



Resilient Environment Department

**URBAN PLANNING DIVISION**

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

| Project Description |                                                                                      |                      |                                                                     |
|---------------------|--------------------------------------------------------------------------------------|----------------------|---------------------------------------------------------------------|
| Plat Name:          | Sheridan House No. 3                                                                 | Number:              | 021-MP-03                                                           |
| Application Type:   | Note Amendment                                                                       | Legistar Number:     | 22-1227                                                             |
| Applicant:          | Town of Davie                                                                        | Commission District: | 5                                                                   |
| Agent:              | Dunay, Miskel and Backman, LLP                                                       | Section/Twn./Range:  | 13/50/40                                                            |
| Location:           | East side of South Flamingo Road between Southwest 14 Street and Southwest 20 Street | Platted Area:        | 57.2 Acres                                                          |
| Municipality:       | Town of Davie                                                                        | Gross Area:          | N/A                                                                 |
| Previous Plat:      | N/A                                                                                  | Replat:              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Meeting Date:       | October 11, 2022                                                                     |                      |                                                                     |

A location map of the plat 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:                    | March 23, 2004                                                                                                                                                                                                                                                                                                                                                                                     | Plat Book and Page Number: | 174-42    |
| Date Recorded:                          | November 2, 2004                                                                                                                                                                                                                                                                                                                                                                                   | Current Instrument Number: | 104455297 |
| Plat Note Restriction                   |                                                                                                                                                                                                                                                                                                                                                                                                    |                            |           |
| Current Plat Note:                      | This plat is restricted 8 Special Residential Facility Category 2 units, as defined by Broward County Land Use Plan (16 dwelling unit equivalent), 2 three-bedroom accessory single family detached units, <b>35 villas, 5,000 square feet day care</b> and 38,000 square feet administration/accessory use. <b>The day care is restricted to children residing in the on-site dwelling units.</b> |                            |           |
| Proposed Note:                          | This plat is restricted to 8 special residential facility Category 2 units, as defined by the Broward County Land Use Plan ( <b>48 sleeping rooms</b> , 16 dwelling unit equivalents), 2 accessory single family detached units, <b>6 duplexes, 4 villas</b> and 38,000 square feet of administrative/accessory uses.                                                                              |                            |           |

### 1. Land Use

Planning Council has reviewed this application and determined that the Town of Davie Comprehensive Plan is the effective land use plan, that plan designates the area covered by this plat for the uses permitted in the “Residential 1 DU/AC” land use category. The existing and proposed administrative and accessory uses are in compliance with the permitted uses of the effective land use plan, see **Exhibit 3**.

### 2. 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.

This project is located on South Flamingo Road, which is a State Roadway. FDOT has issued a pre-application letter for this request with conditions, see **Exhibit 7**.

### 3. Municipal Review

The Town of Davie adopted a Resolution No. R-2022-105 on June 8, 2022, supporting the application, see **Exhibit 4**.

### 4. Concurrency – Transportation

This plat is located within the Southwest Standard District, which is subject to Road Impact fees, as defined in Section 5-182.1(a)(1)b) of Land Development Code. The proposed note amendment generates a decrease of 78 trips per PM peak hour.

|                 | Existing Use<br>Trips per PM Peak Hour | Proposed Use<br>Trips per PM Peak Hour |
|-----------------|----------------------------------------|----------------------------------------|
| Residential     | 35                                     | 19                                     |
| Non-Residential | 153                                    | 91                                     |
| TOTAL           | 188-110 = 78                           |                                        |
| Difference      | Decrease of 78 Trips per PM Peak Hour  |                                        |

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.

### 5. Concurrency - Water and Wastewater Capacity

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

|                         | Potable Water                | Wastewater                     |
|-------------------------|------------------------------|--------------------------------|
| Utility Provider:       | City of Sunrise              | City of Sunrise                |
| Plant name:             | Sunrise Sawgrass WTP (12/21) | Sunrise Sawgrass (SSA) (06/22) |
| Design Capacity:        | 24.00 MGD                    | 20.00 MGD                      |
| Annual Average Flow:    | 1.56 MGD                     | 13.08 MGD                      |
| Estimated Project Flow: | 0.02 MGD                     | 0.011 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.

### 6. 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.

**7. Concurrency - Public School**

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, this plat generates a reduction of 8 students, and pursuant to Section 8.11(a)(2) of the Third Amended and Restated Interlocal Agreement for Public School Facility Planning, the application is exempt because the plat note amendment does not generate additional students. The development proposed by this plat will be subject to school impact fees, the School Board staff provided a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 6**.

**8. Impact Fee Payment**

The plat is subject to road impact fees. A Regional Park Impact Fee Agreement is recorded through instrument number 104455298, for two (2) single-family units, 35 villas, and 16 garden apartment units. A total of \$11,980.27 remains to be paid under the agreement. Additional fees would be due at time of environmental approval under the current fee schedule at the time of impact fee payment.

All remaining impact fees (school impact, park impact, road impact fees, and administrative 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**

The plat note amendment application has been reviewed by Environmental Permitting Division. **Exhibit 5** provides recommendations to the developer regarding environmental permitting for the future development.

**8. 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**.

**10. Aviation**

The Broward County Aviation Department (BCAD) has no objections to this plat. However, the applicant is advised that any proposed construction or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Broward County Airport Zoning Ordinance. Based on the location, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Broward County review, please contact [AirspaceReview@broward.org](mailto:AirspaceReview@broward.org). To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>, see BCAD comments, **Exhibit 9**.

**11. Utilities**

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

**12. 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](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 Southwest Standard District. This district meets the regional standard concurrency specified in Section 5-182.1(a)(1)b) 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. See the attached School Capacity Availability Determination received from the School Board.
4. This plat satisfied the regional parks and recreation 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. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **October 11, 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.

DP