



Resilient Environment Department
URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Zona Place	Number:	013-MP-21
Application Type:	New Plat	Legistar Number:	22-880
Applicant:	CG Davie North, LLC	Commission District:	5
Agent:	Calvin, Giordano & Associates, Inc.	Section/Twn./Range:	26/50/41
Location:	North side of Southwest 38 Court, between Southwest 63 Avenue and Davie Boulevard/Southwest 64 Avenue	Platted Area:	3.3 Acres
Municipalities:	Davie	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	Extension was granted until October 20, 2022		
Recommendation:	APPROVAL		
Meeting Date:	June 14, 2022		

A location map of the plat is attached, see **Exhibit 2**.

The Application is attached, as **Exhibit 9**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	2,464 Sq. Ft. of Commercial Use, 2599 Sq. Ft. of Office Use and 1 Single Family Residence
Proposed Use:	250 Mid-rise Units and 5,000 Sq. Ft. of Commercial
Plan Designation:	Regional Activity Center
Adjacent Uses	Adjacent Plan Designations
North: Commercial	North: Regional Activity Center
South: Commercial	South: Regional Activity Center
East: Single Family Residential, Multi-Family Residential	East: Regional Activity Center
West: School, Commercial	West: Regional Activity Center
Existing Zoning	Proposed Zoning
RAC	RAC

In accordance with the Land Development Code, mid-rise units are defined as four (4) or more attached dwelling units in a building with four (4) to eight (8) stories (exclusive of parking levels).

1. Land Use

Planning Council has reviewed this application and determined that the Town of Davie’s Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat uses permitted in the “Town of Davie Regional Activity Center” land use category. The residential and commercial uses are subject to the recorded “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center” (O.R.B. 41265, PG. 15-20, B.C.R.).

The proposed commercial use is in compliance with the permitted uses of the effective land use plan. Also, on October 21, 2020, the proposed residential use was allocated 250 “flexibility units” (Resolution No. 2020-306) by the Town of Davie making the residential development in compliance with the permitted uses and densities of the effective land use plan. With the allocation of “flexibility” it is not subject to Policy 2.10.1 of the Broward County Land Use Plan as the subject parcel is not located within 500 feet of a Broward County regional park, or an Environmentally Sensitive Land, as defined by the Comprehensive Plan, and is not located adjacent to another municipality. See the attached Memorandum, **Exhibit 3**.

2. Affordable Housing

This plat is not subject to Policy 2.16.2 because it was not the subject of a Broward County Land Use Plan amendment.

3. Trafficways

Trafficways approval is valid for 10 months. A 2-month extension has been granted and approval will expire June 24, 2022.

4. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and determined that the comments and recommendations are required with respect to the safe and adequate access standards of the Broward County Land Development Code, as shown in the attached memorandum. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans, **Exhibit 4**.

5. Concurrency – Transportation

This plat is located in the South-Central Transportation Concurrency Management Area, which is subject to Transportation concurrency fees, as defined in Section 5- 182.1(a)(5)a) of Land Development Code. The proposed plat generates an increase of 137 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	1	99
Non-residential	15	54
Total	153-16 = 137	

6. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	Town of Davie	Town of Davie
Plant name:	Davie 2 (04/20)	Davie (12/21)
Design Capacity:	10.00 MGD	4.85 MGD

Annual Average Flow:	7.45 MGD	2.07 MGD
Estimated Project Flow:	0.088 MGD	0.063 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

7. Concurrency – Regional Parks

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	0.05
Local	N/A

8. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the 250 dwelling units will generate students on several levels (i.e. elementary, middle and high), and in accordance with Section 5-182.9(a)(1) of the Land Development Code, the staff determined that it satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. The multi-family development proposed by this plat will be subject to school impact fees which will be assessed in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County Environmental review and must be paid prior to the issuance of the building permit. See the attached School Capacity Availability Determination (SCAD) letter, **Exhibit 5**.

9. Impact Fee Payment

All impact fees (school impact, park impact, transportation concurrency fees) will be calculated by the Urban Planning Division, Development and Environmental Review Section; assessed based on construction plans submitted for environmental review approval and must be paid on date of building permit issuance.

At the time of plat application, a single-family residence, 2,464 square of industrial use and 2,599 square feet of office use existed on the site, which the applicant stated will be demolished. In accordance with the credit provisions of Section 5-182.13 of the Land Development Code, this structure may be eligible for credit towards transportation concurrency, school impact and park impact fees, provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. No credit will be granted for demolition occurring more than three (3) years prior to the review of construction plans submitted for County environmental review approval.

10. Environmental Review

This plat has been reviewed by Environmental Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development, **Exhibit 6**.

Natural Resource Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

11. Additional Environmental Protection Actions

Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit approval. Approval to connect to such systems is approved by the Environmental Permitting Division as a prerequisite to, and just prior to, approval of building permits by the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

12. Historic Resources

This plat has been reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting archaeologist determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. The archaeologists notes that four of the twelve properties reviewed contain structures older than fifty years of age and is recommending that these structures to be demolished, should be documented with Florida Master File Structure Forms prior to demolition (FMSF sitefile@dos.myflorida.com). See the attached historic and archaeological comments, **Exhibit 7**.

13. Aviation

The Broward County Aviation Department has no objections to this plat. However, the information submitted with this plat application does not indicate the height of any proposed buildings. The applicant is advised by staff of the Aviation Department that any proposed construction on this property with a height exceeding 200 feet, or the use of cranes or other high-lift equipment, must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Broward County Airport Zoning Ordinance apply to this development. Based on the location of the proposed project, the FAA may need to conduct a review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>, see **Exhibit 8**.

14. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat application and provided no comments.

15. Notice to Applicant

The applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Urban Planning Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the South-Central Transportation Concurrency Management District. This district meets the regional transportation concurrency standards as specified in Section 5-182.1(a)(1)a) of the Land Development Code.
2. This plat has been reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code. See the attached School Capacity Availability Determination received from the School Board, see the attached SCAD letter, **Exhibit 5**.
3. This plat satisfies the drainage, water, wastewater and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.
4. This plat satisfies the regional park concurrency requirement of Section 5-182.7 of the Broward County Land Development Code.

RECOMMENDATIONS

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall assure compliance with the standards and requirements of the Land Development Code:

1. Conditions attached in Highway Construction and Engineering Memorandum, see **Exhibit 4**.
2. Place note on the face of the plat, preceding municipal official's signature, reading:

Concurrency/impact fees for the construction, expansion, and/or conversion of a building within this plat shall be paid on the date of building permit issuance.
3. Place a note on this face of the plat reading:
 - a. This plat is restricted to 250 mid-rise units and 5,000 square feet of commercial.
 - b. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.
 - c. Any structure within this plat must comply with Section 2.1.f Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.
4. If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

HWC