

STAFF REPORT 20-799
Manchester Plat
174-MP-84

A request to amend the note on the plat has been filed with the Planning and Development Management Division. This plat was approved by the Board on March 19, 1985, for 28.8 acres of industrial use. The property is located on the north side of Southwest 15 Street, between Southwest 30 Avenue and Southwest 32 Way, in the City of Deerfield Beach. The plat was recorded on July 18, 1985 (Plat Book 124, Page 24).

The current note, which was approved by Board on March 19, 1985, restricts the plat as follows (Book 124, Page 24):

This plat is restricted to general industrial uses only. Commercial/Retail uses are not permitted without the approval of the Board of County Commissioners who shall review and address these issues for increased impacts.

The applicant is requesting to amend the plat note to add 105,000 square feet of medical office to Parcel C-1. The proposed note would read as follows:

Parcel C-1 (see attached legal description) is restricted to 105,000 square feet of medical office and the remaining use restricted to industrial.

This request was evaluated by the Reviewing Agencies.

Land Use

The attached memorandum from the Broward County Planning Council indicates that the effective Land Use Plan designates the area covered by this plat for the uses permitted in the "Industrial" land use category. Therefore, the existing industrial use is in compliance with permitted uses of the effective land use plan. Also, the staff received written confirmation that the use will be restricted to a medical laboratory and is considered in compliance with the effective land use plan.

Concurrency Review

This plat with the amended note satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Land Development Code. This request represents an increase of 148 PM peak hour trips generated by development within the plat. The plat is located within the Northeast Core Transportation Concurrency Management Area and meets the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Broward County Land Development Code.

Impact Fees

All road impact fees for Parcel C-1, based on industrial acreage, have been satisfied. Applicant is converting the existing 105,000 square feet of industrial use to accommodate for a medical office use. The parcel being created is vested for road impact fees previously paid and will pay remainder for trips generated. This plat is subject to transportation concurrency, which will be assessed in accordance with the fee schedule as specified in the Land Development Code during the review of construction plans submitted for County environmental review approval and must be paid on the date of

building permit issuance. **No credit will be granted for demolition occurring more than eighteen (18) months prior to the review of construction plans submitted for County environmental review approval.**

Reviewing Agency Comments

On March 17, 2020 the City of Deerfield Beach approved this plat note amendment (Resolution No. 2020/032).

This application has been reviewed by Highway Construction and Engineering Division staff who has no objections to this request.

The Environmental Planning and Community Resilience Division has reviewed this request and at this time, this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. The Environmental Review Report, coordinated by the Planning and Development Management Division, is attached.

The Broward County Aviation Department has no objection to this request. The Department has 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 Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 or the Broward County Airport Zoning Ordinance apply. Based on the location of the proposed project, 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>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

The Broward County's consulting archaeologist has reviewed this request and, based on available information including archival documents, maps, the Broward County Land Use Plan and the Florida Master Site File (FMSF), has determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archeological or paleontological sensitivity. The consulting archaeologist also notes that this property is located in the City of Deerfield Beach and falls under the jurisdiction of Broward County Historic Preservation Ordinance 2014-32. The property owner/agent is advised to contact the Rick Ferrer at 954-357-9731 or referrer@broward.org to seek project review for compliance with the Broward County's 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.

Staff recommends **APPROVAL** of this request, provided the applicant:

- 1) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **May 19, 2021**.

The amended note must also include language stating the following:

- A) If a building permit for a principal building (excluding dry models, sales and construction offices) first inspection approval are not issued for **Parcel C-1** by **May 19, 2025**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame; and/or

- B) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed for **Parcel C-1** by **May 19, 2025**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner shall be responsible for providing evidence to Broward County from the appropriate governmental entity, documenting compliance with this requirement within the above referenced time frame.

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.

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.

HWC