



## Development Review Report (DRR)

**To:** Daniel T. Keester-O'Mills, AICP, *Planning & Zoning Director*  
**From:** Molly Howson, *City Planner*  
**RE:** Plat Note Amendment Application No. 25-PNA-001 (3831 NW 13 ST, 4942 31 34 0010)  
**Date:** February 18, 2025 (Planning & Zoning Board Meeting: 2/25/2025)

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The applicant/petitioner, Vivian Diamond on behalf of Le Parc Lauderhill, LLC has filed a Plat Note Amendment Application which proposed to amend the Plat note of record, which limits the site to allow a maximum of 330 residential units, to increase the proposed unit count from 330 and 358 dwelling units. Figure 1, below, provides an aerial of the subject site located at 3831 NW 13 ST. The site is located on the east side of NW 40<sup>th</sup> AVE (North State Road 7/ US 441) and north of NW 13 ST and the Central Broward Regional Park (CBRP). The following information has been prepared for your consideration:

### ***I. BACKGROUND INFORMATION***

#### Requested Action

The Petitioner requests a Plat Note Amendment to the existing Plat to increase the allowable maximum dwelling unit count from 330 dwelling unit to 358 dwelling units to be consistent with the approval of the Special Exception Use (SEU) Development Order (Resolution No. 24R-11-260) which approved a multi-family development of 358 dwelling units within the Residential Multi-Family at 40 dwelling units per acre (RM-40) zoning district and within the Transit Oriented Corridor (TOC) on an approximately 9± acre site located at 3831 NW 13 Street, Lauderhill, Florida 33311.

#### Applicable Land Development Regulations

**LDR Article IV., Part 1.0., Subsection 1.3.1.**, addresses the pre-application conference

**Article IV, Section 1.3.2** – Completeness of Application, provides for the Department to review any land development order application

**Article IV, Section 1.4.4** – Major Review, provides that within 45 days from the acceptance of the application for development subject to major review

**Article III, Sections 2.3 and 2.4., and Schedule B** – Allowable Land Uses; Additional requirements for Specific Uses; Allowable Uses

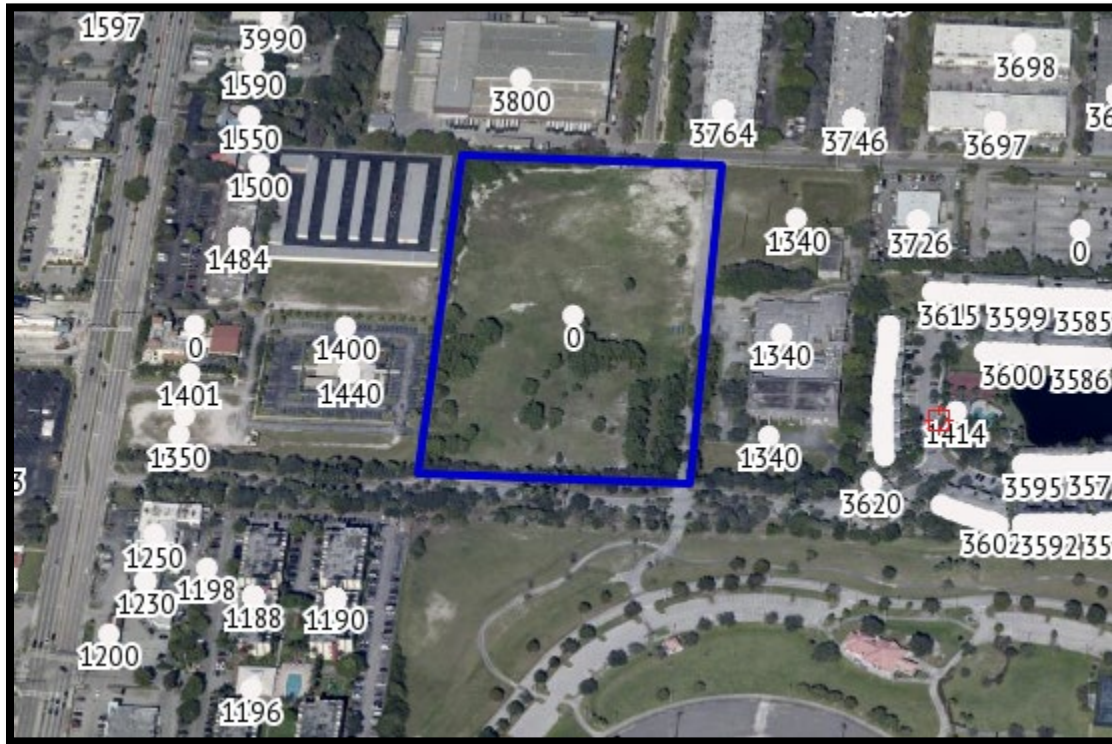
**Article III, Section 3.1.15**- Residential multi-family at forty (40) dwelling units per gross acre (RM-40) zoning district

**Article IV, Section 4.3.B** - Existing zoning provisions and uses

**Article IV, Section 6.1.** – Plat Regulations

**Article IV, Section 6.2.** – Procedures for preparation and filing of plats

**Article IV, Section 6.11.** – Recorded Plat Required

**Figure 1**

## II. SITE INFORMATION

### Legal Description:

A T & T NO. 1 Tract 1 Plat Book 127 Page 18 of the public records of Broward County, Florida

### Address:

3831 NW 13 ST Lauderhill, Florida 33311

### Tax Folio Number:

494231340010

### Land Use/Zoning:

<b>Existing Use(s):</b>	Vacant land
<b>Future Land Use Designation:</b>	Transit Oriented Corridor (TOC)
<b>Zoning Designation:</b>	RM-40 Residential Multi-Family at 40 dwelling units per acre

### Adjacent Designations:

	<b>Existing Use</b>	<b>Future Designation</b>	<b>Zoning</b>
<b>North</b>	Shipping and Distribution (United Parcel Service "UPS")	Transit Oriented Corridor (TOC)	Light Industrial (IL)
<b>South</b>	Residential Multi-Family followed by,	Transit Oriented Corridor (TOC)	Residential Townhome at 16 dwelling units per acre

	Central Broward Regional Park CBRP		(RT-16) followed by Regional Park (PR)
<b>East</b>	AT&T Corporate office	Transit Oriented Corridor (TOC)	Light Industrial (IL)
<b>West</b>	Restaurant Bar (Lallo's Roti) and Self Service Storage Facility	Transit Oriented Corridor (TOC)	CG (Commercial, General)

### III. **Planning Analysis**

The following is an excerpt of the City's Land Development Regulations, as they pertain to the platting requirements. Applicants amending a "plat note" must adhere to the same procedure as developing a new plat:

#### Article IV - DEVELOPMENT REVIEW REQUIREMENTS

##### Sec. 6.1. - Plat regulations.

Plat regulations are adopted for the following purposes:

- 6.1.1. To establish uniform standards for the design of subdivisions and the preparation of subdivision plats.
- 6.1.2. To coordinate all official requirements pertaining to plats in a convenient form.
- 6.1.3. To facilitate coordination of subdivision plats with the zoning, highway, and public improvement plans of the City.
- 6.1.4. To assure consistency and equitable treatment for engineers, surveyors, and subdividers in the review of their plats.

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##### Sec. 6.3. - Consideration by the Board.

The Board, in studying the preliminary plat, will take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention will be given to width, arrangement, and location of streets, surface drainage, lot size and arrangement, as well as requirements for parks, playfields, playgrounds, school sites, public building sites, parkways and highways. Adequate street connections shall be considered to insure free access to and circulation for adjoining subdivisions and lands, where appropriate. In cases where the proposed subdivision plat is a resubdivision of portions of an existing subdivision of a replat in connection with the abandonment of a portion of existing public streets and public places, or there are existing conditions on subject property or on nearby property which unduly affect the platting and development of the subject property, the Board shall have the right to vary the strict application of these subdivision regulations in appropriate cases in such a manner as to carry out the spirit and purpose of these regulations.

##### Sec. 6.4. - Approval of preliminary plat.

- 6.4.1. At the scheduled public meetings the Board shall receive reports on and review the preliminary plat to determine its conformance to these regulations. The subdivider and

any other persons interested in or affected by the proposed subdivision shall have the right to be heard by the Board either in person or by letter.

6.4.2. The Board may approve the preliminary plat as presented or with minor modifications, if found to be in conformance with these regulations, or may disapprove the plat when not found to be in conformance or readily capable of being revised to conform. Approval of the preliminary plat subject to conditions, revisions and modifications as stipulated by the Board, shall constitute conditional Board approval of the subdivision as to character and intensity of development and the general layout and the approximate dimensions of streets, lots and other proposed features.

6.4.3. The approval of the Board on a preliminary plat shall become null and void unless a final plat conforming to such preliminary plat is finally approved by the Commission and recorded within six (6) months of preliminary plat approval. An extension not to exceed six (6) months may be granted by the Director of Community Development upon a showing by the developer of a hardship which was not created by, and is beyond the control of, the developer.

#### Existing Special Exceptions

##### **Resolution NO. 19R-02-29**

February 25, 2019 - The City Commission granted Resolution NO. 19R-02-29 to Le Parc at Lauderhill, LLC approving incentives to assist with the development of 182 garden apartments, 215 midrise apartments and a 3,500 square foot day care facility at the subject site.

##### **Resolution NO. 19R-04-67**

April 8, 2019 - The City Commission granted Resolution NO. 19R-04-67 to Le Parc at Lauderhill, LLC approving the development agreement between the City of Lauderhill and Le Parc at Lauderhill, LLC regarding the development of 182 garden apartments, 215 midrise apartments and a 3,500 square foot day care facility at the subject site.

##### **Resolution NO. 19R-12-275**

December 9, 2019 - The City Commission granted Resolution NO. 19R-12-275 to Le Parc at Lauderhill, LLC approving, with conditions, a special exception use (SEU) development order to allow within the multi-family (RM-40) zoning district a multi-family development inclusive of 330 dwelling units at the subject site.

##### **Resolution NO. 24R-11-260**

November 25, 2024 - The City Commission granted Resolution NO. 24R-10-260 to Le Parc at Lauderhill, LLC approving, with conditions, a special exception use (SEU) development order to allow within the multi-family (RM-40) zoning district a multi-family development inclusive of 358 dwelling units at the subject site.

#### Development History

In 2019 Special Exception Use (SEU) approval with conditions (19R-12-275) was granted to Le Parc of Lauderhill, LLC for construction of a multi-family development with the (RM-40) and (TOC) zoning districts.

In 2020, site plan approval was obtained through the Development Review Committee (DRC) for the construction of a multifamily development consisting of 330 dwelling units and associated, parking, waste facilities, and residential amenities to include a pool and clubhouse.

In 2024 Special Exception Use (SEU) approval with conditions (24R-10-260) was granted to Le Parc of Lauderhill, LLC for construction of a multi-family development with the (RM-40) and (TOC) zoning districts and increased the maximum unit count from 330 to 358 units.

Based on the limitation of the existing recorded plat, which limited the maximum dwelling unit count to 330, a Plat note amendment is required to increase the allowable unit count.

Staff shows that the zoning history to date provides for conditional approvals. Each of the SEU Resolutions, as well as the originally approved site plan, condition approvals on the dedication of the NW 38<sup>th</sup> Avenue public roadway to facilitate connection between the Commercial Warehouse (CW) Arts and Entertainment (A&E) Overlay district with the Lauderhill Performing Arts Center (LPAC) and the Market Place site (Currently known as “The Hill”).

#### ***IV. RECOMMENDATION/ACTION***

The Department finds the proposed request to be consistent with the Goals, Objectives, and Policies of the Futures Land Uses Element of the Comprehensive Plan as it removes an impediment to the provision of development consistent with the TOC goals and permitted uses.

The Department recommends **approval** with conditions of this Plat Note Amendment request to amend the Plat of record to allow for a multi-family development consisting of 358 dwelling units within the (RM-40) zoning district and with the Transit Oriented Corridor (TOC).

Staff recommends the following conditions be imposed:

1. A Site Plan Modification Approval is required from the Development Review Committee (DRC), the Planning & Zoning Board (P&ZB), and subsequently the City Commission, for the proposed Multifamily Development in order to increase the height of two buildings from 7 to 8 stories and for the increase in number of dwelling units from 330 to 358.
2. The applicant shall provide to the Planning and Zoning Department the Final Recorded Plat reflecting the approved Plat Note Amendment, prior to building permitting.

3. The applicant shall provide to the Planning and Zoning Department the Final SCAD (School Capacity Availability Determination) prior to building permitting.

## **V. ATTACHMENTS**

- 1** – Resolution No. 19R-02-29
- 2** – Resolution No. 19R-04-67
- 3** – Resolution No. 19R-12-275
- 4** – Resolution No. 24R-10-260

## RESOLUTION NO. 19R-02-29

**A RESOLUTION OF THE CITY OF LAUDERHILL EXPRESSING CONCEPTUAL SUPPORT OF THE REQUEST FROM LE PARC AT LAUDERHILL, LLC TO GRANT INCENTIVES TO ASSIST WITH THE DEVELOPMENT OF 182 GARDEN APARTMENTS, 215 MID-RISE APARTMENTS, AND A 3,500 SQUARE FEET DAY CARE FACILITY ON A ± 9.93 ACRE SITE IN THE RESIDENTIAL MULTI-FAMILY (RM-40) ZONING DISTRICT WITHIN THE CITY OF LAUDERHILL; PROVIDING THAT LE PARC AT LAUDERHILL, LLC HAS INDICATED A DESIRE TO DEVELOP CERTAIN PROPERTY AS STATED; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)**

WHEREAS, Le Parc at Lauderhill, LLC has expressed an interest in developing a ± 9.93 acre site in the Residential Multi-family (RM-40) Zoning District to include: 182 Garden Apartments, 215 Mid-Rise Apartments and a 3,500 Square Feet Day Care Facility on; and

WHEREAS, Le Parc at Lauderhill, LLC is requesting incentives from the City of Lauderhill in order to assist with this development;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. That the City commission of the City of Lauderhill hereby expresses its support of the following incentives to Le Parc at Lauderhill, LLC, subject to the condition that Le Parc at Lauderhill, LLC and the City enter into a development agreement for the development, on the property legally described as a Portion of Section 31, Township 40 South, Range 42 East of Tract 1, AT&T No. 1, according to the Plat thereof, as recorded in Plat Book 127, Page 18 of the Public Records of Broward County, Florida, more commonly described as the Vacant Property adjacent to and just south of the Intersection of N.W. 38<sup>th</sup> Avenue and N.W. 15<sup>th</sup> Street, Lauderhill, Florida:

1. Waiver of building permit fees;
2. Waiver of impact fees; and
3. Waiver of real estate taxes.

SECTION 2. The City Manager and all appropriate City officials are authorized to offer Green Roads the incentives deemed appropriate and necessary to fulfill the terms of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its passage.

DATED this 25 day of February, 2019.

PASSED AND ADOPTED on first reading this 25 day of February, 2019.



PRESIDING OFFICER

ATTEST:



CITY CLERK

MOTION  
SECOND

Bates  
Grant

M. BATES  
H. BERGER  
R. CAMPBELL  
D. GRANT  
K. THURSTON

Yes  
Yes  
Yes  
Yes  
Yes

Approved as to Form



W. Earl Hall  
City Attorney

## RESOLUTION NO. 19R-04-67

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAUDERHILL AND LE PARC AT LAUDERHILL, LLC REGARDING THE DEVELOPMENT OF A ± 9.93 ACRE SITE TO INCLUDE 182 GARDEN APARTMENTS, 215 MID-RISE APARTMENTS AND A 3,500 SQUARE FEET DAY CARE FACILITY; PROVIDING TERMS AND CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)**

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

SECTION 1. The Development Agreement between the City of Lauderhill and Le Parc at Lauderhill, LLC regarding the development of ± 9.93 acre site to include 182 Garden Apartments, 215 Mid-rise apartments and a 3,500 square feet day care facility in exchange for certain waivers of fees and tax incentives, a copy of which is attached hereto and incorporated herein, is hereby approved.

SECTION 2. The City Manager and all appropriate city officials are authorized to execute this Agreement and any other documents required to fulfill the terms of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its passage.

DATED this 8 day of April, 2019.

PASSED AND ADOPTED on first reading this 8 day of April, 2019.

  
PRESIDING OFFICER

ATTEST:

  
CITY CLERK

MOTION	<u>Bates</u>
SECOND	<u>Grant</u>

M. BATES	<u>Yes</u>
H. BERGER	<u>Yes</u>
R. CAMPBELL	<u>Yes</u>
D. GRANT	<u>Yes</u>
K. THURSTON	<u>Yes</u>

Approved as to Form

  
W. Earl Hall  
City Attorney

**RESOLUTION NO. 19R-12-275**

**A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING TO LE PARC AT LAUDERHILL, LLC, A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW WITHIN THE RESIDENTIAL MULTIFAMILY (RM-40) ZONING DISTRICT A MULTIFAMILY DWELLING UNITS ATTACHED USE ON A 9.93 + ACRE SITE LEGALLY DESCRIBED AS TRACT 1, AT&T NO. 1 127-18B TRACT 1 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS FOLIO #494231340010, N.W. 40<sup>TH</sup> AVENUE., LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, this property is zoned Residential Multifamily (RM-40) Zoning District by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the Residential Multifamily zoning district by Special Exception approval only; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

Section 1. The Special Exception Use Order of Le Parc at Lauderhill, LLC., to allow within the Residential Multifamily (RM-40) Zoning District a Multifamily Dwelling Units Attached Use on a 9.93+ acre site legally described as Tract 1, AT&T No. 1 127-18B Tract 1 of the Public Records of Broward County Florida, more commonly known as Folio #494231340010, N.W. 40<sup>th</sup> Avenue, Lauderhill, Florida, is hereby approved subject to the following conditions:

1. This Special Exception Use development order for a Multifamily Dwelling Units, Attached Use shall be specifically granted to Le Parc at Lauderhill, LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity without further Special Exception approval from the City Commission. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Le Parc at Lauderhill, LLC operates the use.
2. A separate Special Exception shall be required to operate a Child Care Use as shown on Sheet A-3.1.1 (Attachment E) of the Submitted Plans for this application.

3. A Site Plan Approval is required for the New Construction of the proposed Multifamily Development consisting of 330 Dwelling Units as provided by the applicant (Attachment E).
4. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.
5. If the City's Code Enforcement Board assesses a lien for landscaping, trash or other unsightly or unsafe conditions, this special exception use development order may be brought before the City Commission to be reconsidered, at which time the development order or the conditions of approval may be subject to modification, suspension or revocation.
6. If the City's Police Department or Code Department records more than three instances regarding noise, loitering, parking or criminal activity, either from observation by police officers or verified from complaints by three or more unrelated individuals, within any ninety (90) day period, the special exception use may be brought before the City Commission to be reconsidered, at which time the development order or the conditions of approval may be subject to modification, suspension or revocation.
7. Any violation of these conditions of approval may result in a public hearing before the City Commission and may result in the modification, suspension or revocation of this special exception use development order or its conditions or both. Further, consistent with LDR Article IV, Part 1.0., Section 1.8, this development order may be revoked, suspended or modified based on the grounds stated herein. In addition, this development order is subject to post-approval review consistent with LDR Article IV, Part 4.0., Section 4.11.

Section 2. The Staff Report, as prepared by City staff, and all other substantial competent evidence presented at the Commission meeting, is incorporated herein and is hereby adopted as the findings of fact as to this special exception.

Section 3. This Resolution shall take effect immediately upon its passage.

DATED this 9 day of December, 2019.

PASSED AND ADOPTED on first reading this 9 day of December, 2019.



PRESIDING OFFICER

ATTEST:

  
CITY CLERK


MOTION  
SECOND

Bates  
Grant

M. BATES  
H. BERGER  
R. CAMPBELL  
D. GRANT  
K. THURSTON

Yes  
Yes  
Yes  
Yes  
Yes

Approved as to Form

  
W. Earl Hall  
City Attorney

**RESOLUTION NO. 24R-10-260**

**A RESOLUTION OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA GRANTING LE PARC AT LAUDERHILL, LLC. AN AMENDMENT TO SPECIAL EXCEPTION USE ORDER (RESOLUTION NO. 19R-12-275), SUBJECT TO CONDITIONS, TO ALLOW IN THE RESIDENTIAL MULTI-FAMILY (RM-40) ZONING DISTRICT A MULTI-FAMILY DEVELOPMENT WITH AN INCREASE IN THE MAXIMUM NUMBER OF DWELLING UNITS FROM 330 TO 358 DWELLING UNITS ON A 9.93± ACRE SITE LEGALLY DESCRIBED AS TRACT 1 OF "AT&T NO. 1" AS RECORDED IN PLAT BOOK 127, PAGE 18, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 3831 N.W. 13TH STREET, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, this property is zoned General Commercial (CG) by the City of Lauderhill Zoning Map; and

WHEREAS, pursuant to the Land Development Regulations (LDR), this use is permitted in the General Commercial (CG) zoning district by Special Exception Use Development Order approval only; and

WHEREAS, a Special Exception Use (SEU) Development Order was previously approved via Resolution No. 19R-12-275 which approved a multi-family development of 330 dwelling units on the subject parcel within the Transit Oriented Corridor (TOC); and

WHEREAS, the applicant is requesting to increase the maximum number of dwelling units from 330 to 358 within the Residential Multi-Family at 40 dwelling units per acre (RM-40); and

WHEREAS, if approved, the applicant will proceed with the site plan review for the proposed development; and

WHEREAS City Staff recommends that the City Commission **VOTE IN FAVOR OF** this Special Exception Use Development Order request to amend the Special Exception to increase the maximum number of dwelling units from 330 to 358, subject to the following conditions;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA:

**Section 1.** The Special Exception Use Order of Le Parc at Lauderhill, LLC. Resolution No. 19R-12-275 is hereby amended to allow in the Residential Multi-family (RM-40) Zoning District a Multi-family Development with an increase in the maximum number of dwelling units from 330 to 358 dwelling units on a 9.93+/- acre site legally described as Tract 1 of "AT&T No. 1" as recorded in Plat Book 127, Page 18, of the Official Public Records of Broward County, Florida; more commonly known as 3831 N.W. 13<sup>th</sup> Street, Lauderhill, Florida, is hereby approved, subject to the following conditions:

1. This Special Exception Use development order for a Multifamily Dwelling Units, Attached Use shall be specifically granted to Le Parc at Lauderhill, LLC and such development order cannot be assigned, leased, subleased, transferred or otherwise conveyed to another entity without further Special Exception approval from the City Commission. Further, this special exception use development order shall automatically expire and become null and void if any entity other than Le Parc at Lauderhill, LLC operates the use.

2. A Site Plan Modification Approval is required from the Planning & Zoning Board (P&ZB), and subsequently the City Commission, for the proposed Multifamily Development in order to increase the height of two buildings from 7 to 8 stories and for the increase in number of dwelling units from 330 to 358.

3. The owner shall execute a trespass agreement for the police department to keep on file for enforcement.

4. The property management office will operate Monday through Friday from 9:00 a.m. to 6:00 p.m. and 9:00 a.m. to 3:00 p.m. on Saturdays.

5. If there are any code enforcement violations or liens, this Special Exception Use Development Order may be brought before the City Commission to be reconsidered, at which time the development order, or the conditions of approval, may be subject to modification, suspension and/or revocation.

6. Any violation of these conditions of approval may result in a public hearing before the City Commission and may result in the modification, suspension or revocation of this special exception use development order or its conditions or both.

7. Any special exception approval granted by the City Commission shall expire one hundred eighty (180) days after the date of approval, unless a site plan modification is submitted and subsequently approved within the one hundred eighty-day period.

8. If a use which has been granted a special exception shall cease to operate for a continuous period of one (1) year, the special exception approval shall expire. Pursuant to Article IV Section 4.8. of the Land Development Regulations, a discontinuance of operations for a period of one year would forfeit any legal nonconformities related to the proximity of residential zoning districts.

Section 2. The Staff Report, as prepared by City staff, and all other substantial competent evidence presented at the Commission meeting, is incorporated herein and is hereby adopted as the findings of fact as to this special exception.

Section 3. This Resolution shall take effect immediately upon its passage.

DATED this 25 day of November, 2024.

PASSED AND ADOPTED on first reading this 25 day of November, 2024.

  
PRESIDING OFFICER

ATTEST:

  
CITY CLERK


MOTION  
SECOND

M. Dunn  
S. Martin

R. CAMPBELL  
M. DUNN  
J. HODGSON  
S. MARTIN  
D. GRANT

Yes  
Yes  
Yes  
Yes  
Yes

Approved as to Form

  
Angel Petti Rosenberg  
City Attorney