



**Resilient Environment Department  
URBAN PLANNING DIVISION**

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**DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT**

Project Description			
Plat Name:	Dania Pointe	Number:	035-MP-15
Application Type:	Note Amendment	Legistar Number:	21-2175
Applicant:	Dania Live 1748 II, LLC	Commission District:	6
Agent:	Turner Planning Solutions LLC	Section/Twn./Range:	33/50/42
Location:	North side of Stirling Road, between Bryan Road and Interstate 95	Platted Area:	102.1 Acres
Municipality:	Dania Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	January 25, 2022		

A location map showing this Plat designated within the plat for the purpose of assigning development entitlement is attached as **Exhibit 2**.

The Application is attached as **Exhibit 10**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Platting History and Development Rights			
Plat Board Approval:	June 14, 2016	Plat Book and Page Number:	183-91
Date Recorded:	July 7, 2017	Current Instrument Number:	115323465
Plat Note Restriction			
Current Note:	This plat is restricted to <b>931,330 square feet of commercial use</b> ; 506,000 square feet of office use; <b>7,000 square feet of bank</b> ; 350 hotel rooms; 400 high rise units; and <b>600 mid-rise units</b> .		
Proposed Note:	This plat is restricted to <b>944,000 square feet of commercial use</b> ; 506,000 square feet of office use; 350 hotel rooms; 400 high-rise units; and <b>1,000 mid-rise units</b> .		
Extensions:	Not Applicable		

**1. Land Use**

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. The proposed note amendment is in compliance with the permitted uses of the effective land use plan. Staff notes this plat is located within an area that was the subject of Broward County Land Use Plan (BCLUP) amendments PC 09-5/PCT 09-5 and PCT 10-5, which amended various futures land use designation to the “Dania Beach Regional Activity Center,” subject to voluntary restrictions as stated on **Exhibit 3**.

**2. Affordable Housing**

This plat is not subject to Policy 2.16.2 regarding affordable housing, as it is not the subject of a Broward County Land Use Plan amendment, as the associated amendments did not propose any additional residential units to the Broward County Land Use Plan.

**3. Access**

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and have no objection to this note amendment.

**4. Municipal Review**

The City of Dania Beach has adopted a Resolution No. 2021-025 on October 12, 2021 approving the application, which is attached in **Exhibit 4**, and the adjacent City of Hollywood has no objections to this request, see **Exhibit 5**.

**5. Concurrency – Transportation**

This plat is located in Southeast 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. This project represents no change in PM peak hours.

	Existing Use Trips per Peak Hour (PM)	Proposed Use Trips per Peak Hour (PM)
Residential	627	783
Non-Residential	3564	3408
Total	4191	
Difference	No change	

This plat was recorded with a note requiring development to occur before five (5) years from date of plat approval. This note is no longer required by the Land Development Code.

**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	Hollywood (HOL)
Design Capacity:	5.00 MGD	55.50 MGD
Annual Average Flow:	2.41 MGD	40.81 MGD
Estimated Project Flow:	0.07 MGD	0.59 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 Parks and Recreation Division reviews all projects for Regional Park impacts and have reviewed this application and have no objection to this note amendment. This plat with the amended note satisfies the regional park concurrency requirement of Broward County Land Development Code.

**8. Concurrency - Public School**

The School Board has reviewed the application and satisfies public school concurrency on the basis that the project is vested for public school capacity. The School Board staff provided a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 6**.

**9. Impact Fee Payment**

A Declaration of Restrictive Covenants was recorded with Broward County Records on August 7, 2018 (Instrument number 115247962), which allows for a twenty-five percent credit of the assessed Transportation Concurrency fees to the affected property. Transportation Concurrency and administrative fees, school impact fees, regional park impact and administrative 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 Urban Planning Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

**10. Environmental Review**

The plat note amendment application has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 7** provides recommendations to the developer regarding environmental permitting for the future development.

**11. Historic Resources**

This plat has been reviewed 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 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. See the attached Archaeological Comments, see **Exhibit 8**.

**12. 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 Broward County Aviation Department (BCAD) at 954-359-6170. Further information regarding the current and potential impact of airport operations on the subject property may be obtained from the BCAD, Airport Development Planning Division at 954-359-2291, see **Exhibit 9**.

**13. Utilities**

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

**14. 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)(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.
3. 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.
4. This plat satisfied the regional parks and recreation concurrency requirement of Section 5-182 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. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **January 25, 2023**.
2. Delete the plat note that references expiration of the Findings of Adequacy.
3. 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.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments and recommendations.

MR