



# DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

**MEETING DATE:** May 23, 2023

**PROPERTY OWNER / APPLICANT:** Cypress Creek Leaseholder, LLC. Florida Department of Transportation

**AGENT:** Elizabeth Tsouroukdissiar, Pulice Land Surveyors

**PROJECT NAME:** Cypress Creek West Plat

**CASE NUMBER:** UDP-P23002

**REQUEST:** Plat Review

**LOCATION:** 6000-6150 N. Andrews Avenue

**ZONING:** General Business District (B-2)

**LAND USE:** Commercial

**CASE PLANNER:** Nancy Garcia



Case Number: UDP-P23002

**CASE COMMENTS:**

Please provide a written response to each of the following comments:

1. Provide documentation for the right-of-way or easement vacation or abandonment of the following encumbrances.
  - a. 8'x80' Pedestrian Access Easement per plat 177/32
  - b. Water Easement per ORB 9065, Pg 68 and ORB 16743, Pg 227
  - c. 8'x80' +/- right-of-way dedication for Pedestrian Access landing Pad per Plat 177/62
2. The property survey shall be based on a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar. The title commitment or Opinion of Title must have an effective date no more than thirty days prior to the date of submittal of the survey and must be certified to the City of Fort Lauderdale. Provide copy of recorded documents related to any encumbrances/ restrictions within the property as indicated on Standard Title Commitment or Opinion of Title.
3. The proposed access opening on NW 60<sup>th</sup> Street should be relocated away from the curve as necessary to prevent conflict with the decision points and the burdening of the driver with the need for rapid decisions or maneuvers. In addition, the proposed location conflicts with the city of Fort Lauderdale Sight Triangle Sec. 47-2.2.Q and definition on Sec. 47-35.1.
4. Please provide a copy of Florida Department of Transportation (FDOT) Pre-Application.
5. Provide copy of latest corresponding Site Plan, so that it can be reviewed for consistency. Confirm that proposed NVAL driveway access openings shown on Plat are consistent with driveway access locations shown on Site Plan (if applicable); confirm that scope of Site Plan improvements is consistent with any land use restrictions shown on the Plat.
6. Indicate/discuss whether any easements may be required by the Zoning District for utility, public access, or amenities (determined by reviewing the appropriate Zoning District requirements). These easements shall be dedicated by plat rather than separate instruments later.
7. Plat review and approval from the City Surveyor is required prior to requesting a sign off from the engineering staff for the Planning & Zoning Board meeting. Please coordinate the City Surveyor review with engineering staff assigned to this case.

Additional comments may be forthcoming at the meeting.



Case Number: UDP-P23002

**CASE COMMENTS:**

1. According to the 2018 AASHTO greenbook driveways should not be placed within intersections influence area. Verify that the proposed access point is outside all minimum site triangles and other factors that may affect the intersections influence area such as queuing, turning movements etc.
2. Is it possible to have the driveway aligned with the Andrews Way approach?
3. Additional comments may be provided upon further review.

Case Number: UDP-P23002

**CASE COMMENTS:**

Please provide a response to the following:

1. Pursuant to Unified Land Development Regulation (ULDR), Section 47-24, the proposed plat requires review and recommendation by the Planning and Zoning Board and approval by the City Commission. A separate application and fee are required for PZ Board review, and a separate submittal is required for City Commission review. The applicant is responsible for all public notice requirements. Note: The City Clerk's office requires 48 hours notice prior to a City Commission meeting if a computer presentation is planned i.e. Power Point, to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project planner for more information at [ngarcia@fortlauderdale.gov](mailto:ngarcia@fortlauderdale.gov) or 954-828-8958.
2. Pursuant to the State Statute 166.033(1) applications must be deemed approved, approved with conditions, or denied within 180 days, November 4, 2023, for applications subject to a quasi-judicial hearing or a public hearing, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension will result in the application being denied by the City and the applicant will be required to refile a new application and fees to proceed. The applicant has submitted a waiver to the timeline requirements.
3. The applicant is strongly encouraged to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal (a listing of officially recognized associations are provided on the City's website: <https://www.fortlauderdale.gov/departments/city-manager-s-office/office-of-neighbor-support/neighborhood-associations> and a map of neighborhood associations may be found at: <http://gis.fortlauderdale.gov> ). Please provide acknowledgement and/or documentation of any public outreach.
4. The site is designated Commercial on the City's Future Land Use Map. The proposed commercial use is permitted in this land use designation, but the residential use is not permitted in this designation unless the applicant meets the requirements of ULDR, Section 47-23.16. This is not a determination on consistency with Comprehensive Plan Goals, Objectives, and Policies.
5. Please contact Karina Da Luz, Broward County Urban Planning Division at [Kdaluz@broward.org](mailto:Kdaluz@broward.org) or 954-357-6623 to ensure the proposed plat note language meets their standards before moving forward. Please provide staff with written response from the County.
6. Staff reserves the right review the plat again based on any changes made to the plat during full agency review. In addition, there is a concurrent site plan being reviewed, DRC Case No. UDP-S22083, which may need to be amended based on the plat review.
7. No final plat of any subdivision shall be approved unless the subdivider shall file with the City a surety bond executed by a surety company authorized to do business in the state and having a resident agent in the county, conditioned to secure the construction of the improvements required under this section, in a satisfactory manner and within a time period specified by the City Commission, such period not to exceed two (2) years. No such bond shall be accepted unless it is enforceable by or payable to the City in a sum at least equal to one and one-half (1½) times the cost of constructing the improvements as estimated by the City Engineer and in form with surety and conditions approved by the City Attorney. In lieu of a bond, cash deposit or other acceptable security may be made. In case of forfeiture, the City shall proceed with the improvements to the extent of the available money realized from such forfeiture.



8. Note, the plat proposes residential units which are subject to unit availability at the time of site plan approval on a first come, first served basis, as granted by the final approving body. Application submittal does not guarantee unit availability. According to the City's most recent Unified Flex Table, there are insufficient flex units to accommodate the project. Therefore, to develop residential units on the subject site the applicant may apply for units, as part of the site plan application, under the following requirements:
  - a. Per Unified Land Development Regulations (ULDR) Section 47-23.16.B.2.c, Broward County Land Use Plan (BCLUP) Permitted Density Bonus for Affordable Housing, bonus residential density can be applied to access residential units if the development includes a component of affordable housing or provides a payment in lieu.
  - b. Per ULDR Section 47-23.16.D.8, Payment In-Lieu of Affordable Housing, applicants providing a payment in-lieu of affordable housing development shall provide a calculation breakdown of the payment in-lieu fee. In-lieu payments shall be equally split between the Broward County Affordable Housing Trust Fund and the City of Fort Lauderdale Affordable Housing Trust Fund. At the time of building permit issuance, 50% of the total payment in-lieu of fee shall be paid to the City of Fort Lauderdale and 50% of the total payment shall be paid to Broward County.
  - c. Per ULDR Section 47-23.16.B.2.c, BCLUP Permitted Density Bonus for Affordable Housing, residential units can be applied for when demonstrating compliance with the affordability requirements of Section 47-23.16.B.2.c, by providing a point-by-point narrative.
  - d. Per ULDR Section 47-23.16, Affordable Housing Regulations, applicants seeking incentives shall provide an Affordable Housing Development Plan, as outlined in Section 47-23.16.D.1., Application and Affordable Housing Development Plan, to be reviewed and approved by staff during the Development Review Committee (DRC) process. Additionally, the applicant shall provide an Affordable Housing Development Agreement, per Section 47-23.16.D.2, Affordable Housing Development Agreement and Deed Restriction, to be recorded prior to the issuance of building permits.
  - e. Per ULDR Section 7-23.16.D.6, Annual Affidavit, the applicant shall provide an annual affidavit certifying rental affordable housing units are leased to eligible persons or households. The affidavit shall state the number of units required to be set-aside, required income levels, the monthly rent for each unit, monthly income for tenants of each affordable unit, and other information as required by the City.
9. Pursuant to ULDR, Section 47-24.5.D.1.n, all existing Right-of-Way Easements, Ingress/Egress Easements, City and Private Utility Easements, etc. within the property shall be accurately shown and labeled on Plat. Please confirm if there are any additional easements that may need to be dedicated to the City, including utility easement(s) that allow the City perpetual maintenance access to existing public sewer, storm drain, and water infrastructure located within the proposed development plat rather than separate instruments.
10. The proposed site plan notes various easements that are "to be abandoned". Provide documentation for the right-of-way or easement vacation or abandonment of the following instruments:
  - a. 8'x80' Pedestrian Access Easement (Per plat 177/32)
  - b. Water Easement (Per ORB 9065, Pg 68 and ORB 16743, Pg 227)
  - c. 8'x80' +/- right-of-way dedication for Pedestrian Access landing Pad (Per Plat 177/62)

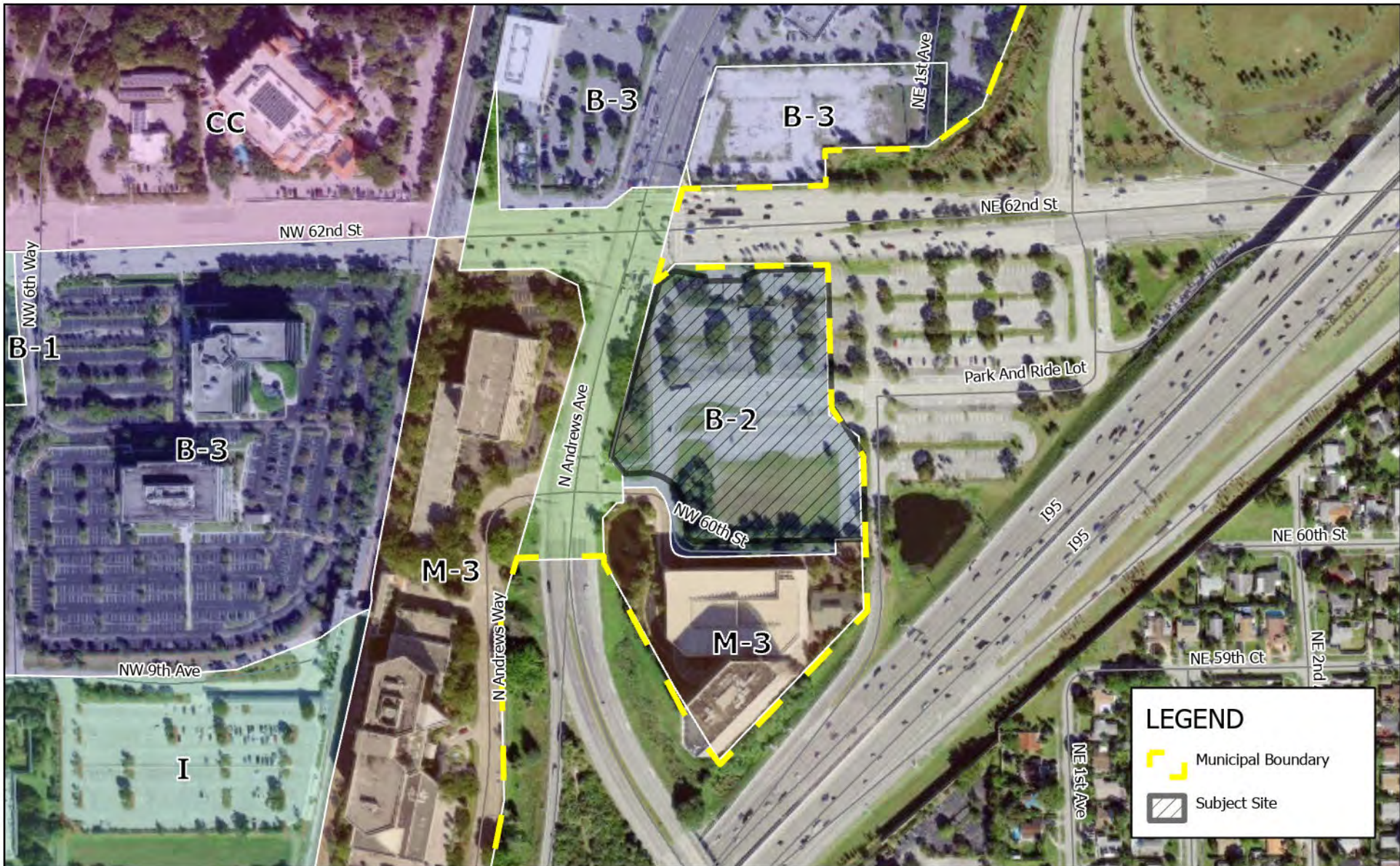


11. The proposed access opening on NW 60<sup>th</sup> Street should be relocated away from the curve to prevent anticipated conflicts in maneuver for future vehicular drivers.
12. Pursuant to ULDR, Section 47-25.2.M.5, the application may be subject to a dedication of right-of-way per the Broward County Trafficways Plan (North Andrews Avenue & Cypress Creek Road). The dedication shall be depicted on the plat/plans and noted as dedication. Setbacks and other applicable ULDR measurements must be measured from the new property line.
13. This plat is proposing residential units which will be subject to a park impact fee based on the number of units indicated in the plat note. Note, the impact fee must be paid prior to issuance of a building permit for the project.

#### **GENERAL COMMENTS**

The following comments are for informational purposes.

1. A Site Plan application has not been submitted for the subject parcel. Upon completion of the plating process the applicant will be able to submit a site plan application.
2. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments.
3. Additional comments may be forthcoming at the DRC meeting.



UDP-P23002 - Cypress Creek West - 6000 N Andrews Ave.



0 100 200 US Feet