



Resilient Environment Department

URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A PLAT NOTE AMENDMENT

Project Description			
Plat Name:	Northwest Redevelopment Plat	Number:	112-MP-89
Application Type:	Note Amendment	Legistar Number:	24-1516
Applicant:	Village of the Arts, LTD	Commission District:	8
Agent:	Sean F. Jones	Section/Twn./Range:	03/50/42
Location:	South side of Northwest 6 Street, between Northwest 5 Avenue and Northwest 6 Avenue.	Platted Area:	1 Acre
Municipality:	City of Fort Lauderdale		
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Meeting Date:	December 10, 2024		

A location map of the plat is attached (**Exhibit 2**).

The Application is attached (**Exhibit 9**). The Urban Planning Division (UPD) distributed the application to agencies for review, as required by Sec. 5-181 of the Land Development Code.

Platting History and Development Rights			
Plat Board Approval:	September 26, 1989	Plat Book and Page Number:	148-26
Date Recorded:	March 26, 1991	Current Instrument Number:	94345525
Plat Note Restriction			
Current Plat Note:	This plat is restricted to 408 garden apartments and 6,200 square feet of day care use in Parcel "A"; 1,500 square feet of Community Facility in Parcel "B" and 7,500 square feet of Commercial Use (no restaurants) in Parcel "C." One hundred percent (100%) of the garden apartments within this plat are restricted to families with a total family income of 80% or less of the Broward County median income. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by agreement with Broward County.		
Proposed Note:	This plat is restricted to 408 garden apartments and 6,200 square feet of day care use in Parcel "A"; 1,500 square feet of Community Facility in Parcel "B" and 7,500 square feet of Commercial Use and 200 mid-rise units in Parcel "C." One hundred percent (100%) of the garden apartments within this plat are restricted to families with a total family income of 80% or less of the Broward County median income. This note is required by Chapter 5, Article IX, Broward County Code of Ordinances, and may be amended by agreement with Broward County.		

In accordance with the Land Development Code, mid-rise units are defined as four (4) or more attached dwelling units in a building with four (4) to eight (8) stories (exclusive of parking levels).

1. Land Use

Planning Council has reviewed this application and determined that the City of Fort Lauderdale Comprehensive Plan is the effective Land Use Plan. That plan designates the area covered by Parcel C of this plat for the uses permitted in the “Northwest Fort Lauderdale Regional Activity Center” land use category. The proposed commercial and residential uses on Parcel C are in compliance with the effective land use plan and 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. **(Exhibit 3).**

2. Affordable Housing

The applicant proposes 200 additional residential units; however, the development did not require amendment to the Broward County Land Use Plan. Therefore, the development shown on this plat is not subject to Policy 2.16.2 of the Broward County Land Use Plan.

3. Municipal Review

The City of Fort Lauderdale has submitted a letter of no objection dated February 05, 2024, supporting the plat note amendment **(Exhibit 4).**

4. Access

Staff from the Highway Construction and Engineering Division, Traffic Engineering Division and Transit Division have reviewed this application and have no objection to this plat note amendment.

5. Concurrency – Transportation

This plat is located within the Eastern Core Transportation Concurrency Management Area. The plat note amendment generates an increase of 78 trips per P.M. peak hour.

	Existing Use Trips per Peak Hour (PM)	Proposed Use Trips per Peak Hour (PM)
Residential	232	78
Non-Residential	176	0
Total		(408 + 78) = 486

6. Concurrency - Water and Wastewater Capacity

This plat receives water and wastewater from the utilities listed below:

	Potable Water	Wastewater
Utility Provider:	City of Fort Lauderdale	City of Fort Lauderdale
Plant name:	Fiveash (04/24)	G.T Lohmeyer (GTL) (6/24)
Design Capacity:	90.00 MGD	61.58 MGD
Annual Average Flow:	75.72 MGD	46.04 MGD
Estimated Project Flow:	0.071 MGD	0.071 MGD

Sufficient capacity exists at this time to serve the proposed development; however, approval of this plat note amendment does not guarantee reservation of future capacity. Plat approval does not infer any approval to connect to any wastewater collection, treatment, or disposal system.

7. Concurrency - Public School

The School Board has reviewed the application and determined that the proposed 200 mid-rise (all two or more bedrooms) units will generate 16 students (4 elementary, 4 middle, and 8 high school) students into Broward County Public Schools. This application satisfies public school concurrency on the basis that there is adequate school capacity anticipated to be available to support the project as proposed. The School Board staff provided a Preliminary School Capacity Availability Determination (SCAD) letter for the 200 mid-rise units (**Exhibit 5**).

8. Concurrency – Regional Parks

Broward County Parks and Recreation Division reviews all projects for Regional Park impacts and have reviewed this application and have no objection to this note amendment. This plat with the amended note satisfies the regional park concurrency requirement of Broward County Land Development Code.

9. Impact Fee Payment

A road impact fee agreement was recorded in the Broward County Officials Records, Book 18250, Page 0253, later amended and recorded in the Broward County Officials Records, Book 19158, Page 0172. Road Impact fees for the current development have been waived (Book 22373, Page 0666) and paid in full as of July 06, 1994. Therefore, the road impact agreements are no longer required, and developer shall request a full release of this agreement prior to note amendment recordation.

Public School impact fees and administrative fees will be calculated by Urban Planning Division, during the review of construction plans submitted for County development and environmental review approval by the Development and Environmental Review Section, in accordance with the fee schedule specified in the Land Development Code and must be paid on the date of building permit issuance.

10. Environmental Review

The plat note amendment application has been reviewed by Environmental Permitting Division. The attached document provides recommendations to the developer regarding environmental permitting for the future development (**Exhibit 6**).

Natural Resources Division notes that this site is not included in the Protected Natural Lands Inventory and is not adjacent to a site in the Inventory.

11. Additional Environmental Protection Actions

Approval to connect to any wastewater collection, treatment, or disposal system is approved by the Environmental Permitting Division as a prerequisite prior to issuance of building permits. These comments do not indicate waiver of approval of any other permit that may be required for other aspects of the project.

12. Historical and Archaeological Resource Review

The plat note amendment has been reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Land Use Plan, and the Florida Master Site File (FMSF) determined that the proposed project will not have an adverse effect on any known historical or archaeological resources or areas of archaeological or paleontological sensitivity.

This site is within a municipality that has been designated a Certified Local Government (CLG). The applicant is advised to contact Alfred Battle, Acting Director of the Department of Sustainable Development, or Ella Parker, Manager of the Urban Design and Planning, at 700 Northwest 19th Avenue Fort Lauderdale, FL 33311, by phone at (954) 828-3729 or by email: eparker@fortlauderdale.gov for additional information (**Exhibit 7**).

13. Aviation

The Broward County Aviation Department (BCAD) has no objection to this note amendment. This plat is within close proximity of Broward County's Fort Lauderdale-Hollywood International Airport (FLL) and may need to be reviewed by Broward County and FAA to determine if the project is a hazard to aviation. The project is subject to compliance with Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use) including Sec.5-182.10 (Airports) and may also be subject to Federal Aviation Regulation Part 77.

The applicant should visit www.fll.net/airspacereview to determine if the proposed project exceeds the height limitations in the Airport Airspace Imaginary Surfaces Composite Map. To initiate the Broward County Review, please contact AirspaceReview@Broward.org and to initiate the Federal Aviation Review, access the FAA Web Page at: <https://oeaaa.faa.gov> (Exhibit 8).

14. Utilities

AT&T and Florida Power and Light (FPL) have been advised of this application and provided no comments.

15. Notice to Applicant

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.

Specific questions regarding any of the above comments may be directed to each review agency contact person. A list of agency contacts is available on the Urban Planning Division's web page at: www.broward.org/Planning/FormsPublications/Documents/ReviewAgencies.pdf

FINDINGS

Staff have reviewed the application and found that it meets the requirement of the Land Development Code and satisfies requirements for Concurrency:

1. This plat is located within the Eastern Core Transportation Concurrency Management Area. This district meets the regional transportation concurrency standards specified in Section 5-182.1(a)(1)(a) of the Land Development Code.
2. This plat satisfies the drainage, water, wastewater, and solid waste disposal concurrency requirement of Section 5-182.6 of the Broward County Land Development Code.
3. This plat has been reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code.
4. This plat satisfied the regional parks and recreation concurrency requirement of Section 5-182.7 of the Broward County Land Development Code.

RECOMMENDATIONS

Based on the review and findings, staff recommends **APPROVAL** of this application, subject to the following conditions which shall assure compliance with the standards and requirements of the Land Development Code:

1. Road Impact Fee Agreements shall be released prior to the note amendment agreement being recorded.
2. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **December 10, 2025**.

3. Any structure within this plat must comply with Section 2.1.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.

[JL]