



Environmental Protection and Growth Management Department

PLANNING AND DEVELOPMENT MANAGEMENT DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Project Description			
Plat Name:	Minto Federal	Number:	098-MP-05
Application Type:	Note Amendment	Legistar Number:	21-1714
Applicant:	T-C The Manor At Flagler Village, LLC	Commission District:	7
Agent:	Lochrie & Chakas, P.A.	Section/Twn./Range:	03/50/42
Location:	West side of Federal Highway, between Northeast 5 Street and Northeast 6 Street	Platted Area:	5.3 Acres
Municipality:	Fort Lauderdale	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	November 4, 2021		

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

The Application is attached as **Exhibit 7**. The Planning and Development Management Division (PDMD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Platting History and Development Rights			
Plat Board Approval:	November 4, 2006	Plat Book and Page Number:	177-103
Date Recorded:	October 01, 2007	Current Instrument Number:	110991332
Plat Note Restriction			
Original Plat:	This plat is restricted to 418 midrise units and 28,000 square feet of commercial use, excluding banks. Bank uses are not permitted without the approval of the board of county commissioners who shall review and address these uses for increased impacts.		
Proposed Note:	This plat is restricted to 418 midrise units and 35,000 square feet of commercial use.		
Waiver:	Not Applicable		

1. Land Use

Planning Council staff has reviewed the proposed plat note and notes that the City of Fort Lauderdale Comprehensive Plan is the effective Land Use Plan. That plan designates the area covered by this plat for the uses permitted in the “Downtown Fort Lauderdale Regional Activity Center” land use category. Regarding the existing and proposed uses, this plat is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center,” as recorded in Official Record Book 34094, Pages 1407-1412, see **Exhibit 3**.

2. Access

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and have no objection to this note amendment.

This project is located on North Federal Highway, which is a State Roadway. Florida Department of Transportation (FDOT) has issued a pre-approval letter, see **Exhibit 4**.

3. Municipal Review

The City of Fort Lauderdale has submitted a letter of no objections dated July 15, 2021, supporting the application, see **Exhibit 5**.

4. Concurrency – Transportation

This plat is located within the Eastern Core Concurrency Management Area, which is subject to transportation concurrency fees, as defined in Section 5-182.1. (a)(1)a) of Land Development Code. The proposed note amendment generates an increases of 7 trips per P.M. peak hour.

	Existing Use Trips per Peak Hour (PM)	Proposed Use Trips per Peak Hour (PM)
Residential	163	163
Non-Residential	197	204
Difference	Increase of 7 Trips per PM Peak Hour	

This plat was recorded with a note requiring development to occur before five (5) years from date of plat approval. This note is no longer required by the Land Development Code.

5. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	City of Fort Lauderdale	City of Fort Lauderdale
Plant name:	Fort Lauderdale (Fiveash) (05/21)	G.T. Lohmeyer (06/21)
Design Capacity:	90.00 MGD	48.00 MGD
Annual Average Flow:	48.45 MGD	40.59 MGD
Estimated Project Flow:	0.004 MGD	0.107 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

6. Impact Fee Payment

All impact fees will be calculated by Planning and Development Management Division, Development and Environmental Review Section; assessed based on construction plans submitted for environmental review approval and must be paid on date of building permit issuance.

7. Environmental Review

This plat has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 6** provides recommendations to the developer regarding environmental permitting for the future development.

8. Historic Resources

Broward County's consulting archaeologist has reviewed this request and, based on available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF), has determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archeological or paleontological sensitivity.

The consulting archaeologist also notes that this property is located in the City of Fort Lauderdale, outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact Anthony Fajardo, Department of Sustainable Development Director for the City of Fort Lauderdale at 954-828-5984 to seek project review for compliance with the municipal historic preservation regulations.

In the event any unmarked human burial remains are discovered, pursuant to Florida Statute Chapter 872.05, all activity that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

9. Aviation

The applicant is advised that any proposed construction or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Broward County Airport Zoning Ordinance. Based on the location, the FAA may need to review to determine whether the project is a potential hazard to aviation. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>.

10. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat and provided no comments.

11. Notice to Applicant

The applicant is advised that, in accordance with Section 125.022, Florida Statutes, the issuance of a development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Planning and Development Management Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the Eastern Core Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(1)a) of the Land Development Code.
2. This plat satisfies the drainage, water, wastewater, and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.

RECOMMENDATIONS

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall assure compliance with the standards and requirements of the Land Development Code:

1. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **November 4, 2022**.
2. Delete the plat note that references expiration of the Findings of Adequacy.
3. Any structure within this plat must comply with Section 2.1.f Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

In addition, staff recommends that the Board authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments and recommendations.

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