



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: | Antibes Development Plat II | Number: | 006-MP-91 |
| Application Type: | Note Amendment | Legistar Number: | 21-802 |
| Applicant: | Deerfield Development Resources, LLC | Commission District: | 4 |
| Agent: | Leigh Robinson Kerr & Associates, Inc. | Section/Twn./Range: | 31/47/43 |
| Location: | East of Northeast 1 Avenue between Northeast 5 Street and Dixie Highway | Platted Area: | 0.5 Acres |
| Municipality: | City of Deerfield Beach | Gross Area: | N/A |
| Previous Plat: | N/A | Replat: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Meeting Date: | June 15, 2021 | | |

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

The proposed residential units and dry storage boat slips includes property in three plats: Pennell Family Plat, Antibes Development Plat, Antibes Development Plat II. The level of development assigned by notes on each of these plats, is being amended by separate applications which will be considered on the June 15, 2021 agenda.

The Application is attached as **Exhibit 6**. 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: | October 10, 1991 | Plat Book and Page Number: | 150-26 |
| Date Recorded: | December 17, 1991 | Current Instrument Number: | 91494491 |
| Plat Note Restriction | | | |
| Original and Current Plat: | This plat is restricted to 7,800 square feet of commercial use/no restaurants. | | |
| Proposed Note: | This plat is restricted to ancillary parking garage to Pennell Family Plat. | | |
| Waiver: | A Waiver of Extension was granted until June 4, 2022 | | |

1. Land Use

Planning Council staff has reviewed the proposed note, and the Future Land Use Element of the City of Deerfield Beach’s Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat for the uses permitted in the “Residential Irregular (39)” land use category. The referenced plat is located within an area that was the subject of Broward County Land Use Plan (BCLUP) amendment PC 18-8, adopted by the Board on September 25, 2018. It is subject to voluntary restrictions as stated in **Exhibit 3**.

Additionally, this request is a companion item for two additional note amendments being presented to the Board on June 15, 2021. Therefore, this plat must be in coordination with “Pennell Family Plat” (001-MP-95) and “Antibes Development Plat” (107-MP-90).

2. Affordable Housing

This plat is subject to Policy 2.16.2 regarding affordable housing. In connection with PC 18-8, the applicant agreed to a voluntary contribution of \$500 per dwelling unit towards the City of Deerfield Beach’s affordable housing programs.

3. 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.

4. Municipal Review

The City of Deerfield Beach has adopted a Resolution No. 2020-095 on August 4, 2020 supporting the application, which is attached in **Exhibit 4**.

5. Concurrency – Transportation

This plat is located in Northeast Transportation Concurrency Management Area which is subject to Transportation concurrency fees, as defined in Section 5-182.1(a)(5)a) of Land Development Code. However, no trips will be added to the network as proposed parking garage is an ancillary use and will not generate any trips by itself.

| Proposed Use | Trips per Peak Hour (PM) |
|-----------------|--------------------------|
| Residential | N/A |
| Non-residential | N/A |
| Total | 0 |

6. Concurrency - Water and Wastewater Capacity

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

| | Potable Water | Wastewater |
|-------------------------|-------------------------|---------------------------------------|
| Utility Provider: | City of Deerfield Beach | City of Deerfield Beach |
| Plant name: | City of Deerfield Beach | Broward County North Regional (09/20) |
| Design Capacity: | N/A | 95.00 MGD |
| Annual Average Flow: | N/A | 72.03 MGD |
| Estimated Project Flow: | N/A | 0.0002 MGD |

The Health Department has reviewed this application and no calculations are required for potable water review. 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.

7. Impact Fee Payment

Transportation Concurrency and administrative fees will not be assessed, as proposed use will not add additional trips to the network.

8. Environmental Review

The plat note amendment application has been reviewed by Environmental Engineering and Permitting Division. **Exhibit 5** provides recommendations to the developer regarding environmental permitting for the future development.

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.

This property is located in the City of Deerfield Beach and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The applicant is advised to contact Eric M. Power, Director of the City of Deerfield Beach Planning & Development Services at 954-480-4200, 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 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.

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 Northeast Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(5)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 **June 15, 2022**.
2. Delete the plat note that references expiration of the Findings of Adequacy.

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.

MR