

Board of County Commissioners, Broward County, Florida
Environmental Protection and Growth Management Department
Planning and Development Management Division
DEVELOPMENT REVIEW REPORT

PROJECT DESCRIPTION

Name:	GREATER ST. RUTH MISSIONARY BAPTIST CHURCH	Number:	004-MP-17
Applicant:	St. Ruth Missionary Baptist Church, Inc.	Comm. Dist.:	7
Agent:	Stuart Architecture, LLC	Sec/Twp/Rng:	34/50/42
Location:	North side of Northwest 3 Street between Northwest 9 Avenue and Northwest 12 Avenue	Platted Area:	3.3 Acres
City:	Dania Beach	Gross Area:	N/A
Replat:	N/A		

LAND USE

Existing Use:	Vacant	Effective Plan:	Dania Beach
Proposed Use:	13,449 Sq. Ft. Church	Plan Designation:	
Adjacent Uses:		Adjacent Plan Designations:	
North:	Commercial	North:	Regional Activity Center
South:	Open Space	South:	Regional Activity Center
East:	Residential	East:	Regional Activity Center
West:	Industrial	West:	Regional Activity Center
Existing Zoning:	Commercial (C-1)	Proposed Zoning:	Commercial (C-1)

RECOMMENDATION (See Attached Conditions)

APPROVAL: Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances.

Meeting Date:	10/10/17	Prepared:	KDL
Action Deadline:	11/14/17	Reviewed:	
Deferral Dates:		Approved:	

Continued

SERVICES

Wastewater Plant:	Hollywood (06/17)	Potable Water Plant:	Dania Beach (01/17)
Design Capacity:	55.5000 MGD	Design Capacity:	5.000 MGD
12-Mo. Avg. Flow:	34.5800 MGD	Peak Flow:	2.650 MGD
Est. Project Flow:	0.0024 MGD	Est. Project Flow:	0.001 MGD

Comments: Sufficient capacity exists at this time. Comments: Sufficient capacity exists at this time.

PARKS

SCHOOLS

Dwelling Units	Impact Fee
N/A	N/A

	Land Dedication	Impact Fee	Admin. Fee
Local:	County conducts no local review within municipalities	N/A	N/A
Regional:	N/A	N/A	N/A

TRANSPORTATION

Concurrency Zone: Northeast	Trips/Peak Hr	Transit Concurrency Fee	Road/Admin. Fee
Res. Uses:	N/A	N/A	N/A
Non-res. uses:	7	*	N/A
Total:	7	*	N/A

* See Staff Comment No. 3

See Finding No. 1

* See Staff Recommendation No. 6

GREATER ST. RUTH MISSIONARY BAPTIST CHURCH
004-MP-17

STAFF COMMENTS

- 1) Staff findings and recommendations pertaining to this plat are based on the uses being 13,449 square feet of church use. This property is being platted because it does not qualify for an exception to the mandatory platting rule, as the plat boundaries are not specifically delineated on a recorded plat.
- 2) Trafficways approval is valid for 10 months. Approval was received on May 25, 2017.
- 3) This plat is located within a Transportation Concurrency Management Area. In accordance with Land Development Code amendments adopted April 26, 2005, transportation concurrency fees will be assessed and paid in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval. These fees shall be based on the gross square footage of any building(s) as defined in the ordinance.
- 4) This plat is not located in a Wellfield Zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.
- 5) The Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division has advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding or altering either a gravity sanitary sewer, a sanitary force main or a pump station, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management Wastewater receiving lift stations and force mains are critical components of the conveyance system. For additional information, contact the Water and Environmental Licensing Section at 954-519-1483.
- 6) Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. The surface water management licensing requirements of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division must be met prior to any construction.
- 7) Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Water and Environmental Licensing Section at 954-519-1483 at the earliest time to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.

Continued

- 8) The Water and Environmental Licensing Section encourages that 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 be removed during the development process, and advises that a management plan may be necessary to control re-invasion of same. In addition, landscape materials should not include any plants considered to be invasive of South Florida's native plant communities. The Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division.
- 9) This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the 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. The inventory, which provides information regarding the ownership and management of each of the Protected Natural Lands, may be accessed at the following website:
<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>
- 10) Review of aerial photographs indicates that the subject site contains tree canopy. If trees are to be removed or relocated, development of the site must comply with the Tree Preservation regulations of the City of Dania Beach. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.
- 11) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
- 12) Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.
- 13) The subject plat is in the vicinity of known contaminated sites and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Environmental Assessment and Remediation must approve any dewatering activities at this site.
- 14) 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 approved 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.

- 15) This property is within 20,000 feet of Fort Lauderdale-Hollywood International 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/or the Broward County Airport Zoning Ordinance 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. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>. For additional information, contact the Broward County Aviation Department at 954-359-6170.
- 16) 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 City of Dania Beach and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact the City of Dania Beach Community Development Division 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.
- 17) This site is currently serviced by BCT Route 4 on NW 1 Street.
- 18) The attached comments regarding this plat's compliance with the effective Land Use Plan have been received from the Broward County Planning Council.
- 19) 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.
- 20) Specific questions regarding any of the above comments may be directed to each review agency contact person. A complete list of agency contact information can be accessed on the Planning and Development Management Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

CONCURRENCY REVIEW

- 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(a)(5)a) of the Land Development Code.
- 2) This plat satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

STAFF RECOMMENDATIONS

FLORIDA STATUTES CHAPTER 177 REQUIREMENTS

Complete the following corrections to the plat mylar to comply with the requirements of Florida Statutes Chapter 177 as outlined below:

1) SURVEY DATA

- A) The legal description in the title opinion or certificate must match the legal description on the plat. The plat drawing must follow the legal description.

- 1) There is a discrepancy between the description and the drawing. Review the direction of the call N 01°48'36" **E** in the legal description. It differs from the direction of the same call N 01°48'36" **W** on the east plat boundary.

Review and revise the plat and the Title Certificate as necessary, after resolution of the above comments.

- B) If Grid bearings are shown on the plat, cite the monumented control points and the source of the information, or refer to another network used to establish the Grid bearings as described in Surveyor's Note #5.
- C) Show the P.R.M.S adjacent to the east plat boundary at the right-of-way line created by the plat as per Broward County Land Development Code Sec. 5-189(a)(27).

NOTE: A site inspection by Broward County Highway Construction and Engineering staff on May 18, 2017 found that the stamping on the P.R.M.s differ from what is shown on the plat. Review and revise as necessary.

- D) The platting surveyor must submit Certified Corner Records for section corners used in preparation of the plat to both the State and Broward County. County staff will confirm submittal to the State prior to plat recordation. For section corners which have Certified Corner Records on file, the surveyor must submit an affidavit confirming that the Section corner was found to be substantially as

described in the most recently available certified corner record. Standard affidavit forms are available from the County Surveyor's Office.

- E) **Submit a Certified Corner Record for the NW corner of Section 34-50-42.**
- F) The surveyor must submit digital plat information after all corrections are completed and Highway Construction and Engineering Division staff requests digital information.

2) TITLE CERTIFICATION AND DEDICATION SIGNATURE BLOCKS

- A) The original plat mylar must be submitted to the Highway Construction and Engineering Division accompanied by an original title certificate or an attorney's opinion of title which shall:
 - 1) be based upon a legal description that matches the plat. See Staff Recommendation No. Comment 2) A.
 - 2) be based upon a search of the public records within forty-five (45) days of submittal.
 - 3) contain the names of all owners of record.
 - 4) contain the names of all mortgage holders of record and if there are no mortgages, it shall so state.
 - 5) contain a listing of all easements and rights-of-way of record lying within the plat boundaries.
 - 6) contain a listing of all easements and rights-of-way which abut the plat boundaries and are necessary for legal access to the plat, and if there are none it shall so state.

Note: The description in Exhibit "A" of the Title Certificate differs from the description shown on the plat. Review and revise as necessary, prior to submittal of the plat mylar.

The title must be updated for the review of any agreements and for the recordation process. Standard format for "Title Certificates," "Opinions of Title," the "Adjacent Right-of-Way Report," and a "Guide to Search Limits of Easements and Right-of-Way" may be obtained by contacting the Highway Construction and Engineering Division or by visiting the Division's web site:

<http://bcegov2.broward.org/bcengineering/index.asp>

- B) The Dedication on the original mylar must be executed by all recorded owners with original signatures. For property owned by an individual (or by individuals), the plat must be executed in the presence of two witnesses for each signature. Property owned by corporations must be executed by at least one of the following officers: the President, Vice President, or Chief Executive Officer together with either (i) two witnesses or (ii) the Corporate Seal. A plat which

has been executed by any officer other than the President, Vice President, or Chief Executive Officer must also provide documentation authorizing the individual(s) who executed the plat. The officers executing a plat must be verified through the Florida Department of State, or by the applicant providing corporate documentation. Persons executing plats owned by a partnership or a trust must provide documentation clearly demonstrating their authority to execute on behalf of the partnership or trust.

C) Acknowledgments and seals are required for each signature.

3) DRAFTING AND MISCELLANEOUS DATA

A) Address any undefined abbreviations or symbols used on the plat or added during revisions. Remove any abbreviations and symbols from the Legend that do not appear on the plat. Add any missing abbreviations and symbols to the Legend that appear on the plat or are added during revisions.

B) The abbreviation “**BM Elev. – Denotes Benchmark Elevation**” appears in the legend but does not appear on the plat drawing. Review and revise as necessary.

4) SIGNATURE BLOCKS

A) The Surveyor's Certification must be signed and the plat sealed by a professional surveyor and mapper, and state that the plat was prepared under his or her direction and supervision, and complies with all of the survey requirements of Florida Statutes Chapter 177.

B) The plat must include the proper dates for signatures.

C) The original plat mylar must be submitted to the Highway Construction and Engineering Division accompanied by a copy of the City of Dania Beach's conditions of approval. (Agenda Report or Resolution listing all of the conditions of municipal plat approval).

5) HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION INTERNAL PROCEDURES

The following items are required for plat recordation but are completed by County staff:

A) Planning Council Administrator Signature.

B) Completion of POSSE Inputs; Impact Fee and Security reports printed.

C) County Surveyor sign-off.

D) P.R.M.s verified.

E) Development Order, Planning and Development Management Director Signature.

- F) Engineering Director Signature.
- G) City of Dania Beach - Transmit scanned copy of mylar for review:
Ronnie Navarro rnavarro@daniabeachfl.gov 954-924-6808

NOTES:

- (a) The applicant may request a copy of the Florida Statute 177 check print by calling Luis Gaslonde at 954-577-4598.
- (b) Additional changes made to the original plat mylar (beyond this list of corrections) may cause delays in review and recordation, and may result in additional review fees.

Additional changes made to the original plat mylar beyond the above list of corrections may cause delays in review and recordation, and may result in additional review fees.

GENERAL RECOMMENDATIONS

- 6) Applicant must pay transportation concurrency fees 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.
- 7) This plat will not be recorded until all real estate taxes (including taxes for the current year and any delinquent taxes) for the property being platted have been paid as required by Florida Statutes Chapter 197.192. The applicant must submit a current tax letter from the Revenue Collection Division providing proof of payment.
- 8) Place a note on the face of the plat, preceding the designated municipal official's signature, reading:

No building permits shall be issued for the construction, expansion, and/or conversion of a building within this plat until such time as the developer provides this municipality with written confirmation from Broward County that all applicable concurrency/impact fees have been paid or are not due.

- 9) Place a note on the face of the plat reading:
 - A) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **October 10, 2022**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting

compliance with this requirement within the above referenced time frame;
and/or

- B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **October 10, 2022**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

- 10) Place a note on the face of the plat reading:

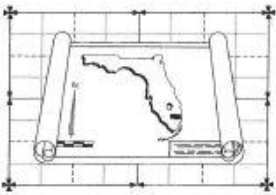
This plat is restricted to 13,449 square feet of a church use. No daycare or day school uses are permitted within the church use and no commercial use, freestanding banks and/or bank drive-thru facilities are permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

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.

Any structure within this plat must comply with Section IV D.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

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






BROWARD COUNTY PLANNING COUNCIL

115 South Andrews Avenue, Room 307 ■ Fort Lauderdale, Florida 33301 ■ Phone: 954.357.6695

TO: Josie P. Sesodia, AICP, Director
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director 

RE: Greater St. Ruth Missionary Baptist Church (004-MP-17)
City of Dania Beach

DATE: April 24, 2017

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. This plat is generally located on the west side of Northwest 9 Avenue, between Old Griffin Road and Northwest 3 Street.

Regarding the proposed church sanctuary and administration building uses, this plat is subject to the executed "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center," as recorded in Official Record Book 48123, Pages 852-857.

The effective land use plan shows the following land uses surrounding the plat:

North: Regional Activity Center
South: Regional Activity Center
East: Regional Activity Center
West: Regional Activity Center

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

BBB:DDV

cc: Robert Baldwin, City Manager
City of Dania Beach

Marc LaFerrier, AICP, Director, Community Development Department
City of Dania Beach