



Resilient Environment Department

URBAN PLANNING DIVISION

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521

DEVELOPMENT REVIEW REPORT FOR A NOTE AMENDMENT

Project Description			
Plat Name:	Castle Corner	Application Number:	162-MP-89
Application Type:	Note Amendment	Legistar Number:	25-336
Owner/Applicant:	50 Davie Holdings, LLC	Commission District:	5
Authorized Agent:	Christina Bilenki Esq./Miskel Backman, LLP	Section/Twn./Range:	25/50/41
Location:	North side of Southwest 48 Street between the Florida Turnpike and Griffin Road	Folio Number (s):	5041-25-25-0010/5041-25-25-0020
Municipality:	Town of Davie	Platted Area:	2.45 Acres
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommendation:	APPROVAL		
Meeting Date:	April 1, 2025		

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

The Application is attached (**Exhibit 4**). The Urban Planning Division (UPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Platting History and Development Rights			
Plat Board Approval:	September 19, 1989	Plat Book and Page Number:	BK 147 PG 50
Date Recorded:	March 19, 1991	Current Instrument Number:	91104963
Plat Note Restriction			
Current Plat Note:	This plat is restricted to commercial use only.		
Proposed Note:	This plat is restricted to 353 mid-rise dwelling units.		

In accordance with the Land Development Code, Mid-rise is defined as four (4) or more attached dwelling units in a building with four (4) to eight (8) residential stories, exclusive of parking levels.

1. Land Use

Planning Council staff has reviewed this application and determined that the Town of Davie Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat uses permitted in the “Davie Transit Oriented Corridor” land use category.

The proposed residential use, this plat is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Transit Oriented Corridor,” as recorded in Official Record Book 47829, Pages 1938-1943. Planning Council staff notes that this plat is located within an area that was the subject of Broward County Land Use Plan (BCLUP) amendments PC 06-19/PCT 06-6, which were approved by the Broward County Commission on June 23, 2009, with voluntary commitments for airport noise mitigation and affordable housing.

Planning Council staff notes that the subject plat includes residential development. Per the attached map, provided by the Broward County Aviation Department staff, the proposed plat is not located within the 60 to 64 DNL noise contour. Planning Council memorandum is attached (**Exhibit 3**).

2. Affordable Housing

The development was subject to Broward County Land Use Plan Amendment (PC 06-19/PCT 06-6) and is subject to Policy 2.16.2 of the Broward County Land Use Plan. Broward County Planning Council advises that to satisfy this policy the applicant has committed to provide at least 15% of the residential units as affordable housing units per the BCLUP, for a period of 15 years, as recorded in Official Record Book 46624, Pages 62-70.

3. Municipal Review

The Town of Davie has submitted Resolution No. R2024 - 089 dated April 17, 2024, supporting the note amendment.

4. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and have no objection to this plat note amendment.

This project is located on State Road 818. FDOT has issued a pre-application letter valid until January 9, 2026. Openings or improvements on functionally classified State Roads are subject to the "Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards."

5. Concurrency – Transportation

This plat is located in the Southeast Transportation Concurrency Management Areas (TCMA), where level of service (LOS) is expressed in term of bus headways, and where Transportation Concurrency Assessment Fees apply per Sec. 5-182.1(a) of Land Development Code. The proposed note amendment will be an increase of 121 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	138
Non-residential	17	0
Total	138	

6. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	Town of Davie	Town of Davie
Plant name:	Davie V (05/24)	Davie 2 (DA2) (12/24)
Design Capacity:	8 MGD	5.34 MGD
Annual Average Flow:	5.2 MGD	2.19 MGD
Estimated Project Flow:	0.12355 MGD	0.12355 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, or that sufficient capacity will exist at time of building permit approval.

7. Concurrency – Regional Parks

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	1.59
Local	0

8. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 353 mid-rise units will generate 11 (5 elementary, 2 middle, 4 high school) student. 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. The School Board staff provided a Final School Capacity Availability Determination (SCAD) letter, this determination expires on April 29, 2026.

9. Impact Fee

All impact fees (school impact, park impact, transportation impact, road impact and administrative fee) will be calculated by Urban Planning Division, Development and Environmental Review Section, in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for Broward County Development and Environmental review. Fees must be paid prior to the issuance of the building permit.

At the time of this plat note amendment application, a 21,600 square foot industrial building exists on this site, which the applicant stated will be demolished. In accordance with the credit provisions of Section 5-182.13 of the Land Development Code, this structure may be eligible for credit towards transportation concurrency impact fees, provided appropriate documentation is submitted and provided the demolition occurs within certain time periods. **No credit will be granted for demolition occurring more than three (3) years prior to the review of construction plans submitted for County environmental review approval.**

10. Environmental Review

This plat was reviewed by Environmental Permitting Division and have the following recommendations regarding environmental permitting for the future development.

A. Domestic & Non-Domestic Wastewater and Surface Water Management

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat note amendment. Nonetheless, should there be a significant flow generation from the site, advanced planning and

upgrades to the downstream/off-site wastewater facilities may be warranted. Contact the Environmental Permitting Division at 954-519-1483 or WWLicense@broward.org for specific code requirements.

The Broward County Non-Domestic Wastewater Program has no objection to the described plat note amendment because no non-domestic wastewater discharge is anticipated for the site. Nonetheless, should there be proposed non-domestic wastewater discharges, these must meet the criteria under Chapter 27, Article V, Sections 27-193(b)(3)a, 27-193(b)(4)a, 27-194(b), and 27-198(c) of the Broward County Code of Ordinances. Contact the Environmental Permitting Division at 954-519-1483 or NDDLLicense@broward.org for specific code requirements.

This site does not require a Broward County Surface Water Management License because it is located outside of the jurisdiction of the Broward County Surface Water Management Licensing Program.

B. Aquatic and Wetland Resources

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Permitting Division determined that, at this time, there are no indications of wetlands within the boundaries of the plat. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at Florida Exotic Pest Plant Council (invasive.org).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

C. Tree Preservation

This site does not fall under the jurisdiction of the Broward County Tree Preservation and Abuse Ordinance.

D. Clean-Up and Waste Regulation

Not a known contaminated site; not within one-quarter mile of a contaminated site; not a licensed waste regulation facility; not an abandoned dump or landfill.

E. Air Program

If any existing facility (e.g. existing structures on site including residential building(s) and/or utility building(s) or facility component (including roof system, insulation, walls, attached piping, mechanical systems, etc.) is planned to be demolished or renovated, the project shall comply with applicable asbestos regulations. More information on the asbestos requirements can be found at: <https://www.broward.org/ePermits/Pages/AsbestosCertificate.aspx>.

Submit a Statement of Responsibilities Regarding Asbestos (SRRA) electronically at ePermits.broward.org at least 10 working-days before commencing work on demolition and/or renovation of facility components subject to asbestos regulations. For assistance, contact Broward County's asbestos program at AsbestosHelp@broward.org or call 954-519-0340.

F. Natural Resources Division

Natural Resources 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

Approval to connect to any wastewater collection, treatment, or disposal system is approved by the Environmental Permitting Division as a prerequisite prior to issuance of building permits. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

12. Historical and Archaeological Recourse Review

This plat was reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, 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 any known historical or archaeological resources or areas of archaeological sensitivity.

The site is in a municipality that has been designated a Certified Local Government (CLG). The applicant is advised to contact David Quigley, Manager, Planning & Zoning Division, Town of Davie at 8800 SW 36th Street, Davie, Florida 33328, by phone at (954) 797-1000 or by email: david_quigley@david-fl.gov for additional information.

13. Aviation

This property is within close proximity of Broward County's Fort Lauderdale/Hollywood International Airport (FLL) and may need to be reviewed by Broward County and FAA to determine if the project is a hazard to aviation. The project is subject to compliance with Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use) including Sec. 5-182.10 (Airports). The applicant should visit www.FLL.net/Airspacerreview to determine if the proposed project exceeds the height limitations in the Airport Airspace Imaginary Surfaces Composite Map. This project may also be subject to Federal Aviation Regulation Part 77.

14. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this note amendment application and provided no response.

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 Urban Planning Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf.

FINDINGS

Staff 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 was reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code.
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. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to April 1, 2026.
2. 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.

[DM]