



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:	Casuarinas	Number:	043-MP-19
Application Type:	New Plat	Legistar Number:	21-071
Applicant:	NRM Group, LLC	Commission District:	5
Agent:	McLaughlin Engineering Company	Section/Twn./Range:	11/50/42
Location:	North side of Southwest 14 Street and Southwest 130 Avenue	Platted Area:	4.38 Acres
Municipality:	Davie	Gross Area:	5.0 Acres
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
FS 125.022 Waiver	A waiver of extension was granted until June 1, 2022		
Recommendation:	<b>APPROVAL</b>	Action Deadline:	04/09/21
Meeting Date:	March 9, 2021		

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

Existing and Future Land Use	
Existing Use:	Vacant
Proposed Use:	12 Single Family Detached 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 5 DU/AC
East: Single Family Residential	East: Residential 5 DU/AC
West: Single Family Residential	West: Residential 5 DU/AC
Existing Zoning	Proposed Zoning
R-5	R-5

**1. Land Use**

Broward County Planning Council has reviewed this application and determined that the Town of Davie Future Land Use Map is the effective Land Use Plan. The attached comments regarding this plat’s compliance with the effective Land Use Plan have been received from the Broward County Planning Council, see **Exhibit 3**. The 12 dwelling units are in compliance with the permitted uses and of the effective land use plan.

**2. Affordable housing**

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

**3. Trafficways**

Pursuant to Section 5-182.5, trafficways approval is required prior to plat approval. An approval was received on January 28, 2021, and is valid for 10 months.

**4. Access**

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division 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 the attached memorandum, see **Exhibit 4**. The recommendations for this plat may be modified upon approval from the Director of Highway Construction and Engineering Division.

**5. Concurrency – Transportation**

This plat is located within a Standard Concurrency District which is subject to Roadway Impact fees, as defined in Section 5 -182.1(a)(5)b) of Land Development Code.

Proposed Use	Trips per Peak Hour
Residential	12
Non-residential	NA
Total	12

**6. Concurrency - Water and Wastewater Capacity**

This plat shall receive water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	City of Sunrise	City of Sunrise
Plant name:	Sunrise (03/19)	Sunrise Sawgrass (09/20)
Design Capacity:	24.00 MGD	20.00 MGD
Annual Average Flow:	18.20 MGD	12.18 MGD
Estimated Project Flow:	0.007 MGD	0.004 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat 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	0.11 Acre
Local	N/A

**8. Concurrency - Public School**

This plat generates more than one student at one or more levels (i.e., elementary, middle and high), and in accordance with Section 5-182.9(a)(1) of the Land Development Code, is subject to the requirements of public school concurrency. School Board staff has reviewed this application and determined that it satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. Therefore, 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 approval and must be paid on the date of building permit issuance. See the attached School Capacity Availability Determination received from the School Board, see **Exhibit 5**.

**9. Impact Fee Payment**

All impact fees will be calculated by Planning and Development Management 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. Fees are subject to increase annually on October 1<sup>st</sup>.

**10. Environmental Review**

This plat has been reviewed by Environmental Engineering and Permitting Division. See the attached environmental review report which provides recommendations to the developer regarding environmental permitting for the future development, see **Exhibit 6**.

Environmental Planning and Community Resilience Division notes that this site is not included in the Protected Natural Land 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 issued 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 is not likely to impact any significant historical or archaeological resources, and the consulting archaeologist has no objections to this application.

The archaeologist notes that this property is located in the Town of Davie and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact David Quigley, Manager of the Planning & Zoning Division of the Town of Davie, at 954-797-1075 to seek project review for compliance with the municipal historic preservation regulations.

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](mailto: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>.

This serves as a notice of potential aircraft overflight and noise impacts on this property due to its proximity to the Fort Lauderdale/Hollywood International Airport, which is being disclosed to all prospective purchasers considering the use of this property for residential/place of worship purposes. This property is subject to overflight and associated noise of arriving and departing aircraft during the course of normal airport operations. Individuals sensitive to such events should satisfy themselves before purchasing this property that such exposure to aircraft overflights and the noise associated therewith will not adversely affect their enjoyment of the property.

In addition, this also serves as notice to prospective purchasers of parcels within the property that, pursuant to Broward County Ordinance 2006-37 and consistent with the Federal Aviation Administration's "Change to FAA's Noise Mitigation Policy," effective October 1, 1998, The County will only provide noise mitigation for existing "incompatible development" and not for new incompatible development. The determination of "compatible" and "incompatible development" will be based on the County's most current Federal Aviation Administration (FAA) approved Noise Exposure Map and the Airport's most current noise compatibility program which has been reviewed and approved by FAA for the Airport.

Further information regarding the current and potential impact of airport operations on the subject property may be obtained from the Broward County Aviation Department, Airport Development Planning

Division (or at 954-359-2291).

#### **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](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 Concurrency District. This meets the regional road concurrency standards specified in Section 5-182.1(a)(2)b) 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(m)(1)a) of the Land Development Code. It is also, exempt from public school concurrency on the basis that no residential development is currently proposed for the plat. 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(i) 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, **Exhibit 4**.
2. Road Impact and administrative fees, school impact fees and regional park impact and administrative fees will be assessed during the review of construction plans submitted for County

environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance. Transportation concurrency, concurrency administrative fees, regional park impact and administrative fee amounts are subject to adjustment each October 1.

3. 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.

4. Place note on 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 the face of the plat reading:

- a. This plat is restricted to 12 single family detached 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.

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

[HWC]