



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

Project Description			
Plat Name:	Nisa Plat	Number:	173-MP-85
Application Type:	Note Amendment	Legistar Number:	21-142
Applicant:	GPT Dania Beach Owner LLC, and Sonya A Huffman COO	Commission District:	7
Agent:	Dunay, Miskel, Backman, LLP	Section/Twn./Range:	26/50/42
Location:	East of Federal Highway, south of Eller Drive.	Platted Area:	4.34 Acres
Municipality:	Dania Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	March 9, 2021		

A location map showing this Plat and parcels designated within the plat for the purpose of assigning development entitlement is attached as **Exhibit 2**.

The Application is attached as **Exhibit 8**. 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.

Platting History and Development Rights			
Plat Board Approval:	September 26, 1989	Plat Book and Page Number:	147-14
Date Recorded:	February 28, 1991	Current Instrument Number:	91078082
Plat Note Restriction			
Original Plat:	This plat is restricted to 25,000 square feet of commercial use on Parcel A <b>and 80,000 square feet of light manufacturing use on Parcel B</b> . No freestanding banks or drive-thru bank facilities are permitted within the plat, and no commercial/retail uses are permitted on Parcel B.		
Proposed Note:	This plat is restricted to 25,000 square feet of commercial use on Parcel A, <b>and 85,000 square feet of industrial use on Parcel B</b> .		
Extensions:	Not Applicable		

**1. Land Use**

Planning Council staff has reviewed the proposed revision to the restrictive note on the above referenced plat. The Future Land Use Element of the City of Dania Beach Comprehensive Plan is the effective land use plan for the City of Dania Beach. That plan designates the area covered by Parcel B of this plat for the uses permitted in the “Employment Center” land use category. The proposed industrial use on Parcel B is in compliance with the permitted uses of the effective land use plan.

**2. Access**

The existing access crosses a 100-foot wide FDOT Parcel, which prompted for a pre-approval letter, approving this request with conditions, shown in **Exhibit 6**.

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.

**3. Municipal Review**

The City of Hollywood and Broward Municipal Services District indicates no objection to this request, see **Exhibit 5**.

**4. Concurrency – Transportation**

This plat is located within the Port and Airport 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.

Proposed Use	Trips per Peak Hour (PM)
Residential	N/A
Non-residential	106
Total	106

The plat was recoded 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 Dania Beach	City of Hollywood
Plant name:	Dania Beach (01/21)	Hollywood (HOL) (09/20)
Design Capacity:	5.00 MGD	55.50 MGD
Annual Average Flow:	1.93 MGD	39.26 MGD
Estimated Project Flow:	0.0005 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. 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>.

## **7. 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.

The site is included in and abuts West Lake Park, a site in the Protected Natural Lands Inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. Although, the site is included within West Lake Park, the site does not have any indications of wetlands within the boundaries of the plat. Nevertheless, additional licenses may be required prior to issuance of Development and Environmental Review Certificates.

## **8. Historic Resources**

Broward County's consulting archaeologist has reviewed this request and, based on available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), has determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archeological or paleontological sensitivity. The consulting archaeologist also notes that this property is located in the City of Dania Beach outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact Eleanor Norena the Director of Community Development Division of the City of Dania Beach Park at 954-924-6805 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).

## **9. Aviation**

This property is within 20,000 feet of Broward County's Fort Lauderdale/Hollywood International Airport. 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. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov> On August 5, 2020, Broward County Aviation Department (BCAD) reviewed this project's Site Plan and submitted comments to the City of Dania Beach. For additional information, contact the BCAD at 954-359-6170.

## **10. Utilities**

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

#### **11. 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 Port and Airport 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 satisfies the drainage, water, wastewater, and solid waste disposal concurrency requirement of Section 5-182.6 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 **March 9, 2022**.
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.

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