



Resilient Environment Department

**URBAN PLANNING DIVISION**

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**DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT**

Project Description			
Plat Name:	Victor Cameron Plat	Number:	047-MP-89
Application Type:	Note Amendment	Legistar Number:	23-1327
Applicant:	Habitat for Humanity of Broward, Inc.	Commission District:	8
Agent:	KEITH	Section/Twn./Range:	28/49/42
Location:	Between Northwest 19 <sup>th</sup> Street and Northwest 20 <sup>th</sup> Street, and between Powerline Road and Northwest 12 <sup>th</sup> Avenue	Platted Area:	1.4 Acres
Municipality:	Fort Lauderdale	Gross Area:	N/A
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	March 7, 2024		

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

The Application is attached (**Exhibit 7**). 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:	July 11, 1989	Plat Book and Page Number:	146-42
Date Recorded:	January 22, 1991	Current Instrument Number:	97-401251
Plat Note Restriction			
Current Plat Note:	This plat is restricted to the allowance of 15,000 square feet for church use. Daycare and preschool uses are not permitted without the approval of the Board of County Commissioners. Any structure within this plat must comply with Section IVD.1.f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.		
Proposed Note:	This plat is restricted to 20 Townhouse units and 2,000 square feet of office.		
Extensions:	A Waiver of Extension was granted until December 9, 2024.		

**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 “Commercial” land use category. The proposed office use is in compliance with the permitted uses of the effective land use plan. Planning Council staff has received written documentation that the City of Fort Lauderdale allocated 20 “flexibility units”. Therefore, all proposed residential units are compliant with the permitted uses of the effective land use plan (**Exhibit 3**).

**2. Affordable Housing**

The City of Fort Lauderdale allocated 20 “flexibility units” to this plat through official action on December 19, 2023. This developer, Habitat for Humanity, proposes to restrict all residential units to meet the income guidelines for affordable housing.

**3. Municipal Review**

The City of Fort Lauderdale has submitted a Letter of No Objection dated February 17, 2023, supporting the application (**Exhibit 4**).

**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.

**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 6 trips per PM peak hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Non-Residential	12	6
Residential	0	12
Total	18 - 12 = 6	

**6. Concurrency - Water and Wastewater Capacity**

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

	Potable Water	Wastewater
Utility Provider:	City of Fort Lauderdale	City of Fort Lauderdale
Plant name:	Fort Lauderdale (03/23)	G.T. Lohmeyer (GTL) (03/23)
Design Capacity:	90.00 MGD	56.60 MGD
Annual Average Flow:	83.00 MGD	42.79 MGD
Estimated Project Flow:	0.0074 MGD	0.0074 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. Concurrency - Public School**

The School Board has reviewed the application and determined that the proposed 20 townhouse will generate 6 students. This application as proposed is determined to satisfy Public School Concurrency on the basis that the project is vested for public school concurrency requirements. The School Board staff provided a Final School Capacity Availability Determination (SCAD) letter for the 20 townhouse units (**Exhibit 5**).

### **8. 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.

### **9. Impact Fee Payment**

A road impact fee agreement was recorded in the Broward County Officials Records, Book 26898, Page 335. The subject site was never developed, and road impact fees were never assessed for the previous development rights. Therefore, the road impact agreement is no longer required, and developer shall request a release of this agreement prior to note amendment recordation.

The City of Fort Lauderdale is requesting that the 20 townhouse units be classified as “Affordable Housing” which requires the execution of a Declaration of Restrictive Covenant exempting impact fees for low and very low median income limits. The developer must provide a certification letter from the Broward County Housing Finance Division and a waiver letter from Broward County School Board. Subsequently, through the Urban Planning Division the execution of a Declaration of Restrictive Covenants for Affordable Housing is then recorded by staff.

Transportation concurrency, administrative, school and park fees for the proposed note amendment development will be assessed and 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.

### **10. 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 (**Exhibit 6**).

### **11. 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.

### **12. Archaeological and Historic Resource Review**

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 archaeological resources or areas of archaeological or paleontological sensitivity.

The site is in a municipality that has been designated a Certified Local Government (CLG). The applicant is advised to contact Chris Cooper, the Director of the City of Fort Lauderdale Department of Sustainable Development at 700 Northwest 19th Avenue, Fort Lauderdale, FL, 33311 or by phone at (954) 828-5980 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.

### **13. Aviation**

This property may be within 20,000 feet of the City of Fort Lauderdale's Fort Lauderdale Executive Airport. Any proposed construction on this property, or the use of cranes or other high-lift equipment, must be reviewed to determine if the Federal Aviation Regulation Part 77, Florida Statutes, Chapter 333 and/or the Cities' Airport Zoning Ordinances applies. Based on the location of the proposed project, the cities or 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. To initiate the Federal Aviation Review, access the FAA Web Page at: <http://oeaaa.faa.gov>.

### **14. Utilities**

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

### **15. 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](http://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.
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 (**Exhibit 5**).
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 **March 7, 2025**.
2. Records a Declaration of Restrictive Covenants to place an affordable housing restriction on the plat prior to recordation of the note amendment agreement.
3. Release Road Impact Agreement prior to recordation of the note amendment agreement.
4. 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.

AO