

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 Broward County Board of County Commissioners (“Board”) on September 5, 1989 for 4.1 acres of multi-story commercial use. The property is located 4.1 acres, on the south side of Southwest 2 Street (Himmarshree Street), between Southwest 2 Avenue and South Andrews Avenue, in the City of Fort Lauderdale. The plat was recorded on March 5, 1991 (Plat Book 147, Page 27). On August 22, 2017, the Board approved a delegation request for a plat note amendment; however, the agreement to amend the note on the face of the plat was never recorded and expired. The current note reads as follow:

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 by subdividing Parcel B further by creating Parcel B-1; to allow Parcels B-1 and C to accommodate 1,214 high-rise units and 58,000 square feet of commercial use in lieu of multi-story commercial use. There are no changes to Parcels A, D or E.

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

Parcels B is restricted to multi-story commercial use only.

Parcels B-1 and C are restricted to 1,214 high-rise residential units and 58,000 square feet of commercial use. 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 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.

Land Use

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 Official Record Book 34094, Pages 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.

School Mitigation

Broward County, as part of the Land Use Plan Amendments PCT 15-1 and PCT 05-3 approval, required an amendment to the existing Educational Mitigation Agreement to address the student impacts of 5,000 new dwelling units that were added to PCT 15-1. The amendment was approved on March 28, 2017 and recorded (Instrument #114295268).

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. The project falls within the boundary of Land Use Plan Amendment PCT 05-3 as previously mentioned, where 659 units were drawn from the pool provided by Broward County School Board, while the remaining 555 units drew from those enabled by Land Use Plan Amendment PCT 15-1.

Based on the District's Public School Concurrency Planning Document, Walker Elementary School, Sunrise Middle Schools and Fort Lauderdale High Schools are impacted by the project. Therefore, on June 7, 2017, the Capacity Allocation Team allocated the needed high school student stations to Stranahan High School. 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.

Concurrency Review

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 216 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.

Impact Fees

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 58,000 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.

Reviewing Agency Comments

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

This application has been reviewed by Highway Construction and Engineering Division staff who has no objections to this request.

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 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*; 8BD1330, *Broward Plasma*; and 8BD1331 *Colonial Hotel*). 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 subject property is located within designated archaeological zone AZ-10 – the North Bank New River Archaeological Zone. An area that has yielded significant prehistoric and historical archaeological deposits that are significant to understanding the history of Fort Lauderdale. Furthermore, the property is located adjacent to the national Register site 8BD1334 220-230, *Bryan Building*; and adjacent sites 8BD1366 13 *Weilding Building* and 8BD1334 220-230 *Bryan Building/Shepperd Hotel*, which are recorded as LAPC sites #96 and #100, respectively, on the Broward

County Land Use Plan, Cultural Resources Map Series / Local Area of Particular Concern (LAPC).

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 Division at 954-828-7101 or tlogan@fortlauderdale.gov, 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.

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

- 1) Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **October 23, 2019**.

The amended note must also include language stating the following:

- A) Any structure within this plat must comply with Section 2B.1.f., Development Review requirements of the Broward County Land Use Plan regarding hazards to air navigation.
- B) If a building permit for a principal building (excluding dry models, sales and construction offices) first inspection approval are not issued for **Parcels B-1 and C** by **October 23, 2023**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner 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
- C) If construction of project water lines, sewer lines, drainage, and the rock base for internal roads have not been substantially completed for **Parcels B-1 and C** by **October 23, 2023**, then the County's finding of adequacy shall expire and no additional building permits shall be issued until such time as Broward County shall make a subsequent finding that the application satisfies the adequacy requirements set forth within the Broward County Land Development Code. The owner of the property or the agent of the owner 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.

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.

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.


KDL

Continued





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: September 25, 2018

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 as follows:

FROM: Parcel "B" is restricted to multi-story commercial use only. Parcel "C" is restricted to multi-story commercial use only.

TO: Parcel "B" is restricted to multi-story commercial use only. Parcels "B-1" and "C" are restricted to 1,214 high-rise residential units and 58,000 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. Parcels "B" and "C" of this plat are generally located on the south side of Himmarshee Street/Southwest 2 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 (BCLUP) 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, subject to the following conditions:

- Set aside 15% of the 5,000 new units (i.e. 750 units) as affordable housing units; and
- Amend the existing Educational Mitigation Agreement for the additional students.

Brickell Redevelopment Plat
September 25, 2018
Page Two

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:GSM

cc: Lee Feldman, City Manager
City of Fort Lauderdale

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





September 7, 2018

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. Parcel "B" restricted to multi-story commercial use only. Parcels "B-1" and "C" are restricted to 1,214 high-rise residential units and 58,000 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,

Anthony Fajardo, Director, Department of Sustainable Development

cc: Christopher Lagerbloom, Assistant City Manager
Thuy Turner, Broward County Planning and Development Management Division
Jason Crush, Crush Law, P.A.

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

REVISED
10/3/17

PLAT
SBBC-2138-2016
County No: 111-MP-89
Riverfront/ Brickell Redevelopment

October 3, 2017

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

**FINAL SCHOOL CAPACITY AVAILABILITY DETERMINATION
PLAT**

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

Comments

Staff reviewed the plat application and issued a Preliminary School Capacity Availability Determination Letter for 1,214 high-rise units, which was determined to 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 were drawn from this pool while the remaining 555 units drew from those enabled by LUPA PCT 15-1, which are subject to public school concurrency review and the payment of school impact fees.

The school Concurrency Service Areas (CSA) impacted by the project in the 2016/17 school year included Walker Elementary, Sunrise Middle and Fort Lauderdale High Schools. The School District Capacity Allocation Team (CAT) met on June 7, 2017, and allocated the needed high school student stations to Stranahan High School.

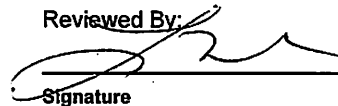
This application was determined to satisfy public school concurrency on the basis that adequate school capacity was anticipated to be available to support the residential development as proposed by the applicant.

Written correspondence from County Staff dated August 28, 2017, notified District staff that the Broward County Commission gave final approval to the plat application on August 22, 2017, consistent with the residential type and bedroom mix reviewed by District staff and stated above. Therefore, this application is determined to satisfy public school concurrency on the basis that the project is vested for public school concurrency requirements for the units contained herein. Also, based on the County Commission's final approval, the students associated with this development are vested for public school concurrency purposes for five years. Unless the underlying approval for this project expires or an extension of this Final SCAD has been requested in writing and granted by the School District, this final determination shall be valid until August 22, 2022, which is five years from the approval date of this plat by the Broward County Board of County Commissioners.

Students generated are based on the student generation rates contained in the currently adopted Broward County Land Development Code

SBBC-2138-2016 Meets Public School Concurrency Requirement: Yes No

10-3-17
Date

Reviewed By: 
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 create Parcel B-1, eliminate the multi-story commercial use from Parcel C, and add 1,214 high rise units and 58,000 square feet of commercial use to Parcels B-1 and C.)
File Number: 111-MP-89
Project Name: Brickell Redevelopment Plat
Comments Due: September 24, 2018
Development Type: Parcels B-1 and C: Residential (1,214 High Rise Units) and Commercial (58,000 Square Feet)

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 Water and Environmental Licensing Section of the Broward County Environmental Engineering and 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. A surface water management license from the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division will be required 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, a maximum daily flow of 53.490 MGD, and the estimated project's flow is 0.425 MGD. Therefore, 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 03/18
EPGMD Licensed Capacity	48.0000 MGD
12 Month Average Flow:	38.8800 MGD
Existing Flow Reserved by Building Permit:	1.3700 MGD
Total Committed Flow:	40.2500 MGD
Estimated Project Flow:	0.3093 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 of 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, and construction for both onsite and offsite components of the conveyance system. Contact the

Page 2
111-MP-89 BRICKELL REDEVELOPMENT PLAT

Water and Environmental Licensing Section of the Environmental Engineering and 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 Broward County Code of Ordinances, Chapter 27, Article XIII.

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Engineering and Permitting Division indicates that, at this time, there are no wetlands within the boundaries of 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 Water and Environmental Licensing 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.

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 Water and Environmental Licensing Section of the Environmental Engineering and 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 Water and Environmental Licensing 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 inventory, which provides information regarding the ownership and management of each of the Protected Natural Lands, may be accessed at the following website:

<http://bcgis.maps.arcgis.com/apps/OnePane/basicviewer/index.html?appid=85f453365417459f8ba45fa6e5dddb9c>

Page 3
111-MP-89 BRICKELL REDEVELOPMENT PLAT

Additional Comments Addressing Certain Environmental Protection Actions Needed to Implement the Project

1. An Environmental Resource License may be required for any activities regulated under Article XI of the Natural Resource Protection Code. Contact the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division at 954-519-1483 for specific license requirements.
2. Any discharges to ground or surface waters, excluding stormwater, will require review and approval by the Water and Environmental Licensing Section of the Environmental Engineering and Permitting Division prior to discharge.
3. A Parking Facility License may be required. Contact the Broward County Environmental Engineering and Permitting Division at 954-519-1260 for specific license requirements.

If, for the entire project, the total number of surface or single-level parking spaces become equal to or greater than 1,500, or if the total number of multi-level parking facility spaces becomes equal to or greater than 750, or if the combination of both single and multi-level parking spaces becomes equal to or greater than 1,000, a Parking Facility License will be required. Contact the Broward County Environmental Engineering and Permitting Division for specific license requirements.

4. A demolition notice of the existing use will be required from the Broward County Air Licensing and Compliance Section of the Environmental Engineering and Permitting Division.
5. A Storage Tank License may be required if there will be fuel storage associated with either an emergency generator system. Contact the Environmental and Consumer Protection Division at 954-519-1260 for specific license requirements.
6. The subject plat is in the vicinity of known contaminated sites and the following should be noted: For any site that overlies or contains potential or actual sources of pollution to ground or groundwater, the Environmental Engineering and Permitting Division's approval of an application for a building permit or approval to construct or alter shall not be granted until the Environmental Assessment and Remediation Section of the Environmental Engineering and Permitting 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 Environmental Assessment and Remediation must approve any dewatering activities at this site.

Be advised that approval of a plat note amendment 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 Engineering and 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.



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

Owner/Applicant RIVERFRONT LAND TRUST - PMG/Greybrook 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 Restricted to Multi-story commercial use only.

Proposed note for entire plat See attached Exhibit "A"

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 (See attached letter) _____

Will project be served by an approved sewage treatment plant? If YES, state name and address Yes No
 City of Fort Lauderdale (See attached letter) _____

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 in attached.

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.	Demolished 6/20/17			X
Theater - 111,300 S.F. and	4,084 seats	Demolished 6/20/17			X

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 10 day of September, 2018
by Jason S. Crush He/she is personally known to me or

Has presented _____ as identification.

Signature of Notary Public [Signature]
Type or Print Name Lauren Ramos

FOR PLANNING AND DEVELOPMENT MANAGEMENT DIVISION USE ONLY

Time 10:30AM Application Date 09/07/2018 Acceptance Date 09/10/2018
Comments Due 09/24/2018 C.C. Mtg. Date _____ Fee \$ 2,090

Plats Survey Site Plan City Letter Agreements

Other Attachments (Describe) SCAS Letter, Life Safety Plan

Title of Request note amendment

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 [Signature]



**Plat Note Amendment
NARRATIVE
Riverfront
300 SW 1st Avenue,
Fort Lauderdale, FL**

This Application is to amend the Plat Note on the Brickell Redevelopment Plat. A portion of Parcels B (proposed Parcel "B-1") and C of the Plat (the "Property") has been approved by the City for redevelopment under R16049 (the "Riverfront" application).

Plat Note Amendment:

The Property is the western two parcels of the Las Olas Riverfront Center and until recently had a multi-story commercial building constructed thereon (the Las Olas Riverfront mall). The Applicant seeks to amend the existing plat notes on proposed Parcels B-1 and C to allow the redevelopment of the Property for a mixed-use development including 1,214 residential units and 58,000 square feet of commercial space.

The property is zoned Regional Activity Center – City Center District (RAC-CC) and is within the "Downtown Core" area of the Downtown Master Plan.

Riverfront proposes a mixed use community that includes multifamily residences geared for an active urban lifestyle and ground floor pedestrian interactive retail uses, together with other ground level pedestrian amenities.

The proposed Riverfront fully embraces the Riverwalk experience of public /pedestrian interaction through the use of carefully designed and proportioned architectural elements including building step backs, terracing and the creation of amenity open spaces. Riverfront focuses its design on an open and interactive pedestrian priority, by elevating the residences 30' above open air plazas. The architecture of the Riverfront is designed to create memorable imagery of an upscale downtown building with distinctive quality and refined elegance.

The Property is platted in the Brickell Redevelopment Plat found at Plat Book 147, Page 27.

The plat notes on Parcels B & C are proposed to be amended 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."

CRUSH LAW_{PA.}

To:

"Parcel "A" is restricted to multi-story commercial use only. Parcel "B" restricted to multi-story commercial use only. Parcels "B-1" and "C" are restricted to 1,214 high-rise residential units and 58,000 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."

EXHIBIT "A"

LEGAL DESCRIPTION: Parcel "B"

A portion of Parcel "B", BRICKELL REDEVELOPMENT PLAT, according to the Plat thereof, as recorded in Plat Book 147, at Page 27, of the Public Records of Broward County, Florida, being more particularly described as follows:

Commence at the Northwest corner of said Parcel "B", the following two (2) courses being along the North line of said Parcel "B", also being the South right of way line of S.W. 2nd Street; 1) thence N 88°21'00" E along the North line of said Parcel "B" for 17.51 feet to the Point of Beginning; 2) thence continue N 88°21'00" E for 60.65 feet; thence S 46°42'50" E along the East line of said Parcel "B" for 35.31 feet; thence S 01°46'40" E for 114.86 feet; thence S 88°09'45" W for 36.60 feet; thence S 01°39'00" E for 5.00 feet; thence S 88°21'00" W for 9.00 feet; thence N 01°39'00" W for 17.40 feet; thence S 88°21'00" W for 17.04 feet; thence N 01°48'42" W for 48.99 feet; thence S 88°23'46" W for 18.46 feet; thence N 48°31'46" W for 6.16 feet; thence N 01°46'40" W for 74.30 feet to the Point of Beginning.

SURVEYOR'S NOTES:

- This site lies in Section 10, Township 50 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.
- Bearings hereon are referred to an assumed value of S 01°46'40" E for the centerline of Brickell Avenue.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- Lands shown hereon containing 10,076 square feet, or 0.231 acres, more or less.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2017-019.

SURVEYOR'S CERTIFICATION:

I hereby certify that this "Sketch of Description" was made under my responsible charge on September 6, 2018, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

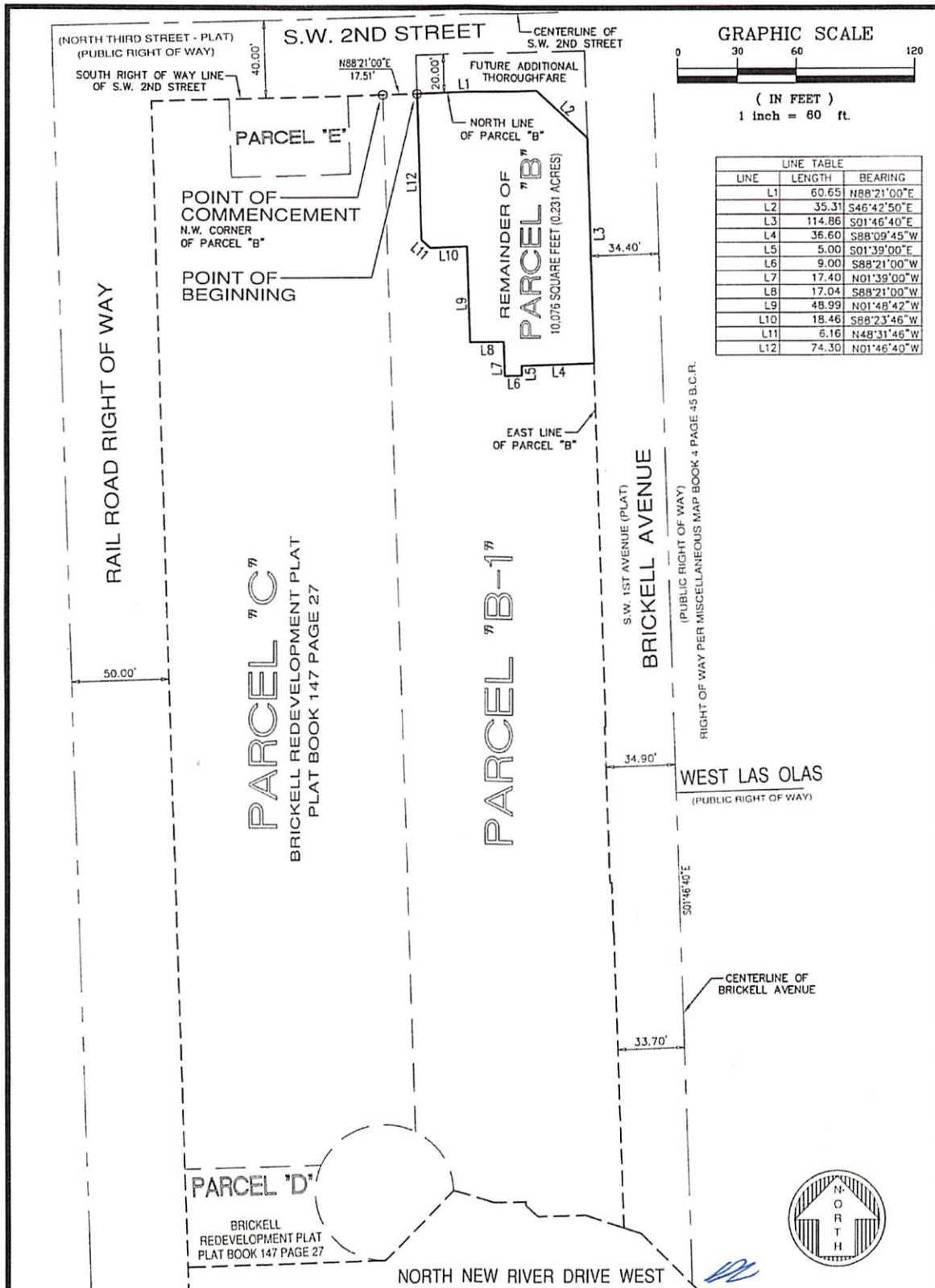
By: _____

Daniel C. Fortin, Jr., For The Firm
Surveyor and Mapper, LS6435
State of Florida.

Drawn By	MAP
Cad. No.	170217
Ref. Dwg.	2017-019
Plotted:	9/6/18 12:57a

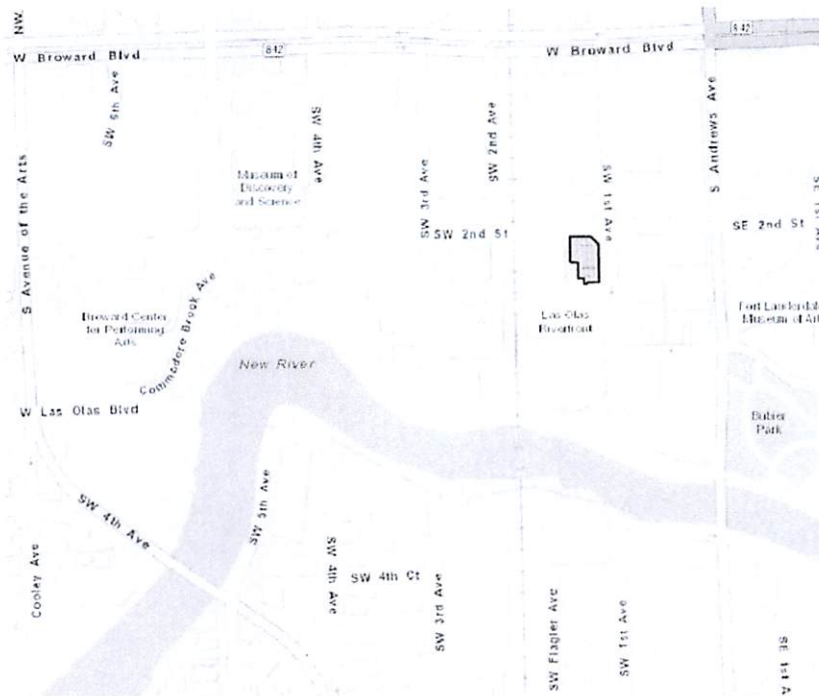
LEGAL DESCRIPTION, NOTES & CERTIFICATION	
FORTIN, LEAVY, SKILES, INC.	
CONSULTING ENGINEERS, SURVEYORS & MAPPERS	
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653	
180 Northeast 168th Street / North Miami Beach, Florida, 33162	
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com	

Date	9/6/18
Scale	NOT TO SCALE
Job. No.	181070
Dwg. No.	1018-067-2
Sheet	1 of 3



<p>Drawn By MAP</p> <p>Cad. No. 170217</p> <p>Ref. Dwg. 2017-019</p> <p>Plotted: 9/6/18 12:57a</p>	<p>SKETCH OF DESCRIPTION</p> <p>FORTIN, LEAVY, SKILES, INC. CONSULTING ENGINEERS, SURVEYORS & MAPPERS FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653 180 Northeast 168th Street / North Miami Beach, Florida, 33162 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com</p>	<p>Date 9/6/18</p> <p>Scale 1"=60'</p> <p>Job. No. 181070</p> <p>Dwg. No. 1018-067-2</p> <p>Sheet 2 of 3</p>
--	--	--

EXHIBIT "A"



Handwritten signature or initials in blue ink.

Drawn By	MAP
Cad. No.	170217
Ref. Dwg.	2017-019
Plotted:	9/6/18 12:57a

LOCATION SKETCH

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th Street / North Miami Beach, Florida. 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flssurvey.com

Date	9/6/18
Scale	NOT TO SCALE
Job. No.	181070
Dwg. No.	1018-067-2
Sheet	3 of 3

EXHIBIT "A"-1

LEGAL DESCRIPTION: Parcel "B-1"

A portion of Parcel "B", BRICKELL REDEVELOPMENT PLAT, according to the Plat thereof, as recorded in Plat Book 147, at Page 27, of the Public Records of Broward County, Florida, being more particularly described as follows:

Begin at the Northwest corner of said Parcel "B"; thence S 01°46'40" E along the West line of said Parcel "B" for 529.16 feet to a point on a circular curve concave to the Southwest and whose radius point bears S 26°52'28" W; thence Southeasterly along a 35.00 foot radius curve leading to the right through a central angle of 62°15'47" for an arc distance of 38.03 feet to a non-tangent point, the following six (6) courses being along the South line of said Parcel "B"; 1) thence S 73°19'40" E for 21.19 feet; 2) thence N 88°11'40" E for 16.53 feet; 3) thence S 00°37'40" E for 1.80 feet; 4) thence S 46°51'00" E for 8.31 feet; 5) thence N 88°26'20" E for 23.87 feet; 6) thence S 71°26'40" E for 20.52 feet, the following seven (7) courses being along the East line of said Parcel "B"; 1) thence N 01°46'40" W for 151.79 feet; 2) thence S 88°21'00" W for 0.20 feet; 3) thence N 01°46'40" W for 25.50 feet; 4) thence S 88°21'00" W for 1.00 feet; 5) thence N 01°46'40" W for 79.50 feet; 6) thence N 88°28'58" E for 0.50 feet; 7) thence N 01°46'40" W for 185.20 feet; thence S 88°09'45" W for 36.60 feet; thence S 01°39'00" E for 5.00 feet; thence S 88°21'00" W for 9.00 feet; thence N 01°39'00" W for 17.40 feet; thence S 88°21'00" W for 17.04 feet; thence N 01°48'42" W for 48.99 feet; thence S 88°23'46" W for 18.46 feet; thence N 48°31'46" W for 6.16 feet; thence N 01°46'40" W for 74.30 feet; thence S 88°21'00" W along the North line said Parcel "B", also being the South right of way line of S.W. 2nd Street for 17.51 feet to the Point of Beginning.

SURVEYOR'S NOTES:

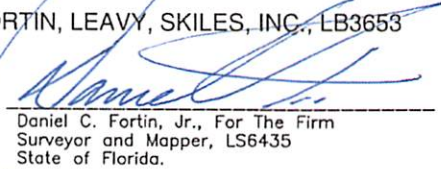
- This site lies in Section 10, Township 50 South, Range 42 East, City of Fort Lauderdale, Broward County, Florida.
- Bearings hereon are referred to an assumed value of S 01°46'40" E for the centerline of Brickell Avenue.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of records.
- Lands shown hereon containing 47,973 square feet, or 1.101 acres, more or less.
- This is not a "Boundary Survey" but only a graphic depiction of the description shown hereon.
- Dimensions shown hereon are based on Fortin, Leavy, Skiles, sketch #2017-019.

SURVEYOR'S CERTIFICATION:

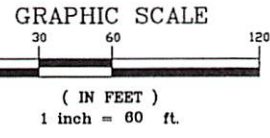
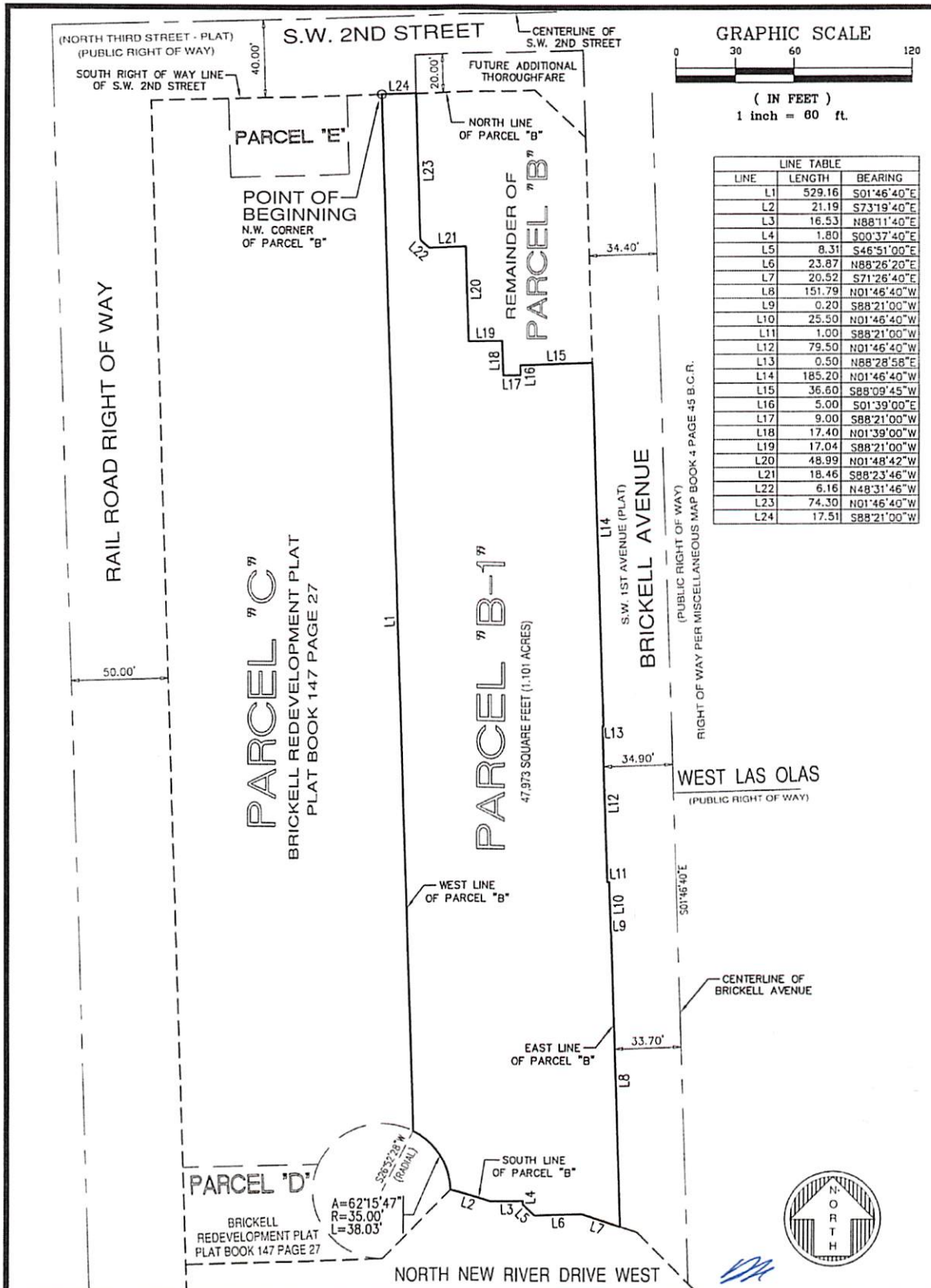
I hereby certify that this "Sketch of Description" was made under my responsible charge on September 6, 2018, and meets the applicable codes as set forth in the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

"Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper"

FORTIN, LEAVY, SKILES, INC., LB3653

By: 
Daniel C. Fortin, Jr., For The Firm
Surveyor and Mapper, LS6435
State of Florida.

<p>Drawn By MAP</p> <p>Cad. No. 170217</p> <p>Ref. Dwg. 2017-019</p> <p>Plotted: 9/6/18 12:57a</p>	<p>LEGAL DESCRIPTION, NOTES & CERTIFICATION</p> <p>FORTIN, LEAVY, SKILES, INC. CONSULTING ENGINEERS, SURVEYORS & MAPPERS FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653 180 Northeast 168th. Street / North Miami Beach, Florida. 33162 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com</p>	<p>Date 9/6/18</p> <p>Scale NOT TO SCALE</p> <p>Job. No. 181070</p> <p>Dwg. No. 1018-067-1</p> <p>Sheet 1 of 3</p>
--	---	--



LINE	LENGTH	BEARING
L1	529.16	S01°46'40"E
L2	21.19	S73°19'40"E
L3	16.53	N88°11'40"E
L4	1.80	S00°37'40"E
L5	8.31	S46°51'00"E
L6	23.87	N88°26'20"E
L7	20.52	S71°26'40"E
L8	151.79	N01°46'40"W
L9	0.20	S88°21'00"W
L10	25.50	N01°46'40"W
L11	1.00	S88°21'00"W
L12	79.50	N01°46'40"W
L13	0.50	N88°28'58"E
L14	185.20	N01°46'40"W
L15	36.60	S88°09'45"W
L16	5.00	S01°39'00"E
L17	9.00	S88°21'00"W
L18	17.40	N01°39'00"W
L19	17.04	S88°21'00"W
L20	48.99	N01°48'42"W
L21	18.46	S88°23'46"W
L22	6.16	N48°31'46"W
L23	74.30	N01°46'40"W
L24	17.51	S88°21'00"W

RIGHT OF WAY PER MISCELLANEOUS MAP BOOK 4 PAGE 45 B.C.R.

PARCEL "C"
BRICKELL REDEVELOPMENT PLAT
PLAT BOOK 147 PAGE 27

PARCEL "B-1"
47,973 SQUARE FEET (1.101 ACRES)

PARCEL "D"
BRICKELL REDEVELOPMENT PLAT
PLAT BOOK 147 PAGE 27

A=62°15'47"
R=35.00'
L=38.03'

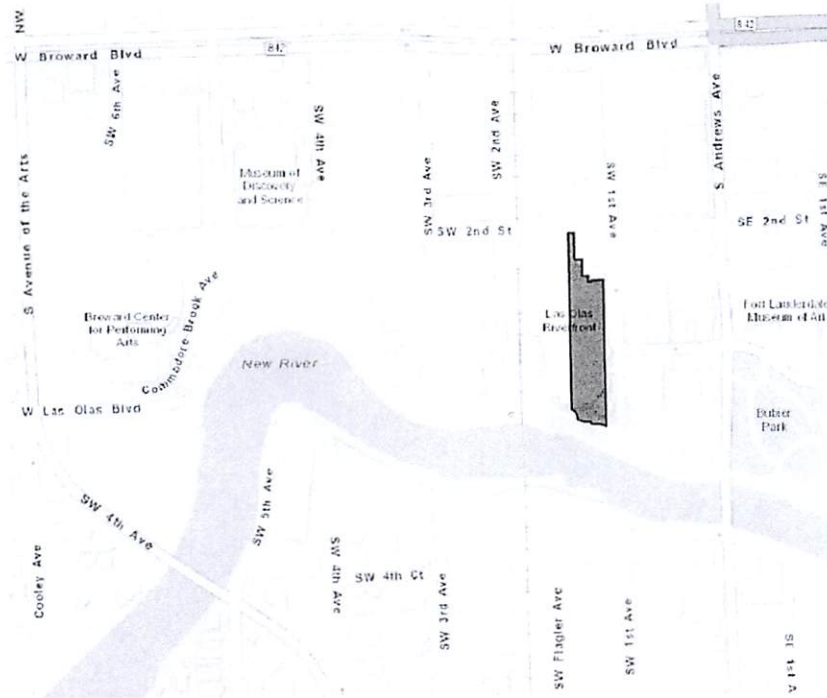
Drawn By	MAP
Cad. No.	170217
Ref. Dwg.	2017-019
Plotted:	9/6/18 12:50a

SKETCH OF DESCRIPTION

FORTIN, LEAVY, SKILES, INC.
CONSULTING ENGINEERS, SURVEYORS & MAPPERS
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
180 Northeast 168th, Street / North Miami Beach, Florida, 33162
Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Date	9/6/18
Scale	1"=60'
Job. No.	181070
Dwg. No.	1018-067-1
Sheet	2 of 3

EXHIBIT "A"-1



[Handwritten signature]

Drawn By	MAP
Cad. No.	170217
Ref. Dwg.	2017-019
Plotted:	9/6/18 12:57a

LOCATION SKETCH

FORTIN, LEAVY, SKILES, INC.
 CONSULTING ENGINEERS, SURVEYORS & MAPPERS
 FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER: 00003653
 180 Northeast 168th Street / North Miami Beach, Florida, 33162
 Phone: 305-653-4493 / Fax 305-651-7152 / Email fls@flsurvey.com

Date	9/6/18
Scale	NOT TO SCALE
Job. No.	181070
Dwg. No.	1018-067-1
Sheet	3 of 3