



DEVELOPMENT SERVICES DEPARTMENT STAFF REPORT

Project Name: The Forest Apartments

Applicant: Matthew H. Scott, Esquire, agent for Saul Perez, Rez se Land, LLC

Project Location: 767, 777 & 787 South State Road 7

DRC #: 23-400043

Application Type: Plat Note Amendment

I. RECOMMENDATION :

CONDITIONAL APPROVAL

II. SUMMARY:

Saul Perez, Rez se Land, LLC (“Applicant”) has submitted a Plat Note Amendment application related to developing the 338-unit multi-family development identified as The Forest Apartments. The Broward County Land Development Code requires an amendment to the restrictive note on the plat to allow 338 mid-rise dwelling units to be developed on it. This also represents the required official action from the City Commission assigning the 338 Flexibility units to the property in accordance with the Administrative Rules Document of the Broward County Land Use Plan.

Amending the restrictive note on a plat and site plan are applications that require an adequacy determination for concurrency, and because the restrictive note is part of a plat approval, the same procedures are required to amend the note. The Margate Development Review Committee (“DRC”) recommended approval on June 25th, 2024. The DRC meeting minutes are attached to this staff report as Exhibit A. Approval of this application is contingent upon the Special Exception application being approved.

III. ANALYSIS:

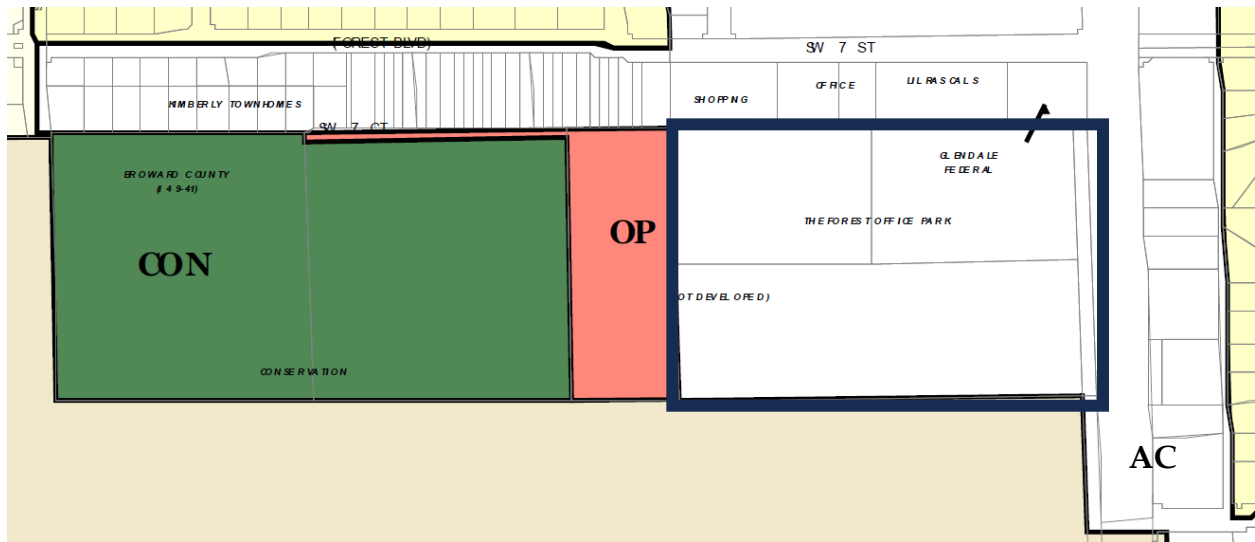
Background

The subject property is zoned Gateway with a Future Land Use designation of Activity Center. It is generally located on the west side of South State Road 7 abutting the southern boundary of the City with the City of North Lauderdale. It consists of 16.0957 acres known as the 441 South, LTD. II, plat as recorded in Plat Book 124, Pages 41-42 of the public records of Broward County, Florida, in 1986, identified with folio numbers 494101310010, 494101310011, and 494101310020

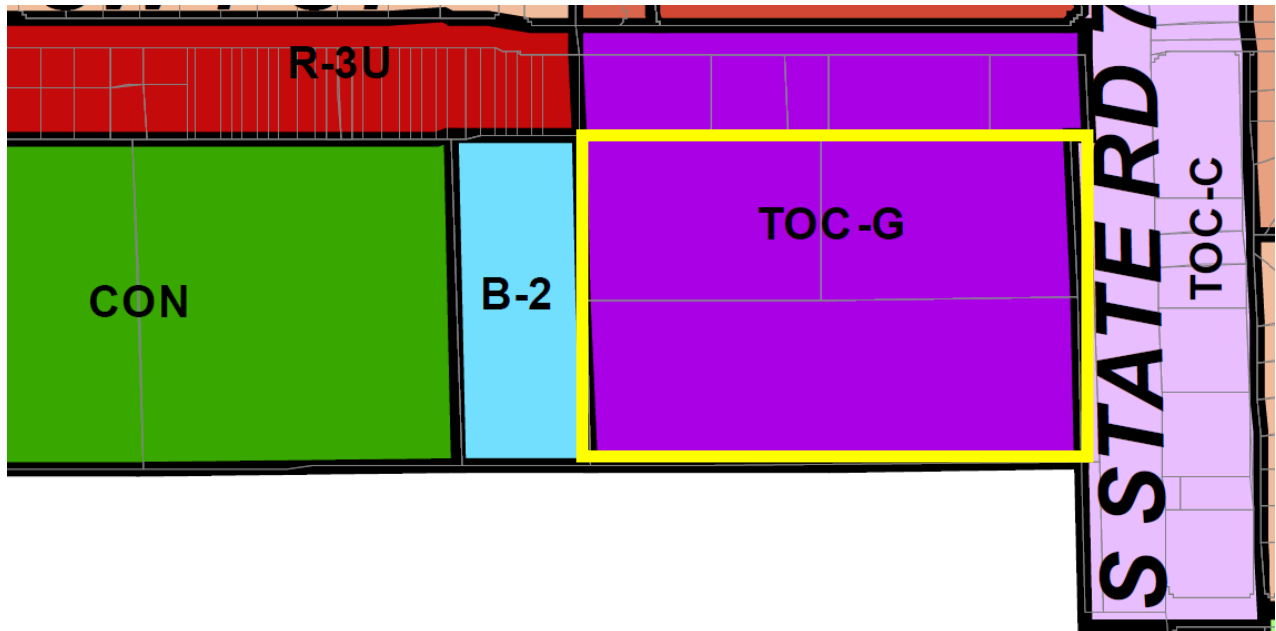
The table below identifies the surrounding properties:

<u>DIRECTION</u>	<u>USE</u>	<u>FUTURE LAND USE</u>	<u>ZONING</u>
North	Retail, Place of Assembly, Child Care Facility	Activity Center	Gateway
South	Vacant (former car dealership)	Commercial	B-3
East	South State Road 7, Self-Storage	Activity Center	Corridor
West	Vacant (future parking lot)	Office Park	B-2

Future Land Use Plan Map



Zoning Map



441 South, LTD. II, plat Location and Key Map



All of the applications related to this project were reviewed by the DRC on March 12th, 2024, and again on June 25th, 2024, where they received conditional approval. Other than approval of the Special Exception in order for the residential site plan to get final sign-off, the conditions are all regarding having required documents recorded prior to issuance of Engineering and Building permits. Specifically, 1) record a Unity of Title for the portion of the parking lot being purchased to join it with the residential development (Parcels 2 & 3 of the Subdivision Resurvey), 2) record the Easement Agreement, 3) record the Master Parking Agreement, 4) record the Drainage Agreement, and 5) record the Subdivision Resurvey.

Findings

Plat Note Amendments are subject to a Development Adequacy Determination and the criteria for the allocation of dwelling units listed below; staff's findings are indicated in ***bold italics***.

§31-42 Development subject to adequacy determination.

(c) For a replat, or an amendment to a note on a plat, or a requirement to place a note on a plat, where property was platted after March 20, 1979, an adequacy determination shall be required for those additional trips that equal the difference between the previous plat and the replat; or the previous note and the proposed amendment to the note; or the development approved by the county commission at the time of plat approval and the proposed note to be placed on the plat.

The applicant has provided a traffic study showing that the roadway network will have acceptable levels of service and will pay impact fees to Broward County for the additional trips generated by the 338 mid-rise dwelling units.

(d) ...All plats approved after October 1, 1989, by the Broward County Commission and all development permits approved after December 1, 1989 by the City of Margate must undergo adequacy determinations to meet concurrency.

The applicant has provided evidence that there will be adequate facilities in place at the time of development that meet the levels of service for drainage, recreation, potable water, public schools, solid waste, transportation, and wastewater (the developer will be upgrading the pumps at the lift station it will be served by).

§9.10. - Allocation of dwelling units.

1. That there are a sufficient number of available dwelling units to allocate within the specified area of the TOC.

There are 400 units available in Flexibility Zone 36 where this property is located.

4. The proposed development shall demonstrate a high level of connectivity and access to adjacent properties and transit stops.

The proposed site plan provides a direct pedestrian connection to a transit stop on South State Road 7.

6. The proposed development shall be designed to enhance and support pedestrian travel and the use of public transportation.

The proposed site plan shows the developer is providing a new bus shelter that provides more seating and coverage than the existing one.

7. The proposed development shall demonstrate that the residential use will be both compatible and able to successfully integrate into the surrounding neighborhoods and developments. Demonstration shall be implemented through the incorporation of adequate buffers and effective site design.

This multi-family residential development is situated around other uses in which it will be compatible. It is adequately separated from the office use to the north, buffered with a wall from the vacant car dealership to the south, setback adequately from the curb of State Road 7 by 71'-6" to the east, and a parking lot next to a nature preserve to the west.

8. The proposed development shall demonstrate adequate public plazas, urban open spaces, or green spaces that are accessible to the public.

Along South State Road 7 the required urban greenway with multiuse path is provided, and the front of the development has an open space feature that provides an outdoor activity area at the entrance to the development.

Summary

As described above and in the attached exhibits, staff finds that this application satisfies the Plat Amendment and allocation of Flexibility criteria and recommends approval subject to the conditions of the DRC.



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Development Services Department