

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Development Management Division
DEVELOPMENT REVIEW REPORT

PROJECT DESCRIPTION

Name:	7 – Eleven # 10440	Number:	030-MP-19
Applicant:	7-Eleven, Inc.	Comm. Dist.:	4
Agent:	Pulice Land Surveyors, Inc.	Sec/Twp/Rng:	05-48-48
Location:	North Side of Northeast 2 Street, Between 19 Avenue and Northeast 20 Avenue	Platted Area:	0.215 Acre
City:	Deerfield Beach	Gross Area:	N/A
Replat:	N/A		

LAND USE

Existing Use:	2,592 Sq. Ft. Commercial	Effective Plan:	Deerfield Beach
Proposed Use:	3,500 Sq. Ft. Commercial	Plan Designation:	Commercial. See attached comments from the Planning Council.
Adjacent Uses:		Adjacent Plan Designations:	
North:	Commercial	North:	Residential High (25 DU/AC)
South:	Multi-Fam. (Under Const.)	South:	Commercial
East:	Commercial	East:	Commercial
West:	Commercial (Under Construction)	West:	Commercial
Existing Zoning:	B-1	Proposed Zoning:	B-1

RECOMMENDATION (See Attached Conditions)

APPROVAL: Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances.

Meeting Date: 05/05/20
Action Deadline: 08/18/20
Deferral Dates:

Prepared: HWC
Reviewed:
Approved:

SERVICES

Wastewater Plant:	BCUD (09/19)	Potable Water Plant:	Pompano Beach (06/19)
Design Capacity:	95.0000 MGD	Design Capacity:	23.600 MGD
12-Mo. Avg. Flow:	69.9000 MGD	Peak Flow:	11.383 MGD
Est. Project Flow:	0.0005 MGD	Est. Project Flow:	0.001 MGD

Comments: Sufficient capacity exists at this time. Comments: Sufficient capacity exists at this time.

PARKS

SCHOOLS			Land Dedication	Impact Fee	Admin. Fee
Dwelling Units	Impact Fee	Local:	N/A	N/A	N/A
N/A	N/A	Regional:	N/A	N/A	N/A

TRANSPORTATION

Concurrency Zone: Northeast	Trips/Peak Hr.	Transit Concurrency Fee	Road/Admin. Fee
Res. Uses:	N/A	N/A	N/A
Non-res. uses:	38	*	N/A
Total:	38	*	N/A

* See Staff Comment No. 3 & 4
See Finding No. 1
See Staff Recommendation No. 1

7 – ELEVEN # 10440 20 - 558
030-MP-19

STAFF COMMENTS

- 1) Staff findings and recommendations pertaining to this plat are based on the use being 3,500 square feet of commercial use. This property is being platted because it does not qualify for an exception to the mandatory platting rule and the plat boundaries are not specifically delineated on a recorded plat.
- 2) Trafficways approval is valid for 10 months. Approval was received on December 12, 2019.
- 3) This plat is located within a Transportation Concurrency Management Area. In accordance with Land Development Code, transportation concurrency fees will be assessed in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval and must be paid on the date of the building permit issuance. These fees shall be based on the gross square footage of any building(s) as defined in the ordinance, including interior mezzanines and exterior canopies and overhangs for loading facilities.
- 4) This plat is located within a Transportation Concurrency Management Area. In accordance with Land Development Code, transportation concurrency fees will be assessed in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval and must be paid on the date of the building permit issuance. These fees shall be based on the gross square footage of any building(s) as defined in the ordinance, including canopies and overhangs for drive-thru facilities and for outdoor restaurant seating. In addition, in cases where a building floor may have both commercial and office uses, the entire floor will be assessed as commercial use.
- 5) At the time of plat application, a 2,592 square feet commercial building existed on this site, which the applicant stated will be demolished. In accordance with the credit provisions of Section 5-182(a)(4) of the Land Development Code, these structures may be eligible for credit towards transportation concurrency 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 eighteen (18) months prior to the review of construction plans submitted for County environmental review approval.**
- 6) This plat is not located in a Wellfield Zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.
- 7) This plat is located in the City of Deerfield Beach and is under the jurisdiction of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division. Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. A surface water management license from the Water and

Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division will be required prior to any construction. Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge. Any vehicle washing facility that is not connected a sanitary sewer system must recycle 100% of its water and no discharge to the drainage system will be permitted.

- 8) The Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division has advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding or altering either a gravity sanitary sewer, a sanitary force main or a pump station, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management. Wastewater receiving lift stations and force mains are critical components of the conveyance system. As part of the licensing process, adequate capacity will need to be demonstrated for the receiving off-site sanitary sewer conveyance system. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. For additional information, please contact the Water and Environmental Licensing Section at 954-519-1483.
- 9) Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Water and Environmental Licensing Section at 954-519-1483 at the earliest time to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.
- 10) The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian-pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of south Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section.
- 11) This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. Please contact Paul Krashefski of the Environmental Planning and Community Resilience Division concerning the inventory, which

Continued

provides information regarding the ownership and management of each of the Protected Natural Lands. He can be reached at (954) 519-1297 or pkrashefski@broward.org

- 12) Review of aerial photographs indicates that the subject site contains tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Deerfield Beach if trees are to be removed or relocated. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.
- 13) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
- 14) A demolition notice of the existing use may be required from the Broward County Air Licensing and Compliance Section of the Environmental Engineering and Permitting Division.
- 15) A Storage Tank License may be required if there will be fuel storage associated with either an emergency generator system or a service station. Contact the Environmental and Consumer Protection Division at 954-519-1260 for specific license requirements.
- 16) 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 Engineering and 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.
- 17) 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>. For additional information, contact the Broward County Aviation Department at 954-359-6170.
- 18) Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's

Continued

consulting archaeologist indicates that the proposed development will not have an adverse effect on any known historical or archaeological resources or areas of paleontological sensitivity. The archaeologist notes that there are no recorded historic or archaeological sites within or immediately adjacent to the plat area and it is unlikely that the plat area contains unknown/unrecorded archaeological or historic resource. However, there are numerous historic structures in the vicinity, and the City of Deerfield Beach should consider this when reviewing the project. As a result, the archaeologist has no objections to the plat as submitted.

The archaeologist notes that they are 23 recorded historic resources within a one-quarter mile of the property with 22 have not been destroyed. Given that none of historic resources are immediately adjacent to the property and the project is limited to the property's boundaries, no historic resources will be physically impacted. The list of recorded resources is listed below attached.

SITE NO.	SITE NAME	RESOURCE	DESTROYED	YEAR
• BD00126	Gould, Vina S Home	Structure	No	1939
• BD00198	Sharon Corporate Beach Cottage	Structure	Yes	1920
• BD04684	601 SR A1A	Structure	No	1956
• BD04685	Casa Mia	Structure	No	1950
• BD04686	Manning Apartment	Structure	No	1949
• BD04687	Hopkins Deerfield Beach Apartments	Structure	No	1957
• BD04688	Falingan's Seafood Bar and Grill	Structure	No	1955
• BD04689	Whale's Rib	Structure	No	1955
• BD04690	Sea Girl Ladies Apparel Swimwear	Structure	No	1956
• BD04691	Mono Lisa Coal Oven Pizza/Designer	Structure	No	1956
• BD04692	Pink Papaya/	Structure	No	1951
• BD04693	1961NE 2 nd Street	Structure	No	1945
• BD04694	1956 NE 2ns St	Structure	No	1945
• BD04695	Deerfield Surf Club	Structure	No	1960
• BD0496	Villas by the Beach	Structure	No	1957
• BD04697	Royal Palm Motel	Structure	No	1953
• BD04698	2041 Hillsboro Blvd	Structure	No	1941
• BD04699	2040 Hillsboro Blvd	Structure	No	1951
• BD04700	116 SR A1A	Structure	No	1952
• BD04701	132 SR A1A	Structure	No	1952
• BD04702	148 SR A1A	Structure	No	1952
• BD04776	SR A1A	Linear Resource	No	
• BD04872	SR A1A	Bridge	No	1957

The consulting archaeologist further notes that this plat is located within the City of Deerfield Beach which is within the archaeological jurisdiction of Broward County Historic Preservation Ordinance 2014-32. If any archaeological materials are discovered during the course of development, the property owner must notify the Broward County Historic Preservation Officer, Richard (Rick) Ferrer, of the Planning and Development Management Division at 954-357-9731 or rferrer@broward.org, and the project may proceed in accordance with Ordinance 2014-32, Section 5-536.5(g).

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.

- 19) The plat is served by Broward County Transit Route 6 on Hillsboro Boulevard.
- 20) 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." In accordance with Section 5-189(b)(5) of the Land Development Code, the applicant has submitted the attached pre-application approval letter from the Florida Department of Transportation.
- 21) The recommendations of the Highway Construction and Engineering Division and the Transit Division for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.
- 22) The attached comments received from the Broward County Planning Council indicate that proposed commercial use is in compliance with the effective land use plan.
- 23) 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.
- 24) Specific questions regarding any of the above comments may be directed to each review agency contact person. A complete list of agency contact information can be accessed on the Planning and Development Management Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

CONCURRENCY REVIEW

- 1) This plat is located within the Northeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Land Development Code.
- 2) This plat satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

GENERAL RECOMMENDATIONS

- 1) Transportation concurrency fees will be assessed during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.
- 2) Place a note on the face of the plat, preceding the designated municipal official's signature, reading:

All applicable 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 the face of the plat reading:
 - A) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **May 5, 2025**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or
 - B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **May 5, 2025**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.
 - C) This plat is restricted to 3,500 square feet of commercial use.

Continued

- 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.
- D) 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.