

STAFF REPORT
Brickell Redevelopment Plat
111-MP-89

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 County Commission on September 5, 1989, for 4.1 acres of multi-story commercial use. The property is located on the south side of Himmarshee Street (Southwest 2 Street), between Southwest 2 Avenue and South Andrews Avenue, in the City of Fort Lauderdale. The plat was recorded on March 5, 1991 (P.B. 147, PG. 27) with the following note:

Parcel A restricted to multi-story commercial use only.

Parcel B restricted to multi-story commercial use only.

Parcel C restricted to multi-story commercial use only.

Parcel D restricted to Public Utility and other municipal/governmental services uses must be approved by Ft. Laud. City Engineer.

Parcel E is restricted to Sanitary Sewer Pump Station and appurtenances.

The applicant is requesting to amend the note on Parcels B and C to allow for 1,214 high-rise units and 80,000 square feet of commercial use in lieu of multi-story commercial use. There are no changes to Parcels A, D or E.

Parcel A restricted to multi-story commercial use only.

Parcels B and C restricted to 1,214 high-rise residential units and 80,000 square feet of commercial use. Free standing banks or banks with drive-thru facilities are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

Parcel D restricted to Public Utility and other municipal/governmental services uses must be approved by Ft. Laud. City Engineer.

Parcel E is restricted to Sanitary Sewer Pump Station and appurtenances.

It is noted that, in accordance with Ordinance 2013-30, effective October 4, 2013, high-rise units are defined as nine (9) or more attached dwelling units in a building with nine (9) or more residential stories (exclusive of parking levels).

This request was evaluated by the Reviewing Agencies.

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 "Downtown Regional Activity Center" (RAC) land use category, and that this request in compliance with the permitted uses of the effective Land Use Plan. It is further noted that this plat is subject to the executed "Interlocal Agreement for the Monitoring of Development Activity and Enforcement of Permitted Uses in Regional Activity Center" as recorded in O.R.B. 34094, PGS. 1407-1412, B.C.R.

Provisions of affordable housing were approved as part of Land Use Plan Amendment PCT 15-1 (5,000 units) and PCT 05-3 (3,000 units) which together permitted an additional 8,000 dwelling units in the Downtown Regional Activity Center. Both land use plan amendments were subject to Affordable Housing Policy 2.16.2. In accordance with the affordable housing policy, the City of Fort Lauderdale voluntarily committed to set

aside fifteen percent (15%) of the 8,000 dwelling units as affordable housing. The Planning Council staff has indicated that the City's allotment to date of the dwelling units is consistent with the City's commitments regarding affordable housing.

The attached Preliminary School Capacity Availability Determination (SCAD) received from the Broward County School Board indicates that the 1,214 high-rise units proposed by this request will generate 24 additional students into the public school system. Based on the District's Public School Concurrency Planning Document, Walker Elementary School and Sunrise Middle Schools are operating below the adopted levels of service and Fort Lauderdale High School exceeds the adopted level of service, all set at 100% of gross capacity. Therefore, on June 7, 2017, the Capacity Allocation Team allocated the non-vested high school student stations to the adjacent Stranahan High School which is also operating below the adopted level of service. This application satisfies the requirements of public school concurrency on the basis that a portion of the project is vested and that adequate school capacity is expected to be available to support the remainder of the project as proposed. The proposed 1,214 high-rise units are subject to Broward County school impact fees.

The Aviation Department has advised that 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>.

Review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) by the County's consulting archaeologist indicates that the proposed development is likely to impact previously recorded historical and archaeological resources located within the plat, including three (3) historic buildings (FMSF 8BD1329, *Tibbits Building*; 8BD1331, *Colonial Hotel*; and 8BD1330 *Museum Buildings*). In addition, sites 8BD1329 and 8BD1331 are also recorded as LAPC sites #92 and #93, respectively, on the Broward County Land Use Plan, Cultural Resources Map Series / Local Area of Particular Concern (LAPC).

It is further noted that the plat also contains one (1) previously recorded archaeological site, FMSF 8BD2916 (*Brickell Block*), which was recommended in 1995 for archaeological monitoring during site construction; however, there is currently no archaeological report on file at the FMSF relative to site development. Finally, the plat is within close proximity to numerous other previously recorded historical resources, including 30 historical structures classified by the FMSF as "not destroyed," three (3) resource groups including FMSF 8BD181 (*H1 Fort Lauderdale Historic District*) and one (1) structure listed on the National Register of Historic Places (FMSF 8BD1334, *Sheppard Hotel/Bryan Building*).

The archaeologist notes that this property is located in the City of Fort Lauderdale and outside the jurisdiction of Broward County Historic Preservation Ordinance 2014-32.

The property owner/agent is advised to contact the City of Fort Lauderdale's Urban Design and Planning Department at 954-828-6520 to seek project review for compliance with the municipal historic preservation regulations. 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 or State Archaeologist. The Broward County medical examiner can be notified at either 954-357-5200 or med_exam_trauma@broward.org.

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 attached letter from the City of Fort Lauderdale indicates no objection to this request.

This plat with the amended note satisfies the regional park concurrency requirement of Section 5-182(i) and the solid waste disposal concurrency requirement of Section 5-182(h) of the Land Development Code. In addition, this request represents a decrease of 57 PM peak hour trips. The plat is also located within the Eastern Core Transportation Concurrency Management District; therefore, this request satisfies the regional transportation concurrency standards specified in Section 5-182(a)(5)a) of the Broward County Land Development Code.

At the time of plat approval, the multi-story commercial use on Parcels A, B and C of the plat was subject to road impact fees which were paid prior to plat recordation. This plat is now located within a transportation concurrency management area; however, this request also represents a decrease in the number of PM peak hour trips; therefore, no additional road impact or transportation concurrency fees will be due for the 1,214 high-rise residential units and 80,000 square feet of commercial use proposed by this request. The proposed high-rise units are subject to school and regional park impact fees and administrative fees for regional parks, which will be assessed and paid in accordance with the fee schedule in effect during the review of construction plans by the Development and Environmental Review Section of the Planning and Development Management Division. The park impact and administrative fees are subject to an annual adjustment on October 1.

Staff recommends **APPROVAL** of this request, provided the applicant accomplishes the following:

- 1) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **August 22, 2018**.

The amended note must also include language stating the following:

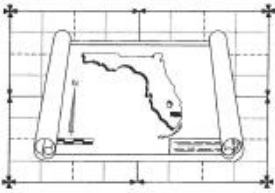
Any structure within this plat must comply with Section IV D.1.f., Development Review requirements, of the Broward County Land Use Plan, regarding hazards to air navigation.

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.

Finally, 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.

smc






BROWARD COUNTY PLANNING COUNCIL

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

TO: Josie P. Sesodia, AICP, Director
Broward County Planning and Development Management Division

FROM: Barbara Blake Boy, Executive Director 

RE: Delegation Request for Brickell Redevelopment Plat (Parcels B and C)
(111-MP-89) City of Fort Lauderdale

DATE: May 1, 2017

This memorandum updates our previous comments regarding the referenced plat dated December 21, 2016.

Planning Council staff has reviewed the proposed revision to the restrictive note on the above referenced plat. The proposal is to change the restrictive note on the plat:

FROM: Parcels "B" and "C" are restricted to multi-story commercial use only.

TO: Parcels "B" and "C" are restricted to 1,214 high-rise residential units and 80,000 square feet of commercial use.

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 Regional Activity Center" land use category. This plat is generally located on the south side of Himmarshee Street, between the FEC Railroad and Brickell Avenue.

Regarding the proposed residential and commercial 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.

Planning Council staff notes that this plat is located within an area that was the subject of Broward County Land Use Plan amendment PCT 15-1, which permitted an additional 5,000 dwelling units within the "Downtown Regional Activity Center." Said amendment was adopted by the Broward County Commission on December 8, 2015, and has been recertified, effective March 31, 2017.

Brickell Redevelopment Plat
May 1, 2017
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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:PMS

cc: Lee Feldman, City Manager
City of Fort Lauderdale

Anthony Fajardo, Director, Department of Sustainable Development
City of Fort Lauderdale

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

PLAT

SBBC-2138-2016

County Number: 111-MP-89 Municipality Number: R16049
Riverfront

June 8, 2017 3:57:27



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

PRELIMINARY SCHOOL CAPACITY AVAILABILITY DETERMINATION
PLAT

PROJECT INFORMATION	NUMBER & TYPE OF PROPOSED UNITS	OTHER PROPOSED USES	STUDENT IMPACT
Date: June 8, 2017 3:57:27	Single-Family:		Elementary: 12
Name: Riverfront	Townhouse:		Middle: 5
SBBC Project Number: SBBC-2138-2016	Garden Apartments:		High: 7
County Project Number: 111-MP-89	Mid-Rise:		Total: 24
Municipality Project Number: R16049	High-Rise: 1,214		
Owner/Developer: Riverfront Land TR PMG	Mobile Home:		
Jurisdiction: Fort Lauderdale	Total: 1,214		

SHORT RANGE - 5-YEAR IMPACT

Currently Assigned Schools	Gross Capacity	LOS Capacity	Benchmark Enrollment	Over/Under LOS	Classroom Equivalent Needed to Meet LOS	% of Gross Capacity	Cumulative Reserved Seats
Walker	1,017	1,017	741	-276	-15	72.9%	27
Sunrise	1,403	1,403	1,116	-287	-13	79.5%	18
Fort Lauderdale	1,965	1,965	2,092	127	6	106.5%	4
Stranahan	2,375	2,375	1,408	-967	-38	59.3%	41

Currently Assigned Schools	Adjusted Benchmark	Over/Under LOS-Adj. Benchmark Enrollment	% Gross Cap. Adj. Benchmark	Projected Enrollment				
				17/18	18/19	19/20	20/21	21/22
Walker	768	-249	75.5%	767	779	753	771	782
Sunrise	1,134	-269	80.8%	1,210	1,197	1,184	1,171	1,159
Fort Lauderdale	2,096	131	106.7%	2,075	2,100	2,066	2,054	2,022
Stranahan	1,449	-926	61%	1,378	1,323	1,277	1,232	1,187

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. Information contained herein is current as of the date of review. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The annual benchmark enrollment is taken on the Monday following Labor Day and is used to apply individual charter school enrollment impacts against school facility review processes.

CHARTER SCHOOL INFORMATION

Charter Schools within 2-mile radius	2016-17 Contract Permanent Capacity	2016-17 Benchmark Enrollment	Over/(Under)	Projected Enrollment		
				17/18	18/19	19/20
Charter School Of Excellence	310	264	-46	264	264	264
Charter School Of Excellence Fort Lauderdale 2	500	20	-480	20	20	20
Sunrise High	550	268	-282	268	268	268

PLANNED AND FUNDED CAPACITY ADDITIONS IN THE ADOPTED DISTRICT EDUCATIONAL FACILITIES PLAN

School(s)	Description of Improvements
Walker	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Sunrise	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Fort Lauderdale	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.
Stranahan	There are no capacity additions scheduled in the ADEFP that will impact the FISH capacity of the school.

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code. Information contained herein is current as of the date of review. A traditional cohort survival methodology is used to project school-by-school District traditional school enrollment out over the next five years, and a proportional share of charter school enrollment is used to project future charter school enrollment by school level Districtwide. For more information: <http://www.broward.k12.fl.us/dsa/EnrollmentProj.shtml>. The benchmark enrollment count taken on the first Monday following Labor Day is used to apply individual charter school enrollment impacts against school facility review processes.

Comments

The plat application was reviewed as 1,214 high-rise units, which generate 24 (12 elementary, 5 middle and 7 high school) students. However, the project falls within the boundary of Land Use Plan Amendment (LUPA) PCT 05-3, for a Regional Activity Center (RAC) land use designation. Units associated with this LUPA are subject to the payment of fees as stated in the Tri-Party Agreement between the City, the School Board and the County. The information provided indicated that 659 units will be drawn from this pool while the remaining 555 units will draw from those enabled by LUPA PCT 15-1, which are subject to public school concurrency review and the payment of school impact fees, if the required school capacity is available.

In the 2016/17 school year, the application site is served by Walker Elementary, Sunrise Middle and Fort Lauderdale High Schools' concurrency service areas (CSAs). Based on the District's Public School Concurrency Planning Document (PSCPD), Walker Elementary and Sunrise Middle Schools are operating below the Adopted Level of Service Standard (LOS) of 100% of gross capacity, while Fort Lauderdale High School exceeds the LOS of 100%. Also, incorporating the cumulative students anticipated from this project and approved and vested developments anticipated to be built within three years, these schools are anticipated to maintain their current status. Therefore, the School District Capacity Allocation Team (CAT) met on June 7, 2017, and determined that the three (non-vested) needed high school student stations could be allocated to Stranahan High School, which is adjacent to the primarily impacted school, operating below the adopted LOS of 100% and projected to maintain this status through the 2018/19 school year.

It should be noted that the school capacity or Florida Inventory of School Houses (FISH) for the impacted schools reflects compliance with the class size constitutional amendment.

The charter schools located within a two-mile radius of the project site in the 2016/17 school year and their associated enrollment and capacity data are shown above. Students returning, attending or anticipated to attend charter schools are factored into the five-year student enrollment projections for District schools. Enrollment projections are adjusted for all elementary, middle and high schools impacted by a charter school until the charter school reaches full enrollment status. To ensure maximum utilization of the impacted CSAs, the Board may utilize school boundary changes to accommodate students generated from developments in the County. Capital improvements scheduled in the currently Adopted District Educational Facilities Plan, FY 2016/17 – 2020/21, regarding pertinent impacted public schools are depicted above.

This application is determined to satisfy public school concurrency on the basis that a portion of the project is vested and there is adequate school capacity anticipated to be available to support the remainder of the residential development as currently proposed. This preliminary School Capacity Availability Determination (SCAD) shall be valid for 180 day for a maximum of 1,214 high-rise units, and conditioned upon final approval by the applicable governing body. As such, this determination will expire on December 4, 2017. This preliminary school concurrency determination shall be deemed to be void unless prior to the referenced expiration of the Preliminary SCAD, notification of final approval to the District has been provided and/or an extension of this Preliminary SCAD has been requested in writing and granted by the District. Upon the District's receipt of sufficient evidence of final approval by the regulatory agency which shall specify at the minimum the number, type and bedroom mix for the approved residential units, the District will issue and provide its final SCAD letter for the approved units, which shall ratify and commence the vesting period for the approved residential project. The applicant shall notify the District of any proposed changes to the development, which increases the number of students generated by the project. If a change is proposed to the application, which causes additional students to be generated by the project, the students will not be considered exempt or vested from public school concurrency (PSC) when the project is re-reviewed.

SBBC-2138-2016 Meets Public School Concurrency Requirements

Yes No

Reviewed By:

4/2/17

Date



Signature

Lisa Wight

Name

Planner

Title

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

Application: Delegation Request (To amend the note to restrict Parcels B and C to 1,214 high rise residential units and 80,000 square feet of commercial use.)
File Number: 111-MP-89
Project Name: Brickell Redevelopment Plat
Comments Due: December 16, 2016
Development Type: Multi-Story Commercial (Parcel A), Residential (1,214 High Rise Units on Parcels B and C), Commercial (80,000 Square Feet on Parcels B and C), Utilities and Governmental Services (Parcel D), and Sanitary Sewer Pump Station (Parcel E)

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 Fort Lauderdale and is under the jurisdiction of the Environmental Engineering and Licensing Section of the Broward County Environmental Licensing and Building 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. The surface water management licensing requirements of the Environmental Engineering and Licensing Section must be met prior to any construction.

Potable Water Review

This plat will be served by the City of Fort Lauderdale's Water Treatment Plant which has a capacity of 90.000 MGD and a maximum daily flow of 50.540 MGD. 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:	G. T. Lohmeyer
Flow Data:	As of 04/17
EPGMD Licensed Capacity	48.0000 MGD
12 Month Average Flow:	38.2300 MGD
Existing Flow Reserved by Building Permit:	1.3390 MGD
Total Committed Flow:	39.5690 MGD
Estimated Project Flow:	0.3115 MGD

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 to 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 substantial and variable; this may impose additional needs for advance planning, permitting,

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111-MP-89 BRICKELL REDEVELOPMENT PLAT

and construction for both onsite and offsite components of the conveyance system. Contact the Environmental Engineering and Licensing Section of the Environmental Licensing and Building 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 the Broward County Code of Ordinances, Chapter 27, Article XIII.

Review of available information indicates that, at this time, there are no wetlands within the boundaries of this 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, such as 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 of the Environmental Licensing and Building Permitting Division at 954-519-1483 at the earliest time to determine if, and what type of, a license may be required prior to undertaking any 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 Aquatic and Wetland Resources Section of the Environmental Licensing and Building 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 Aquatic and Wetland Resources 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 Fort Lauderdale 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.

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>.

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111-MP-89 BRICKELL REDEVELOPMENT PLAT

Additional Comments Addressing Certain Environmental Protection Actions Needing to be Taken to Implement the Project

1. A Parking Facility License will be required for parking facilities. Contact the Pollution Prevention Division at 954-519-1260 for specific license requirements.
2. A Demolition Notification may/will be required for the existing use. Contact the Pollution Prevention Division at 954-519-1260 for additional information.
3. Any discharges to ground or surface waters, excluding stormwater, will require review and approval from the Environmental Engineering and Licensing Section of the Environmental Licensing and Building Permitting Division prior to discharge.
4. A Storage Tank License may be required if there will be fuel storage associated with an emergency generator system. Contact the Pollution Prevention Division at 954-519-1260 for specific license requirements.
5. 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 at 954-519-1483 for specific license requirements.
6. 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 Pollution Prevention Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the 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 Pollution Prevention Division must approve any dewatering activities at the subject location.

Be advised that approval of a delegation request 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 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 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.



CITY OF
FORT LAUDERDALE



November 28, 2016

Josie Sesodia, Director
Broward County Planning and Development Management Division
1 North University Drive, Building A, Suite 102
Plantation, Florida 33324

RE: Letter of No Objection to Plat Note Amendment – Brickell Redevelopment Plat

Dear Ms. Sesodia,

The City of Fort Lauderdale is in receipt of a request for plat note amendment to the "Brickell Redevelopment Plat" Parcels B and C in Fort Lauderdale, recorded in Plat Book 147, Page 27. 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:

"Parcel "A" is restricted to multi-story commercial use only. Parcel "B" restricted to multi-story commercial use only. Parcel "C" restricted to multi-story commercial use only. Parcel "D" is restricted to public utility and other municipal/governmental services uses must be approved by Ft. Laud. City Engineer. Parcel "E" is restricted to sanitary sewer pump station & appurtenances."

To:

"Parcel "A" is restricted to multi-story commercial use only. Parcels "B" and "C" are restricted to 1,214 high-rise residential units and 80,000 square feet of commercial use. Free standing banks or banks with drive-through facilities are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts. Parcel "D" is restricted to public utility and other municipal/governmental services uses must be approved by Ft. Laud. City Engineer. Parcel "E" is restricted to sanitary sewer pump station & appurtenances."

Pursuant to Section 47-24.5 of the City of Fort Lauderdale Unified Land Development Regulations, the City has reviewed the proposed plat note amendment and has no objections to the proposed changes. If you have any questions or require additional information, please feel free to contact Randall Robinson at 954-828-5265 or robinson@fortlauderdale.gov.

Sincerely,

Ella Parker, Urban Design & Planning Manager
Department of Sustainable Development

cc: Christopher Lagerbloom, Assistant City Manager
Anthony Fajardo, Director, Department of Sustainable Development
Evy Kalus, Broward County Planning and Development Management Division
Courtney Crush, Crush Law, P.A.

DEPARTMENT OF SUSTAINABLE DEVELOPMENT
700 NW 19 AVENUE, FORT LAUDERDALE 33311
TELEPHONE (954) 828-6520
WWW.FORTLAUDERDALE.GOV



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 Brickell Redevelopment Plat

Plat Number 11 - MP - 89 Plat Book - Page 147- 27 (If recorded)

Owner/Applicant Las Olas Riverfront LP Phone 954 522 2010

Address 300 SW 1st Ave City Fort Lauderdale State FL Zip Code 33301

Owner's E-mail Address jcrush@crushlaw.com Fax # _____

Agent Crush Law, P.A. - Jason S. Crush Phone 954 522 2010

Contact Person Jason S. Crush

Address 333 N New River Dr E, Suite 1500 City Fort Lauderdale State FL Zip Code 33301

Agent's E-mail Address jcrush@crushlaw.com Fax # _____

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 Exhibit A

Proposed note for entire plat _____

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
City of Fort Lauderdale Municipality

Will project be served by an approved sewage treatment plant? If YES, state name and address Yes No
City of Fort Lauderdale Municipality

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.

Estimate or state the total number of on-site parking spaces to be provided SPACES 1,891

Number of seats for any proposed restaurant or public assembly facility, including places of worship SEATS 200

Number of students for a daycare center or school STUDENTS N/A

Reasons for this request (Attach additional sheet if necessary.) Amend Plat Note as described above in Proposed.

FOR APPLICATIONS PROPOSING INDUSTRIAL USE(S) - SUPPLEMENTAL REQUIREMENT

Proposed industrial plat notes which abut 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?
RAC - CC	123,400 S.F.	10/18/2016			X
Theater - 111,300 S.F. and	4,084 seats				

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]

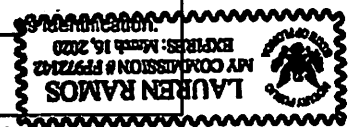
Sworn and subscribed to before me this 18 day of October, 2016

by Jason S. Crush He/she is personally known to me or

Has presented

Signature of Notary Public [Signature]

Type or Print Name Lauren Ramos



FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY

Time _____ Application Date 11/29/16 Acceptance Date 12/07/16

Comments Due 12/16/16 C.C. Mtg. Date 01/24/16 Fee \$ 1840

Plats Survey Site Plan City Letter Agreements

Other Attachments (Describe) SCAD (10/20/16)

Title of Request amend note - Parcels B & C

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 none Received by EK/SMC

Exhibit A

Existing Note:

Parcel "A" restricted to multi-story commercial use only.

Parcel "B" restricted to multi-story commercial use only.

Parcel "C" restricted to multi-story commercial use only.

Parcel "D" is restricted to public utility and other municipal/governmental services uses must be approved by Ft. Laud. City Engineer.

Parcel "E" is restricted Sanitary Sewer Pump Station & appurtenances.

Proposed Note:

Parcel "A" restricted to multi-story commercial use only.

Parcels "B" and "C" restricted to 1,214 high-rise residential units and 80,000 square feet of commercial use. Freestanding banks or banks with drive-thru facilities are not permitted without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.

Parcel "D" is restricted to public utility and other municipal/governmental services uses must be approved by Ft. Laud. City Engineer.

Parcel "E" is restricted Sanitary Sewer Pump Station & appurtenances.