

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, MAY 23, 2017 - 7:00 PM

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)

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 BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
 - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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1. CALL TO ORDER/ROLL CALL

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

- 1. Legislative Session Report by Ron Book
- 2. Special Event Request from American Legion Post 209 to hold a "Veteran Memorial Day Honoring Fallen Veterans" at C.W. Thomas Park on May 29, 2017, from 9:30 a.m. – 1:30 p.m.

4. PROCLAMATIONS

5. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular agenda, may be made during each Commission meeting during the period set aside for "citizen comments." A thirty (30) minute "citizen comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine, on a meeting by meeting basis, whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

6. PUBLIC SAFETY REPORTS

7. CONSENT AGENDA

1. Minutes:

Approve Minutes of May 9, 2017 City Commission Meeting

2. Travel Requests: None

3. RESOLUTION NO. 2017-047

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR SERVICES RELATED TO ENVIRONMENTAL PERMITS FROM THE CHAPPELL GROUP, INC. FOR PROFESSIONAL SERVICES FOR FISCAL YEAR 2016-2017 ENDING SEPTEMBER 30, 2017, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); PROVIDING FOR CONFLICTS; PROVIDING FOR FUNDING; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2017-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP (LU-121-15) OF THE DANIA BEACH COMPREHENSIVE PLAN PURSUANT TO A REQUEST SUBMITTED BY GREENSPOON MARDER, P.A./DENNIS MELE, ESQ. ON BEHALF OF THE PROPERTY OWNER, STIRLING ALYA LLC, TO CHANGE THE LAND USE OF APPROXIMATELY 8.3 GROSS ACRES AS LEGALLY DESCRIBED IN EXHIBIT “A” ATTACHED TO THIS ORDINANCE, FROM COMMERCIAL – 1.6 GROSS ACRES AND LOW (5) RESIDENTIAL – 6.7 GROSS ACRES TO COMMERCIAL – 1.3 GROSS ACRES AND IRREGULAR (40.86) RESIDENTIAL – 7.0 GROSS ACRES FOR PROPERTY LOCATED AT 2851 STIRLING ROAD; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AND STATE AGENCIES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

2. ORDINANCE NO. 2017-017

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY BOWMAN

CONSULTING GROUP, LTD., AGENT FOR THE PROPERTY OWNER GURU SHAKTI GROUP LLC, TO REZONE PROPERTY LOCATED AT 30 SW 16th STREET, DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL OFFICE (RO) DISTRICT TO SOUTH FEDERAL HIGHWAY MIXED USE (SFED-MU) DISTRICT (APPLICATION NO. RZ-43-17), SUBJECT TO CERTAIN RESTRICTIONS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

3. ORDINANCE NO. 2017-018

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28 OF THE “LAND DEVELOPMENT CODE”, OF THE CITY’S CODE OF ORDINANCES BY AMENDING PART 1 “USE REGULATIONS,” ARTICLE 115 “INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES AND CONDITIONS OF USE,” SECTION 115-40 “SCHEDULE OF PERMITTED USES” TO REMOVE OUTDOOR STORAGE OF VEHICLES; AND PART 2 “SITE DEVELOPMENT REGULATIONS,” ARTICLE 265 “OFF STREET PARKING REQUIREMENTS,” SECTION 265-50 “OFF-STREET PARKING REQUIRED; ON-STREET PARKING CREDIT” TO MODIFY REQUIRED PARKING FOR DAYCARE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

4. ORDINANCE NO. 2017-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28 OF THE “LAND DEVELOPMENT CODE”, OF THE CITY’S CODE OF ORDINANCES BY AMENDING PART 3 “SPECIAL ZONING DISTRICTS,” SUBPART 1 “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS,” ARTICLE 305 “INCENTIVES” TO MODIFY THE APPLICABILITY AND REGULATIONS OF INCENTIVES AND RELOCATE INCENTIVES FOR PUBLIC PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

10. DISCUSSION AND POSSIBLE ACTION

1. CGI Communications - Mayor James
2. Discussion of Class and Pay Analysis - Mayor James

11. COMMISSION COMMENTS

1. Commissioner Brandimarte
2. Commissioner Grace
3. Commissioner Salvino
4. Vice-Mayor Harris
5. Mayor James

12. APPOINTMENTS

1. Airport Advisory Board
Commissioner Brandimarte - 1 appointment
Vice-Mayor Harris - 2 appointments
2. Creative Arts Council Advisory Board
Commissioner Salvino - 1 appointment
3. General Employees Pension Board
1 Commission Appointment - Adam Segal, Assistant Finance Director
4. Police and Fire Pension Board
1 Commission Appointment

13. ADMINISTRATIVE REPORTS

1. City Manager
2. City Attorney
3. City Clerk - Reminders

Wednesday, May 24, 2017 - 3:00 p.m.	City Commission Workshop - Branding and Marketing
Monday, June 12, 2017 - 3:00 p.m.	CRA Board Workshop
Tuesday, June 13, 2017 - 6:00 p.m.	CRA Board Meeting
Tuesday, June 13, 2017 - 7:00 p.m.	City Commission Meeting
Tuesday, June 27, 2017 - 7:00 p.m.	City Commission Meeting

14. ADJOURNMENT

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Special Event

Continued from:

Requested Action (Identify appropriate Action or Motion)		
Special Event Request from American Legion Post 209 to hold a “Veteran Memorial Day Honoring Fallen Veterans” at C.W. Thomas Park on May 29, 2017, from 9:30 a.m. – 1:30 p.m.		

Purchasing Requests ONLY		
Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

Exhibits Attached
Special Event Application, Memo to Commission, Fire Review



City of Dania Beach

100 West Dania Beach Blvd., Dania Beach, FL 33004

SPECIAL EVENTS APPLICATION – EVENTS ON PRIVATE / PUBLIC PROPERTY

Please PRINT or TYPE

NOTE: ALL APPLICATIONS MUST BE COMPLETED AND SUBMITTED TO THE CITY
FOR APPROVAL 60 DAYS PRIOR TO THE EVENT INCLUDING PAYMENT OF ALL APPLICATION FEES (SEE
ATTACHED).

Event Name, Date, and Time:

Veteran Memorial Day Honor

*Brief Description of the Event:

Honoring our fallen Veterans - standard
program of American Legion

Address/Location of Event:

CW Thomas Park

Event Coordinator:

Jonathan Anderson

Telephone #1:

(754) 423-8480

E-mail Address:

Telephone #2:

Fax:

Additional Contact Person for the Event:

Daffine Rockell

Telephone #1:

(954) 600-5763

E-mail Address:

Telephone #2:

Fax:

Organization or Sponsor of Event:

Donald Parker Post 209

Address:

806 NW 1st St.

City, State, Zip Code:

Dania Beach, FL 33004

Telephone:

(754) 423-8480

Fax:

N/A

Cell:

(754) 423-8480

Is this a Non-Profit Organization?



Yes



No

Tax ID #:

American Legion

Corporation Name (As it appears in the Articles of Incorporation):

American Legion Post 209 Inc.

Date of Incorporation:

N/A 1/1/2011

State of Incorporation:

Florida

Federal ID #:

Doc # N110000009816 / EIN # 45-2837369

Authorizing Official for the Organization:

Jonathan Anderson

Telephone #1:

E-mail Address:

Telephone #2:

Authorizing Official for the Organization:

Cmdr Jonathan Anderson

Telephone #1: _____ E-mail Address: _____

Telephone #2: _____

*Property Owner: Dana Beach

***Please Note – A letter of Consent is required from the property owner for the approval of this application.**

Is the letter attached? ☐ Yes ☒ No

Will any portion of this event take place on Public or City Property? ☒ Yes ☐ No

Will there be a charge for admission? ☐ Yes ☒ No If yes, how much? _____

Has this event been held in the past? ☐ Yes ☒ No

If so, Indicate the city location of last event: _____

Is the event to take place: ☐ Indoors ☐ Outdoors ☒ Both

Number of Expected Daily Attendants: 25-75 (BSO or Fire Details may be required - refer to page 6)

Please indicate the duration of the event:

DAY	DATE	START TIME	END TIME	TOTAL # OF HOURS
may Monday	5/29/17	09:30	1:30 p.m.	4

Anticipated Date and Time to Begin Set-Up: 5/29/17 0900 9:30

Anticipated Date and Time for Completion of Break-Down: 5/29/17 1:30 p.m.

*Do you have a site plan for the event to be submitted with this application? ☐ Yes ☒ No

***Please Note** – A site plan indicating the following conditions must accompany the application of the application will be rejected, resulting in a significant time delay. The fire department must have easy access to the special event area. The site plan must include the following: entrances and exits, emergency vehicle access routes, parking, general vehicular drive paths, fire hydrant locations, fire department connections, street closure requests, fenced areas, grandstand, bleacher or other seating locations, tent and stage locations, cooking areas, and locations of any pyrotechnical material, fireworks, etc. In addition, the site plan must include the location of any rides (animal or mechanical), petting zoos, exhibits, DJ's, bands, performers, sanitary facilities, recreation vehicles for overnight housing, etc.

Is there a request for any road closures? ☐ Yes ☒ No

Please identify the street name(s) and/or locations for closure requests: N/A

Please Note – These streets must also be identified on the site plan.

*Are you requesting to fence the event area? ☐ Yes ☒ No

Please Note – You must identify any fencing area on the site plan.

*Will Canopies (tent structure with no sides) be used for this event? ☐ Yes ☒ No

Please Note - All tent structures with canopies in excess of 400 square feet [Per NFPA 1: Table 1.12.19(a)] require building permits and inspections. All canopies must be flame retardant. A certificate of flame retardancy and a sample of the canopy fabric for field testing must be submitted for product approval with this application. This information can be obtained from the canopy manufacturer or the canopy rental company. Please apply for the permit at the Building Department located at 100 W. Dania Beach Blvd. Please allow 8-10 working days for permit approvals.

*Will Tents (With Sides) be used for this event? ☐ Yes ☒ No

Please Note – All tents in excess of 200 square feet [Per NFPA 1: Table 1.12.19(a)] require building permits and inspections. All tents must be flame retardant. A certificate of flame retardancy and a sample of the tent fabric for field testing must be submitted for product approval with this application. This information can be obtained from the tent manufacturer or the tent rental company. If the tents have sides, they are treated as buildings. They must have two separate exits remotely located from each other with electrically illuminated exit signs that have a battery back-up. In addition, they must have emergency egress lighting and fire extinguishers. Provide a life safety plan for these tents indicating the location of all Exits, Exit Signs, Emergency Lighting, Aisle Spacing, Fire Extinguisher locations, etc. Permits must be obtained for all tents and electrical work. Please apply for all permits at the Building Department located at 100 W. Dania Beach Blvd. Please allow 8-10 working days for permit approvals.

*Will electricity be required for this event?

(for lighting, sound, cooking, other power needs, etc.) ☒ Yes ☐ No

*How will this electricity be supplied? ☒ On-Site ☐ Generator ☐ Combination of Both

Please Note – The use of generators, temporary wiring, temporary electrical connections, etc. require permits and inspections. Please apply for the permit(s) prior to setting up at the Building Department located at 100 W. Dania Beach Blvd. Events requiring electricity are the responsibility of the applicant and must have a master electrician on site. Please allow 8-10 working days for permit approvals. Any generator less than 5KW does not require a permit.

Will there be live entertainment at this event? ☒ Yes ☐ No

Please indicate the type (Band, DJ, Live Performers, etc.):

DJ

Please specify the hours of entertainment:

DAY	DATE	START TIME	END TIME	TOTAL # OF HOURS
Monday	5/29/17	10 A.M.	1 P.M.	3

*Will a stage(s) be used in this event? ☐ Yes ☒ No

*Please note Fire Extinguisher Requirement in the next question.

*Do you have adequate fire extinguishers for this event? ☐ Yes ☒ No

Please Note - Fire extinguishers must be supplied for each tent, canopy, cooking appliance and stage. They must be accessible from anywhere in the tent or on the stage without having to travel any further than 75 feet for access. Extinguishers must be easily accessible and not obscured from view. Fire extinguishers must be commercial "ABC Multi-Purpose" (minimum 5lbs.) fire extinguishers that are currently certified and tagged by a licensed company. You

need to demonstrate that this requirement will be met by making a note on the site plan indicating compliance with all of the above requirements or providing a letter to the City fire prevention bureau to that effect.

*Will there be concessions or sales of food at this event? ☐ Yes ☒ No

Please specify: _____

****Please Note STATE HEALTH INSPECTIONS FOR FOOD: Pursuant to Florida law (Chapter 509, Florida Statutes) event sponsors are required to contact the State Health Inspector no less than 3 days prior to the event. Advance notification of 7 to 10 days is advisable. Please send a fax with your event plans and contact information to Fax Number (954) 956-5699. The Inspector's office will contact you to discuss food vendors and amounts and types of food you plan to make available to the public, whether it is being given away or sold.***

An original Certificate of Liability Insurance and Workers' Compensation Certificate is required from all vendors. You must ensure that the Liability Certificate is for this specific event, has the proper dates, and names the City of Dania Beach as an Additional Insured. No event will be approved without this insurance.

*Will any type of cooking appliances be used by either the Sponsor of the Event or any of its vendors? ☐ Yes ☒ No

*If so, indicate the type of appliance(s) to be used and the number of each appliance to be used:

- ☐ N/A
- ☐ Electric Grill(s); # _____
- ☐ Gas Grill(s); # _____
- ☐ Charcoal Grill(s); # _____
- ☐ Smoker Grills(s); # _____
- ☐ Grease Fryer(s); # _____
- ☐ Oven(s); # _____
- ☐ Electric Range Burner(s); # _____
- ☐ Gas Range Burner(s); # _____

****Please Note*** – Grease Fryers are not permitted indoors unless they are protected with an approved Hood and a UL300 Compliant Wet Chemical Automatic Fire Suppression System in accordance with NFPA 96.

*Does each cooking appliance have its own dedicated Fire Extinguisher? ☐ Yes ☒ No

****Please Note*** - Each cooking appliance must have its own dedicated fire extinguisher. Class K fire extinguishers are required for fryers. You need to demonstrate that this requirement will be met by making a note on the site plan indicating compliance with all of the above requirements or providing a letter to the fire prevention bureau.

*Does each cooking area have the proper clearances from all other event areas? ☐ Yes ☒ No

****Please Note*** - Cooking areas can be located no closer than 30 feet from any tent or canopy structure, event rides, stages, grandstands or bleachers, etc. Ensure that this measurement is demonstrated on the site plan.

*Will there be sales of alcohol at this event? ☐ Yes ☒ No

****Please Note*** – An original certificate of liquor liability insurance naming the City of Dania Beach as additional insured and a 1/2/3 Day Special Sales License is required to be submitted with this application. The license must be obtained from the State of Florida Department of Business and Professional Regulation.

If Yes, Please Specify Types of Alcohol to be Sold: ☒ N/A ☐ Beer ☐ Wine ☐ Liquor
☐ Mixed Drinks ☐ Other: _____

If alcohol is being served, please indicate how the beverages will be served: ☒ N/A
☐ Draft Truck ☐ Cold Plate ☐ Mini-Bar ☐ Beer Tub ☐ Table Service

Other: _____

Will there be alcohol given away at this event? ☐ Yes ☒ No

Please Specify Types of Alcohol to be given away: ☒ N/A ☐ Beer ☐ Wine ☐ Liquor

☐ Mixed Drinks ☐ Other: _____

Will there be retail sales at this event? ☐ Yes ☒ No

Please Specify: _____

*Will there be any carnival rides, mechanical or vehicular rides, or animal rides at this event?

☐ Yes ☒ No

*If yes, please describe: _____

What is the name of the vendor or vendors providing the rides? ☒ N/A

***Please Note** - If carnival rides are to be present, the rides must be inspected by a state inspector, city electrical inspector, and fire inspector 48 hours prior to the rides opening.

Are you providing to us a copy of the ride vendor's Certificate of Liability and Workers' Compensation Insurance with this application? ☐ Yes ☒ No

***Please Note** - An original Certificate of Liability and Workers' Compensation Insurance is required for any and all rides. Ensure that the Certificate is for this specific event, has the proper dates, and names the City of Dania Beach as an Additional Insured. No event will be approved without this insurance.

*Will recreational vehicles be used for temporary overnight housing? ☐ Yes ☒ No

***Please Note** - Indicate the locations of these on the site plan.

*Will there be any use of pyrotechnics or fireworks displays at this event? ☐ Yes ☒ No

***Please Note** - Pyrotechnics fireworks displays require special applications, permits and inspections as well as an original Certificate of Liability and Workers' Compensation Insurance. In addition, a Fire Inspector will be required to be present during set-up and displays. This expense will be passed on to the event. (BSO or Fire Details may be required - refer to page 6)

*Will there be use of any Grandstands or Bleachers for seating at this event? ☐ Yes ☒ No

***Please Note** - Bleachers and Grandstands may have to meet special safety code requirements. Locations must be indicated on the site plan. Plumbing permit is required for portable toilets.

*Are portable, ADA compliant sanitary facilities being provided for this event? ☐ Yes ☒ No

If so, How many? ☒ N/A

***Please Note** - Provide the locations of all sanitary facilities on the site plan.

*Is there a request for any temporary signage for this event? ☐ Yes ☒ No

***Please Note** - Any questions regarding temporary signage should be directed to City Code Compliance, (954)924-6810.

Are there any services being requested from the City of Dania Beach? ☒ Yes ☐ No

If yes, please explain: Co-sponsor of event

Please list any other conditions, terms or relevant information related to this event that may be of interest to the City:

BSO DETAIL REQUIREMENT

Based upon anticipated attendance, site or building size, site location, and ability to assure public safety requirements, a Broward Sheriff's Office Detail may be required.

FIRE WATCH REQUIREMENT

A Fire-Watch may be imposed depending on the type of event, number of persons present and hazards involved. The number of personnel and apparatus required may vary depending on the type of event and hazards involved. Below are the current rates charged for the presence of a fire watch detail, fire inspector or both:

Off-Duty detail assignment services performed by Dania Beach Fire Rescue Personnel will be paid at their current overtime rate of pay with benefits (3 Hour Minimum). In addition, a City administrative fee of 10% will also be charged based on the total cost of personnel and apparatus. Personnel costs are currently estimated to be \$84.42 per hour, per person (3 hour minimum).

The cost of apparatus is as follows:

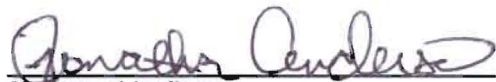
Rescue Truck - \$32.00 per hour

Engine (1500 gpm) - \$71.00 per hour

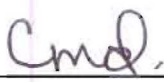
Ladder (1500 gpm) - \$80.00 per hour

The City of Dania Beach requires payment 14 days in advance for the detail services and fees are to be made payable to The City of Dania Beach by means of cash advance or a cashier's check. Fees are based on individual employee's overtime rates which vary from person to person. The amount estimated is based on the highest overtime rate currently payable in addition to fees for FICA, Medicare, Worker's Compensation and Administrative fees. In the event that the entire estimated amount is not required for services, the City will refund the money, less the expenses incurred for the service. Should the amount of time required for the fire watch detail exceed that agreed upon before the event, the Event sponsor will be required to pay for any overage based on the actual cost for the Fire Watch. The Event sponsor will be responsible to pay the actual service price incurred.

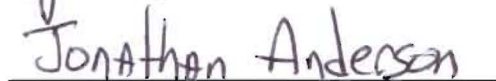
The information I have provided on this application is true and complete to the best of my knowledge. I understand that approval of this event is contingent upon review and approval of all City Disciplines, the City Attorney's Office and the City Commission.



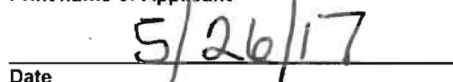
Signature of Applicant



Title



Print name of Applicant



Date

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on _____, 200____.
by _____, who is personally known to me, or, if not, such person produced the
following form of identification: _____.

NOTARY PUBLIC

My Commission expires: _____

My Commission number: _____

SPECIAL EVENT APPLICATION / PERMIT FEES

\$100.00 Beach Weddings

\$150.00 All Other Events

\$280.00 Special Events Involving Fire Inspections

\$100.00 Private Parties (over 26 participants)

\$50.00 Small Parties (under 25 participants)

Special events requiring the use of Broward Sheriff's Office shall require advance payment of the applicable special detail rate.

Special Events requiring the use of personnel from the Fire Department or the use of City Lifeguards shall require advance payment of the applicable overtime rate.

A late fee of \$75.00 will be assessed for any application that is received by the City sixty (60) days or less before the date (or starting date) of the event.

Rental rates are subject to the applicable 6% sales tax.



City of Dania Beach
Parks and Recreation Department
100 West Dania Beach Blvd.
Dania Beach, FL 33004
(954) 924-6800
(954) 924-6813 FAX

SPECIAL EVENTS REQUEST
Application on Public or Private Property

To Whom It May Concern:

Please be advised that starting May 1, 2006 this application and all its requirements are to be completed and complied with by anyone wishing to utilize public or private property in the City of Dania Beach for a special event **regardless of whether or not the event has been held in the past.** This application process has been designed to ensure the safety and protection of all involved, to include the City of Dania Beach, the host of the event, and all attendees. Please complete the enclosed application, provide all requested attachments and submit it to the City of Dania Beach, Parks & Recreation Offices, Attention: Martha Riguero. **Incomplete applications will be returned.**

The completed application, including all attachments, must be received **AND ALL REQUIREMENTS SET FORTH BY THE CITY OF DANIA BEACH MUST BE MET 60 days prior** to scheduling any special event, including payment of all appropriate fees (see attached). This timeframe is required to ensure proper placement on the City Commission agenda for approval in time for the event. **Failure to comply with the required 60 day timeframe and payment requirements will result in denial of your application.**

Section 33-44 of the City of Dania Beach requires outdoor shows and special events to be reviewed and approved by the City Commissioners [as an agenda item on the next available meeting at 7:00 p.m. Please plan to attend.]

The operation of any type of traveling circus, carnival, outdoor show and like amusements of a transient nature in the city shall be governed by the following provisions:

- (1) Traveling circuses, carnivals, outdoor shows, amusement parks, devices and exhibitions, and all such operations, avocations or businesses operating under tents or in temporary buildings or structures shall not be permitted in the city except upon approval of the chief of police and city commission.
- (2) Nothing herein contained is intended to apply to local shows or amusements held in theaters, auditoriums or permanent buildings in the city. Further, nothing herein contained is intended to apply to any amusement park established in the city on a permanent basis prior to the effective date of this chapter and located in an AP district. Specifically, without limitation on the foregoing, this section shall apply to traveling shows, carnivals, fairs, exhibitions and the like which are transient in nature and which operate only for temporary periods.



City of Dania Beach

Parks and Recreation Department

100 West Dania Beach Blvd · Dania Beach, FL 33004 · (954) 924-6800 · (954) 924-6813 (fax)

Date: May 23, 2017

To: Honorable Mayor and Commissioners

From: Robert Baldwin, City Manager

Through: Mark Felicetty, Parks and Recreation Director

By: Sherie Dunleavy, Office Manager

Subject: Veteran Memorial Day Honor

Event Date(s): May 29, 2017

A Special Event is requested by American Legion Post 209 to have a "Veteran Memorial Day Honoring Fallen Veteran's" on May 29, 2017. The requested event will be held at C.W. Thomas Park from 9:30 a.m. – 1:30 p.m.

Applicant will pay for necessary services recommended below.

Recommendation: Approval with the compliance of the conditions noted below.

Staff	Comments/Conditions	
BSO Fire Dept. - Lt. Suarez	See attached report.	
BSO Police Dept. - Lt. Manfre	Approved as requested.	
Code Enforcement - Eric Walton	No issues raised.	
Community Dev. - Julio Briceno	No building permits required.	
Community Dev. - Corinne Lajoie	No issues raised.	

City Attorney - Tom Ansbro	No issues raised.	
HR/Risk Mgmt. - Kristin Milligan	Regarding the DJ, we will either need either WC, an exemption, or a hold harmless. Assuming the DJ is an independent DJ, a hold harmless will do. If it's a company, we'll need either the WC or the exemption.	
Parks & Recreation - Mark Felicetty	No issues raised.	
Public Services - Ronnie Navarro	No issues raised.	



Department of Fire Rescue & Emergency Services - Fire Marshal's Office Dania Beach District

103 West Dania Beach Blvd. • Dania Beach, Florida 33004
Office: (954)342-4262 • Fax: (954)342-4265

SPECIAL EVENT APPLICATION REVIEW / COMMENTS

Event Name: **Veteran Memorial Day Honor**
Event Date(s): **May 29, 2017**
Event Location: **CW Thomas Park – 100 NW 8th Ave, Dania Beach**
Event Reviewed By: **Lt. Suarez** Date of Review: **5/08/17**

☐ EVENT IS APPROVED ☒ EVENT IS APPROVED WITH CONDITIONS (See Below)
☐ EVENT CANNOT BE APPROVED UNTIL FURTHER INFORMATION HAS BEEN PROVIDED (See Below) ☐ EVENT HAS BEEN DENIED BY THE FIRE MARSHAL

Special Event Applicant must address any and all checked items below.

☒ **Insurance Rider Required** – Provide a legible copy of the liability insurance rider naming the Broward Sheriff's Office/ 2601 West Broward Boulevard / Ft. Lauderdale, FL 33312.

☒ **Site Plan Required** - A site plan indicating the following conditions must accompany the application or the application will be rejected, resulting in a significant time delay. The fire department must have easy access to the special event area. The site plan must include the following: entrances and exits, emergency vehicle access routes, parking, general vehicular drive paths, fire hydrant locations, fire department connections, street closure requests, fenced areas, grandstand, bleacher or other seating locations, tent and stage locations, cooking areas, and locations of any pyrotechnical material, fireworks, etc. In addition, the site plan must include the location of any rides (animal or mechanical), petting zoos, exhibits, DJ's, bands, performers, sanitary facilities, recreation vehicles for overnight housing, etc.

☐ **Crowd Control / Management Plan** – Provide a written plan as to how crowd management will be obtained. Include the number of personnel being utilized to achieve maintaining the Maximum Capacity within the structure and the locations where these personnel will be stationed. Include the locations of all ingress and egress locations for the structure / building. In addition, provide the mechanism or method that will be utilized for maintaining an accurate count of the number of persons inside the structure at all times. Please be sure to include the Maximum Capacity assigned to the structure or building on this plan and ensure that adequate signs are obscurely posted in the structure of building. This Crowd Control / Management Plan must be approved by the Fire Marshal prior to the event.

☒ **Fire extinguishers Required** – Fire extinguishers must be supplied for each tent, canopy, cooking appliance and stage. They must be accessible from anywhere in the tent or on the stage without having to travel any further than 75 feet for access. Extinguishers must be easily accessible and not obscured from view. Fire extinguishers must be commercial "ABC Multi-Purpose" (minimum 5lbs.) fire extinguishers that are currently certified and tagged by a licensed company.

☐ **Tent/Canopy Permits Required** - Obtain permits from the City of Dania Beach Building Department. (Note: Minimum spacing requirements between tents utilized for cooking shall be 10 feet).

☐ **Tent/Canopy Egress Plan Required** – Provide an egress plan for Tents / Canopies to indicate all the following: Locations of Exits, Locations of all exit signs and emergency lighting, aisle spacing, table and seating arrangements (Including spacing between tables, chairs, etc.), locations of any service area including but not limited to bars and food, locations of any stage, DJ, band, etc.

BSO FMO SPECIAL EVENT APPLICATION REVIEW (Continued)

- ☐ **Generator Permits May Be Required** – Confirm with City of Dania Beach Building Department for determination.
- ☒ **Power cords** shall be sufficiently protected from water and shall not create a trip hazard for patrons and/or event workers.
- ☐ **Gas Grills** (other than those with a UL Listing and typically bought at Home Depot, Lowes, etc. for home grilling, non-commercial use) must be permitted and pass a fire inspection and drop test (performed by a licensed Gas Company). Obtain permits from the City of Dania Beach Building Department.
- ☐ **LP Gas Containers** must be secured in an approved method and cordoned off from patron access in an approved method. The LP Gas containers must be a minimum of 10 feet from any heat source or open flame. “NO SMOKING” signs shall be posted at all LP Gas Container locations.
- ☐ **Fire Department Access (or additional access) required** - Contact the Fire Marshal’s Office at (954)342-4262.
- ☐ **Street Closure Conflict** - Contact the Fire Marshal’s Office at (954)342-4262.
- ☐ **Fenced Area Conflict** - Contact the Fire Marshal’s Office at (954)342-4262.
- ☐ **Stages** - Identify the type of construction (Wood, Metal, Stage made from a Trailer, etc.). Plans & Permits may be required.
- ☐ **Grandstands / Bleachers** - Identify the type of construction (Wood, Metal, Grandstands/Bleachers made from a Trailer, etc.) (Plans & Permits may be required)
- ☐ **Any trailer or vehicle used in the preparation of food that creates grease laden vapors** must have a UL-300 compliant automatic fire suppression system. This suppression system must be tagged and currently certified by a Florida licensed, automatic fire suppression system contractor
- ☐ **Grease Fryers**
- Grease Fryers are not permitted indoors** unless they are protected with an approved a UL-300 compliant automatic fire suppression system. This suppression system must be tagged and currently certified by a Florida licensed, automatic fire suppression system contractor.
- Grease Frying Areas must have a Class K Fire Extinguisher** that has is currently certified and tagged by a licensed company. Any grease frying area that does not have a currently certified and tagged Class K Fire Extinguisher will not be permitted to operate or be put in use. All grease fryers must be secured in an area located away from the general public access.
- ☐ **Food Trucks** that utilize cooking appliances for foods that create grease-laden vapors must be equipped with a currently certified and tagged Automatic Fire Suppression System and must pass a fire inspection prior to use.
- ☐ **No overnight lodging** is permitted at the event unless the lodging is in an “RV” or other approved accommodation and the location of the “RV” or other accommodation has been approved by the Fire Marshal’s Office.
- ☐ **Amusement Rides must be currently tagged** by the Florida Department of Agriculture & legible copies of the amusement ride inspections shall be provided to the Fire Marshal’s Office at the time of Fire Inspection. Any amusement ride that does not pass Florida Department of Agriculture Inspection(s), City Electrical Inspection(s) and Fire Inspection(s) shall not be permitted to open. Those rides not passing any of the above inspections shall remain closed to patrons until such time as the inspections have been approved. The rides shall be cordoned off with Fire Line Tape
- ☐ **Each individual amusement ride must have a dedicated fire extinguisher.** The fire extinguisher(s) must be commercial, “ABC” Multi-purpose type fire extinguisher(s) (Minimum 5 lbs.), and be currently tagged and certified by a Florida-licensed fire extinguisher contractor. The fire extinguisher(s) must be easily accessible and not obscured from view.

BSO FMO SPECIAL EVENT APPLICATION REVIEW (Continued)

☐ The use of pyrotechnics and/or fireworks display is not permitted at this location.

☐ **The use of pyrotechnics and/or fireworks display** shall comply with the currently adopted edition of the Florida Fire Prevention Code.

 Other Requirements and/or Special Notes:

Since the event is both indoors and outdoors, a site plan must be provided.

Fire extinguisher is required by the DJ's equipment and stage.

What services are being requested from the City of Dania Beach?

INSPECTION AND/OR DETAIL REQUIREMENTS

Pre-Event Inspections Required:

☒ NO ☐ YES ☐ N/A ☐ (Dates & Times): _____

TYPE OF INSPECTION REQUIRED:

___ Normal Inspection Hours
 ___ After-Hours (4-Hours or Less)
 ___ After Hours (Greater than 4 Hours)

Fire Inspector Stand-By Detail Required:

☒ NO ☐ YES ☐ N/A ☐ (Dates & Times): _____

Operational Detail Required:

☒ NO ☐ YES

Type: _____

Dates & Times: _____

☐ N/A ☐ INVOICE TO FOLLOW FOR PRE-EVENT INSPECTIONS AND/OR DETAILS.

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MAY 9, 2017 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor James called the meeting to order at 7:00 p.m.

Present:

Mayor:	Tamara James
Vice-Mayor:	Bill Harris
Commissioners:	Chickie Brandimarte
	Bobbie H. Grace
	Marco A. Salvino, Sr.
City Manager:	Robert Baldwin
City Attorney:	Thomas Ansbro
Deputy City Clerk:	Tom Schneider

2. Moment of Silence and Pledge of Allegiance

Mayor James called for a moment of silence followed by the Pledge of Allegiance to the United States Flag.

Mayor James advanced Items #4.1 and #4.2.

4. Proclamations

4.1 Lupus Awareness Month - Mayor James

Mayor James read the Lupus Awareness Month proclamation and presented it to Stephen Hinkel, Boca Raton, Florida, who lost his father to Lupus and works at raising Lupus awareness with political and academic leaders.

4.2 American Legion Auxiliary Poppy Day - Mayor James

Mayor James read the American Legion Auxiliary Poppy Day proclamation and presented it to Daphne Taylor-Rockett, ALA Unit 209 President.

3. Presentations and Special Event Approvals

3.1 Representative Joseph Geller - Post Session Update

Representative Geller gave an overview of this year's legislative session.

Mayor James advanced Items #9.3 and #9.4.

City Attorney Ansbro noted these are quasi-judicial hearings and everyone sworn-in at the last meeting is still under oath.

9.3 RESOLUTION NO. 2017-029

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE "WHISPERING OAKS PLAT" (PL-001-17) SUBMITTED BY PULICE LAND SURVEYORS, INC., ON BEHALF OF THB ISLES, FOR PROPERTY LOCATED AT 4900 SW 25TH AVENUE IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from March 28, 2017 and April 25, 2017)*

9.4 RESOLUTION NO. 2017-030

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE WHISPERING OAKS SITE PLAN (SP-111-16) SUBMITTED BY THB ISLES, INC. FOR PROPERTY LOCATED AT APPROXIMATELY 4900 SW 25th AVENUE IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from March 28, 2017 and April 25, 2017)*

City Attorney Ansbro read the title of Resolution #2017-029 and Resolution #2017-030, as they relate to the same property.

Corinne Lajoie, Principal City Planner, noted that the plat and site plan for Whispering Oaks were reviewed at the last meeting.

Attorney Steve Wherry, representing the applicant, gave an overview of their working with Tropical Acres Restaurant to come to an agreement for additional right of way in order to widen SW 25th Avenue and extend the line of sycamore trees along the restaurant's property. He noted the developer would pay for removal of trees in the right of way. He also addressed residents' concerns expressed to Mayor James regarding removal of canopy trees, Conehead termite eradication, drainage of the development, and public notices mailed to surrounding residents.

Commissioner Grace felt that her request for communication between the applicant and Tropical Acres paid off.

Commissioner Brandimarte questioned if the owner of Tropical Acres is satisfied.

James Govin, attorney for Tropical Acres Restaurant, addressed the outstanding concerns they have with the developer's proposals and the effect on their business and community. He noted they are close to an agreement with the developer.

Mayor James opened the Public Hearings.

Anthony Didio, 4916 SW 26th Avenue, spoke of his concerns with the Conehead termites, removal of trees, and the need for a wall to separate the development from his and his neighbors' homes.

Mr. Lawson, 5001 SW 24th Avenue, opposed the project because of removal of the oak trees with termite infestations, damage to those trees that are to remain, and the lack of drainage in the area that would be worsened by the development.

Daniel Littell, 4954 25th Avenue, expressed concern about the flooding in his neighborhood increasing due to the development.

Attorney Wherry explained the retention area on the north side of the development that will retain stormwater on their site.

Seeing as there was no one else to speak in favor or opposition, Mayor James closed the Public Hearings.

Commissioner Grace motioned to adopt Resolution #2017-029; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

Commissioner Grace motioned to adopt Resolution #2017-030; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

5. Citizen Comments

Dan DiCorcia, 609 E. Sheridan, #102, expressed his happiness about being a resident of Dania Beach, and thanked the Commission for the development currently going on.

Jonathan Thomas, 317 NW 5th Avenue, spoke of issues in the community, and requested the opportunity to mentor youth at CW Thomas Park for free.

Richard Hamann, 4965 SW 24th Avenue, read aloud a letter written by his daughter and her friend about why they did not want the Whispering Oaks development.

Samantha Angelos, 43 SW 12th Street, spoke of a recurring problem with neighbors on SW 4th Avenue not removing their trash cans from the curb after pickup, and landscaping removed along SW 4th Avenue by the railroad.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, gave an update on criminal activity in the City. He noted National Night Out on Crime will be held on August 1st at Frost Park.

Lt. Anthony Demarco spoke of the Cops as Reading Partners (CARP) program he started several years ago. He presented new books to Deputy Rodriguez, School Resource Officer, for Collins and Dania Elementary schools, and asked everyone who has new children's books to donate them to the schools to help re-ignite interest in the reading rooms.

Commissioner Grace presented certificates of appreciation to Captain Marks and Chief Brown for Police and Fire Rescue's rendering her aid at the last meeting.

Sean Brown, Battalion Chief, BSO Fire Rescue, noted he is assuming the responsibilities of the district liaison, and spoke of Fire Rescue's reaccreditation process currently underway.

Mayor James left the meeting at 8:44 p.m.

7. Consent Agenda

7.1 Minutes:
Approve Minutes of April 25, 2017 City Commission Meeting

7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2017-042

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RATIFYING THE EXPENDITURE OF FUNDS TO REPLACE PUMPS FOR LIFT STATION NO. 1 AND LIFT STATION NO. 2 FOR THE PUBLIC SERVICES DEPARTMENT BY UTILIZING THE SERVICES OF WASTEWATER SOLUTIONS, LLC WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS IN AN AMOUNT NOT TO EXCEED THIRTY SIX THOUSAND SEVEN HUNDRED THIRTY SIX DOLLARS (\$36,736.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2017-042.

7.4 RESOLUTION #2017-043

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY PUBLIC SERVICES DEPARTMENT FOR SERVICES PURCHASED FROM CHEN MOORE AND ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR FISCAL YEAR 2016-2017 ENDING SEPTEMBER 30, 2017, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES MADE WITHIN CITY DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2017-044

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY PUBLIC SERVICES DEPARTMENT FOR SERVICES PURCHASED FROM CARNAHAN PROCTOR & CROSS, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR FISCAL YEAR 2016-2017 ENDING SEPTEMBER 30, 2017, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES MADE WITHIN CITY DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2017-045

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO UTILIZE AN AMOUNT OF TWENTY EIGHT THOUSAND FIVE HUNDRED FORTY SIX DOLLARS AND FORTY CENTS (\$28,546.40) AVAILABLE IN THE SW 26 TERRACE DRAINAGE IMPROVEMENT PROJECT ACCOUNT TO FUND A CHANGE ORDER FOR CONSTRUCTION AGREEMENT COST INCREASES WITH MIGUEL LOPEZ JR. INC. AND FURTHER AGREEING TO AND APPROVING ACCEPTANCE OF CHANGE ORDER NO. 1 WITH THE COMPANY; PROVIDING FOR CONFLICTS; PROVIDING FOR FUNDING; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Grace motioned to adopt the Consent Agenda; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Absent
Commissioner Salvino	Yes		

8. Bids and Requests for Proposals

There were no proposals on this agenda.

Mayor James returned at 8:46 p.m.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2017-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 2-84, ENTITLED "POWERS OF SPECIAL MAGISTRATE", OF ARTICLE IV, ENTITLED "CODE ENFORCEMENT", CHAPTER 2, ENTITLED "ADMINISTRATION", OF THE CITY CODE OF ORDINANCES, TO AUTHORIZE CODE COMPLIANCE SPECIAL MAGISTRATES TO ABATE OR MITIGATE FINES ASSOCIATED WITH CODE VIOLATIONS RESULTING IN LIENS; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

City Attorney Ansbro read the title of Ordinance #2017-014.

Mayor James opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, she closed the Public Hearing.

Commissioner Salvino motioned to adopt Ordinance #2017-014, on second reading; seconded by Commissioner Brandimarte. The motion carried on the following 3-2 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	No	Mayor James	No
Commissioner Salvino	Yes		

9.2 ORDINANCE #2017-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PERTAINING TO APPOINTMENTS TO CITY PENSION BOARDS; AMENDING ARTICLE III, ENTITLED "EMPLOYEES' RETIREMENT PLAN AND TRUST", SECTION 18-29.9, ENTITLED "BOARD OF TRUSTEES – PLAN ADMINISTRATION", OF CHAPTER 18, ENTITLED "PENSIONS AND RETIREMENT", OF THE CITY CODE OF ORDINANCES, TO DELETE A PROVISION DESIGNATING A CITY ELECTED OFFICIAL TO SERVE AS A RETIREMENT BOARD MEMBER ON THE GENERAL EMPLOYEES' PENSION BOARD AND DESIGNATING THE DIRECTOR OF THE CITY FINANCE DEPARTMENT OR DESIGNEE OF THE DIRECTOR, WHICH DESIGNEE IS EMPLOYED IN THAT DEPARTMENT, TO SERVE AS A MEMBER OF SUCH BOARD; AMENDING CHAPTER 2 OF THE CITY CODE OF ORDINANCES, WHICH CHAPTER IS ENTITLED "ADMINISTRATION", ARTICLE I, ENTITLED "IN GENERAL", TO DELETE SECTION 2-1.5 ENTITLED "COMMISSIONER TO SERVE ON BOARD OF TRUSTEES OF CITY POLICE AND FIREFIGHTERS RETIREMENT SYSTEM" IN ITS ENTIRETY; AMENDING SECTION 2-9, ENTITLED "DEPARTMENT OF FINANCE CREATED; DUTIES", OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE DUTIES OF THE DIRECTOR OF THE CITY FINANCE DEPARTMENT, TO PROVIDE FOR THE DEPARTMENT DIRECTOR OR DESIGNEE OF THE DIRECTOR, WHICH DESIGNEE IS EMPLOYED IN THAT DEPARTMENT, TO SERVE AS A MEMBER OF THE BOARD OF TRUSTEES OF THE EMPLOYEES' RETIREMENT PLAN AND TRUST (APPLICABLE TO GENERAL EMPLOYEES); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

City Attorney Ansbro read the title of Ordinance #2017-015.

Mayor James opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, she closed the Public Hearing.

Commissioner Brandimarte commented the Commission had agreed a member of the Finance Department would take the place of a Commissioner on the Police and Fire Pension Board, but this is not possible because of the residency requirement. She noted the City had to subsidize them because of a shortage of funds, and asked that the person appointed have some knowledge in dealing with the stock market.

Commissioner Salvino questioned whether criteria could be set up for applicants to the board so the Commission could rate them according to their experience.

City Attorney Ansbro noted the applicant could be asked if they have financial experience to qualify them to be on this board.

Commissioner Grace motioned to adopt Ordinance #2017-015, on second reading; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

City Attorney Ansbro advised the remaining item was a quasi-judicial hearing and swore-in those who would speak. He asked the Commission to disclose any communication they had on this matter.

9.5 RESOLUTION #2017-046

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-99-16), VARIANCES (VA-37-17; VA-38-17; VA-39-17) AND A DESIGN VARIATION (OT-40-17) SUBMITTED BY ART AND ARCHITECTURE, INC., ON BEHALF OF THE PROPERTY OWNER 500 DANIA BEACH, LLC, FOR PROPERTY LOCATED AT 500 E. DANIA BEACH BOULEVARD IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2017-046.

Corinne Lajoie, Principal City Planner, gave an overview of the site plan, variances, and design variation requests for property that was formerly the site of Kings Head Pub.

Attorney Christina Belinki, representing the applicant, gave a presentation on the proposed development.

Mayor James opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, she closed the Public Hearing.

Commissioner Salvino motioned to adopt Resolution #2017-046; seconded by Commissioner Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

10. Discussion and Possible Action

10.1 General Budget Discussion - City Manager Baldwin

City Manager Baldwin reviewed the memo included in the backup and asked the Commission for general direction.

The Commission was opposed to raising property taxes.

Commissioner Brandimarte was opposed to an increase in parking and recreation fees.

The Commission did not want an increase in water rates, solid waste franchise fees, stormwater and cemetery fees.

Nicki Satterfield, Director of Finance, explained General Obligation Bonds, and the timeframe and process involved in going to referendum at the November 2018 election.

Commissioner Brandimarte questioned if Hollywood charges Dania Beach residents more for ambulance calls.

Finance Director Satterfield explained how they charge different rates for residents and non-residents and for automatic aid.

Commissioner Grace explained why she does not favor residents voting on a General Obligation Bond.

Commissioner Salvino explained why he favors a General Obligation Bond that does not go to referendum.

Mayor James favors a GO bond because of her desire for a multi-sport complex, and a lot of great things could possibly come out of this bond. She asked if grants could be used to pay off bonds.

Finance Director Satterfield noted it depends on how the bond is structured.

Commissioner Brandimarte is not in favor of borrowing any money under any circumstances, as we are two years or less from getting revenues from Dania Pointe. We should not worry about building a complex; the most important things right now are police and fire contracts. She added

the City Manager should deal with important issues; we should wait as the revenues will come in from Dania Pointe and we will not owe money to anyone.

Mayor James noted we have started senior activities at CW Thomas Park, and spoke of important issues facing the City other than police and fire.

Commissioner Grace said borrowing money would set a bad precedent for the City. We will be better off in a year and a half; we can wait. We should be cautious and optimistic.

Vice-Mayor Harris questioned why we could not have both a bond and tax revenues coming in from Dania Pointe. He questioned which would give the City revenue first.

Finance Director Satterfield said it would be about the same period of time.

City Manager Baldwin spoke of the expenditure side and asked if anything on the list should not be considered.

Commissioners Salvino and Grace said we can discuss it at the workshop in two weeks.

City Manager Baldwin addressed Hollywood eliminating BSO's automatic aid agreement due to the amount of calls they are running into Dania Beach. He thinks they are posturing to get us to add four paramedics to Station 17, and he will meet with them to try to work out a compromise.

Vice-Mayor Harris asked, based on the randomness of the salary report provided to the Commission, if it would be possible to do a job classification study to bring some of the salaries in line with others commensurate with responsibilities.

City Manager Baldwin said we could do another compensation and pay study; we can put it in the budget proposal.

Vice-Mayor Harris questioned if there is any way to reestablish the performance evaluation and merit raises.

City Manager Baldwin explained the Commission did away with performance raises about eight years ago because of the economy; the union decided to negotiate flat pay raises in the collective bargaining agreement. Additionally, the pension is adjusted annually and that is usually where the bigger increases are.

Vice-Mayor Harris felt we need to look at bringing back performance based evaluations so that employees know how they are doing.

Commissioner Grace said she looked at the salaries for department heads and they are way out of line; we have to go back and restructure them.

Mayor James noted the salary report was difficult to read and requested a consolidated report with the different years on one sheet in order to see the comparison.

City Manager Baldwin reiterated additional paramedics could be difficult to fund; if this is funded, we would have to forego adding deputies.

City Manager Baldwin addressed outsourcing.

Commissioner Brandimarte noted we need to prioritize because we cannot possibly do everything that was discussed.

City Manager Baldwin noted the police and fire radios will have to be replaced, which is approximately \$650,000. He pointed out that things are improving, but we are still not where we want to be with the budget.

10.2 Discussion regarding 3-way stop signs at NW 1st Street and Bryan Road - Vice-Mayor Harris

Vice-Mayor Harris noted this request came from a community meeting; he has been to MPO and the County Department of Transportation and Mobility, and plans to follow-up on this on Thursday at the MPO. He added what needs to be done with the MPO is to make it project-ready for the County so it goes to the head of the line.

Mayor James said it is a safety concern for our residents and emergency purposes.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte commented that the Commission has to be careful on whom they appoint to the Police and Fire Pension Board; the person needs stock market expertise.

Commissioner Brandimarte spoke of Hollywood EMS rates and the fee charged to a Meadowbrook resident.

11.2 Commissioner Grace

Commissioner Grace spoke of Fleet Week, Lions Club, and Collins Elementary School reunion activities, and last night's meeting with Superintendent Runcie.

Commissioner Grace noted she has tickets for sale for the Collins Elementary All School reunion banquet, at \$40.00 per ticket or \$400.00 per table. The consensus of the Commission was to have the City Manager buy a table for the event.

Mayor James noted that all of the money raised goes to the literacy program at Collins Elementary.

Commissioner Grace thanked everyone for their well wishes during her recent illness.

11.3 Commissioner Salvino

Commissioner Salvino had no comments.

11.4 Vice-Mayor Harris

Vice-Mayor Harris said he would like to institute a new program and asked for a listing of all City BTRs. He wants to start a visitation to all the businesses and also work with Katia Bordy, Public Information Officer, to do a welcome kit for new businesses coming into the City.

Vice-Mayor Harris stated there are requests for code enforcement after 5:00 p.m. on weekdays and during the weekends, as well as parking issues and coverage on the weekends.

Vice-Mayor Harris addressed notification for public hearings; we need to do better.

Vice-Mayor Harris noted he requested City Manager Baldwin to host the League of Cities in January or February of 2018.

Vice-Mayor Harris said all the signs at Sheridan Plaza are in conformance except for Hemingway Bistro, which still only has a banner.

Vice-Mayor Harris commented he would address bus stops with the MPO, and questioned if we have the new designs yet.

City Manager Baldwin responded the designs should be coming soon.

Vice-Mayor Harris questioned the dog policy at the marina and if things were resolved.

Mark Felicetty, Director of Parks and Recreation, noted improvement has been remarkable because boat owners are policing themselves. He said dogs north of the Quarterdeck are still a problem and new signs have been erected. No citations are being issued; people are being told to take their dog and leave.

11.5 Mayor James

Mayor James spoke of Fleet Week and attending a luncheon at the coast guard station.

Mayor James noted Walmart has been selling alcohol; she asked the City Manager to look into it and also to see what action we are going to take when business owners violate our ordinances.

Mayor James spoke of the meeting with Superintendent Runcie at a meeting last night.

Mayor James said she and City staff are starting a blog to promote businesses and she invited the Commission to participate.

Mayor James asked that the upcoming workshop be about branding and marketing only.

12. Appointments

12.1 Airport Advisory Board – no appointments

12.2 General Employees Pension Board – no appointments

12.3 Nuisance Abatement Board - Motion to Reinstate the Board

City Attorney Ansbro noted we are making a lot of progress with the convenience stores, and recommended this matter be postponed in order to see if the board is necessary.

12.4 Police and Fire Pension Board – no appointments

13. Administrative Reports

13.1 City Manager

City Manager Baldwin spoke of the hurricane preparedness (READY) conference to be held on June 3rd.

City Manager Baldwin noted the appraisals are being done for Olsen Middle School and for Smith's convenience store.

13.2 City Attorney

City Attorney Ansbro spoke of the letter he sent to Dania Beach Grill regarding default of rent. He noted the lease has less than two years left and there are a lot of minor things to be fixed, which they are tending to. If they are late again on rent, we will file a motion to evict them.

13.3 City Clerk - Reminders

Tuesday, May 23, 2017 - 7:00 p.m.

Wednesday, May 24, 2017 - 3:00 p.m.

Tuesday, June 13, 2017 - 6:00 p.m.

Tuesday, June 13, 2017 - 7:00 p.m.

City Commission Meeting

City Commission Workshop - Development and Branding

CRA Board Meeting

City Commission Meeting

14. Adjournment

Mayor James adjourned the meeting at 9:58 p.m.

ATTEST:

CITY OF DANIA BEACH

LOUISE STILSON, CMC
CITY CLERK

TAMARA JAMES
MAYOR

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

APPROVE RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR SERVICES RELATED TO ENVIRONMENTAL PERMITS FROM THE CHAPPELL GROUP, INC. FOR PROFESSIONAL SERVICES FOR FISCAL YEAR 2016-2017 ENDING SEPTEMBER 30, 2017, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00)

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

Memo to City Commission, Resolution, Proposal from Chappell Group, Chappell Group's Exhibit B



City of Dania Beach

Parks and Recreation

100 West Dania Beach Blvd · Dania Beach, FL 33004 · (954) 924-6800 · (954) - 923-6813 (fax)

MEMORANDUM

TO: Honorable Mayor & Commissioners

THROUGH: Robert Baldwin, City Manager

FROM: Mark Felicetty, Director

DATE: May 23, 2017

SUBJECT: Environmental Resource Permits

The northern area of the City's marina has been silting-up since the marina's renovation. Dredging is required to maintain access to the transient and public day docks. A prior dredging project was cancelled due to the presence of sea grass in the dredge area. A new sea grass study was performed by the The Chappell Group, Inc. in April 2017. The study concluded no bathometric resources (sea grasses) were present. This is the first hurdle in obtaining an environmental permit from the Florida Department of Environmental Protection.

Parks and Recreation is recommending a transfer from the Marina contingency in the amount of \$23,566.82 for the The Chappell Group, Inc. to prepare environmental permits for dredging the northern basin of the Marina.

City Commission approval is required since the monetary threshold of \$25,000.00 will be exceeded for a single vendor in a fiscal year. Approval is requested to transfer from the Marina Fund Contingency account # 406-72-09-575-99-10 to the Marina Fund Professional Services account #406-72-09-575-31-10.

Parks and Recreation is also requesting to waive the requirement of obtaining two additional quotes based on the bathometric information the The Chappell Group, Inc. possesses and their familiarity with the prior marina project and the permitting process with the Florida Department of Environmental Protection.

Parks and Recreation Department recommends approval.

Attachments

CC: Nicki Satterfield, Finance Director

RESOLUTION NO. 2017-047

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR SERVICES RELATED TO ENVIRONMENTAL PERMITS FROM THE CHAPPELL GROUP, INC. FOR PROFESSIONAL SERVICES FOR FISCAL YEAR 2016-2017 ENDING SEPTEMBER 30, 2017, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); PROVIDING FOR CONFLICTS; PROVIDING FOR FUNDING; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, “Monetary thresholds for certain purchases and payment disbursement authorizations”, Subsection (a), sets the monetary threshold at Twenty Five Thousand Dollars (\$25,000.00) for a vendor each fiscal year; and

WHEREAS, the City of Dania Beach has previously expended Two Thousand Nine Hundred Thirty One Dollars and Eighty Two Cents (\$2,931.82) during Fiscal Year 2016-2017 to The Chappell Group, Inc. (the “Consultant”) for a Seagrass Benthic Resource Survey; and

WHEREAS, the City Administration is seeking to again contract with the same Consultant to prepare environmental resource permits for the dredging of the northern marina basin, as the Consultant possesses the bathometric information for this project, is familiar with the marina project and related environmental requirements and the permit process with the Florida Department of Environmental Protection; the cost for this project will be Twenty Three Thousand Five Hundred Sixty Six dollars and Eighty Two Cents (\$23,566.82); and

WHEREAS, the City has determined the northern basin of the marina is extremely shallow at low-tide making operation of a vessel either difficult or impossible and dredging is therefore a priority; and

WHEREAS, the Parks and Recreation Department is seeking approval to exceed Twenty Five Thousand Dollars (\$25,000.00) for services for Fiscal Year 2016-2017 and waive the three (3) written quotes required by the City’s procurement policy;

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

Section 1. That the above “Whereas” clauses are approved and incorporated into this Resolution.

Section 2. That Twenty Three Thousand Five Hundred Sixty Six Dollars and Eighty Two Cents (\$23,566.82) shall be appropriated and transferred from the Marina Contingency Fund, Account #406-72-09-575-99-10 to the Marina Professional Services Account #406-72-09-575-31-10 leaving a remaining balance of Eighty Thousand Eight Hundred Three Dollars (\$80,803.00) in contingency funds.

Section 3. That the proper City Officials are authorized to execute a contract with The Chappell Group, Inc. to obtain environmental permits and perform related services for the dredging of the northern basin of the City marina in an amount not to exceed Twenty Three Thousand Five Hundred Sixty Six Dollars and Eighty Two Cents (\$23,566.82).

Section 4. That the City Manager and City Attorney are authorized to make minor revisions to such contract as are deemed necessary and proper for the best interests of the City.

Section 5. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 6. That this resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on May 23, 2017.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

April 27, 2017

Mr. Mark T. Felicetty,
Director of Parks & Recreation
City of Dania Beach
100 W. Dania Beach Blvd.
Dania Beach, FL 33004

RE: DANIA BEACH MARINA
Dredge Permitting
TCG Project No. 11-0020.003
TCG Proposal No. 2017.087

Dear Mr. Felicetty:

The Chappell Group, Inc. (TCG) is pleased to provide you with the following proposal for professional Environmental Services pertaining to the above-referenced project:

I. ENVIRONMENTAL SERVICES

1.1 Prepare Permit Application (Task No. 1110)

Prepare environmental resource permit applications to the U.S. Army Corps of Engineers (ACOE), Florida Department of Environmental Protection (FDEP) and Broward County Environmental Protection and Growth Management Department (BCEPGMD) to dredge to a depth of -7.0' NAVD within the existing basin north of the transient docks and inside the northern transient dock fairways. Prepare necessary exhibits and plans. Prepare Section 7 NMFS checklist.

Lump Sum\$4,656.35

1.2 Process Permit Application (Task No. 1111)

Process environmental resource permits with the ACOE, FDEP and BCEPGMD including responses to Requests for Additional Information (RAI), revisions to plans, benthic resource survey verification with agency staff, and coordination with Client and agencies regarding applications. Prepare correspondence letters to U.S. Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission.

Lump Sum\$15,727.05

Initial for Acceptance _____

1.3 Sediment Testing (Task No. 4005)

Conduct sediment sampling at the project site based on the parameters set forth in Rule 62-302, F.A.C. and DEP Disposal and Dredging Manual. TCG will collect samples for chemical analysis from one (1) sample location. Prepare report of findings based on the analytical results.

Lump Sum.....\$3,183.42

Reimbursables.....\$200.00

***A boundary survey and bathymetric survey to be provided by Client or Client's surveyor in AutoCAD format.**

****This proposal does not include permit processing for impacts to benthic resources, mitigation or processing sovereign submerged land leases. If this is requested by the client or required by the agencies a separate proposal for these services will be provided.**

Scope of Services

The scope of services is limited by the specific terms of this proposal. Except as stated specifically herein, no other service will be provided except as "extra work", subject to the fees hereinafter set forth. The terms hereof shall be construed in favor of the firm and all inferences and implications shall be deemed to be for the benefit of the firm.

In reviewing this proposal for professional services, it should be understood that the above proposal items and their corresponding fees do not necessarily represent the full scope of services required for the project. Rather, it represents our best effort to set forth those services which we believe to be those requested by you, the Client, and/or those we can determine to be needed to accomplish a particular objective. However, we recognize and we ask that the Client recognize that as a project progresses the scope of service as originally defined may change in content to include work not initially identified. Several factors will cause this to happen:

1. Better understanding of the project and the Client's goals as progress on the project is made.
2. Additional requirements identified by the Client.
3. New laws or governmental agency requirements.

As these influences occur and are identified, we will advise you of same and seek your direction as to how you wish to proceed.

Work required as a result of the above will be "extra work" outside of the original scope of services. Upon your direction, we will perform the work under the "Hourly Fee Schedule" section of this proposal or we can provide you with a separate proposal should the scope so indicate.

Hourly Fee Schedule

See Exhibit B

Hourly work will be billed at our current prevailing rates; however, these are subject to change due to increasing labor and material costs. No notice of change in prevailing rates shall be required.

Initial for Acceptance _____

Lump Sum Fees

The Lump Sum Fees set forth above are applicable for a period of six (6) months from the date of this proposal. If the work on any item to which a lump sum fee shall apply is not commenced within said period, the firm reserves the right to terminate this Agreement as it relates to said item. No prior notice of such adjustment shall be required.

Cost Estimates

In that our firm does not have control over the cost of labor and materials, or over competitive bidding and marketing conditions, the estimates of construction costs provided by our firm will be made on the basis of our experience and qualifications, but our firm does not guarantee the accuracy of the estimates of probable cost as compared to the contractor's bids. The firm recommends that you consult with the other professionals which you have employed in connection with the project.

Ownership of Documents

All documents including, but not limited to, drawings and specifications prepared in connection with the project constitute the work product of the firm and a portion of the instruments of service with respect to the project. Such documents and/or specifications constitute a portion of the integral services provided by the firm and, as such, are not intended or represented to be suitable for reuse by you or others or for extensions of the project or in connection with any other project. The firm specifically disclaims any responsibility and/or liability for or in connection with the reuse of such documents and/or specifications or any use thereof beyond the scope of the Project as set forth herein. By your execution of this proposal, you agree to indemnify and hold the firm harmless from all claims, damages, losses and expenses including, but not limited to, attorney's fees arising out of or resulting from the reuse or extended use of such documents or specifications.

Permits and Approvals

The permits and agency approvals mentioned above are those known to us to be required for projects of this kind, and we will apply for them as indicated. However, our experience has shown us that agencies and regulatory authorities do not always communicate new regulations and legislation properly and that the enforcement of policies can vary. The Client is therefore cautioned that additional permits or approvals other than those presently identified may be required. Should this arise, we will notify you and respond promptly to the requirement.

Construction Requirements

At the time that the firm is authorized by you to perform professional environmental services involving design plans and permits requiring approval by governmental agencies, the engineer of record will be required to provide certificates of compliance to those agencies with regard to the performance of certain aspects of the work, which performance will be rendered by others. It will be necessary, therefore, for the firm to perform full-time observation regarding some items and to make periodic site visits for other items to determine whether or not the improvements are in "substantial compliance" with the relevant contract documents.

It shall be your responsibility to notify the firm of the commencement of any work so that the firm may perform the necessary inspections and observations. The amount of time required for such inspections and observations and for the completion of the applicable certifications will be dictated by the performance of the contractor. Moreover, and in addition to the required site visits, the firm must also review the as-built drawings during and at the end of the construction period. All of the services described in this paragraph constitute "extra work", unless otherwise specifically set forth in the "Scope of Services". The cost of providing these services is not included in the Lump Sum fee, unless specifically indicated.

Initial for Acceptance _____

The firm shall not be responsible for the quality or quantity of the work, the execution thereof, the techniques or sequences of construction, the safety and security of the project or the maintenance thereof. The firm is not a guarantor or insurer of the work of others and assumes no duty in connection therewith. In performing the services required of it, the firm will use that degree of care and skill ordinarily exercised, under similar circumstances, by reputable members of its profession practicing in the same or similar locality. No other warranty, express or implied, is made or intended by the firm by virtue of the undertakings or of its performance of the service hereunder. Absent bad faith in the performance of the work hereunder, the firm shall not be liable for any damages resulting from misfeasance in the performance of any work with regard to the project. No person other than you shall have the right to rely on the expertise of the firm or the performance of the matters set forth herein. The firm reserves the right to record a memorandum hereof in the public records of the County.

The above stated services are the minimum level of services that the firm is obligated to perform. The firm currently provides a complete range of construction-related services which it will be happy to discuss with you at the time that your project is ready for construction.

Permit Fees; Application Fees; Outside Consultant Fees

The service fees set forth herein do not include the payment of governmental agency submittal fees, review fees or permit fees, or any other charges assessed by said agencies. Further, the service fees do not include the cost of services provided by others. These fees shall be paid for by the Client. Should our firm find it absolutely necessary to advance fees for the Client, said fees shall be reimbursed along with a service and handling fee upon receipt of the invoice for same.

Direct Charges

Unless otherwise specified, the above service fees do not include the following direct charges:

1. Blue prints, mylars, Xeroxing, Postage, Federal Express, photographic services for enlargements, reductions, etc.: At Cost plus 10% handling charge.
2. All travel expenses including airfare, lodging, car rental, and fuel expenses: At Cost plus 10% handling charge.

Assignment

It should be expressly understood that this proposal is for the use of the executing Client and is not assignable or assumable by any third party.

Invoicing and Payment

Work will be invoiced at the end of each month based on a proration of work completed to date, with payment expected upon receipt of the invoice by the Client. Client shall notify firm within ten (10) days of receipt of invoice should invoice be found to be unacceptable. Any invoice for which firm is not so notified shall be deemed to be acceptable for purposes of payment by Client.

If payment is not received within 30 days of the invoice date, Consultant may terminate this agreement or suspend work under the agreement without further notice, and a late charge of one and one-half percent (1-1/2%) per month on outstanding balance shall accrue until delinquent balance is paid. Client agrees to pay all costs of collection, including reasonable Attorney fees, should such action be required.

Initial for Acceptance _____

Client's Responsibilities

1. The Client shall provide full information regarding requirements for the project including a program, which shall set forth the design objectives, constraints and expendability, special equipment and systems and site requirements.
2. The Client shall furnish upon request by the firm the services of soil engineers or other consultants when such services are deemed necessary. Such services shall include, but are not limited to, Phase I Environmental Site Assessments, test borings, test pits, soil bearing values, percolation tests, air and water pollution tests, ground corrosion and resistivity tests, including necessary operations for determining subsoil, air and water conditions, with reports and appropriate professional recommendations.
3. The Client shall furnish upon request of the firm structural, mechanical, chemical and other laboratory tests, inspections and reports as required by law or the Contract Documents.
4. The Client shall furnish a Legal Description of the property and the appropriate Title Information.
5. The Client shall execute all permit applications. As "Permittee", or "applicant" or "holder", Owner shall be responsible for complying with the conditions of all permits issued. In particular, Client shall be responsible for the safety of the General Public during construction.

Acceptance

This proposal and fee schedules are based on acceptance within 30 days of the date of preparation. If not accepted by you within that time period, we reserve the right to re-evaluate the terms and conditions contained herein.

If the proposed work and fees contained herein are agreeable with you, please sign the enclosed copy of this letter and return same to our office. Should you have any questions regarding the above, please do not hesitate to call.

Sincerely,

THE CHAPPELL GROUP, INC.



Sarah Chappell
President

ACCEPTANCE OF PROPOSAL: The above fees, terms, conditions, and specifications are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined and the individual accepting this proposal will be personally liable for payment of services described in this proposal.

THIS PROPOSAL ACCEPTED BY:

Please provide Account Payables Contact Information below:

Name & Title (Printed)

Name: _____

Firm Name

Address: _____

Signature

Email: _____

Date

Initial for Acceptance _____

EXHIBIT "B"
The Chappell Group
SALARY COSTS

Project No:	
Project Title:	Consultant Services
Facility Name:	City of Dania Beach Marina Dredging
Prime	

FILL IN POSITIONS AS APPLICABLE

TITLE	RAW HOURLY SALARY (\$/HR)	+	OVER- HEAD AT	+	FRINGE AT	+	PROFIT AT	=	RATE
Principal	\$75.00		\$95.28		\$45.69		\$21.60		\$237.57
Project Manager	\$52.00		\$66.06		\$31.68		\$14.97		\$164.71
Senior Project Biologist	\$43.50		\$55.26		\$26.50		\$12.53		\$137.79
Project Biologist	\$33.00		\$41.92		\$20.10		\$9.50		\$104.53
Certified Arborist	\$36.50		\$46.37		\$22.24		\$10.51		\$115.62
Secretary	\$19.00		\$24.14		\$11.57		\$5.47		\$60.18
			\$0.00		\$0.00		\$0.00		\$0.00

BASE/RAW SALARY

1.00

OVERHEAD (\$/HR) = RAW SALARY X OVERHEAD %

1.27

FRINGE (\$/HR) = RAW SALARY X FRINGE %

0.609

PROFIT (\$/HR) = (RAW SALARY + OVERHEAD + FRINGE) X PROFIT %

0.100

ABOVE COMPUTATIONS RESULT IN AN OVERALL MULTIPLIER OF:

3.17

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

AMENDING THE FUTURE LAND USE PLAN MAP (LU-121-15) OF THE DANIA BEACH COMPREHENSIVE PLAN PURSUANT TO A REQUEST SUBMITTED BY GREENSPOON MARDER, P.A./DENNIS MELE, ESQ. ON BEHALF OF THE PROPERTY OWNER, STIRLING ALYA LLC, TO CHANGE THE LAND USE OF APPROXIMATELY 8.3 GROSS ACRES AS LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS ORDINANCE, FROM COMMERCIAL – 1.6 GROSS ACRES AND LOW (5) RESIDENTIAL – 6.7 GROSS ACRES TO COMMERCIAL – 1.3 GROSS ACRES AND IRREGULAR (40.86) RESIDENTIAL – 7.0 GROSS ACRES FOR PROPERTY LOCATED AT 2851 STIRLING ROAD; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AND STATE AGENCIES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

--

Exhibits Attached

Staff Report, Application and Backup, Letters of Opposition, Ordinance



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

DATE: May 23, 2017

TO: Robert Baldwin, City Manager

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

FROM: Corinne Lajoie, AICP, Planning and Zoning Manager, LEED G.A. *At Lajoie*

SUBJECT: **LU-121-15:** The applicant, Greenspoon Marder, P.A. Dennis D. Mele, Esq., on behalf of the property owner, Stirling Alya LLC., is requesting a land use amendment for the property located at 2851 Stirling Road (FIRST READING).

REQUEST

LAND USE AMENDMENT

To change the Future Land Use Map designation accordingly:

FROM:

Commercial for 1.3 gross acres of the site and Low (5) Residential for 6.7 gross acres of the site.

TO:

Commercial for 1.3 gross acres of the site and Irregular (32.6) Residential for 7.0 gross acres.

PROPERTY INFORMATION

EXISTING ZONING: Commercial (C-2) and Single-Family (RS-6000)

LAND USE DESIGNATION: Commercial and Low (5) Residential

PROPOSED LAND USE DESIGNATION: Commercial and Irregular Residential

PUBLIC HEARING NOTICE

This item was duly advertised, posted, and noticed pursuant to Article 610 of the Land Development Code (LDC).

The subject property is approximately eight (8.3) acres in size, and located on the north east corner of Stirling Road and Lake Shore Drive. This property is the former location of St. Maurice Catholic Church and is currently operating a temporary parking for Memorial Healthcare Systems, which was approved by the City Commission on November 21, 2016. The applicant proposed to redevelop the site for commercial and multi-family uses.

LAND USE AMENDMENT

The applicant is requesting that the land use plan designation on the subject property be amended to allow a mix of uses on the property. The applicant is proposing commercial development on the south side of the property, fronting on Stirling Road, and 228 mid-rise residential units on the remaining property. The change will include amendment the future land use designation from Commercial – 1.6 gross acres and Low (5) Residential – 6.7 gross acres to Commercial – 1.3 gross acres and Irregular (32.6) Residential - 7.0 gross acres. The current Zoning and Land Use designations on the property permit a total of thirty-three (33) single family homes and 16,000 square feet of commercial space.

The following policies of the City's Comprehensive Plan, Future Land Use Element apply to this project.

POLICY 5.1 "Encourage development to enhance the tax base of the community."

POLICY 9.2 "All proposed development and future land use shall be compatible with adjacent land uses."

POLICY 21.5 "Dania Beach shall consider the individual and cumulative impacts of land use plan amendments on the existing and planned transportation facilities within Dania Beach."

The City's Land Development Code states that land use plan amendments may be granted by the City Commission provided the request complies with the criteria identified in Section 650-40, as identified below.

(A) "Applications for amendment to the comprehensive plan shall comply with the following criteria:

- (1) An application for a land use plan amendment shall be substantiated by extensive data and analysis and shall not cause the comprehensive plan to be internally inconsistent or in conflict with other local, regional, state or federal laws.
- (2) An application for a land use plan amendment shall undergo a public participatory planning process as required by law and the comprehensive plan.
- (3) An application for a land use plan amendment shall meet any review criteria for amendments as contained in the comprehensive plan."

(B) "The city commission shall decide on the application by:

- (1) Approving the application by ordinance; or
- (2) Approving by ordinance a modified version of the amendment that may be less restrictive than the current zoning district but more restrictive than the district requested in the application; or
- (3) Approving the application by ordinance subject to stipulations volunteered from the applicant that restrict the uses or standards to which the property can be developed under the requested designation; or
- (4) Denying the amendment."

The applicant has provided a written justification identifying how their request meets these criteria.

In addition to the land use plan amendment, the applicant will also be required to submit an application for rezoning, and site plan for the property, both of which will be require additional public hearings.

This application will be heard by the City Commission at second reading after heard by Broward County and reviewed by the State of Florida, Department of Economic Development.

CITY COMMISSION PREVIOUS ACTION

On January 10, 2017 this item was withdrawn by the applicant from the City Commission agenda.

On November 21, 2016 the City Commission approved a temporary use to allow Memorial Healthcare Systems to park on the property.

PLANNING AND ZONING BOARD RECOMMENDATION

On August 17, 2016, the Planning and Zoning Board, sitting as the Local Planning Agency, heard this item again to correct a flawed advertisement that occurred with the first meeting. The motion to recommend approval of the request failed.

On January 20, 2016 the Planning and Zoning Board, sitting as the Local Planning Agency, recommended approval of the amendment with the following conditions:

- Applicant to pay for additional mailed notice; and
- Applicant to eliminate access to site from SW 28 Terrace.

STAFF RECOMMENDATION

The Future Land Use amendment request is consistent with the City's Future Land Use Element of the Comprehensive Plan and meets the criteria identified in the City's Land Development Code (LDC). Approve the ordinance to amend the land designation use of the property.

Lajoie, Corinne

From: Alicia Lewis <Alicia.Lewis@gmlaw.com>
Sent: Thursday, April 14, 2016 3:54 PM
To: 'Valerie Petrero-Rothrock'
Cc: Dennis Mele; Lajoie, Corinne; LaFerrier, Marc; lbaum@shgre.com
Subject: RE: City of Dania - Project at old St Maurice Site [IWOV-ACTIVE.FID9144445]

Valerie,
We have been actively working with all of our neighbors to address their concerns regarding our proposed development. Our goal is to present a project to the City that reflects our collaboration and although we have made significant progress with our neighbors, we would like some additional time to address a few remaining concerns. Please be advised that we have deferred our application from the April 20, 2016 Planning & Zoning Board meeting. I have copied City Staff to this email correspondence and we will notify you and City Staff when we are prepared to proceed. Please feel free to contact me directly with any questions or concerns.
Have a great weekend,

GreenspoonMarder

Alicia J. Lewis, Esq.
Greenspoon Marder, P.A.
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301
Direct: (954) 527-6276 | Fax: (954) 333-4176
<http://www.gmlaw.com> |   

From: Valerie Petrero-Rothrock [mailto:Valerie@LandmarkMgmt.com]
Sent: Wednesday, April 13, 2016 2:49 PM
To: Alicia Lewis
Subject: RE: City of Dania - Project at old St Maurice Site [IWOV-ACTIVE.FID7674110]

Thank you

Valerie Petrero-Rothrock, LCAM
Landmark Management Services, Inc.
1941 NW 150th Avenue Pembroke Pines, FL 33028
Phone: 954-392-6000, ext.243 Fax: 954-392-6692



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From: Alicia Lewis [mailto:Alicia.Lewis@gmlaw.com]
Sent: Wednesday, April 13, 2016 11:47 AM
To: Valerie Petrero-Rothrock <Valerie@LandmarkMgmt.com>

Cc: lbaum@shgre.com; Cynthia Pasch <cynthia.pasch@gmlaw.com>; Dennis Mele <dennis.mele@gmlaw.com>
Subject: RE: City of Dania - Project at old St Maurice Site [IWOV-ACTIVE.FID7674110]

Valerie,
As of today, it is on the April 20th agenda. We will let you know if that changes.
Thank you,

GreenspoonMarder_{LAW}

Alicia Lewis, Esq.
Greenspoon Marder, P.A.
200 East Broward Blvd., Suite 1800
Fort Lauderdale, FL 33301
Direct Telephone: (954) 527-6276
Direct Fax: (954) 333-4176
alicia.lewis@gmlaw.com
<http://www.gmlaw.com>

From: Valerie Petrero-Rothrock [<mailto:Valerie@LandmarkMgmt.com>]
Sent: Wednesday, April 13, 2016 10:12 AM
To: Alicia Lewis
Cc: lbaum@shgre.com; Cynthia Pasch; Dennis Mele
Subject: RE: City of Dania - Project at old St Maurice Site

Good Morning,

Please advise if this item will still be on the April 20th Agenda. Thank you

Valerie Petrero-Rothrock, LCAM
Landmark Management Services, Inc.
1941 NW 150th Avenue Pembroke Pines, FL 33028
Phone: 954-392-6000, ext.243 Fax: 954-392-6692



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From: Alicia Lewis [<mailto:Alicia.Lewis@gmlaw.com>]
Sent: Wednesday, March 16, 2016 9:41 AM
To: Valerie Petrero-Rothrock <Valerie@LandmarkMgmt.com>
Cc: lbaum@shgre.com; Cynthia Pasch <cynthia.pasch@gmlaw.com>; Dennis Mele <dennis.mele@gmlaw.com>
Subject: Re: City of Dania - Project at old St Maurice Site

Yes, we have postponed our item to the April 20, 2016 planning and zoning board meeting.

Sent from my iPhone

On Mar 16, 2016, at 9:38 AM, Valerie Petrero-Rothrock <Valerie@LandmarkMgmt.com> wrote:

Good Morning,

The communities at Stirling Lake and Twin Lake have asked me to inquire about your presentation at the zoning meeting this evening. Has it been canceled and if so, could you advise on any plan changes?

Thank you

Valerie Petraro-Rothrock, LCAM
Landmark Management Services, Inc.
1941 NW 150th Avenue Pembroke Pines, FL 33028
Phone: 954-392-6000, ext.243 Fax: 954-392-6692

<image001.png>

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Department Circular 230.

A portion of our practice involves the collection of debt and any information you provide will be used for that purpose if we are attempting to collect a debt from you.



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: _____

Petition No.: LU-121-15

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESARRY 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: 2851 Stirling Road

Lot(s): _____ Block: A Subdivision: St. Maurice Plat

Recorded Plat Name: St. Maurice Plat

Folio Number(s): 504232290010 Legal Description: Parcel A of St. Maurice Plat

Applicant/Consultant/Legal Representative (circle one) Greenspoon Marder, P.A. / Dennis D. Mele, Esq.

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

Business Telephone: (954) 527-2409 Home: (954) 649-7711 Fax: (954) 333-4009

E-mail address: dennis.mele@gmlaw.com

Name of Property Owner: Stirling Alya LLC

Address of Property Owner: 1250 E. Hallandale Beach Blvd. #602, Hallandale Beach, FL 33009

Business Telephone: (954) 671-1400 Home: _____ Fax: _____

Explanation of Request: See attached.

*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: 7.2 Gross Acreage: 8.3 Prop. Square Footage: TBD

Existing Use: church buildings and day care Proposed Use: Residential and Commercial

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

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 Greenspoon Marder, P.A. (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

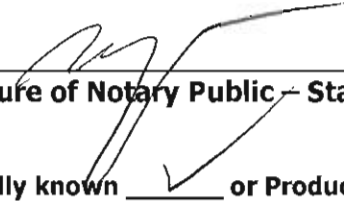
By: 
(Owner / Agent signature*)

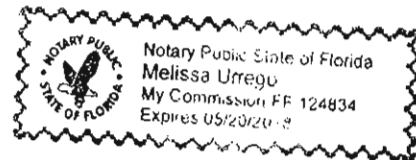
BEFORE ME THIS 2 DAY OF November, 2015

By:

LAWY BAUM
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary 
(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.***

STELLAR HOMES GROUP

**APPLICATION FOR AMENDMENT TO
CITY OF DANIA BEACH
AND BROWARD COUNTY
LAND USE PLANS**

FILE COPY



**October 2015
Revised July 2016**

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EXHIBITS

Exhibit A	Survey
Exhibit B	Location Map
Exhibit C	Sanitary Sewer Service Letter
Exhibit D	Potable Water Service Letter
Exhibit E	Drainage Service Letter
Exhibit F	Solid Waste Service Letter
Exhibit G	Municipal Park Summary
Exhibit H	Mass Transit Service Letter

1. LETTER OF TRANSMITTAL

- A. Letter of transmittal from municipal mayor or manager documenting that the local government took action by motion, resolution or ordinance to transmit a proposed amendment to the Broward County Land Use Plan. Please attach a copy of the referenced motion, resolution or ordinance. The local government's action to transmit must include a recommendation of approval, denial or modification regarding the proposed amendment to the Broward County Land Use Plan.**

To be provided.

- B. Date local governing body held transmittal public hearing.**

To be determined.

- C. Whether the amendment area is within an Area of Critical State Concern or proposed for adoption under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.**

The Amendment Area is not within an Area of Critical State Concern or proposed for adoption under a joint planning agreement pursuant to Section 163.3171, Florida Statutes.

- D. Whether the amendment is one (1) of the following:**

- *Development of Regional Impact**
- *Small-scale development activity (per Florida Statutes)**
- *Emergency (please describe on separate page)**
- *Other amendments which may be submitted without regard To Florida statutory limits regarding amendment submittals (Brownfield amendments, etc.)**

The Amendment qualifies as a small scale development activity.

2. LOCAL GOVERNMENT INFORMATION

- A. Local land use plan amendment or case numbers.**

To be determined

- B. Proposed month of adoption of local land use plan amendment.**

The anticipated month of adoption of the local land use plan amendment is June 2016.

C. Name, title, address, telephone (1), facsimile number and e-mail of the local government contact.

Marc LaFerrier, Community Development Director
City of Dania Beach
100 West Dania Beach Boulevard
Dania Beach, FL 33004
Telephone: 954-924-6800
Fax: 954-922-2687
E-mail: mlaferrier@ci.dania-beach.fl.us

D. Summary minutes from the local planning agency and local government public hearing of the transmittal of the Broward County Land Use Plan Amendment.

To be provided.

E. Description of public notification procedures followed for the amendment by the local government.

The City of Dania Beach ("City") public notification procedures as specified by City Code of Ordinances require posted, mailed and published notice of the Local Planning Agency ("LPA") and City Commission hearing. Specifically, notice of the LPA hearing will be mailed to all homeowners associations within 300 feet. In addition, notice of all public hearings will be mailed to property owners within 300 feet 10 days prior to the LPA and City Commission meeting. Notice of each public hearing will be published according to the requirement in Florida Statutes. Finally, a sign will be posted on the property to notify the public of the public hearings.

3. APPLICANT INFORMATION

A. Name, title, address, telephone, facsimile number and e-mail of the applicant.

Stellar Homes Group
2700 West Cypress Creek Road
Suite D-118
Fort Lauderdale, FL 33309
Contact: Larry Baum
Telephone: 954-671-1400
Facsimile: 954-919-9629
E-mail: Lbaum@shgre.com

B. Name, title, address, telephone, facsimile number and e-mail of the agent.

Greenspoon Marder, P.A.
200 East Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301
Contact: Dennis D. Mele, Esq.
Telephone: 954-527-2409
Facsimile: 954-333-4009
E-mail: dennis.mele@gmlaw.com

C. Name, title, address, telephone, facsimile number and e-mail of the property owner.

Stirling Alya LLC
1250 East Hallandale Beach Blvd. #602
Hallandale, FL 33009
Contact: Larry Baum
Telephone: 954-671-1400
E-mail: lbaum@shgre.com

D. Planning Council fee for processing the amendment in accordance with the attached Exhibit C, "Fee Schedule for Amendments to the Broward County Land Use Plan and Local Land Use Elements."

The fee is included with the transmittal of this amendment.

E. Applicant's rationale for the amendment. The Planning Council requests a condensed version for inclusion in the staff report (about two paragraphs).

The Subject Property was formally used as the St. Maurice Catholic Church until it became too expensive for the parishioners to maintain. The Applicant proposes to repurpose the property for a mixed-use development with commercial use along the frontage of Stirling Road and mid-rise multi-family units on the remaining portion of the property. A total of 228 mid-rise units are proposed along with approximately 11,000 square feet of commercial use.

The Subject Property provides an excellent location for residents who would like to reduce their dependence on the automobile as a primary means of transportation. Broward Transit Route 16 travels along Stirling Road and provides service to the Dania Beach Tri-Rail station. In addition, there is a shuttle from the Dania Beach Tri-Rail station to the Fort Lauderdale Hollywood International Airport. With these transit services, future residents would have

easy access to major destinations in the Tri-County area and beyond without the need for an automobile.

4. **SUBJECT PROPERTY DESCRIPTION**

- A. **Concise written description of the general boundaries and gross acreage (as defined by BCLUP) of the proposed amendment.**

The amendment area is described as the St. Maurice Plat which is located on the north side of Stirling Road and west of Park Road in the City of Dania Beach ("Subject Property"). The Amendment area is 8.3 gross acres and 7.2 net acres.

- B. **Sealed survey, including legal description of the area proposed to be amended.**

A sketch and legal of the Subject Property is provided in **Exhibit A**.

- C. **Map at a scale of 1"=300' clearly indicating the amendment's location, boundaries and proposed land uses. (Other scales may be accepted at the discretion of the Planning Council Executive Director. Please contact the Planning Council office in this regard, prior to the submittal of the application.)**

See **Exhibit B**.

5. **EXISTING AND PROPOSED USES**

- A. **Current and proposed local and Broward County Land Use Plan designation(s) for the Subject Property. If multiple land use designations, describe gross acreage within each designation.**

	Broward County	City of Dania Beach
Current	Commercial - 1.6 Gross Acres Low (5) Residential - 6.7 Gross Acres	Commercial - 1.6 Gross acres Low (5) Residential - 6.7 Gross Acres
Proposed	Commercial - 1.3 Gross acres Irregular (32.6) Residential - 7.0 Gross Acres	Commercial - 1.3 Gross acres Irregular (32.6) Residential - 7.0 Gross Acres

B. Current land use designations for the properties adjacent to the subject property are as follows:

The land use designations for the properties adjacent to the Amendment Area are as follows:

North: Irregular (6) Residential
South: Low (5) Residential (Hollywood)
East: Low Medium (10) Residential, Commercial (Hollywood)
West: Low (5) Residential, Commercial (Hollywood)

C. Indicate if the flexibility provisions of the Broward County Land Use Plan have been used for adjacent areas.

The flexibility provisions of the *Broward County Land Use Plan* have not been applied to areas adjacent to the Subject Property.

D. Existing use of Subject Property and adjacent areas.

Subject Property: Church buildings and day care

Adjacent Properties: North: Residential
South: Residential
East: Residential, City of Hollywood Municipal Use
West: Residential

E. Proposed use of the Subject Property including proposed square footage for each non-residential use and/or dwelling unit count. For RAC, LAC, TOC, TOD and MU-R amendments, please provide each existing non-residential use square footage and existing dwelling units for amendment area.

PROPOSED ALLOWABLE DEVELOPMENT	
Residential	228 Mid-Rise Dwelling Units
Commercial	13,000 Square Feet

- F. **Maximum allowable development per local government land use plans under existing designation for the site, including square footage for each non-residential use and/or dwelling unit count.**

EXISTING ALLOWABLE DEVELOPMENT	
Residential	33 Single Family Dwelling Units
Commercial	16,000 Square Feet

- G. **Indicate if the amendment is part of a larger development project that is intended to be developed as a unit such as a site plan, plat or Development of Regional Impact. If so, indicate the name of the development; provide the site plan or plat number; provide a location map; and, identify the proposed uses.**

The Subject Property is not part of a larger development.

6. **ANALYSIS OF PUBLIC FACILITIES AND SERVICES**

A. **Sanitary Sewer Analysis**

1. **Identify whether the Subject Property or a portion is currently and/or proposed to be serviced by septic tanks.**

There are no septic tanks on the Subject Property. Future development on the Subject Property will not utilize septic tanks.

2. **Identify the sanitary sewer facilities serving the Subject Property including the current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.**

The City is served by two wastewater treatment plants and the service area for each is separated by Ravenswood Road. The Subject Property is west of Ravenswood Road and as such is served by Broward County Utilities. The County entered into an agreement with the City of Hollywood to provide wastewater treatment services in this area. The Hollywood Wastewater Treatment Plant has a rated capacity of 48.75 MGD. The current plus committed demand is 41.55. The projected buildout capacity for the wastewater facility is 60 MGD in 2025.

3. Identify the net impact on sanitary sewer demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Existing Land Use Plan Designation: Low (5) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
33 Single Family	300 GPD/unit	9,900 GPD
16,000 Square Feet Commercial	.10 GPD/ sq. ft.	1,600 GPD
	Total:	11,500 GPD

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
228 Mid-Rise	300 GPD/unit	68,400 GPD
13,000 Square Feet Commercial	.10 GPD/ sq. ft.	1,300 GPD
	Total:	69,700 GPD
	Net Change:	58,200 GPD

*City of Dania Beach Comprehensive Plan, Sanitary Sewer Element.

4. Identify the projected plant capacity and demand for the short and long range planning horizons as identified within the local government's adopted comprehensive plan. Provide demand projections and information regarding planned plant capacity expansions including year, identified funding sources and other relevant information.

The projected plant capacity for the City of Hollywood South Regional Water Treatment Plant is 60 MGD. The projected demand is 51.8 MGD in 2015 and 55.5 MGD in 2025.

No plant capacity expansions are planned at this time.

5. Correspondence from sanitary sewer provider verifying the information submitted as part of the application on items 1-4 above. Correspondence must contain name, position and contact information of party providing verification.

See attached Exhibit C.

B. Potable Water Analysis

1. **Data and analysis demonstrating that a sufficient supply of potable water and related infrastructure will be available to serve the proposed Subject Property through the long-term planning horizon, including the nature, timing and size of the proposed water supply and related infrastructure improvements.**

The Subject Property is located in the Broward County 3A service area. The City of Hollywood provides raw water supply and treatment capacity for the 3A service area.

Excerpts from the City's Comprehensive Plan provided below indicate that water supply for service area 3A is adequate to meet the short and long range demands.

PROJECTED WATER DEMANDS AND SUPPLY			
YEAR	PROJECTED POPULATION	WATER DEMAND (MGD)	AVAILABLE SUPPLY
2015	16,298	3.21	4.49
2020	17,014	3.4	4.69
2030	17,962	3.53	4.95

Source: City of Dania Beach Comprehensive Plan

2. **Identify the facilities serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and South Florida Water Management District (SFWMD) permitted withdrawal, including the expiration date of the SFWMD permit.**

Plant Capacity:

Currently the existing City of Hollywood Water Treatment Plant is able to treat 37.5 MGD. The current and committed plant demand is 31.06 with a remaining capacity of 6.44 MGD.

Wells:

The current permitted withdrawal of Hollywood's three wellfields is 44.0 MGD according to SFWMD Permit No. 06-00038-W. The expiration date for SFWMD Permit No. 06-00038-W is April 9, 2028.

3. **Identify the wellfield serving the service area in which the amendment is located including the permitted capacity, committed capacity, remaining capacity and expiration date of the permit.**

The City of Hollywood consumptive use permit (Permit No. 06-00038-W) was issued by the South Florida Water Management Division on April 9, 2008 and expires on April 9, 2028.

Hollywood's Biscayne Wellfield

Permitted Capacity: 27.4 MGD

Committed Capacity: 13.4 MGD

Remaining Capacity: 14.0 MGD

Brian Picollo Wellfield

Permitted Capacity: 9 MGD

Committed Capacity: 3.9 MGD

Remaining Capacity: 4.1 MGD

Floridan Wellfield

Permitted Capacity: 8.6 MGD

Committed Capacity: 4.2 MGD

Remaining Capacity: 4.4 MGD

4. Identify the net impact on potable water demand, based on adopted level of service resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Existing Land Use Plan Designation: Low (5) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
33 Single Family	300 GPD x 1.5 per capita	9,900 GPD
16,000 Square Feet Commercial	.10 GPD/ sq. ft.	1,600 GPD
	Total:	11,500 GPD

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
228 Mid-Rise	300 GPD	68,400 GPD
13,000 Square Feet Commercial	.10 GPD/ sq.ft.	1,300 GPD
	Total:	67,100 GPD
	Net Change:	55,600 GPD

*City of Hollywood Comprehensive Plan, Potable Water Element

5. Identify the projected capacity and demand for the short and long range planning horizons as identified within the adopted comprehensive plan – provide demand projections and information regarding planned wellfield and planned plant capacity expansions including year, funding sources and other relevant information. If additional wellfields are planned, provide status including the status of any permit applications.

The projected plant capacity for 2020 and 2025 is 55.3 MGD. The projected plant demand for 2020 is 34.15 MGD and 37.25 MGD in 2025. The current permitted water supply is 44.0 MGD. Therefore, the permitted wells and the existing plant capacity are adequate to serve the short and long range demands including the demand from the proposed amendment.

6. **Correspondence from potable water provider verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.**

See Exhibit D.

C. Drainage Analysis

1. **Provide the adopted level of service standard for the service area in which the amendment is located.**

The adopted level of service standards for drainage facilities in the City of Dania Beach as revised according to current standards are as follows:

Road Protection: Residential and primary streets crown elevation meet the minimum elevations as published on the Broward County 10 year Flood Criteria Map.

Buildings: The lowest floor elevation shall be a minimum of FEMA Based Flood Elevation (BFE) plus one foot.

Storm Sewers: Sizing of pipes and drainage structures shall be designed using the Florida Department of Transportation Zone 10 intensity-duration-frequency (IDF) rainfall curves.

Flood Plain Routing: Analysis must be based on SFWMD – Volume IV Permit Manual.

Best Management Practices (BMP): Shall be based on the latest EPA and FDFP handbooks and guidelines.

2. **Identify the drainage district and drainage systems serving the amendment area.**

The South Florida Water Management District's ("SFWMD") canal and pump system controls the primary drainage system in the City. A series of storm sewers, exfiltration trenches and on-site retention/detention systems control on-site drainage before it enters the SFWMD canal systems. Best management practices are used on-site to reduce pollutant discharge.

3. **Identify any planned drainage improvements, including year, funding sources and other relevant information.**

All improvements required to meet the adopted level of service are currently in place, or will be installed in conjunction with new development and shall comply with all SFWMD and City criteria.

4. **Indicate if a Surface Water Management Plan has been approved by, or an application submitted to, the SFWMD and/or any independent drainage district, for the Subject Property. Identify the permit number(s), or application number(s) if the project is pending, for the Subject Property. If a Subject Property is not required to obtain a SFWMD permit, provide documentation of same.**

The Subject Property is not covered by a SFWMD Permit. All City, County and SFWMD permits will be obtained prior to development.

5. **If the area in which the amendment is located does not meet the adopted level of service and there are no improvements planned (by the unit of local government or drainage authority) to address the deficiencies, provide an engineering analysis which demonstrates how the site will be drained and the impact on the surrounding properties.**

The information should include the wet season water level for the Subject Property, design storm elevation, natural and proposed land elevation, one (1) hundred year flood elevation, acreage for proposed water management retention area, elevations for buildings, roads and years, storage and runoff calculations for the design storm and estimated time for flood waters to recede to the natural land elevation.

Development within the Subject Property will be required to meet SFWMD, Broward County Surface Water Management Section, and City requirements and standards. The Subject Property will meet the level of service when permitting and development is complete.

6. **Correspondence from local drainage district verifying the information submitted as part of the application on items 1-5 above. Correspondence must contain name, position and contact information of party providing verification.**

Name: Ronnie S. Navarro, PE
Agency: City of Dania Beach Public Services Department
Phone: (954) 924-3742
1201 Stirling Road
Dania Beach, Florida 33004

See Exhibit E

D. Solid Waste Analysis

1. **Provide the adopted level of service standard for the municipality in which the amendment is located.**

The City's adopted level of service standard for solid waste is 8.9 lbs/unit/day for residential use.

2. **Identify the solid waste facilities serving the service area in which the amendment is located including the landfill/plant capacity, current and committed demand on the landfill/plant capacity and planned landfill/plant capacity.**

Solid waste generated in Dania Beach is hauled to the Waste Management Monarch Hill Landfill. Waste Management also operates the Wheelabrator Waste to Energy Plants.

The landfill capacity is 24,000,000 cubic yards. The plant capacity for the Waste to Energy Plant is 2,250 tons per day. The landfill demand is approximately 3,000 tons per day. The Waste to Energy Plant demand is approximately 1,500 tons per day. Both have sufficient capacity to handle the proposed amendment area. Plant capacity for both facilities is not expected to increase in the next 5 years.

3. **Identify the net impact on solid waste demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.**

Existing Land Use Plan Designation: Low (5) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
33 Mid-Rise	8.9 lbs/unit/day	294 lbs/day
16,000 Square Feet Commercial	4 lbs/100 sq. ft./day	640 lbs/day
	Total:	934 lbs/day

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
228 Mid-Rise	8.9 lbs/unit/day	2,029 lbs/day
13,000 Square Feet Commercial	4 lbs/100 sq. ft./day	520 lbs/day
	Total:	2,549 lbs/day
	Net Change:	+1,615 lbs/day

* City of Dania Beach Comprehensive Plan

4. Correspondence from the solid waste provider verifying the information submitted as part of the application on items 1-3 above. Correspondence must contain name, position and contact information of party providing verification.

See Exhibit F.

E. Recreation and Open Space Analysis

1. Provide the adopted level of service standard for the service area in which the amendment is located and the current level of service.

The City adopted level of service standards for local park dedication is three (3) acres of land per 1,000 population.

2. Identify the parks serving the service area in which the amendment is located including acreage and facility type, e.g. neighborhood, community or regional park.

The following parks serve the Amendment Area:

- a. Regional Parks: CB Smith Regional Park – 320 acres
- b. Neighborhood Parks: Florida Audubon Society - 3 acres
- c. Community Parks: Tigertail – 359 acres

3. Identify the net impact on demand for park acreage, as defined by the Broward County Land Use Plan, resulting from this amendment.

Existing Land Use Plan Designation: Low (5) Residential and Commercial		
Development Intensity	Generation Rate	Demand
33 Single Family	3 acres/1,000 residents*	.3 acre
Commercial	N/A	N/A
Total:		.3 acres

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate	Demand
228 Mid-Rise	3 acres/1,000 residents**	1.4 acres
Commercial	N/A	N/A
Total:		1.0 acres
Net Change:		.7 acres

* Based on 3.0 persons per dwelling unit, Broward County Development Code

** Based on 1.5 persons per dwelling unit, Broward County Development Code

4. Identify the projected park needs for the short and long range planning horizons as identified within the adopted comprehensive plan – provide need projections and information regarding planned expansions including year, identified funding sources, and other relevant information.

The City maintains approximately 150 acres of park areas. Broward County projects the City's population will be 33,888 in 2020 and 35,684 in 2030. The acreage needed to serve the projected population is 107 acres in 2020 and 107 acres in 2030.

5. For amendments which will result in an increased demand for "community parks" acreage, as required by the Broward County Land Use Plan, an up-to-date inventory of the municipal community parks inventory must be submitted, including documentation, consistent with the requirements of the Land Use Plan, demonstrating adequate public access and conspicuous signage for all additional acreage/sites used to meet the requirement of three (3) acres per 1,000 existing residents.

See Exhibit G.

F. Traffic Circulation Analysis

1. Identify the roadways impacted by the proposed amendment and indicate the number of lanes, current traffic volumes, adopted level of service and current level of service for each roadway.

The Subject Property is located on the north side of Stirling Road and west of Park Road in the City of Dania Beach. The most current data as published by the Broward County Metropolitan Planning Organization reflecting operating conditions on Stirling Road are provided below.

2013 Operating Conditions Stirling Road			
Segment	Peak Hour Volume	Peak Hour Capacity	Level of Service
SR7 to Park Road	4,228	5,390	C
Park Road to I-95	4,038	5,390	C

Identify the projected level of service for the roadways impacted by the proposed amendment for the short (five year) and long range planning horizons. Please utilize average daily and p.m. peak hour traffic volumes per Broward County Metropolitan Planning Organization plans and projections.

The proposed amendment is projected to increase the peak hour traffic on Stirling Road by 41 trips per day. The projected level of service on Stirling Road with the traffic from the proposed amendment is provided below.

Existing Land Use Plan Designation: Low (5) Residential and Commercial		
Development Intensity	Generation Rate	PM Peak Hour Trips
33 Single Family	1.01 trips/unit	33
16,000 Square Feet Commercial	10.85 trips/1,000 square feet	173
Total:		206 trips

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate	PM Peak Hour Trips
228 Mid-Rise	.37 trips/unit	84
13,000 Square Feet Commercial	10.85 trips/1,000 square feet	141
Total:		225
Net Change:		19

The projected level of service on Stirling Road in the years 2020 and 2035 with the traffic from the proposed amendment is provided below. In 2035, Stirling Road between Park Road and I-95 is projected to operate at level of service F with or without the proposed amendment. The amount of traffic expected as a result of the proposed amendment is less than 1 percent of the capacity of Stirling Road and is considered to be minimis.

2020 Operating Conditions Stirling Road			
Segment	Peak Hour Volume	Peak Hour Capacity	Level of Service
SR7 to Park Road	4,507	5,390	C
Park Road to I-95	4,506	5,390	C

2035 Operating Conditions Stirling Road			
Segment	Peak Hour Volume	Peak Hour Capacity	Level of Service
SR7 to Park Road	5,032	5,390	C
Park Road to I-95	5,436	5,390	F

2. Planning Council staff will analyze traffic impacts resulting from the amendment. You may provide a traffic impact analysis for this amendment – calculate anticipated average daily and p.m. peak hour traffic generation for the existing and proposed land use designations. If the amendment reflects a net increase in traffic generation, identify access points to/from the Subject Property and provide a distribution of the additional traffic on the impacted roadway network and

identify the resulting level of service change for the short (5 year) and long range planning horizons.

The Applicant will coordinate with the Planning Council staff to analyze the impacts of the proposed amendment.

- 3. Provide any transportation studies relating to this amendment, as desired.**

None provided.

G. Mass Transit Analysis

- 1. Identify the mass transit modes, existing and planned mass transit routes and scheduled service (headway) serving the amendment area within one (1)-quarter of a mile.**

Broward Transit Route 16 begins in western Pembroke Pines at Pembroke Lakes Mall and continues east to Dania Beach City Hall via Stirling Road. The headways for Route 16 are approximately 30 minutes to 60 minutes on weekdays and approximately 60 minutes on weekends. The Broward County short and long range mass transit plans do not anticipate providing additional transit service to the Amendment Area or to nearby properties.

- 2. Quantify the change in mass transit demand resulting from this amendment.**

The Proposed Amendment will add 253 residential units to the Amendment Area. Route 16 currently has adequate capacity to handle the additional transit trips associated with the Proposed Amendment.

- 3. Correspondence from transit provider verifying the information submitted as part of the application on items 1-2 above. Correspondence must contain name, position and contact information of party providing verification.**

See Exhibit H.

- 4. Describe how the proposed amendment furthers or supports mass transit use.**

The Proposed Amendment supports mass transit use by providing additional residential density in the service area of an existing transit route.

H. Provision of Open Space

As applicable, describe how the local government and/or applicant are addressing Broward County Land Use Plan Objective 5.04.00 and Policies 5.04.01, 5.04.02, 5.04.03 and 5.04.04 (a. through e.).

POLICY 5.04.01 Local governments shall pursue programs, including acquisition of open space areas from willing sellers that will ensure the provision of and access to open space areas consistent with their adopted comprehensive plans and the Broward County Land Use Plan.

The City has adopted a level of service standard of three (3) acres per 1,000 population for local park. The data provided above documents that the City has acquired and protected open space to serve the City's needs.

POLICY 5.04.02 Residential and non-residential areas, including downtown areas, should be encouraged to provide open space and other passive recreation areas.

The City currently provides adequate open space to serve the existing and projected populations.

POLICY 5.04.03 Broward County shall strongly encourage the preservation of open space areas. Amendments to the Broward County Land Use Plan which would result in the loss of open space shall be strongly discouraged and be required to address how open space and recreation needs of the existing and projected residents of the community will be met, including how the negative impacts of the loss of open space on surrounding neighborhoods will be minimized or mitigated.

The Proposed Amendment will not result in a loss of public open space.

POLICY 5.04.04 Amendments to the Broward County Land Use Plan containing golf courses, including closed golf courses, shall address the following:

a. *The impact of the loss of open space on the surrounding residential areas. The loss of open space must be mitigated through provision of parks and open space to serve the surrounding neighborhood.*

b. *Management of storm water retention taking into account the extent to which the golf course provided storm water retention for the surrounding*

development and how this will be mitigated, along with any additional storm water impacts created by the new development.

c. Minimization of the impact on natural resources including wetlands, lakes, aquifer recharge areas and the tree canopy, including any historic trees on the site.

d. Mitigation of environmental contamination. The level of environmental contamination must be determined by conducting a Phase 1 and Phase 2 environmental assessment.

e. Integration of the proposed development with the surrounding areas including how the development will tie into the existing neighborhoods through roads, sidewalks, parks/open space and greenways.

Not Applicable

I. Public Education Analysis

Please be advised that the Planning Council staff will request from The School Board of Broward County, as per Policy 8.07.01 of the BCLUP, an analysis of the impacts of the amendment on public education facilities as indicated below. Please note that as per The School Board of Broward County, Florida, Policy 1161, amended and adopted January 15, 2008, the applicant will be subject to a fee for the review of the application. The applicant is encouraged to contact the School Board staff to discuss this review as soon as possible.

- 1. Identify the existing public elementary and secondary education facilities serving the area in which the amendment is located.**

The public schools that serve the Subject Property are Bethune Elementary, Attucks Middle and Hollywood Hills High.

- 2. Identify the existing school enrollment and permanent design capacity of the public elementary and secondary education facilities serving the area.**

School	Current Enrollment*	Gross Capacity*	Over/(under) FISH Capacity
Bethune Elementary	711	1,327	(616)
Attucks Middle	676	1,227	(551)
Hollywood Hills High	2,098	2,691	(593)

*Planning Tool for School Enrollment and Capacity, The Broward County School Board.

3. Identify the additional student demand resulting from this amendment – calculations must be based on applicable student generation rates specified in the Broward County Land Development Code.

Existing Land Use Plan Designation: Low (5) Residential		
Development Intensity	Generation Rate*	Demand
33 Single Family	Elementary - .232	8 Elementary students
	Middle – .111	4 Middle students
	High – .122	4 High students

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
228 Mid-Rise	Elementary - .028	6 Elementary students
	Middle – .013	3 Middle students
	High – .021	5 High students
Net Change:	-2 Elementary students	
	-1 Middle students	
	+1 High students	

*Broward County Land Development Code

4. Identify the planned and/or funded improvements to serve the area in which the amendment is located as included within the School Board's five year capital plan – provide student demand projections and information regarding planned permanent design capacities and other relevant information.

There are no improvements that will increase capacity at the schools that currently serve the Subject Property identified at this time.

5. **Identify other public elementary and secondary school sites or alternatives (such as site improvements, nominal fee lease options, shared use of public space for school purposes etc.), not identified in Item #4 above, to serve the area in which the amendment is located.**

The School Board has the ability to add portables and/or use the annual boundary change process as alternatives to permanent capacity improvements.

7. ANALYSIS OF NATURAL AND HISTORIC RESOURCES

Indicate if the site contains, is located adjacent to or has the potential to impact any of the natural and historic resource(s) listed below, and if so, how they will be protected or mitigated. Planning Council staff will request additional information from Broward County regarding the amendment's impact on natural and historic resources.

- A. **Historic sites or districts on the National Register of Historic Places or locally designated historic sites.**

According to the Broward County Land Use Plan Natural Resource Map Series there are no historic sites on the Subject Property.

- B. **Archaeological sites listed on the Florida Master Site File.**

Based upon a review of information on file with the State Historic Preservation Office, Division of Historical Resources Florida Master Site File, there are no previously recorded cultural resources within the Subject Property.

- C. **Wetlands.**

According to the Broward County Wetlands Map there are no existing wetlands on the Subject Property.

- D. **Local Areas of Particular Concern as identified within the Broward County Land Use Plan.**

There are no designated Local Areas of Particular Concern (LAPC's) located on, or adjacent to, the Subject Property, including parcels that may be designated LAPC's, Natural Resource Areas (NRA's), Environmentally Sensitive Lands (ESL's), or native Upland Tree Resources.

- E. **Priority Planning Area Map and Broward County Land Use Plan Policy A.03.05 regarding sea level rise.**

The Subject Property is not located in a Priority Planning Area for Sea Level Rise.

- F. "Endangered" or "threatened species" or "species of special concern" or "commercially exploited" as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.**

No endangered or threatened species or species of special concern or commercially exploited species are known to inhabit the Subject Property.

- G. Plants listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services.**

The Applicant is not aware of any plants on the Subject Property that are listed in the Regulated Plant Index for protection.

- H. Wellfields – Indicate whether the amendment is located within a wellfield protection zone (1) of influence as defined by Broward County Code, Chapter 27, Article 13 "Wellfield Protection." If so, specify the affected zone (1) and any provisions which will be made to protect the wellfield.**

According to the Broward County Wellfield Map dated June 11, 2013, the Subject Property is not located within a wellfield protection zone.

- I. Soils – Describe whether the amendment will require the alteration of soil conditions or topography. If so, describe what management practices will be used to protect or mitigate the area's natural features.**

There are no significant environmental features on the Subject Property. Future development may require that the elevation of the Subject Property be increased to appropriate elevation for flood protection.

- J. Beach Access – Indicate if the Subject Property fronts the ocean or would impact access to public beaches. If so, describe how public beach access will be addressed.**

The Subject Property is not an oceanfront property. Thus, the proposed development will not affect any beach access.

8. AFFORDABLE HOUSING

Describe how the local government is addressing Broward County Land Use Plan Policy 1.07.07.

The City of Dania Beach has taken a variety of steps to address affordable housing issues and Policy 1.07.07 of the Broward County Land Use Plan. These efforts are described below.

The City's comprehensive plan, zoning code and land development regulations incorporate numerous provisions that promote the availability of affordable housing alternatives. For example, the City's land use plan identifies traditional land use categories that allow densities up to 25 dwelling units per acre which provides for a range of residential densities and intensities necessary to accommodate a variety of housing types and costs in the community.

The City allows a variety of housing types such as duplexes, triplexes, quadraplexes, townhouses and apartments. In addition, the City's zoning code permits the integration of residential and commercial uses in the same structure. As a result, the City provides the private sector with tools necessary for the development of quality housing products for purchase and rental to meet the needs of all income ranges.

The City of Dania Beach Housing Authority operates 39 affordable housing units and administers approximately 500 section 8 housing vouchers to ensure affordable housing options are available in the City. These assistance programs help to ensure that all income levels will have safe, decent and affordable housing in the City.

9. LAND USE COMPATIBILITY

Describe how the amendment is consistent with existing and planned future land uses in the area (including adjacent municipalities and/or county jurisdictions). Identify specific land development code provisions or other measures that have or will be utilized to ensure land use compatibility.

The Applicant is requesting that the land use plan designation on the Subject Property be amended to allow a mixed-use development consisting of commercial development fronting on Stirling Road and mid-rise residential units on the remaining property. The existing developments on the east and west side of the future commercial development are a municipal fire station and a commercial development, respectively. A mobile home park is located to the north and west of the Subject Property. An existing multi-family development is located to the east. The proposed mixed-use development is consistent and compatible with the existing development in the area.

Access to the future commercial parcel is anticipated to be along Stirling Road and access for the residential will be along Lakeshore Drive. Proper landscape buffers and setbacks will be provided along the perimeter of the future development. These elements of the future development will ensure compatibility with the surrounding uses.

10. HURRICANE EVACUATION ANALYSIS

(Required for those land use plan amendments located in a hurricane evacuation zone (1) as identified by the Broward County Emergency Management Division).

Provide a hurricane evacuation analysis based on the proposed amendment, considering the number of permanent and seasonal residential dwelling units (including special residential facilities) requiring evacuation, availability of hurricane shelter spaces, and evacuation routes and clearance times. The hurricane evacuation analysis shall be based on the best available data/modeling techniques as identified by the Broward County Emergency Management Division.

The Subject Property is not located within an evacuation zone.

11. REDEVELOPMENT ANALYSIS

Indicate if the amendment is located in an identified redevelopment (i.e., Community Redevelopment Agency, Community Development Block Grant) area. If so, describe how the amendment will facilitate redevelopment and promote approved redevelopment plans.

The Subject Property not located within a Community Redevelopment Area.

12. INTERGOVERNMENTAL COORDINATION

Indicate whether the proposed Subject Property is adjacent to other local governments. If so, please provide additional copies for the notification and/or review by adjacent local governments.

The Subject Property is located adjacent to the City of Hollywood.

13. **CONSISTENCY WITH GOALS, OBJECTIVES AND POLICIES OF THE BROWARD COUNTY LAND USE PLAN**

List of goals, objectives and policies of the Broward County Land Use Plan which the proposed amendment furthers.

GOAL A.00.00

PROMOTE AND COORDINATE A DESIRABLE AND EFFICIENT LAND USE PATTERN FOR THE BENEFIT AND ENJOYMENT OF ALL BROWARD COUNTY RESIDENTS, VISITORS AND ECONOMIC INTERESTS WHICH MAXIMIZES PRESERVATION AND CONSERVATION OF NATURAL RESOURCES.

OBJECTIVE A.01.00 DESIRABLE AND EFFICIENT LAND USE – “SMART GROWTH” PRINCIPLES

Adopt, implement and encourage land use provisions which promote the principles of the “Smart Growth” initiative seeking to maintain and create desirable and efficient communities for Broward County residents, visitors and economic interests including quality housing for all, integrated with excellent and sufficient public facilities and services, recreational opportunities and open space areas, and which maximizes preservation and conservation of natural resources.

POLICY A.01.07 Broward County shall promote, encourage, and endeavor to make development decisions more predictable, timely and cost effective via county and in support of applicable local government plans and regulations consistent with a “smart growth” vision and to attract high quality development.

OBJECTIVE A.02.00 “GREEN”/ENERGY EFFICIENT LAND USE PATTERN

Adopt, implement and encourage provisions, incentives and methods to reduce future per capita use of natural and non-renewable resources such as water and fossil-fuel energy, and reduce the production of potentially harmful waste materials.

OBJECTIVE 1.01.00 RESIDENTIAL DENSITIES AND PERMITTED USES IN RESIDENTIAL AREAS

Accommodate the projected population of Broward County by providing adequate areas on the Future Broward County Land Use Plan Map (Series) intended primarily for residential development, but which also permit those non-residential uses that are compatible with and necessary to support residential neighborhoods.

OBJECTIVE 1.02.00 FLEXIBILITY AND IRREGULAR DENSITIES
(DASHED-LINE DESIGNATIONS)

Establish flexibility within the Broward County Land Use Plan in order to facilitate the arrangement of residential densities, and allow local governments and the private sector to respond to changing conditions.

OBJECTIVE 1.03.00 CORRELATION OF RESIDENTIAL DENSITIES WITH
TRANSPORTATION FACILITIES

Correlate the impacts of residential development with the regional roadway network of Broward County and all existing and planned transit facilities to ensure the adequacy and safety of all transportation facilities.

POLICY 1.03.02 Residential densities in the Medium High and High ranges should be located with adequate access to major and minor arterials, expressways and mass transit routes.

OBJECTIVE 1.06.00 AESTHETICS, LANDSCAPING, AND CODE
ENFORCEMENT

Develop and implement land use controls which promote residential neighborhoods that are attractive, well-maintained and contribute to the health, safety and welfare of their residents.

GOAL 8.00.00 PHASE GROWTH CONSISTENT WITH THE PROVISION OF
ADEQUATE REGIONAL AND COMMUNITY SERVICES AND FACILITIES.

OBJECTIVE 8.01.00 COORDINATE FUTURE LAND USES WITH
AVAILABILITY OF REGIONAL AND COMMUNITY
FACILITIES AND SERVICES

Coordinate future land uses with the availability of regional and community facilities and services sufficient to meet the current and future needs of Broward County's population and economy without endangering its environmental resources.

POLICY 8.01.09(2) In considering amendments to the Broward County Land Use Plan, analysis regarding the availability of potable water supply shall include a determination of whether such supply will be available as per the applicable adopted 10-

Year Water Supply Facilities Work Plan and Capital Improvements Element.

OBJECTIVE 8.03.00 EFFICIENT USE OF URBAN SERVICES

Discourage urban sprawl and encourage a separation of urban and rural land uses by directing new development into areas where necessary regional and community facilities and services exist.

OBJECTIVE 8.07.00 COORDINATE BROWARD COUNTY FUTURE LAND USES WITH THE AVAILABILITY OF PUBLIC ELEMENTARY AND SECONDARY EDUCATION FACILITIES

Ensure through the future land use planning process and intergovernmental coordination that public elementary and secondary education facilities will be available to meet the current and future needs of Broward County's school population.

14. POPULATION PROJECTIONS

A. Population projections for the 20 year planning horizon (indicate year).

The population of the City in the year 2015 as published by the Broward County Planning and Redevelopment Division was 31,616. The City's population is projected to be 35,664 in the year 2035.

B. Population projections resulting from proposed land use (if applicable).

Based on an average household size of 1.8 persons per dwelling unit the Proposed Amendment would add 410 persons to the City's population. Based on the best available data, the City's 2035 population with this amendment is projected to be 36,074.

C. Using population projections for the 20 year planning horizon, demonstrate the effect of the proposed amendment on the land needed to accommodate the projected population.

The Proposed Amendment will provide 228 dwelling units that are needed to accommodate the 36,074 persons that are projected by Broward County to reside in the City in 2035.

15. ADDITIONAL SUPPORT DOCUMENTS

- A. Other support documents or summary of support documents on which the proposed amendment is based.**

None provided.

- B. Any proposed voluntary mitigation or draft agreements.**

None provided.

16. PLAN AMENDMENT COPIES

- A. 15 copies for the BCPC. (Please include additional copies, if Subject Property is adjacent to other municipalities and/or county jurisdictions). Additional copies may be requested by the Planning Council Executive Director after the initial application submittal.**

- B. 1 hard copy and 11 digital copies, as required by DEO, of the corresponding local land use plan amendment application, if transmitting concurrent to DEO, including transmittal; letter from municipality to DEO. For small scale land use plan amendments, 1 hard copy and 5 digital copies must be submitted.**

To be provided prior to transmittal to DEO.

EXHIBIT A

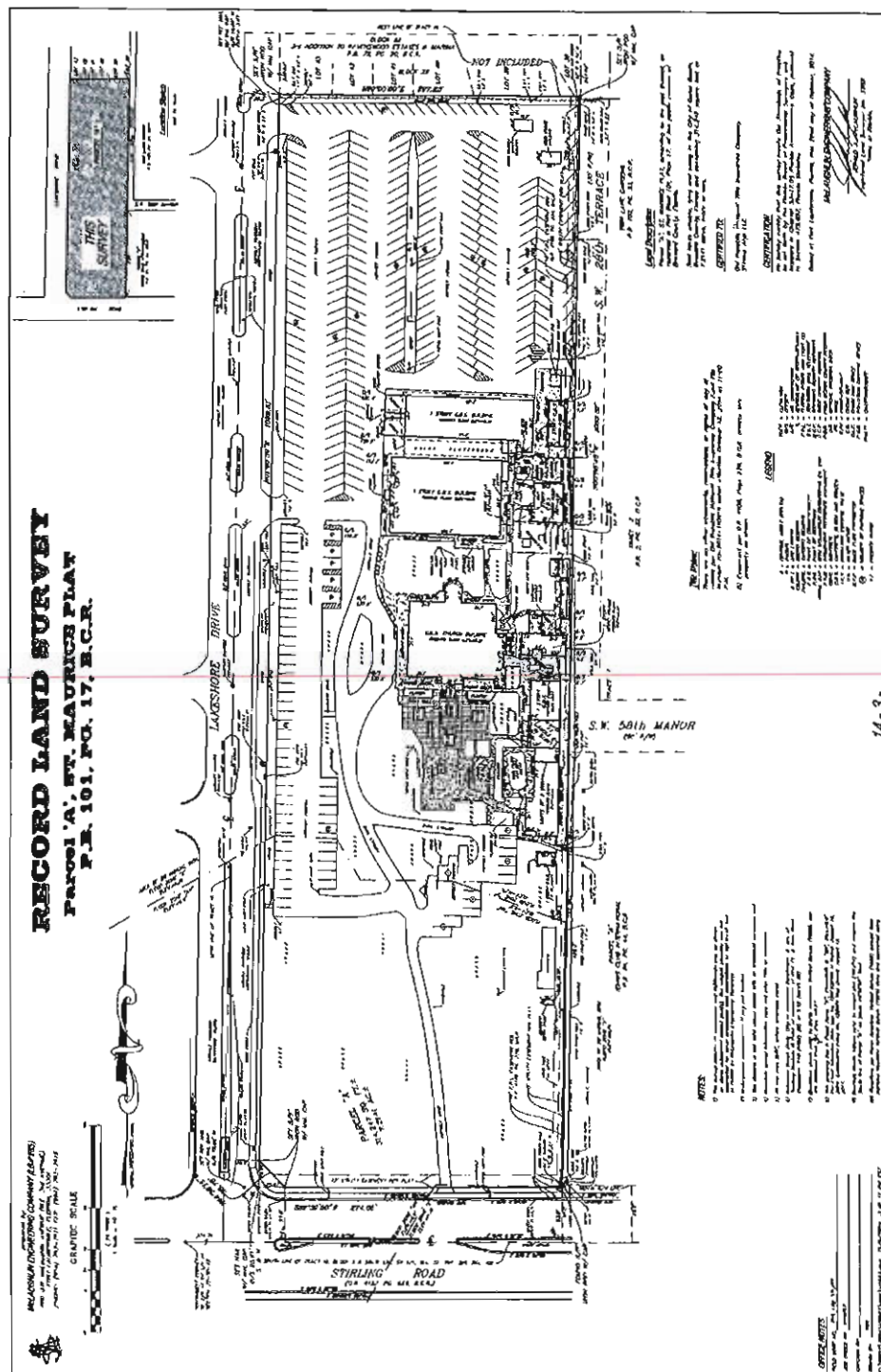


EXHIBIT B

[illegible]

EXHIBIT C



888.491.1120
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From the desk of:
Cynthia A. Pasch, AICP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.6265
Direct Fax: 954.333.4266
Email: cynthia.pasch@gmlaw.com

July 29, 2016

VIA EMAIL maispuero@broward.org
Mario C. Aispuro
Land Development Project Coordinator
Planning and Development Coordination Section
Water and Wastewater Engineering Division
2555 W. Copans Road
Pompano Beach, FL 33069

Re: Land Use Plan Amendment Verification of Sanitary Sewer Service

Dear Mario:

Enclosed please find a location map for a 7± acre parcel located on the north side of Stirling Road and west of Park Road in the City of Dania Beach that is the subject of a land use plan amendment application. We are processing a land use plan amendment to allow development of 228 dwelling units and 13,000 square feet of commercial use on the property. As part of the land use plan amendment process we are required to obtain confirmation of the responses to the application questions. Please provide me with written verification by August 5, 2016 that the attached potable water analysis is accurate.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

GREENSPOON MARDER, P.A.

Cynthia A. Pasch, AICP
For the Firm

Enclosures

Miami | Ft. Lauderdale | Orlando | Tallahassee | W. Palm Beach | Boca Raton | Stuart | Port St. Lucie | Naples | Aventura
39270.0001
GM:24554108:1

A. Sanitary Sewer Analysis

1. Identify whether the Subject Property or a portion is currently and/or proposed to be serviced by septic tanks.

There are no septic tanks on the Subject Property. Future development on the Subject Property will not utilize septic tanks.

2. Identify the sanitary sewer facilities serving the Subject Property including the current plant capacity, current plus committed demand on plant capacity, and planned plant capacity.

The City is served by two wastewater treatment plants and the service area for each is separated by Ravenswood Road. The Subject Property is west of Ravenswood Road and as such is served by Broward County Utilities. The County entered into an agreement with the City of Hollywood to provide wastewater treatment services in this area. The Hollywood Wastewater Treatment Plant has a rated capacity of 48.75 MGD. The current plus committed demand is 41.55. The projected buildout capacity for the wastewater facility is 60 MGD in 2025.

3. Identify the net impact on sanitary sewer demand resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Existing Land Use Plan Designation: Low (5) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
33 Single Family	300 GPD/unit	9,900 GPD
16,000 Square Feet Commercial	.10 GPD/ sq. ft.	1,600 GPD
	Total:	11,500 GPD

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
228 Mid-Rise	300 GPD/unit	68,400 GPD
13,000 Square Feet Commercial	.10 GPD/ sq. ft.	1,300 GPD
	Total:	69,700 GPD
	Net Change:	58,200 GPD

*City of Dania Beach Comprehensive Plan, Sanitary Sewer Element.

4. Identify the projected plant capacity and demand for the short and long range planning horizons as identified within the local government's adopted comprehensive plan. Provide demand projections and information regarding planned plant capacity expansions including year, identified funding sources and other relevant information.

The projected plant capacity for the City of Hollywood South Regional Water Treatment Plant is 60 MGD. The projected demand is 51.8 MGD in 2015 and 55.5 MGD in 2025.

No plant capacity expansions are planned at this time.

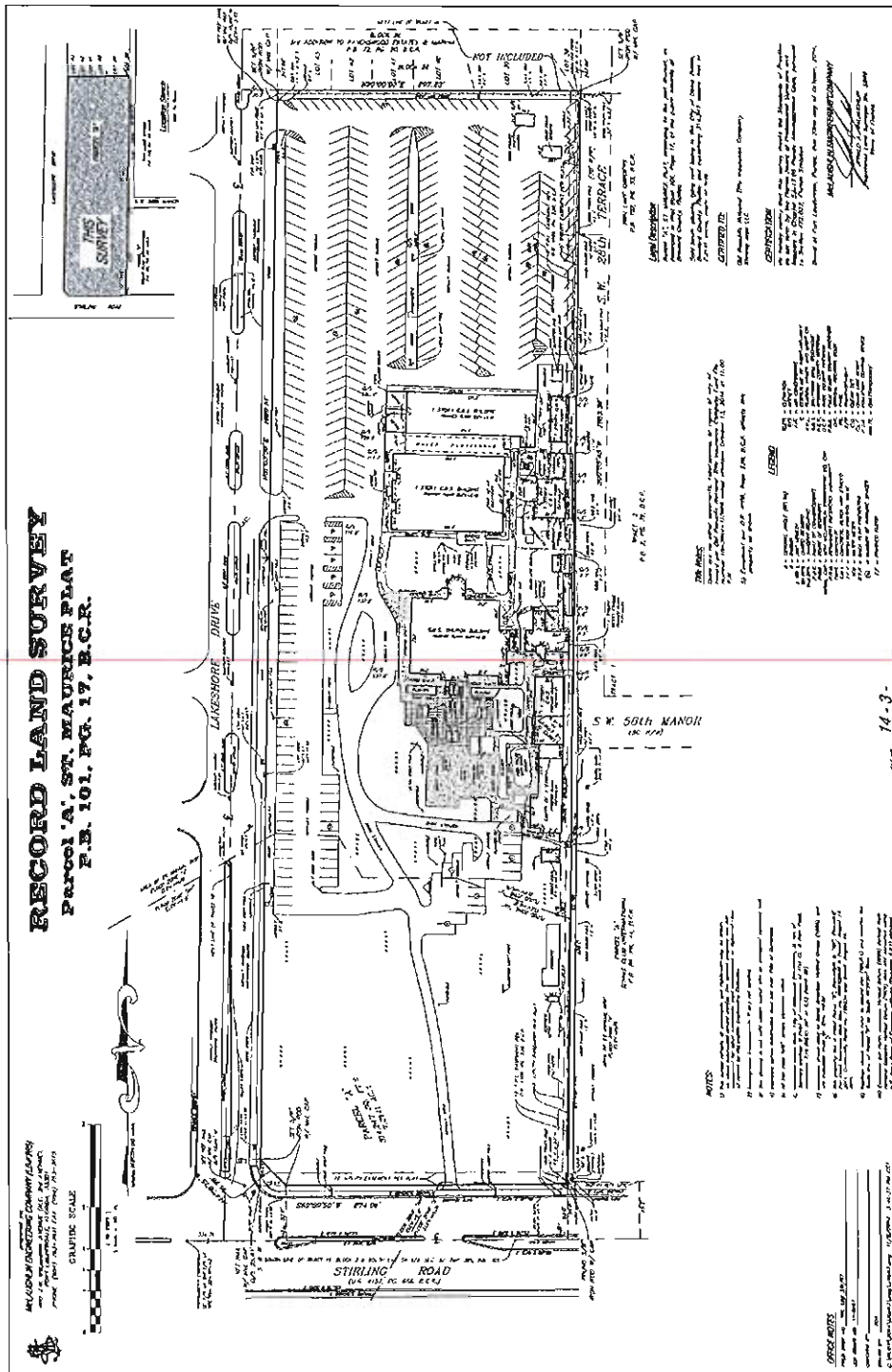


EXHIBIT D



888.491.1120
www.gmlaw.com

From the desk of:
Cynthia A. Pasch, AICP
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, Florida 33301
Direct Phone: 954.527.6266
Direct Fax: 954.333.4266
Email: cynthia.pasch@gmlaw.com

July 29, 2016

VIA EMAIL maispuero@broward.org

Mario C. Aispuro
Land Development Project Coordinator
Planning and Development Coordination Section
Water and Wastewater Engineering Division
2555 W. Copans Road, Pompano Beach, Fl. 33069

Re: Land Use Plan Amendment Verification of Potable Water Service

Dear Mario:

Enclosed please find a location map for a 7± acre parcel located on the north side of Stirling Road and west of Park Road in the City of Dania Beach that is the subject of a land use plan amendment application. We are processing a land use plan amendment to allow development of 228 dwelling units and 13,000 square feet of commercial use on the property. As part of the land use plan amendment process we are required to obtain confirmation of the responses to the application questions. Please provide me with written verification by August 5, 2016 that the attached potable water analysis is accurate.

If you have any questions concerning this matter, please feel free to contact me.

Very truly yours,

GREENSPOON MARDER, P.A.

Cynthia A. Pasch, AICP
For the Firm

Enclosures

Miami | Ft. Lauderdale | Orlando | Tallahassee | W. Palm Beach | Boca Raton | Stuart | Port St. Lucie | Naples | Aventura
39270.0001
GM:24564096:1

B. Potable Water Analysis

1. Data and analysis demonstrating that a sufficient supply of potable water and related infrastructure will be available to serve the proposed Subject Property through the long-term planning horizon, including the nature, timing and size of the proposed water supply and related infrastructure improvements.

The Subject Property is located in the Broward County 3A service area. The City of Hollywood provides raw water supply and treatment capacity for the 3A service area.

Excerpts from the City's Comprehensive Plan provided below indicate that water supply for service area 3A is adequate to meet the short and long range demands.

PROJECTED WATER DEMANDS AND SUPPLY			
YEAR	PROJECTED POPULATION	WATER DEMAND (MGD)	AVAILABLE SUPPLY
2015	16,298	3.21	4.49
2020	17,014	3.4	4.69
2030	17,962	3.53	4.95

Source: City of Dania Beach Comprehensive Plan

2. Identify the facilities serving the service area in which the amendment is located including the current plant capacity, current and committed demand on the plant and South Florida Water Management District (SFWMD) permitted withdrawal, including the expiration date of the SFWMD permit.

Plant Capacity:

Currently the existing City of Hollywood Water Treatment Plant is able to treat 37.5 MGD. The current and committed plant demand is 31.06 with a remaining capacity of 6.44 MGD.

Wells:

The current permitted withdrawal of Hollywood's three wellfields is 44.0 MGD according to SFWMD Permit No. 06-00038-W. The expiration date for SFWMD Permit No. 06-00038-W is April 9, 2028.

3. Identify the wellfield serving the service area in which the amendment is located including the permitted capacity, committed capacity, remaining capacity and expiration date of the permit.

The City of Hollywood consumptive use permit (Permit No. 06-00038-W) was issued by the South Florida Water Management Division on April 9, 2008 and expires on April 9, 2028.

Hollywood's Biscayne Wellfield

Permitted Capacity: 27.4 MGD
Committed Capacity: 13.4 MGD
Remaining Capacity: 14.0 MGD

Brian Picollo Wellfield

Permitted Capacity: 9 MGD
Committed Capacity: 3.9 MGD
Remaining Capacity: 4.1 MGD

Floridan Wellfield

Permitted Capacity: 8.6 MGD
Committed Capacity: 4.2 MGD
Remaining Capacity: 4.4 MGD

4. Identify the net impact on potable water demand, based on adopted level of service resulting from the proposed amendment. Provide calculations, including anticipated demand per square foot or dwelling unit.

Existing Land Use Plan Designation: Low (5) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
33 Single Family	300 GPD x 1.5 per capita	9,900 GPD
16,000 Square Feet Commercial	.10 GPD/ sq. ft.	1,600 GPD
Total:		11,500 GPD

Proposed Land Use Plan Designation: Irregular (40.86) Residential and Commercial		
Development Intensity	Generation Rate*	Demand
228 Mid-Rise	300 GPD	68,400 GPD
13,000 Square Feet Commercial	.10 GPD/ sq.ft.	1,300 GPD
Total:		67,100 GPD
Net Change:		55,600 GPD

*City of Hollywood Comprehensive Plan, Potable Water Element

5. Identify the projected capacity and demand for the short and long range planning horizons as identified within the adopted comprehensive plan – provide demand projections and information regarding planned wellfield and planned plant capacity expansions including year, funding sources and other relevant information. If additional wellfields are planned, provide status including the status of any permit applications.

The projected plant capacity for 2020 and 2025 is 55.3 MGD. The projected plant demand for 2020 is 34.15 MGD and 37.25 MGD in 2025. The current permitted water supply is 44.0 MGD. Therefore, the permitted wells and the existing plant capacity are adequate to serve the short and long range demands including the demand from the proposed amendment.

EXHIBIT E

Cynthia Pasch

From: Navarro, Ronnie <rnavarro@ci.dania-beach.fl.us>
Sent: Friday, November 06, 2015 9:23 AM
To: Cynthia Pasch
Cc: Kaine, Brad; Dunleavy, Sherie
Subject: LUPA Verification of Sewer Service [WVOV-ACTIVE.FID9144446]
Attachments: image003.jpg.html; S17th Floor15110516482.pdf.html

Hi Cynthia,

Corrections are noted below:

Water and sewer services is provided by Broward County Water and Wastewater Services (Exhibit C?)

C. Drainage Analysis

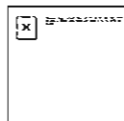
Item 1

Buildings: The lowest finished floor elevation shall be a minimum of FEMA Base Flood Elevation (BFE) plus one foot.
Flood Plain Routing: Analysis must be based on the SFWMD – Volume IV Permit Manual
Storm Sewers: Sizing of pipes and drainage structures shall be designed based on appropriate FDOT Zone 10 (intensity-duration-frequency) IDF rainfall curves.
BMP: BMP shall be based on the latest EPA and FDEP handbooks and guidelines.

Item 5

Development within the subject property will be required to meet SFWMD, Broward County Surface Water Management Section, and City requirements and standards.

Ronnie S. Navarro, PE
Deputy Director | City Engineer



Public Services Department | City of Dania Beach
1201 Stirling Road | Dania Beach FL 33004
Office 954-924-3742 | Fax 954-923-1109
rnavarro@ci.dania-beach.fl.us

Please note: Florida has a very broad public records law. Most written communications to or from City Officials regarding City business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure

EXHIBIT F



Luigi Pace
GOVERNMENT AFFAIRS
Lpace@wm.com
WASTE MANAGEMENT
2700 WILES ROAD
POMPANO BEACH, FL 33073
954.884.2080
954.884.2071 Fax

November 6, 2015

Ms. Cynthia A. Pasch, AICP
Greenspoon Marder
200 East Broward Blvd
Fort Lauderdale, FL 33301

RE: Dania Beach Parcel Stirling Rd. west of Park Road

Dear Ms. Pasch,

I have reviewed the information you sent me regarding the land use amendment for the proposed project in Dania Beach located on the north side of Stirling Road and west of Park Road. Per your letter, you plan to construct 286 dwelling units along with 13,000 square feet of commercial use on this property. I wanted to inform you that Waste Management's local disposal facility, Monarch Hill, has adequate volume space to accommodate the anticipated additional waste generated by the proposed project in your request. In addition, Waste Management's collections operations have sufficient equipment available to provide the required services to this project during all the developmental phases from construction to final occupation by residents and tenants.

If you should have any additional questions please do not hesitate in giving me a call.

Thank you,

A handwritten signature in blue ink, appearing to read 'Luigi Pace', with a horizontal line extending to the right.

Luigi Pace
Government Affairs Manager

EXHIBIT G

City of Dania Beach
Existing Park & Recreation Acreage

Park Name	Facility Type	Acreage
Houston Park	Neighborhood	7.8
Dania Elementary	Neighborhood	2.6
Olsen	Neighborhood	9.9
Meli	Neighborhood	9.7
Collins	Neighborhood	4.9
Modello	Neighborhood	9.7
Frost	Neighborhood	10.1
Forest View Park	Neighborhood	.28
Dania Cove	Neighborhood	4.65
Tigertail	Community	39.3
Secret Woods	Community	5.7* (57 acres)
Pond Apple Slough	Community	4.6* (46 acres)
Dania Beach	Community	26.5
Northside Garden	Neighborhood	0.7
Mullikan	Neighborhood	1.0
Chester Byrd	Neighborhood	2.5
West Lake Marsh	Community	10* (136 acres)
TOTAL		149.93
*10% of County park area, with a max. of 10 acres (shown in parentheses)		

RECERTIFIED: 6/26/08
EFFECTIVE: 6/26/08

RECERTIFIED: 10.23.14
EFFECTIVE: 10.23.14

EXHIBIT H



Transportation Department
TRANSIT DIVISION-Service and Capital Planning
1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482

November 6, 2015

Cynthia A. Pasch, AICP
Greenspoon Marder, P.A.
200 East Broward Blvd., Suite 1800
Fort Lauderdale, FL 33301

RE: Transit Verification Letter – 2851 Stirling Road LUPA

Dear Ms. Pasch:

Broward County Transit (BCT) has reviewed your correspondence dated November 4, 2015 regarding the 2851 Stirling Road Land Use Plan Amendment (LUPA) located in the City of Dania Beach for current and planned transit service. The current transit service provided within one-quarter mile from the amendment site includes BCT Route 16 and Dania Beach Community Bus. Please refer to the following table for detailed information:

BUS ROUTE	DAYS OF SERVICE	SERVICE SPAN A.M. – P.M	SERVICE FREQUENCY
BCT 16	Weekday	5:50a – 8:50p	30/60 Minutes
	Saturday	6:00a – 8:50p	60 Minutes
	Sunday	Not In Service	Not In Service
Dania Beach West Route	Weekday	9:00a – 5:47p	75 Minutes
	Saturday	9:00a – 5:47p	75 Minutes
	Sunday	Not In Service	Not In Service

Future fixed-route bus improvements including longer span of service and Sunday service are specified in the Broward County Transit Development Plan (TDP) and/or Broward MPO 2040 Long Range Transportation Plan (LRTP).

Additional transit demand, as described in Section G2 of the LUPA application, can be accommodated with the existing and planned fixed-route bus service near the Amendment site.

Broward County Board of County Commissioners
Mark D. Bogen • Beam Furr • Dale V.C. Holness • Martin David Klar • Chip LeMarca • Stacy Ritter • Tim Ryan • Barbara Sharief • Lols Wexler
Broward.org



Transportation Department
TRANSIT DIVISION-Service and Capital Planning
1 N. University Drive, Suite 3100A • Plantation, Florida 33324 • 954-357-8300 • FAX 954-357-8482

BCT recommends that any proposed (re)development on the Amendment site is designed to provide safe movement for pedestrians and bicycles including connectivity to transit stops along Stirling Road near to the Amendment site.

If I can be of further assistance on this matter please feel free to contact me by phone at (954) 357-8381 or email nsofoul@broward.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. Sofoul".

Nicholas A. Sofoul, AICP
Senior Planner
Service and Capital Planning

Broward County Board of County Commissioners
Mark D. Bogen • Beam Furr • Dale V.C. Holness • Martin David Kiar • Chip LaMarca • Stacy Ritter • Tim Ryan • Barbara Sharief • Lois Wexler
Broward.org

Remarks by Neil Reisner
City of Dania Beach
Planning and Zoning Board
Sitting as Local Planning Agency
Aug. 17, 2016
Page 1 of 2



I'm Neil Reisner. I live at Key North, 5201 SW 31st Avenue, Unit 112.

I've been a journalist and journalism professor for more than 30 years and I've covered land use in both New Jersey and Florida.

In all that time, this proposal by Stellar Homes to develop 228 multi-family units with some 450 parking spaces is among the most egregious cases of overbuilding I've seen. (And to say Stellar reduced its plan to 228 units is disingenuous, as it still puts 195 new units on land zoned for 33.)

If approved, this development will destroy the quality of life enjoyed by people living in the Estates of Fort Lauderdale, Ravenswood Estates, Key North and Cocoplum, quiet neighborhoods that are home, according to the U.S. Census Bureau, to some 4,000 people.

I'll speak to a couple of points in the application that don't quite represent reality.

The Traffic Circulation segment offers data for Stirling and Park roads, as it should.

It offers no data, however, for Lakeshore Drive, a quiet, barely two-lane road that meanders through the Estates of Fort Lauderdale, nor does it contemplate traffic on SW 31st Avenue and SW 53rd Court.

If you approve this proposal, Lakeshore and SW 31st Avenue will become more than 400 residents' route to shopping at the nearest supermarket, the Publix on Griffin Road.

Lakeshore will also take residents of the new development to the train station and the I-95 interchange, via SW 53rd Court and Anglers Avenue, disrupting the quiet Ravenswood Estates neighborhood.

If you make exit from the development left-turn only, you cause traffic to back up onto Lakeshore during peak hours. And you force development-generated traffic onto Park.

These are local streets were not never designed to function as collectors leading to arterials. Not to mention the danger this new traffic will pose to the pedestrians who walk them.

FILE COPY

The application should not be deemed complete without a traffic study that includes data on Lakeshore, SW 53rd Court and SW 31st Avenue and contemplates its impact on local neighborhoods.

But there's a more basic problem.

The application fails to meet the standards contained in Policy 9.2 of the Future Land Use Element of the city's Comprehensive Plan, which requires proposed development and future land use to be compatible with adjacent land uses.

This is because it mischaracterizes the adjacent Estates of Fort Lauderdale as a "mobile home development."

Strictly speaking, the Estates is a mobile home development.

But if you drive through the Estates on the soon-to-be-clogged-with traffic Lakeshore Drive, you'll see that these ostensibly mobile homes are, in fact, modular or manufactured homes permanently affixed to their foundations.

Many have two or three bedrooms and two baths and are worth upwards of \$250,000. In my 20 years in the area, I've seen only a handful moved.

If that sounds like a single-family home development, it's because the facts on the ground show it is, technical classification as a mobile home park notwithstanding.

It's therefore misleading, at best, to say Stellar Homes' proposed multi-family development is compatible with adjacent land uses.

If you approve Stellar Homes' request for a Future Land Use Amendment, you'll destroy quiet neighborhoods where Dania Beach residents have lived for decades.

The St. Maurice property is currently zoned for 33 single-family homes.

The criteria outlined in the city's own master plan and its obligation to the 4,000 residents who moved into quiet neighborhoods expecting them to stay quiet, require the zoning to stay as it is.

Carrie, Anne-Christine

From: Lisa M. Quinter <alliancerealtyflorida@gmail.com>
Sent: Thursday, May 12, 2016 3:34 PM
To: Salvino, Marco; Jones, Albert; Brandimarte, Chickie; Grace, Bobbie; Carrie, Anne-Christine
Cc: Key North
Subject: Re: Proposed Zoning Change & Development - Stellar Homes - Stirling Road/Lakeshore Drive

I am following up with an email to our officials, that at our 4/25/2016 meeting with the attorney for Stellar Development (where the developer was a no-show) . . . the attorney Alecia stated to all our residents, that she would contact me with a time and location for a 5/5 meeting that was to occur with the traffic engineer to discuss the concerns mentioned in the prior email I forwarded to all of you. Alecia followed up with me via email the following day, informing me of the same.

However, she never provided us the time nor the location, and the meeting happened without our neighborhood reps being able to attend and express our concerns. I emailed her on 5/5, and she did not get back to me until the afternoon of 5/9. She apologized for not getting back with us, and BLAMED ME for not asking her again. I informed her that I thought communicating twice about the issue was enough, and that I too have a real job to attend to, as well as volunteering as President of this community. She handled this extremely unprofessional as I basically got the message, that we need to chase this developer down every day in order to get to be heard.

I would like this on the record to you all as you should be aware.

Thank you for your time.

Thank you,

Lisa M. Quinter

FILE COPY



**Key North HOA
President**

On Tue, Apr 26, 2016 at 1:38 PM, Lisa M. Quinter <alliancerealtyflorida@gmail.com> wrote:

Dear All:

I am writing to you as the President of the Key North, HOA.

It has come to our attention that there is a proposed project in consideration for the property at Stirling Rd/Lakeshore Drive - the old St. Maurice Church Property.

After our residents met last night with the developers representative (developer decided not to show up) . . . all of our residents are unanimously on the same page in complete opposition of this zoning change, from 33 units to 288, or even 228.

There is a reason the current zoning is 33 units. The one way in, one way out roads, and neighborhoods, surrounding this property cannot handle an additional 500-600 cars, PLUS what the retail traffic will bring in as well.

Our community and community entrance is situated ON SW 31st Avenue, between Griffin Road and SW 53rd Court (near the morgue and the old fire station). We are in agreement with the folks in the trailer park - that the additional traffic that will come from the proposed development, through the trailer park, and onto SW 31st Avenue - - - in order to get to Publix, Griffin Road, the turnpike, the airport, is just way more than these roads can handle. SW 31st Avenue has increased in traffic as it is. With this type of increased traffic - it will take us forever to maneuver to get in or out of our development. The Griffin and 31st Ave traffic light already has backed up traffic, but it's livable. A road with 1 way in each direction, with a neighborhood smack dab in the middle, will cause back ups as residents are waiting for traffic to go by to turn into community. This road

is not a highway - its an interior neighborhood street, never meant to handle this type of traffic.

They presented two proposals last night, however, it doesn't benefit or assist Key North whatsoever. They are as follows:

A few of the proposals area as follows:

1) To create a gate south of SW 53rd Court (in front of the morgue area). The gate would not have a key, code, etc. Just more of a visual deterrent. The gate would still open and close as cars approach - so it really isn't stopping anyone from going through. Anyone living in the area would know . . . it opens and closes upon approach. Anyhow, this is more of a pacifier in my opinion. Not an effective solution. And let's say it did work - - - traffic would only go to Park Road, then to SW 53rd Court, and then pop on SW 31st Avenue and drive pass our community to get to Griffin Road anyway. It doesn't help us at all. Our roads cannot handle this amount of vehicular traffic. Hence the reason the current zoning is a maximum of 33 units.

2) They mentioned omitting the left turn onto Griffin Road from SW 31st Avenue to deter people from cutting through to go to 441, the Turnpike, etc. Problem with that is . . . we can't go left either. So to go west, we would be forced to make a right turn, then (if permitted) make a u-turn. And as we all know - making a right, and trying to make a u-turn at 29th is virtually impossible as it currently stands. The line of traffic to make a left or a u-turn is already so long. It's my personal opinion that diverting that much traffic between the light at 29th and 31st is too short of an area and will never work. It doesn't work now, nonetheless adding hundreds of additional cars.

Diverting traffic from the trailer park to Park Road, or from Park Road to the trailer park . . . still keeps Key North caught in the middle to be buried

with traffic and traffic noise. 20 of our 90 homes actually back up to SW 31st Avenue.

We as a community want it on record that we would like the zoning designation to remain at 33 units, or less. If you need to hear from all 90 families - you just say the word. We will write you letters, be at your office, speak with the newspapers, the media . . . whatever it takes.

Increasing from 33 units would be an irresponsible and irreversible decision, that will affect many lives in this great City of Dania. We ask this not even be a consideration.

Thank you,

**Lisa M. Quinter
, President
Key North HOA
(954) 868-1416**

Carrie, Anne-Christine

From: Lisa M. Quinter <alliancerealtyflorida@gmail.com>
Sent: Tuesday, April 26, 2016 1:39 PM
To: Salvino, Marco; Jones, Albert; Brandimarte, Chickie; Grace, Bobbie; Carrie, Anne-Christine
Cc: Key North
Subject: Proposed Zoning Change & Development - Stellar Homes - Stirling Road/Lakeshore Drive

Dear All:

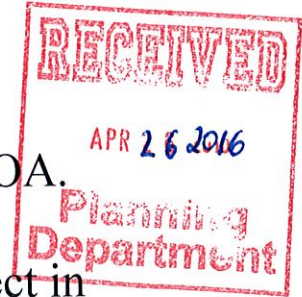
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FILE COPY

with a neighborhood smack dab in the middle, will cause back ups as residents are waiting for traffic to go by to turn into community. This road is not a highway - its an interior neighborhood street, never meant to handle this type of traffic.

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We as a community want it on record that we would like the zoning designation to remain at 33 units, or less. If you need to hear from all 90 families - you just say the word. We will write you letters, be at your office, speak with the newspapers, the media . . . whatever it takes.

Increasing from 33 units would be an irresponsible and irreversible decision, that will affect many lives in this great City of Dania. We ask this not even be a consideration.

Thank you,

Lisa M. Quinter
, President
Key North HOA
(954) 868-1416

Lajoie, Corinne

From: Jaye Sousa <jaye.sousa@gmlaw.com> on behalf of Alicia Lewis <Alicia.Lewis@gmlaw.com>
Sent: Thursday, April 14, 2016 4:26 PM
To: csloboda@bellsouth.net; dadsinkeylargo@comcast.net
Cc: Larry Baum (lbaum@stellarhomesgroup.com); lbaum@shgre.com; LaFerrier, Marc; Lajoie, Corinne; Dennis Mele
Subject: Stellar Homes Deferral email to FT Laderdale estates board [IWOV-ACTIVE.FID9144446]

Charlotte: We have been actively working with all of our neighbors to address their concerns regarding our proposed development. Our goal is to present a project to the City that reflects our collaboration and although we have made significant progress with our neighbors, we would like some additional time to address a few remaining concerns. **Please be advised that we have deferred our application from the April 20, 2016 Planning & Zoning Board meeting.** I have copied City Staff to this email correspondence and we will notify you and City Staff when we are prepared to proceed. Please feel free to contact me directly with any questions or concerns.
Have a great weekend,

GreenspoonMarder

Alicia J. Lewis, Esq.

Greenspoon Marder, P.A.

200 East Broward Boulevard, Suite 1800

Fort Lauderdale, FL 33301

Direct: (954) 527-6276 | Fax: (954) 333-4176

<http://www.gmlaw.com> |   

The information contained in this transmission may be attorney/client privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply e-mail.

Unless specifically indicated otherwise, any discussion of tax issues contained in this e-mail, including any attachments, is not, and is not intended to be, "written advice" as defined in Section 10.37 of Treasury Department Circular 230.

A portion of our practice involves the collection of debt and any information you provide will be used for that purpose if we are attempting to collect a debt from you.

ORDINANCE NO. 2017-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP (LU-121-15) OF THE DANIA BEACH COMPREHENSIVE PLAN PURSUANT TO A REQUEST SUBMITTED BY GREENSPOON MARDER, P.A./DENNIS MELE, ESQ. ON BEHALF OF THE PROPERTY OWNER, STIRLING ALYA LLC, TO CHANGE THE LAND USE OF APPROXIMATELY 8.3 GROSS ACRES AS LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED TO THIS ORDINANCE, FROM COMMERCIAL – 1.6 GROSS ACRES AND LOW (5) RESIDENTIAL – 6.7 GROSS ACRES TO COMMERCIAL – 1.3 GROSS ACRES AND IRREGULAR (40.86) RESIDENTIAL – 7.0 GROSS ACRES FOR PROPERTY LOCATED AT 2851 STIRLING ROAD; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AND STATE AGENCIES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Applicant, Greenspoon Marder P.A./Dennis D. Mele, Esq. on behalf of the property owner, Stirling Alya, LLC, has applied to the City of Dania Beach, Florida (the "City"), for approval of a Future Land Use Map ("FLUM") Amendment to the Comprehensive Master Plan (the "Comprehensive Plan") from Commercial (1.6 gross acres) and Low (5) Residential (6.7 gross acres) to Commercial (1.3 gross acres) and Irregular (32.6) Residential (7.0 gross acres) on an approximately 8.3 acre parcel located at 2851 Stirling Road and legally described in Exhibit "A"; and

WHEREAS, the City Commission of the City of Dania Beach has conducted duly noticed public hearings, in accordance with Section 163.3184(11), Florida Statutes, on the proposed FLUM Amendment; and

WHEREAS, staff recommended approval of the requested FLUM Amendment in its report dated January 20, 2016; and

WHEREAS, the City's Planning and Zoning Board, sitting as the Local Planning Agency, reviewed this request at its January 20, 2016 meeting and voted to recommend denial of this request; and

WHEREAS, after reviewing the Local Planning Agency's recommendation, the recommendation of City staff, and the comments from the public, the City Commission finds the

proposed FLUM amendment to the City's Comprehensive Plan, attached as Exhibit "A" to this Ordinance, is in compliance with and consistent with Florida law and its adopted Comprehensive Plan;

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

Section 1. That the foregoing Whereas clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. That pursuant to Section 163.3184, Florida Statutes, the FLUM Amendment to the Comprehensive Plan for the Property, legally described in Exhibit "A," from Commercial (1.6 gross acres) and Low (5) Residential (6.7 gross acres) to Commercial (1.3 gross acres) and Irregular (32.6) Residential (7.0 gross acres) is adopted.

Section 3. That the City staff is authorized to transmit the Amendment to the Florida Department of Community Affairs and other state agencies pursuant to the requirements of Chapter 163.3184, Florida Statutes.

Section 4. That City staff is authorized to transmit an application to the Broward County Planning Council to request amendment of the Broward County Land Use Plan map and to request recertification of the City's Future Land Use Plan including the Future Land Use Plan Map.

Section 5. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 6. That all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 7. That the effective date of this Amendment shall be after the second reading and adoption of the amendment by the City Commission and, subsequently, the date a final order is issued by the Florida Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163, Florida Statutes; or the date a final order is

issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163, Florida Statutes.

PASSED AND ADOPTED on first reading on May 23, 2017.

PASSED AND ADOPTED on second and final reading on _____, 2017.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

TAMARA JAMES
MAYOR

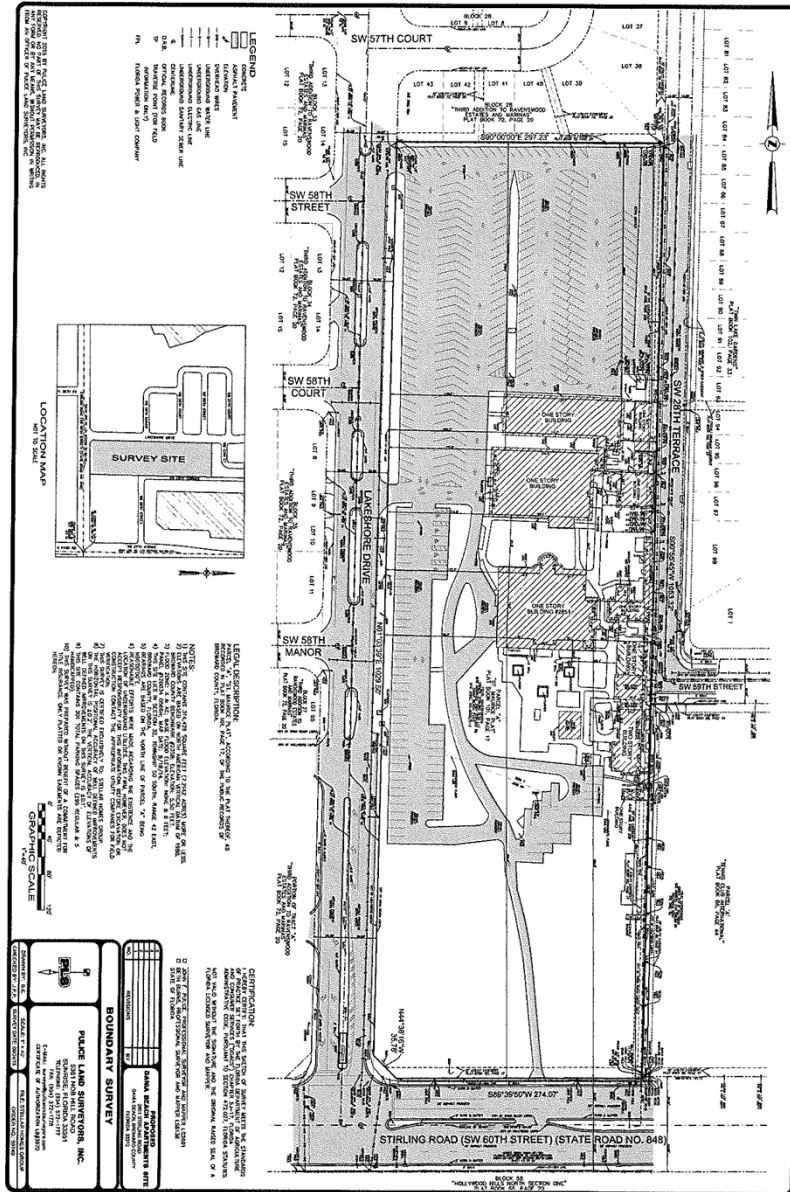
APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

EXHIBIT 'A'

Legal Description

PARCEL "A", "ST. MAURICE PLAT", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 101, PAGE 17, OF THE PUBLIC REOCRDS OF BROWARD COUNTY, FLORIDA.



CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

APPROVING THE REQUEST MADE BY BOWMAN CONSULTING GROUP, LTD., AGENT FOR THE PROPERTY OWNER GURU SHAKTI GROUP LLC, TO REZONE PROPERTY LOCATED AT 30 SW 16th STREET, DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL OFFICE (RO) DISTRICT TO SOUTH FEDERAL HIGHWAY MIXED USE (SFED-MU) DISTRICT (APPLICATION NO. RZ-43-17), SUBJECT TO CERTAIN RESTRICTIONS

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

--

Exhibits Attached

Staff Report, Application and Backup, Ordinance



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

DATE: May 23, 2017

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director

FROM: Corinne Lajoie, AICP, Planning and Zoning Manager, LEED G.A. *CL Lajoie*

SUBJECT: **RZ-43-17:** The applicant, Bowman Consulting Group, Ltd., on behalf of the property owner, Guru Shakti Group, LLC, is requesting a rezoning for the property located at 30 SW 16 Street (FIRST READING).

REQUEST

To change the zoning of the property from Residential Office (RO) to South Federal Highway Mixed-Use (SFED-MU).

PROPERTY INFORMATION

EXISTING ZONING:	Residential Office (RO)
PROPOSED ZONING:	South Federal Highway Mixed-Use (SFED-MU)
LAND USE DESIGNATION:	Regional Activity Center (RAC)

VIOLATIONS ON PROPERTY

No violations on the property at this time.

PUBLIC HEARING NOTICE

This item was duly advertised, posted and noticed pursuant to Article 610 of the Land Development Code (LDC.)

The subject property is approximately half an acre (.67), and located on the north side of Sheridan Street, west of Federal Highway. This property is currently vacant. In preparation of developing the site, the applicant is requesting to change the zoning designation of the western one quarter of the property to SFED-MU, matching the eastern three quarters of the property which will allow a greater variety of uses than the current zoning of RO.

REZONING

The applicant has indicated in their justification statement how the request satisfies the rezoning criteria identified in Section 645-40 of the City's LDC. The criteria are identified below.

- (1) "That the request is consistent with the city's comprehensive plan; and"
- (2) "The request is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans, and master plans approved by the city commission; and"

(3) "The request would not give privileges not generally extended to similarly situated property in the area, or result in an isolated district unrelated to adjacent or nearby districts; and

- a. the request furthers the city's adopted community redevelopment plan, if applicable; or
- b. An error or ambiguity must be corrected; or
- c. There exists changed or changing conditions which make approval of the request appropriate; or
- d. Substantial reasons exist why the property cannot be used in accordance with the existing zoning; or
- e. The rezoning is appropriate for the orderly development of the city and is compatible with existing (conforming) adjacent land uses, and planned adjacent land uses".

The rezoning application requires two (2) readings by the City Commission for approval. In addition to this rezoning request, the applicant has submitted a Site Plan application, which is currently completing Development Review Committee (DRC) review and will require approval by the City Commission prior to development of the site.

LOCAL PLANNING AGENCY ACTION

On May 17, 2017 the Planning and Zoning Board, sitting as the Local Planning Agency, heard this item. The Board's recommendation will be presented at the City Commission meeting.

RECOMMENDATION

The requested rezoning meets the criteria identified in the City's Land Development Code. Therefore the City Commission may approve the rezoning request.



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

Date Rec'd: _____

Petition No.: RZ-43-17

- ☐ Other: _____ (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: 30 SW 16 STREET

Lot(s): 4 Block: _____ Subdivision: _____

Recorded Plat Name: _____

Folio Number(s): 5142-03-10-5610 Legal Description: NORTH HOLLYWOOD 4-1 B LOT 6 LESS FOR RD BLK 43

Applicant/Consultant/Legal Representative (circle one) Bowman Consulting Group, Ltd.

Address of Applicant: 401 E. las Olas Blvd, Suite 1400, Ft. Lauderdale, FL 33301

Business Telephone: (954)-712-7482 Home: _____ Fax: _____

E-mail address: bpeffer@bowmanconsulting.com

Name of Property Owner: Guru Shakti Group LLC

Address of Property Owner: P.O. BOX 85087 Hallandale Beach, FL 33008

Business Telephone: _____ Home: _____ Fax: _____

Explanation of 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: 0.86 Gross Acreage: _____ Prop. Square Footage: 37,317

Existing Use: Gas Station and Convenience Store Proposed Use: Gas Station and Convenience Store

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

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 Bill Pfeffer, P.E. (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: Kamal Deep Narang
(Owner / Agent signature*)

BEFORE ME THIS 28th DAY OF January, 2017

BRENDA GODDEN-FRANCIS
Notary Public, State of New York
No. 01GO5059081
Qualified In Queens County
Commission Expires April 2018

By: Kamal Deep Narang
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary [Signature]
(Signature of Notary Public – State of New York)

Personally known _____ or Produced Identification _____

Type of identification produced: _____ or Drivers License 896784730

***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.**

City of Dania Beach APPLICATION TYPE AND FEE SCHEDULE

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

The following fees shall apply to all applications for land use plan amendments, rezoning, special exception use, variances, site plans and other zoning related applications. These fees are used to defray staff cost in the evaluation of the proposal made and provide for the required notices and public advertisements according to Florida State Statute and the Dania Beach Land Development Code. Should any applicant have more than one type of request to the City, the applications involved should be submitted at the same time. The present City policy is to have concurrent reviews being processed before the final review and actions by the Planning and Zoning Board and/or City Commission. It is the obligation of all applicants to review the appropriate City Codes and design standards related to their proposal before making any application to the City. The standard review process for all development applications are two (2) review cycles. **Any additional review or public notice required by staff or professional consultants due to the incorrect interpretation of the Land Development Code will be charged to the applicant as per "Section 685-10 Cost Recovery for Development Review" of the Dania Beach Land Development Code.**

APPLICATION TYPE	FEE
LAND USE	
Assignment of Flex Units or Acreage	Filing fee = \$4,000.00 plus \$5.00 per flex, reserve or LAC/RAC unit or hotel room or \$100 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Change of Land Use	Filing fee = \$7,000.00, plus \$500.00 per acre or portion of area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
ZONING	
Change of Zoning (Rezoning)	Less than 2 acres - \$2,500.00 Greater than 2 acres - \$6,000.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Zoning Code Text Change	Changing the list of Permitted Uses - \$6,000.00 General Text - \$2,000.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
PLAT	(Perimeter) Filing fee = \$2550.00 plus \$50.00 per acre or portion of such area (Subdivision) Filing fee = \$2550.00 plus \$100 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Delegation Request	\$1,500.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
SITE PLAN	
Residential, Hotel, Condo-Hotel, Time-Share, Motel	Filing fee = \$1,000.00 PLUS \$10.00 per unit Plus retainer for staff/consultant review, administrative and notice cost \$5,000.00 Minimum fee = \$6,100.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
All other uses	Filing fee = \$1,000.00 PLUS the following: \$5.00 : 100 s.f. for 1 st 10,000 s.f., \$2.00 : 100 s.f. in excess of 10,000 s.f. Plus retainer for staff/consultant review, administrative and notice cost \$4,000.00 Minimum fee = \$5,500.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Site Plan Revisions	\$2,500.00 - <i>Includes staff processing and up to 2 review cycles.</i> <i>Additional variances associated with any revision to a site plan are charged according to the associated variance type.</i>
Extension of Approval(s) (Site plan, variance, special exception requests)	\$1,250.00 – Single Extension (PLUS) an additional \$ 250.00 for each associated approval

City of Dania Beach APPLICATION TYPE AND FEE SCHEDULE

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

The following fees shall apply to all applications for land use plan amendments, rezoning, special exception use, variances, site plans and other zoning related applications. These fees are used to defray staff cost in the evaluation of the proposal made and provide for the required notices and public advertisements according to Florida State Statute and the Dania Beach Land Development Code. Should any applicant have more than one type of request to the City, the applications involved should be submitted at the same time. The present City policy is to have concurrent reviews being processed before the final review and actions by the Planning and Zoning Board and/or City Commission. It is the obligation of all applicants to review the appropriate City Codes and design standards related to their proposal before making any application to the City. The standard review process for all development applications are two (2) review cycles. **Any additional review or public notice required by staff or professional consultants due to the incorrect interpretation of the Land Development Code will be charged to the applicant as per "Section 685-10 Cost Recovery for Development Review" of the Dania Beach Land Development Code.**

SPECIAL EXCEPTION	
SPECIAL EXCEPTION (Excluding cell towers)	Filing fee = \$3,700.00 plus \$200.00 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
SPECIAL EXCEPTION (Cellular Towers)	Filing fee = \$4,000 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Additional Resubmittal (In addition to the standard (2) review cycles)	Any additional review or public notice required by staff or professional consultants due to the negligence of the applicant will be charged to the applicant as per Article 685-10 Cost recovery for Development Review of the Dania Beach Land Development Code.
VARIANCES, APPEALS & WAIVERS	
Administrative, Single Family	\$ 300.00
Administrative, all other	\$ 500.00
Single Family/Community Facility	\$ 490.00
Duplex	\$1,050.00
Triplex	\$1,150.00
Multifamily, Hotel, Condo-Hotel (per variance)	\$2,300.00
Nonres. (per variance)	\$2,000.00
Wall Sign	\$ 700.00
Monument Sign	\$1,200.00
Pole Sign (As permitted)	\$2,400.00
Appeal (single family & comm fac)	\$ 650.00
Appeal (all other uses)	\$1,925.00
Dumpster Appeal to Com. Dev. Dir.	\$ 200.00
Dumpster Appeal to City Com.	\$ 500.00
Alcoholic Beverage Variance	\$1,250.00
Mobility	\$1,400.00
Trafficway Waiver	\$4,000.00
Vacation – Road/Easement	\$3,500.00
Alcohol Extended Hours License Application	\$2,250.00
Alcoholic Beverage Waiver	\$1,000.00
Zoning Review: State Liquor License	\$ 50.00
Outdoor Seating/Dinning	\$ 100.00
Assisted Living Facility	\$ 65.00
CRA Grant Application	\$ 800.00 <i>(up to this amount based on scope of work)</i>
UNSPECIFIED	\$ 500.00 PLUS any outside costs incurred by the city as per "Section 685-10"

Revised – 8-23-11 As per City Commission Approval Resolution #2011-090



GUNSTER
FLORIDA'S LAW FIRM FOR BUSINESS

Heidi Davis Knapik
Direct Dial Number: 954.468.1391
E-Mail Address: hdavis@gunster.com



Rezoning Justification / Criteria
Proposed 7-Eleven
1554 S. Federal Highway, Dania Beach, Florida



The Applicant, 7-Eleven, Inc., is proposing to redevelop property located at 1554 S. Federal Highway, Dania Beach, Florida (the "Property"). The Property, at the northwest corner of South Federal Highway and Sheridan Street, is approximately 29,301 square feet (0.67 acre) and is made up of four platted lots. The north side of Sheridan Street is within the City of Dania Beach and the south side is located within the City of Hollywood. All four corners of the intersection contain commercial uses including a service station, fast food restaurant and a Publix anchored shopping center. The eastern most lot of the Property, which is the largest, is currently used as a service station with eight fueling positions, a small convenience store and automotive service bays. The remaining lots are vacant.

The three eastern lots are zoned South Federal Highway Mixed Use (SFED-MU) and the western most lot is zoned Residential Office (RO). The entire Property is designated Regional Activity Center ("RAC") on the City's Future Land Use Map. The purpose of the RAC is to encourage redevelopment within the areas designated and to provide the needed flexibility to facilitate development. 7-Eleven is proposing to completely redevelop the Property by removing the current structures and replacing them with state-of-the-art multi-product dispensers, new underground fuel tanks, a 2,940 square foot convenience store and a 1,000 square foot retail/office use. In order to accomplish the renovation and revitalization of this important corner, the Property's zoning will need to be unified and therefore, a rezoning application is being submitted to rezone the western most lot to SFED-MU to make it consistent with the rest of the Property.

The Applicant is proposing to rezone the western lot in order to redevelop the Property with a new development plan that is consistent and compatible with City's regulations and plans. The proposed rezoning of the western lot to SFED-MU is compatible in character and scale with the surrounding uses and the site plan design will include appropriate setbacks and buffering between proposed and existing uses. 7-Eleven's application for rezoning satisfies the applicable

requirements of Article 645 of the City's Land Development Code ("LDC") and specifically the review criteria as set forth in Section 645-40 as follows:

1. **The request is consistent with the City's comprehensive plan.** The proposed rezoning of the western lot from RO to SFED-MU is consistent and compatible with various goals, objectives and policies of the City's Comprehensive Plan including, but not limited to the following:

- **Policy 1.2 - Commercialized activities will be provided to serve the residents of the community.**

The entire premise of 7-Eleven is to serve the residents of the community. With its convenience store and fueling operations, the residents of Dania Beach will be able to frequent 7-Eleven to purchase a bottle of milk, fill up their gas tank or pick up baby diapers, in case of need. The location of the Property at this intersection makes the use convenient for the residents.

- **Policy 2.1 - Facilities and services will meet the levels of services outlined in the Comprehensive Plan Elements.**

The Property will meet levels of service and concurrency and will not overburden the facilities and services necessary to serve the proposed development.

- **Policy 5. 1 - Encourage development to enhance the tax base of the community.**

7-Eleven's long term lease, redevelopment and operation of this Property will greatly enhance the tax base of the community.

- **Policy 8.1 - Adequate drainage and stormwater management shall be provided for all development.**

The new development on the Property will maintain and manage its stormwater in accordance with City, County and State regulations. The Property will also be serviced by centralized water and wastewater systems.

- **Policy 8.3 - Safe and convenient on site traffic flow shall be provided in accordance with the Comprehensive Plan and the land development regulations.**

The proposed site plan on the Property ensures safe and convenient onsite traffic and pedestrian circulation. The rezoning of the west lot will enable additional site circulation which is safer for both vehicular and pedestrian traffic.

- **Policy 9.2 - All proposed development and future land uses shall be compatible with adjacent land uses.**

The proposed 7-Eleven development and future land uses are compatible with adjacent land uses. All adjacent properties have an underlying land use designation of RAC, which is designed for a mix of uses in an urban setting to encourage redevelopment along transit corridors.

- **Policy 10.1 Innovative site design and land planning shall be permitted within these land development regulations.**

The rezoning of the west lot enables the 7-Eleven site design and land planning to be consistent with the land development regulations and allows for adequate vehicular and pedestrian traffic around the Property.

2. The request is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans and master plans approved by the City Commission. The Property is located along two major corridors at the southern-most boundary of the City – South Federal Highway and Sheridan Street - and is part of the City’s Regional Activity Center. The RAC is designed to encourage development and redevelopment along these corridors. The west lot will be rezoned to the SFED-MU zoning district to make it consistent and compatible with the eastern lots. The SFED-MU district encourages medium-intensity redevelopment of the corridor with a mix of uses with a design emphasis on pedestrian street life in a manner that supports public transit, while creating interest and fostering investment in the immediate neighborhood. The SFED-MU implements the RAC category of the comprehensive plan. The South Federal Highway corridor is also designated a transit oriented corridor and with the redesigned site plan, the Property will include wide, expansive sidewalks with street trees to encourage pedestrian and bicycle activity along these corridors. The rezoning is consistent with these approved City plans.

3. The request would not give privileges not generally extended to similarly situated property in the area or result in an isolated district unrelated to adjacent or nearby districts. The rezoning of the west lot will not provide privileges not generally extended to similarly situated property in the area. The City designated all of the property in this area with a RAC land use, which permits mixed uses including residential and commercial to co-exist in an urban environment. Including this small, undeveloped western lot within the redevelopment will not create an isolated zoning district, as the eastern lots of the Property are immediately adjacent, related to the site plan and zoned SFED-MU.

- a. The request furthers the City’s adopted community redevelopment plan.**

The rezoning of the western-most lot of the Property will create a development site that is consistent and compatible with the underlying RAC, community redevelopment plans and the City’s zoning code. The SFED-MU zoning district encourages medium-intensity redevelopment of the corridor with a mix of retail, office, residential, and lodging uses with a design emphasis on pedestrian street life in a manner that supports public transit, while creating interest and fostering investment in the immediate neighborhood. This will be accomplished through a mix of residential and commercial uses along the corridor, such as the proposed 7-Eleven development.

Pursuant to the SFED-MU zoning district regulations, the district implements the RAC category of the comprehensive plan.

b. The rezoning is appropriate for the orderly development of the City and is compatible with existing (conforming) adjacent land uses, and planned adjacent land uses.

The proposed 7-Eleven use is compatible with the existing environment and the adjacent land uses and planned adjacent land uses. The Property and its surrounding neighbors are all designated RAC on the City's Future Land Use Plan, encouraging development and redevelopment of mixed uses. The eastern portion of the Property currently contains a gas station with a small convenience store and service bays. The proposed use and the uses of the adjacent properties are consistent with the uses permitted within the RAC. Additionally, the design of the proposed 7-Eleven will minimize any potential adverse effects on adjacent properties. The project will not produce noise, dust or other nuisances and the Property's lighting complies with the City's regulations. The proposed use as a neighborhood convenience store with fuel sales is consistent and compatible with the neighboring properties and will not adversely affect surrounding uses.

FTL_ACTIVE 5015027.2

ORDINANCE NO. 2017-017

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY BOWMAN CONSULTING GROUP, LTD., AGENT FOR THE PROPERTY OWNER GURU SHAKTI GROUP LLC, TO REZONE PROPERTY LOCATED AT 30 SW 16th STREET, DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL OFFICE (RO) DISTRICT TO SOUTH FEDERAL HIGHWAY MIXED USE (SFED-MU) DISTRICT (APPLICATION NO. RZ-43-17), SUBJECT TO CERTAIN RESTRICTIONS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 28, the “Land Development Code,” Part 6, “Development Review Procedures And Requirements,” Article 645, “Rezoning” of the City Code of Ordinances (the “City Code”), Bowman Consulting Group, Ltd., agent for the property owner, Guru Shakti Group LLC (the “Applicant”), has applied to the City of Dania Beach (the “City”) for approval of a rezoning (Application RZ-43-17) for property located at 30 SW 16th Street as legally described in Exhibit “A”; a copy of which is made a part of and incorporated into this Ordinance by this reference; and

WHEREAS, the City Planning and Zoning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on May 17, 2017 and determined that the proposed rezoning is consistent with the goals and objectives of the City of Dania Beach Comprehensive Plan (the “Comprehensive Plan”), and therefore, recommended approval of the proposed rezoning; and

WHEREAS, the City Commission conducted two (2) duly noticed public hearings in accordance with law; and

WHEREAS, the City Commission finds that the approval of the proposed rezoning will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives and policies of the Comprehensive Plan.

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

Section 1. That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and they are made a specific part of this Ordinance.

Section 2. Pursuant to Chapter 28 “Land Development Code,” Part 6, “Development Review Procedures And Requirements,” Article 645, “Rezoning” of the City Code, the rezoning request (RZ-43-17) from Residential Office (RO) District to the South Federal Highway Mixed Use (SFED-MU) District, for the property located at 30 SW 16th Street, in the City of Dania Beach, Florida, as legally described in Exhibit “A,” is hereby approved.

Section 3. That issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality 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.

Section 4. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 6. That this Ordinance shall be effective immediately upon its passage and adoption on second reading.

PASSED on first reading on May 23, 2017.

PASSED AND ADOPTED on second reading on _____, 2017.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

TAMARA JAMES.
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

EXHIBIT “A”

LEGAL DESCRIPTION

Lot 6, Less the South 15.00 feet thereof, Block 43, North Hollywood, according to the Map or Plat thereof, as recorded in Plat Book 4, Page(s) 1, of the Public Records of Broward County, Florida.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28 OF THE “LAND DEVELOPMENT CODE”, OF THE CITY’S CODE OF ORDINANCES BY AMENDING PART 1 “USE REGULATIONS,” ARTICLE 115 “INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES AND CONDITIONS OF USE,” SECTION 115-40 “SCHEDULE OF PERMITTED USES” TO REMOVE OUTDOOR STORAGE OF VEHICLES; AND PART 2 “SITE DEVELOPMENT REGULATIONS,” ARTICLE 265 “OFF STREET PARKING REQUIREMENTS,” SECTION 265-50 “OFF-STREET PARKING REQUIRED; ON-STREET PARKING CREDIT” TO MODIFY REQUIRED PARKING FOR DAYCARE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

--

Exhibits Attached

Ordinance, Staff Report (TX-27-17)

ORDINANCE NO. 2017-018

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28 OF THE "LAND DEVELOPMENT CODE", OF THE CITY'S CODE OF ORDINANCES BY AMENDING PART 1 "USE REGULATIONS," ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES AND CONDITIONS OF USE," SECTION 115-40 "SCHEDULE OF PERMITTED USES" TO REMOVE OUTDOOR STORAGE OF VEHICLES; AND PART 2 "SITE DEVELOPMENT REGULATIONS," ARTICLE 265 "OFF STREET PARKING REQUIREMENTS," SECTION 265-50 "OFF-STREET PARKING REQUIRED; ON-STREET PARKING CREDIT" TO MODIFY REQUIRED PARKING FOR DAYCARE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, Objective V of the Future Land Use Element of the City of Dania Beach Comprehensive Plan provides that the City of Dania Beach will maintain land development regulations and zoning regulations to implement the City's Comprehensive Plan; and

WHEREAS, the City Commission of the City of Dania Beach ("City Commission") finds it periodically necessary to amend its Code of Ordinances and Land Development Code ("Code") in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, City staff recommends approval of the proposed changes; and

WHEREAS, the Planning and Zoning Board, sitting as the City's Local Planning Agency, has reviewed this Ordinance; and

WHEREAS, pursuant to Section 166.041 (c)(2), Florida Statutes, notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of the times and dates of the public hearings; and

WHEREAS, two (2) public hearings were held before the City Commission pursuant to the published notice described above; and

WHEREAS, the City Commission finds that adoption of this Ordinance through its police powers will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives, and policies of the City’s Comprehensive Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA¹:

Section 1. That the preceding “Whereas” clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Part 1 “Use Regulations,” Article 115 “Industrial Districts: Permitted, Prohibited, Special Exception Uses And Conditions of Use,” Section 115-40 “Schedule of permitted uses” of the City of Dania Beach Land Development Code is amended to read as follows:

Sec. 115-40. - Schedule of permitted uses.

○

<u>end</u>	
P	Permitted
A	Permitted accessory use only
#, #	(Ex: 1, 2) Permitted subject to the conditions of use numbered 1 and 2 found in section 115-50
SE	Permitted special exception use only, pursuant to article 630
SE(#, #)	(Ex: 1, 2) Permitted as a special exception only, and subject to conditions of use numbers 1 and 2 found in section 115-50.
NP	not permitted

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strikethrough~~.

USES	IROM	IROM-AA	IROC	IROI	IG	IR	PEDD	MA-1

MARINE AND HEAVY INDUSTRIAL USES								

Outdoor storage/parking of fully assembled & operational automobiles, aircraft, bus, truck, recreation vehicles, motor home, motorcycle, tractor trailer, boat or construction equipment.				NP	17, 76, 77 NP		NP	NP

Section 3. That Part 2 “Site Development Standards,” Article 265 “Off-Street Parking Requirements,” Section 265-50 “Off-street parking required; on-street parking credit” of the City of Dania Beach Land Development Code is amended to read as follows:

Sec. 265-50. - Off-street parking required; on-street parking credit.

SCHEDULE OF MINIMUM OFF-STREET PARKING REQUIREMENTS

Minimum Off-Street Parking Requirement			
Use	All Districts		CRA Form-Based Districts

(B) Community Facilities			

10	Day care, preschool	One (1) per one hundred fifty (150) <u>three hundred (300)</u> sf or five (5) total (greater of)	

Section 4. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to such extent of the conflict.

Section 6. That this Ordinance shall be codified in accordance with the foregoing. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City of Dania Beach Code of Ordinances; and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such intentions.

Section 7. That this Ordinance shall take full effect immediately upon its passage and adoption.

PASSED on first reading on May 23, 2017.

PASSED AND ADOPTED on second reading on _____, 2017.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



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

DATE: May 23, 2017

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director

FROM: Anne-Christine Carrie, Planner
Corinne Lajoie, AICP, Planning and Zoning Manager, LEED G.A. *CL Lajoie*

SUBJECT: **TX-27-17:** The applicant, City of Dania Beach, is requesting several zoning text amendments to the City's Unified Land Development Code, known as OneCode (FIRST READING).

REQUEST

TEXT AMENDMENT

1. To no longer permit outdoor storage/parking of fully assembled & operational automobiles, aircraft, bus, truck, recreation vehicles, motor home, motorcycle, tractor trailer, boat or construction equipment in the IROM-AA zoning district; per Section 115-40.
2. To change the parking requirement for day care and preschool facilities from one (1) per one hundred fifty (150) square feet, to one per four hundred (400) square feet or five (5) total (greater of); per Sec. 265-50 (D).

On September 14, 2010, the City Commission approved the City's new Land Development Code (LDC) referred to as OneCode. As staff continues to use the new regulations, scrivener's errors, inaccuracies and vague, imprecise or ambiguous language continues to emerge, some of which staff is proposing to address at this time. In addition, over time any set of regulations becomes antiquated unless periodically updated.

The following amendments to the Unified LDC are proposed:

1. OUTDOOR STORAGE AND PARKING

This amendment will no longer permit outdoor storage/parking of fully assembled & operational automobiles, aircraft, bus, truck, recreation vehicles, motor home, motorcycle, tractor trailer, boat or construction equipment in the IROM-AA zoning district.

2. PARKING FOR DAYCARE AND PRESCHOOLS

This amendment will reduce the amount of parking required for day care and preschool facilities. At this time, one (1) parking space is required for every one hundred fifty (150) square feet. This change will now require only one (1) parking space per every four hundred (400) square feet, or five (5) total (greater of).

PLANNING AND ZONING BOARD RECOMMENDATION

On April 19, 2017, the Planning and Zoning Board heard this item and failed to recommend approval. The Board was against the proposed amendments to the incentives program which have since been removed from this ordinance.

RECOMMENDATION

Staff recommends approval of the requested text amendments.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

AMEND CHAPTER 28 OF THE “LAND DEVELOPMENT CODE”, OF THE CITY’S CODE OF ORDINANCES BY AMENDING PART 3 “SPECIAL ZONING DISTRICTS,” SUBPART 1 “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS,” ARTICLE 305 “INCENTIVES” TO MODIFY THE APPLICABILITY AND REGULATIONS OF INCENTIVES AND RELOCATE INCENTIVES FOR PUBLIC PARKS

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

--

Exhibits Attached

Staff Report, Application, Ordinance



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

DATE: May 23, 2017

TO: Robert Baldwin, City Manager

FROM: Thomas Ansbros, City Attorney
Marc LaFerrier, AICP, Director

SUBJECT: **TX-27-17B:** The applicant, City of Dania Beach, is requesting several zoning text amendments to the incentive identified in City's Unified Land Development Code, known as OneCode (FIRST READING).

REQUEST

TEXT AMENDMENT

1. Revise the existing Land Development Regulations which provide non-discretionary development bonus incentives to discretionary development bonus incentives as approved by the City Commission.
2. Add new provision(s) that allows existing property owners and future property owners within the preceding six (6) months of the effective date of the ordinance approval to utilize the former (non-discretionary) development bonus incentives.

On April 25, 2017 the City Commission heard a text amendment to amend several sections of the City's Land Development Code (LDC); one section pertained to incentives. That text amendment was not adopted. The City Attorney was subsequently asked to prepare a new text amendment ordinance which identifies changes to the incentive provisions only.

The existing development bonus incentive regulations were adopted on September 14, 2010, with the adoption of the unified LDC, also referred to as OneCode.

This amendment will clarify the general intent of the City's development bonus incentives. It is a voluntary program in which developers may choose to participate for which program incentives outlined in Article 305 may be awarded. This change gives the City Commission the option of awarding incentives to eligible developers. The incentives program will now be at the discretion of the City Commission and subject to adequate mitigation of project impacts by the applicant. Per this amendment, Article 305 will not operate nor is it intended to create any enforceable property rights.

In addition, language has been added, as discussed by the City Commission at the April 25, 2017 City Commission meeting, that would permit current property owners, and new property owners if they purchase property within six (6) months of the date of adoption of the ordinance, to utilize the previous incentive provisions.

This application requires two (2) public hearings by the City Commission.

CITY COMMISSION PREVIOUS ACTION

On April 25, 2017 the City Commission heard a larger text amendment which included amendments to the incentives, which was not adopted.

PLANNING AND ZONING BOARD RECOMMENDATION

On April 19, 2017, the Planning and Zoning Board initially heard this item and did not recommend approval. The Board was presented the current ordinance at its May 17, 2017 meeting.



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

Date Rec'd: _____

Petition No.: _____

☒ Other: Text Amendment (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESARRY 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: City Wide

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

Recorded Plat Name: _____

Folio Number(s): _____ Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) City of Dania Beach

Address of Applicant: 100 W. Dania Beach Blvd

Business Telephone: 954-924-6805 Home: _____ Fax: _____

E-mail address: _____

Name of Property Owner: _____

Address of Property Owner: _____

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: Amendments to the City's LOC.

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: _____ Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: _____ Proposed Use: _____

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 _____ (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: _____
(Owner / Agent signature*)

BEFORE ME THIS Monday DAY OF 13, 20 17

By:

(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Anastacia Hughes
(Signature of Notary Public – State of _____)

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.***

ORDINANCE NO. 2017-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28 OF THE "LAND DEVELOPMENT CODE", OF THE CITY'S CODE OF ORDINANCES BY AMENDING PART 3 "SPECIAL ZONING DISTRICTS," SUBPART 1 "COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS," ARTICLE 305 "INCENTIVES" TO MODIFY THE APPLICABILITY AND REGULATIONS OF INCENTIVES AND RELOCATE INCENTIVES FOR PUBLIC PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, Objective V of the Future Land Use Element of the City of Dania Beach Comprehensive Plan provides that the City of Dania Beach will maintain land development regulations and zoning regulations to implement the City's Comprehensive Plan; and

WHEREAS, the City Commission of the City of Dania Beach ("City Commission") finds it periodically necessary to amend its Code of Ordinances and Land Development Code ("Code") in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, City staff recommends approval of the proposed changes; and

WHEREAS, the Planning and Zoning Board, sitting as the City's Local Planning Agency, has reviewed this Ordinance; and

WHEREAS, pursuant to Section 166.041 (c)(2), Florida Statutes, notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of the times and dates of the public hearings; and

WHEREAS, two (2) public hearings were held before the City Commission pursuant to the published notice described above; and

WHEREAS, the City Commission finds that adoption of this Ordinance through its police powers will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives, and policies of the City's Comprehensive Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA¹:

Section 1. That the preceding “Whereas” clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Part 3 “Special Zoning Districts,” Subpart 1 “Community Redevelopment Area (CRA) Form-Based Zoning Districts,” Article 305 “Incentives” of the City of Dania Beach Land Development Code is amended to read as follows:

ARTICLE 305. – INCENTIVES

Sec. 305-10. - Applicability.

The incentive program is a voluntary program in which developers may choose to participate for which program incentives outlined in this Article may be awarded. Height, density and lot coverage bonuses may be are awarded when a developer provides or contributes to one or more of attainable housing, public parking, environmentally sustainable development (green building practices), public parks or open space. The incentive program established in this Article is a discretionary program in which development incentives may be granted by the City Commission if the impact of the proposed incentive is adequately mitigated. This Article does not operate nor is it intended to create any enforceable property right(s).

Notwithstanding the foregoing discretionary program limitations, owner(s) of real property located within the Community Redevelopment Area (CRA) form-based zoning districts shall be entitled to apply for development bonus incentives utilizing the criteria and standards established pursuant to the non-discretionary incentive program adopted prior to June __, 2017. Eligibility for participation in the non-discretionary incentive program adopted prior to June __, 2017, shall only be available to the following: (1) property owners that own real property within a one (1) year time period prior to June __, 2017, provided the requested development incentives are applied to development located on the subject real property; and (2) property owners that own real property pursuant to sale or transfer within a six (6) month time period commencing after June __, 2017, provided the requested development incentives are applied to development located on the subject real property.

Sec. 305-20. - Schedule of incentives.

The table below shows the amenities that may qualify for height, density and impervious area incentives within the different districts. The amount of the bonuses are delineated below the table. The developer may propose ~~can determine~~ the type and extent of amenities desired for the City’s consideration. ~~to provide in order to reach the maximum permissible height shown on the height maps.~~

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strikethrough~~.

Y = Incentive credit available N = Incentive credit not available	Districts					
List of amenities that <u>may</u> qualify for development incentives	CC	EDBB-MU	SFED-MU	NBHD-MU	GTWY-MU	NBHD RES
Provide public open space or paseo [see section 305-30]	Y	N	N	Y	N	N
Provide attainable housing [see section 305-40]	Y	Y	Y	N	N	N
Use sustainable building practices [section 305-50]	Y	Y	Y	Y	Y	N
Provide public parking [section 305-60]	Y	Y	Y	Y	Y	N
Provide public parks [section 305-70]	Y	N	N	N	Y	N

(A) — ~~In the City Center District and the Gateway Mixed-Use District, a development may be eligible for a density and height bonus not to exceed a maximum of two (2) stories and thirty (30) du/ac subject to the maximum density and height limitations established under the applicable zoning district. The public park incentive fee shall be calculated pursuant to section 305-70(b), which shall be applied to the city's park fund for park land acquisition or park improvements. The full public park incentive fee shall be paid in order to exercise any density or height bonus or combination thereof, under this section. The full public park incentive fee shall be paid regardless of whether the use of the density or height bonus is limited by the maximum density or height established under the applicable zoning district or the applicant chooses not to exercise portions of the height or density bonuses. Eligibility for a density and height bonus under this section shall require development containing a minimum of twenty-five (25) dwelling units.~~

(B) ~~The public park incentive fee shall be equal in value to fifty cents (\$0.50) per square foot of estimated residential gross floor area.~~

(C) ~~For purposes of this section, residential gross floor area shall be defined as the sum of the habitable horizontal area of all residential floors of all stories of a residential building or structure under a roof, and including interior amenity areas, clubhouses, lobby areas however excluding private garages, maintenance areas, utility areas, operational areas, storage closets, electrical and mechanical facilities, balconies, stairwells, elevators, basements and subbasements, covered parking, loading areas, and parking structures.~~

- (D) ~~The contributions referenced in this section are calculated in 2014 dollars and shall be adjusted by the Consumer Price Index on an annual basis.~~
- (E) ~~Payment of the public park incentive fees shall be made prior to issuance of a building permit.~~²

Sec. 305-30. - Incentives for providing public open space.

- (A) In the Neighborhood Mixed-Use District, a one (1) story and ten (10) du/ac bonus incentive may be granted for a minimum two thousand five hundred (2,500) sf open space that complies with article 312, or a pedestrian paseo that complies with section 309-20. The open space or paseo may shall satisfy one hundred (100) percent of the pervious open space requirement for the lot that provides it.
- (B) In the City Center District, a two (2) stories and twenty (20) du/ac bonus incentive may be granted for a minimum two thousand five hundred (2,500) sf open space that complies with article 312, or pedestrian paseo that complies with section 309-20, and one (1) story and ten (10) du/ac for each full additional one thousand five hundred (1,500) sf of open space that complies with article 312. The open space or paseo may shall satisfy one hundred (100) percent of the pervious open space requirement for the lot that provides it.
- (C) Adjoining lots may ean each contribute a portion of a single open space and may earn the bonus. The bonus may shall be allocated among the lots proportionate to the open space contribution as agreed between the property owners in a binding development agreement or other instrument acceptable to the city attorney.
- (D) This intensity bonus is available at the discretion determination of the city commission ~~or designee~~ based upon whether the any given location is appropriate and desirable for open space.
- (E) The standards for provision of public open space for incentive credit shall be as provided in article 312.

Sec. 305-40. - Incentives for providing attainable housing.

- (A) *Definition.* Attainable housing shall mean "workforce," "moderate workforce" and "low-income" as defined by the Administrative Rules Document of the Broward County Land Use Plan, article 8, and includes both owner-occupied and rental housing.
- (B) *[Workforce-income unit bonus.]* ~~A B~~ bonus density incentive of one (1) market-rate dwelling unit for each unit in the building that is workforce-income may be granted, up to the maximum density allowed in the district. One (1) additional story may shall be permitted for every ten (10) du/ac of bonus market-rate units that are awarded, or fraction thereof.

Example: a one-acre lot within the SFED-MU District is permitted to build twenty-five (25) du (25/ac) by right and up to fifty (50) du/ac through the attainable housing bonus. Of the twenty-five (25) permitted units, all will be workforce-income units, which allows a bonus

² This section has been relocated and renumbered as Section 305-70 "Incentives for public parks."

of twenty-five (25) market-rate units. The developer may now construct fifty (50) du (25 + 25), which does not exceed the maximum fifty (50) du/ac density allowed with bonuses. The twenty-five (25) bonus units equal a bonus density of twenty-five (25) du/ac, which divided by ten (10) du/ac per story equals two and one-half (2.5), rounded to three (3) bonus stories.

- (C) *[Moderate workforce-income unit bonus.]* A ~~B~~bonus density incentive of three (3) market-rate dwelling units for each unit that is moderate workforce-income may be granted, ~~unit~~ up to the maximum density allowed in the district. One (1) additional story may ~~shall~~ be permitted for every ten (10) du/ac of bonus market-rate units that are awarded, or fraction thereof.

Example: a one-acre lot within the SFED-MU District is permitted to build twenty-five (25) du (25/ac) by right and up to fifty (50) du/ac through the attainable housing bonus. Of the twenty-five (25) permitted units, the developer incorporates eight (8) moderate-income units, which allows a bonus of twenty-four (24) market-rate units. The developer may now construct forty-nine (49) du (25 + 24), which does not exceed the maximum fifty (50) du/ac density allowed with bonuses. The twenty-four (24) bonus units equal a bonus density of twenty-four (24) du/ac, which divided by ten (10) du/ac per story equals two and four-tenths (2.4), rounded to three (3) bonus stories.

- (D) *[Low-income unit bonus.]* A ~~B~~bonus density incentive of five (5) market-rate dwelling units for each low-income unit may be granted, up to the maximum density allowed in the district, provided that no additional bonus units are available for providing low-income units in excess of fifteen (15) percent of the number of dwelling units in the building. One (1) additional story may ~~shall~~ be permitted for every ten (10) du/ac of bonus market-rate units that are awarded, or fraction thereof.

Example: a one-acre lot within the SFED-MU District is permitted to build twenty-five (25) du (25/ac) by right and up to fifty (50) du/ac through the attainable housing bonus. Of the twenty-five (25) permitted units, the developer incorporates five (5) low-income units, which allows a bonus of twenty-five (25) market-rate units. The developer may now construct fifty (50) du (25 + 25), which does not exceed the maximum fifty (50) du/ac density allowed with bonuses. The five (5) low-income units also does not exceed 15 percent of the number of units in the building (five (5) units is ten (10) percent of fifty (50) units). The twenty-five (25) bonus units equal a bonus density of twenty-five (25) du/ac, which divided by ten (10) du/ac per story equals two and one-half (2.5), rounded to three (3) bonus stories.

- (E) *[Combined bonuses.]* Bonuses may be combined for providing different degrees of attainable housing within one development site.
- (F) *[Eligibility requirements.]* In order to be eligible for density and height bonuses under this section, the developer shall first guarantee the attainability of the unit for the specified income level as either rental or owner-occupied housing for a period of at least thirty (30) years via a restrictive covenant in a form acceptable to the city attorney ~~may require~~. The city commission may establish a one-time fee applicable to each development that receives bonus units to offset the cost of administering the attainable housing program.

Sec. 305-50. - Sustainable building practices; voluntary green building/development program.

- (A) *Overview.* The CRA green building/development program is a voluntary program that developers may choose to participate in, for which incentives outlined in this section may ~~shall~~ be awarded. Development incentive credit for sustainable ("green") building practices may be awarded based upon qualifying site design, construction and possibly, as applicable, operational practices.

(G) *Incentives.*

- (1) Developments that meet all of the criteria for certification under a third-party program, in accordance with [subsection] (D) above, plus the additional point margin to be established administratively by the city, may ~~shall~~ be awarded four (4) stories and twenty-eight (28) du/ac as a bonus, subject to the maximum height and density limitations of the applicable district, as well as a five (5) percent impervious area bonus.
- (2) Developments that qualify for at least one-half (½) of the total number of points required for third-party certification pursuant to subsection (E)(2), plus the additional point margin to be established administratively by the city, may ~~shall~~ be awarded two (2) stories and fourteen (14) du/ac as a bonus, subject to the maximum height and density limitations of the applicable district.

Sec. 305-60. - Provide public parking.

A ~~B~~bonus incentive of one (1) story, five (5) du/ac, and two and one half (2.5) percent impervious area may be granted for each ten (10) public parking spaces provided to the city for public parking use through city approval of dedication of the spaces for public use, or for payment in lieu of off-street parking in accordance with section 265-92 through provision of a shared parking agreement in a form approved by the city attorney, which shall restrict the spaces for public use, and shall run with the subject property in perpetuity. The intensity bonus shall not exceed the maximum height, density and minimum impervious area limitations of the applicable district.

Sec. 305-70. - Incentives for public parks.

- (A) In the City Center District and the Gateway Mixed-Use District, a development may be eligible for a density and height bonus incentive not to exceed a maximum of two (2) stories and thirty (30) du/ac subject to the maximum density and height limitations established under the applicable zoning district. The public park incentive fee shall be calculated pursuant to section 305-70(B), which shall be applied to the city's park fund for park land acquisition or park improvements. The full public park incentive fee shall be paid in order to exercise any density or height bonus or combination thereof, under this section. The full public park incentive fee shall be paid regardless of whether the use of the density or height bonus is limited by the maximum density or height established under the applicable zoning district or the applicant chooses not to exercise portions of the height or density bonuses.

Eligibility for a density and height bonus under this section shall require development containing a minimum of twenty-five (25) dwelling units.

* * *

Section 3. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to such extent of the conflict.

Section 5. That this Ordinance shall be codified in accordance with the foregoing. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City of Dania Beach Code of Ordinances; and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. That this Ordinance shall take full effect immediately upon its passage and adoption.

PASSED on first reading on _____, 2017.

PASSED AND ADOPTED on second reading on _____, 2017.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



Frequently Asked Questions

- **Who is CGI Communications, Inc.?**
Formed in 1988, CGI Communications, Inc. is the leading provider of high-impact marketing solutions to communities and small businesses. CGI is one of Upstate New York's top growth companies, receiving multiple Top 100 Awards in the Greater Rochester Area.
- **Are there any hidden costs?**
No, there is never a point where your municipality will see an invoice for any services we provide.
- **What if no businesses sign up for sponsorship?**
Even if zero sponsors participate, your Community will still receive the program at no cost. There is no threshold or minimum sponsorship requirement.
- **How long is the production time line?**
The welcome video can be completed with in a few weeks. The entire video production is typically about 12 -14 weeks, but can vary depending on what time of year filming is preferred.
- **What is the relationship between CGI and the United States Conference of Mayors and the National League of Cities?**
CGI works closely with the USCM and NLC to provide a myriad of digital marketing tools to showcase and promote individual municipalities nationwide. Our Community Showcase Program is an opportunity that both members and non-members can participate in.
- **Who fulfills the sponsorship element of the Community Video Program?**
CGI takes care of all sponsorship fulfillment, however if your community would like to recommend businesses to have the first right of refusal, we encourage and welcome you to do so.
- **Do we have a choice of what season we are filmed in?**
Absolutely! It is our goal to film municipalities in the season you feel best represents your community as a whole.
- **Do we need an Official Representative in our Welcome video?**
Absolutely not! It is your community's choice on whether or not you would like to have a civic leader represented in the welcome video.
- **Does our city have a choice in what type of establishments can participate in the sponsorship fulfillment?**
Of course! Your community has a say in the types of businesses that are featured. We simply need to know prior to the beginning of the sponsorship fulfillment campaign. For further information, please request CGI's Sponsor Policy.
- **Is there a special rate for non-profit organizations that want to get involved?**
We provide a Community Organizations chapter that creates an opportunity for local non-profits to garner exposure on our program at no-cost.
- **What is the GoCast Mobile App?**
GoCast gives you the power to record and upload videos to your official website and social media pages instantly! Operated right from your smart phone or device, GoCast allows you to record up to two minutes of video at a time with no limitation as to how often it's used. It is the perfect solution to adding new content to your website every day! From ribbon cuttings, festivals, departmental messages, emergency notifications, holiday greetings, event promotion...GoCast lets you capture it all.

Video Production

CGI highlights all aspects of your business with the distinct power of video. You know your business better than anyone, and we broadcast your message clearly and professionally. We work with you to determine the content and present your vision, translated into an engaging tool you can share online with your customers and clients-to-be!



1

WELCOME

Your project's producer will greet you, introduce themselves and schedule a time where the details can be discussed.



2

PRODUCTION MEETING

Your producer will call at the agreed upon time to explain each step in detail and ensure the final video includes everything that is important to you. You will also set a shoot date during this meeting, defining a clear deadline for the project.



3

SCRIPTING

A professional writer will review the information gathered during the production meeting and create a voiceover script that meets all the requirements. You will have final say over the script that is used.



4

STORYBOARD

Taking the foundation created by the writer, the producer will create the visual guide to your video, listing all people, props, and locations needed as well as the guide for filming the day of the shoot.



5

VIDEOGRAPHY

The videographer will arrive at the scheduled time and direct the shoot, filming all necessary scenes for your video. The footage will then be sent to your editor, which may take a week or two.



6

EDITING

The editor will follow the storyboard and place the best footage into a sequence with the recorded voiceover script to create your video for you to review.



7

APPROVAL

Once all changes you may have are made, your producer will ask for your final approval of the video.



8

ADD TO WEBSITE

After the video is approved, our web support specialist will ensure the video is embedded into any websites required to display the video.

Name: Tamara James

Title: Mayor

Address: 100 W Dania Beach Blvd

City, State, Zip: Dania Beach, FL 33004

Phone: 954-278-9136

Email: tamarajames@daniabeachfl.gov

Website: www.daniabeachfl.gov

2017 Community Video Program

CGI Communications, Inc.
130 East Main Street, 5th Floor
Rochester, NY 14604
(800) 398-3029 phone
(585) 653-7393 fax

This agreement is between CGI Communications, Inc. ("CGI") and the City of Dania Beach (the "City") and shall remain in effect from the date it is signed by both parties until the third anniversary of the date that the completed and approved Community Video Program is made available for viewer access on different devices via a link on the www.daniabeachfl.gov homepage, including any alternate versions of that homepage.

During the term of this Agreement, CGI shall:

- Produce 4 video chapters with subject matter that includes but is not limited to: Welcome, Education, Healthy Living, Homes / Real Estate, and two additional videos of your choice
- Provide one Community Organizations chapter to promote charities, nonprofits and community development organizations
- Provide script writing and video content consultation
- Send a videographer to City locations to shoot footage for the videos
- Reserve the right to use still images and photos for video production
- Provide all aspects of video production and editing, from raw footage to final video including professional voiceovers and background music
- Provide a final draft of Community Video Program content subject to City's approval (up to 3 sets of revisions allowed). CGI's request for approval of content or revision, including final draft, shall be deemed approved if no response is received by us within 30 days of request
- Provide our patented OneClick™ Technology and encode all videos into multiple streaming digital formats to play on all computer systems, browsers, and Internet connection speeds; recognized player formats include WindowsMedia™ and QuickTime™
- Store and stream all videos on CGI's dedicated server
- Feature business sponsors around the perimeter of video panels
- Be solely responsible for sponsorship fulfillment including all related aspects of marketing, production, printing, and distribution
- Facilitate viewer access of the Community Video Program from City website, including any alternate versions of City's homepage, for different devices, by providing HTML source code for a graphic link to be prominently displayed on the www.daniabeachfl.gov website homepage as follows: "Coming Soon" graphic link designed to coordinate with existing website color theme to be provided within 10 business days of execution of this agreement. "Community Video Program" graphic link to be provided to replace the "Coming Soon" link upon completion and approval of videos
- Grant to City a license to use CGI's Line of Code to link to and/or stream the videos
- Own copyrights of the master Community Video Program
- Assume all costs for the Community Video Program
- Afford businesses the opportunity to purchase various digital media products and services from CGI and its affiliates
- Honor any request for termination of this agreement upon 30 day notice and only if the City continues to provide the Community Video Program linkage from its homepage for the duration of business sponsorship fulfillment.

During the term of this Agreement, the City shall:

- Provide a letter of introduction for the program on City's letterhead
- Assist with the content and script for the Community Video Program
- Grant CGI the right to use City's name in connection with the preparation, production, and marketing of the Program
- Display the "Coming Soon" graphic link prominently on the www.daniabeachfl.gov homepage within 10 business days of receipt of HTML source code
- Display the "Community Video Program" link prominently on its www.daniabeachfl.gov homepage, including any alternate versions of your home page, for viewer access on different devices for the entire term of this agreement
- Ensure that this agreement remains valid and in force until the agreed upon expiration date, regardless of change in administration
- Grant full and exclusive streaming video rights for CGI and its subsidiaries, affiliates, successors and assigns to stream all video content produced by CGI for the Community Video Program
- Agree that the town will not knowingly submit any photograph, video, or other content that infringes on any third party's copyright, trademark or other intellectual property, privacy or publicity right for use in any video or other display comprising this program.

This Agreement constitutes the entire agreement of the parties and supersedes any and all prior communications, understandings and agreements, whether oral or written. No modification or claimed waiver of any provision shall be valid except by written amendment signed by the parties herein. City warrants that it is a tax exempt entity. The undersigned, have read and understand the above information and have full authority to sign this agreement.

The City of Dania Beach, FL

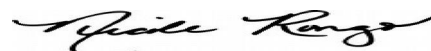
Signature:

Name (printed):

Title:

Date:

CGI Communications, Inc.



Name (printed): Nicole Rongo

Title: Vice President of Marketing and Acquisitions

Date: January 17, 2017



1301 Pennsylvania Ave., NW, Washington, DC 20004-1763 | 202-626-3000 | Fax: 202-626-3043 | www.nlc.org

Dear City Official:

The **National League of Cities (NLC)** is partnering with CGI Communications, Inc. to provide your city, with Internet video services and technology to enable you to expand your outreach to residents, visitors and current and prospective businesses through your city website. And, at no cost to your city.

We have chosen to work with CGI because of its outstanding reputation for quality and extensive experience in providing tens of thousands of communities, organizations, and businesses throughout North America with web-based marketing tools and services needed to compete in today's global and digital environment.

Founded in 1989, CGI Communications is an innovative, progressive, and high-tech company with a passion for excellence. CGI's constantly evolving line of multimedia services are known for giving municipalities, professional trade associations, chambers of commerce, destination marketing organizations, and private sector businesses a creative edge that no one else has.

NLC is partnering with CGI Communications because it provides a tremendous value and service not only to cities and towns across the country, but to their local businesses as well. We encourage you to take advantage of the opportunities being offered.

The National League of Cities is dedicated to helping city leaders build better communities. NLC is a resource and advocate for 19,000 cities, towns and villages, representing more than 218 million Americans.

For more information about all the products and services offered by CGI Communications, contact Nicole Rongo, CGI Communications Vice President of Marketing at 800-398-3029 x 203 or Marc Shapiro, Program Director, Strategic Partnerships, National League of Cities at 202-626-3019 or Shapiro@nlc.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Clarence E. Anthony".

Clarence E. Anthony
Executive Director



DATE

Dear Valued Business Owner:

Dania Beach is excited to announce a new partnership with CGI Communications, Inc. to create a series of professionally produced online videos to highlight everything our community offers residents, visitors, and business owners.

In addition to creating the videos, CGI is ensuring they are seen. Mobile devices have shifted the landscape of business, making it more important than ever to embrace technology as residents of Dania Beach are able to stream high quality video on every device. For many businesses, getting noticed online can be a challenge, however, **utilizing video dramatically improves visibility and drives more action to your website** than static pages; the demand for video climbing even higher for users on mobile devices. Today, mobile usage has surpassed desktop usage and that number continues to climb. CGI Communications will ensure your video program is future-proof for years to come!

With an easily viewable interface on the official city website, this video program will encourage viewers to learn more about area attractions, economic development opportunities, quality of life, and the businesses supporting the program. In addition, the city's official website will backlink to CGI's www.elocallink.tv, which hosts the Video Tour.

We are dedicated to highlighting the advantages of living and working in Dania Beach; advantages that include access to our wonderful business community; and we feel that this video program can be widely successful. We encourage you to consider participating in this city-wide program as it provides an exciting opportunity to showcase your business and utilize the power of video on your own websites and social media pages.

To learn more about sponsorship opportunities or to request an appointment please e-mail BrandonB@cgicommunications.com.

Best Regards,

Signatory
Title

**AIRPORT ADVISORY BOARD
MEMBERSHIP
Thursday, May 04, 2017**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Douglas Hasty 4908 Schooner Drive Fort Lauderdale, FL 33312-5212 305-632-1994 – Cell 305-348-2459 – Work douglashasty@gmail.com	January 24, 2017	November 2016 through November 2018	James
Ryan Stone 501 E. Dania Beach Boulevard Unit 1H Dania Beach, FL 33004 727-418-3232 m.ryanstone24@gmail.com	January 10, 2017	November 2016 through November 2018	James
Karen Harrington 4641 SW 30 th Way Dania Beach, FL 33312 954-445-0390 rickeyswingstwo@aol.com	January 24, 2017	November 2016 through November 2018	James
Chris Christianson 5815 SW 39 th Way Dania Beach, FL 33312-6254 954-444-8393 cchristianson2006@gmail.com	January 24, 2017	November 2016 through November 2018	Salvino
Dean Harley 606 NW 8 th Street Dania Beach, FL 33004-2320 513-652-5140 धारley@broward.org	January 24, 2017	November 2016 through November 2018	Salvino
Richard Ramcharitar 4620 SW 42 nd Terrace Dania Beach, FL 33314 786-423-1646 786-423-1906 fllqsc@gmail.com	January 24, 2017	November 2016 through November 2018	Salvino

**AIRPORT ADVISORY BOARD
MEMBERSHIP
Thursday, May 04, 2017**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
		November 2016 through November 2018	Harris
Micheline Peacock 60 Cat Cay Court Dania Beach, FL 33004 954-929-0775 954-309-6931 – Cell peacockm60@comcast.net	March 14, 2017	November 2016 through November 2018	Harris
		November 2016 through November 2018	Harris
Randy Wright 4391 SW 34 th Lane Ft. Lauderdale, FL 33312 954-983-6920 rcwpaw@juno.com	November 21, 2016	November 2016 through November 2018	Brandimarte
Gary Luedtke 4461 SW 34 Drive Fort Lauderdale, FL 33312-5513 gluedtke@gmail.com	January 10, 2017	November 2016 through November 2018	Brandimarte
		November 2016 through November 2018	Brandimarte
Keith Roberts 4417 SW 27 th Terrace Dania Beach, FL 33312 954-309-5555 bkars2020@aol.com	November 21, 2016	November 2016 through November 2018	Grace

AIRPORT ADVISORY BOARD
MEMBERSHIP
Thursday, May 04, 2017

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Bruce Hannover 617 NE 2nd Place Dania Beach, FL 33004 954-920-3563 bruceh8552@aol.com	November 21, 2016	November 2016 through November 2018	Grace
Oswaldo "Rick" Romero 75 Gulfstream Road, Unit #106B Dania Beach, FL 33004 305-962-4114 786-206-0040 – Work rromerofinance@gmail.com	November 21, 2016	November 2016 through November 2018	Grace

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Wednesday, May 17, 2017

Name/Address Phone Number	Date Appointed	Term	Appointment
Henriette Kitte Arnold 101 SE 3 rd Avenue, #504 Dania Beach, FL 33004 954.303.3498 hkitte@aol.com	January 10, 2017	November 2016 through November 2020	Brandimarte
Emmanual George 17 NE 2 nd Avenue #106 Dania Beach, FL 33004 954-628-6143 th3g1ft88@gmail.com	December 13, 2016	November 2016 through November 2020	Harris
		November 2014 through November 2018	Salvino
Luis G. Rimoli 902 Natures Cove Road Dania Beach, FL 33004 954.927.7161 954-404-8252 luis@stagedrightevents.com	November 18, 2014	November 2014 through November 2018	Grace
Joan M. Gringer P.O. Box 1557 Dania Beach, FL 33004 954.609.6435 joan@quietontheset.us	November 21, 2016	November 2016 through November 2020	James
David Nuby, Jr. P.O. Box 1214 Dania Beach, FL 33004 954.275.2579 davidnuby@aol.com	January 17, 2017	January 17, 2017 through January 17, 2019	Ad Hoc Committee

**CREATIVE ARTS COUNCIL ADVISORY BOARD
MEMBERSHIP
Wednesday, May 17, 2017**

Name/Address Phone Number	Date Appointed	Term	Appointment
José Armand 50 SE 3 Avenue, Apt. #3 Dania Beach, FL 33004 305.331.4939 jarmand37@yahoo.com	January 17, 2017	January 17, 2017 through January 17, 2019	Ad Hoc Committee
Annie Chaskalson 600 W. Las Olas Boulevard, #704 Fort Lauderdale, FL 33312 954.551.8080 Anniechaskalson@gmail.com	January 17, 2017	January 17, 2017 through January 17, 2019	Ad Hoc Committee
Patricia Chukerman 545 SE 4 th Court Dania Beach, FL 33004 954.929.8289 (H) 954.552.9996 (C) 954.772.1020 (W) bykermom@me.com	August 3, 2015	August 3, 2015 through August 3, 2017	Ad Hoc Committee
Tony Walsh 235 SE 9 th Street Dania Beach, FL 33004 904-252-1118 TWalshArts@aol.com	January 17, 2017	January 17, 2017 through January 17, 2019	Ad Hoc Committee
Charlene Alvarez 580 SE 13th Street, Apt. 203 Dania Beach, FL 33004 954.548.1291 954-548-1576 charlene3w2@gmail.com	January 17, 2017	January 17, 2017 through January 17, 2019	Ad Hoc Committee

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Wednesday, May 17, 2017

Name/Address Phone Number	Date Appointed	Term	Appointment
Rose Lizana Dania Beach Press P.O. Box 128 Dania Beach, FL 33004 954.925.4227 daniapress@aol.com	July 16, 2012 July 16, 2013	July 16, 2013 through July 16, 2014	Associate Member 1 Year Term
Executive Director of the Dania Beach Chamber of Commerce Randie Shane P.O. Box 1017 Dania Beach, FL 33004 954.926.2323 rshane@daniabeachchamber.org	NA	NA	Associate Member
President of the Dania Beach Paul DeMaio Friends of the Library Linda Wilson 954.929.8712 lb_wilson@bellsouth.net	NA	NA	Associate Member
President of the Dania Beach Tourism Council Joe Van Eron 1500 S.W. Second Ave. Dania Beach, FL 33004-4209 954.925.6935 Cell: 954.383.5548 info@visitdaniabeach.com	NA	NA	Associate Member
Dania Beach Improvement Committee Representative Patricia Hart 954.922.8179 Cell: 954.895.8179 pbubbahart@bellsouth.net	NA	NA	Associate Member

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Wednesday, May 17, 2017

Name/Address Phone Number	Date Appointed	Term	Appointment
Director of the City Parks and Recreation Department Mark Felicetty, Director 100 W. Dania Beach Blvd. Dania Beach, FL 33004 954.924.6800 x3730 mfelicetty@ci.dania-beach.fl.us	NA	NA	Associate Member
City of Dania Beach CRA Economic Development Manager Dan Murphy 100 W. Dania Beach Blvd. Dania Beach, FL 33004 954.924.6801 x3667 dmurphy@ci.dania-beach.fl.us	NA	NA	Associate Member
Don Mizell 187 NE 6 Ct. Dania Beach, FL 33004 310.343.3547 dmaceco@gmail.com	February 2013	NA	Honorary Member
Carolyn Jones 722 SW 3 rd Street P.O. Box 1242 Dania Beach, FL 33004 954.920.0727 Cj2002@bellsouth.net	March 2016	NA	Honorary Member

GENERAL EMPLOYEES PENSION BOARD
MEMBERSHIP
Monday, May 15, 2017

Name/Address Phone Number	Date Appointed	Term	Position
Dorothy D. Olive 315 SE 4 th Street Dania Beach, FL 33004 954-925-0191 deedso57@bellsouth.net	March 14, 2017	June 22, 2016 through June 22, 2018	Commission Appointment
Luis G. Rimoli 902 Natures Cove Road Dania Beach, FL 33004 954-927-7161 954-478-0653 luis@stagedrightevents.com	March 28, 2017	March 22, 2017 through March 22, 2019	Commission Appointment
		November 2016 through November 2018	Commission Appointment (Finance Dept. Employee)
Leo Williams 8761 NW 10 th Street Pembroke Pines, FL 33024 954-651-5031 leosupt@aol.com	September 30, 2015	June 21, 2015 through June 21, 2018	Employee Elected
Jose Urtecho 5050 SW 29 th Avenue Dania Beach, FL 33312 954-651-5039 jurtecho@ci.dania-beach.fl.us	July 22, 2016	June 21, 2016 through June 21, 2019	Employee Elected

POLICE & FIRE PENSION BOARD
MEMBERSHIP – 4 Year Terms
Monday, May 15, 2017

Name/Address Phone Number	Date Appointed	Term	Position
Carolyn Jones 722 SW 3 rd Street Dania Beach, FL 33004 954-920-0727 (H) 754-323-3033 (W)	March 16, 2015	March 2015 through March 2019	9 th Member Selected by Board Secretary
David Nuby, Jr. 401 SW 12 Avenue P.O. Box 1214 Dania Beach, FL 33004 954-275-2579 754-321-2320 Work davidnuby@aol.com	March 10, 2015	March 2015 through March 2019	Commission Appointment
Rae Sandler 810 NW 7 th Avenue Dania Beach, FL 33004 954-649-0396 raesandler@bellsouth.net	March 10, 2015	March 2015 through March 2019	Commission Appointment
Roger Handevitd 206 SE 3 rd Place Dania Beach, FL 33004 954-258-9915	March 10, 2015	March 2015 through March 2019	Commission Appointment
		March 2015 through March 2019	Commission Appointment
Todd Lleras 8001 NW 125 Terrace Parkland, FL 33076 954-274-8333 Cell 954-775-0769 Home tlлерas@gmail.com	March 16, 2015	March 2015 through March 2019	Fire Department Employee
Todd Neal 500 SW Siesta Way Stuart, FL 34994 772-341-4704 Cell tneal44@gmail.com	March 16, 2015	March 2015 through March 2019	Fire Department Employee

POLICE & FIRE PENSION BOARD
MEMBERSHIP – 4 Year Terms
Monday, May 15, 2017

Name/Address Phone Number	Date Appointed	Term	Position
Larry Rogers 100 W. Dania Beach Boulevard Dania Beach, FL 33004 954-926-2400	March 16, 2015	March 2015 through March 2019	Police Department Employee
Richard Tarrant 9213 Arborwood Circle Davie, FL 33328 Cfa110205@comcast.net	March 16, 2015	March 2015 through March 2019	Police Department Employee