



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

DATE: December 9, 2014

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director *[Signature]*

FROM: Corinne Lajoie, AICP, LEED Green Associate, Principal Planner *[Signature]*
Mariluz Maldonado, City Planner *[Signature]*

SUBJECT: **PL-86-08MOD** - The applicant, Greenspoon, Marder Law, on behalf of the property owner, Dania Beach Developers, LLC is requesting approval of a plat modification to the "Hobal Plat" for the construction of a 237 unit residential development at property located at 480 East Dania Beach Boulevard. *[Signature]*

REQUEST

PLAT NOTE AMENDMENT

To plat a property for the construction of a 237-unit residential development.

PROPERTY INFORMATION

EXISTING ZONING:	Gateway-Mixed Use (GTWY-MU)
LAND USE DESIGNATION:	Regional Activity Center (RAC)
OVERLAY DISTRICT:	Community Redevelopment Agency (CRA)
	Commercial Arterial Design District

The subject property is the location of the former San Soucey motel on East Dania Beach Boulevard. Main egress and ingress will be provided along East Dania Beach Boulevard. The property owner recently obtained a Resolution (2014-104) granting site plan approval for the construction of a 14-story, 237 unit residential development and wants to amend the plat note to be consistent with this approval.

PLAT NOTE AMENDMENT

The original plat note was for 181 mid-rise units.

The amended note will restrict the use on the property to 237 high-rise units.

CITY COMMISSION PREVIOUS ACTIONS

On October 28, 2014 the City Commission approved a site plan modification to construct a 237 unit, 14-story residential development with the following conditions:

1. Payment in lieu of park land dedication equals \$99,000.47, which must be paid prior to the issuance of a building permit, if accepted by the City Commission (Planning).
2. Per Section 805-110(F)(2), provide written agreements and documents acceptable to the City Attorney identifying that the private ownership and maintenance of the open space is adequately provided. Must be provided prior to issuance of a building permit (Planning).
3. Per Section 805-110(F)(3), provide a covenant for the City Attorney to review which restricts such private open space to park, open space and recreational purposes to be recorded in Broward County Public Record prior to issuance of a building permit. Must be provided prior to issuance of a building permit (Planning).
4. Utilization of Sustainable Building Practices Incentive: Per Section 305-50(F)(6) Project site and engineering plans that clearly detail all green building measures which are intended to qualify for incentives. Must be provided prior to issuance of a building permit (Planning).
5. Payment of the Park Incentive fee, in the amount of \$116,006.00 is due prior to issuance of a building permit (Planning).
6. Payment of the Public Parking Incentive fee, in the amount of \$65,000.00, is due prior to issuance of a building permit (Planning).
7. Applicant to post a performance bond for the Sustainable Building Practices based on Section 305-50(H) to be approved by the City Attorney prior to issuance of a building permit.

On August 14, 2012, a plat amendment was approved by the City Commission via Ordinance no. 2012-016.

On June 9, 2009, the City Commission approved a plat known as the "Hobal" Plat, via Ordinance 2009-005.

CITY COMMISSION ACTION

Approval of the attached Resolution.

RESOLUTION NO. 2014-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING AN AMENDMENT OF A NOTATION ON THE "HOBAL" PLAT (PL-86-08MOD); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "HOBAL" Plat was approved by the Dania Beach City Commission on June 9, 2009 via Ordinance No. 2009-005; and

WHEREAS, subsequently, on August 14, 2012, the Plat was amended via Ordinance 2012-016; and

WHEREAS, Greenspoon, Marder Law, on behalf of the property owner, Dania Beach Developers, LLC, is requesting to amend the Plat note to allow 237 high-rise units for the property legally described in Exhibit "A", a copy of which is attached, made a part of and is incorporated into to this Resolution by this reference; and

WHEREAS, the original Plat note was for 181 mid-rise units; and

WHEREAS, the property owner recently obtained via Resolution No. 2014-014, a granting of site plan approval for the construction of the proposed 237 units, and owner wishes to amend the Plat to be consistent with this approval; and

WHEREAS, Broward County requires that the City of Dania Beach concur with the proposed revision prior to a review by the Broward County Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the City Commission approves the proposed amendment to the Plat note to allow for 237 high-rise units in connection with the "HOBAL" Plat (PL-86-08MOD).

Section 2. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 3. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on _____, 2014.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

MARCO A. SALVINO SR.
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

LEGAL DESCRIPTION:

All of the Hobal Plat as recorded at Plat Book 179, Page 98 of the Public Records
of Broward County, Florida.



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



Standard Development Application

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

Date Rec'd: _____

Petition No.: PL 86-08 MOD

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: 480 East Dania Beach Boulevard

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: Hobal Plat, OR BK 50380 PG 269

Folio Number(s): 5042 35 23 0010 Legal Description:

Applicant/Consultant/Legal Representative (circle one) GreenspoonMarder Law

Address of Applicant: 200 East Broward Boulevard, Suite 1800, Fort Lauderdale, FL 33301

Business Telephone: (954) 527-2609 Business Telephone 2: (954) 527-6266 Fax: (954) 333-4266

E-mail address: Dennis.Mele@gmlaw.com and Cynthia.Pasch@gmlaw.com

Name of Property Owner: Dania Beach Developers, LLC

Address of Property Owner: 1450 Brickell Avenue, Suite 1420, Miami FL 33131

Business Telephone: (305) 371-5254 Cell: (786) 367-5348 Fax: (305) 371-4642

Explanation of Request: See attached Plat revision request.
 For **Plats** please provide proposed **Plat Name** for **Variances** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: N/A Gross Acreage: 2.165 Prop. Square Footage: 456,225 s.f.

Existing Use: Apartments Proposed Use: Apartments

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 Dennis Mele & Cynthia Pasch/ GreenspoonMarder Law 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 DADE
The foregoing instrument
was acknowledged

By: Ashley Bosch 
(Owner / Agent signature*)

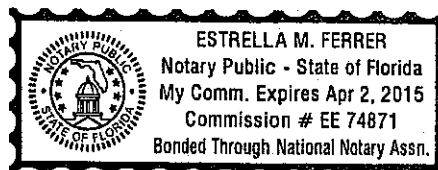
BEFORE ME THIS 26th DAY OF , 2014

By:

Ashley Bosch
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary  Estrella M. Ferrer
(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.**

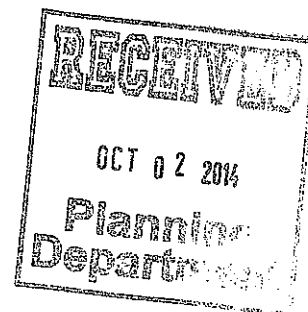
September 30, 2014

**Request for Amendment to Hobal Plat
101-MP-09**

The Hobal Plat ("Plat") contains approximately 2 acres and is generally located on the south side of Dania Beach Boulevard between Southeast 5th Avenue and Gulfstream Road in the City of Dania Beach ("City"). The Plat was recorded on June 10, 2010. The plat note was subsequently revised and the plat is currently restricted to 181 mid-rise units.

The owner has revised the development plan for the Plat and is proposing a high rise development. The Applicant is requesting that the City Commission and County Commission approve an amendment to the note as follows:

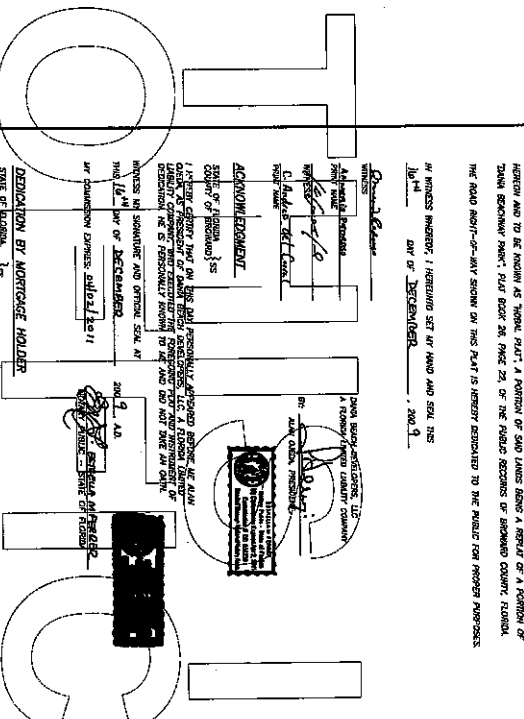
This plat is restricted to 237 high rise units.



CFN # 109374739
 Page 1 of 2
 Recorded 06/10/2010 at 10:33 AM

HOBAL PLAT

A PORTION OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 50 SOUTH, RANGE 45 WEST, IN PLAT BOOK 179, PAGE 92, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, IS HEREBY RECORDED TO THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.



LEGAL DESCRIPTION:
 THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 50 SOUTH, RANGE 45 WEST, IN PLAT BOOK 179, PAGE 92, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 179, PAGE 92, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

ACKNOWLEDGMENT:
 I, Michael R. Malley, being duly sworn, depose and say that I am the owner of the above described land and that I have executed this instrument as my free and voluntary act and deed.

DEDICATION BY MORTGAGE HOLDER:
 I, Michael R. Malley, being duly sworn, depose and say that I have executed this instrument as my free and voluntary act and deed.

ACKNOWLEDGMENT:
 I, Michael R. Malley, being duly sworn, depose and say that I am the owner of the above described land and that I have executed this instrument as my free and voluntary act and deed.

ACKNOWLEDGMENT FOR MORTGAGE HOLDER:
 I, Michael R. Malley, being duly sworn, depose and say that I am the owner of the above described land and that I have executed this instrument as my free and voluntary act and deed.

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RECEIVED
 OCT 02 2010
 Planning Department

CITY OF DANIA BEACH
 COUNTY SURVEYOR
 COUNTY ENGINEER
 SURVEYOR



Site Address	480 E DANIA BEACH BOULEVARD, DANIA BEACH	ID #	5042 35 23 0010
Property Owner	DANIA BEACH DEVELOPERS LLC	Millage	0413
Mailing Address	1450 BRICKELL AVE STE 1420 MIAMI FL 33131-3449	Use	10
Abbreviated Legal Description	HOBAL PLAT 179-98 B PARCEL A		

The just values displayed below were set in compliance with Sec. 193.011, Fla. Stat., and include a reduction for costs of sale and other adjustments required by Sec. 193.011(8).

Property Assessment Values					
Click here to see 2014 Exemptions and Taxable Values to be reflected on the Nov. 1, 2014 tax bill.					
Year	Land	Building	Just / Market Value	Assessed / SOH Value	Tax
2015	\$652,720		\$652,720	\$652,720	
2014	\$652,720		\$652,720	\$615,410	\$12,901.72
2013	\$559,470		\$559,470	\$559,470	\$11,640.06

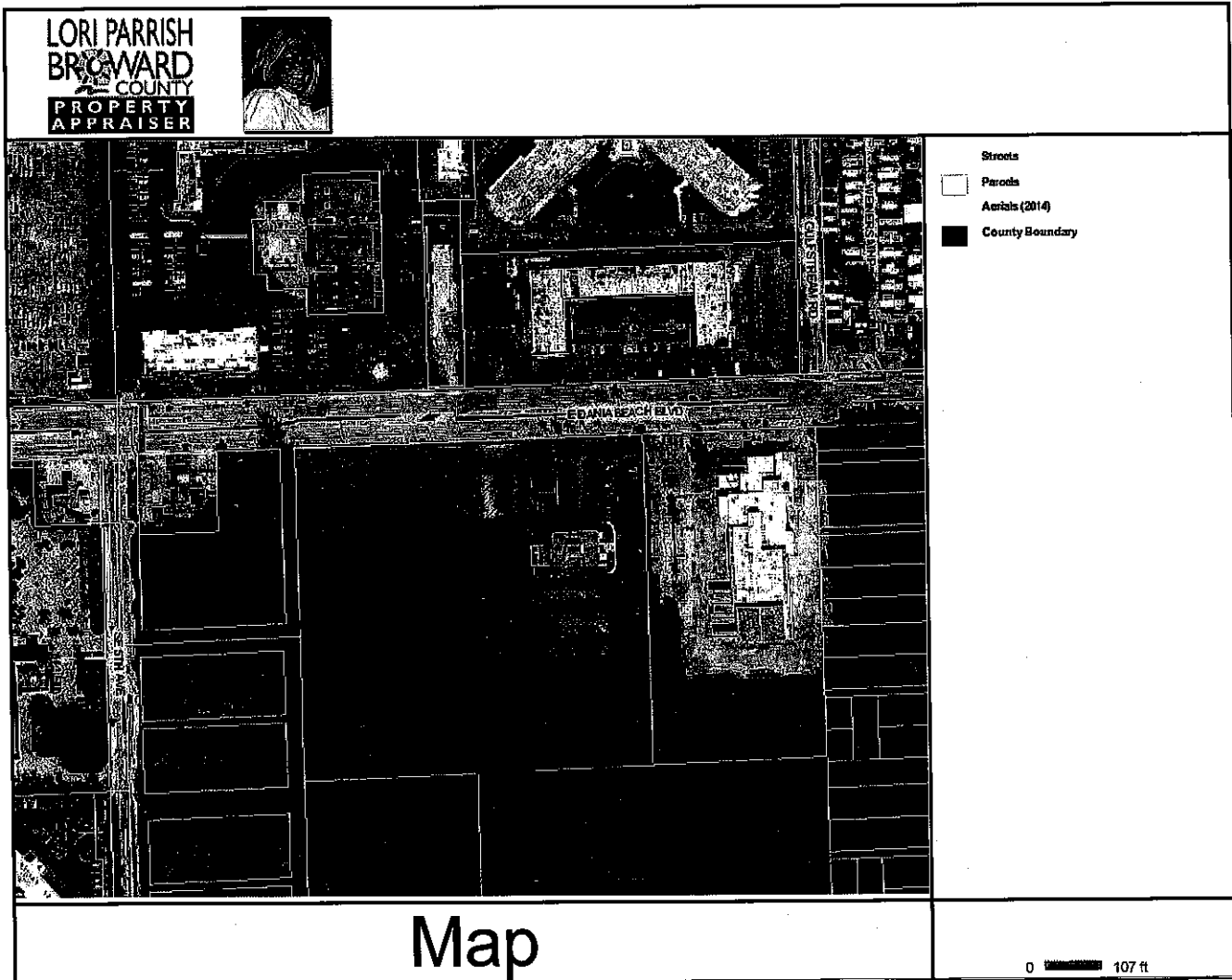
IMPORTANT: The 2015 values currently shown are "roll over" values from 2014. These numbers will change frequently online as we make various adjustments until they are finalized on June 1. Please check back here AFTER June 1, 2015, to see the actual proposed 2015 assessments and portability values.

2015 Exemptions and Taxable Values by Taxing Authority				
	County	School Board	Municipal	Independent
Just Value	\$652,720	\$652,720	\$652,720	\$652,720
Portability	0	0	0	0
Assessed/SOH	\$652,720	\$652,720	\$652,720	\$652,720
Homestead	0	0	0	0
Add. Homestead	0	0	0	0
Wid/Vet/Dis	0	0	0	0
Senior	0	0	0	0
Exempt Type	0	0	0	0
Taxable	\$652,720	\$652,720	\$652,720	\$652,720

Sales History			
Date	Type	Price	Book/Page or CIN

Land Calculations		
Price	Factor	Type
\$7.00	93,245	SF
Adj. Bldg. S.F.		

Special Assessments								
Fire	Garb	Light	Drain	Impr	Safe	Storm	Clean	Misc
04								
L								
1								



Created on 11/24/2014 9:53:01 AM using ArcIMS 4.0.1. Source: Broward County Property Appraiser



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, December 9, 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-86-08MOD** - The applicant, Greenspoon, Marder Law, on behalf of the property owner, Dania Beach Developers, LLC is requesting approval of a plat modification to the "Hobal Plat" for the construction of a 237 unit, 14-story, residential development at property located at 480 East Dania Beach Boulevard.

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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 be based. The city does not provide or prepare such record pursuant to f.s. 286.0105.



Community Development Department - Planning Division
Publish: Friday, November 28, 2014

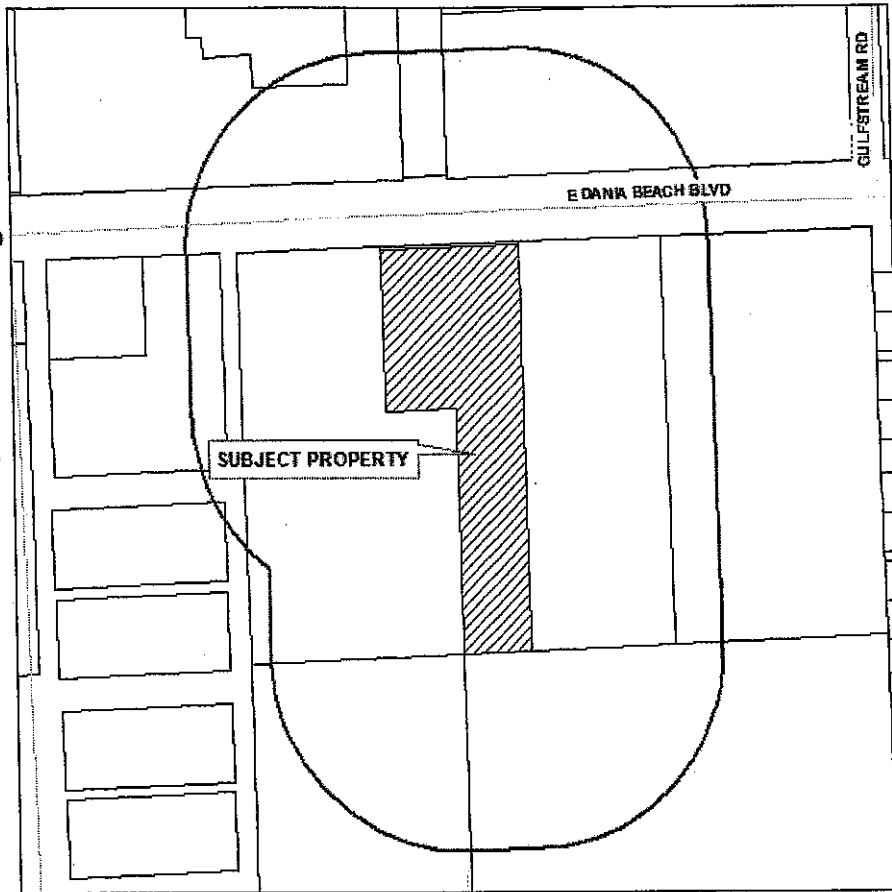


LOCATION MAP

480 E DANIA BEACH BLVD

Legend

-  SUBJECT PROPERTY
-  300' RADIUS



504235000252
DANIANS CORP
PO BOX 606
DANIA BEACH, FL 33004

BARBARA SCHLESINGER REV TR
SCHLESINGER, BARBARA TRSTEE ETAL
1212 SE 3 AVE
FORT LAUDERDALE, FL 33316

BROWARD COUNTY
BOARD OF COUNTY COMMISSIONERS
115 S ANDREWS AVE RM 326
FORT LAUDERDALE, FL 33301

504235210010
555 DANIA BEACH LLC
135 E DANIA BEACH BLVD STE 2
DANIA BEACH, FL 33004

504235000360
IMD INVESTMENTS INC
768 E DANIA BEACH BLVD
DANIA BEACH, FL 33004

504235230010
DANIA BEACH DEVELOPERS LLC
1450 BRICKELL AVE STE 1420
MIAMI, FL 33131

504235050010
RYAN VENTURES LTD
700 E DANIA BCH BLVD FLR 3
DANIA BEACH, FL 33004

LAWRENCE O TURNER JR REV TR
ROACH, MARY ANN TURNER ETAL
2349 NE 30 CT
LIGHTHOUSE POINT, FL 33064

DANIANS SOUTH CONDOMINIUM
ASSOC INC % DANIANS CLUBHOUSE
501 E DANIA BEACH BLVD
DANIA BEACH, FL 33004