

STAFF REPORT
EDC Associates Plat
144-MP-88

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 Broward County Board of County Commissioners (“Board”) on April 4, 1989 for 16,000 square feet of commercial use on Parcel I and commercial recreation on Parcel II. The property is located on 25 acres on the southeast corner of Oakland Park Boulevard and Northwest 36 Terrace, in the City of Lauderdale Lakes. The plat was recorded on March 26, 1990 (Plat Book 143, Page 14).

The current note on the face of the plat, approved by the Board on August 16, 2005 (Official Records Book 41507, Page 682) reads as follows:

This plat is restricted to 132 townhouse units (92 two-bedroom units and 40 three-bedroom units); **317 mid-rise units**; 2,000 square feet of commercial use; 10,000 square feet of library; and 10,000 square feet of community facility use. Bank uses are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

The applicant is requesting to revise the note on the face of the plat to replace the 317 mid-rise units with 317 garden apartments. The proposed note language reads as follows:

This plat is restricted to 132 townhouse units (92 two-bedroom units and 40 three-bedroom units); **317 garden apartments**; 2,000 square feet of commercial use; 10,000 square feet of library; and 10,000 square feet of community facility use.

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 “Local Activity Center” land use category. Planning Council staff note this plat is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center,” as recorded in Official Record Book 43432, Page 1077-1082 (“Tri-Party Agreement”).

Regarding the proposed residential uses, Planning Council staff has received written documentation that the City of Lauderdale Lakes allocated up to 459 “flexibility units” to this plat on June 28, 2005, through Ordinance Number 05-32. It is noted that the allocation of “flexibility units” as indicated above would not be subject to Policy 2.10.1 of the BrowardNext – Broward County Land Use Plan (BCLUP), as the subject parcel is not adjacent to or within 500 feet of a Broward County or regional park, or an Environmentally Sensitive Land, as defined in the Broward County Comprehensive Plan, and is not adjacent to another municipality.

Planning Council staff also notes that this plat is located within an area that was the subject of BCLUP amendments PC 05-13/PCT 05-10, which amended various future land use designations to the “Lauderdale Lakes Downtown Local Activity Center.” Said amendments were adopted by the Broward County Commission on December 13, 2005, subject to the following voluntary restriction:

- Require payment of cost per student station fees for 229 elementary and 100 middle school students.

School Mitigation

The attached School Capacity Availability Determination (SCAD) issued by the School Board of Broward County indicates that this plat was previously reviewed and vested for 132 town house units (92 two-bedroom units and 40 three-bedroom units) and 317 mid-rise units (153 one-bedroom units and 164 two-or-more-bedroom units) which generated 46 (22 elementary, 11 middle and 13 high school) students. School Board staff notes the proposed change to 317 garden apartment units will generate 170 (78 elementary, 44 middle and 48 high school) students, a net increase of 124 students. School Board staff also note this property is subject to mitigation payment (“cost per dwelling unit”) or school impact fees per unit, whichever is greater, as required by the Tri-Party Agreement.

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. In addition, this request represents an increase of 66 PM peak hour trips. The plat is located within the Central 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

Road impact fees were paid previously for 16,000 square feet of commercial and 23.06 acres of commercial recreation which vested the plat for 501.5 PM peak hour trips, of which the current development accounts for 96.79 PM peak hour trips; therefore, a balance of 404.71 PM peak hour trips shall be allocated to development proposed by this request on a first-come, first-serve basis. If the level of development exceeds the vested trips, transportation concurrency fees shall be assessed and paid in accordance with the fee schedule in effect during the review of construction plans by the Development and Environmental Review Section of the Planning and Development Management Division. These fees will be based on the gross square footage of any building(s) as defined in the ordinance.

Reviewing Agency Comments

The attached letter from the City of Lauderdale Lakes indicates no objection to the requested amendment.

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

The attached pre-application letter from the Florida Department of Transportation (FDOT) indicates approval of the proposed modifications of the site are subject to the conditions and comments contained therein. The applicant is advised to contact Ashok Sampath, FDOT Access Management, at 954-777-4363 or ashok.sampath@dot.state.fl.us.

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. This proposed development contains or abuts water bodies or will be creating same. Excavation or filling of lakes or canals is regulated under Article XI of the Natural Resource Protection Code and may require an Environmental Resource License. The Environmental Review Report, coordinated by the Planning and Development Management Division, is attached.

The Aviation Department has advised that this property is within 20,000-feet of Fort Lauderdale Executive Airport and Pompano Beach Municipal Airport. Any proposed construction, 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/oeaaa/external/portal.jsp>. For additional information, contact the Broward County Aviation Department at 954-359-6170.

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. The consulting archaeologist also notes that this plat is located within the City of Lauderdale Lakes, which is outside the archaeological and historical jurisdiction of Broward County Historic Preservation Ordinance 2014-32. If any archaeological materials are discovered during the course of development, the property owner must notify the Director of the Development Services Division, City of Lauderdale Lakes, and the project may proceed in accordance with Ordinance 2014-32, Section 5-536.5(g).

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 of 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 **March 28, 2020**.

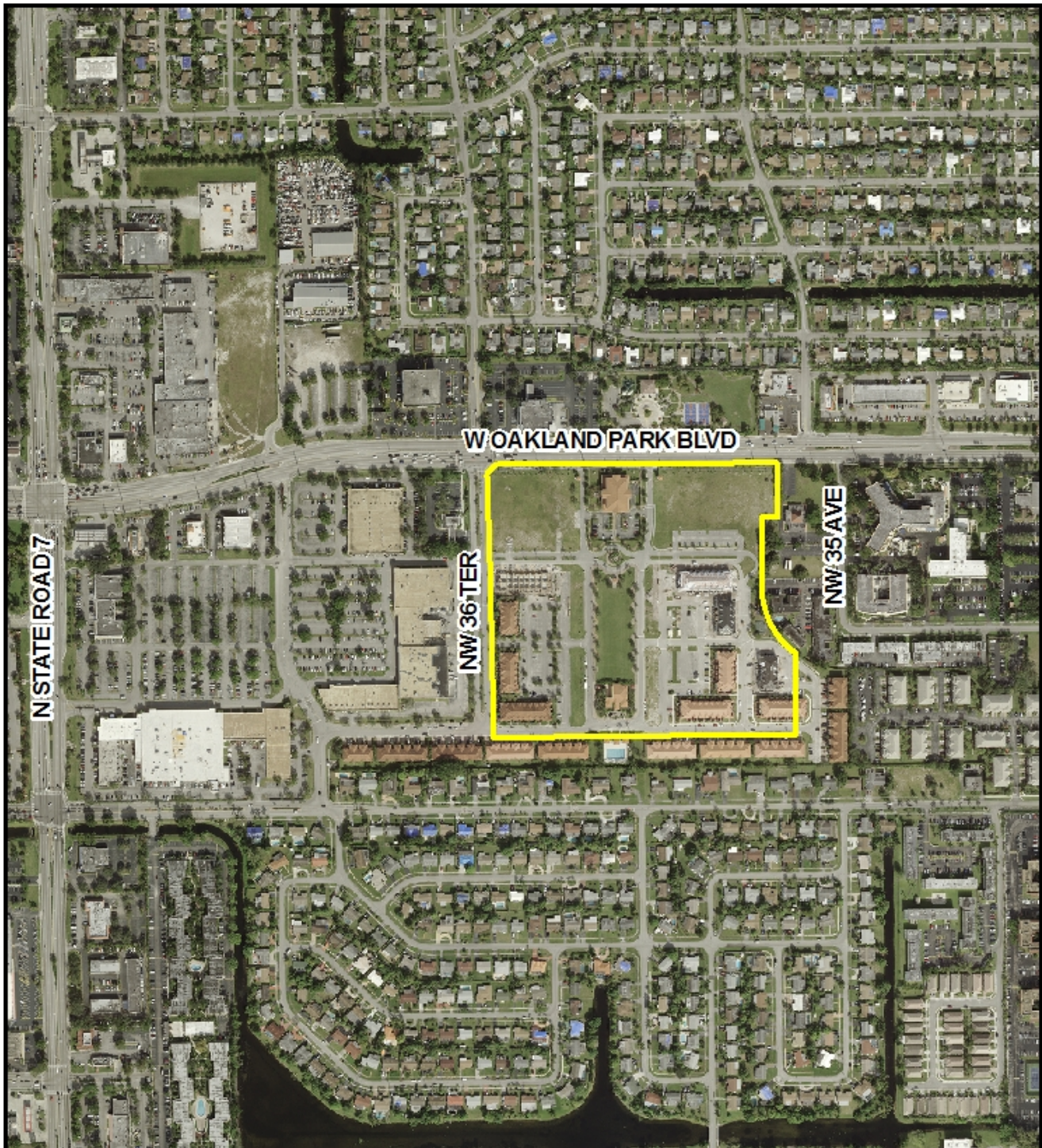
The amended note must also include language stating the following:

- A) Any structure within this plat must comply with Section 2B.1.f., Development Review requirements of the Broward County Land Use Plan regarding hazards to air navigation.
- B) If a building permit for a principal building (excluding dry models, sales and construction offices) first inspection approval are not issued by **March 28, 2024**, 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
- C) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **March 28, 2024**, 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.

JWP



Commission District No. 9
Municipality: Lauderdale Lakes
S/T/R: 30/49/42



144-MP-88
EDC Associates Plat




0 250 500 1,000 Feet

Prepared by: Planning and Development Management Division
Date Flown: January 2018



TO: Josie P. Sesodia, AICP, Director
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director 

RE: Delegation Request for EDC Associates
(144-MP-88) City of Lauderdale Lakes

DATE: January 30, 2019

Planning Council staff has reviewed the proposed revision to the restrictive note on the above referenced plat. The proposal is to change the restrictive note on the plat as follows:

FROM: This plat is restricted to 132 townhouse units (92 two-bedroom units and 40 three-bedroom units); 317 mid-rise units; 2,000 square feet of commercial; 10,000 square feet of library and 10,000 square feet of community facility use.

TO: This plat is restricted to 132 Townhouse Units (92 two-bedroom units and 40 three-bedroom units); 317 garden apartments; 2,000 square feet of commercial; 10,000 square feet of library and 10,000 square feet of community facility use.

The Future Land Use Element of the City of Lauderdale Lakes Comprehensive Plan is the effective land use plan for the City of Lauderdale Lakes. That plan designates the area covered by this plat for the uses permitted in the "Local Activity Center" land use category. This plat is generally located on the southeast corner of Oakland Park Boulevard and Northwest 36 Terrace.

This plat is subject to the executed "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Local Activity Center," as recorded in Official Record Book 43432, Pages 1077-1082.

Regarding the proposed residential uses, Planning Council staff has received written documentation that the City of Lauderdale Lakes allocated up to 459 "flexibility units" to this plat on June 28, 2005, through Ordinance Number 05-32.

It is noted that the allocation of "flexibility units" as indicated above would not be subject to Policy 2.10.1 of the BrowardNext – Broward County Land Use Plan (BCLUP), as the subject parcel is not adjacent to or within 500 feet of a Broward County or regional park, or an Environmentally Sensitive Land, as defined in the Broward County Comprehensive Plan, and is not adjacent to another municipality.

EDC Associates
January 30, 2019
Page Two

Planning Council staff also notes that this plat is located within an area that was the subject of BCLUP amendments PC 05-13/PCT 05-10, which amended various future land use designations to the "Lauderdale Lakes Downtown Local Activity Center." Said amendments were adopted by the Broward County Commission on December 13, 2005, subject to the following voluntary restriction:

- Require payment of cost per student station fees for 229 elementary and 100 middle school students

The contents of this memorandum are not a judgment as to whether this development proposal complies with the Broward County Trafficways Plan, local zoning, other land development regulations or the development review requirements of the Broward County Land Use Plan including its concurrency requirements.

BBB:KJW

cc: Phil Alleyne, City Manager
City of Lauderdale Lakes

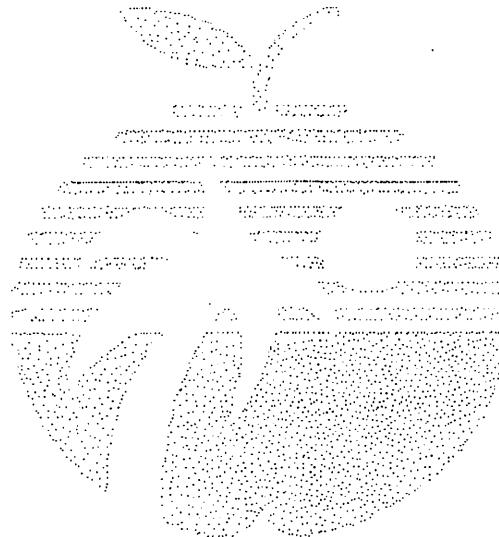
Tanya Davis-Hernandez, AICP, Director, Development Services
City of Lauderdale Lakes



The School Board of Broward County, Florida
PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION

PLAT
SBBC-2067-2016
County No: 144-MP-88
Bella Vista - EDC Associates Plat

February 4, 2019



Growth Management
Facility Planning and Real Estate Department
600 SE 3rd Avenue, 8th Floor
Fort Lauderdale, Florida 33301
Tel: (754) 321-2177 Fax: (754) 321-2179
www.browardschools.com

**PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION
PLAT**

PROJECT INFORMATION	NUMBER & TYPE OF PROPOSED	OTHER PROPOSED	ADDITIONAL STUDENT
Date: February 4, 2019	Single-Family:	10,000 SF Library, 10,000 SF Community Facility, 2,000 SF Commercial	Elementary: 61
Name: Bella Vista - EDC Associates Plat	Townhouse:		Middle: 36
SBBC Project Number: SBBC-2087-2016	Garden Apartments: 317		High: 39
County Project Number: 144-MP-88	Mid-Rise:		Total: 136
Municipality Project Number:	High-Rise:		
Owner/Developer: Oakland Development Partners, LLC	Mobile Home:		
Jurisdiction: Lauderdale Lakes	Total: 317		

Comments

This project was previously reviewed for public school concurrency, and issued a School Capacity Availability Determination Letter which vests the project for the student impact associated with 449 residential units consisting of 132 (92 two bedroom and 40 three or more bedroom) townhouse units and 317 (153 one bedroom and 164 two or more bedroom) mid-rise units and anticipated to generate 46 (22 elementary, 11 middle and 13 high school) students. This application proposes to modify 317 of the mid-rise units to three or more bedroom garden apartment units, which will generate 170 (78 elementary, 44 middle and 48 high school) students, for a net increase of 124 students. The application further indicates that the 132 townhouse units are already built, so staff removed these units from the analysis because the students from the built units are already factored into the District's student enrollment projections. Therefore, staff reviewed the application for the student impact of the unbuilt 317 (three or more bedroom) garden apartment units, which are anticipated to generate 136 (61 elementary, 36 middle and 39 high school) students into Broward County Public Schools. The school Concurrency Service Areas (CSA) serving the project site in the 2018/19 school year include Park Lakes Elementary, William Dandy Middle and Boyd Anderson High Schools.

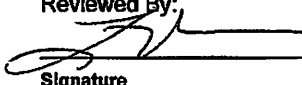
This project falls within the boundary of Land Use Plan Amendment (LUPA) PC 05-13, for a Local Activity Center (LAC) land use designation and is subject to mitigation payment ("cost per dwelling unit") or school impact fees per unit, whichever is higher, as required by the Tri-Party Agreement between the School Board, the City of Lauderdale Lakes, and Broward County. As such, this project is vested for public school concurrency requirements per Section 8.11(b)(1) of the Third Amended and Restated Interlocal Agreement for Public School Facility Planning.

This application satisfies public school concurrency on the basis that the units are vested. This preliminary determination shall be valid until the end of the current (2018/19) school year or 180 days, whichever is greater, for a maximum of 132 (92 two bedroom and 40 three or more bedroom) townhouse units and 317 garden apartment units and conditioned upon final approval by the applicable governmental body. As such, this Preliminary School Capacity Availability Determination (SCAD) Letter will expire on August 19, 2019. This preliminary school concurrency determination shall be deemed to be void unless prior to the referenced expiration of the preliminary SCAD, notification of final approval to the District has been provided and/or an extension of this preliminary SCAD has been requested in writing and granted by the School District. Upon the District's receipt of sufficient evidence of final approval which shall minimally specify the number, type and bedroom mix for the approved residential units, the District will issue and provide a final SCAD letter for the approved units, which shall ratify and commence the vesting period for the approved residential project.

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code

SBBC-2067-2016 Meets Public School Concurrency Requirement: Yes No

2/4/19
Date

Reviewed By:

Signature
Lisa Wight
Name
Planner
Title



January 03, 2019

Josie P. Sesodia, AICP, Director
Broward County Planning and *Environmental Regulation*
1 North University Drive, 102A
Plantation, FL 33324

Re: "EDC Associates" Plat – (Plat Book 143, Page 14)

Ms. Sesodia,

Please be advised that the City of Lauderdale Lakes has no objection to amending the note on the face of the "EDC Associates" Plat, including the proposed plat note change to:

132 Townhouse Units (92 two bedroom units and 40 three bedroom units);
317 Garden Apartments, (32 three-bedroom units, 132 two-bedroom units and 153 one-bedroom units);
2,000 sf of Commercial use;
10,000 sf of Library; and
10,000 sf of Community Facility Use.

If you should have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

Phil Alleyne
City Manager
City of Lauderdale Lakes

Governing Body:
Mayor Hazelle Rogers, Vice-Mayor Sandra Davey,
Commissioner Beverly Williams, Commissioner Veronica Edwards Phillips, Commissioner Marilyn Davis

Lauderdale Lakes

4300 Northwest 36th Street, Lauderdale Lakes, FL 33319 • 954.535.2700 • www.lauderdalelakes.org



Florida Department of Transportation

RICK SCOTT
GOVERNOR

3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

MIKE DEW
SECRETARY

January 4, 2019

THIS PRE-APPLICATION LETTER IS EXTENDED UNTIL – February 1, 2020
THIS LETTER IS NOT A PERMIT APPROVAL

*** Letter revised January 4, 2019 to extend the letter. This is the first extension.

Sarah Stewart
Greenspoon Marder LLP
200 East Broward Boulevard, Suite 1800,
Fort Lauderdale, FL 33301

Dear Sarah Stewart:

RE: **February 1, 2018** - Pre-application Meeting for **Category E Driveway** Date of Pre-application Meeting: **February 1, 2018**
Broward County - City of Oakland Park, Urban; SR 816; Sec. # 86090; MP: 3.700
Access Class - 05; Posted Speed - 45 mph; SIS - N; Ref. Project: FM 429569.1

Request:

Driveway 1: Use existing right-in Only along SR 816/W Oakland Park Boulevard located approximately 350 feet east of NW 36th Terrace.

Driveway 2: Use existing right-in/right-out/Left-in along SR 816/W Oakland Park Boulevard located approximately 647 feet east of NW 36th Terrace.

SITE SPECIFIC INFORMATION

Project Name & Address: **Bella Vista - SEC of SR 816/Oakland Park Blvd. and NW 36 Terrace**
Applicant/Property Owner: **Oakland Development Partners LLC**
Parcel Size: **27.66 Acres** Development Size: **32 Three Bedroom Units, 132 Two Bedroom Units & 153 One Bedroom Units**

WE APPROVE YOUR REQUEST

This decision is based on your presentation of the facts, site plan and survey - please see the **conditions** and **comments** below. You may choose to review this concept further with the District Access Management Review Committee (AMRC).

Conditions:

- A minimum driveway length of 50 feet, as measured from the ultimate right-of-way line to the first conflict point shall be provided. If a gate is installed a minimum driveway length of 100 feet is required.

Comments:

- Drainage mitigation is required for any impacts within FDOT right-of-way (i.e. increased runoff or reduction of existing storage). A Storm Water Pollution Prevention Plan must be submitted with the application for more than one acre of "disturbed area" as defined by the Florida Department of Environmental Protection (FDEP).
- The applicant shall donate the right-of-way to the Department if right-of-way dedication is required to implement the improvements,
- All driveways not approved in this letter must be fully removed and the area restored.
- Dimensions between driveways are measured from the near edge of pavement to near edge of pavement and for median openings are measured from centerline to centerline unless otherwise indicated.

The purpose of this Pre-Application letter is to document the conceptual review of the approximate location of driveway(s) to the State Highway system and to note required improvements, if any. This letter shall be submitted with any further reviews and for permitting. The Department's personnel shall review permit plans for compliance with this letter as well as current Department standards and/or specifications. Final design must consider the existing roadway profile and any impacts to the existing drainage system. **Note, this letter does not guarantee permit approval.** The permit may be denied based on the review of the submitted engineering plans. Be aware that any approved median openings may be modified (or closed) in the future, at the sole discretion of the Department. For right-of-way dedication requirements go to: <https://gis.dot.state.fl.us/OneStopPermitting>; click on Statewide Permit News; Scroll down to District 4; Scroll down to Additional Information and Examples and choose Right-of-way Donations/Dedications.

Please contact Geysa Sosa, P.E. at the District Permits Office with any questions regarding permits – Tel. # 954-777-4377, or e-mail: geysa.sosa@dot.state.fl.us.

Sincerely,

Ashok Sampath
District Access Management Manager

cc: Roger Lemieux

File: S:\Transportation Operations\Traffic Operations\Access Management\1. Pre-Apps and Variance\2018-02-01 & Variance\2. 86090 MP 3.700 SR 816_Bella Vista\86090 MP 3.700 SR 816_Bella Vista_revise.docx

**ENVIRONMENTAL REVIEW AND COMMENTS REPORT
TO THE PLANNING AND DEVELOPMENT MANAGEMENT DIRECTOR**

Application: Delegation Request to amend the note to replace 317 mid-rise units with 317 garden apartments
File Number: 144-MP-88
Project Name: EDC Associates Plat
Comments Due: February 1, 2019
Development Type: Residential (317 Garden Apartments, and 132 Townhouse Units); Commercial (2,000 Square Feet); Community facilities (20,000 Square Feet)

The Planning and Development Management Division of the Broward County Environmental Protection and Growth Management Department (EPGMD) has coordinated with other Divisions in this Department along with the County Health Department to provide the following comments on the above referenced plat:

Surface Water Management

This plat is located in the City of Lauderdale Lakes and is under the jurisdiction of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division. Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. A surface water management license from the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division will be required prior to any construction.

Potable Water Review

This plat will be served by the City of Pompano Beach's Water Treatment Plant which has a capacity of 50.000 MGD, a maximum daily flow of 20.060 MGD, and the estimated project's flow is 0.160 MGD. Therefore, according to the Health Department, there is sufficient available water treatment plant capacity to serve the proposed uses at this point in time.

Wastewater Review

This property is located in a Broward County wastewater services jurisdictional (service) area, District 4. A BCWWS Utility Connection Permit will be required before wastewater construction can begin. For additional information visit the web page at www.broward.org/WaterServices/Pages/LandDevelopment.aspx. The configurations of wastewater facilities will likely change per subsequent detailed plan review associated with the BCWWS Utility Connection Permit.

Wastewater Treatment Plant:	B. C. North Regional
Flow Data:	As of 09/18
EPGMD Licensed Capacity	95.0000 MGD
12 Month Average Flow:	71.7800 MGD
Existing Flow Reserved by Building Permit:	2.6600 MGD
Total Committed Flow:	74.4400 MGD
Estimated Project Flow:	0.0793 MGD

In accordance with Section 5-182(g) of the Broward County Land Development Code, to date the existing wastewater treatment and disposal facility has sufficient plant capacity to provide for the wastewater treatment and disposal needs of the development proposed by this application.

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The applicant is advised that a Wastewater Collection/Transmission System License will be required prior to constructing, expanding, or altering either a gravity sanitary sewer, a sanitary force main, or a pump station. Wastewater receiving lift stations and force mains are critical components of the conveyance system. Accordingly, adequate capacity for this project will need to be demonstrated of the receiving off-site sanitary sewer conveyance system. The size and scope of flows for the proposed domestic wastewater generation from this plat will likely be substantial and variable; this may impose additional needs for advance planning, permitting, and construction for both onsite and offsite components of the conveyance system. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483.

Natural Resources Preservation

This plat is not located in a wellfield zone of influence as described in the Broward County Wellfield Protection Ordinance 84-60, as amended, and as incorporated into Broward County Code of Ordinances, Chapter 27, Article XIII.

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of the plat. Therefore, a Conceptual Dredge and Fill Review Report is not required. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License. Other activities, e.g., lake or canal excavation, regulated under Article XI of the Natural Resource Protection Code may require a license. The applicant is encouraged to contact the Water and Environmental Licensing Section at 954-519-1483 at the earliest time to determine if, and what type of, license may be required prior to undertaking surface disturbing activities.

The Water and Environmental Licensing Section of the Environmental Engineering and 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 Exotic Pest Plant Council's List of Florida's Most Invasive Species is available from the Water and Environmental Licensing Section.

Review of aerial photographs indicates that the subject site contains tree canopy. Development of the site must comply with the Tree Preservation Regulations of the City of Lauderdale Lakes if trees are to be removed or relocated. The applicant is encouraged to minimize the number of trees to be removed by incorporating existing trees in the site plan. If trees cannot be incorporated into the site plan in their current location, the applicant is encouraged to relocate trees, especially those of specimen size and quality.

Any development within the plat limits 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. This plat contains mature tree canopy and a Tree Removal License may be required for tree removal, relocation and/or replacement. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division for specific license requirements.

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144-MP-88 EDC Associates Plat

Tree Removal License may be required for any tree removal or relocation on Broward County owned or controlled property. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1224 or pburke@broward.org for specific license requirements.

This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. The Protected Natural Lands Inventory is a comprehensive database of public and private native vegetative communities that have been protected through acquisition or regulatory mechanisms and are managed for conservation purposes. The inventory, which provides information regarding the ownership and management of each of the Protected Natural Lands, may be accessed at the following website:

<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>

Additional Comments Addressing Certain Environmental Protection Actions Needed to Implement the Project

1. An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
2. Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.
3. The subject plat is in the vicinity of a known contaminated site and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting Division is satisfied that the construction or alteration will not interfere with the cleanup of the contaminants on site [Section 27-66(h) Broward County Code of Ordinances]. It should also be noted that the Environmental Assessment and Remediation must approve any dewatering activities at this site.

Be advised that approval of a plat note amendment does not infer any approval to connect to any wastewater collection, treatment, or disposal system. Nor does it infer that sufficient capacity will exist at time of Building Permit approval. Connections to such systems are approved by the Environmental Engineering and Permitting Division as a prerequisite to, and just prior to, approval of Building Permits by the appropriate Building Department for any structures that are to be built on the platted site. These comments do not indicate a waiver or approval of any license or permit that is, or may be, required for any aspect of the project.



Planning and Development Management Division
Environmental Protection and Growth Management Department
Board of County Commissioners, Broward County, Florida

Application to Amend or Revise Level of Approved Development

INSTRUCTIONS

This form is used to apply for amendments or revisions to the current level of development previously approved. For your application to be officially accepted for processing and scheduled for a County Commission meeting, you must complete this application in full. The owner/agent certification (on the reverse side of this form) must be signed and notarized with the appropriate required documentation attached. Please type this application or print legibly in **black ink**.

PROJECT INFORMATION

Plat Name EDC ASSOCIATES PLAT

Plat Number 144-MP-88 Plat Book - Page 143/14 (If recorded)

Owner/Applicant BV APARTMENTS LLLP Phone 305-535-6305

Address 150 SE 2nd Avenue, Ste 800 City Miami State FL Zip Code 33160

Owner's E-mail Address mdubrow@dubrowllc.com Fax # _____

Agent Greenspoon Marder Phone 954-491-1120

Contact Person Dennis Mele, Esq. or Sarah Stewart, AICP

Address 200 E. Broward Blvd., Suite 1800 City Fort Lauderdale State FL Zip Code 33301

Agent's E-mail Address Dennis.Mele@gmlaw.com copy Sarah.Stewart@gmlaw.com Fax # _____

PROPOSED CHANGES

Use this space below to provide the following information and clearly describe the proposed changes you are requesting. Be sure to include the current level of development. (Attach additional sheet if necessary.)

Current note for entire plat See attached

Proposed note for entire plat See attached

PLEASE ANSWER THE FOLLOWING QUESTIONS

Has flexibility been allocated or is flexibility proposed to be allocated under the County Land Use Plan?
 Yes No Don't Know
 If YES, consult Policy 13.01.10 of the Land Use Plan. A compatibility determination may be required.

Is any portion of this plat currently the subject of a Land Use Plan Amendment (LUPA)? Yes No
 If YES, provide LUPA number: _____

Does the note represent a change in TRIPS? Increase Decrease No Change
 Does the note represent a major change in Land Use? Yes No

Will project be served by an approved potable water plant? If YES, state name and address. Yes No
2401 North Powerline Road, Pompano Beach, FL 33069

Will project be served by an approved sewage treatment plant? If YES, state name and address Yes No
2401 North Powerline Road, Pompano Beach, FL 33069

Are on-site wells for potable water currently in use or proposed? Yes No
 If YES, see page 2 of this form for additional required documentation.

Are septic tanks current in use or proposed? Yes No
 If YES, see page 2 of this form for additional required documentation.

Estimate or state the total number of on-site parking spaces to be provided SPACES 769

Number of seats for any proposed restaurant or public assembly facility, including places of worship SEATS N/A

Number of students for a daycare center or school STUDENTS N/A

Reasons for this request (Attach additional sheet if necessary.) Plat Note Amendment

FOR APPLICATIONS PROPOSING INDUSTRIAL USE(S) - SUPPLEMENTAL REQUIREMENT

Proposed industrial plat notes which abut residential land use categories or are separated from a residential land use plan category by rights-of-way, easements, canals or lakes with a width of 100 feet or less must submit written documentation from the municipality stating how the City will address compatibility between the proposed industrial use(s) and the residential land use plan category. Industrial uses include manufacturing, assembly, processing, indoor and outside storage, warehouse, distribution, excavation and landfills. Residential land use plan categories include all residentially named categories plus Agricultural, Rural Ranches, Rural Estates, TOC, TOD, RAC and LAC. Please consult with Planning and Development Management staff if you have any questions.

Please see reverse side for Required Documentation and Owner/Agent Certification

AMENDMENT TO NOTATION ON PLAT

CURRENT PLAT NOTE:

This Plat is restricted to 132 Townhouse Units (92 two bedroom units and 40 three bedroom units); 317 mid-rise units,; 2,000 sf of Commercial, 10,000 sf of Library and 10,000 sf of Community Facility Use. Bank uses are not permitted without the approval of the Board of County Commissioners who shall review and address these issues for increased impacts.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances and may be amended by Agreement with Broward County.

PROPOSED PLAT NOTE:

This Plat is restricted to 132 Townhouse Units (92 two bedroom units and 40 three bedroom units); 317 garden apartments, 2,000 sf of Commercial, 10,000 sf of Library and 10,000 sf of Community Facility Use.

This note is required by Chapter 5, Article IX, Broward County Code of Ordinances and may be amended by Agreement with Broward County.