



Resilient Environment Department
URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

| Project Description | | | |
|---------------------|--|----------------------|---|
| Plat Name: | Atlantica at Dania Beach | Number: | 005-MP-21 |
| Application Type: | New Plat | Legistar Number: | 21-1995 |
| Applicant: | East Side Five, LLC | Commission District: | 6 |
| Agent: | Leigh Robinson Kerr & Associates, Inc. | Section/Twn./Range: | 35/50/42 |
| Location: | South side of Northeast 2 Street, between Northeast 6 Avenue and Gulfstream Road | Platted Area: | 4.7 Acres |
| Municipalities: | Dania Beach | Gross Area: | N/A |
| Previous Plat: | N/A | Replat: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| FS 125.022 Waiver: | Extension was granted until September 10, 2022 | | |
| Recommendation: | APPROVAL | | |
| Meeting Date: | January 25, 2022 | | |

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

The Application is attached as **Exhibit 9**. The Urban Planning Division 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: | 124 Gardens Apartment Units |
| Plan Designation: | Medium (16) Residential |
| Adjacent Uses | Adjacent Plan Designations |
| North: Single Family Residential | North: Low (5) Residential |
| South: Multi-Family Residential | South: Medium (16) Residential |
| East: Multi-Family Residential | East: Medium (16) Residential |
| West: Multi-Family Residential | West: Medium-High (25) Residential |
| Existing Zoning | Proposed Zoning |
| RM-2 | RM-2 |

1. Land Use

Planning Council has reviewed this application and determined that the City of Dania Beach’s Comprehensive Plan is the effective Land Use Plan. That plat designates the area covered by this plat uses permitted in the “Medium (16) Residential” land use category. The staff finds that the maximum number of dwelling units permitted for the effective land use plan is 78 dwelling units, and on August 24, 2021, they received documentation from the City of Dania Beach through Resolution No. 2021-116 that 46 “flexibility units” were allocated which therefore puts the proposed dwelling in compliance with the permitted uses and densities of the effective land use plan.

Also, it should be noted that the proposed plat is subject to Policy 2.10.1 of the Broward County Land Use Plan as it located within 500 feet of a Broward County Park. However, the staff received confirmation from the Resilient Environment Department that a compatibility review was not warranted. The staff further notes that plat is not located within 500 feet of an Environmentally Sensitive Land, as defined by the Broward County Comprehensive plan, and is not located adjacent to another municipality, see **Exhibit 3**.

2. Affordable Housing

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

3. Trafficways

Trafficways approval is valid for 10 months. Approval was received on June 24, 2021.

4. 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 4**.

5. 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)(1)a) of Land Development Code.

| | Existing Use Trips per PM Peak Hour | Proposed Use Trips per PM Peak Hour |
|-----------------|-------------------------------------|-------------------------------------|
| Residential | NA | 84 |
| Non-residential | NA | NA |
| Total | | 84 |

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 (05/20) | Hollywood (06/21) |
| Design Capacity: | 5.00 MGD | 55.500 MGD |
| Annual Average Flow: | 1.91 MGD | 40.81 MGD |
| Estimated Project Flow: | 0.049 MGD | 0.035 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 reviews all projects for Regional Park impacts (and only projects in the BMSD/ unincorporated area for local park impacts.)

| | Land Dedication (Acres) |
|----------|-------------------------|
| Regional | 0.63 |
| Local | N/A |

8. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the 124 garden apartment units will generate students at the elementary, middle and high school levels, and in accordance with Section 5-182(m)(1)a) of the Land Development Code, 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 residences 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 SCAD letter **Exhibit 5**.

9. Impact Fee Payment

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

10. 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. See the attached Environmental Review Report, see **Exhibit 6**.

Natural Resource Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

11. 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.

12. 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 Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project, will not have an adverse effect on unrecorded resources. The archaeologists

notes that within a 0.5 miles radius surrounding the project area several cultural resources were identified. However, none of these resources will be impacted due to this project, see **Exhibit 7**.

13. 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.

Please see the attached BCAD's Comments and Conditional Approval Letter dated February 23, 2021, to the City of Dania Beach with regards to the proposed site plan. 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 8**.

14. Utilities

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

15. 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

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 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.
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 the Highway Construction and Engineering Memorandum, see attached memorandum, **Exhibit 4**.
2. Pursuant to Section 5-182(n), Protection of Air Navigation and Notice of Potential Noise Impacts, prior to plat recordation, record a separate document against all the property within the plat, acceptable to the Broward County Attorney's Office, advising prospective purchasers of potential aircraft overflight and noise impacts.
3. Place note of 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.

4. Place a note on this face of the plat reading:
 - a. This plat is restricted to 124 garden apartment units.

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

[HWC]