



Public Works and Environmental Services Department

HOUSING AND URBAN PLANNING DIVISION

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DEVELOPMENT REVIEW REPORT FOR A NOTE AMENDMENT

Project Description			
Plat Name:	Lauderhill Mall South Out Parcels	Application Number:	040-MP-18
Application Type:	Note Amendment	Legistar Number:	26-082
Owner/Applicant:	Lauderhill Mall Investment, LLC	Commission District:	9
Authorized Agent:	Miskel Backman, LLP	Section/Twn./Range:	36/49/41
Location:	Northwest corner of Northwest 12 Street and State Road 7/U.S. 441	Folio Number (s):	4941-36-38-0070; 4941-36-38-0060; 4941-36-38-0050
Municipality:	City of Lauderhill	Platted Area:	9.18 Acres
Previous Plat:	N/A	Replat:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Recommendation:	APPROVAL		
FS 125.022 Waiver	This application expires on June 1, 2026.		
Meeting Date:	March 26, 2026		

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

The Application is attached (**Exhibit 4**). The Housing and Urban Planning Division (HUPD) distributed the application to agencies for review as required by Section 5-181 of the Land Development Code. A copy of the comments has been distributed to the applicant/agent for their review and records.

Plat History and Development Rights			
Plat Board Approval:	March 5, 2019	Plat Book and Page Number:	183-374
Date Recorded:	March 24, 2020	Current Instrument Number:	116430241
Plat Note Restriction			
Current Plat Note:	This plat is restricted to 220,260 square feet of commercial use (16,289 square feet existing; 203,971 proposed)		
Proposed Note:	This plat is restricted to 233 mid-rise dwelling units on Lots 5, 6 and 7 and 220,260 square feet of commercial use on Lots 1,2,3,4, and 5.		

In accordance with the Land Development Code, mid-rise is defined as three (3) or more attached dwelling units in a building with four (4) to eight (8) residential stories (exclusive of parking levels).

This plat is located within the Lauderhill City Center Development of Regional Impact (DRI). On November 9, 2009,

the City of Lauderhill Commission approved Ordinance No. 090-09-146, granting a development order for the overall development of 650,000 square feet of retail, 507,210 square feet of Office and 2,500 dwelling units.

1. Land Use

Planning Council staff has reviewed this application and determined that the City of Lauderhill Comprehensive Plan is the effective land use plan. That plan designates the area covered by this plat for the uses permitted in the “Transit Oriented Corridor” land use category. Regarding the existing and proposed residential and commercial uses, the subject Transit Oriented Corridor permits a maximum of 6,262 dwelling units and 5,229,208 square feet of commercial uses. To date, including this proposed development, 4,905 dwelling units and 2,773,567 square feet of commercial use have been proposed by plat or granted development permits, resulting in 1,357 dwelling units and 2,455,641 square feet of commercial use remaining. Planning Council memorandum is attached (**Exhibit 3**).

Therefore, the proposed 233 dwelling units and 220,260 square feet of commercial uses are in compliance with the permitted uses of the effective land use plan. Planning Council memorandum is attached.

Planning Council staff notes that this plat is located within an area that was the subject of Broward County Land Use Plan (BCLUP) amendments PC 06-3/PCT 06-4, which were approved by the Broward County Commission on June 27, 2006, recognizing the following voluntary commitment:

- Payment of cost per student station fees for additional permitted dwelling units including restricting the unit type and bedroom mix, as recorded in Official Record Book 44608, Pages 361-388.

2. Affordable Housing

The proposed development is consistent with the permitted uses under the effective land use plan. As such, it is not subject to Policy 2.16.2 of the Broward County Land Use Plan.

3. Municipal Review

The City of Lauderhill has submitted Resolution No. 25R-07-129 dated July 14, 2025, supporting the amendment.

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.

This project is located on State Road 7/U.S. 441. Florida Department of Transportation (FDOT) has issued a pre-application letter valid until October 13, 2026. Openings or improvements on functionally classified State Roads are subject to the “Rules of the Department of Transportation Chapter 14-97 State Highway System Access Management Classification System and Standards.”

5. Concurrency – Transportation

This plat is located in the Central Transportation Concurrency Management Areas (TCMA), where level of service (LOS) is expressed in term of bus headways, and where Transportation Concurrency Assessment Fees apply per Sec. 5-182.1(a) of Land Development Code. The proposed development generates an increase of 91 Trips per PM Peak Hour.

	Existing Use Trips per PM Peak Hour	Proposed Use Trips per PM Peak Hour
Residential	0	91
Non-residential	901	0

Total	(901 + 91) = 992
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This plat was recorded with a note requiring development to occur five (5) years from the date of the plat approval. This note is no longer required by the Land Development Code.

6. Concurrency - Water and Wastewater Capacity

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

	Potable Water	Wastewater
Utility Provider:	City of Lauderdale	Broward County
Plant name:	Lauderhill WTP (4/25)	Broward County North Regional (BCNR) (9/25)
Design Capacity:	16.0 MGD	95.0 MGD
Annual Average Flow:	6.5 MGD	67.53 MGD
Estimated Project Flow:	0.08 MGD	0.08 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, or that sufficient capacity will exist at time of building permit approval.

7. Concurrency – Regional Parks

Broward County reviews all projects for Regional Park impacts (and only projects in the Broward Municipal Service Districts/unincorporated area for local park impacts.)

	Land Dedication (Acres)
Regional	1.26
Local	0

8. Concurrency - Public School

Based on student generation rate adopted by the School Board and incorporated into the Land Development Code, the proposed 233 midrise units will generate 8 (4 elementary, 1 middle, 3 high school) students. This plat will be subject to school impact fees which will be assessed in accordance with the fee schedule specified in the Land Development Code. **This determination will expire on August 8, 2026.**

This project falls within the boundary of Land Use Plan Amendment (LUPA) PC 06-3, which is subject to a recorded Tri-Party Interlocal Agreement requiring the payment of school impact mitigation based on the Student Station Cost Factors for each unit or the school impact fees, whichever is higher. As such, this project is determined to be vested for public school concurrency requirements per Section 8.11(b)(1) of the Third Amended Interlocal Agreement for Public School Facility Planning.

9. Impact Fee

All impact fees (school impact fees, park impact fees, transportation impact fees, and administrative fees) will be calculated by the Housing and Urban Planning Division, Development and Environmental Review Section, in accordance with the fee schedule specified in the Land Development Code during the review of construction plans submitted for Broward County Development and Environmental review. Fees must be paid prior to the issuance of the building permit.

At the time of the plat note amendment application, a 7,993 square foot commercial building exists on this site, which the applicant stated will be demolished. In accordance with the credit provisions of Section 5-182.13 of the Land Development Code, this structure may be eligible for credit towards impact fees, provided appropriate documentation is submitted during the review of construction plans submitted for County environmental review approval.

Transportation concurrency fees were paid in the amount of \$122,175.62 on February 4, 2021, for a 5,383 square foot bank on Lot 1.

10. Environmental Review

This plat was reviewed by Environmental Permitting Division and have the following recommendations regarding environmental permitting for the future development.

A. Domestic & Non-Domestic Wastewater and Surface Water Management

The Broward County Domestic Wastewater Licensing Program has no objection to the described plat note amendment. Nonetheless, should there be a significant flow generation from the site, advanced planning and upgrades to the downstream/off-site wastewater facilities may be warranted. Contact the Environmental Permitting Division at 954-519-1483 or WWLicense@broward.org for specific code requirements.

The Broward County Non-Domestic Wastewater Program has no objection to the described plat note amendment because no non-domestic wastewater discharge is anticipated for the site. Nonetheless, should there be proposed non-domestic wastewater discharges, these must meet the criteria under Chapter 27, Article V, Sections 27-193(b)(3)a, 27-193(b)(4)a, 27-194(b), and 27-198(c) of the Broward County Code of Ordinances. Contact the Environmental Permitting Division at 954-519-1483 or NDDLICENSE@broward.org for specific code requirements.

A Surface Water Management License (No. SWM2025-004-0) has been issued for this site.

B. Aquatic and Wetland Resources

Review of available information by staff of the Water and Environmental Licensing Section of the Broward County Environmental Permitting Division determined that, at this time, there are no indications of wetlands within the boundaries of the plat. Based upon the present conditions within the site, filling of the land area will not require an Environmental Resource License.

The Water and Environmental Licensing Section of the Environmental 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 Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species is available at [Florida Exotic Pest Plant Council \(invasive.org\)](http://FloridaExoticPestPlantCouncil.org).

Other activities regulated under Chapter 27, Article XI of the Natural Resource Protection Code (e.g., lake or canal excavation, installation of headwalls, end walls, or outfalls) may require an Environmental Resource License. Prior to undertaking surface disturbing activities, contact the environmental Permitting Division at 954-519-1483 or AWRLicense@broward.org for specific code requirements.

C. Tree Preservation

This site does not fall under the jurisdiction of the Broward County Tree Preservation and Abuse Ordinance.

D. Clean-Up and Waste Regulation

The subject plat is within one-quarter mile of known contaminated sites. Section 27-353, Broward County Code, prohibits dewatering at or within one-quarter mile of contaminated sites without approval from the Environmental Permitting Division (EPD). In order to receive approval to dewater, a certified Dewatering Plan must be submitted in accordance with EPD's Standard Operating Procedure for Dewatering, which can be found at: <https://www.broward.org/Environment/ContaminatedSites/Pages/Dewatering.aspx>. The interactive map of contaminated sites in Broward County can be found on the internet at <https://broward.org/Environment/ContaminatedSites/Pages/Default.aspx>. Any questions can be directed to 954-519-1483 or EAR@broward.org.

E. Air Program

If any existing facility (e.g. existing structures on site including residential building(s) and/or utility building(s) or facility component (including roof system, insulation, walls, attached piping, mechanical systems, etc.) is planned to be demolished or renovated, the project shall comply with applicable asbestos regulations. More information on the asbestos requirements can be found at: <https://www.broward.org/ePermits/Pages/AsbestosCertificate.aspx>.

Submit a Statement of Responsibilities Regarding Asbestos (SRRA) electronically at ePermits.broward.org at least 10 working-days before commencing work on demolition and/or renovation of facility components subject to asbestos regulations. For assistance, contact Broward County's asbestos program at AsbestosHelp@broward.org or call 954-519-0340.

F. Natural Resources Division

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

This plat was reviewed by the Broward County's consulting archaeologist. The review of available information including archival documents, maps, the Broward County Property Appraiser, 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 sensitivity.

The subject property is within the jurisdiction of Broward County's historic preservation ordinance (B.C. Ord. 2014-32). Pursuant to B.C. Ord. 2014-32, Section 5-536.5(g), if, "in the event that archaeological materials are uncovered during development activities, such development activities in the immediate vicinity of the discovery shall be discontinued," and the property owner shall contact Rick Ferrer, Historic Preservation Officer, Public Works and Environmental Services Department, Housing and Urban Planning Division, Historic Preservation Program, at 1 North University Drive, Plantation, Florida 33324 or by phone at (954) 357-9731 for additional information about historical preservation regulations.

In the event any unmarked human burial remains are discovered, then pursuant to Florida Statutes, Chapter 872.05, all activities that may disturb the unmarked burial shall cease immediately, and the district medical examiner shall be notified. The district medical examiner can be reached via email at [Med Exam Trauma@broward.org](mailto:Med_Exam_Trauma@broward.org) or via phone at (954) 357-5200. Such activity shall not resume unless specifically authorized by the district medical examiner or State Archaeologist.

13. Aviation

Broward County Aviation Department has no objection to this plat note amendment. The applicant is advised that any proposed construction on this property with a height exceeding 200 feet or use of cranes or other high-lift equipment must be reviewed to determine if the following apply: Federal Aviation Regulation Part 77; Florida Statutes Chapter 333; and/or the Broward County Code of Ordinance's Chapter 5 (Building Regulations and Land Use). To initiate the Federal Aviation Review, access the FAA Web Page at: <https://oeaaa.faa.gov>.

14. Utilities

Florida Power and Light (FPL) and AT&T have been advised of this plat note application and did not provide a response.

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

1. This plat is located within the Central 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 was reviewed by the School Board and satisfies the public-school concurrency requirements of Section 5-182.9(a)(1) of the Land Development Code.
3. 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.
4. This plat satisfies the regional park 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 ensure compliance with the standards and requirements of the Land Development Code.

1. Records a document acceptable to the County Attorney's Office to amend the note on the face of the plat prior to **March 26, 2027**.
2. Delete the plat note that references expiration of the Finding of Adequacy.
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.
4. If this item is approved, the Mayor is authorized to sign an order approving this agenda item subject to staff findings, comments, and recommendations.

[NM]