



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:	CIRCLE S ESTATES	Number:	039-MP-19
Application Type:	New Plat	Legistar Number:	20-1645
Applicant:	15990 Griffin Rd LLC, c/o Patricia Fuccile	Commission District:	5
Agent:	Craven Thompson & Associates, Inc.	Section/Twn./Range:	27&33/50/42
Location:	East of Dykes Road, between Griffin Road and SW 51 Avenue	Platted Area:	47.5 Acres
Municipality:	Southwest Ranches	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommendation:	<b>APPROVAL</b>	Waiver:	Sidewalk construction on SW 160 Avenue
Meeting Date:	12/01/20	Action Deadline:	01/5/21

A location map showing this Plat is attached, see **Exhibit 2**.

Broward County Planning Council has reviewed this application and determined that the Town of Southwest Ranches Future Land Use Map is the effective Land Use Plan.

Existing and Future Land Use	
Existing Use:	9 Single Family Residence, 6,667 Sq. Ft. Veterinarian Office
Proposed Use:	42 Single Family Residence
Plan Designation: Rural Ranches 1 DU/Ac	
Adjacent Uses	Adjacent Plan Designations
North: Open Space	North: Recreation and Open Space
South: Single Family Residence	South: Rural Estates 1 DU/AC
East: Single Family Residence, Canal	East: Residential 3 DU/AC (Town of Davie)
West: Single Family Residence, Park, Agriculture	West: Rural Estates 1 DU/AC, Recreation and Open Space
Existing Zoning	Proposed Zoning
RE – Rural Estates	RE – Rural Estates

**1. Land Use**

The attached comments regarding this plat’s compliance with the effective Land Use Plan have been received from the Broward County Planning Council, see **Exhibit 3**. The proposed 42 single family residences are in compliance with the permitted uses of the effective land use plan.

**2. Adjacent Municipality**

Adjacent Town of Davie indicate no objection to this request, see **Exhibit 4**.

**3. Trafficways**

Trafficways approval is valid for 10 months. Approval was received on February 27, 2020.

**4. Access**

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and have 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, see **Exhibit 5**. The recommendations for this plat may be modified upon approval from the Director of Highway Construction and Engineering Division.

Pursuant to Section 5-195 (a)(17)b) of the Broward County Land Development Code, sidewalk construction adjacent to trafficways may be waived, in whole or in part, by the Planning and Development Management Division Director. As such, the Planning and Development Management Director determines the sidewalk construction on Southwest 160 Avenue compliant with all four conditions, therefore a waiver has been approved.

The attached letter from the Mellgren Planning Group representing the Town of Southwest Ranches further explains the Town’s regulations regarding preclusions of sidewalk constructions in certain zoning districts, see **Exhibit 6**.

**5. Concurrency – Transportation**

This plat is located within a Standard Concurrency District which is subject to Roadway Impact fees, as defined in Section 5 -182.1(a)(5)a) of Land Development Code.

Proposed Use	Trips per Peak Hour
Residential	42
Non-residential	N/A
Total	42

At the time of plat application nine (9) single family residences, 6,667 square feet veterinarian offices along with several stables and barns 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, this structure may be eligible for credit towards road 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 eighteen (18) months prior to the review of construction plans submitted for County environmental review approval.**

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

This plat shall receive water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	City of Sunrise	City of Sunrise
Plant name:	Sunrise (09/19)	Sunrise Sawgrass (06/20)
Design Capacity:	MGD 25.500	MGD 20.000
Annual Average Flow:	MGD 17.900	MGD 2.4100
Estimated Project Flow:	MGD 00.015	MGD 0.1260

The applicant has requested the use of an onsite sewage disposal system (septic tanks) and wells. According to the attached letter from the City of Sunrise (**Exhibit 7**), this property is located 600 feet from a 12-inch main as well as a 14-inch force main. Section 34-45 of the Broward County Code requires that a subdivision with 5 or more lots, which are one (1) acre in size or less and is within a ¼ mile of an available public sewer or water facilities must connect all of the lots to those facilities. All of the lots were reconfigured and are greater than one (1) acre to comply with regulations for septic sewage systems.

The Broward County Health Department has determined that Well Construction Permit(s) and Septic Tanks Permit(s) will be required. The required Septic Tank Permits must be issued by the Broward County Health Department. Complete compliance with Chapter 64E-6 of the Florida Administrative Code and Broward Code Chapter 34, Article 11-1/2 Water and Septic Tank Ordinance. All necessary permits from the Health Department must be obtained prior to the issuance of a building permit. See the attached comments from the Broward County Health Department which shows the determined sewage flow for each lot, see **Exhibit 8**.

**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
Regional	0.42 acre
Local	N/A

In accordance with Land Development Code, regional park impact and administrative 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 building permit issuance.

The developer has elected to pay park impact fees in lieu of dedication of the park land. Prior to the recordation of the plat the developer must deposit within the County Trust Funds an amount commensurate with the current park impact fees schedule.

**8. Concurrency - Public School**

This plat generates more than one student at one or more levels (i.e., elementary, middle and high), and

in accordance with Section 5-182.9(a)(1) of the Land Development Code, is subject to the requirements of public school concurrency. School Board staff has reviewed this application and determined that it satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. Therefore, 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 approval and must be paid on the date of building permit issuance. See the attached School Capacity Availability Determination received from the School Board, **Exhibit 9**.

#### **9. Environmental Review**

This plat has been reviewed by Environmental Engineering and Permitting Division. See the attached environmental review report which provides recommendations to the developer regarding environmental permitting for the future development along with a Conceptual Dredge and Fill Review Report, see **Exhibit 10**.

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

#### **10. 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 issued 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.

#### **11. Historic Resources**

Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) by the County's consulting archaeologist indicates that the proposed development may have an adverse effect on the unrecorded historical structures and horse track on the properties. The archaeologist notes the current structures are at least 50 years old, and is now recorded in the FMSF, see **Exhibit 11**.

- A) The archaeologist also notes that the subject property is located in the Town of Southwest Ranches. Archeological Resources located within the Town are outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact Andy Berns, the Town Administrator for the Town of Southwest Ranches, at 954-434-0008 to seek project review for compliance with the municipal archaeological preservation regulations.
- B) The consulting archaeologist further notes that historic resources within the Town of Southwest Ranches fall under the jurisdiction of Broward County's historic preservation ordinance (B.C. Ordinance 2014-32). Pursuant to B.C. Ord. 2014-32, Section 5-536.5(g). 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](mailto:rferrer@broward.org).

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).

## **12. Aviation**

The Broward County Aviation Department has no objections to this plat. 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>.

## **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**

1. This plat is located within the Southwest Standard Concurrency District, and this application does not satisfy the concurrency requirements for regional road network as specified in Section 5-182(a)(5)b) of the Land Development Code. Specifically, the proposed development falls within the following impact areas:
  - A) Southwest 160 Avenue from Emerald Park Circle to Griffin Road, Segment 1643 (1 peak hour trip).
  - B) Griffin Road from Hawke's Bluff Avenue to Southwest 160 Avenue, Segment 1665 (7 peak hour trips)

The applicant has identified an improvement project at the intersection of Griffin Road and Southwest 160 Avenue (Dykes Road) to mitigate the impact being created by this project. The improvement would include the reduction of the existing taper length serving the southbound left-turn lane movements at Griffin Road and the northbound left-turn movement at the first median opening north of Griffin Road. With the reduction of the taper length, additional storage dimension could be provided to the critical southbound left-turn lanes.

The developer proposes to contribute **\$21,997** to Broward County for the additional cost associated with this improvement. A Regional Road Concurrency Agreement Construction of Improvements (BCF361) must be executed and approved by the developer, the Town of Southwest Ranches and Broward County prior to the recordation of the plat. As a result, the developer must submit a tri-party traffic concurrency agreement acceptable to the Office of County Attorney and must be recorded prior to plat recordation.

2. The Planning and Development Management Division has determined that is consistent with the Town of Southwest Ranches Rural Unified Land Development Code, the construction of the sidewalk on Southwest 160 Avenue (Dykes Road) is not required. This determination provided the basis for the Planning and Development Management Director to grant a waiver for the sidewalk requirement pursuant to Section 5-195(a)(17)b) of the 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. See the attached School Capacity Availability Determination received from the School Board.
4. This plat satisfies the solid waste disposal concurrency requirement of Section 5-182.6(e) of the Broward County Land Development Code.
5. This plat satisfies the regional park concurrency requirement of Section 5-182(i) of the Broward County Land Development Code.

## **RECOMMENDATIONS**

Based on the review and findings, staff recommends **APPROVAL** of this application and the Waiver of the Sidewalk Construction Requirements pursuant to Section 5-195(a)(17)b). See Staff Comments 4, Findings 2, and Highway Construction and Engineering recommendation 11:

1. Conditions attached in Highway Construction and Engineering Memorandum, **Exhibit 5**.
2. Prior to plat recordation, the developer must record the Traffic Concurrency Agreement to pay \$21,997 as the proportionate share for the County project to improve the intersection of Griffin Road and Southwest 160 Avenue (Dykes Road). All agreement obligations must be satisfied prior to issuance of Development and Environmental Review Certificates.
3. Road impact and administrative fees, school impact fees and 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

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. Road Impact, road administrative, regional park impact and administrative fee amounts are subject to adjustment each October 1.

4. Place note on 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.

5. Place a note on the face of the plat reading:

- a. This plat is restricted to 42 single family residences.

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.

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

[HWC]