



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: May 13, 2014

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

FROM: Corinne Lajoie, AICP, Principal Planner, LEED G.A. 

SUBJECT: **PL-55-13:** The applicant, Paul E. Brewer and Associates, Inc., on behalf of the property owner Mile Marker 55, LLC., is requesting plat approval for the construction of 352 units and approximately 14,000 square feet of retail for a property located at 801 East Dania Beach Boulevard (SECOND READING).

REQUEST

PLAT

To plat a property for the construction of 352 units and approximately 14,000 square feet of retail.

PROPERTY INFORMATION

EXISTING ZONING: Gateway – Mixed Use (GTWY-MU)
LAND USE DESIGNATION: Regional Activity Center (RAC)

The property is located on the north east corner of East Dania Beach Boulevard and Gulfstream Road, where the Weiner's Mobile Home/RV park is located today. The property is 3.95 acres in size.

PLAT

The proposed plat establishes a 60 foot, ingress-egress on East Dania Beach Boulevard in the south east corner of the property. By way of the plat, the applicant is dedicating five (5) feet for the right-of-way of East Dania Beach Boulevard, to be consistent with the Broward County Trafficway Plan, which identifies this section of ultimate right-of-way to be 110 feet. In addition, the plat restricts the use on the property to 352 high rise units and 14,100 square feet of commercial use.

Development Review Committee

The plat was reviewed by the Development Review Committee, which includes representatives from the Fire Marshal's office, Public Services, the City's landscape consultant and the Planning Division. Each discipline reviewed the plans for consistency with regulatory requirements. All of staff's comments were addressed at that time.

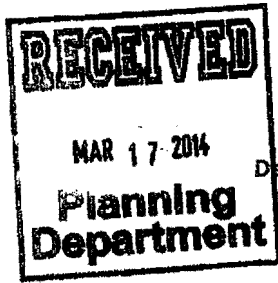
On October 22, 2013 the City Commission approved the site plan for this project. This item will be heard by the City Commission at two (2) public hearings.

CITY COMMISSION PREVIOUS ACTION

On April 22, 2014 the City Commission heard and approved this item on first reading.

PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board heard this item on April 16, 2014 and recommended approval.



City of Dania Beach, Florida
 Department of Community Development
 Planning and Zoning Division
 (954) 924-6805 X3643
 (954) 922-2687 Fax

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: _____

Date Rec'd: 3/17/14
 Petition No.: PL-056-13

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: 801 EAST DANIA BEACH BOULEVARD, DANIA BEACH, FLORIDA 33004

Lot(s): - Block: - Subdivision: SEE ATTACHED SURVEY

Recorded Plat Name: NONE

Folio Number(s): 5042-35-00-0210 Legal Description: SEE ATTACHED/A PORTION SEC. 35-50-42

Applicant/Consultant/Legal Representative (circle one) PAUL E. BREWER AND ASSOCIATES, INC.

Address of Applicant: 12321 NORTHWEST 35th STREET, CORAL SPRINGS, FLORIDA 33065

Business Telephone: (954) 753-5210 Home: _____ Fax: (954) 753-9813

E-mail address: brewerin@bellsouth.net

Name of Property Owner: MILE MARKER 55 LLC

Address of Property Owner: 2915 BISCAYNE BOULEVARD, SUITE 303 - MIAMI, FLORIDA 33137

Business Telephone: 305/576-5060 Home: CELL 305/778-4794 Fax: 305/576-5070

Explanation of Request: MILE MARKER 55 LLC/ CONSTRUCT 352 UNITS APPARTMENTS & RETAIL
 For *Plats* please provide proposed *Plat Name* for *Variations* please attach *Criteria Statement* as per *Section 625.40 of the Land Development Code.*

Prop. Net Acreage: 3.95 Gross Acreage: 3.995 Prop. Square Footage: 171,876

Existing Use: TRAILER PARK Proposed Use: 352 UNIT APARTMENT BUILDING & RETAIL

Is property owned individually, by a corporation, association, or a joint venture? _____

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize PAUL E. BREWER, CONSULTANT (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: *Paul E. Brewer*
(Owner / Agent signature*)

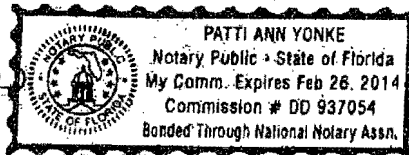
BEFORE ME THIS 14th DAY OF March 2014

By:

Daniel Rotenberg
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary *Patti Ann Yonke*
(Signature of Notary Public / State of Florida)



Personally known or Produced Identification

Type of identification produced: _____ or Drivers License _____

*If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.**

MILE MARKER 55, LLC

THE WEST ONE HALF (1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4), OF THE NORTHEAST ONE QUARTER (NE 1/4), OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 50 SOUTH, RANGE 48 EAST, CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA



DESCRIPTION: THE WEST ONE HALF (1/2) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 50 SOUTH, RANGE 48 EAST, BROWARD COUNTY, FLORIDA.

THE WEST 25.0 FEET OF THE ABOVE DESCRIBED PARENT PARCEL. ALSO LESS AND CONVEY TO A PORTION OF THE ABOVE DESCRIBED PARENT PARCEL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARENT PARCEL, THEREAS WITHIN DECATY WEST, ALONG THE EAST LINE OF SAID PARENT PARCEL, A DISTANCE OF 20.0 FEET WEST, A DISTANCE OF 20.0 FEET TO A POINT ON A LINE 20.0 FEET EAST FROM THE POINT OF BEGINNING TO SAID PARCEL, A DISTANCE OF 20.0 FEET TO A POINT ON THE SOUTH LINE OF SAID PARENT PARCEL, A DISTANCE OF 20.0 FEET TO THE POINT OF BEGINNING.

SAID LANDS BEING LING AND BEING IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 17.0 ACRES MORE OR LESS AS SHOWN ON THE PLAN.

PARCEL 55 BROWN HIDEON IS HEREBY DESIGNATED TO THE PUBLIC FOR ROAD RIGHT OF WAY PURPOSES.

IT WITNESSES WHEREOF, I, PAUL E. BREWER, AS ATTORNEY IN FACT, HAVE CAUSED THESE PRESENTS TO BE SIGNED BY ME, OR HAS PERSONALLY APPEARED AS IDENTIFICATION, AND WHO DESCRIBED THE FOREGOING INSTRUMENT AS SUCH INSTRUMENT AS SAID INSTRUMENT, AND THAT SAID INSTRUMENT WAS PREPARED BY ME AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE TRUE, ACT AND DEED OF SAID CORPORATION.

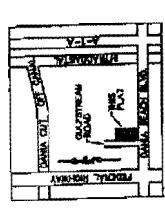
STATE OF FLORIDA COUNTY OF BROWARD I, PAUL E. BREWER, AS ATTORNEY IN FACT, HAVE CAUSED THESE PRESENTS TO BE SIGNED BY ME, OR HAS PERSONALLY APPEARED AS IDENTIFICATION, AND WHO DESCRIBED THE FOREGOING INSTRUMENT AS SUCH INSTRUMENT AS SAID INSTRUMENT, AND THAT SAID INSTRUMENT WAS PREPARED BY ME AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE TRUE, ACT AND DEED OF SAID CORPORATION.

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THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY WITH CHAPTER 177, PART 1, FLORIDA STATUTES AND IS APPROVED AND ACCEPTED FOR RECORDATION.

BY: ROBERT F. LEON, JR., PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 13,493 DATE: _____ BY: ROBERT F. LEON, JR., PROFESSIONAL SURVEYOR & MAPPER FLORIDA REGISTRATION NO. 13,493 DATE: _____

BEFORE ME PERSONALLY APPEARED _____ AS IDENTIFICATION, AND WHO DESCRIBED THE FOREGOING INSTRUMENT AS SUCH INSTRUMENT AS SAID INSTRUMENT, AND THAT SAID INSTRUMENT WAS PREPARED BY ME AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE TRUE, ACT AND DEED OF SAID CORPORATION.

NOTARY PUBLIC, STATE OF _____ BY COMMISSION EXPIRES _____ CITY OF DANIA BEACH, FLORIDA HAS CONSIDERED THIS PLAT FOR RECORD THIS _____ DAY OF _____ 20____

THIS IS TO CERTIFY THAT THE FOREGOING COUNTY PLANNING COUNCIL APPROVED THIS PLAT SUBJECT TO ITS COMPLIANCE WITH DECLARATION OF RIGHT-OF-WAY FOR TOWNSHIP 50 SOUTH, CITY OF DANIA BEACH, FLORIDA.

THIS PLAT COMPLES WITH THE APPROVAL OF THE BROWARD COUNTY PLANNING COUNCIL OF THE ABOVE DATE, AND IS APPROVED AND ACCEPTED FOR RECORD THIS _____ DAY OF _____ 20____

BY: _____ EXECUTIVE DIRECTOR OF BROWARD COUNTY PLANNING COUNCIL

BEFORE ME PERSONALLY APPEARED _____ AS IDENTIFICATION, AND WHO DESCRIBED THE FOREGOING INSTRUMENT AS SUCH INSTRUMENT AS SAID INSTRUMENT, AND THAT SAID INSTRUMENT WAS PREPARED BY ME AND REGULAR CORPORATE AUTHORITY, AND THAT SAID INSTRUMENT IS THE TRUE, ACT AND DEED OF SAID CORPORATION.

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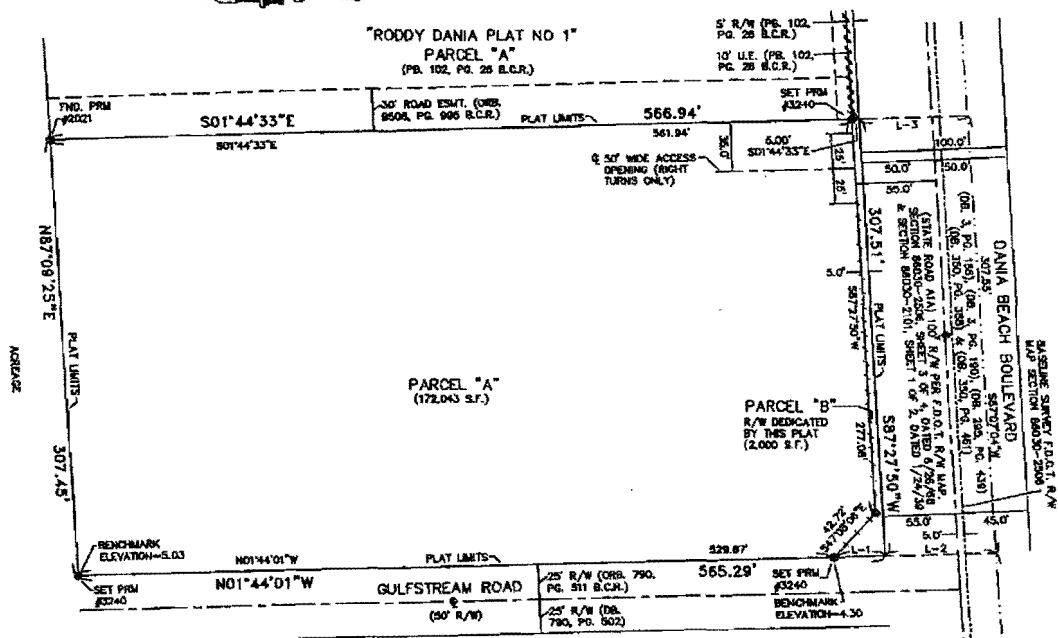
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BY: _____ EXECUTIVE DIRECTOR OF BROWARD COUNTY PLANNING COUNCIL

Table with columns: COUNTY SEAL, GRANTED, SURVEYOR, SEAL, NUMBER, OTHER, MORTGAGE SEAL, DIRECTOR / RECORDS. Includes signature of Paul E. Brewer, Director/Records.

MILE MARKER 55, LLC

THE WEST ONE HALF (W 1/2), OF THE SOUTHWEST ONE QUARTER (SW 1/4), OF THE NORTHEAST ONE QUARTER (NE 1/4),
OF THE SOUTHWEST ONE QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 50 SOUTH, RANGE 42 EAST,
CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA



- BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH 07°32'25\"/>
- ELEVATIONS SHOWN HEREON ARE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) OF 1988.
- BENCHMARK OF ORANGE BROWARD COUNTY ENGINEERING DIVISION BENCHMARK #206, F.D.O.T. STATION #2718, CENTER OF HIGHWAY ON EAST SIDE, OF INTRACASTAL BRIDGE ON EAST DANIA BEACH BOULEVARD, ELEVATION = 28.008 (N.G.V.D.).
- THIS PLAT IS RESTRICTED TO 300 HIGH RISE LINES AND 14,000 SQUARE FEET OF COMMERCIAL USE. NO FIRST STAIRCASE OR SERVICE-BUILDING FACILITIES ARE PERMITTED WITHOUT THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS WHO SHALL REVIEW AND ADDRESS THESE USES FOR INCREASED IMPACTS.

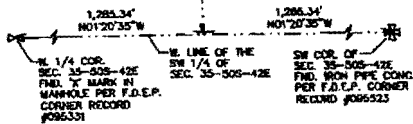
THIS NOTE IS REQUIRED BY CHAPTER 5, ARTICLE DL, BROWARD COUNTY CODE OF ORDINANCES AND MAY BE AMENDED BY APPROVAL OF THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS. THE INDICATION AND ANY AMENDMENTS HEREON ARE SOLELY INDICATING THE APPROVED DEVELOPMENT LEVEL FOR PROPERTY LOCATED WITHIN THE PLAT AND DO NOT OPERATE AS A RESTRICTION IN FAVOR OF ANY PROPERTY OWNER INCLUDING AN OWNER OR OWNER 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.L.L., DEVELOPMENT REVIEW REQUIREMENTS, OF THE BROWARD COUNTY LAND USE PLAN, REGARDING HAZARDS TO AIR NAVIGATION.
- NOTICE: THIS PLAT, AS REQUIRED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBMITTED LINES DESCRIBED HEREON AND WILL IN NO CIRCUMSTANCES BE SUPPLEMENTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DATA FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- THE FOLLOWING NOTE IS REQUIRED BY THE BROWARD COUNTY SURVEYOR PURSUANT TO CHAPTER 177.09, SUBSECTION (2)(a), FLORIDA STATUTES. PLATTED UTILITY EASEMENTS ARE ALSO REQUIRED FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES. HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION CABLE COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS NOTE DOES NOT APPLY TO PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- IF A BUILDING PERMIT FOR A PRINCIPAL BUILDING (EXCLUDING DWY MODELS, SALES AND CONSTRUCTION OFFICES) AND FIRST INSPECTION APPROVAL ARE NOT ISSUED BY _____ THEN THE COUNTY'S FRONTS OF ADJACENCY 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 _____.
- IF CONSTRUCTION OF PROJECT WATER LINES, SEWER LINES, DRAINAGE, AND THE ROCK BASE FOR INTERNAL ROADS HAVE NOT BEEN SUBSTANTIALLY COMPLETED BY _____ THEN THE COUNTY'S FRONTS OF ADJACENCY 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.

LINE TABLE

L-1	S01°44'01\"/>
L-2	S01°44'01\"/>
L-3	S01°44'33\"/>

- LEGEND:
- | | | | |
|----------|--------------------------------------|----------|--|
| N.G.V.D. | NATIONAL GEODETIC VERTICAL DATUM | S.F. | SQUARE FEET |
| EL. | ELEVATION | ⊙ | (PRM) BRASS DISC #3240 SET IN 4\"/> |
| PL. | PLAT BOOK | AC. | ACRES |
| PG. | PAGE | COR. | CORNER |
| B.C.R. | BROWARD COUNTY RECORDS | SEC. | SECTION |
| R/W | RIGHT-OF-WAY | FND. | FOUND |
| OR. | OFFICIAL RECORD BOOK | AC. | ACRES |
| LP. | IRON PIPE | CONC. | CONCRETE |
| E | INDICATES CENTERLINE | NON-V. | NON-VEHICULAR ACCESS LINE |
| CONC. | CONCRETE | PER | PER THIS PLAT |
| U.E. | UTILITY EASEMENT | ESMT. | EASEMENT |
| LB | LICENSED BUSINESS | PRM | PERMANENT REFERENCE MONUMENT |
| F.D.O.T. | FLORIDA DEPARTMENT OF TRANSPORTATION | NON-V. | NON-VEHICULAR ACCESS LINE |
| N.T.S. | NOT TO SCALE | F.D.E.P. | FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION |
| MB. | MAP BOOK | | FLORIDA POWER & LIGHT |
| DB. | DEED BOOK | FPL | |



AREA TABULATION

PARCEL "A"	172,043 S.F.	3.9485 AC.
PARCEL "B"	2,000 S.F.	0.0459 AC.
TOTAL	174,043 S.F.	3.9944 AC.





NOTICE OF PUBLIC HEARINGS
CITY OF DANIA BEACH, FLORIDA

A Public Hearing will be conducted by the City of Dania Beach City Commission meeting on the following date:

DATE: Tuesday, May 13, 2014
TIME: 7:00 p.m. or as soon thereafter as the same may be heard
PLACE: City Commission Chambers
Dania Beach Administrative Center
100 West Dania Beach Blvd.
Dania Beach, FL 33004

SUBJECT: PL-055-13 - The applicant, Paul E. Brewer & Associates, Inc., on behalf of Mile Marker 55, LLC, is requesting plat approval for the property located at 801 East Dania Beach Boulevard.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY PAUL E. BREWER AND ASSOCIATES, INC., ON BEHALF OF THE PROPERTY OWNER, MILE MARKER 55, LLC, TO CREATE A PLAT (PL-55-13) TO BE KNOWN AS THE "MILE MARKER 55, LLC PLAT", FOR PROPERTY LOCATED AT 801 EAST DANIA BEACH BOULEVARD IN THE CITY OF DANIA BEACH; ACCEPTING THE DEDICATION FOR PUBLIC USE OF ALL STREETS, HIGHWAYS, ALLEYS AND EASEMENTS AS SHOWN ON SUCH PLAT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Legally described as: The West one-half (W ½) of the Southwest one quarter (SW ¼) of the Northeast one quarter (NE ¼) of the Southwest one quarter (SW ¼) of Section 35, Township 50 South, Range 42 East, less road rights of way, Said lands situate, lying and being in Broward County, Florida.

Copies of the proposed requests are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours. For more information please call the Planning Division at (954) 924-6805 x3643.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made,

which record includes the testimony and evidence upon which the appeal is to based. The city does not provide or prepare such record pursuant to f.s. 286.0105.



Community Development Department
Planning Division
Publish: Friday May 2, 2014



LOCATION MAP

PL-055-13
PLAT
801 E. Dania Beach Blvd.
Mile Marker 55

Legend

-  SUBJECT PROPERTY
-  300' RADIUS

