Resilient Environment Department
URBAN PLANNING DIVISION
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DEVELOPMENT REVIEW REPORT FOR A NOTE AMENDMENT

Project Description			
Plat Name:	Our Lady of Mercy Parish Center	Application Number:	005-UP-82
Application Type:	Note Amendment	Legistar Number:	25-621
Owner/Applicant:	Scott Freeland/Caterina Freeland	Commission District:	4
Authorized Agent:	Charles Putman & Associates	Section/Twn./Range:	10/48/42
Location:	West side of Military Trail/Northwest 9 Avenue, between Southwest 15 Street and Northwest 49 Court/Green Road	Folio Number (s):	4842-10-07-0012
Municipality:	City of Deerfield Beach	Platted Area:	5.2 Acres
Previous Plat:	N/A	Replat:	☐Yes ☒No
Recommendation:	**APPROVAL**		
FS 125.022 Waiver:	This application expires on September 15, 2025		
Meeting Date:	June 10, 2025		

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

The Application is attached **(Exhibit 4).** The Urban Planning Division (UPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Platting History and Development Rights			
Plat Board Approval:	May 27, 1982	Plat Book and Page Number:	118-38
Date Recorded:	January 30, 1984	Current Instrument Number:	100844858
Plat Note Restriction			
Current Plat Note:	This plat was approved on May 27, 1982, and was originally restricted to 11,320 square feet of Church use. This note was subsequently amended on January 9, 2001, to restrict the plat to: This plat is restricted to **27,820 square feet of Church use. Daycare/preschool use are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.**		
Proposed Note:	This plat is restricted to **11,320 square feet of Church use and 13,000 square feet of child daycare use**.		

1. Land Use

Planning Council staff have reviewed this application and determined that the City of Deerfield Beach Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat uses permitted in the "Residential Low (5 du/ac)" land use category. The existing and proposed church and preschool 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 Deerfield Beach has submitted Resolution a No. 2024/090 dated July 9, 2024, supporting the note amendment.

3. Access

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and provided no objections to the proposed plat note amendment.

4. Concurrency – Transportation

This plat is located in the Northeast Transportation Concurrency Management Areas (TCMA), where level of service (LOS) is expressed in term of bus headways, and where Transportation Concurrency Assessment Fees apply per Sec. 5-182.1(a) of Land Development Code. The proposed note amendment generates an increase of 145 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	0
Non-residential	9	154
Difference	(154 – 9 = 145)	

This plat was recorded with a note requiring development to occur before five (5) years from the date of plat approval. This note is no longer required by the Land Development Code.

5. 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 District 2A (04/24)	BC North Regional (BCN) (12/24)
Design Capacity:	30.00 MGD	95.00 MGD
Annual Average Flow:	15.80 MGD	71.35 MGD
Estimated Project Flow:	0.005 MGD	0.002 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.

6. Impact Fee

All impact fees (transportation impact, and administrative fee) will be calculated by Urban Planning Division, Development and Environmental Review Section, in accordance with the fee schedule specified in the Land

Development Code during the review of construction plans submitted for Broward County Development and Environmental review. Fees must be paid prior to the issuance of the building permit.

This plat has no impact fees credits.

7. Environmental Review

The plat note amendment application has been reviewed by Environmental Permitting Division.

A. Domestic & Non-Domestic Wastewater and Surface Water Management

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat note amendment. Nonetheless, should there be a significant flow generation from the site, advanced planning and upgrades to the downstream/off-site wastewater facilities may be warranted. Contact Environmental Permitting Division at 954-519-1483 or WWLicense@broward.org for specific code requirements.

The Broward County Non-Domestic Wastewater Program has no objection to the described plat note amendment because no non-domestic wastewater discharge is anticipated for the site. Nonetheless, should there be proposed non-domestic wastewater discharges, these must meet the criteria under Chapter 27, Article V, Sections 27-193(b)(3)a, 27-193(b)(4)a, 27-194(b), and 27-198(c) of the Broward County Code of Ordinances. Contact the Environmental Permitting Division at 954-519-1483 or NDDLicense@broward.org for specific code requirements.

In accordance with Chapter 27, Article V, Sections 27-198 through 27-200 of the Broward County Code, titled Water Resources Management, prior to any alteration to site grading, or construction of a surface water management system, a Broward County Surface Water Management License is required. Contact the Environmental Permitting Division at 954-519-1483 or SWMLicense@broward.org.

B. Aquatic and Wetland Resources

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Permitting Division determined that, at this time, there are no indications of wetlands within the boundaries of the plat. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License.

The Water and Environmental Licensing Section of the Environmental Permitting Division encourages all invasive exotic vegetation including Melaleuca, Brazilian pepper, Australian pine and others as listed in the Exotic Pest Plant Council's List of Florida's Most Invasive Species to be removed during the development process, and a management plan may be necessary to control re-invasion of same. In addition, landscape material should not include any plants considered to be invasive of South Florida's native plant communities. The Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at Florida Exotic Pest Plant Council (invasive.org).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the Environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

C. Tree Preservation

Any construction within the Broward County Right of Way is subject to Chapter 27, Article XIV, Sections 27-401 through 27-414 of the Broward County Code, titled Broward County Tree Preservation and Abuse Ordinance. A

Broward County Tree Removal License will be required for any tree removal or relocation in the Right of Way. Contact the Environmental Permitting Division at 954-519-1483 or at Tree@broward.org for further information.

D. Clean-Up and Waste Regulation

Not a known contaminated site; not within one-quarter mile of a contaminated site; not a licensed waste regulation facility; not an abandoned dump or landfill.

E. Air Program

Since the subject plat relates to vacant land, there are no building demolition or asbestos renovation applicable requirements.

F. Natural Resources Division

Natural Resources Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

8. 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.

9. Historical and Archaeological Recourse Review

This plat was reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, 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 sensitivity.

The site is in a municipality that has been designated a Certified Local Government (CLG). The applicant is advised to contact Eric M. Power, AICP, Director, Planning & Development Services, City of Deerfield Beach at 150 Northeast 2 Avenue, Deerfield Beach, FL 33441 or by phone at (954) 480-4200 for additional information.

In the event any unmarked human burial remains are discovered, then pursuant to Florida Statutes, Chapter 872.05, all activities 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.

10. Aviation

The Broward County Aviation Department (BCAD) has no objections to this Note Amendment. This plat is within close proximity to the City of Pompano Beach's Pompano Beach Airpark. 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 Cities' Airport Zoning Ordinances apply to this development. 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 Pompano Beach directly.

11. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat application and did not provide a response.

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 reviewed the application and found that it meets the requirements 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)(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 recommend **APPROVAL** of this application, subject to the following conditions which shall ensure 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 10, 2026.**

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.

3. Delete any 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.

[CLD]