

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

PROJECT DESCRIPTION

Agenda Number

Name:	ONE WEST LAS OLAS	Number:	059-MP-04
Applicant:	One West LOA, LLC	Comm. Dist.:	7
Agent:	Leigh Robinson Kerr & Associates, Inc.	Sec/Twp/Rng:	10-50-42
Location:	Northwest Corner of South Andrews Avenue and Las Olas Boulevard	Platted Area:	0.1008 Acres
City:	Fort Lauderdale	Gross Area:	N/A
Replat:	This is a New Finding of Adequacy for a Recorded Plat (Plat Book 177, Pages 191- 192)		

LAND USE

Existing Use:	Vacant	Effective Plan:	Fort Lauderdale
Proposed Use:	35,000 Sq. Ft. Office and 7,500 Sq. Ft. Commercial	Plan Designation:	Downtown Fort Lauderdale Regional Activity Center (RAC). See attached comments from the Planning Council.
Adjacent Uses:		Adjacent Plan Designations:	
North:	Commercial	North:	Downtown Fort Lauderdale RAC
South:	Museum	South:	Downtown Fort Lauderdale RAC
East:	Museum	East:	Downtown Fort Lauderdale RAC
West:	Commercial, Vacant	West:	Downtown Fort Lauderdale RAC
Existing Zoning:	RAC - CC	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.

Meeting Date: 04/22/14
Action Deadline: 05/27/14
Deferral Dates:

Prepared: PK
Reviewed:
Approved:

Continued

SERVICES

Wastewater Plant:	G. T. Lohmeyer (01/14)	Potable Water Plant:	Fort Lauderdale (03/06)
Design Capacity:	48.0000 MGD	Design Capacity:	90.000 MGD
12-Mo. Avg. Flow:	39.1800 MGD	Peak Flow:	59.700 MGD
Est. Project Flow:	0.0078 MGD	Est. Project Flow:	0.006 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

Local:
Regional:

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

TRANSPORTATION

Concurrency Zone: Eastern Core	Trips/Peak Hr	Transit Concurrency Fee	Road/Admin. Fee
Res. Uses:	N/A	N/A	N/A
Non-res. uses:	167	*	N/A
Total:	167	*	N/A

* See Staff Comment No. 4

See Finding No. 1

* See Recommendation No. 7

ONE WEST LAS OLAS
059-MP-04

STAFF COMMENTS

- 1) This plat was approved on March 20, 2007, for 45,000 square feet of commercial use, excluding banks, with a requirement that a building permit be issued by March 20, 2012. No building permit was issued, and in accordance with Section 5-181(o) of the Land Development Code, the County's finding of adequacy has expired.
- 2) Staff findings and recommendations pertaining to this application for a new finding of adequacy are based on the uses being 7,500 square feet commercial and 35,000 square feet office.
- 3) The comments, findings, and recommendations contained in this report supersede all previous development review reports and delegation requests approved by the County Commission.
- 4) This plat is located within a Transportation Concurrency Management Area. Transportation concurrency fees will be assessed and paid in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for County environmental review approval. These fees shall be based on the gross square footage of any building(s) as defined in the ordinance.
- 5) 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.
- 6) Surface water management plans for this plat must meet the criteria contained in Chapter 27 - Article V of the Broward County Code of Ordinances. The surface water management licensing requirements of the Environmental Engineering and Licensing Section of the Broward County Environmental Licensing and Building Permitting Division must be met prior to any construction.
- 7) The Environmental Engineering and Licensing Section has 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, per Chapter 27, Article V of the Broward County Code of Ordinances regarding Water Resource Management. Wastewater receiving lift stations and force mains are critical components of the conveyance system. As part of the licensing process, adequate capacity will need to be demonstrated for the receiving off-site sanitary sewer conveyance system. For additional information, please contact the Environmental Engineering and Licensing Section at 954-519-1483.
- 8) Review of available information by staff of the Aquatic and Wetland Resources Section of the Broward County Environmental Licensing and Building Permitting Division indicates that, at this time, there are no wetlands within the boundaries of

Continued

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 Aquatic and Wetland Resources 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.

- 9) The Aquatic and Wetland Resources 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 Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division.
- 10) 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 Protected Natural Lands Inventory may be accessed at: <http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>.
- 11) This plat is subject to the City of Fort Lauderdale's Tree Preservation Code for tree removal, relocation, and/or replacement.
- 12) An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Aquatic and Wetland Resources Section of the Environmental Licensing and Building Permitting Division 954-519-1483 for specific license requirements.
- 13) Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Environmental Engineering and Licensing Section of the Environmental Licensing and Building Permitting Division prior to discharge.
- 14) A Storage Tank License may be required if there will be fuel storage associated with an emergency generator system. Contact the Pollution Prevention, Remediation and Air Quality Division at 954-519-1260 for specific license requirements.
- 15) Approval of this new finding 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 Licensing and Building 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

Continued

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 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>. For additional information, contact the Broward County Aviation Department at 954-359-2291.
- 17) The Broward County Historical Commission staff has reviewed this plat application and determined that the property either contains or is adjacent to an Historic Resource Group, South Andrews Avenue (FMSF 8BD4374), and that multiple historic resources are located within a one block radius of the site. In addition, this plat is located within the North Bank New River Archaeological Zone which is an area identified as having high potential for archaeological discovery. The New River served as a conduit for prehistoric and historic transportation, trade, and resource procurement. At least nineteen (19) archaeological sites have been recorded along the banks of the New River and include prehistoric (Tequesta), Seminole and pioneer period sites. The Brickell Block Site (FMSF 8BD2916) is located approximately 350 feet to the west. This site was excavated in 1995 and yielded prehistoric and historic materials, and the site potentially contains human remains.

Based on this plat's location, the Historical Commission staff requests the applicant perform a Cultural Resource Assessment Survey (CRAS), also known as a Phase I Survey in order to locate, identify, and evaluate cultural resources present in the defined Area of Potential Effect (APE). Per Florida Rule 1A-46, an APE is defined as: The geographic area or areas within which an undertaking may directly or indirectly cause changes in character or use of historic resources, if any such properties exist. Considering the proximity of this plat to extant historic resources, the Historical Commission staff has established the following APE:

Western Boundary: Southwest 2 Ave. (including west side)
Northern Boundary: Southwest 2 Street (including north side)
Eastern Boundary: South Andrews Avenue (including east side)
Southern Boundary: New River (including south side)

The survey should address the effect of the proposed project on the identified archaeological and historic resources in order to be considered complete, be conducted by a qualified professional per 36 CFR part 61 (as amended), and conform to the Florida Division of Historical Resources: Cultural Resource Management Standards. The Broward County Historical Commission maintains the General Standards and Requirements for Archaeological Surveys and Work within Broward County, Florida, as well as a list of qualified archaeological consultants with experience in Broward County. These are available from the County Historical Commission, Archaeologist Matt DeFelice.

Continued

The results of the survey should be forwarded to the County Historical Commission in order to complete the reviewing process for this proposed project and its impacts. The results of the analysis will determine if significant resources would be disturbed by the project's activities. In addition, if significant resources are located, the data described in the report(s) and the consultant's conclusions will facilitate the Historical Commission in determining measures that must be taken to avoid, minimize, or mitigate adverse impacts to the archaeological and historic resources eligible for local and/or National Register listing.

In the event archaeological features or artifacts are discovered during the course of the survey, the County Historical Commission shall be notified within twenty four (24) hours of the discovery and the discovery shall be reported pursuant to Broward County Code Ordinance 92-38. In the event any unmarked human burial remains are discovered, then work in the vicinity of the burial find is to halt immediately until a determination can be made, in accordance with Florida State Statutes, Chapter 872, by either the state archaeologist or the county medical examiner as to jurisdiction, custody, and disposition of the remains. Should this occur, the County Historical Commission office is to be contacted immediately to facilitate the coordination of the find.

It should be noted that the archaeological survey is not a requirement of the Land Development Code because the plat is not designated as a Cultural Resource Local Area of Particular Concern within the Broward County Land Use Plan. If you have any questions regarding these comments or would like additional information, please contact Matt DeFelice of the Broward County Historical Commission at (954) 357-5506 or mdefelice@broward.org.

- 18) This site is currently serviced on Andrews Avenue by BCT Routes #30 and #40. This site is also serviced on Las Olas Boulevard by BCT Route #11 and the Downtown TMA Bus Service.
- 19) The recommendations of the Highway Construction and Engineering Division for this new finding of adequacy may be modified if significant conflicts are identified by details included in the submitted construction plans.
- 20) This plat is subject to the recorded Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center (O.R. Book 34094, Page 1407, B.C.R.). Section 2.1 of the Agreement requires the City to monitor development activity and to enforce permitted land use densities and intensities within the Regional Activity Center. See the attached comments and agreement received from the Broward County Planning Council.
- 21) The attached comments have been received from the City of Fort Lauderdale.
- 22) 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

Continued

a state or federal agency or undertakes actions that result in a violation of state or federal law.

FINDINGS

- 1) This plat is located within the Eastern Core 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) This application for a new finding of adequacy satisfies the solid waste disposal concurrency requirement of Section 5-182(h) of the Broward County Land Development Code.

STAFF RECOMMENDATIONS

NON-VEHICULAR ACCESS LINE REQUIREMENTS

- 1) The applicant must fully execute the Amendment to the Non Vehicular Access Line (NVAL) Agreement (CAF #457) and submit this agreement to the Highway Construction and Engineering Division for review and approval.
- 2) The applicant must prepare signed and sealed legal descriptions for exhibits to the Amendment to NVAL Agreement.
- 3) The applicant must submit an Opinion of Title from an attorney or a Title Certificate from a title company with the Amendment to NVAL Agreement and must include the following information:
 - A) The same legal description as the affected portion of the recorded plat.
 - B) Record owner(s) name(s).
 - C) Mortgage holder(s) name(s). If none, it should so state.
 - D) The date through which records were searched (within 30 days of submittal).
 - E) Original signature and/or seal.
- 4) 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.
- 5) 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 Andrews Avenue. Said non-access line will include the corner chord and continue along West Las Olas Boulevard except the west 18 feet.

Continued

RIGHT-OF-WAY REQUIREMENTS (Dedicate)

- 6) Right-of-way for a corner chord based on a 25-foot radius at the intersection of South Andrews Avenue and West Las Olas Boulevard. The corner chord dedication is subject to an Encroachment Agreement, as recorded in Official Records Book 45674, Page 396, which allows for an aerial encroachment into the airspace above the corner chord. The encroachment shall only be allowed above 20 feet and shall not allow any obstructions in the corner chord area within the first 20 feet above the finished sidewalk.

NOTE: This corner chord was dedicated by the recordation of the plat, therefore no additional right of way is required.

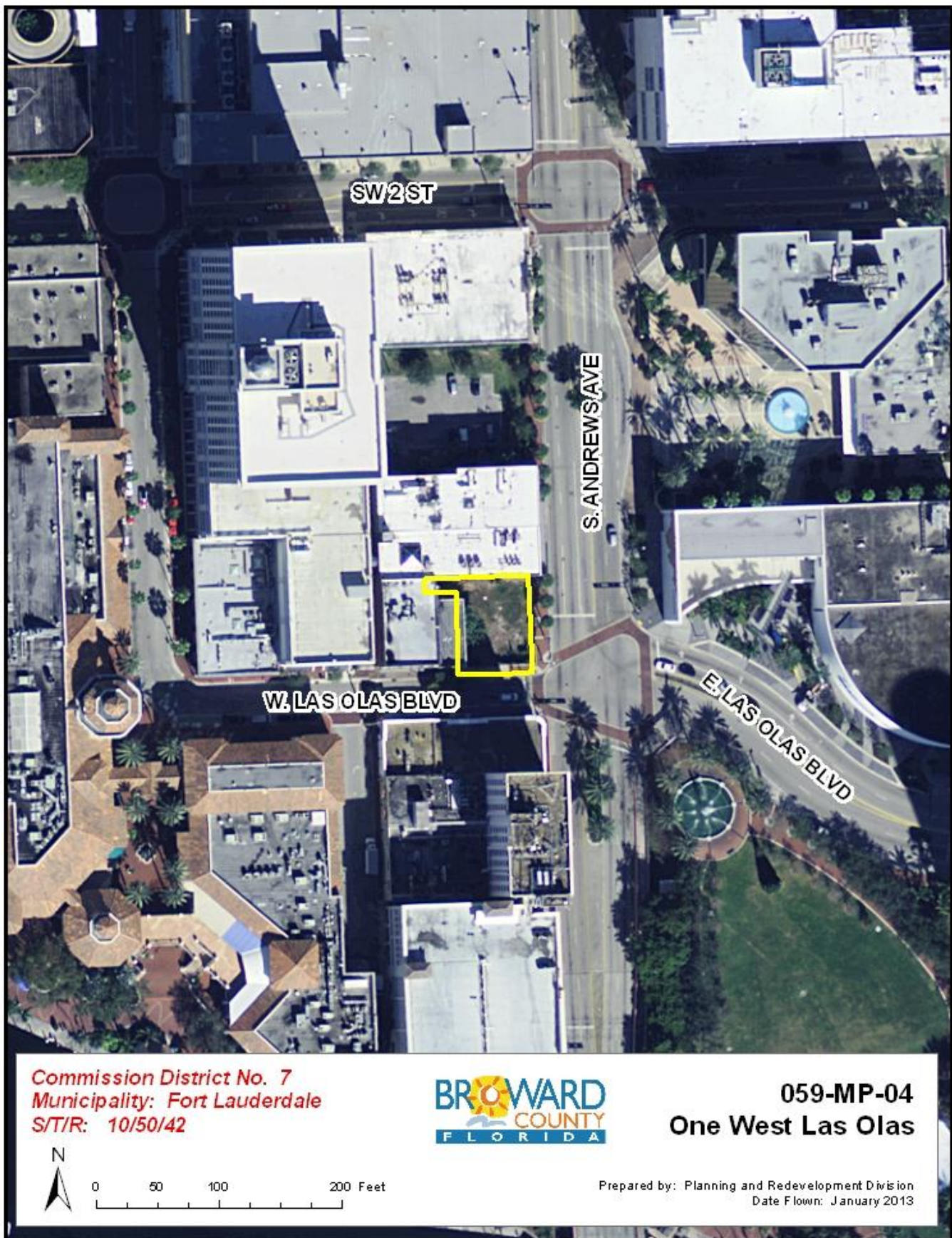
GENERAL RECOMMENDATIONS

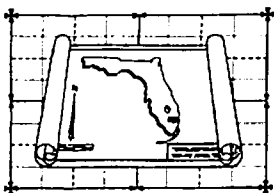
- 7) Applicant must pay transportation concurrency fees during the review of construction plans submitted for County environmental review approval by the Development Management and Environmental Review Section of the Planning and Redevelopment Division, in accordance with the fee schedule specified in the Land Development Code.
- 8) 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 7,500 square feet commercial use and 35,000 square feet office use. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.
 - B) 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.
 - C) If a building permit for a principal building (excluding dry models, sales and construction offices) and first inspection approval are not issued by **April 22, 2019**, 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

Continued

- D) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed by **April 22, 2019**, 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.
 - E) Any structure within this plat must comply with Section IV D. 1. f., Development Review Requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.
- 9) If this item is approved, authorize the Mayor to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

Continued

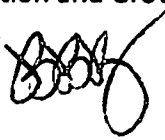




BROWARD COUNTY PLANNING COUNCIL


115 South Andrews Avenue, Room 307 • Fort Lauderdale, Florida 33301 • Phone: 954.357.6695

TO: Henry A. Snizek, Director
Planning and Redevelopment Division
Broward County Environmental Protection and Growth Management Department

FROM: Barbara Blake Boy, Executive Director 

RE: One West Las Olas (059-MP-04)
City of Fort Lauderdale

DATE: February 26, 2014

RECEIVED
FEB 28 2014
BY: 

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 "Downtown Fort Lauderdale Regional Activity Center" land use category. This plat is generally located on the northwest corner of West Las Olas Boulevard and Andrews Avenue.

Regarding the proposed commercial and office uses, this plat is subject to the executed "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Land Uses in Regional Activity Center," as recorded in Official Record Book 34094, Pages 1407-1412.

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

North: Downtown Fort Lauderdale Regional Activity Center
South: Downtown Fort Lauderdale Regional Activity Center
East: Downtown Fort Lauderdale Regional Activity Center
West: Downtown Fort Lauderdale Regional Activity Center

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:DBT

cc: Lee Feldman, City Manager
City of Fort Lauderdale

Greg Brewton, Director, Department of Sustainable Development
City of Fort Lauderdale

CFN # 102410538, OR BK 34094 Page 1407, Page 1 of 6, Recorded 11/13/2002 at
01:11 PM, Broward County Commission, Deputy Clerk 2000

Return recorded document to:

Sharon L. Cruz, Deputy County Attorney
Broward County Attorney's Office
115 S. Andrews Avenue, Rm 423
Ft. Lauderdale, FL 33301

Document prepared by:

Sharon L. Cruz, Deputy County Attorney
Broward County Attorney's Office
115 S. Andrews Avenue, Rm 423
Ft. Lauderdale, FL 33301

THIS IS NOT AN OFFICIAL COPY

**INTERLOCAL AGREEMENT FOR THE
MONITORING OF DEVELOPMENT ACTIVITY AND
ENFORCEMENT OF PERMITTED LAND USES
IN REGIONAL ACTIVITY CENTER**

This is an Interlocal Agreement made and entered into by and between:
BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to
as "COUNTY,"

AND

CITY OF FORT LAUDERDALE, a Florida municipal corporation, created and
existing under the laws of the state of Florida, hereinafter referred to as "CITY."

WHEREAS, this Agreement is entered into pursuant to § 163.01, Florida Statutes,
also known as the "Florida Interlocal Cooperation Act of 1969"; and

WHEREAS, it is the purpose and intent of the parties to this Interlocal Agreement,
to permit COUNTY and CITY to make the most efficient use of their respective powers,
resources and capabilities by enabling them to cooperate on the basis of mutual advantage
and thereby accomplish the objectives provided for herein in the manner that will best
accord with the existing resources available to each of them and with the needs and
developments within their respective jurisdictions; and

WHEREAS, the density and intensity of land uses permitted within each Regional
Activity Center (RAC) is specified within the Broward County Land Use Plan; and

WHEREAS, CITY has the Fort Lauderdale Central Beach Regional Activity Center,
Downtown Fort Lauderdale Regional Activity Center, Northwest Fort Lauderdale Regional
Activity Center and the South Fort Lauderdale Regional Activity Center (RAC's) within its
jurisdiction; and

1

Approved BCC 10/22/02 # 83
Submitted By Co. Attorney
RETURN TO DOCUMENT CONTROL

NC

WHEREAS, CITY and COUNTY entered into a Memorandum of Understanding on August 14, 2001 providing for the mechanism for the allocation of available residential dwelling units in all regional activity centers at the time of site plan approval; and

WHEREAS, the Memorandum of Understanding continues in full force and effect; and

WHEREAS, CITY and COUNTY wish to provide that the monitoring of development activity and the enforcement of permitted land uses shall be the responsibility of CITY, NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, COUNTY and CITY agree as follows:

ARTICLE 1

BACKGROUND: PURPOSE AND INTENT

1.1 The above recitals are true and correct and incorporated herein as if set forth in full hereunder.

1.2 It is the purpose and intent of this Interlocal Agreement for COUNTY and CITY, pursuant to Section 163.01, Florida Statutes, to cooperate and provide for a means by which each governmental entity may exercise its respective powers, privileges and authorities which they share in common and which each might exercise separately in order to further a common goal.

ARTICLE 2

MONITORING OF DEVELOPMENT ACTIVITY

- 2.1 CITY agrees to monitor development activity and to enforce permitted land use densities and intensities within the RAC's consistent with the effective land use plan as certified by the Broward County Planning Council.
- 2.2 CITY agrees to submit quarterly reports to the Broward County Planning Council setting forth its monitoring and enforcement activities within the RAC's to enable COUNTY to ensure that the density and intensity of land uses within the RAC's are being complied with by CITY.

ARTICLE 3

INDEMNIFICATION

CITY is a state agency as defined in Chapter 768.28, Florida Statutes, and COUNTY is a political subdivision of the State of Florida. Each agrees to be fully responsible for acts and omissions of their elected officials, agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any party to

which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this Agreement or any other contract.

ARTICLE 4
MISCELLANEOUS

4.1 **Joint Preparation:** The preparation of this Interlocal Agreement has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.

4.2 **Entire Agreement and Modification:** This Interlocal Agreement incorporates, supersedes and includes all prior negotiations, correspondence, conversations, agreements or understanding applicable to the matter contained herein. It is further agreed that no change, alteration or modification in the terms and conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

4.3 **Records:** In accordance with the Public Records Law, CITY agrees to permit COUNTY to examine all records and grants COUNTY the right to audit any books, documents and papers that were generated during the course of administration of the "Site". CITY shall maintain the records, books, documents and papers associated with this Interlocal Agreement in accordance with the Public Records Act.

4.4 **Recordation/Filing:** This Agreement shall be recorded in the public records of Broward County, in accordance with the Florida Interlocal Cooperation Act of 1969.

4.5 **Default:** In the event of any default or breach of any of the terms of this Interlocal Agreement, it is specifically acknowledged and agreed that either party shall, in addition to all other remedies which may be available in law or equity, have the right to enforce this Interlocal Agreement by specific performance, injunctive relief, prohibition or mandamus to compel the other party to abide by the terms of this Interlocal Agreement.

4.6 **Notices:** Whenever either party desires to give notice unto the other, such notice must be in writing, sent by certified United States mail, return receipt requested, addressed to the party for whom it is intended at the place last specified; and the place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice:

FOR COUNTY:

Administrator
Broward County Planning Council
115 S. Andrews Avenue, Rm. 307
Fort Lauderdale, Florida 33301-4801

FOR CITY:

City Manager
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, Florida 33301

THIS IS NOT AN
OFFICIAL COPY

4.7

Choice of Law; Waiver of Jury Trial: Any controversies or legal problems arising out of this transaction and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the State courts of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the State of Florida. To encourage prompt and equitable resolution of any litigation that may arise hereunder, each party hereby waives any rights it may have to a trial by jury of any such litigation.

- 4.8 Conflict: In the event that this Interlocal Agreement conflicts with any other agreement pertaining to the monitoring of development activity and the enforcement of the density or intensity of permitted land uses within the RAC's, CITY and COUNTY agree that the terms and conditions contained in this Interlocal Agreement shall prevail.
- 4.9 Counterpart Originals: The parties agree that this Agreement may be executed in counterparts, and that collectively the counterparts shall be considered an original agreement and shall be deemed legally sufficient and binding upon the parties.

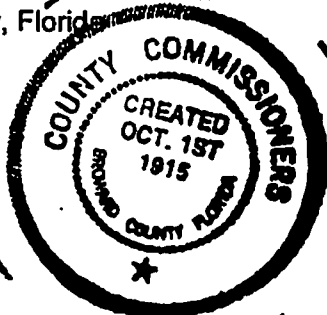
[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have made and executed this Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chair or Vice Chair, authorized to execute same by Board action on the 22nd day of October, 2002, and CITY of FORT LAUDERDALE signing by and through its Mayor/City Manager, duly authorized to execute same.

COUNTY

ATTEST:

[Signature]
County Administrator and
Ex-Officio Clerk of
the Board of County
Commissioners of Broward
County, Florida



BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

By *[Signature]*
Chair

22nd day of October, 2002.

Approved as to form by
Office of County Attorney
Broward County, Florida
EDWARD A. DION, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By *[Signature]*
Sharon L. Cruz
Deputy County Attorney

INTERLOCAL AGREEMENT FOR MONITORING OF DEVELOPMENT ACTIVITY AND
ENFORCEMENT OF PERMITTED LAND USES IN REGIONAL ACTIVITY CENTER

CITY

WITNESSES:

CITY OF FORT LAUDERDALE

Supern B Ali

By *[Signature]* Mayor-Commissioner

Thomas Brackett Bank

ATTEST:
[Signature] CITY Clerk

26 day of September, 2002.

By *[Signature]* CITY Manager

25th day of Sept, 2002.

(CORPORATE SEAL)

APPROVED AS TO FORM:

By *Sharon P. Miller*

asst CITY ATTORNEY

slc/wpd
07/02/02
H:\DATA\DIV2\SLC\Slc02\FilaudRAC.a01.wpd
#01-401.24



Venice of America

CITY OF
FORT LAUDERDALE

January 3, 2014

Mr. Henry Sniezek, Director
Broward County Planning and Environmental Regulation Division
1 North University Drive, Building A, Suite 102
Plantation, Florida 33324

**RE: Letter of No Objection to Plat Note and Non-Vehicular Access Line (NVAL)
Amendments – One West Las Olas Plat**

Dear Mr. Sniezek:

The City of Fort Lauderdale is in receipt of a request for plat note and NVAL amendments to the One West Las Olas Plat in Fort Lauderdale, recorded in plat book 177, Pages 191 and 192.

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 plat note amendment request is as follows:

From:

This plat is restricted to 45,000 square feet of commercial use, excluding banks. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

The development proposed for this plat, does not include any onsite vehicular parking or loading areas. As a result, the non-vehicular access line on the plat prohibits vehicular access to this property. Parking and loading requirements for the development within this plat will be provided through offsite facilities.



Mr. Henry Sniezek
January 3, 2014
Page 2

To:

This plat is restricted to 7,500 square feet of commercial use and 35,000 square feet of office use, excluding banks. Banks are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

The specific NVAL amendment request is as follows:

From:

Restrict vehicular access to the entire property.

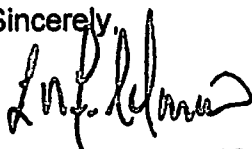
To:

Allow vehicular access along the SW 16 feet of the property.

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

If you have any questions or require additional information, please feel free to contact Case Planner Eric Engmann, AICP, LEED Green Assoc. at (954) 828-5868 or eengmann@fortlauderdale.gov.

Sincerely,



Lee R. Feldman, ICMA-CM
City Manager

- c: Susanne M. Torriente, Assistant City Manager
Greg Brewton, Director, City of Fort Lauderdale Department of Sustainable Development
Ella Parker, AICP, Urban Design and Planning Manager, City of Fort Lauderdale Department of Sustainable Development
Evy Kalus, Broward County Planning and Environmental Regulation Division
Leigh Kerr, AICP, Leigh Robinson Kerr & Associates