



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Project Description			
Plat Name:	Corporate Park at Cypress Creek	Number:	157-MP-80
Application Type:	Note Amendment	Legistar Number:	22-673
Applicant:	Cypress 6261 LLC and Citrix Systems, Inc.	Commission District:	8
Agent:	Andrew J. Schein, Esq. / Lochrie & Chakas, P.A.	Section/Twn./Range:	10/49/42
Location:	North side of Cypress Creek Road between Northwest 6 Way and Powerline Road	Platted Area:	6.25 Acres
Municipality:	City of Fort Lauderdale	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	June 7, 2022		

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

The Application is attached as **Exhibit 8**. 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:	November 4, 1980	Plat Book and Page Number:	108-11
Date Recorded:	December 16, 1980	Current Instrument Number:	80370218 and 90131886
Plat Note Restriction			
Original Note (lots 4 and 5 only):	None as to lots 4 and 5.		
Proposed Note (lots 4 and 5 only):	Lots 4 and 5 are restricted to 32,933 square feet of office uses and 312 mid-rise units.		
Waiver:	Not Applicable		
Previous Approvals:	The plat was approved by the Board on November 4, 1980, for industrial use (67.4 acres); on August 15, 1989, the Board approved a note amendment for a portion of lot 1, and all of lot 3 to be restricted to 140,000 square feet of office use.		

1. Land Use

Planning Council has reviewed this application and determined that the City of Fort Lauderdale Comprehensive Plan is the effective land use plan. The plan designates the area covered by this plat for the uses permitted in the “Employment Center” land use category. The existing and proposed office use are in compliance with the permitted uses of the effective land use plan, see **Exhibit 3**.

2. Affordable Housing

This plat is not subject to Broward County Land Use Plan (BCLUP) Policy 2.16.2 regarding affordable housing, because the City of Fort Lauderdale has allocated flexibility units on the site, see **Exhibit 3**.

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 Fort Lauderdale has submitted a letter of no objections dated November 1, 2021, supporting the application, see **Exhibit 4**.

5. Concurrency – Transportation

This plat is located within the 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 generates an increase of 268 trips per PM peak hour.

	Existing Use Trips per Peak Hour (PM)	Proposed Use Trips per Peak Hour (PM)
Residential	0	122
Non-Residential	156	302
TOTAL	424-156 = 268	
Difference	Increase of 268 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.

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	Broward County	Broward County
Plant name:	Broward County WTP (1A) (05/21)	Broward County North Regional (BCN) (12/21)
Design Capacity:	16.00 MGD	95.00 MGD
Annual Average Flow:	8.09 MGD	67.89 MGD
Estimated Project Flow:	0.12 MGD	0.10 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. Concurrency – Regional Parks

Broward County Parks and Recreation Division reviews all projects for Regional Park impacts and have reviewed this application and have no objection to this note amendment. This plat with the amended note satisfies the regional park concurrency requirement of Broward County Land Development Code.

8. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, this plat generates several students, and in accordance with Section 5-182.9(a)(1) of the Land Development Code, determined that it satisfies public school concurrency on the basis that adequate school capacity is expected to be available to support the proposed development. The development proposed by this plat will be subject to school impact fees, the School Board staff provided a School Capacity Availability Determination (SCAD) letter attached as **Exhibit 6**.

8. Impact Fee Payment

All impact fees (school impact, park impact and transportation concurrency) will be calculated by Urban Planning 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.

9. Environmental Review

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

10. Historic Resources

This plat has been reviewed 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 by the County's consulting archaeologist indicates that the proposed development is not likely to impact any significant historical or archaeological resources, and the consulting archaeologist has no objections to this application. See the attached Archaeological Comments, see **Exhibit 7**.

11. Aviation

The plat is within 20,000 feet of the City of Fort Lauderdale's Fort Lauderdale Executive Airport and the City of Pompano Beach's Pompano Beach Municipal 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 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 local municipality review, please contact the City of Fort Lauderdale and City of Pompano Beach directly. 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 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 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 solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.
3. This plat has been reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9 (a)(1) of the Land Development Code. See the attached School Capacity Availability Determination received from the School Board.
4. This plat satisfied the regional parks and recreation concurrency requirement of Section 5-182.7 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. 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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