



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
 1 N. University Drive, Box 102, Plantation, FL 33324 T: 954-357-8695 F: 954-357-6521

DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Plantation Shell Circle K	Number:	003-MP-21
Application Type:	New Plat	Legistar Number:	21-1715
Applicant:	Lake Worth Properties Enterprises, LLC	Commission District:	9
Agent:	Pulice Land Surveyors, Inc	Section/Twn./Range:	01/50/41
Location:	Northwest corner of State Road 7/U.S. 441 and Northwest 5 Street	Platted Area:	0.60 Acre
Municipalities:	Plantation	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 August 10, 2022		
Recommendation:	APPROVAL		
Meeting Date:	November 4, 2021		

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

The Application is attached as **Exhibit 8**. The Planning and Development Management Division distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

A previous submittal for this property submitted under plat name Plantation Texaco (022-MP-17) with the same proposed use expired prior to Board approval and the applicant is resubmitting it with an expanded boundary.

Existing and Future Land Use	
Existing Use:	Service Station with 8 Fueling Positions
Proposed Use:	Service Station with 8 Fueling Positions
Plan Designation:	Local Activity Center
Adjacent Uses	Adjacent Plan Designations
North: Commercial	North: Local Activity Center
South: Office	South: Local Activity Center
East: Commercial	East: Local Activity Center
West: Commercial	West: Local Activity Center (Davie)
Existing Zoning	Proposed Zoning
SPI-2	SPI-2

1. Land Use

Planning Council has reviewed this application and determined that the City of Plantation’s Comprehensive Plan is the effective Land Use Plan. That plan designates the area covered by this plat for the uses permitted in the “Local Activity Center” land use category. Staff finds that this plat is subject to the recorded “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Local Activity Center” (O.R.B. 50665, PGS. 782-787, B.C.R.). Section 2.1 of the Agreement requires the City of Plantation to monitor development activity and to enforce permitted land use densities and intensities within the Activity Center. See the attached comments from the Broward County Planning Council, **Exhibit 3**.

2. Adjacent City

Staff notified the adjacent City of Lauderhill, and they responded with no objection to the submittal. **Exhibit 4**.

3. Trafficways

Trafficways is valid for 10 months. Approval was received on April 22, 2021.

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 5**.

This project is located on State Road 7 (US 441). Florida Department of Transportation (FDOT) has issued a pre-approval letter, see the attached. Openings or improvements on functionally classified State Roads are subject to the "Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards." **See Exhibit 6**.

5. Concurrency – Transportation

This plat is located in the Central Transportation Concurrency Management Area which is subject to Transportation concurrency fees, as defined in Section 5- 182.1.(a)(1)a) of Land Development Code. The proposed residential will not generate additional PM peak hour trips.

	Existing Use PM Trips per Peak Hour	Proposed Use PM Trips per Peak Hour
Residential	N/A	N/A
Non-residential	81	81
Total	81	

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	City of Plantation	City of Plantation
Plant name:	Plantation (06/20)	Plantation (06/21)
Design Capacity:	24.00 MGD	17.50 MGD
Annual Average Flow:	12.94 MGD	12.36 MGD
Estimated Project Flow:	0.00024 MGD	0.00025 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. Impact Fee Payment

Transportation Concurrency fees will be calculated by Planning and Development Management 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 service station with 8 fueling positions existed on this 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.

8. Environmental Review

This plat has been reviewed by Environmental Engineering and Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development, see **Exhibit 7**.

Environmental Planning and Community Resilience Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

9. Historic Resources

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 indicates that the proposed development is not likely to impact any significant historical or archaeological resources, and the consulting archaeologist has no objections to this application.

The archaeologist notes that there are no documented cultural resources with the Project Area or within a 0.5 miles radius surrounding the Project Area. Also, the current structure (gas station) on this property is over 50 years of age and planned to be demolished as of this project. However, in the consultant's opinion this structure does not require recordation with the FMSF due to its generally ubiquitous character and renovations to the structure noted during a field visit that have stripped it of architectural and historical integrity.

The archaeologist further notes that this property is located in the City of Plantation and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. Therefore, the property owner/agent is advised to contact Dan Holmes, Director of Planning, Zoning and Economic Development, City of Plantation at 954-797-2200 to seek project review for compliance with the municipal historic preservation regulations.

In the event any unmarked human burial remains are discovered, pursuant to Florida Statute Chapter 872.05, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

10. 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://oeaa.faa.gov>.

11. Utilities

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

12. 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 Planning and Development Management 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 Central Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(1)a) of the Land Development Code.
2. 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.

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 the Highway Construction and Engineering Memorandum, **Exhibit 5**.
2. Place note of the face of the plat, preceding municipal official's signature, reading:

All application, 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 a service station with 8 fueling positions.

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.

[HWC]