



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:	Progresso Commons	Number:	009-MP-17
Application Type:	Note Amendment	Legistar Number:	21-1722
Applicant:	Andrews Project Development LLC	Commission District:	7
Agent:	Pulice Land Surveyors	Section/Twn./Range:	34/49/42
Location:	South side of Sunrise Boulevard, between Andrews Avenue and Northwest 2 Avenue	Platted Area:	5.2 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 showing this Plat and parcels designated within the plat for the purpose of assigning development entitlement is attached as **Exhibit 2**.

The Application is attached as **Exhibit 8**. 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:	February 12, 2019	Plat Book and Page Number:	183-303
Date Recorded:	August 16, 2019	Official Record Book / Page:	34094/1407
Plat Note Restriction			
Current Plat:	This plat is restricted to 29,400 square feet of commercial use and a service station/convenience store with twenty (20) fueling positions.		
Proposed Note:	This plat is restricted to Parcel A-1 22,000 square feet of commercial use; Parcel A-2 convenience store with twenty (20) fueling positions; parcel A-3 9,600 square feet of commercial use; parcel A-4 Storm water retention.		
Extensions:	N/A		

1. Land Use

Planning Council has reviewed this application and determined that the City of Fort Lauderdale’s Comprehensive Plan is the effective Land Use Plan. That plan designates the area covered by this plat for the uses permitted in the “Northwest Regional Activity Center” land use category as stated on **Exhibit 3**. 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.

2. Access

Staff from the Highway Construction and Engineering Division and the Transit Division have reviewed this request and recommend APPROVAL pursuant to the attached memorandum in **Exhibit 4**. This request shall meet the standards of the Broward County Land Development Code at the time of permit.

This project is located on West Sunrise Boulevard (SR 838), which is a State Roadway. Florida Department of Transportation (FDOT) has issued a pre-approval letter, see **Exhibit 5**.

3. Municipal Review

The City of Fort Lauderdale has submitted a letter of no objections dated May 12, 2021, supporting the application, see **Exhibit 6**.

4. Concurrency – Transportation

This plat is located within the Eastern Core Transportation Concurrency Management Area which is subject to road impact fees, as defined in Section 5- 182.1(a)(1)a) of Land Development Code. The proposed plat generates 536 trips per PM peak hour, and the existing generates 481 trips per PM peak hour. This is an increase of 55 trips per PM peak hour.

	Existing Use Trips per Peak Hour (PM)	Proposed Use Trips per Peak Hour (PM)
Residential	0	0
Non-Residential	481	536
Total	536	
Difference	Increase of 55 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	G.T. Lohmeyer
Design Capacity:	90.00 MGD	48.00 MGD
Annual Average Flow:	46.325 MGD	40.59 MGD
Estimated Project Flow:	0.00316 MGD	0.00341 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

Transportation Concurrency and administrative fees will be assessed during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

7. Environmental Review

The plat note amendment application has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 7** provides recommendations to the developer regarding environmental permitting for the future development.

8. Additional Environmental Protection Actions

Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of building permit issuance. Approval to connect to such systems is reviewed by the Environmental Engineering and Permitting Division as a prerequisite to, and just prior to, issuance of building permits by the appropriate building department for any structures that are to be built on the platted site. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

9. Historic Resources

Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File by the County's consulting archaeologist indicates that the proposed development will not have an impact on historical or archaeological resources, and the consulting archaeologist has no objections to this application.

This property is located in the City of Fort Lauderdale and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The applicant is advised to contact City of Fort Lauderdale Planner, Linda Mila Franco, 954-828-8958, and Planner III, Trisha Logan, Urban Design and Planning Division, 954-828-7101, to seek project review for compliance with 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.

10. Aviation

The applicant is advised that any proposed construction on this property with a height exceeding 200 feet 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>.

11. Utilities

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

12. 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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