



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Plat Name:	TP Prospector	Number:	017-MP-20
Application Type:	Note Amendment	Legistar Number:	22-731
Applicant:	TP Prospector LLC	Commission District:	8
Agent:	Pulice Land Surveyors, Inc.	Section/Twn./Range:	18-49-42
Location:	Southeast corner of State Road 7 (US 441) and Prospect Road	Platted Area:	2.1 Acres
Municipality:	North Lauderdale	Gross Area:	N/A
Previous Plat:	N/A	Replat:	☐ Yes ☒ No
Meeting Date:	June 7, 2022		

A location map showing this Plat designated within the plat for the purpose of assigning development entitlement is attached **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.

Plat Board Approval:	August 24, 2021	Plat Book and Page Number:	183-508
Date Recorded:	December 13, 2021	Current Instrument Number:	117797244
Original Plat:	This plat is restricted to a convenience store with 12 fueling positions.		
Proposed Note:	Parcel A is restricted to a convenience store with 12 fueling positions. Parcel B is restricted to 6,900 square feet of commercial use.		
Extensions:	A Waiver of Extension was not required		

1. Land Use

Planning Council has reviewed this application and determined that the City of North Lauderdale's Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat uses permitted in the "Commercial" land use category. The proposed commercial, convenience store and fueling positions uses are in compliance with the permitted uses of the effective land use plan. Planning Council memorandum is attached, **Exhibit 3**.

2. Municipal Review

The City of North Lauderdale has submitted a letter of No Objection supporting the application, see **Exhibit 4**.

3. Adjacent City

Notifications were sent to the Cities of Fort Lauderdale and 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 (US 441). 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 Central 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 will be an increase of 108 trips per PM peak hours.

	Existing Use Trips per Peak Hour (PM)	Proposed Use Trips per Peak Hour (PM)
Residential	NA	NA
Non-Residential	121	108
Total	229	

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	City of North Lauderdale	Broward County
Plant name:	North Lauderdale (04/21)	Broward County North Regional (12/21)
Design Capacity:	7.00 MGD	95.00 MGD
Annual Average Flow:	3.26 MGD	67.89 MGD
Estimated Project Flow:	0.0009 MGD	0.0008 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.

7. 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 Urban Planning Division, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

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. Historic Resources

This plat has been reviewed by the Broward County's consulting archaeologist. The review of available information includes archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF). The property is located within the City of North Lauderdale which is located within the jurisdiction of the Broward County historic preservation ordinance 2014-32. Attached are the historic and archaeological comments, see **Exhibit 8**.

10. Aviation

The Broward County Aviation Department has no objections to this plat. However, this property is within 20,000 feet of the City of Fort Lauderdale's Fort Lauderdale Executive Airport. Any proposed construction on this property with a height exceeding 200 feet, or the use of cranes or other high-lift equipment, must be reviewed to determine if Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the City's Airport Zoning Ordinances apply to this development. Based on the location of the proposed project, the FAA may need to conduct a 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>. To initiate the local municipality review, please contact the City of Fort Lauderdale directly.

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 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 **June 7, 2023**.
2. 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.

HWC