



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#26-0288**

---

**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Rickelle Williams, City Manager

**DATE:** March 19, 2026

**TITLE:** Resolution Approving an Agreement Between Broward County, Cypress Phase I JV SPE LLC, and the City of Fort Lauderdale Related to the Eligibility of the Issuance of Building Permits Prior to Plat Recordation and to Delegate Authority to the City Manager to Execute the Agreement for “The Cypress Development” – 150 NW 68 Street – **(Commission District 1)**

---

**Recommendation**

Staff recommends the City Commission adopt a resolution approving the issuance of building permits prior to plat recordation through an agreement between Broward County, Cypress Phase I JV SPE LLC., and the City of Fort Lauderdale for “The Cypress Development” project located at 150 NW 68 Street, and to authorize the City Manager to execute the agreement.

**Background**

The applicant, Cypress Phase I JV SPE LLC., received approval for “The Cypress Development” on September 3, 2025 (DRC Case #UDP-S24021) to construct 973 residential units, inclusive of 145 affordable housing units, dispersed into ten (10) multifamily buildings and five (5) townhouse buildings, along with accessory buildings for parking, bike storage, and trash collection on a 22.75-acre parcel of land located at 150 NW 68 Street. The proposed development is in the Uptown Urban Village area (“Uptown”) on the site of the former Pan American Mobile Home Park. The subject parcel is zoned Uptown Urban Village Northeast (UUV-NE) zoning district and has an underlying land use designation of Uptown Urban Village - Transit Oriented Development. The location map is attached as Exhibit 1.

The applicant is requesting authorization to obtain building permits in advance of plat recordation to commence construction on the subject property. Pursuant to Section 47-24.5 of the City of Fort Lauderdale Unified Land Development Regulations (ULDR), no building permit for the construction of a principal structure may be issued on a parcel of land unless a plat encompassing the subject property has been duly recorded in the Official Records of Broward County, Florida. The applicant has not yet completed the plat recordation process with Broward County and, therefore, this requirement is not currently

satisfied. However, Section 5-187 of the Broward County Land Development Code provides a mechanism by which building permits may be issued prior to plat recordation, subject to the execution of an agreement among the developer, Broward County, and the affected local government. Consistent with this provision, the proposed agreement will allow the applicant to proceed with construction of improvements within the boundaries of the proposed plat while final plat documents are being processed and prepared for recordation. Execution of the agreement ensures coordination among the parties and provides the necessary assurances that all applicable platting requirements will be satisfied prior to final recordation. A copy of the agreement is attached as Exhibit 2.

The agreement contains the following conditions applicable to the issuance of building permits:

1. The foregoing recitals are true and correct and form a material part of this Agreement upon which the Parties have relied.
2. County does not object to the issuance of building permits to Developer for construction of the Improvements within the boundaries of the Plat prior to the recordation of said Plat, subject to the following conditions to assure compliance with Chapter 5, Article IX, Broward County Code of Ordinances, the Broward County Land Development Code:
  - (a) No building permit shall be issued unless and until Developer documents payment of the impact fees that are due for construction of the Improvements, pursuant to the Land Development Code. Said impact fees may be estimated in those instances when County is unable to determine actual impact fees at the time of issuance of the building permits;
  - (b) No certificate of occupancy, which is complementary to the building permits, shall be issued unless and until Developer records the Plat, as approved by the Board, in the Official Records of Broward County;
  - (c) Should Developer fail to record the Plat approved by the Board on July 22, 2027, which is eighteen (18) months after the date of approval, any building permits that have been issued by either County or City shall be revoked and Developer agrees that any Improvements constructed pursuant to such permits shall be removed within three (3) months after expiration of the current Plat approval, unless the Plat is re-approved within three (3) months and recorded before expiration of the new approval. County will refund all impact fees paid for building permits where the Improvements are demolished; and
  - (d) Conditions 2(b) and (c) will appear on the face of the building permits. However, failure of the permits to so indicate will not alter any terms of this Agreement or the right to enforce the terms of this Agreement.

Nothing in this Agreement will prejudice County's right to impose conditions on approval of the Plat covering the lands described herein that are required by County plat ordinances and regulations or are otherwise necessary to ensure the public health, safety, and welfare of the residents of Broward County.

3. If the property is located within a municipality, City agrees that any building permits issued for the construction of said Improvements will be issued in accordance with paragraph 2, and City reserves the right to evaluate Developer's application for building permits for compliance with all existing laws, ordinances, and regulations controlling the issuance of building permits for construction within City. The City further agrees that the security specified in paragraph 7 is acceptable and sufficient to cover (i) the costs of demolishing the building(s) in the event the plat is not recorded; (ii) the costs of removal and restoration of all work within the right-of-way in the event the plat is not recorded; and (iii) the installation of all infrastructure improvements necessary to support the buildings for which building permits are requested before plat recordation. The issuance of building permits will be at the discretion of City. If the property is located within the unincorporated area, County will issue building permits in accordance with paragraph 2 and reserves the right to evaluate Developer's application for building permits for compliance with all existing laws, ordinances, and regulations controlling the issuance of building permits for construction within the unincorporated area of Broward County.
4. Developer agrees not to occupy the Improvements unless and until a certificate of occupancy has been issued.
5. In those instances when estimated impact fees are paid, the impact fees will be adjusted at the time of Plat recordation, and any underpayment or overpayment will be taken into consideration.
6. Developer assumes the risks associated with constructing the Improvements prior to Plat recordation. The issuance of the building permits before Plat recordation will not be considered as a grant to Developer of any vested right whatsoever for the use, occupancy, or completion of the construction of Improvements within the boundaries of the Plat nor will County or City (if the property is in a city) be deemed estopped from enforcing the terms of this Agreement because of the issuance of the building permits or construction completed pursuant to such permits. Furthermore, if the presently approved Plat expires without the Plat being recorded, Developer will be required to meet all land development regulations in effect at the time the new plat is submitted and, in addition, said new plat will be subject to the concurrency determinations in effect at the time of submittal of the new plat.

If the City Commission approves execution of the agreement, then originals of the agreement executed by the City will be forwarded to Broward County for consideration and formal action by the Broward County Board of County Commissioners to enter into the agreement.

### **Resource Impact**

There is no fiscal impact to the City associated with this action.

### **Strategic Connections**

This item is a Fiscal Year (FY) 2026 *Commission Priority*, advancing the Infrastructure and Resilience initiative.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Housing Focus Area
- Goal 2: Enable housing options for all income levels

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Community.

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan, specifically advancing:

- The Neighborhood Enhancement Focus Area
- Housing Element
- Goal 1: The Comprehensive Plan shall support the provision of adequate sites for future housing, including affordable workforce housing, housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities.

### **Attachments**

Exhibit 1 – Location Map

Exhibit 2 – Agreement for the Issuance of Building Permits Prior to Plat Recordation

Exhibit 3 – Resolution

---

Prepared by: Michael P. Ferrera, Urban Planner II, Development Services Department

Department Director: Anthony Greg Fajardo, Development Services Department