



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:	Bryan Road Warehouses	Number:	036-MP-00
Application Type:	Note Amendment	Legistar Number:	21-258
Applicant:	Dania Beach Marina Corp.	Commission District:	7
Agent:	Turner Planning Solutions, LLC	Section/Twn./Range:	33/50/42
Location:	Southeast corner of Northwest 1 Street and Bryan Road	Platted Area:	2.7 Acres
Municipality:	Dania Beach	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	April 20, 2021		

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

The Application is attached as **Exhibit 7**. 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:	October 18, 2001	Plat Book and Page Number:	170-112
Date Recorded:	February 22, 2021	Current Instrument Number:	117070700
Plat Note Restriction			
Original and Current Plat:	This plat is restricted to 40,000 square feet of industrial use and 1,298 square feet of commercial use.		
Proposed Note:	This plat is restricted to 380 high rise units and 35,000 square feet of commercial use.		
Extensions:	Not Applicable		

1. Land Use

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 this plat for the uses permitted in the “Regional Activity Center” land use category. The proposed note amendment is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center,” and is subject to voluntary restrictions as stated on **Exhibit 3**.

2. Affordable Housing

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

3. 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.

4. Municipal Review

The City of Dania Beach has adopted a Resolution No. 2020-126 on January 12, 2021 supporting the application, which is attached in **Exhibit 5**.

5. Concurrency – Transportation

This plat is located in Southeast 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	140
Non-residential	314
Total	454

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.

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	Hollywood South Regional
Design Capacity:	5.00 MGD	55.50 MGD
Annual Average Flow:	1.9171 MGD	39.26 MGD
Estimated Project Flow:	0.1365 MGD	0.0985 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 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.

8. Concurrency - Public School

The School Board has reviewed the application and satisfies public school concurrency on the basis that a portion of the project is vested and there is adequate school capacity anticipated to be available to support the project as proposed. This plat falls within the boundary of the Land Use Plan Amendment (LUPA) PCT 09-5, for a Regional Activity Center (RAC) land use designation that is subject to a Tri-Party Agreement between the City of Dania Beach, and School Board and the County. The School Board staff provided a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 4**.

9. Impact Fee Payment

Transportation Concurrency and administrative fees, school impact fees, 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 and administrative fee, regional park impact and administrative fee amounts are subject to adjustment each October 1st.

Impact fees were paid for 40,000 square feet of industrial use in the amount of \$7,800.00, and a release of the Road Contribution Agreement took place on September 29, 2020 and recorded under instrument number 116761734. A commercial use of 533 square feet has been established without payment of impact fees, all delinquent fees must be paid prior to issuance of any building permits subject to transportation concurrency fees.

10. Environmental Review

The plat note amendment application has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 6** provides recommendations to the developer regarding environmental permitting for the future development.

11. 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 impact on historical or archaeological resources, and the consulting archaeologist has no objections to this application.

This property is located in the City of Dania Beach and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The applicant is advised to contact Eleanor Norena, with the City of Dania Beach Community Development Department Director at 954-924-6805, to seek project review for compliance with 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.

12. Aviation

The plat 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. Based on the location of the proposed project, Broward County and 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 kfriedman@broward.org. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>.

13. Utilities

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

14. 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)(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.
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.
4. This plat satisfied the regional parks and recreation 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. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **April 20, 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.

MR