



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Koosh Living	Number:	002-MP-22
Application Type:	New Plat	Legistar Number:	22-1113
Applicant:	3851 Stirling Holdings, LLLP	Commission District:	6
Agent:	Pulice Land Surveyors, Inc.	Section/Twn./Range:	31/50/42
Location:	North side of Stirling Road, between Southwest 37 Terrace and Southwest 40 Avenue	Platted Area:	10.1 Acres
Municipalities:	Dania Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
FS 125.022 Waiver	Extension was not required		
Recommendation:	APPROVAL		
Meeting Date:	August 25, 2022		

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

The Application is attached, as **Exhibit 11**. 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:	1 Single Family Residence
Proposed Use:	199 Mid-Rise Units, 32 Townhouse Units, 13,500 Sq. Ft. of Commercial use and 3,200 Sq. Ft. of Office Use
Plan Designation:	Estate Residential
Adjacent Uses	Adjacent Plan Designations
North: Single Family Residential	North: Estate Residential
South: High School	South: Community Facilities (City of Hollywood)
East: Single Family Residential	East: Low (5) Residential
West: Commercial	West: Low (5) Residential and General Business (City of Hollywood)
Existing Zoning	Proposed Zoning
E-1 (S.F. Estate)	PRD-1

In accordance with 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 staff has reviewed this application and determined that the City of Dania Beach's Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat uses permitted in the "Estate Residential" land use category. Staff notes that the maximum number of dwelling units permitted per the effective land use plan is 10 dwelling units, however they received written documentation from the City of Dania Beach that they allocated 221 "flexibility unit" through Ordinance No. 2022-018. Therefore, the proposed midrise and high-rise units are in compliance with the permitted uses and densities of the effective land use plan. Regarding the proposed commercial and office uses, they also received written documentation that the City of Dania Beach utilized the "5% residential-to-commercial" flexibility provision which now makes the commercial and office uses in compliance with the permitted uses of the effective land use plan.

Planning Council staff further notes that the proposed development is adjacent to the City of Hollywood and is subject to Policy 2.10.1 of the Broward County Land Use Plan regarding compatibility. The staff received written documentation from the City of Dania Beach that the City of Hollywood did not request a compatibility review. Finally, the plat is not located within 500 feet of a Broward County or regional park, or an Environmentally Sensitive Land, as defined by the Broward County Comprehensive Plan. See the attached Memorandum, **Exhibit 3**.

2. Affordable Housing

This plat is not subject to Policy 2.16.2 because it was not the subject of a Broward County Land Use Plan amendment.

3. Adjacent City

The City of Hollywood was advised of this application, and no response was received, see **Exhibit 4**.

4. Trafficways

Trafficways approval is valid for 10 months. Approval was received on April 28, 2022.

5. 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 5**.

This project is located on Stirling Road (SR 848). Florida Department of Transportation (FDOT) has issued a pre-approval letter, see the attached. 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," see **Exhibit 6**.

6. 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. The proposed plat generates an increase of 259 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	1	99
Non-residential	NA	161
Total	260-1 =259	

7. 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 (04/21)	Hollywood (HOL) (03/22)
Design Capacity:	5.00 MGD	55.50 MGD
Annual Average Flow:	2.59 MGD	38.16 MGD
Estimated Project Flow:	0.083 MGD	0.058 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.

8. 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	0.125
Local	N/A

9. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the 231 dwelling units will generate students on several levels (i.e. elementary, middle and high), and in accordance with Section 5-182.9(a)(1) of the Land Development Code, the staff 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 development 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 School Capacity Availability Determination (SCAD) letter, **Exhibit 7**.

10. 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.

At the time of plat application, a single-family residence existed on the site, which the applicant stated will be demolished. 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.

11. 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 8**.

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.

12. 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.

13. 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, could have an adverse effect on unrecorded cultural resources. The archeologist noted that the subject property contains a structure over 50 years old. A Phase I Cultural Resource Assessment Survey was recommended and completed. In addition, the structure (single-family residence) was recorded and added to the FMSF, see **Exhibit 9**.

14. Aviation

This property is within 3 miles of the Broward County's Fort Lauderdale/Hollywood International Airport (FLL) and North Perry Airport (HWO). 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 (BCAD) Review, access the FAA Web Page at: <http://oeaaa.faa.gov>. To initiate the Broward County Aviation Department Review, please contact AirspaceReview@Broward.org. Please see the attached BCAD's comments, **Exhibit 10**.

15. Utilities

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

16. 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 Southeast 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 7**.
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 5**.
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 199 mid-rise units, 32 townhouse units, 13,500 square feet of commercial use and 3,200 square feet of office use.
- 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