



Environmental Protection and Growth Management Department
PLANNING AND DEVELOPMENT MANAGEMENT DIVISION
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DEVELOPMENT REVIEW REPORT FOR A NEW PLAT

Project Description			
Plat Name:	Cypress of Sunrise	Number:	014-MP-19
Application Type:	New Plat	Legistar Number:	20-1222
Applicant:	J. Hernandez & Associates, Inc.	Commission District:	1
Agent:	Jose Hernandez	Section/Twn./Range:	20/49/41
Location:	South side of Northwest 38 Street, between Northwest 90 Terrace and Northwest 91 Avenue	Platted Area:	0.8 Acre
Municipality:	Sunrise	Gross Area:	N/A
Previous Plat:	Winds of Sunrise (Plat Book 177, Page 58)	Replat:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Meeting Date:	09/22/20	Action Deadline:	11/10/2020

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

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

This is a replat of Winds of Sunrise (Plat Book 178, Page 62) which was approved by the Broward County Board of County Commission on January 8, 2008, for 8 duplex units (4 duplexes).

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

Existing and Future Land Use	
Existing Use:	Vacant
Proposed Use:	6 Duplex Units (3 Duplexes)
Plan Designation: Low-Medium (10) Residential. See attached comments from Planning Council.	
Adjacent Uses	Adjacent Plan Designations
North: Multi-Family Residential	North: Low-Medium (10) Residential
South: Multi-Family Residential, Vacant	South: Low-Medium (10) Residential
East: Park	East: Low-Medium (10) Residential
West: Vacant	West: Low-Medium (10) Residential
Existing Zoning	Proposed Zoning
RM-10	RM-10

1. Planning Council

Broward County Planning Council finds that the proposed plat is consistent with the effective Land Use plan, and the use is permitted in the “Low-Medium (10) Residential” land use category. Planning Council Memorandum letter is attached as **Exhibit 3**.

2. Municipal Comments

Please see the attached **Exhibit 4** for Resolution No. 07-152-20-A adopted by the City of Sunrise, City Commission on March 10, 2020.

3. Trafficways

Trafficways approval is required by Section 5-182.5 prior to plat approval. Trafficways review by Broward County Planning Council is scheduled for September 17, 2020, with a staff recommendation for approval which will be valid for 10 months.

4. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division they 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 **Exhibit 5**. The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

5. Concurrency – Transportation

This plat is located within the Central Concurrency Management Area, which is subject to Transportation concurrency fees, as defined in Section 5- 182.1(a)(5)a) of Land Development Code.

Proposed Use	Trips per Peak Hour (PM)
Residential	4
Non-residential	N/A
Total	4

6. 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 (07/18)	Sunrise Springtree (03/20)
Design Capacity:	25.500 MGD	10.0000 MGD
Annual Average Flow:	10.253 MGD	8.1200 MGD
Estimated Project Flow:	0.021 MGD	0.0015 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
Regional	0.045 acre
Local	N/A

Prior to plat recordation park impact and administrative fees were paid for the underlying plat (Winds of Sunrise) in the amount of \$3,412 and \$120 respectively. This amount will be applied as credit towards the assessment of future park impact and administrative for this plat.

8. Concurrency - Public School

In accordance with Section 5-182.9(a)(1) of the Land Development Code this plat is subject to public school concurrency because it will generate more than one student at one or more levels. School Board staff have reviewed this plat and provide a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 6**.

9. Impact Fee Payment

All impact fees will be calculated by PDMD DER Section; assessed based on construction plans submitted for environmental review approval and must be paid on date of building permit issuance. Fees are subject to increase annually on October 1st.

10. Environmental Review

This plat has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 7** provides recommendations to the developer regarding environmental permitting for the future development. Also, attached is a Dredge and Fill Report **Exhibit 8**.

Environmental Planning and Community Resilience 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 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.

12. Historic Resources

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 will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.

The consulting archaeologist has no objections to this application; however, the subject property is located within the City of Sunrise and within jurisdiction of Broward County Historic Preservation Ordinance 2014-32. 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, and the project may proceed in accordance with Ordinance 2014-32, Section 5-536.5(g).

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.

13. Aviation

The Broward County Aviation Department has no objections to this plat. However, the information submitted with this plat application does not indicate the height of any proposed buildings. 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/oeaaa/external/portal.jsp>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

14. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat 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 Central Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(5)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 solid waste disposal concurrency requirement of Section 5-182.6(e) of the Broward County Land Development Code.
4. This plat satisfies the regional park concurrency requirement of Section 5-182.7(a) 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 & Engineering Memorandum - **Exhibit 5**.
2. Transportation concurrency fees, public school impact fees, and regional park fees must be paid on date of building permit issuance.
3. Trafficways must be granted prior to County Commission approval.
4. Place note of 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 this face of the plat reading:
 - a. This plat is restricted to 6 duplex units (3 duplexes).

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.