W 150.35'  
S36°27'06"W 150.35'  
S36°30'26"W 75.00'

PARCEL "C"  
50. FT. (0.417 ACRES)

SET 4"x4" CONC. MONUMENT W/DISC PRM LB# 6860

SET 4"x4" CONC. MONUMENT W/DISC PRM LB# 6860

SET 4"x4" CONC. MONUMENT W/DISC PRM LB# 6860

2 BLOCK SUNYLA INDUSTRIAL ADDITION P.B. 46, PG. 2

DISC

.16'

TILITY EASEMENT

Parcel #2

8X15 BUS SHELTER EASEMENT

PLAT LIMITS

WEST RIGHT-OF-WAY LINE DIXIE HIGHWAY

4"x4" CONC. MONUMENT W/DISC PRM LB# 6860

CENTERLINE OF CONSTRUCTION FOR STATE ROAD NO. 811 PER F.D.O.T. SECTION 86170-2509, SHEET 13 OF 15, LAST REVISED 4-27-98 288.07'  
(80' R/W STATE ROAD NO. 811) PER F.D.O.T. R/W MAP SECTION 86170-2509, SHEET 13 OF 15, LAST REVISED 4-27-98  
186.63'

DIXIE HIGHWAY SOUTH  
PER F.D.O.T. R/W STATE ROAD NO. 811 (SHEET 13 OF 15) LAST REVISED 4-27-98

ALLEY

ALLEY

BLOCK 1, SUNYLAN INDUSTRIAL ADDITION

P.B. 46, PG. 2, B.C.R.

56"W

PLAT LIMITS

11

10

9

8

7

6

5

4

20

21

22

19

18

17

3

# Exhibit 4

Deeds for both parcels

Prepared by, Record and Return to:  
DAVID D. WELCH, ESQ.  
2211 E. Sample Road, Suite 203  
Lighthouse Point, Florida 33064

TRACO  
Parcel #1

Parcel I.D. Number: 4942 02 00 0291

[Space Above This Line For Recording Data]

## Warranty Deed

This Indenture, made this 1st day of AUGUST, 2012, between

**RAZZO ENTERPRISES, INC.**, a Florida corporation, whose post office address is: 2240 NE 25<sup>th</sup> Avenue, Pompano Beach, FL 33062-1140, Grantor, and

**JOHN KNOX VILLAGE OF FLORIDA, INC.**, a Florida non-profit corporation,

whose post office address is: 651 Village Drive, Pompano Beach, FL 33060, Grantee.

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantees heirs and assigns forever, the following described land, situate, lying and being in **Broward County**, Florida, to-wit:

A parcel of land in Government Lot 7, in Section 2, Township 49 South, Range 42 East, Broward County, Florida, described as follows:

Beginning at the intersection of the centerline of Old Dixie Highway (State Road 811) as it is now located and North Boundary of said Government Lot 7, for a point of beginning; thence Southwesterly along centerline of said Old Dixie Highway a distance of 223.70 feet to a point; thence Northwesterly on an interior angle of 97 degrees, being measured from the preceding line, a distance of 162 feet; thence Northeasterly on an interior angle of 83 degrees, being measured from the preceding line a distance of 118.96 feet to a point; said point being located on the North boundary line of said Government Lot 7 (Race Track Road); thence Easterly along the North boundary of said Government Lot 7, a distance of 203.28 feet to a point of beginning.

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING: real estate taxes and other taxes and assessments imposed by taxing authorities for the year of closing and all subsequent years; restrictions, agreements, dedications, existing zoning ordinances, easements and other matters of public record, which are specifically not extended or reimposed hereby, and all other restrictions upon the use of the property as may be imposed by governmental authorities.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

To Have and to Hold, the same together with all and singular the appurtenances hereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of said grantor, either in law or equity, to the only proper use and benefit of said grantee forever.

WARRANTY DEED - PAGE 2

"Grantor" and "grantee" are used for singular or plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, grantors have hereunto set grantors' hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

RAZZO ENTERPRISES, INC., a Florida corporation

[Signature]  
Witness  
Printed Name: John Putzig

[Signature] (L.S.)  
RICCARDO CALDARAZZO  
P.O. Address: 2240 NE 25<sup>th</sup> Ave., Pompano Beach, FL 33062

[Signature]  
Witness  
Printed Name: LINDA JO BROOKS

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 1st day of AUGUST, 2012, by RICCARDO CALDARAZZO, President of RAZZO ENTERPRISES, INC., a Florida corporation,

who is personally known to me, or,  
 who has produced FL DRIVER'S LICENSE, as identification.

WITNESS my hand and official seal in the County and State last aforesaid, this 1st day of AUGUST, 2012.

[Signature]  
Notary Public  
Printed Name:  
Commission No.:  
My Commission Expires:



Parcel #2

Prepared by and return to:  
Deborah S. Kowalsky, Esq.  
DEBORAH S. KOWALSKY, P.A.  
1930 Tyler Street  
Hollywood, FL 33020  
954-922-5800  
File Number: 14468 HABER

Folio No's.: 494202000310  
494202000300

[Space Above This Line For Recording Data]

### Trustee's Deed

This Trustee's Deed made this 14 day of <sup>July</sup> ~~May~~, 2008 between MELVYN P. SCHOLNICK and STEVEN JAN GORDON, as Co-Trustees of the JACK HABER REVOCABLE TRUST AGREEMENT dated June 2, 2006, amended and restated September 27, 2007 whose post office address is 6043 Dumfries, Houston, TX 77096, grantor, and JOHN KNOX VILLAGE OF FLORIDA, INC., a Florida corporation whose post office address is 651 Village Drive, Pompano Beach, FL 33060, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantees heirs and assigns forever, the following described land, situate, lying and being in Broward County, Florida, to-wit:

SEE EXHIBIT "A"

The aforescribed property is not the homestead of the Grantors as defined by the Florida Constitution or contiguous thereto.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

(3)

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Elaine B. Jones  
Witness Name: Elaine B. Jones

STEVEN JAN GORDON  
STEVEN JAN GORDON, as Co-Trustee

Dalia Cardenas  
Witness Name: Dalia Cardenas

State of Texas  
County of HARRIS

The foregoing instrument was acknowledged before me this 15 day of May, 2008 by STEVEN JAN GORDON, as Co-Trustee of the JACK HABER REVOCABLE TRUST AGREEMENT dated June 2, 2006, amended and restated September 27, 2007, who  is personally known or  has produced a driver's license as identification.

[Notary Seal] JENNIE LYNN SMITH  
Notary Public, State of Texas  
My Commission Expires  
December 21, 2008

Jennie L. Smith  
Notary Public  
Printed Name: Jennie L. Smith  
My Commission Expires: December 21, 2008

Annie M. Geronimo  
Witness Name: Annie M. Geronimo

MELVYN P. SCHOLNICK  
MELVYN P. SCHOLNICK, as Co-Trustee

Deborah S. Kowalsky  
Witness Name: Deborah S. Kowalsky

State of ~~Texas~~ Florida  
County of Broward

The foregoing instrument was acknowledged before me this 19 day of May, 2008 by MELVYN P. SCHOLNICK, as Co-Trustee of the JACK HABER REVOCABLE TRUST AGREEMENT dated June 2, 2006, amended and restated September 27, 2007, who  is personally known or  has produced a driver's license as identification.

[Notary Seal] NOTARY PUBLIC-STATE OF FLORIDA  
Annie M. Geronimo  
Commission # DD403898  
Expires: MAR. 07, 2009  
Bonds by Atlantic Bonding Co., Inc.

Annie M. Geronimo  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

## Exhibit A

A portion of the North one-half (N1/2) of the North one-half (N1/2) of Government Lot Seven (7), Section 2, Township 49 South, Range 42 East, Broward County, Florida, lying West of the Old Dixie Highway and more fully described as follows:---Commencing at the Northwest corner of said Government Lot Seven (7); thence East along the North line of said Government Lot Seven (7), a distance of 782.67 feet; thence Southwesterly making an angle of 52° 15' in the Southwest quadrant, and parallel to the Centerline of Old Dixie Highway, a distance of 169.37 feet to the POINT OF BEGINNING; thence continuing Southwesterly, along the aforesaid course, a distance of 100 feet; thence Southeasterly making an included angle of 83° 00', a distance of 162 feet to a point on the Centerline of Old Dixie Highway, as now located; thence Northeasterly making an included angle of 97° 00' and along the said Centerline of Old Dixie Highway, a distance of 100 feet; thence Northwesterly making an included angle of 83° 00', a distance of 162 feet to the POINT OF BEGINNING;---TOGETHER WITH---A parcel of land in Government Lot Seven (7), of Section 2, Township 49 South, Range 42 East, Broward County, Florida, more particularly described as follows:---Beginning at the Northwest corner of the Southeast one-quarter (SE1/4) of Section 2, Township 49 South, Range 42 East, Broward County, Florida; thence Easterly along the one-quarter Section line of said Section 2, on an assumed bearing of East, a distance of 72.98 feet to the Centerline of Old Dixie Highway as same is now located and used; thence Northeasterly along the Centerline of Old Dixie Highway on a bearing of North 13° 18' 27" East, a distance of 2690.82 feet to a point; thence Northeasterly along the Centerline of said Old Dixie Highway on a bearing of North 36° 18' 00" East, a distance of 233.84 feet to a point; thence Northwesterly on a bearing of North 58° 42' 00" West, a distance of 25.87 feet to the POINT OF BEGINNING of this description; thence continue Northwesterly on a bearing of North 58° 42' 00" West, a distance of 150 feet; thence Northeasterly on a bearing of North 38° 18' 00" East, a distance of 50.37 feet; thence Southeasterly on a bearing of South 58° 42' 00" East, a distance of 150 feet; thence Southwesterly on a bearing of South 38° 18' 00" West, a distance of 50.37 feet to the POINT OF BEGINNING.---

# Exhibit 5

Surveys for both parcels





# Exhibit 6

Opinion of title



# All Florida Title Company, Inc.

1995 East Oakland Park Blvd. • Suite 310 • Fort Lauderdale, FL 33306  
(954) 566-2200 • (800) 765-1996 • Fax: (954) 566-4560

December 13, 2013

## Opinion of Title

Broward County Land Development Code – Section 5-189(c)(3)  
Florida Statutes Chapter 177

**To: Broward County Board of County Commissioners**

With the understanding that this Opinion of Title is furnished to Broward County Board of County Commissioners, in support of a Land Use Change Application covering the real property, hereinafter described, it is hereby certified that I have examined the Public Records of Broward County, Florida, covering the time period from the beginning to the 6th day of December, 2013, at the hour of 11:00 P.M., inclusive, of the following described property:

**“SEE DESCRIPTION SET FORTH ON ATTACHED  
EXHIBIT “A”**

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

**John Knox Village of Florida, Inc., a Florida non-profit corporation**

**NOTE: Robert P. Scharmann as President and Chief Executive Officer of John Knox Village of Florida, Inc., a Florida non-profit corporation is a Proper Party required to execute the documents on its behalf.**

**Subject to the following:**

**Mortgage(s) of Record – None**

**List of easements and Rights-of-Ways lying within the plat boundaries:**

- a) Reservations for oil, gas, other minerals and mineral rights, canal, drainage and State and County road right-of-way contained in Deed No. 1643 from the Board of Commissioners of the Everglades Drainage District filed December 4, 1944 recorded in Deed Book 463, Page 428, as modified by releases recorded October 15, 1965

in Official Records Book 3100, Page 708, Official Records Book 3100, Page 710 and Official Records Book 3100, Page 712, respectively and filed for record January 24, 1969 in Official Records Book 3843, Page 601 as impacted by Non Use Commitment recorded November 4, 1999 in Official Records Book 29994, Page 446.

**List of all easements and Rights-of-Ways which abut the plat boundaries and are necessary for legal access to the Plat:**

- a) John Knox Village Boulevard known as SW 3<sup>rd</sup> Street (Racetrack Road) abuts the property to the north consisting of a 50' right of way dedicated per the M.O.B. Plat recorded in Plat Book 162, Page 49 as replatted as John Knox Village-First Addition in Plat Book 170, Page 186 and further pursuant to that right of way set forth in Official Records Book 3892, Page 227, Official Records Bok 16626, Page 213, Order of Taking Civil Action Number 89-17174-11 25' Right of Way Per FDOT RW Map Section 86519-2603.
- b) Dixie Highway which abuts the property to the East of subject property AKA Old Dixie Highway, AKA West Old Dixie Highway as set forth in right-of-way Book 3, Page 35.

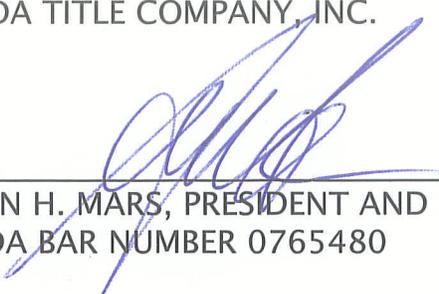
**NOTE: All of the above referenced recording information is recorded in the Public Records of Broward County, Florida.**

I HEREBY CERTIFY that the foregoing report reflects a comprehensive search of the Public Records of Broward County, Florida, affecting the above described property. 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 this 13th day of December, 2013.

ALL FLORIDA TITLE COMPANY, INC.

BY: \_\_\_\_\_

  
BURTON H. MARS, PRESIDENT AND ATTORNEY  
FLORIDA BAR NUMBER 0765480

**LEGAL DESCRIPTION:**

A PARCEL OF LAND IN GOVERNMENT LOT 7, IN SECTION 2, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF OLD DIXIE HIGHWAY (STATE ROAD 811) AS ITS IS NOW LOCATED AND NORTH BOUNDARY OF SAID GOVERNMENT LOT 7, FOR A POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG CENTERLINE OF SAID OLD DIXIE HIGHWAY A DISTANCE OF 223.70 FEET TO A POINT; THENCE NORTHWESTERLY ON AN INTERIOR ANGLE OF 97°, BEING MEASURED FROM THE PRECEDING LINE, A DISTANCE OF 162 FEET; THENCE NORTHEASTERLY ON AN INTERIOR ANGLE OF 83°, BEING MEASURED FROM THE PRECEDING LINE A DISTANCE OF 118.96 FEET TO A POINT; SAID POINT BEING LOCATED ON THE NORTH BOUNDARY LINE OF SAID GOVERNMENT LOT 7 (RACE TRACK ROAD); THENCE EASTERLY ALONG THE NORTH BOUNDARY OF SAID GOVERNMENT LOT 7, A DISTANCE OF 203.28 FEET TO A POINT OF BEGINNING.



# All Florida Title Company, Inc.

1995 East Oakland Park Blvd. • Suite 310 • Fort Lauderdale, FL 33306  
(954) 566-2200 • (800) 765-1996 • Fax: (954) 566-4560

December 13, 2013

## Opinion of Title

Broward County Land Development Code – Section 5-189(c)(3)  
Florida Statutes Chapter 177

**To: Broward County Board of County Commissioners**

With the understanding that this Opinion of Title is furnished to Broward County Board of County Commissioners, in support of a Land Use Change Application covering the real property, hereinafter described, it is hereby certified that I have examined the Public Records of Broward County, Florida, covering the time period from the beginning to the 6th day of December, 2013, at the hour of 11:00 P.M., inclusive, of the following described property:

**“SEE DESCRIPTION SET FORTH ON ATTACHED  
EXHIBIT “A”**

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

**John Knox Village of Florida, Inc., a Florida non-profit corporation**

**NOTE:** Robert P. Scharmann as President and Chief Executive Officer of John Knox Village of Florida, Inc., a Florida non-profit corporation is a Proper Party required to execute the documents on its behalf.

**Subject to the following:**

**Mortgage(s) of Record –**

- a) Mortgage executed by John Knox Village of Florida, Inc., a Florida non-profit corporation in favor of SunTrust Bank, a Georgia banking corporation the master trustee dated September 1, 2002 in the amount of \$35,000,000.00 recorded September 19, 2002 in Official Records Book 33822, Page 77 of the Public Records of Broward County, Florida, as modified by that certain Assignment of Mortgage recorded March 14, 2005 in Official Records Book

39233, Page 760 of the Public Records of Broward County, Florida, which was thereafter assigned to U.S. Bank National Association by instrument recorded December 30, 2009 in Official Records Book 46765, Page 1052 of the Public Records of Broward County, Florida and which Mortgage was thereafter modified by that certain Mortgage Modification Agreement recorded January 19, 2011 in Official Records Book 47657, Page 1548 of the Public Records of Broward County, Florida.

NOTE: In addition to the aforementioned Mortgage, the following UCC Financing Statements exist between John Knox Village of Florida, Inc. and SunTrust Bank, a Georgia Banking Corporation as recorded in Official Records Book 33822, Page 101 as amended in Official Records Book 44552, Page 1013 and Official Records Book 45239, Page 1335 and Official Records Book 33822, Page 107 as amended in Official Records Book 44552, Page 1019 of the Public Records of Broward County, Florida. In addition, a UCC Financing Statement Amendment exists between John Knox Village of Florida, Inc. in favor of U.S. Bank National Association recorded January 19, 2011 in Official Records Book 47657, Page 1558 and Official Records Book 48964, Page 1934 of the Public Records of Broward County, Florida.

**List of easements and Rights-of-Ways lying within the plat boundaries:**

- a) Restrictions, conditions, reservations, easements and other matters contained on the Plat of JOHN KNOX VILLAGE AMENDED, as recorded in Plat Book 179, Page 186.
- b) Restrictions, conditions, reservations, easements and other matters contained on the Plat of JOHN KNOX VILLAGE FIRST ADDITION, as recorded in Plat Book 170, Page 186.
- c) Restrictions, conditions, reservations, easements and other matters contained on the Plat of PARCEL A JOHN KNOX VILLAGE as recorded in Plat Book 168, Page 32.
- d) Road Phasing Agreement recorded January 16, 2002 in Official Records Book 32638, Page 447.
- e) Easement in favor of MediaOne of Florida, Inc. contained in instrument recorded March 20, 2001 in Official Records Book 31388, Page 1488.

- f) Reservations for oil, gas, other minerals and mineral rights, canal, drainage and State and County road right-of-way contained in Deed No. 1643 from the Board of Commissioners of the Everglades Drainage District filed December 4, 1944 recorded in Deed Book 463, Page 428, as modified by releases recorded October 15, 1965 in Official Records Book 3100, Page 708, Official Records Book 3100, Page 710 and Official Records Book 3100, Page 712, respectively and filed for record January 24, 1969 in Official Records Book 3843, Page 601 as impacted by Non Use Commitment recorded November 4, 1999 in Official Records Book 29994, Page 446.
- g) Agreement for Amendment of Notation on Plat recorded May 29, 1999 in Official Records Book 29499, Page 547.
- h) Recreational Impact Agreement recorded May 29, 1999 in Official Records Book 29499, Page 537.
- i) Notices of Violation – Unsafe Structures filed December 3, 1997 in Official Records Book 27354, Pages 235, 238 and 241 filed October 29, 1999 in Official Records Book 29978, Pages 308 and 315.
- j) Easement in favor of Florida Power & Light contained in instrument recorded November 20, 1979 in Official Records Book 8569, Page 458.
- k) Easement in favor of Florida Power & Light contained in instrument recorded January 24, 1978 in Official Records Book 7392, Page 869.
- l) Easements recorded in Official Records Book 7343, Page 756.
- m) Restrictions contained in Deed recorded in Official Records Book 30364, Page 1091.
- n) Easement Agreement dated July 31, 2001 and filed of record August 9, 2001 in Official Records Book 31965, Page 0869.
- o) Reservations set forth in Tax Deed No. 1903 from Trustees of the Internal Improvement Fund, State of Florida to Henry L. Lyons dated August 15, 1925, filed for record September 9, 1925 in Deed Book 75, Page 87.
- p) Declaration of Restrictive Covenants recorded March 20, 2007 in Official Records Book 43772, Page 1547.

- q) Easement in favor of Florida Power & Light Company contained in instrument recorded May 21, 1980 in Official Records Book 8920, Page 80.
- r) Easement in favor of Florida Power & Light Company contained in instrument recorded April 13, 1988 in Official Records Book 15346, Page 354.
- s) Easement in favor of Florida Power & Light Company contained in instrument recorded April 13, 1988 in Official Records Book 15346, Page 356.
- t) Rights arising under Section 651.116, Florida Statutes.
- u) Water Utility Easement contained in Warranty Deed recorded June 21, 1995 in Official Records Book 23589, Page 684.
- v) Easement in favor of Bell South recorded April 30, 2004 in Official Records Book 37352, Page 1724.

**List of all easements and Rights-of-Ways which abut the plat boundaries and are necessary for legal access to the Plat:**

- a) Dixie Highway which abuts the property to the East of subject property AKA Old Dixie Highway, AKA West Old Dixie Highway as set forth in right-of-way Book 3, Page 35.

**NOTE: All of the above referenced recording information is recorded in the Public Records of Broward County, Florida.**

I HEREBY CERTIFY that the foregoing report reflects a comprehensive search of the Public Records of Broward County, Florida, affecting the above described property. 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 this 13th day of December, 2013.

ALL FLORIDA TITLE COMPANY, INC.

BY:  \_\_\_\_\_  
 BURTON H. MARS, PRESIDENT AND ATTORNEY  
 FLORIDA BAR NUMBER 0765480

## Exhibit A

A portion of the North one-half (N1/2) of the North one-half (N1/2) of Government Lot Seven (7), Section 2, Township 49 South, Range 42 East, Broward County, Florida, lying West of the Old Dixie Highway and more fully described as follows:--Commencing at the Northwest corner of said Government Lot Seven (7); thence East along the North line of said Government Lot Seven (7), a distance of 782.67 feet; thence Southwesterly making an angle of 52° 15' in the Southwest quadrant, and parallel to the Centerline of Old Dixie Highway, a distance of 169.37 feet to the POINT OF BEGINNING; thence continuing Southwesterly, along the aforesaid course, a distance of 100 feet; thence Southeasterly making an included angle of 83° 00', a distance of 162 feet to a point on the Centerline of Old Dixie Highway, as now located; thence Northeasterly making an included angle of 97° 00' and along the said Centerline of Old Dixie Highway, a distance of 100 feet; thence Northwesterly making an included angle of 83° 00', a distance of 162 feet to the POINT OF BEGINNING;--TOGETHER WITH--A parcel of land in Government Lot Seven (7), of Section 2, Township 49 South, Range 42 East, Broward County, Florida, more particularly described as follows:--Beginning at the Northwest corner of the Southeast one-quarter (SE1/4) of Section 2, Township 49 South, Range 42 East, Broward County, Florida; thence Easterly along the one-quarter Section line of said Section 2, on an assumed bearing of East, a distance of 72.98 feet to the Centerline of Old Dixie Highway as same is now located and used; thence Northeasterly along the Centerline of Old Dixie Highway on a bearing of North 13° 18' 27" East, a distance of 2690.82 feet to a point; thence Northeasterly along the Centerline of said Old Dixie Highway on a bearing of North 36° 18' 00" East, a distance of 233.84 feet to a point; thence Northwesterly on a bearing of North 58° 42' 00" West, a distance of 25.87 feet to the POINT OF BEGINNING of this description; thence continue Northwesterly on a bearing of North 58° 42' 00" West, a distance of 150 feet; thence Northeasterly on a bearing of North 38° 18' 00" East, a distance of 50.37 feet; thence Southeasterly on a bearing of South 58° 42' 00" East, a distance of 150 feet; thence Southwesterly on a bearing of South 38° 18' 00" West, a distance of 50.37 feet to the POINT OF BEGINNING.--

# Exhibit 7

Public School Impact  
Application

# PUBLIC SCHOOL IMPACT APPLICATION

The School Board of Broward County, Florida

Growth Management Section

Facility Planning and Real Estate Department

600 SE 3rd Avenue, 8th Floor, Fort Lauderdale, FL 33301; Phone: 754-321-2177, Fax: 754-321-2179

www.browardschools.com

## GENERAL PROJECT INFORMATION

### APPLICATION TYPE

Land Use     DRI     Rezoning     Flex/Reserve Allocation     Plat     Site Plan

### FOR INTERNAL USE ONLY

School Board Number

County Project Number

City Project Number

Project Name

Has this project been previously submitted (since Feb. 01, 2008)?  If yes, provide the SBBC Number

Application Fee Amount Due/Paid\*  Check No.  Is proof of Payment attached?

\* Make check payable to "School Board of Broward County." No cash will be accepted.

### PROJECT LOCATION AND SIZE

Section  Township  Range

General location of the project  Side of

at/between  and

Area Acreage  Jurisdiction

### APPLICANT INFORMATION

Owner's Name  Phone

Address  City  State  Zip

Developer/Agent

Address  City  State  Zip

Phone  Fax Number

Agent's E-mail

### DEVELOPMENT DETAILS

Land Use Designation Existing  Proposed

Zoning Designation Existing  Proposed

PERMITTED						PROPOSED		
Residential Type	Total Units	Built Units	Bedroom Mix	Un-built Units	Bedroom Mix	Residential Type	Number of Units	Bedroom Mix
Single Family			___ 3 BR or Less ___ 4 BR or >		___ 3 BR or Less ___ 4 BR or >	Single Family		___ 3 BR or Less ___ 4 BR or >
Townhouse/ Duplex/ Villa	216	204	___ 1 BR or Less ___ 2 BR ___ 3 BR or >	12	___ 1 BR or Less ___ 2 BR ___ 3 BR or >	Townhouse/ Duplex/ Villa	No Additional	___ 1 BR or Less ___ 2 BR ___ 3 BR or >
Garden Apartment	87	38	___ 1 BR or Less ___ 2 BR ___ 3 BR or >	49	___ 1 BR or Less ___ 2 BR ___ 3 BR or >	Garden Apartment	No Additional	___ 1 BR or Less ___ 2 BR ___ 3 BR or >
Mid Rise						Mid Rise		
High Rise	674	503		171		High Rise	No Additional	
Mobile Home			___ 2 BR or Less ___ 3 BR or >		___ 2 BR or Less ___ 3 BR or >	Mobile Home		___ 2 BR or Less ___ 3 BR or >
Total	977	745		232		Total	No Additional	

Does this project include a non-residential development?

If yes, please describe other proposed uses

**VESTED RIGHTS/EXEMPTION INFORMATION**

Amount of Vested/Exempt development (including number of units, type, and bedroom mix)

Exemption Criteria (check any/all as applicable)	Vesting Criteria (check any/all as applicable)	Associated Application Number
<input checked="" type="checkbox"/> Generates less than one student*	___ Located within previously approved plan amendment or rezoning with a valid mitigation agreement with the School Board through an executed and recorded DRC or Tri-Party*	
<input checked="" type="checkbox"/> Age restricted to persons 18 and over*	___ Obtained site plan final approval prior to February 1, 2008*	
___ Statutory exemption* ___ Applicable Statute*	___ Site plan located within a plat for which school impacts have been satisfied*	
___ Site Plan located within a plat with a valid final SCAD letter*		Associated Plat Number: ___

**\* Supporting documentation is required**

Signature of Applicant/Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Please attach a survey of the project site  
 NOTE: 30-Day review period only commences upon a determination of completeness by School District Staff. Applicant submitting a plat application must include an official letter containing plat name and municipal project number and must indicate that the plat has been approved or accepted by the municipality  
 ALL APPLICANTS MUST SUBMIT THE APPLICATION TO THE 8th FLOOR

# Exhibit 8

Broward County  
Transportation Department  
Letter of February 24, 2014



**Transportation Department**  
 Transit Division – Service and Capital Planning  
 1 North University Drive, 3400A, Plantation, Florida 33324

February 24, 2014

Michael Vonder Meulen, AICP, Senior Planner  
 Keith and Associates, Inc.  
 301 East Atlantic Blvd, Pompano Beach, Florida 33060

RE: John Knox Village Land Use Plan Amendment – Mass Transit Service

Dear Mr. Vonder Meulen:

Broward County Transit (BCT) has reviewed your request dated February 17, 2014 regarding the John Knox Village Land Use Plan Amendment, for current and planned bus service. Current fixed-route county bus service to the amendment site is currently provided by BCT Routes . Please see the following table for detailed information:

BCT ROUTE	DAYS OF SERVICE	HOURS OF SERVICE A.M. – P.M	SERVICE FREQUENCY
50	Monday – Friday	5:20a – 10:58p	20/30 Min
	Saturday	5:30a - 11:28p	30 Minutes
	Sunday	7:45a - 8:55p	45 Minutes
60	Monday – Friday	5:25a – 10:52p	20/30 Min
	Saturday	5:30a - 11:11p	30 Minutes
	Sunday	9:05a - 7:58p	45 Minutes

Additionally, this site is serviced by the City of Pompano Beach Community Bus Service. Future fixed-route bus services including weekday & Saturday frequency, weekday & Sunday span of service, route realignment, and premium rapid bus transit improvements are specified in the Broward County Transit Development Plan (TDP) and Broward MPO 2035 Long Range Transportation Plan (LRTP).

Please call or email me at 954-357-8450 / [jramos@broward.org](mailto:jramos@broward.org) if you require any additional information.

Sincerely,

  
 John A. Ramos, Senior Planner  
 Service and Capital Planning

# Exhibit 9

Waste Management of Florida  
Letter of February 24, 2014  
w/email from Territory Manager

**Waste Management Inc. of Florida  
3831 NW 21<sup>st</sup> Ave  
Pompano Beach, Florida 33073  
954-439-4067**

**February 24, 2014**

**Mr. Michael Vonder Meulen  
Keith & Associates Consulting Engineers  
301 E Atlantic Blvd  
Pompano Beach, Florida 33060-6643**

**Re: John Knox Village**

**Dear Michael:**

**I am in receipt of your request. Please be advised that Waste Management Inc., (hereinafter referred to as "WM") is confirming the ability to supply adequate solid waste and recycling disposal services for John Knox Village. WM has the required capacity for the solid waste and recycling.**

**If you have any further questions, please do not hesitate to contact me at 954-439-4067.**

**Sincerely,**

**/Signed/**

**Kay Bernagozzi Hurley  
Account Manager**

Via Facsimile to: 954-788-3500  
Mr. Craig Bencz  
Keith & Associates Consulting Engineers  
301 E. Atlantic Blvd.  
Pompano Beach, Florida 33060-6643

Re: John Knox Village Project

Dear Mr. Bencz:

I am in receipt of your facsimile dated March 8, 2004 addressed to Bob Bergey of our offices.

Please be advised that Waste Management, Inc., is confirming the ability to have and supply adequate solid waste and recycling disposal capacity. Waste Management, Inc., has the required capability of handling the refuse for the above-referenced account.

Waste Management, Inc., is the franchise garbage hauler for the City of Pompano Beach.

If you have any further questions, please do not hesitate to contact me at 954-917-0262.

Very truly yours,



Kay Hathaway  
Territory Manager (Pompano Beach)

# Exhibit 10

Broward County Water and  
Wastewater Engineering Division  
Letter of February 17, 2014



Public Works Department • Water and Wastewater Services  
**WATER AND WASTEWATER ENGINEERING DIVISION**  
2555 West Copans Road • Pompano Beach, Florida 33069 • 954-831-0745 • FAX 954-831-0798/0925

February 17, 2014

Mr. Mike Vonder Meulen, AICP  
Keith & Associates, Inc.  
301 East Atlantic Boulevard  
Pompano Beach FL 33066-9300

**RE: JOHN KNOX VILLAGE – LAND USE AMENDMENT**

Dear Mr. Vonder Meulen,

We understand the John Knox Village of Florida Inc. is applying for a small scale Land Use Plan Amendment (LUPA) for 0.60 acres located on the Southwest corner of John Knox Village Boulevard (SW 3<sup>rd</sup> Street) and Dixie Highway.

This letter is to verify that the proposed LUPA is in the area served by the Broward County North Regional Wastewater Treatment Plant (NRWWTP). The plant has a total permitted average day operating capacity of 95.0 MGD. The current average daily flow is 68.5 MGD and has an outstanding committed flow of 1.33 MGD. According to the Broward County Sanitary Sewer Element, the capacity of the plant satisfies the short and long term (2025) regional needs of the County and its "Large Users."

The LUPA is located in the Pompano Beach customer area termed "Large User." The County's obligation to provide service is limited to the capacities reserved by Pompano Beach, the large user, which may be changed by amendment to the agreement between the City and the County.

Please contact me at (954) 831-0930 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Aispuro".

Mario C. Aispuro  
Land Development Project Coordinator

MA/sh

cc: 2014 General Correspondence- Land Use Plan Amendments

# Exhibit 11

City of Pompano Beach  
Engineering Division  
Letter of March 7, 2014



Engineering Division

City of Pompano Beach, Florida

1201 NE 5th Avenue, Pompano Beach, Florida 33060 | Phone: 954.786.4060 | Fax: 954.786.4028

March 7, 2014

Mr. Mike Vonder Meulen, AICP  
Keith & Associates, Inc.  
301 East Atlantic Boulevard  
Pompano Beach, FL 33060-6643

RE: Water and Wastewater Capacity for John Knox Village – Land Use Plan Amendment (Southwest corner of John Knox Boulevard and Dixie Highway, K&A Project No. 02052.17)

Dear Mr. Meulen:

We are the provider of potable water services and wastewater collection system for the subject amendment area in the City of Pompano Beach.

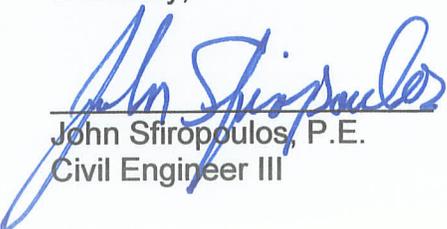
Potable Water: Estimations included in this application reflect no net increase in demand for potable water services. Our utility department can continue to accommodate the current demand used by John Knox Village. The 2013 Draft South Florida Water Management District Lower East Coast Plan lists our 2010 usage/demand as 13.62 MGD and our existing allocation as 17.75 MGD. Based on these numbers and with current reuse and conservation projects, the City will meet its projected demand for 2030.

There are no known impediments to the proposed development for obtaining potable water service, subject to the payment of hook-up or installation fees, line extensions to be paid for by the applicant in connection with the construction of development or other such routine administrative procedure. The City's water system is in full compliance with all regulatory requirements.

Wastewater: Estimations for volume of wastewater collections or treatment were not included in this application. We are assuming since there are no increases in potable water demand, that there are no net increases in wastewater demands. Our utility department can continue to accommodate the current wastewater demand. The City of Pompano Beach receives service from the Broward County North District Regional Wastewater Treatment Plant as per the Large User Agreement as amended. The 2011 City of Pompano Beach Wastewater Master Plan (Mathew's Consulting) lists the 2010 average annual wastewater flow as a daily amount of 12.86 MGD. The City has 17.0 MGD of reserve capacity for wastewater treatment and disposal from Broward County.

There are no known impediments to the proposed development for obtaining wastewater service, subject to the payment of hook-up or installation fees, line extension to be paid for by the application in connection with the construction of development or other such routine administrative procedure.

Sincerely,



John Sfiropoulos, P.E.  
Civil Engineer III

# Exhibit 12

Text Amendment

# John Knox Village

## Proposed Text Amendment

Pompano Beach Local Activity Center – John Knox Village

Acreage: Approximately ~~68.5~~ 70.0 acres

General Location: Generally located south of Southwest 3 Street, west of South Dixie Highway, east of Interstate 95 and north of Southwest 6 Court.

Density and Intensity of Land Uses:

- Residential 1,224 dwelling units\*
- Commercial 70,000 square feet
- Recreation and
- Open Space 4.28 acres minimum

\*Consisting of 674 high rise† units, 247 assisted dwelling unit equivalents, 216 villas and 87 garden apartments.  
Sunrise