



Environmental Protection and Growth Management Department  
**PLANNING AND DEVELOPMENT MANAGEMENT DIVISION**  
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**DEVELOPMENT REVIEW REPORT FOR A NEW PLAT**

Project Description			
Plat Name:	Saratoga III	Number:	004-MP-21
Application Type:	New Plat	Legistar Number:	21-681
Applicant:	Dania Beach Housing Authority	Commission District:	7
Agent:	HSQ	Section/Twn./Range:	34/50/42
Location:	Southwest corner of Dania Beach Boulevard and Southwest 8 Avenue	Platted Area:	8.2 Acres
Municipality:	Dania Beach	Gross Area:	N/A
Previous Plat:	None	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	N/A		
Recommendation:	<b>APPROVAL</b>		
Meeting Date:	June 1, 2021	Action Deadline:	July 1, 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 (PDMD) distributed the application to agencies for review, as required by Section 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	12 Garden Apartment Units and 4,030 Sq. Ft. of Office
Proposed Use:	75 Mid-Rise Units
Plan Designation:	Regional Activity Center
<b>Adjacent Uses</b>	<b>Adjacent Plan Designations</b>
North: Multi-Family Residential	North: Regional Activity Center
South: Multi-Family Residential	South: Regional Activity Center
East: Single Family Res., Multi-Family Res., Storage Unit	East: Regional Activity Center
West: Warehouse	West: Regional Activity Center
<b>Existing Zoning</b>	<b>Proposed Zoning</b>
NBHD-RES* & NBHD-RES	NBHD-RES* & NBHD-RES

As defined in Section 5-201 of 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 the Future Land Use Element of the City of Dania Beach Comprehensive Plan is the effective land use plan for the City of Dania Beach. That plan designates the area covered by this plat for the uses permitted in the “Regional Activity Center” land use category.

Planning Council staff notes that this plat is 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. 48123, PG. 852, B.C.R.). Section 2.1 of the Agreement requires the City of Dania Beach to monitor development activity and to enforce permitted land use densities and intensities within the Regional Activity Center (RAC). This plat was also the subject of Broward County Land Use Plan (BCLUP) amendments PC 09-5, PCT 09-5 and PCT 10-5 approved by the County Commission on December 8, 2009 and September 28, 2010, which amended various land use designations to “Dania Beach Regional Activity Center,” subject to the following voluntary restrictions listed in **Exhibit 3**.

Dania Beach RAC permits a total of 7,818 dwelling units. See the attached comments received from the Broward County Planning Council, **Exhibit 3**.

**2. Affordable Housing**

This dwelling units in Dania Beach RAC were not subject to Policy 2.16.2, regarding affordable housing, as the associated amendment did not propose additional residential units to the Broward County Land Use Plan.

**3. Trafficways**

Trafficways approval 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 4**.

**5. Concurrency – Transportation**

This plat is located in the Southeast 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.

Proposed Use	Trips per Peak Hour
Residential	29
Non-residential	N/A
Total	29

**6. Concurrency - Water and Wastewater Capacity**

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

	Potable Water	Wastewater
Utility Provider:	City of Dania Beach	City of Hollywood
Plant name:	Dania Beach (05/20)	Hollywood (12/20)
Design Capacity:	5.00 MGD	55.50 MGD
Annual Average Flow:	1.93 MGD	42.11 MGD
Estimated Project Flow:	0.002 MGD	0.019 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 BMSD/ unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	0.34
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 75 midrise units will generate students at the elementary, middle and high school levels, and in accordance with Section 5-182.9(a)(1) of the Land Development Code, 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 residences 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 SCAD letter. **Exhibit 5.**

**9. Impact Fee Payment**

All impact 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. Staff notes that school impact fees increase annually while transportation concurrency, concurrency administrative, park impact and park administrative fees are subject to adjustment annually on October 1<sup>st</sup>.

At the time of plat application, a 12-unit garden apartment building and 4,030 square feet office building existed on this site, which the applicant stated will be replaced. 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 Engineering and Permitting Division. See the attached environmental review report which provide recommendations to the developer regarding environmental permitting for the future development. **Exhibit 6.**

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.

### **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 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.

### **12. 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 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 within a 0.5 miles radius surrounding the project area there are:

- A. 144 Historic Structures
  - i. Two or potentially eligible for the National Register of Historic Place (NRHP): BD00141 and BD02608.
  - ii. The remainder have either not been evaluated by the State Historic Preservation Office (SHPO) or were deemed ineligible for inclusion in the NRHP.
- B. One National Register Site.
  - i. BD00119 (Nyberg-Swanson House)
- C. Five Resource Groups.
  - i. One potentially eligible for NRHP: BD04176
  - ii. Two Eligible for NRHP: BD04227 and BD04087
  - iii. Two deemed ineligible

The subject property is located in the City of Dania Beach, which is outside the jurisdiction of the Broward County Historic Preservation Ordinance (2014-320). The property owner or agent is advised to contact Eleanor Norena, Director of Community Development Department at 954-924-6800 or [enorena@daniabeachfl.gov](mailto:enorena@daniabeachfl.gov).

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](mailto:med_exam_trauma@broward.org).

### **13. Aviation**

This property is within 20,000 feet of the Broward County's Fort Lauderdale-Hollywood International Airport. Any proposed construction on this property or 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. Based on the location of the proposed project, the FAA may need to 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>. To initiate the Broward County Aviation Department Review, please contact [Kfriedmand@broward.org](mailto:Kfriedmand@broward.org) or 954-359-6170.

Please see the attached BCAD's Conditional Approval Letter dated July 28, 2020, to the City of Dania Beach with

regards to the proposed site plan for Saratoga Crossing Site plan **Exhibit 7**. Further information regarding the current and potential impact of airport operations on the subject property may be obtained from the Broward County Aviation Department, Airport Development Planning Division at 954-359-6258.

#### **14. Utilities**

Florida Power and Light (FPL) and AT&T have been advised of this plat application. AT&T has no objection to the proposed plat. However, they advised that if there is a need to remove existing underground or aerial AT&T plant, further discussion will need to take place and cost will be incurred. No response was obtained from FPL.

#### **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 Planning and Development Management Division's web page at: [www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf](http://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 Southeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(5)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 which expired on February 22, 2021.
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(a) 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 4**.
2. Pursuant to Section 5-182(n), Protection of Air Navigation and Notice of Potential Noise Impacts, prior to plat recordation, record a separate document against all the property within the plat, acceptable to the Broward County Attorney's Office, advising prospective purchasers of potential aircraft overflight and noise impacts.

3. Place note of 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.

4. Place a note on this face of the plat reading:

- a. This plat is restricted to 75 Mid-Rise units.

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.

- b. 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.

5. If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[HWC]