

Legislation Text

File #: LN-109, **Version:** 2

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

Meeting Date: July 28, 2021

900 N OCEAN PLAT

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| Request: | Plat |
| P&Z# | 21-14000005 |
| Owner: | Beach Villa 900 Ocean Boulevard Condominium, Inc |
| Project Location: | 900 N. Ocean Boulevard |
| Folio Number: | 484331CD0010 - 484331CD0470 |
| Land Use Designation: | H (High 25-46 DU/AC) |
| Zoning District: | RM-45 (Multiple Family Residences 45 |
| Commission District: | 1 |
| Agent: | Michael Vonder Meulen (954-612-3202) |
| Project Planner: | Maggie Barszewski |

Summary:

A. Plat Background

A plat is a map, drawn to scale, showing the divisions of a piece of land. It can delineate blocks, streets, alleys and easements. Further refinement often splits blocks into individual lots, usually for the purpose of selling the described lots, this has become known as subdivision. The statutory definition of subdivision according to Chapter 177.031(18), F.S. is "the division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and re-subdivisions." Upon the filing of a plat, legal descriptions can then refer to block and lot-numbers rather than portions of sections. In order for plats to become legally valid, a local governing body must review and approve them.

In Broward County, such legal authority is bestowed upon the Broward County Commission as stipulated within Article 7 of the Broward County Administrative Rules Document. Section 7.2 - 'Countywide Platting Authority' states that "No plat of lands lying within Broward County, either in the incorporated or unincorporated areas, may be recorded in the Official Records prior to approval by the County Commission." Section 7.4 provides for the input of each local government within Broward County, whereby a plat application must first be approved by the local jurisdiction before final approval with the County Commission. That section states that "local Jurisdictions shall require platting at least in those circumstances where the Broward County Land Use Plan requires platting."

B. Request

The applicant is requesting plat approval for the “900 North Ocean Boulevard” Plat. The property is located along the east side of State Road A1A, North of NE 8th Court and South of NE 10th Street. The agent Mike Vonder Meulen of Keith, Inc. is representing the owner of the property, Beach Villa 900 Ocean Boulevard Condominium, Inc. as well as the Applicant, The Related Group. The existing site contains the 48 unit Beach Villa Condominiums. The proposed development is a 21-story mixed use building with 119 residential units and ground floor commercial. The subject property has never been platted. The proposed Plat, totaling 2.686 acres of land, will create two parcels, ‘Parcel A’ for the proposed mixed use project and Parcel B for right-of-way dedication. The Plat is restricted to 119 residential units and 1,220 square feet of retail/commercial space. The subject property has a land use designation of Residential High. The main entrance for the project is on N. Ocean Blvd., however it also has a service access located on NE 10th Street. A Site Plan and rezoning for this project is being considered concurrent with the plat request.

C. Plat Purpose - Section 155.2410. PLAT:

The purpose of this section is to provide a review procedure to conform to the Broward County Land Use Plan's requirement that local governments require compliance with the county's platting requirements and to ensure subdivisions of land within the city:

1. Provide for the orderly growth and development of the city;
2. Coordinate proposed streets with existing and planned streets in the city's street system, and with other public facilities;
3. Provide rights-of-way for streets and utility easements;
4. Avoid congestion and overcrowding of streets;
5. Ensure there is adequate access to development;
6. Ensure there are adequate utility facilities to serve development;
7. Ensure there is adequate open space and recreation facilities to serve development; and
8. Ensure there is proper recordation of land ownership or property owner association records, where applicable.

D. Plat Review Standards

An application for a Plat shall be approved only on a finding that the proposed subdivision or development on the lots proposed to be platted meets all of the following standards:

1. The development complies with the applicable standards in Part 7 (Lots) of Article 5: Development Standards;
2. The development complies with all other applicable standards in this Code;
3. The development complies with all requirements or conditions of any applicable development orders (e.g., Planned Development);
4. Any land within the platted lot(s) that is necessary to comply with the Broward County Trafficways Plan has been conveyed to public by deed or grant of easement;
5. The development complies with any applicable hazardous material licensing requirements in the Broward County Wellfield Protection Ordinance; and
6. All facilities for the distribution of electricity, telephone, cable television, and similar utilities, shall be placed underground.

E. Staff Analysis:

The property is being considered for rezoning from RM-45 (Multiple-Family Residence 45) to PD-I (Planned Development - Infill); and has the land use designations of H (High 25-46 DU/AC). This plat was reviewed by the Development Review Committee (DRC) on April 21, 2021, and found to be in compliance with the City's Land Development Regulations.

As mentioned, the Applicant has submitted an application for the subject property to be rezoned to PD-I with a master Plan allowing the 119 residential units and commercial square footage. This rezoning must be approved prior to the approval of this Plat. Also prior to being placed on a City Commission agenda, the Plat needs to reference the dedication of Parcel B on sheet 1 of 3 and add several of the Broward County Development Review Report (DRR) recommendations, which include the following:

- Plat note restrictions
- Compliance with air navigation development regulations
- Identification of a Non-vehicular Access Line
- Compliance with FDOT conditions for access on S.R. A1A
- Compliance with Right-of-Way dedications
- Trafficway improvements
- Sidewalk requirements

Staff will recommend conditions for the above.

Service providers are required to provide a letter prior to City Commission approval. Of the five required providers, two have not yet provided letters.

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| FDOT: | FDOT letter was submitted and applicant will comply with conditions |
| Teco Peoples Gas: | TECO Gas has reviewed the plat & has no objection. |
| AT&T: | AT&T has not yet responded. |
| Comcast: | Comcast has not yet responded. |
| FPL: | FPL has reviewed the plat & has no objection. |

Staff Conditions:

Department of Development Services Recommendation:

Development Services staff recommends approval of this Plat with the following five conditions to be satisfied prior to the City Commission hearing:

1. AT&T and Comcast service provider letters of no objection shall be received;
2. The Plat cover page must be signed and sealed by the surveyor and signed by all owners;
3. A Title Certificate shall be submitted that is no later than 6-months old and is made out to the City;
4. Parcel B dedication shall be reflected on Sheet 1 of 3 of the Plat; and
5. All Broward County DRR recommendations shall be reflected on the Plat.