

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

PROJECT DESCRIPTION

Name:	HENDERSON MENTAL HEALTH CENTER	Number:	026-MP-01
Applicant:	Headway New Vista LLC	Comm. Dist.:	9
Agent:	Lochrie & Chakas, P.A.	Sec/Twp/Rng:	08-50-42
Location:	East Side of Southwest 27 Avenue (Riverland Road), Between Broward Boulevard and Southwest 6 Street	Platted Area:	2.34 Acres
City:	Fort Lauderdale	Gross Area:	N/A
Replat:	This is a New Finding of Adequacy for a Recorded Plat (Plat Book 173, Pages 5)		

LAND USE

Existing Use:	13,934 Sq. Ft. Medical Office	Effective Plan:	Fort Lauderdale
Proposed Use:	68,000 Sq. Ft. of Medical Office (13,934 Sq. Ft. Existing and 54,066 Sq. Ft. Proposed)	Plan Designation:	Commercial & Medium High (25) Residential. See attached comments from the Planning Council.
Adjacent Uses:		Adjacent Plan Designations:	
North:	Commercial	North:	Commercial, Medium High (25) Residential
South:	Mobile Homes	South:	Medium High (25) Residential
East:	Mobile Homes	East:	Commercial, Medium High (25) Residential
West:	Commercial	West:	Commercial
Existing Zoning:	CB	Proposed Zoning:	N/A

RECOMMENDATION (See Attached Conditions)

APPROVAL: Subject to staff recommendations and conditions which shall assure compliance with the standards and requirements of Chapter 5, Article IX, of the Broward County Code of Ordinances.
* Waiver of Right Turn Lane and Constructions Requirement pursuant to Sec. 5-182(c)(10). See Staff Comments No. 19, Findings No. 2, and Highway Construction & Engineering Staff Recommendations No. 1, 3 & 4.

Meeting Date: 06/11/19
Action Deadline: 08/13/19
Deferral Dates:

Prepared: HWC
Reviewed:
Approved:

SERVICES

Wastewater Plant:	G.T. Lohmeyer (12/18)	Potable Water Plant:	Fort Lauderdale (07/18)
Design Capacity:	48.0000 MGD	Design Capacity:	90.000 MGD
12-Mo. Avg. Flow:	37.7600 MGD	Peak Flow:	51.296 MGD
Est. Project Flow:	0.0028 MGD	Est. Project Flow:	0.0136 MGD

Comments: Sufficient capacity exists at this time. Comments: Sufficient capacity exists at this time.

PARKS

SCHOOLS

Dwelling Units	Impact Fee
N/A	N/A

	Land Dedication	Impact Fee	Admin. Fee
Local:	County conducts no local review within municipalities	N/A	N/A
Regional:	N/A	*	*

TRANSPORTATION

Concurrency Zone:	Trips/Peak Hr	Transit Concurrency Fee	Road/Admin. Fee
Northeast			
Res. Uses:	N/A	N/A	N/A
Non-res. uses:	140	*	N/A
Total:	140	*	N/A

* See Staff Comment No. 5
See Finding No. 1
See General Recommendation No. 1

HENDERSON MENTAL HEALTH CENTER
026-MP-01

STAFF COMMENTS

- 1) This plat was approved by the Broward County Commission on February 19, 2002, for 60,000 square feet of medical office on 2.33 acres, with a requirement that either a building permit be issued or the infrastructure for development be installed by February 19, 2007. The restricted note on the plat was subsequently amended and approved by the County Commission on May 21, 2002, for 68,000 square feet of medical office use (13,934 square feet existing and 54,066 square feet proposed). However, neither was a building permit issued nor infrastructure installed. Therefore, in accordance with Section 5-181(o) of the Land Development Code, the County's findings of adequacy have expired.
- 2) Staff findings and recommendations pertaining to this application for a new findings of adequacy are based on the use being **68,000 square feet of medical use (13,934 square feet existing and 54,066 square feet proposed) and amending the nonvehicular access line (NVAL) which will have two 50-foot openings on Southwest 27 Avenue (Riverland Road) with the northern opening centered 40 feet south of the north plat limits.**
- 3) The review of this application for a new finding of adequacy included the information contained in the application, the property survey, the recorded plat and the Development Review Report approved by the County Commission on May 21, 2002. Review by the Highway Construction and Engineering Division and the Transit Division also included changes to the adjacent roadways and changes on the adjoining properties.
- 4) The comments, findings and recommendations contained in this report supersede all previous development review reports and delegation requests approved by the County Commission.
- 5) This plat is located within a Transportation Concurrency Management Area. In accordance with Land Development Code, transportation concurrency fees will be assessed and paid in accordance with the fee schedule specified in the ordinance during the review of construction plans submitted for County environmental review approval. **On May 21, 2002, a Transit Impact Agreement was entered for payment to the County in the amount of \$32,277, which is recorded in O.R. Book 35863 Pages 1031-141. This agreement must either be released or payment made in full.**
- 6) 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.
- 7) This plat is located in the City of Fort Lauderdale 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 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 will be required prior to any construction. 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.

- 8) 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.
- 9) 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.
- 10) The Water and Environmental Licensing Section encourages that 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 be removed during the development process, and advises that a management plan may be necessary to control re-invasion of same. In addition, landscape materials 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 of the Environmental Engineering and Permitting Division.
- 11) 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>.

- 12) 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 Fort Lauderdale 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.
- 13) 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.
- 14) The subject plat is in the vicinity of a known contaminated sites 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.
- 15) Approval of this new findings of adequacy 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. Approval to connect to such systems is 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 waiver of approval of any other permit that may be required for other aspects of the project.
- 16) This property is within 20,000 feet of the Fort Lauderdale-Hollywood International Airport. Any proposed construction on this property or 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 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>
- 17) A 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 indicated that the proposed development will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity. The archaeologist noted that this property is located in the City of Fort Lauderdale and is outside the jurisdiction of Broward County Historic

Preservation Ordinance 2014-32. Therefore, the property owner/agent is advised to contact the City of Fort Lauderdale's Urban Design and Planning Division at 954-828-7101 to seek project review for compliance with the municipal 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.

- 18) This plat is served by Routes 9, 22,81 on Broward Boulevard.
- 19) The applicant is requesting to relocate the existing 50-foot opening in the Nonvehicular Access Line (NVAL) centered approximately 80 feet south of the north plat limits to be centered 40-feet south of the north plat limits; and to create an additional 50-foot opening 150 feet north of the south plat limits. Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and the Transit Division have reviewed this request and recommend **APPROVAL** on the amendment to the NVAL.
- 20) The applicant has submitted a traffic study which demonstrates that the elimination of a right turn lane on Southwest 27 Avenue on either of the 50-foot openings will not have an adverse effect on traffic conditions. As a result, staff of the Public Works Department is also recommending the approval of the **WAIVER** of the Right Turn Lane and Construction Requirements subject to the conditions contained in the attached memorandum.
- 21) The attached memorandum from the Broward County Planning Council indicates that the proposed development falls within two land use categories, with "Commercial" (i.e., the western approximate 1.29 acres) and "Medium High (25) Residential" (i.e., the eastern approximate 0.94 acre). The existing and proposed medical office use in the designated "Commercial" portion is in compliance with the permitted uses of the effective land use plan. Regarding the existing and proposed medical office use on that portion of the plat designated "Medium High (25) Residential", Planning Council Staff has received written documentation that on November 21, 2000, the City of Fort Lauderdale utilized the "5% residential-to-commercial" flexibility provision which permits commercial uses within areas designated "Residential".

Planning Council staff notes that this allocation of "flexibility" was not subject to Policy 2.10.1 of the Broward County Land Use Plan as the subject parcel is not located within 500 feet of a Broward County regional park, or an Environmentally Sensitive Land, as defined by the Broward County Comprehensive Plan, and is not located adjacent to another municipality.

- 22) The attached letters dated January 4, 2019 and February 6, 2019, from the City of Fort Lauderdale confirm that the City has no objections to a new findings of adequacy and NVAL amendment.

- 23) 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.
- 24) Specific questions regarding any of the above comments may be directed to each review agency contact person. A complete list of agency contact information can be accessed on the Planning and Development Management Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

- 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(a)(5)a) of the Land Development Code.
- 2) The applicant has submitted a traffic study for the development proposed for this plat. Staff of the Public Works Department have determined that the traffic study demonstrates that the elimination of a right turn lane on Southwest 27 Avenue (Riverland Road) will not adversely affect traffic conditions. This determination provides the basis for the Board to waive the right turn lane right-of-way and construction requirements.
- 3) This application for a new findings of adequacy satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

GENERAL RECOMMENDATIONS

- 1) Applicant must pay transportation concurrency fees, satisfy or release the transit concurrency agreement prior to or during the review of construction plans submitted for County environmental review approval by the Development and Environmental Review Section of the Planning and Development Management Division, in accordance with the fee schedule specified in the Land Development Code.
- 2) Within twelve (12) months of approval of this application for a new finding of adequacy, comply with all conditions of approval and record an agreement acceptable to the County Attorney's Office to amend the note on the plat as follows:
 - A) This plat is restricted to 68,000 square feet of medical use (13,934 square feet existing and 54,066 square feet proposed).
 - B) 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.

Continued

- C) This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by approval of the Broward County Board of County Commissioners. The notation and any amendments thereto are solely indicating the approved development level for property located within the plat and do not operate as a restriction in favor of any property owner including an owner or owners of property within this plat who took title to the property with reference to this plat.

 - D) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **June 11, 2024**, which date is five (5) years from the date of approval of this application by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property 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

 - E) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **June 11, 2024**, which date is five (5) years from the date of approval of this application by Broward County, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County makes a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. This requirement may be satisfied for a phase of the project, provided a phasing plan has been approved by Broward County. The owner of the property 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.
- 3) If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Continued





Public Works Department
HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION
1 N. University Drive, Box B300, Plantation, Florida 33324-2038 • 954-577-4555 • FAX 954-357-5715

MEMORANDUM

DATE: May 7, 2019

TO: Josie Sesodia, Director
Planning and Development Management Division

FROM: David (D.G.) McGuire, Construction Project Manager
Plat Section, Highway Construction and Engineering Division

Noemi Hew, Planner
Transportation Department, Service Development

SUBJECT: Letter to Proceed: New Findings of Adequacy and delegation request to modify
the Conditions of Approval (Amend NVAL)
Henderson Mental Health Center (026-MP-01)

The Highway Construction and Engineering Division and the Transportation Department, Transit Division have reviewed the application for a new Findings of Adequacy (FOA) and for modifications to the conditions of plat approval for the subject plat. In part, the application is a request to amend the non-vehicular access line (NVAL) along SW 27th Avenue adjacent to the plat. Our review included the information contained in the application, the property survey, the site plan (or conceptual access plan), the recorded plat, and the Development Review Report approved by the County Commission. Our review also included changes to the adjacent roadways and changes on the adjoining properties.

As a result of our review, staff has determined that new and amended plat requirements are necessary to ensure safe and adequate access between the adjoining Trafficway(s) and plat to comply with the adequacy standards of the Broward County Land Development Code. Staff has the following comments, findings, and recommendations:

Letter to Proceed: New Findings of Adequacy and delegation request to modify the Conditions of Approval (Amend NVAL)
Henderson Mental Health Center (026-MP-01)
Page 2 of 4

A. NEW REQUIREMENTS RECOMMENDED AS CONDITIONS OF APPROVAL FOR THE NEW FINDING OF ADEQUACY

1. FINDINGS

The applicant has submitted a traffic study for the development proposed for this plat. Staff of the Public Works Department have determined that the traffic study demonstrates that the absence of a right turn lane on SW 27th Avenue at either 50-foot opening will not adversely affect traffic conditions. This determination provides the basis for the County Commission to waive the right turn lane right-of-way and construction requirements pursuant to Section 5-182(c)(10) of the Broward County Land Development Code.

2. NON-VEHICULAR ACCESS LINE AMENDMENT REQUIREMENTS (NVAL Amendment Agreement)

- a. The property owners of Henderson Mental Health Center Plat (Folio Number 504208310010) shall execute the Amendment to Non-Vehicular Access Lines Agreement (CAF #457) and submit it to the Highway Construction and Engineering Division for review and approval.
- b. The applicant shall prepare the legal descriptions for the Exhibits to the NVAL Amendment Agreement according to the details outlined in this report.
- c. The applicant shall submit an Opinion of Title from an attorney or a Title Certificate from a title company showing the following information:
 - i. The same legal description as the affected portion of the recorded plat.
 - ii. Record owner(s) name(s).
 - iii. Mortgage holder(s) name(s). If none, it should so state.
 - iv. The date through which records were searched (within 30 days of submittal).
 - v. Original signature and/or seal.
- d. For properties held by partnerships or trusts, the applicant must submit copies of the partnership or trust documents, or an opinion from an attorney familiar with the partnership or trust listing the partner(s) or trustee(s) who may execute agreements and deeds.
- e. Exhibit "C" to the Non-Vehicular Access Line Agreement shall describe and illustrate a new non-vehicular access line along the ultimate right-of-way for SW 27th Avenue except for
 - i. a 50-foot opening with centerline located approximately 40 feet south of the north plat limits.
 - ii. a 50-foot opening with centerline located approximately 150 feet north of the south plat limits.

Letter to Proceed: New Findings of Adequacy and delegation request to modify the Conditions of Approval (Amend NVAL)

Henderson Mental Health Center (026-MP-01)

Page 3 of 4

3. RIGHT-OF-WAY REQUIREMENTS (Separate Document)

- a. Right-of-way for a northbound right turn lane on SW 27th Avenue at the northern 50-foot opening with 150 feet of storage and 50 feet of transition.

**** Recommended for waiver by the County Commission. ****

4. TURN LANE IMPROVEMENTS (Secure and Construct)

- a. A northbound right turn lane on SW 27th Avenue at the northern 50-foot opening with 150 feet of storage and 50 feet of transition.

**** Recommended for waiver by the County Commission. ****

5. NEW TRAFFICWAY IMPROVEMENTS (Additional Security and Agreement)

- a. The driveway constructed within any 50-foot opening shall be centered in the opening with a minimum driveway width of 25 feet and a minimum entrance radius of 40 feet and a minimum egress radius of 30 feet.

6. SIDEWALK REQUIREMENTS (Additional Security and Agreement)

- a. Along SW 27th Avenue adjacent to this plat.

7. NEW PAVEMENT MARKING AND SIGNING REQUIREMENTS (Additional Security and Agreement)

- a. Construction of the required improvements shall include installation of signs and thermoplastic pavement markings. Pavement markings and signs shall be designed, fabricated, and installed in accordance with Traffic Engineering Division standards. The security amount for pavement markings and signs will be based on the approved construction plans or the approved engineer's cost estimate as outlined below. Design and installation of the required markers and/or signs are subject to approval by Florida Department of Transportation for projects located on a FDOT jurisdictional roadway.

8. IMPROVEMENT AGREEMENT AND SECURITY REQUIREMENTS

- a. Section 5-184(d)(2) of the Broward County Land Development Code requires a recordable agreement for the required improvements. The owner of this plat shall enter into the standard Installation of Required Improvements Agreement (CAF#450) and submit it to the Highway Construction and Engineering Division for review and approval prior to plat recordation. The completion date for all required improvements listed as Exhibit "B" shall indicate completion prior to issuance of Certificates of Occupancy. Alternate phasing schedules must receive prior approval from the Highway Construction & Engineering Division. The use of a non-standard agreement will require independent approval by the County Commission.

Letter to Proceed: New Findings of Adequacy and delegation request to modify the Conditions of Approval (Amend NVAL)

Henderson Mental Health Center (026-MP-01)

Page 4 of 4


- b. The Installation of Required Improvements Agreement shall be secured by letter of credit, cash, lien, or other security acceptable to the County. Security instruments for all required improvements shall be submitted prior to NVAL Amendment Agreement recordation and/or commencement of construction. Security amounts shall be based upon the one of the following:
 - i. Approved construction plans. When security is based on approved construction plans, the security will be calculated at one hundred (100%) percent of the cost of the improvements. Requirements for submitting construction plans are outlined below.
 - ii. Engineer's cost estimate. When security is based on an engineer's cost estimate, the security will be calculated at one hundred twenty-five (125%) percent of the cost of the improvements. Engineer's cost estimate(s) must be submitted for review by the Highway Construction and Engineering Division. Use of approved cost estimate forms is required. Payment of the applicable review fee is required pursuant to Chapter 38.8 of the Broward County Administrative Code.
 - iii. All forms are available on the Highway Construction & Engineering Division's web page at:
<http://bcegov2.broward.org/bcengineering/Plats/PlatsForms.asp>

9. IMPROVEMENT PLAN SUBMITTAL (Pre-construction and Security Release Requirements)

- a. Construction plans for the required improvements (including pavement marking and signing plans) shall be submitted to Highway Construction and Engineering Division for review for conformance to Plat recommendations and must be approved prior to the commencement of construction. Construction shall be subject to inspection and approval by the County.
- b. Communication Conduit/Interconnect plans (3 sets and a cost estimate) shall be submitted to the Traffic Engineering Division. Any easements necessary for relocation and maintenance of the conduit must be provided and shown on the submitted plans. No security shall be released without field inspection and final approval of all materials, installations and locations by the Traffic Engineering Division.



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

FROM: Barbara Blake Boy, Executive Director 

RE: Henderson Mental Health Center (Findings of Adequacy)
(026-MP-01) City of Fort Lauderdale

DATE: March 19, 2019

The Future Land Use Element of the City of Fort Lauderdale Comprehensive Plan is the effective land use plan for the City of Fort Lauderdale. That plan designates the area covered by this plat for the uses permitted in the “Commercial” (i.e., the western approximate 1.29 acres) and “Medium High (25) Residential” (i.e., the eastern approximate 0.94 acres) land use categories. This plat is generally located on the east side of Southwest 27 Avenue (Riverland Road), between Broward Boulevard and Southwest 6 Street, in the City of Fort Lauderdale.

The existing and proposed medical office use on that portion of the plat designated “Commercial” is in compliance with the permitted uses of the effective land use plan.

Regarding the existing and proposed medical office use on that portion of the plat designated “Medium High (25) Residential,” Planning Council staff has received written documentation that on November 21, 2000, the City utilized the “5% residential-to-commercial” flexibility provision for the subject property, which permits commercial uses within areas designated “Residential” on parcels less than ten (10) acres in size and which will be used for offices and/or neighborhood retail sales of merchandise or services. Therefore, the proposed medical office use is in compliance with the permitted uses of the effective land use plan.

Planning Council staff notes that this allocation of “flexibility” was not subject to Policy 2.10.1 of the Broward County Land Use Plan as the subject parcel is not located within 500 feet of a Broward County or regional park, or an Environmentally Sensitive Land, as defined by the Broward County Comprehensive Plan, and is not located adjacent to another municipality.

The effective land use plan shows the following land uses surrounding the plat:

North: Commercial
South: Medium High (25) Residential
East: Commercial and Medium High (25) Residential
West: Commercial

Henderson Mental Health Center

March 19, 2019

Page Two

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:GSM

cc: Chris Lagerbloom, City Manager
City of Fort Lauderdale

Anthony Fajardo, Director, Department of Sustainable Development
City of Fort Lauderdale





HENDERSON MENTAL HEALTH CENTER

RENEWAL OF FINDINGS OF ADEQUACY AND NVAL AMENDMENT

**Plat Book 173, Page 5 B.C.R.
Plat No. 026-MP-01**

February 7, 2019

Background

Headway New Vistas LLC (“Applicant”) is the owner of the property included on the Henderson Mental Health Center Plat, recorded in plat book 173, page 5 of the public records of Broward County, Florida (“Plat”). The Plat is located on the east side of SW 27th Avenue, south of Broward Boulevard and generally encompasses the Henderson Mental Health Center, located at 330 SW 27th Avenue in Fort Lauderdale (the “Property”). The Plat currently restricts development of the Property to 68,000 square feet of medical office use (13,934 square feet existing, 54,066 square feet proposed). The Applicant is not proposing to amend the plat note as it relates to the intensity of development. A copy of the Plat is attached hereto as **Exhibit “A”**.

Requests

The Applicant is proposing to amend the conditions of plat approval as they relate to the non-vehicular access lines (“NVAL”). The proposed development includes two (2) separate buildings with two (2) separate entrances from SW 27th Avenue. To accommodate the new development, the NVALs must be amended. A sketch and legal description of the existing NVALs is attached hereto as **Exhibit “B”**. A sketch and legal description of the proposed NVALs is attached hereto as **Exhibit “C”**.

For reference, a copy of the proposed site plan for the Property, which is currently in the Development Review Committee Process at the City of Fort Lauderdale (“City”), is attached hereto as **Exhibit “D”**. A survey of the Property is attached hereto as **Exhibit “E”**. The letter of no objection from the City, stating that the City has no objection to the requested NVAL amendment, is attached hereto as **Exhibit “F”**.

In addition to amending the NVALs, the Applicant is proposing to renew the findings of adequacy of the plat. The findings of adequacy on the Plat expired on February 19, 2007. Applicant is requesting that the proposed findings of adequacy be renewed for a period of 5 years, commencing on the date that the County Commission approves the renewal of the findings of adequacy. The letter of no objection from the City, stating that the City has no objection to renewing the findings of adequacy, is attached hereto as **Exhibit “G”**.



February 6, 2019

Ms. Thuy Turner, AICP
Environmental Protection and Growth Management Department
Planning and Development Management Division
One North University Drive, Suite 102-A
Plantation, Florida 33324

RE: Letter of No Objection to Henderson Mental Health Center Plat – Findings of Adequacy (Plat Book 173, Page 5), File No. 026-MP-01

Dear Ms. Turner:

The City of Fort Lauderdale is in receipt of a request to renew the findings of adequacy for the Henderson Mental Health Center Plat, recorded in Plat Book 173, Page 5 of the public records of Broward County (the “Plat”).

The specific request is to renew the findings of adequacy for the Plat.

The City has no objection to the renewal of findings of adequacy for the Plat.

If you have any questions or require additional information, please feel free to contact Randall Robinson at 954-828-5265 or RRobinson@fortlauderdale.gov.

Sincerely,

Anthony Greg Fajardo
Director, Department of Sustainable Development

cc: Ella Parker, AICP, Urban Design & Planning Manager, Department of Sustainable Development
Randall Robinson, Department of Sustainable Development
Robert Lochrie, Lochrie & Chakas





January 04, 2019

Ms. Thuy Turner, AICP
Environmental Protection and Growth Management Department
Planning and Development Management Division
One North University Drive, Suite 102-A
Plantation, Florida 33324

RE: Letter of No Objection to Non-Vehicular Access Line (NVAL) Amendment – Henderson Mental Health Center- Case - A19003

Dear Ms. Turner:

The City of Fort Lauderdale is in receipt of a request for a non-vehicular access line (NVAL) amendment to the "Henderson Mental Health Center" plat in Fort Lauderdale, recorded in plat book 173, Pages 5 & 6, B.C.R.

As per Broward County Code Section 5-181, changes to plat approval conditions shall not be accepted unless the municipality has issued a letter or has adopted a resolution stating the municipality's position regarding the application.

The specific NVAL request is as follows:

From:

THE WEST LINE OF PARCEL "A", HENDERSON MENTAL HEALTH CENTER, ACCORDING TO THE PIAT THEREOF, AS RECORDED IN PLOT BOOK 173, PAGES 5 AND 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID WEST LINE MORE FULLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A", BEING THE BEGINGGGING OF A NON-VEHICULAR ACCESS LINE; THENCE NORTH 00°00'00" EAST ON SAID NON-VEHICULAR ACCESS LINE, A DISTANCE OF 344.50 FEET TO THE POINT OF TERMINATION (1) OF SAID NON-VEHICULAR ACCESS LINE AND TO THE POINT OF BEGINNING (2) OF A 50 FOOT ACCESS OPENING (RESTRICTED TO RIGHT TURNS ONLY); THENCE NORTH 00°00'00" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF TERMINATION (2) OF SAID 50 ACCESS OPENING AND TO THE PPOINT OF BEGINNING (3) OF A NON-VEHICULAR ACCESS LINE; THENCE NORTH 00*00'00" EAST, ON SAID NON-VEHICULAR ACCESS LINE, A DISTANCE OF 55.50 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "A" AND TO THE POINT OF TERMINATION (3) OF SAID NON-VEHICULAR ACCESS LINE.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

To:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL "A"; BEING THE BEGINNING OF A NON-VEHICULAR ACCESS LINE; THENCE NORTH 0°00'00" EAST, ON SAID NON-VEHICULAR ACCESS LINE, A DISTANCE OF 725.00 FEET TO THE POINT OF TERMINATION (1) OF SAID NON-VEHICULAR ACCESS LINE AND TO THE POINT OF BEGINNING (2) OF A 50 FOOT ACCESS OPENING; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF TERMINATION (2) OF SAID 50 ACCESS OPENING AND TO THE POINT OF BEGINNING (3) OF ANON-VEHICULAR ACCESS LINE; THENCE NORTH 00°00'00" EAST, ON SAID NON-VEHICULAR ACCESS LINE, A DISTANCE OF 210. 00 FEET TO THE POINT OF



TERMINATION (3) OF SAID NON-VEHICULAR ACCESS LINE AND TO THE POINT OF BEGINNING (4) OF A 50 FOOT ACCESS OPENING; THENCE NORTH 00°00'00" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF TERMINATION (4) OF SAID 50 ACCESS OPENING AND TO THE POINT OF BEGINNING (5) OF A NON-VEHICULAR ACCESS LINE; THENCE NORTH 00°00'00" EAST, ON SAID NON-VEHICULAR ACCESS LINE, A DISTANCE OF 15.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL "A" AND TO THE POINT OF TERMINATION (5) OF SAID NON- VEHICULAR ACCESS LINE.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Pursuant to Section 47-24.5 of the City of Fort Lauderdale Unified Land Development Regulations, the City has reviewed the proposed NVAL amendment and has no objections to the note change.

If you have any questions or require additional information, please feel free to contact Adam Schnell at 954-828-4798 or Aschnell@fortlauderdale.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Fajardo', written over the word 'Sincerely,'.

Anthony Greg Fajardo, Director, Department of Sustainable Development
Department of Sustainable Development

cc: Rhoda Mae Kerr, Assistant City Manager
Ella Parker, Urban Design & Planning Manager, Department of Sustainable Development
Randal Robertson, Planner III, Department of Sustainable Development
Lawrence A. Martineau II, FSMY Architects & Planners, Inc.

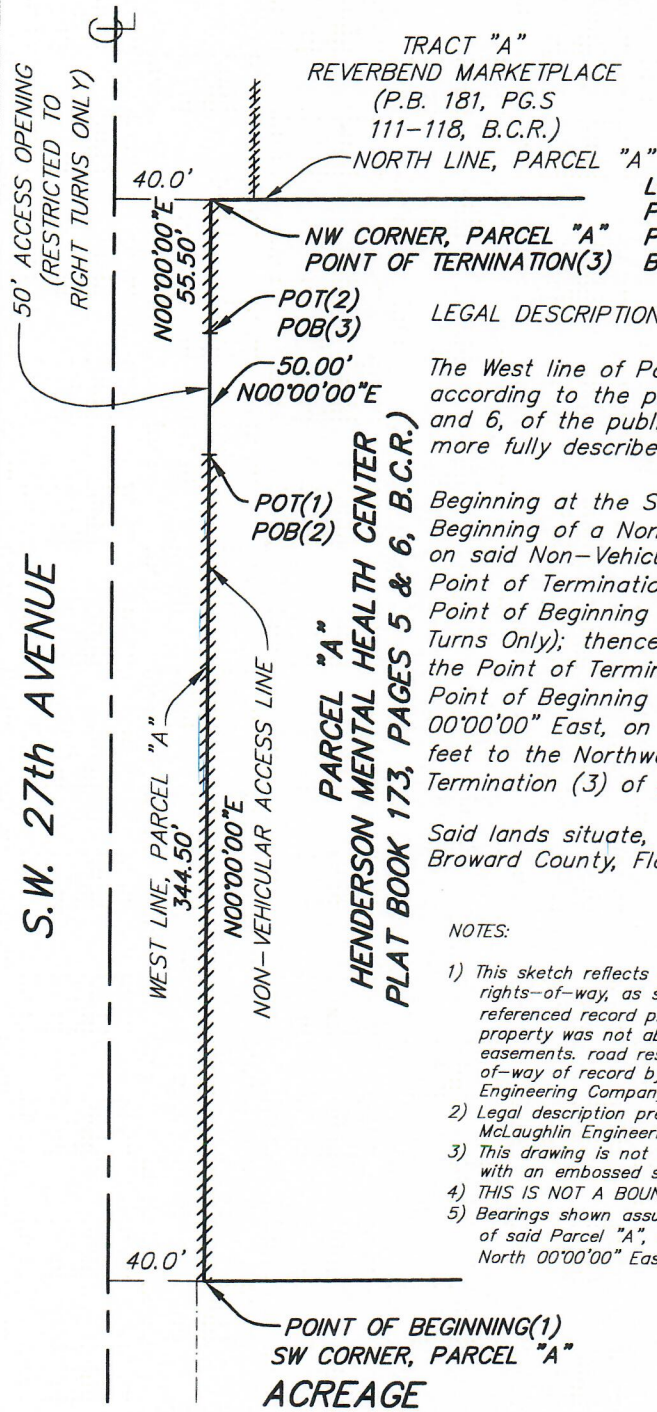
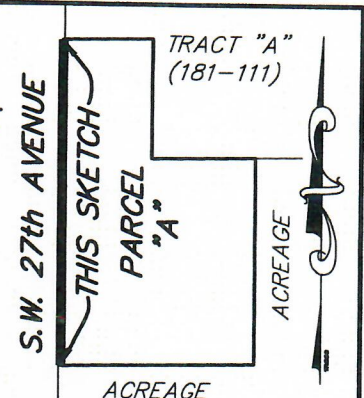


McLAUGHLIN ENGINEERING COMPANY LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
PHONE (954) 763-7611 * FAX (954) 763-7615

SCALE 1"=80'

EXHIBIT "B" SKETCH AND DESCRIPTION EXISTING NON-VEHICULAR ACCESS LINE HENDERSON MENTAL HEALTH CENTER



LEGEND:
POB= POINT OF BEGINNING
POT= POINT OF TERMINATION
B.C.R.= BROWARD COUNTY RECORDS

LEGAL DESCRIPTION:

The West line of Parcel "A", HENDERSON MENTAL HEALTH CENTER, according to the plat thereof, as recorded in Plat Book 173, Pages 5 and 6, of the public records of Broward County, Florida, said West line more fully described as follows:

Beginning at the Southwest corner of said Parcel "A", being the Beginning of a Non-Vehicular Access Line; thence North 00'00"00" East, on said Non-Vehicular Access Line, a distance of 344.50 feet to the Point of Termination (1) of said Non-Vehicular Access Line and to the Point of Beginning (2) of a 50 foot Access Opening (restricted to Right Turns Only); thence North 00'00"00" East, a distance of 50.00 feet to the Point of Termination (2) of said 50 Access Opening and to the Point of Beginning (3) of a Non-Vehicular Access Line; thence North 00'00"00" East, on said Non-Vehicular Access Line, a distance of 55.50 feet to the Northwest corner of said Parcel "A" and to the Point of Termination (3) of said Non-Vehicular Access Line.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of said Parcel "A", as North 00'00"00" East.

**SITE LAYOUT
NOT TO SCALE**

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 7th day of January, 2019.

McLAUGHLIN ENGINEERING COMPANY

JERALD A. McLAUGHLIN
Registered Land Surveyor No. 5269
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-4010

CHECKED BY: _____

REF. DWG.: 99-3-015

C: \JMMjr\2019\V4010 (NVAL)



McLAUGHLIN ENGINEERING COMPANY
LB#285

ENGINEERING * SURVEYING * PLATTING * LAND PLANNING
1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
PHONE (954) 763-7611 * FAX (954) 763-7615

SCALE 1"=80'

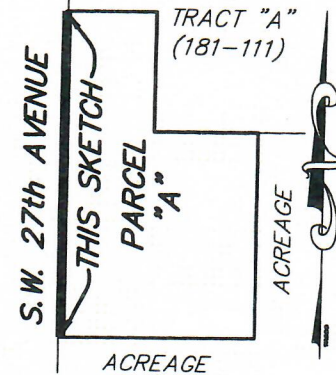
EXHIBIT "C"

**SKETCH AND DESCRIPTION
NEW NON-VEHICULAR ACCESS LINE
HENDERSON MENTAL HEALTH CENTER**

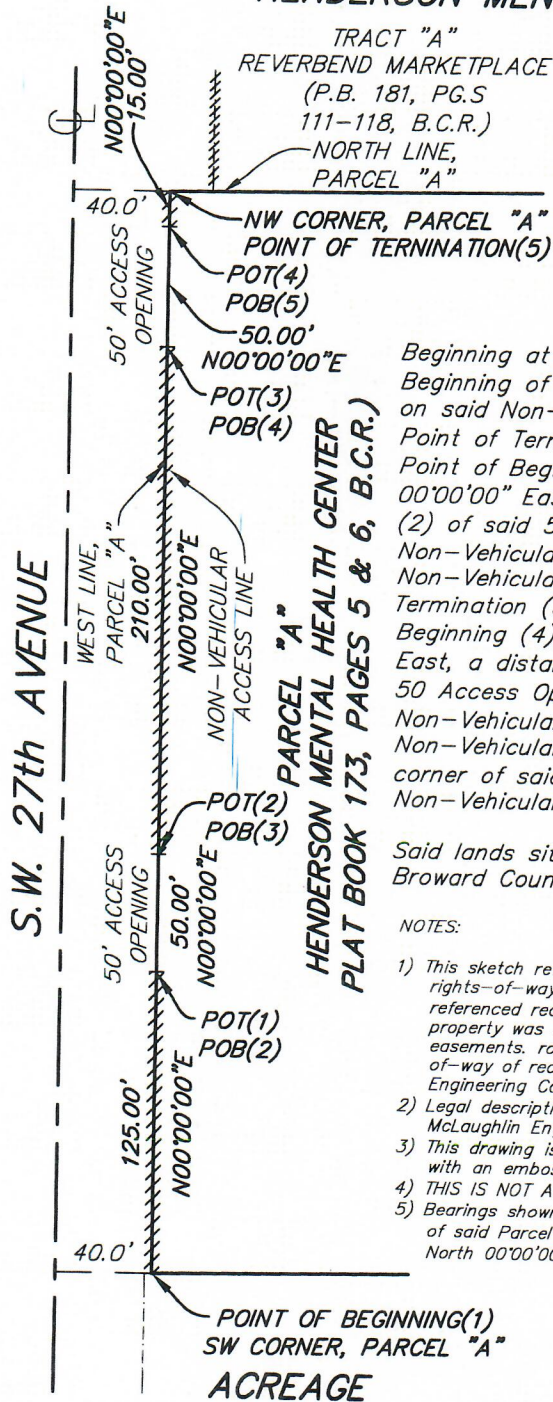
TRACT "A"
REVERBEND MARKETPLACE
(P.B. 181, PG.S
111-118, B.C.R.)
NORTH LINE,
PARCEL "A"

LEGAL DESCRIPTION:

The West line of Parcel "A",
HENDERSON MENTAL HEALTH
CENTER, according to the
plat thereof, as recorded in
Plat Book 173, Pages 5 and
6, of the public records of
Broward County, Florida,
said West line more fully
described as follows:



**SITE LAYOUT
NOT TO SCALE**



Beginning at the Southwest corner of said Parcel "A", being the Beginning of a Non-Vehicular Access Line; thence North 00°00'00" East, on said Non-Vehicular Access Line, a distance of 125.00 feet to the Point of Termination (1) of said Non-Vehicular Access Line and to the Point of Beginning (2) of a 50 foot Access Opening; thence North 00°00'00" East, a distance of 50.00 feet to the Point of Termination (2) of said 50 Access Opening and to the Point of Beginning (3) of a Non-Vehicular Access Line; thence North 00°00'00" East, on said Non-Vehicular Access Line, a distance of 210.00 feet to the Point of Termination (3) of said Non-Vehicular Access Line and to the Point of Beginning (4) of a 50 foot Access Opening; thence North 00°00'00" East, a distance of 50.00 feet to the Point of Termination (4) of said 50 Access Opening and to the Point of Beginning (5) of a Non-Vehicular Access Line; thence North 00°00'00" East, on said Non-Vehicular Access Line, a distance of 15.00 feet to the Northwest corner of said Parcel "A" and to the Point of Termination (5) of said Non-Vehicular Access Line.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an embossed surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the West line of said Parcel "A", as North 00°00'00" East.

LEGEND:

- POB= POINT OF BEGINNING
- POT= POINT OF TERMINATION
- B.C.R.= BROWARD COUNTY RECORDS

CERTIFICATION

Certified Correct. Dated at
Fort Lauderdale, Florida this
7th day of January, 2019.

McLAUGHLIN ENGINEERING COMPANY

[Signature]
JERALD A. McLAUGHLIN
Registered Land Surveyor No. 5269
State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. V-4010

CHECKED BY: _____

REF. DWG.: 99-3-015

C: \JMMjr\2019\V4010 (NVAL)