



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Project Description			
Plat Name:	Oakland Commercial Properties North	Number:	064-MP-80
Application Type:	Note Amendment	Legistar Number:	23-022
Applicant:	Assistance Unlimited, Inc.	Commission District:	9
Agent:	Kimley Horn & Associates	Section/Twn./Range:	13/49/41
Location:	West of State Road 7/U.S. 441, between Northwest 44 Court and Commercial Boulevard	Platted Area:	18.7 Acres
Municipality:	Lauderdale Lakes	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
Meeting Date:	February 07, 2023		

A location map showing the parcels designated within the plat for the purpose of assigning development entitlement is attached, see **Exhibit 2**.

The Application is attached, see **Exhibit 9**. The Urban Planning Division (UPD) 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:	December 21, 1982	Plat Book and Page Number:	118-30
Date Recorded:	January 6, 1984	Current Instrument Number:	112496481
Plat Note Restriction			
Current Note:	This plat is restricted to Tract A-1 is restricted to a service station with 24 fueling positions which includes a convenience store and carwash. Tract A-2 is limited to 51,000 square feet of office, 144,900 square feet of retail and 25,600 square feet of warehouse.		
Proposed Note:	This plat is restricted to Tract A-1 is restricted to a service station with 24 fueling positions which includes a convenience store and carwash. Tract A-2 is limited to 51,000 square feet of office, 144,900 square feet of retail and 25,600 square feet of warehouse. Tract A-3 is limited to a 110,000 square foot K-8 Charter school and 15,000 square foot daycare/pre-school.		

1. Land Use

Planning Council has reviewed this application and determined that the City of Lauderdale Lakes Comprehensive Plan is the effective land use plan. The plan designates the area covered by Tract A-3 of this plat for the uses permitted in the "Commercial" land use category. The existing and proposed charter school and daycare/preschool uses on Tract A-3 are in compliance with the permitted uses of the effective land use plan, see **Exhibit 3**.

2. Municipal Review

The City of Lauderdale Lakes has submitted the Resolution No.2022-067 dated June 28, 2022, and City Letter of No objection dated July 18,2022, supporting the application, see **Exhibit 4**.

3. Adjacent City

Notification was sent to the City of Tamarac. No objections were received, see attached **Exhibit 5**.

4. 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 State Road 7 (SR 7). Florida Department of Transportation (FDOT) has issued a pre-application letter, see the attached. Openings or improvements on functionally classified State Roads are subject to the "Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards," see **Exhibit 6**.

5. Concurrency – Transportation

This plat is located within the Central Transportation Concurrency Management Area, which is subject to Transportation Concurrency fees, as defined in Section 5-182.1(a)(1)a) of the Land Development Code. The proposed note amendment will be an increase of 1116 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Non-Residential	1,946	3,062
Difference	3,062-1,946 = 1,116	

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	Broward County (District 1)	Broward County (District 4)
Plant name:	Broward County (12/21)	BC North Regional (BCN)
Design Capacity:	16.00 MGD	95.00 MGD
Annual Average Flow:	7.72 MGD	70.18 MGD
Estimated Project Flow:	0.003 MGD	0.003 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, or that sufficient capacity will exist at time of building permit approval.

7. Impact Fee Payment

All road impact fees for the currently approved level of development for Tract A-2 were assessed and paid in full prior to plat recordation. Further, all transportation concurrency and administrative fees for approved development rights on Tract A-1 were assessed during Development and Environmental Review on August 13, 2014.

According to the Florida Statutes, 1002.33(18)(d), Charter school facilities are exempt from assessments of fees for building permits, fees for building and occupational licenses, impact fees or exactions, service availability fees, and assessments for special benefits.

Transportation Concurrency and administrative fees for the additional trips generated on Tract A-3 will be waived during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Urban Planning Division.

8. Environmental Review

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

9. Additional Environmental Protection Actions

Approval to connect to any wastewater collection, treatment, or disposal system is approved by the Environmental Permitting Division as a prerequisite prior to issuance of building permits. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

10. Archaeological and Historic Resource Review

This plat has been reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. See the attached historic and archaeological comments, **Exhibit 8**.

11. Aviation

The Broward County Aviation Department has no objections to this plat. This plat may be within 20,000 feet of the City of Fort Lauderdale's Fort Lauderdale Executive Airport. 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 Cities' Airport Zoning Ordinances. Based on the location of the proposed project, the cities or the FAA may need to conduct a review to determine whether the project is a potential hazard to aviation. To initiate the local municipality review, please contact the City of Fort Lauderdale directly, and to initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>.

12. Utilities

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

13. 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 Urban Planning 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 Central 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 **February 07, 2024**.

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.

MGA