

STAFF REPORT  
The Parker Plat  
100-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 December 20, 1988. The current note reads:

This plat is restricted to **80,234 square feet of industrial use (35,350 square feet proposed, 44,884 square feet existing) on Parcel A** and 17 two-bedroom townhouse units on Parcel B.

The plat is generally located on the east side of North Dixie Highway, between Northeast 24 Street and South Fork New River on 6.74 acres in the City of Wilton Manors. The plat was recorded on April 7, 1989 (Book 138, Page 27).

The applicant is requesting to revise the note on the plat for to eliminate the industrial use and add 60,000 square feet of community facility and 48 mid-rise units to Parcel A. The 48 mid-rise units are proposed to be age-restricted. Parcel B remains unchanged. The proposed note language reads as follows:

This plat is restricted to **60,000 square feet of community center (30,000 square feet existing, 30,000 square feet proposed), 4,000 square feet of office use, 6,000 square feet of commercial use, and 48 age-restricted mid-rise units, and accessory uses ancillary to the residential units only on Parcel A;** and 17 townhouse units on Parcel B. Dwelling units on Parcel A shall not be permanently occupied by any person under the age of 18.

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 “Transit Oriented Corridor” land use category. Regarding the proposed community facility use, this plat is subject to the executed “Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land uses in Transit Oriented Corridor,” as recorded in Official Records Book 50665, Pages 790-795. Regarding the proposed residential use, the “Transit Oriented Corridor” permits a maximum of 519 residential units consisting of 279 high rise units, 30 single-family units, 44 townhouse units, 72 garden apartments, 84 duplexes and 10 studios. To date, 450 dwelling units consisting of 272 high rise units, 30 single family units, 27 townhouse units, 37 garden apartments and 84 duplexes have been proposed by plat or granted development permits. Therefore, the existing 17 townhouses on Parcel B are in compliance with the permitted uses and densities of the effective land use plan. The proposed 48 mid-rise units and ancillary residential uses on Parcel A, received approval for 48 affordable “flexibility units” from the City of Wilton Manors on September 11, 2018, through Resolution Number 2018-086. Therefore, in order for the proposed 48 mid-rise units to be considered in compliance with the permitted uses and densities of

the effective land use plan, said dwelling units must be restricted to “affordable” housing units. This allocation of “flexibility” is subject to Policy 2.10.1 of the Broward County Land Use Plan as the subject parcel is located within 500 feet of a privately-owned Environmentally Sensitive Land, as defined by the Broward County Comprehensive Plan.

### **School Mitigation**

The attached School Capacity Availability Determination (SCAD) issued by the School Board of Broward County indicates that this plat was previously reviewed for 17 townhouse units which generated four (4) students. School Board staff notes the proposed 48 mid-rise units will prohibit the residence of school-aged children. Therefore, the plat note amendment is not anticipated to generate additional students into the Broward County Public Schools and is considered exempt for purposes of public-school concurrency review.

### **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 174 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. Transportation concurrency fees shall be due for any portions of the existing industrial use which has been changed to a more intensive use, which shall be assessed and paid in accordance with the fee schedule as specified in the Land Development Code during the review of construction plans submitted for County environmental review approval.

### **Impact Fees**

Road impact fees for the 80,234 square feet of industrial use were paid prior to the recordation of the plat; therefore, Parcel A is vested for 69 PM peak hour trips. The proposed change of use of 30,000 square feet of industrial to community center will generate 43.5 PM peak hour trips. A balance of 25.5 PM peak hour trips exists which may be credited towards the assessment of transportation concurrency fees. The proposed 48 mid-rise units, 30,000 square feet of community center and 6,000 square feet of commercial use shall be subject to transportation concurrency fees. The mid-rise units shall also be subject to regional park impact and administrative fees, which will be assessed and paid in accordance with the fee schedule as specified in the Land Development Code during the review of construction plans submitted for County environmental review approval. Because Parcel “A” of this plat prohibits the residence of school age children in a manner consistent with federal, state, and local law or regulations, that portion of the plat may be exempt from school concurrency or school impact fee requirements provided the owner restricts the property by deed or other recorded instrument in a form acceptable to the County Attorney’s Office.

This property has not yet been certified by the Housing Finance and Community Development Division as a low-income and/or very low-income housing project; therefore,

it does not qualify for any waivers of concurrency and impact fees, in accordance with Section 5-182(a)(5)a)3) and Section 5-184(b)(4) of the Land Development Code. If the owner applies for and receives certification, then concurrency and impact fees may be waived during the review of construction plans submitted for County environmental review approval.

### **Reviewing Agency Comments**

The attached Resolution No. R-2018-086 from the City of Wilton Manors indicates no objection to this request.

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

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

The Aviation Department has advised that this property is within 20,000-feet of Fort Lauderdale Executive 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 Wilton Manors, outside of 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 City of Wilton Manors' Director of Community Services Division at 954-390-2180, 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](mailto:med_exam_trauma@broward.org).

Staff recommends **APPROVAL** of this request until and provided that 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 **October 23, 2019**.
- 2) Prior to the recordation of the agreement to amend the note on the face of the plat, records a document acceptable to the County Attorney's Office to restrict Parcel A that prohibits the residence of school age children.

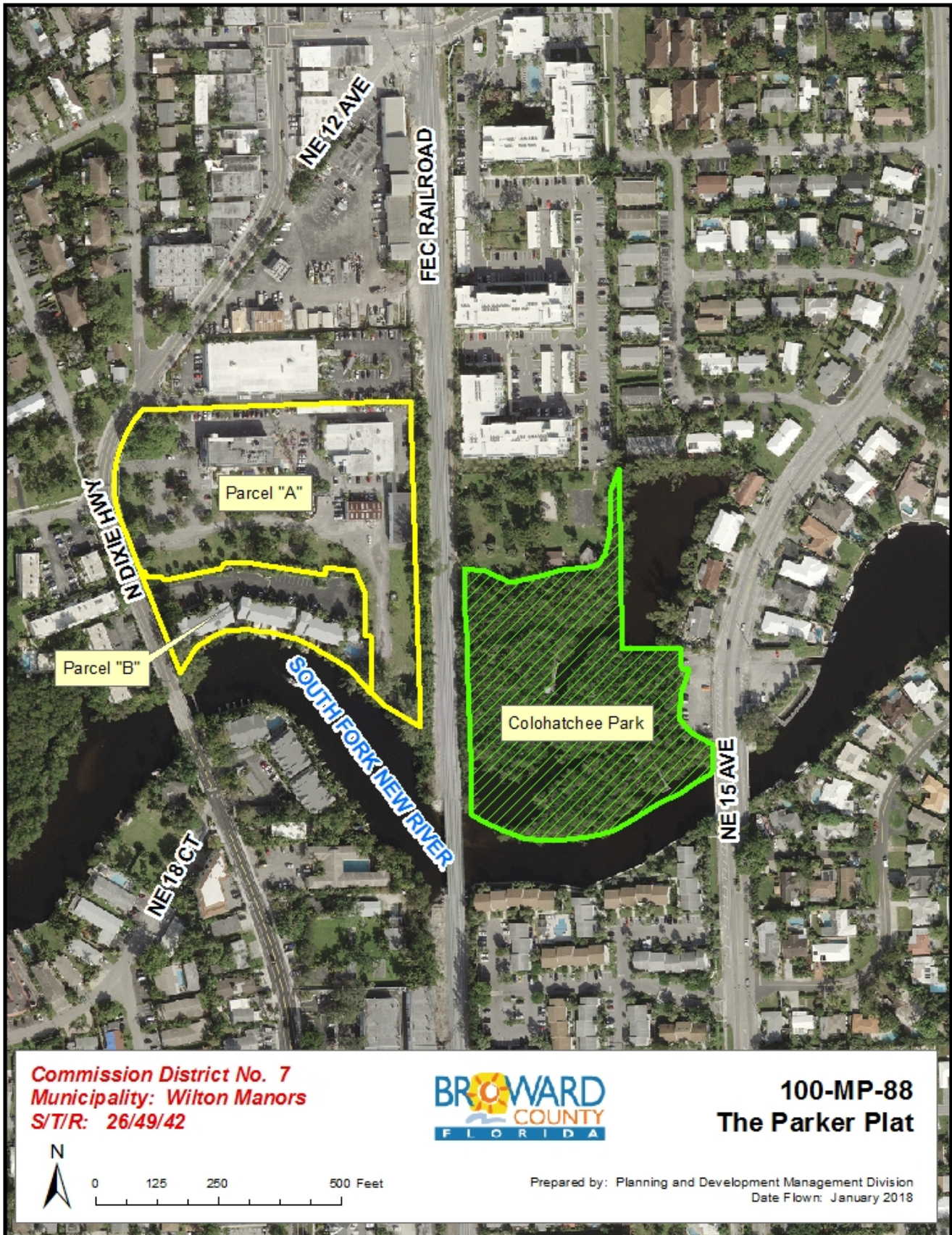
The amended note must also include language stating the following:

- 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 for **Parcel A** by **October 23, 2023**, 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 for **Parcel A** by **October 23, 2023**, 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.

Continued



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

**REVISED**  
4/2/18

PLAT  
SBBC-2407-2018  
County No: 100-MP-88  
Residences at Equality Park

April 2, 2018

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](http://www.browardschools.com)

**FINAL SCHOOL CAPACITY AVAILABILITY DETERMINATION  
PLAT**

PROJECT INFORMATION	NUMBER & TYPE OF PROPOSED UNITS	OTHER PROPOSED USES	ADDITIONAL STUDENT
Date: April 2, 2018	Single-Family:	60,000 SF of Community Facility 48 age-restricted mid-rise units	Elementary: 0
Name: Residences at Equality Park	Townhouse:		Middle: 0
SBBC Project Number: SBBC-2407-2018	Garden Apartments:		
County Project Number: 100-MP-88	Mid-Rise:		High: 0
Municipality Project Number: TBD	High-Rise:		
Owner/Developer: Gay & Lesbian Community Center	Mobile Home:		Total: 0
Jurisdiction: Wilton Manors	Total: 0		

**Comments**

According to the information provided by the applicant, the current plat note permits 17 (two-bedroom) townhouse units, which generate 4 (2 elementary, 1 middle and 1 high school) students. However, these units are already built and occupied and therefore are included in the District's student enrollment projections. The applicant is proposing a plat note amendment (and site plan) to enable an additional 48 mid-rise units that will prohibit the residence of school-aged children. Because of the age-restriction on the units, the plat note amendment is not anticipated to generate additional students into Broward County Public Schools and provided that the plat note includes this restriction, is considered exempt for purposes of public school concurrency review.


Additionally, the plat site is not located adjacent to existing public schools or currently vacant school sites owned by the School Board and as proposed, will not have direct physical impact on Broward County Public Schools.

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

SBBC-2407-2018 Project is Exempt from Public School Concurrency

Yes  No

4/2/18  
Date

Reviewed By   
Signature  
Lisa Wight  
Name  
Planner  
Title



**RESOLUTION NO. 2018-086**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA, APPROVING THE APPLICATION TO AMEND THE PLAT (PL-18-01), FOR GAY & LESBIAN COMMUNITY CENTER OF GREATER FORT LAUDERDALE, INC. FOR THE PROPERTY LOCATED AT 2040 N. DIXIE HIGHWAY, WILTON MANORS, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owners of the real property identified in Exhibit "A", also known as 2040 N. Dixie Highway, Wilton Manors, Florida (the "Property") filed an application with the City to amend "The Parker Plat" (PL-18-01) concurrently with applications to approve a site plan, and to allocate forty-eight (48) affordable flexibility units; and

**WHEREAS**, the Development Review Committee reviewed PL-18-01 and it was determined that the applicant had addressed the Committee's comments; and

**WHEREAS**, on July 9, 2018, the Planning and Zoning Board of the City of Wilton Manors, Florida, held a public hearing for the purpose of making its recommendation for the approval the amendment to the Plat; and

**WHEREAS**, on July 9, 2018, the Planning and Zoning Board voted to recommend approval of Plat Application PL-18-01, subject to City staff's recommended conditions and subject to the allocation of forty-eight (48) affordable flexibility units; and

**WHEREAS**, City staff has found that the Applicant's request complies with the applicable Zoning Code, Land Development Regulations and Comprehensive Plan; and

**WHEREAS**, the City Commission requires that the applicant comply with the requirements of the Broward County Board of County Commissioners, the Development Review Committee, and the Planning and Zoning Board, except as modified herein; and

1           **WHEREAS**, the Applicant has agreed to these requirements and conditions: and

2           **WHEREAS**, the City Commission finds that the Applicant's request complies  
3 with the applicable Zoning Code, Land Development Regulations and Comprehensive  
4 Plan; and

5           **WHEREAS**, the notice and hearing requirements for adoption of plat applications  
6 contained in the Florida Statutes and the City's Code of Ordinances have been satisfied;  
7 and

8           **WHEREAS**, the City Commission has conducted a quasi-judicial hearing and  
9 considered the plat application; and

10           **WHEREAS**, the City Commission deems it to be in the best interests of the  
11 citizens and residents of the City to approve the plat application.

12           **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION**  
13 **OF THE CITY OF WILTON MANORS, FLORIDA:**

14           **Section 1:** Each "WHEREAS" clause set forth above is true and correct and  
15 herein incorporated by this reference.

16           **Section 2:** The City Commission hereby approves PL 18-01, subject to the  
17 recommendations and requirements of the Broward County Board of County  
18 Commissioners, the Development Review Committee, and the Planning and Zoning  
19 Board, except as modified herein, subject to the following conditions:

- 20           1) City Commission allocation of forty-eight (48) affordable flexibility units to  
21           the Property so that the proposed use of forty-eight (48) affordable midrise  
22           units is in compliance with the permitted uses and densities of the effective  
23           land use.

1           2) The Plat shall contain the following notation: "This plat is restricted to 60,000  
2           square feet of community center (30,000 square feet of existing and 30,000  
3           square feet proposed); 4,000 square feet of office; 6,000 square feet of  
4           commercial; and 48 midrise units and accessory residential uses ancillary to the  
5           residential units only on Parcel "A" and 17 two-bedroom town homes on  
6           Parcel "B." The permanent residence of school aged children is prohibited  
7           within the 48 midrise units on Parcel "A." to be recorded in the official record  
8           books of Broward County, Florida prior to the issuance of the first building  
9           permit application.

10          This approval does not guarantee any other approval required by the City.

11           **Section 3.**     All Resolutions or parts of Resolutions in conflict herewith, be and  
12          the same are repealed to the extent of such conflict.

13           **Section 4.**     If any section, sentence, clause or phrase of this Resolution is held  
14          to be invalid or unconstitutional by any court of competent jurisdiction, then said holding  
15          shall in no way affect the validity of the remaining portions of this Resolution.

16           **Section 5.**     This Resolution shall become effective immediately upon its  
17          passage and adoption.

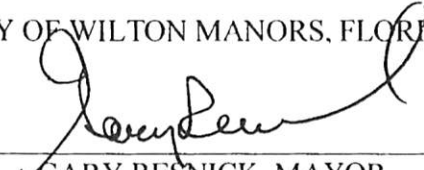
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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
WILTON MANORS, FLORIDA, THIS 14<sup>th</sup> DAY OF SEPTEMBER, 2018.

CITY OF WILTON MANORS, FLORIDA

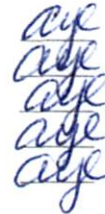
By:   
GARY RESNICK, MAYOR

ATTEST:

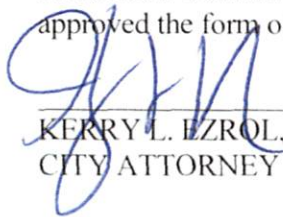
RECORD OF COMMISSION VOTE: 1<sup>ST</sup>  
Reading

  
FAITH LOMBARDO  
CITY CLERK

MAYOR RESNICK  
VICE MAYOR FLIPPEN  
COMMISSIONER CARSON  
COMMISSIONER GREEN  
COMMISSIONER NEWTON



I HEREBY CERTIFY that I have  
approved the form of this Ordinance.

  
KERRY L. EZROL, ESQ.  
CITY ATTORNEY

## **EXHIBIT "A"**

### **Legal Description**

Parcels "A" and "B." The Parker Plat, according to the plat thereof as recorded in Plat Book 138, Page 27, of the public records of Broward County, Florida.

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

**Application:** Delegation Request (To amend the note to eliminate the industrial use and add 60,000 square feet of community facility use and 48 mid-rise units on Parcel "A.")  
**File Number:** 100-MP-88  
**Project Name:** The Parker Plat  
**Comments Due:** June 1, 2018  
**Development Type:** Community Facility (60,000 Square Feet), Commercial (6,000 Square Feet), Office (4,000 Square Feet), and Residential (17 Townhouse Units and 48 Mid-Rise Units)

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 Wilton Manors 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 Fort Lauderdale's Charles W. Five Ash Water Treatment Plant which has a capacity of 90.000 MGD, a maximum daily flow of 52.700 MGD, and the estimated project's flow is 0.029 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**

Wastewater Treatment Plant:	<b>G. T. Lohmeyer</b>
Flow Data:	<b>As of 03/18</b>
EPGMD Licensed Capacity	<b>48.0000 MGD</b>
12 Month Average Flow:	<b>38.8800 MGD</b>
Existing Flow Reserved by Building Permit:	<b>1.3700 MGD</b>
Total Committed Flow:	<b>40.2500 MGD</b>
Estimated Project Flow:	<b>0.0239 MGD</b>

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.

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

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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.

See the attached Conceptual Dredge and Fill Review Report. The Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division has not yet conducted a site inspection on this project; however, aerial photographs and light detection and ranging (LIDAR) data indicate that this property may contain County jurisdictional wetlands. **The applicant must request a formal wetland determination from the Water and Environmental Licensing Section. If the site is determined to contain wetlands, an Environmental Resource License will be required prior to any dredging, filling, or other alteration of wetlands.** Contact the Water and Environmental Licensing Section at 954-519-1483.

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.

Applicant has been informed that the proposed development contains or abuts water bodies or will be creating same. Excavation or filling of any surface waters, or the construction or repair of in-water structures such as seawalls and docks, are regulated under Article XI of the Natural Resource Protection Code and may require an Environmental Resource License.

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 Wilton Manors 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.

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100-MP-88 THE PARKER PLAT

This site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the inventory. For reference, the site is located west across the train tracks from Colohatchee Park, a City of Wilton Manors owned park property which contains a forested wetland included 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. A demolition notice of the existing use may be required from the Broward County Air Licensing and Compliance Section of the Environmental Engineering and Permitting Division.
4. 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.
5. A Tree Removal License may be required. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.

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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 The Parker Plat

Plat Number 100-MP-88 Plat Book - Page 138-27 (If recorded)

Owner/Applicant Gay & Lesbian Community Center of Greater Fort Lauderdale, Inc. Phone 954-463-9005

Address 2040 N. Dixie Hwy City Wilton Manors State FL Zip Code 33305

Owner's E-mail Address N/A Fax # N/A

Agent Shutts & Bowen LLP Phone 305-415-9437

Contact Person David Coviello, Esq.

Address 200 S. Biscayne Blvd., Suite 4100 City Miami State FL Zip Code 33131

Agent's E-mail Address DCoviello@Shutts.com Fax # 305-415-9437

**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.

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Proposed note for entire plat See Attached.

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**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  
Charles W. Fiveash Water Treatment Plant, 4321 NW 9th Ave, Fort Lauderdale.

Will project be served by an approved sewage treatment plant? If YES, state name and address.  Yes  No  
George I. Lohmeyer Regional Wastewater Treatment Plant, 1765 SE 18th Street, Fort Lauderdale.

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.

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Estimate or state the total number of on-site parking spaces to be provided SPACES 162

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Number of seats for any proposed restaurant or public assembly facility, including places of worship SEATS 299\* \*Excludes Flex Event Spaces.

Number of students for a daycare center or school STUDENTS 0

Reasons for this request (Attach additional sheet if necessary.) See Attached Letter of Intent.

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**FOR APPLICATIONS PROPOSING INDUSTRIAL USE(S) - SUPPLEMENTAL REQUIREMENT**

Proposed industrial plat notes which about 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**

**REQUIRED DOCUMENTATION:** Submit one (1) original of each document and electronic copy of each item listed below. Each document listed below must also be submitted electronically as a separate pdf on a CD, flash drive, etc.

- Recorded or approved plat.
- Letter of approval from the applicable municipality, dated within six (6) months of this application, specifically stating the precise note language. If the property is located within a Development of Regional Impact (DRI), the letter shall also indicate if the proposed note is consistent with the approved DRI Development Order.
- Current letter is required from the appropriate utility service area stating the location of the closest approved potable water line and/or sanitary sewer line and the exact distance to the property if on-site wells for potable water and/or septic tanks that are currently in use or proposed.
- Signed and sealed sketch and legal description for any new parcel or tract created by the application.
- A check for the application fees made payable to: Broward County Board of County Commissioners. Please consult the Development Permit Application Fee Schedule.

*School Concurrency Submission Requirements*

- RESIDENTIAL APPLICATIONS ONLY: Provide a receipt from the School Board documenting that a Public School Impact Application (PSIA) and fee have been accepted by the School Board.

**REQUIRED DOCUMENTATION FOR EXISTING BUILDINGS**

Are there any existing structures on the plat and/or parcel that is currently being amended? Yes or No? If "Yes," you are required to submit documentation providing evidence of the use, size (gross sq. ft.), unit type, and bedroom number as well as complete the table below. Please be advised that gross non-residential square footage includes permanent canopies and overhangs for gas stations, drive thru facilities, and overhangs designed for outdoor tables at a restaurant. A building is defined by the definition in the Land Development Code.

LAND USE	Gross Building sq. ft.* or Dwelling Units	Date Last Occupied	EXISTING STRUCTURE(S)		
			Remain the same?	Change Use?	Has been or will be demolished?
See attached spreadsheet.					
See attached as-built.					

The following are examples of documentation that may be used to confirm the existence of buildings on the plat and/or parcel:

- An "as built" survey prepared within six (6) months of this application showing the existing buildings.
- A copy of the latest approved site plan showing the existing buildings along with evidence from the municipality documenting that site plan is the latest approved site plan.
- If the existing structures are residential, evidence will be required of the bedroom mix and unit type. A letter from the city and or copies of permit records may be acceptable forms of evidence.
- Other evidence may be accepted if it clearly documents the use and gross square footage of the existing buildings.

**OWNER/AGENT CERTIFICATION**

State of Florida  
County of Broward

This is to certify that I am the owner/agent of the property described in this application and that all information supplied herein are true and correct to the best of my knowledge. By signing this application, owner/agent specifically agrees to allow access to the described property at reasonable times by County personnel for the purpose of verification of information provided by owner/agent.

Signature of owner/agent [Signature]  
Sworn and subscribed to before me this 14 day of May, 2018  
by Robert Boo  He/she is personally known to me or as identification.

Has presented  
Signature of Notary Public [Signature]  
Type or Print Name JANET WEISSMAN

**JANET WEISSMAN**  
as identification  
MY COMMISSION # GG136207  
EXPIRES August 20, 2021

**FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY**

Time 8:38 am Application Date 05/16/18 Acceptance Date 05/16/18  
Comments Due 05/31/18 C.C. Mtg. Date 08/14/18 Fee \$ 810

Plats  Survey  Site Plan  City Letter  Agreements  
Other Attachments (Describe) Narrative, Square Footage tabular data  
Title of Request Plat note amendment  
Distribute to:  Full Review  Planning Council  School Board  Land Use & Permitting  
 Health Department (on septic tanks and/or wells)  Zoning Code Services (unincorporated area only)  
 Planning & Redevelopment (unincorporated area only)  Other \_\_\_\_\_  
Adjacent City Fort Lauderdale Received by [Signature]



DAVID J. COVIELLO  
PARTNER  
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200 South Biscayne Boulevard  
Suite 4100  
Miami, Florida 33131  
DIRECT (305) 415-9437  
FAX (305) 415-9837  
EMAIL dcoviello@shutts.com

May 16, 2018

**VIA HAND DELIVERY**

Thuy Turner, AICP  
Planning Section Supervisor  
Broward County Planning  
115 South Andrews Ave, Room 329K  
Fort Lauderdale, FL 33301

**RE: The Residences at Equality Park / Carrfour Supportive Housing, Inc.  
REVISED Letter of Intent – Plat Note Amendment**

Dear Ms. Turner:

This firm represents Carrfour Supportive Housing, Inc. (“Carrfour”) in connection with its plans to develop a senior housing project on the campus of The Pride Center at Equality Park (the “Pride Center”) located at 2040 N. Dixie Highway (the “Property”)<sup>1</sup>. Specifically, Carrfour intends to develop up to 48 affordable, senior housing units in a project on the west side of the Property.

The Property is platted as portions of Parcel “A” and Parcel “B” on a plat entitled “The Parker Plat” recorded in Plat Book 138, Page 27, of the Public Records of Broward County, Florida, as amended by that certain Agreement for Amendment of Notation of Plat recorded in Official Records Book 17349, Page 188 (collectively, the “Plat”). Per the notation on the Plat, the Plat is currently restricted to 80,234 square feet of industrial (35,350 square feet proposed and 44,884 square feet existing) on Parcel “A” and 17 two-bedroom town homes on Parcel “B.” With respect to Parcel “A,” the existing and proposed uses and improvements on the Property are inconsistent with the Plat. Therefore, we are seeking to replace the notation with the following:

***This plat is restricted to 60,000 square feet of community center (30,000 square feet of existing and 30,000 square feet of proposed); 4,000 square feet of office; 6,000 square feet of commercial; and 48 midrise units and accessory residential uses ancillary to the residential units only on Parcel “A” and 17 two-bedroom town homes on Parcel “B”. The permanent residence of school aged children is prohibited within the 48 midrise units on Parcel “A.”***

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<sup>1</sup> This application is submitted by Carrfour Supportive Housing, Inc., on behalf of the property owner, the Gay & Lesbian Community Center of Greater Fort Lauderdale, Inc.

Roberta Moore, Director  
May 16, 2018  
Page 2

(the "Plat Note Amendment"). The Plat Note Amendment corrects the Plat with respect to the existing uses on the Property, and also addresses the proposed uses and improvements.<sup>2</sup>

As you know, we are required to seek approval from both Broward County and the City of Wilton Manors in order to complete this process. As discussed, we are initiating the City process and understand that, while the Plat Note Amendment will be routed and reviewed by the County for issuance of a draft report, final approval by the County will not occur until the City has issued a resolution or letter of no objection. Please accept this letter as our formal intent to proceed with the aforementioned Plat Note Amendment.

We look forward to hearing from you, and please do not hesitate to contact me if you have any questions.

Sincerely,

Shutts & Bowen LLP



David J. Coviello

Encl.

cc: Roberta Moore, Director of Community Development Services  
Evangeline G. Kalus, City Planner  
Carrfour Supportive Housing, Inc.  
The Pride Center at Equality Park

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<sup>2</sup> In addition to the proposed residential units, the property owner may seek to redevelop some of the existing buildings into additional community facility space in the future, which is reflected in the aforementioned language.