



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 NEW PLAT

Project Description			
Plat Name:	Marigold Plat	Application Number:	018-MP-23
Application Type:	New Plat	Legistar Number:	25-029
Owner/Applicant:	Pulte Home Company, LLC	Commission District:	5
Authorized Agent:	Craven, Thompson & Associates, Inc.	Section/Twn./Range:	33/50/41
Location:	Between Pine Island Road and Southwest 82nd Avenue and between Southwest 48th Court and Southwest 51st Street	Folio Number (s):	504133010093; 504133010080; 504133010083; 504133010082; 504133010081; 504133010130; 504133010180; 504133010230; 504133010220
Municipality:	Town of Davie	Platted Area:	31 Acres
Previous Plat:	Everglades Sugar & Land Co Sub (Plat Book 3, Page 67)	Replat:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
FS 125.022 Waiver	An extension waiver was granted until June 10, 2025		
Recommendation:	APPROVAL		
Meeting Date:	February 11, 2025		

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

The application is attached (**Exhibit 5**). The Urban Planning Division (UPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code.

Existing and Future Land Use	
Existing Use:	Four (4) single-family residences
Proposed Use:	60 Single-Family Homes
Plan Designation:	Residential 3 DU/AC
Adjacent Uses	Adjacent Plan Designations
North: Mobile Home Park	North: Residential 3 DU/AC and 10 DU/AC
South: Single-Family Residences	South: Residential 3 DU/AC

East: Vacant	East: Residential 5 DU/AC and Residential 16 DU/AC
West: Daycare/Nursery	West: Residential 3 DU/AC and Residential 1-3 (City of Cooper City)

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 for the uses permitted in the “Residential 3 DU/AC” land use category. The proposed 60 single-family homes are in compliance with the permitted uses of the effective land use plan. Planning Council memorandum is attached (**Exhibit 3**).

2. Affordable Housing

The development shown on this plat is not subject to Policy 2.16.2 of the Broward County Land Use Plan, because no Land Use Plan Amendment was necessary.

3. Adjacent City

The city of Cooper City was notified of this application and provided no response.

4. Trafficways

Trafficways approval was received on January 25, 2025, and is valid for 10 months.

5. Access

Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed the plat application and provided comments and recommendations with respect to the safe and adequate access standards of the Broward County Land Development Code, as shown in the attached memorandum (**Exhibit 4**). The recommendations for this plat may be modified if significant conflicts are identified by details included in the submitted construction plans.

Please note Section 5-184(d)(2) of the Broward County Land Development Code requires a recordable agreement for the required improvements. The owner of this plat shall enter into the standard installation of Required Improvements Agreement (BCF#450) and submit it to the Highway Construction and Engineering Division for review and approval prior to plat recordation. The use of a non-standard agreement will require independent approval by the County Commission.

6. Concurrency – Transportation

This plat is located in the South Central Concurrency Management Area (TCMA), where level of service (LOS) is expressed in terms of bus headways, and where Transportation Concurrency Assessment fees apply per Sec. 5-182.1(a) of Land Development Code. The proposed use generates an increase of 55 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	4	59
Non-residential	0	0
Difference	(59 – 4 = 55)	
Total	55	

7. 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 Water Service (05/23)	Davie 2 (06/24)
Design Capacity:	6.00 MGD	4.85 MGD
Annual Average Flow:	0.87 MGD	1.97 MGD
Estimated Project Flow:	0.021 MGD	0.021 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, or that sufficient capacity will exist at time of building permit approval.

8. 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	0.54
Local	0

9. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 60 single-family units will generate nine (9) elementary school, five (5) middle, and eight (8) high school students. 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.

10. 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 plat application, four (4) single-family residences exist 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.

11. Environmental Review

This plat was reviewed by Environmental Permitting Division.

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

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat. 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 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 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 NDDLICENSE@broward.org.

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

EPD has not yet conducted a site inspection on this project; however, aerial photographs and light detection and ranging data (LIDAR) indicate that this property may contain County jurisdictional wetlands. The applicant must request a wetland determination from the Water and Environmental Licensing Section prior to any land clearing or filling. If the site is determined to contain wetlands, an Environmental Resource License will be required prior to any dredging, filling, or other alteration of wetlands. Contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

The proposed development contains or abuts water bodies or will be creating same. Excavation or filling of any surface waters, or the construction or repair of in-water structures such as seawalls and docks, are regulated under Chapter 27, Article XI of the Natural Resource Protection Code and may require an Environmental Resource License. Contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@Broward.org for specific code requirements.

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).

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

The subject plat contains contamination that was reported to the Environmental Permitting Division (EPD) on March 30, 2023. The case is pending assignment to EPD staff; an Environmental Assessment and Remediation (EAR) License must be obtained and assessment and cleanup must be conducted in accordance with Chapter 62-780, Florida Administrative Code.

The Cleanup and Waste Regulation Section must also approve any dewatering activities at this site. Section 27-353, Broward County Code, prohibits dewatering at or within one-quarter mile of contaminated sites without approval from EPD. In order to receive approval to dewater, a certified Dewatering Plan must be submitted in accordance with EPD's Standard Operating Procedure for Dewatering, which can be found at <https://broward.org/Environment/ContaminatedSites/Pages/Default.aspx>. Any questions can be directed to 954-519-1483 or EAR@broward.org.

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.

The number of proposed parking spaces is 240. A Parking Facility Air License is required for a Parking Garage for 750 vehicles or more or for a Surface Parking Lot of 1,500 or more parking spaces. For more information call 954-519-1270 and ask for Air Licensing.

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.

12. 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.

13. Historical and Archaeological 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 and Zoning Division, Town of Davie at 8800 Southwest 36th Street, Town of Davie, FL 33328 or by phone at (954) 797-1000 for additional information.

In the event any unmarked human burial remains are discovered, then pursuant to Florida Statutes, Chapter 872.05, all activities 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.

14. Aviation

This property is within 3 miles of Broward County's North Perry Airport. Any proposed construction on this property or use of cranes or other high-lift equipment must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use) including Sec. 5-182.10 (Airports) apply. Based on the location of the proposed project, the FAA may need to review to determine whether the project is a potential hazard to aviation. The applicant should visit <https://www.broward.org/Airport/Business/AirspaceReview/Pages/Maps.aspx> to determine if the proposed

project exceeds the height limitations in the Airport Airspace Imaginary Surfaces Composite Map. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>. To initiate the Broward County Aviation Department Review, please contact AirspaceReview@Broward.org.

15. Utilities

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

16. 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 South Central 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. Conditions attached in the Highway Construction and Engineering Memorandum.
2. Place note on the face of the plat, preceding municipal official's signature, reading:

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.

3. Place a note on the face of the plat reading:

- a. This plat is restricted to 60 single-family homes.
 - b. 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.
 - c. 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.
4. If this item is approved, the Mayor is authorized to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[CLD]