



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Peaceful Center	Number:	008-MP-21
Application Type:	New Plat	Legistar Number:	22-1197
Applicant:	Cypress Bend Associates, LLC	Commission District:	5
Agent:	Deni Land Surveyors, Inc.	Section/Twn./Range:	35/50/41
Location:	Southeast corner of Southwest 55 Terrace and Southwest 48 Street	Platted Area:	1.1 Acres
Municipalities:	Davie	Gross Area:	1.2 Acres
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
FS 125.022 Waiver	An extension waiver was granted until March 12, 2023		
Recommendation:	APPROVAL		
Meeting Date:	November 15, 2022		

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

The Application is attached, as **Exhibit 9**. The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	Vacant
Proposed Use:	3 Single Family Units
Plan Designation:	Residential 5 DU/AC
Adjacent Uses	Adjacent Plan Designations
North: Single Family Residential	North: Residential 5 DU/AC
South: Single Family Residential	South: Residential 1 DU/AC
East: Single Family Residential	East: Residential 1 DU/AC
West: Single Family Residential	West: Residential 5 DU/AC
Existing Zoning	Proposed Zoning
A-1	A-1

1. Land Use

Planning Council staff has reviewed this application and determined that the Town of Davie's Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat uses permitted in the "Residential 5 DU/AC" land use category. The proposed residential use is in compliance with the permitted uses and densities of the effective land use plan. Planning Council memorandum is attached, **Exhibit 3**.

2. Trafficways

Trafficways approval is valid for 10 months. Approval was received on June 23, 2022.

3. 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, **Exhibit 4**. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

4. Concurrency – Transportation

This plat is located in the South 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.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	3
Non-residential	0	0
Total	3	

5. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	Town of Davie	Septic
Plant name:	Davie 2 (12/20)	Septic
Design Capacity:	4.85 MGD	none
Annual Average Flow:	2.13 MGD	none
Estimated Project Flow:	0.009 MGD	none

The applicant has requested the use of an onsite sewage disposal system (septic tanks). Prior to any construction or building permit, the required septic tank permit must be issued by the Broward County Health Department. Complete compliance with Chapter 64E-6 of the Florida Administrative Code and Broward County Code of Chapter 34, Article 11-1/2 Water and Septic Tank Ordinance. The Environmental Permitting Division have stated that the site must connect to an existing sanitary sewer if deemed available. However, the applicant received a Water-Sewer Availability Letter, see **Exhibit 5** (page 2, bullet d) indicating that there are no existing sanitary sewer mains in the area and no feasible connection that can be made at this time.

This project as submitted will be limited to 2,625 gallon per day sewage flow as provided in Chapter 64E-6 of the Florida Administrative Code (FAC) or Chapter 34, Article 11 ½ Water Tank and Septic Tank Ordinance. The septic tanks must be limited to domestic waste only.

6. Concurrency – Regional Parks

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts).

	Land Dedication (Acres)
Regional	0.02
Local	N/A

7. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the three (3) dwelling units will generate one (1) student at the elementary level, and one (1) student at the high school level. In accordance with Section 5-182.9(a)(1) of the Land Development Code, it is 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 single-family units 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. See the attached School Capacity Availability Determination (SCAD) letter, see **Exhibit 6**.

8. Impact Fee Payment

All impact fees (school impact, park impact, transportation concurrency fees) will be calculated by the Urban Planning 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.

9. Environmental Review

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

Natural Resources Division notes that this site is not included in the Protected Natural Lands 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 approved by the Environmental 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

This plat has been reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological sensitivity. See the attached historic and archaeological comments, **Exhibit 8**.

12. Aviation

The Broward County Aviation Department (BCAD) has no objection to this plat. However, this property is within 3 miles of the Broward County's Fort Lauderdale/Hollywood International Airport (FLL) and may need to be reviewed by BCAD and FAA to determine if the project is hazard to aviation. The project is subject to compliance with Broward

County Code of Ordinance's Chapter (Building Regulations and Land Use) including Sec. 5-182.10 (Airports). The applicant should visit <https://www.broward.org/Airport/Business/AirspaceReview/Pages/default.aspx> to determine if the proposed project exceeds the height limitations in the Airport Airspace Imaginary Surfaces Composite Map. This project may also be subject to Federal Aviation Regulation Part 177. 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 AirspaceReview@Broward.org.

13. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat application 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 Urban Planning 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 South Central Transportation Concurrency Management District. This district meets the regional transportation concurrency standards as specified in Section 5-182.1(a)(1)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, see the attached SCAD letter, **Exhibit 6**.
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 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 Highway Construction and Engineering Memorandum, see **Exhibit 4**.
2. Place note on 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.

3. Place a note on this face of the plat reading:
 - a. This plat is restricted to 3 single family units.
 - b. 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.
 - c. 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.

[HWC]