

October 27, 2023

VIA LAUDERBUILD

DEVELOPMENT REVIEW COMMITTEE
URBAN DESIGN & PLANNING DIVISION
DEPARTMENT OF DEVELOPMENT SERVICES
CITY OF FORT LAUDERDALE
700 NW 19th AVENUE
FORT LAUDERDALE, FL 33311

**RE: 650 North Andrews Avenue – Case No. UDP-S23057
Site Plan Level II in Downtown RAC - Project & ULDR Narrative**

This firm represents 650 NORTH ANDREWS LLC (“Applicant”), the owner of 650 North Andrews Avenue, Fort Lauderdale, FL 33301, Folio Nos. 494234150060 (the “Property”). The Applicant is requesting Site Plan Level II approval to develop a mixed-use project (“Project” or “650 North Andrews”) in the Regional Activity Center – Urban Village (“RAC-UV”) within the “Urban Neighborhood” Character Area as defined in the Downtown Master Plan (“DMP”). We hereby provide the following responses demonstrating the Project’s compliance with the Unified Land Development Regulations (“ULDR”). An analysis of the Project’s compliance with the DMP is provided separately.

1. PROJECT DESCRIPTION

The Property is located at the block bordered by North Andrews Avenues, Flagler Drive, NE 7th Street, and NE 1st Street. The Property is also located southeast of the Florida East Coast (“FEC”) Railway in the City of Fort Lauderdale’s (“City”) Downtown. The Property is 1.73 gross acres or 75,300 gross square feet. The 650 North Andrews Project includes two 14-story (175 feet to tower top) mixed-use residential towers with 257 units, a 6-story podium with liner units, 11,400 square feet of retail, and 361 parking spaces.

The Project creates a desired mixed-use environment that activates the pedestrian realm of the Downtown and encourages internal capture with grand entrances, pavers, and pedestrian shading. The minimum sidewalk width along Andrews Avenue and Flagler Drive is 10 feet and the minimum sidewalk width along the local streets is 7 feet which allows ample room for pedestrians. Additionally, the Project features a large plaza at the intersection of Flagler Drive and NE 7th Street which welcomes residents and visitors as the focal point of the Project and entrance to the City. The plaza creates a safe and comfortable gathering space for residents, guests, and retail patrons. It includes decorative pavers, planters, and pedestrian lighting to create a more interactive and human-scaled design. Due to these additional pedestrian amenities, the Project greatly exceeds the open space requirement of 7,530 square feet and proposes 36,929 square feet of open space. There is an existing bus stop along Andrews Avenue that has been enhanced to promote multimodalism. Landscape buffering and street trees offer a protected area between the streets and sidewalks to increase the pedestrian’s comfort. The streetscape design meets the intent of the DMP and surrounding streetscapes.

The towers’ design is vertically slender and extends from the base of the towers upward to the rooftop. Angulating balconies, materials, textures, and color palettes create an interesting and multi-dimensional façade that is bold yet refreshing. The fourth floor is the amenity deck which includes a dog park, pool, landscaping, and lounge area for residents and guests. The landscaping includes various types of palms that shall be visible from the street to create a dynamic break in the towers and podium.

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Both buildings feature continuous wrap-around terraces and extensive glazing on each residential level to animate the façades. The podium is completely lined with residential units to ensure no parked vehicles are ever exposed and the tower tops are expressive and completely conceal all rooftop mechanical equipment. As a voluntary public art construction, the wall adjacent to the public space on NE 7th Street is made of massive wood members and vertical steel elements, reminiscent of the historical legacy of Henry Flagler and the City's complex transit systems.

In summary, 650 North Andrews is an opportunity to provide modern housing, pedestrian connections, and public open space to the City's surrounding amenities. The Project emphasizes and prioritizes the public realm with the inclusion of wide sidewalks, ground-floor retail, shade trees, landscape buffering, pavers, accessibility, plazas, and multimodal facilities.

2. UNIFIED LAND DEVELOPMENT REGULATIONS ANALYSIS

Provided below is a point-by-point analysis the ULDR criteria applicable to the Project:

**ULDR Section 47-13.20, Downtown RAC Review Process and Special Regulations;
ULDR Section 47-13.21, Table of dimensional requirements for the RAC District;
ULDR Section 47-25.2, Adequacy Requirements; and
ULDR Section 47-25.3, Neighborhood Compatibility Requirements**

Sec. 47-13.20 - Downtown RAC review process and special regulations

- A. ***Applicability.*** The following regulations shall apply to those uses permitted within the Downtown RAC district, as shown on the List of Permitted and Conditional Uses, Sections 47-13.10 to 47-13.14.
1. Downtown Master Plan Design Guidelines. The guidelines contained in Chapter 4 of the Consolidated Downtown Master Plan for the City of Fort Lauderdale, Florida (herein "Downtown Master Plan") as accepted by the City Commission on November 18, 2003 (Resolution No. 03-170) and updated revisions approved by the City Commission on June 19, 2007 (Resolution 07-120) are hereby incorporated and referred to as Downtown Master Plan Design Guidelines.

RESPONSE: Project complies. Refer to separate point-by-point narrative addressing the DMP Design Guidelines.

2. Intent. The Downtown Master Plan Design Guidelines are form-based, graphic guidelines intended to guide development within the Downtown Regional Activity Center zoning districts. The Downtown Master Plan includes intent driven language that is not meant to be prescriptive in all situations, to allow for a qualitative design-oriented approach to development and redevelopment proposals.

RESPONSE: Project complies. Refer to separate point-by-point narrative addressing the DMP Design Guidelines.

3. Downtown Master Plan Chapter 4 Sections. The Downtown Master Plan Design Guidelines consist of ten (10) sections established in Chapter 4 of the Downtown Master Plan. Any proposed development or redevelopment shall be reviewed against these sections of Chapter 4. These ten (10) sections consist of:
 - a. Principles of Street Design
 - b. Street Design Examples
 - c. Principles of Building Design
 - d. Quality of Architecture
 - e. Principles of Storefront Design

- f. Character Area Guidelines
- g. Neighborhood Transition Areas
- h. Thematic Planning Districts
- i. Principles of Riverfront Design
- j. Implementation

RESPONSE: Project complies. Refer to separate point-by-point narrative addressing the DMP Design Guidelines.

- B. ***Downtown Master Plan Standards.*** Development within the Downtown Regional Activity Center shall be required to meet the following minimum standards, as specified by the geographical boundaries of the character area in which the development or redevelopment proposal is located:

- 1. Maximum Building Height
- 2. Maximum Building Streetwall Length
- 3. Maximum Building Tower Stepback
- 4. Maximum Building Podium (Pedestal) Height
- 5. Minimum Building Tower Separation Distance
- 6. Maximum Building Tower Floorplate Square Footage
- 7. Minimum Open Space Square Footage
- 8. Transition Zones
- 9. Local Street Cross Section

RESPONSE: Refer to separate point-by-point narrative addressing the DMP Design Guidelines.

- C. ***Downtown Character Areas.*** In addition to the RAC Districts described in Section 47-13.2.1 the Downtown Regional Activity Center shall be further characterized by three (3) distinct character areas. The character areas are defined by geographic boundaries and are intended to create a variety of urban experiences throughout the Downtown Regional Activity Center through guidelines that set maximum building height, maximum podium height, podium stepback, and floorplate square footage for development in each area. Each character area exhibits unique urban form and characteristics while sharing common themes relating to pedestrian oriented design. Character areas consist of the following:

- 1. *Not applicable. As such, this section has been omitted.*
- 2. The Near Downtown character area is made up of a variety of institutional, retail, and office uses, and offers a variety of housing options. It is characterized by intermediate scale buildings that frame the street with a defined building shoulder height and towers stepped back above, and includes the following Downtown Regional Activity Center zoning districts which guide specific uses:
 - a. RAC-CC
 - b. RAC-UV
 - c. RAC-WMU
 - d. RAC-EMU
 - e. RAC-SMU
 - f. RAC-AS
- 3. *Not applicable. As such, this section has been omitted.*
- 4. Character Area Boundaries. The specific geographical boundaries of each character area are shown on the Addendum "A" of the "Official Downtown Character Area Map of the City of Fort Lauderdale."

RESPONSE: The Property is zoned RAC-UV within the Urban Neighborhood Character Area. Refer to separate point-by-point narrative addressing the DMP Design Guidelines.

D. Development Permit, Density, Effective Date of Approval of Existing Site Plans.

1. Density within the Downtown Regional Activity Center zoning districts is limited in accordance with the number of units as provided in the City of Fort Lauderdale adopted Comprehensive Plan, as amended from time to time, and as per Section 47-28, Flexibility Rules, and any other applicable provisions in the Unified Land Development Regulations. Density may be increased as provided for in the City's Comprehensive Plan.

RESPONSE: Acknowledged. Applicant will comply with the requirements of ULDR Section 47-23.16.B.2.c. for allocation of units per Broward County Land Use Plan ("BCLUP") Policy 2.16.4.

2. Dwelling units are allocated at the time of development permit approval. Upon expiration of a development permit the dwelling units shall be returned to the density pool for future allocation.

RESPONSE: Acknowledged.

3. The allocation of dwelling units shall be subject to all applicable provisions of the ULDR at the time of development permit approval. Dwelling units are allocated on a first come, first serve basis.

RESPONSE: Acknowledged and will comply.

4. Density in the RAC-TMU District and RAC-RPO District.
 - a. *Not applicable. As such, this section has been omitted.*
 - b. *Not applicable. As such, this section has been omitted.*

RESPONSE: Not applicable. The Property is zoned RAC-UV.

5. A development permit requesting the allocation of flex and reserve units shall comply with Section 47-28.1, Flexibility Rules. Density may be increased through the allocation of bonus density provisions for affordable housing or sleeping rooms and shall comply with provisions on limitation as outlined in the City's Comprehensive Plan.

RESPONSE: Acknowledged and will comply.

6. Effective date. The development permit shall not take effect until the 30-day city commission request for review has expired. Effective date shall be the 30-day expiration, or the day of City Commission action.

RESPONSE: Acknowledged.

7. Existing Site Plans in DRAC. Development applications received and pending review by the City or approved by the City on or before November 5, 2020, may be amended and modified through the use of provisions of the zoning regulations in effect at the time the approved application was submitted.

RESPONSE: N/A

- E. ***Open Space Regulations.*** Open space, for the purposes of this section, shall include all areas on the site not covered by structures, other than covered arcades, or not covered by vehicular use area. Covered arcades with a minimum width of ten (10) feet and at least one (1) side open to a street shall be credited towards open space requirements. The required open space shall be shaded through the use of trees, canopies, trellises or other unenclosed shade structures and may include seating, fountains and other elements that enhance the public realm. A minimum of twenty-five percent (25%) of the required open space shall be in pervious landscape area. At least forty percent (40%) of the required open space shall be provided at-grade and the remaining open space may be accessible to individual residential units or through common areas, or both. Pervious surface area, for purposes of this requirement, may be provided through open planting beds, porous paving systems, sand-set pavers, or any combination thereof.

The total amount of open space required shall be calculated based on the size and density of the development, as follows:

1. Open Space for Residential Uses. For development in the RAC districts, except for RAC-CC, open space shall be required for any development that includes residential uses as follows.
 - a. *Not applicable. As such, this section has been omitted.*
 - b. *Not applicable. As such, this section has been omitted.*
 - c. For developments of more than one hundred fifty (150) residential units, or developments of greater than sixty (60) dwelling units per acre density: A minimum of one hundred (100) square feet of open space per unit. The minimum total amount of open space shall be no less than the maximum square footage of open space as defined in Section 47-13.20.E.1.b. In no case shall the minimum open space provided be less than twenty-two thousand five hundred (22,500) square feet.
2. Open space general. For development within the Downtown Regional Activity Center zoning districts that do not include residential uses or for all development within the RAC-CC, open space shall be required at a minimum equivalent of ten (10) percent of the gross lot area. Up to fifty (50) percent credit towards the required landscaping as defined in Section 47-13.20.E for landscaping improvements proposed in the right-of-way may be applied if approved by the agency with jurisdiction over the subject right-of-way. For development sites of 1.5 acres or less, up to seventy-five (75) percent credit may be applied towards the required landscaping as defined in Section 47-13.20.E for landscaping improvements proposed in the right-of-way if approved by the agency with jurisdiction over the subject right-of-way.
3. For projects that include both residential and non-residential uses the lesser of the calculations above shall apply.

RESPONSE: Project complies. The Project greatly exceeds the open space requirement of 7,530 square feet and proposes 36,929 square feet of open space.

F. **Transition Zones.** Where a proposed use is of larger scale and mass than existing adjacent uses, the design of the structure shall place significant consideration to transition, architectural articulation, superior lining with habitable space and screening of parking garage structures to effectively transition between higher and lower density districts. Transition zones shall be established to ensure a suitable transition from those more intensive zoning districts within the Downtown Regional Activity Center to those less intensive zoning districts outside of the Downtown Regional Activity Center.

1. Commercial Transition Zone:
 - a. *Not applicable. As such, this section has been omitted.*
 - b. *Not applicable. As such, this section has been omitted.*
2. Residential Transition Zone: A transition zone shall be required for any development of redevelopment located within the Downtown Regional Activity Center that is within two hundred (200) feet of a residential property. This transition zone shall only be required if the height limitation of the Downtown Regional Activity Center zoning district is greater than that of the neighboring zoning district and shall consist of the following:
 - a. *Not applicable. As such, this section has been omitted.*

RESPONSE: Not applicable. The Project is not located within a transition zone.

G. **RAC Landscape Requirements.** Surface parking lots within the RAC district shall meet the landscape requirements for vehicular use areas as specified in Section 47-21, Landscaping and Tree Preservation Requirements. All other landscape requirements shall comply with the Downtown Master Plan Chapter 4 Design Guidelines.

RESPONSE: Not applicable.

H. **RAC Streetscape Design.** All streetscape cross sections shall comply with Chapter 4 of the Design Guidelines of Fort Lauderdale for those streets under City of Fort Lauderdale jurisdiction. Streets not under Fort Lauderdale jurisdiction shall comply with the Downtown Master Plan Chapter 4 Design Guidelines to the greatest extent possible. Alternative streetscape designs may be considered if conflicts with existing utilities prevent placement of street trees and result in the building being placed more than seven (7) feet away from the build to line as prescribed by the street cross sections of the Design Guidelines.

Development shall meet the following streetscape design requirements:

1. VUA landscaping. Surface parking lots shall meet the landscape requirements for vehicular use areas as provided in Section 47-21, Landscaping and Tree Preservation Requirements.
2. Streetscape improvements. Streetscape improvements are required to be made as a part of a development in accordance with the Downtown Master Plan design standards applicable to the abutting right-of-way. The required streetscape improvements shall be required to be made to that portion of the right-of-way abutting the proposed development site. Developer shall be responsible for making the streetscape improvements in accordance with the Downtown Master Plan design standards applicable to the abutting right-of-way. Modification to the required streetscape improvements may be permitted based on the preservation of natural barriers, avoidance of interference with utility lines or other obstructions as approved by the DRC or may be modified based on an alternative design found to achieve the underlying intent of the streetscape design as indicated in the adopted design standards. Streetscape improvements shall include but are not limited to the following:

- a. Street Trees. Street trees shall be planted and maintained along the street abutting the property to provide a canopy effect. The trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements. The requirements for street trees, as provided herein, may be located within the public right-of-way, as approved by the entity with jurisdiction over the abutting right-of-way.
 - i. In addition to the requirements of Section 47-21, to accommodate proper root growth, street trees shall require the use of a sub-grade soil medium, such as CU Structural Soil® or similar, to be provided to support root growth for trees adjacent to pedestrian pavement and the use of a modular sub-grade block system, such as Silva Cell or similar, to be provided to support root growth for trees adjacent to traffic loads and utilities, and other amenities including but not limited to irrigation, up lighting, porous paving systems.
 - ii. Street trees shall be shade trees maintained at a minimum twelve (12) foot horizontal clearance from buildings. Shade trees shall be provided at maximum every thirty (30) lineal feet on-center along the street frontage. Palm trees may be provided at intersections where streets with shade trees converge. Provide tall palms at the immediate corners to provide a visual marker and to frame the street. Small canopy trees and small palms may be permitted when existing or proposed physical conditions may prevent the proper growth of shade trees or tall palms, as determined by the DRC, at maximum every fifteen (15) lineal feet along the street frontage. All trees shall satisfy the following standards at the time of planting:
 - iii. Shade trees: Minimum sixteen (16) feet in height, with a minimum seven (7)-foot ground clearance. Palms are to be single-trunk and a minimum of 7-foot ground clearance and spaced to provide maximum visibility at intersection.

RESPONSE: Project complies. The Project provides primary rows of street trees located between sidewalk and street along each road frontage. Please refer to the Ground Floor Planting Plan (Sheet L-201) and the Landscape Street Sections Plan (Sheet L-212).

- b. Sidewalk. A minimum 7-foot clear sidewalk shall be provided along all streets defined as local streets in the Downtown Master Plan Chapter 4 Design Guidelines.

RESPONSE: Project complies. The Project provides 10'+ clear sidewalks along N Andrews Avenue and Flagler Drive and 7'+ wide clear sidewalks along the local streets. Please refer to the Ground Floor Planting Plan (Sheet L-201), the Landscape Street Sections Plan (Sheet L-212), as well as other street sections.

- c. RAC Fencing. Within RAC districts, chain-link fencing shall not be permitted along street frontages.

RESPONSE: Acknowledged, no chain link fencing is proposed.

- d. Maintenance Agreement: Applicant shall be required to execute a maintenance agreement providing for the repair, replacement and maintenance of required off-site improvements in form approved by the City Engineer, to be recorded in the public records of Broward County at applicant's expense. The City Engineer is authorized to execute said agreement on behalf of City.

RESPONSE: Acknowledged and will comply.

- I. ***New River Waterfront Corridor.*** Except in the RAC-TMU zoning district, development on parcels located within one hundred (100) feet of the New River shall be reviewed pursuant to the process for a site plan level IV development permit (section 47-24.2) without planning and zoning board review, and shall be required to meet the following regulations:
1. Within the RAC-CC and RAC-AS districts a principal structure shall provide a minimum sixty (60) foot setback from the seawall or the high water mark of the river's edge if no seawall exists, or less if the existing right-of-way or easement is less than sixty (60) feet in width, but in no case shall there be less than a forty-five (45) foot setback, except for the following:
 - a. *Not applicable. As such, this section has been omitted.*
 - b. *Not applicable. As such, this section has been omitted.*
 2. Additional criteria.
 - a. *Not applicable. As such, this section has been omitted.*
 - b. *Not applicable. As such, this section has been omitted.*

RESPONSE: Not applicable. the Project is not along the New River Waterfront Corridor.

- J. ***Review process.*** Except as provided in Section 47-24, Table 1. Development Permits and Procedures, development within the following zoning districts shall be reviewed as a Site Plan Level II permit.
1. A Site Plan Level II approval of a development for which a site plan has been approved by the city commission, or which has been the subject of an agreement with the city shall not be final until thirty (30) days after final DRC approval and then only if no motion is adopted by the city commission seeking to review the application pursuant to the process provided in Section 47-26.A.2 of the ULDR. The action of the DRC shall be final and effective after the expiration of the thirty-day period if no action is taken by the city commission.

RESPONSE: Acknowledged.

2. Approval of all other Site Plan Level II developments within the RAC shall not be final until thirty (30) days after preliminary DRC approval and then only if no motion is adopted by the city commission seeking to review the application pursuant to the process provided in Section 47-26.A.2 of the ULDR.

RESPONSE: Acknowledged.

3. In the event the developer of a parcel of land in the Downtown RAC districts desires to deviate from the requirements of Section 47-13.20.B., the developer may submit the design of the proposed development for review and approval by the City Commission, if the alternative design meets the overall intent of the Downtown Master Plan.

RESPONSE: Acknowledged. The Project is being submitted as a Site Plan Level II.

Sec. 47-13.21. Table of dimensional requirements for the RAC District.

RESPONSE: The table below provides a summary of the quantitative dimensions in the DMP and those proposed for the Project. The Applicant complies with the dimensional requirements of ULDR Section 47-13.21 except as where deviations are requested as noted below.

	Urban Neighborhood	Proposed	Complies or Alternative Design Requested
Maximum Building Height	12 Floors	14 Floors	Deviation Requested
Maximum Building Streetwall Length	300'	227' – 3"	Complies
Maximum Gross Square Footage of Building Tower Floor Plate Size	Residential: 10,000 SF	West Tower: 9,200 SF East Tower: 10,800 SF	Deviation Requested for East Tower
Maximum Building Podium Height	6 Floors	6 floors	Complies
Minimum Building Tower Step Back	12'	12'	Complies
Minimum Separation between Building Towers	60' between towers on same site / 30' minimum on subject property if adjacent to abutting lot under separate ownership	Between towers on-site: 60' From each property line: 30'	Complies
Minimum Residential Unit Size	400 SF	450 SF	Complies

Sec. 47-25.2. Adequacy Requirements

- A. ***Applicability.*** The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

RESPONSE: The adequacy requirements are applicable to the Project.

- B. ***Communications network.*** Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

RESPONSE: The Project is not expected to interfere with the City's communication network.

- C. ***Drainage facilities.*** Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2 1/2) inches of runoff from the impervious surface whichever is greater.

RESPONSE: The Project will comply. Refer to Civil Plans.

D. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, a application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:
 - Broward County Ordinance No. 89-6.
 - Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
 - Broward County Ordinance No. 84-60.
2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

RESPONSE: Should there be environmentally sensitive lands located on the Property, Applicant will mitigate as recommended and agreed to.

- E. *Fire protection.*** Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

RESPONSE: Fire protection service will be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities will be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

F. *Parks and open space.*

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.
2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

RESPONSE: Applicant will pay the required park impact fees prior to the issuance of a building permit.

- G. *Police protection.*** Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

RESPONSE: Controlled access doors, security cameras and lobby personnel will be provided. The Project will provide improvements that are consistent with Crime Prevention Through Environmental Design principles to minimize the risk to public safety and assure adequate police protection.

H. *Potable water.*

1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time.

Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

2. Potable water facilities.
 - a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
 - b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
 - c. Where the county is the projected service provider, a similar written assurance will be required.

RESPONSE: A Water and Wastewater Capacity Availability Letter was requested on October 26, 2023 and will be submitted during the DRC process upon receipt.

I. *Sanitary sewer.*

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

RESPONSE: A Water and Wastewater Capacity Availability Letter was requested on October 26, 2023 and will be submitted during the DRC process upon receipt.

- J. *Schools.* For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

RESPONSE: A Preliminary School Capacity Availability Determination (“SCAD”) letter will be obtained during the DRC process and submitted upon receipt.

K. *Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
2. Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

RESPONSE: Solid waste and recycling collection will be provided by a private contractor licensed with the City of Fort Lauderdale 2 times per week or more as needed. A Solid Waste Management Plan will be provided during the DRC process. Please refer to the Solid Waste / Recycling Management Table on the Site Plan (Sheet C0.1) for detailed information regarding solid waste management.

- L. *Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code city engineering standards and other accepted applicable engineering standards.

RESPONSE: The Project will be designed with on-site storm water retention. The Applicant will submit an application to Broward County, satisfy all current criteria for surface water requirements, and obtain all local and state licenses as applicable.

M. *Transportation facilities.*

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.
2. ***Regional transportation network.*** The regional transportation network shall have adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.
3. ***Local streets.*** Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.
4. ***Traffic impact studies.***
 - a. When the proposed development may generate over one thousand (1,000) daily trips;
 - b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (1/2) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:
 - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
 - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
 - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.

- iv. A further detailed analysis and any other information that the review committee considers relevant.
- v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by City's consultant shall be reimbursed to the city by the applicant.
- vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

RESPONSE: A Traffic Impact Study is forthcoming.

5. ***Dedication of rights-of-way.*** Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

RESPONSE: Requirement noted. Is it anticipated that additional right-of-way dedications may be required along Andrews Avenue per the Broward County Trafficways Map. The potential dedication was taken into consideration per the Site Plan (Sheet C0.1).

6. ***Pedestrian facilities.*** Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

RESPONSE: The Project encourages pedestrian-oriented development with greater emphasis on sidewalk width accommodation, incorporation of street trees, pedestrian plaza and pavers.

1. ***Primary arterial street frontage.*** Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

RESPONSE: Project complies. Vehicular access is provided on NE 7th Street and NE 1st Avenue which are secondary streets.

8. ***Other roadway improvements.*** Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

RESPONSE: Acknowledged. The Project is located within the Downtown adjacent to multimodal hubs and is not anticipated to generate excessive additional traffic.

9. ***Street trees.*** In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply

with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

RESPONSE: The Project complies with the minimum street tree requirements. Refer to Landscape Plans (Sheets L-210).

N. *Wastewater.*

1. *Wastewater.* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

RESPONSE: A Water and Wastewater Capacity Availability Letter was requested on October 26, 2023 and will be submitted during the DRC process upon receipt.

- O. *Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for offsite consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

RESPONSE: Solid waste and recycling collection will be provided by a private contractor licensed with the City of Fort Lauderdale 2 times per week or more as needed. A Solid Waste Management Plan will be provided during the DRC process. Please refer to the Solid Waste / Recycling Management Table on the Site Plan (Sheet C0.1) for detailed information regarding solid waste management.

P. *Historic and archaeological resources.*

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

RESPONSE: The Property has not been identified as having any archaeological or historical significance.

- Q. *Hurricane Evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane

evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

RESPONSE: Not applicable. The site is located west of the Intracoastal Waterway.

Sec. 47-25.3 - Neighborhood Compatibility

A. The neighborhood compatibility requirements are as follows:

1. *Adequacy Requirements.* See Sec. 47-25.2.

RESPONSE: The Applicant has provided a point-by-point narrative addressing the adequacy requirements.

2. *Smoke, Odor, Emission of Particulate Matter and Noise.*

- a. Documentation from the Broward County Department of Natural Resource Protection (DNRP) or a report by a certified engineer, licensed in the State of Florida, that the proposed development will not exceed the maximum levels of smoke, odor, emissions of particulate matter and noise as regulated by Chapter 27, Pollution Control, of the Code of Broward County, and that a DNRP permit for such facility is not required.
- b. Where a DNRP license is required in accordance with Chapter 27, Pollution Control, of the Code of Broward County, all supporting documentation and information to obtain such permit shall be submitted to the DRC as part of a site plan review.
- c. Such DNRP licenses shall be required to be issued and copies provided to the city prior to the issuance of a building permit for the proposed development.

RESPONSE: Should any County license be required, the Applicant will apply and obtain.

3. *Design and Performance Standards*

- a. *Lighting.* No lighting shall be directed from a use which is subject to the requirements of this Sec. 47-25.3 in a manner which illuminates abutting residential property and no source of incandescent or mercury vapor illumination shall be directly visible from any abutting residential property. No neon lights inside or outside structures shall be visible from any abutting residential property.
 - i. Glare. Any nonresidential operation or activity producing glare shall be conducted so that direct or indirect illumination of light shall not cause illumination in excess of one (1) footcandle on any abutting residential property except as provided in subsection iii. of this subsection a.

RESPONSE: The ground floor retail is designed in a manner to not produce glare. Please refer to the photometrics plans.

- ii. Control of effects of lights from automobiles or other sources. Where the site plan indicates potential adverse effects of parking or of other sources on the lot on which the nonresidential use is to be located, such effects shall be eliminated or at a minimum prevented so that lights do not illuminate adjacent residential property below a height of five (5) feet at the residential lot line, or from shining into any residential window if there is to be nonresidential parking on the premises after dark.

RESPONSE: A residential mixed-use Project is proposed, but no vehicle lights will be visible from the garage or any portion of the Project because it has been concealed.

- iii. In addition to the above, parking lots and garages will be subject to the provisions of

Sections 47-20.14 and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

RESPONSE: Not applicable. Pursuant to ULDR Section 47-25.1, neighborhood compatibility requirements do not apply to the Downtown Regional Activity Center Districts. The parking garage completely conceals the vehicles with liner units and meets the intent of the DMP.

- b. ***Control of Appearance.*** The following design standards are provided to protect the character of abutting residential areas from the visual impact which may result from a use which is subject to the requirements of this Sec. 47-25.3.

- i. ***Architectural features.*** The facade of any side of a nonresidential building facing the residential property shall be constructed to compliment a residential structure and shall include the following:
- a) Fenestration such as windows, doors and openings in the building wall; and
 - b) Shall contain a minimum of one (1) feature from each of the following architectural feature groups with a total of four (4) architectural features from the following list:
 1. Detail and embellishments:
 - a. Balconies,
 - b. Color and material banding,
 - c. Decorative metal grates over windows,
 - d. Uniform cornice heights,
 - e. Awnings.
 2. Form and mass:
 - a. Building mass changes including projection and recession,
 - b. Multiple types and angles of roofline, or any combination thereof.
 - c) The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

RESPONSE: The Project incorporates balconies, differing colors and materials, and a railway mural that pays tribute to the transit systems throughout the City.

- ii. ***Loading facilities.*** Loading and service facilities shall be screened so as not to be visible from abutting residential uses or vacant residential zoned property.

RESPONSE: Loading facilities are located within the parking garage and are screened from view to the greatest extent.

- iii. Screening of rooftop mechanical equipment. All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the building volume and/or adequately screened so that they are not visible from abutting residential uses or vacant residential zoned property.

RESPONSE: All mechanical equipment is screened to not be visible from adjacent properties. Refer to Sheet A-501 – A-504 and the renderings for details.

- c. ***Setback Regulations.*** When a nonresidential use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, there shall be an additional setback required for any yard of that use which is contiguous to the residential property, as follows:

- i. When any side of a structure greater in height than forty (40) feet is contiguous to residential property, that portion of the structure shall be set back one (1) foot for each one (1) foot of building height over forty (40) feet up to a maximum width equal to one-half (½) the height of the building, in addition to the required setback, as provided in the district in which the proposed nonresidential use is located.

RESPONSE: Not applicable. Pursuant to ULDR Section 47-25.1, neighborhood

compatibility requirements do not apply to the Downtown Regional Activity Center Districts. However, the Project meets all the Downtown Streetscape requirements and is a residential use.

d. **Bufferyard Requirements.** When a use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, the property where the use is located shall be required to have a landscaped strip area and a physical barrier between it and the residential property. Such landscape strip shall meet the following requirements:

- i. **Landscape strip requirements.** A ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property. Such landscape strip shall include trees, shrubs and ground cover as provided in the landscape provisions of Section 47-21, Landscape and Tree Preservation Requirements. The width of the landscape area shall extend to the property line. All required landscaping shall be protected from vehicular encroachment. When walls are required on nonresidential property abutting an alley, required shrubbery shall be installed and located within the landscape area on the exterior of the wall.
- ii. **Parking restrictions.** No parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.
- iii. **Dumpster regulations.** All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in accordance with the Dumpster requirements, as provided in Section 47-19, Accessory Uses, Buildings and Structures.
- iv. **Wall requirements.** A wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with Section 47-19.5 and subject to the following:
 - a) Decorative features shall be incorporated on the residential side of such wall according to the requirements of Section 47-19.5,
 - b) Shall be located within, and along the length of the property line which abuts the residential property,
 - c) When the nonresidential property is located adjacent to an alley such wall shall be located at least five (5) feet from the right-of-way line located closest to the nonresidential property,
 - d) When a utility, or other public purpose easement, on the nonresidential property precludes the construction of a wall, then an opaque fence, constructed in accordance with the standards described in Section 47-19.5, may be erected in lieu of the wall required by subsection iv. above. The use of an opaque fence as a physical barrier between nonresidential and residential property shall be reviewed and recommended by the city engineer.

RESPONSE: Not applicable. Pursuant to ULDR Section 47-25.1, neighborhood compatibility requirements do not apply to the Downtown Regional Activity Center Districts. However, the Project meets the Downtown Streetscape requirements and provides landscape buffers between the sidewalk and roadwalk.

- v. **Application to existing uses.** Within five (5) years from the effective date of subsections A.3.c and d (effective date: September 19, 1989), all nonconforming uses of land which were in existence prior to such date shall comply with the requirements of subsections A.3.c and d unless compliance would cause one (1) or more of the following to occur:
 - a) Demolition of any load-bearing portion of a building as it exists on September 19, 1989, the effective date of subsections A.3.c and d;
 - b) Reduction of required parking spaces;
 - c) A reduction in the number of parking spaces provided for use of a parcel which

- would be required if based on the parking requirements of Section 47-20, Parking and Loading Requirements in effect on and applicable to such use on March 6, 1990;
- d) Relocation of an existing wall which complied with the Code prior to September 19, 1989, the effective date of subsections A.3.c and d;
 - e) Access to the land would be substantially impaired;
 - f) Installation of the wall as provided in subsection iv. would require a modification of the existing vehicular use area, which would impair traffic circulation on the site and a minimum five (5) foot high hedge, fence or other physical barrier is in place along the length of the nonresidential property line which abuts the residential property;
 - g) In such cases, the use shall otherwise comply with the requirements of this section to the maximum possible extent; however, the requirement of subsections A.3.d.i to install a landscape strip shall be met if an abutting residential property owner agrees in writing that the landscape strip may be placed on his or her property. An agreement in form provided by the department must be executed by the applicant and the abutting property owner. If the abutting property owner removes the landscape strip after it has been installed, there shall be no further requirement to install another landscape strip on the abutting property in connection with the commercial use which existed at the time of the initial installation.

RESPONSE: Acknowledged.

- e. ***Neighborhood Compatibility and Preservation.*** In addition to the review requirements provided in subsections A.1, A.2 and A.3.a, b, c, and d, the following review criteria shall also apply as provided below:

- i. All developments subject to this Sec. 47-25.3 shall comply with the following:
 - a) Development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

RESPONSE: The surrounding properties are zoned RAC-UV and NWRAC-MUe within and in proximity to the “Urban Neighborhood” and “Near Downtown” Character Areas. Given the unique shape of the Property and its location within the Flagler Village area which encourages dense, mixed-use development, this Project is compatible with the DMP. Additionally, the Project contributes a voluntary pedestrian plaza on the ground floor and a public art piece highlighting the City’s transit systems on the façade of the building.

- b) Consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent

neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

RESPONSE: However, Project complies with the intent of the DMP. Refer to the DRT Narrative which provides a detailed analysis.

- ii. All development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district that is greater in density than twenty-five (25) dwelling units per net acre:
 - a) In addition to meeting the review requirements of subsection A.3.e.i, building sites within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district shall be eligible to apply for additional dwelling units over and above twenty-five (25) dwelling units per net acre, provided such additional dwelling units are available for distribution in the downtown regional activity center. However, in order to obtain such additional dwelling units, a site plan level II permit must be approved. Such approval shall be based upon consideration of the number of additional dwelling units available under the city land use plan, the number of additional dwelling units requested, the impact of the proposed development on abutting residential areas, the proposed residential density of the proposed development, location of the proposed development, the sensitivity to adjacent development of the site design and proposed orientation of the proposed development (including proposed setbacks), pedestrian movements associated with the proposed development, proposed landscaping, and traffic and parking impacts of the proposed development on the transportation network. Approval for allocations of any additional dwelling units, hotel rooms or both, for multifamily dwellings, hotels and mixed-use developments shall conform to the city's land use plan and may be granted subject to approval of a site plan level II permit, subject to the considerations for such review as prescribed above. A minimum setback of twenty (20) feet from all property lines for every building used exclusively for residential purposes may be required. Such minimum setback may also be required for mixed use buildings in which residential use exceeds fifty-nine percent (59%) of the total floor area, exclusive of parking garages.

RESPONSE: Not applicable. The Property is zoned RAC-UV.

- iii. All development within any downtown RAC district that is within one hundred (100) feet of residential property that is located outside of any downtown RAC district and all development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district; and all development that is located on land adjacent to the New River within

the RAC-AS and RAC-CC which deviates from the New River corridor requirements as provided in Section 47-13, Downtown Regional Activity Center:

- a) In addition to meeting the review requirements of subsection A.3.e.i, the setbacks imposed for a development plan may be modified subject to the requirements provided as follows:
 1. No structure, or part thereof, shall be erected or used, or land or water used, or any change of use consummated, nor shall any building permit or certificate of occupancy be issued therefor, unless a development plan for such structure or use shall have been reviewed and approved, where applicable, after development review as prescribed in subsection A.3.e.i. In approving such development plan, consideration shall be given to the location, size, height, design, character and ground floor utilization of any structure or use, including appurtenances, access and circulation for vehicles and pedestrians, streets, open spaces, relationship to adjacent property, proximity to New River and other factors conducive to development and preservation of a high quality downtown regional activity center district. No approval shall be given to the setbacks shown on the development plan unless a determination is made that the setbacks conform to all applicable provisions of the ULDR, including the requirements of Section 47-13, Downtown Regional Activity Center Districts, that the safety and convenience of the public are properly provided for, and that adequate protection and separation are provided for contiguous property and other property in the vicinity. Approval of the setbacks of a development plan may be conditioned by imposing one (1) or more setback requirements exceeding the minimum requirements.

RESPONSE: The Property is zoned RAC-UV and is not within 100 feet of residential property that is located outside of any Downtown RAC District or adjacent to the New River.

- iv. All development that is located on land within the B-1A zoning districts;

AND

All development that is zoned RMM-25, RMH-25 and RMH-60 east of the Intracoastal Waterway;

AND

All nonresidential development lying east of the Intracoastal Waterway.

RESPONSE: Not applicable. As such, this section has been omitted.

Respectfully submitted,

/s/ Stephanie J. Toothaker

Stephanie J. Toothaker, Esq.

November 20, 2024

VIA LAUDERBUILD

DEVELOPMENT REVIEW TEAM
 URBAN DESIGN & PLANNING DIVISION
 DEVELOPMENT SERVICES DEPARTMENT
 CITY OF FORT LAUDERDALE
 700 NW 19TH AVE
 FORT LAUDERDALE, FL 33311

RE: 650 North Andrews Avenue – Case No. UDP-S23057
Site Plan Level II in Downtown RAC – Downtown Master Plan Narrative

This firm represents 650 NORTH ANDREWS LLC (the “Applicant”), owner of 650 North Andrews Avenue, Fort Lauderdale, FL 33301, Folio No. 494234150060 (the “Property”). Applicant is requesting Site Plan Level II development permit approval to develop a 14-story mixed use building with 257 multifamily units, 8,500 SF of commercial/retail use, and 1,250 SF of restaurant use (the “Project” or “650 North Andrews”). The Property is zoned Regional Activity Center – Urban Village (“RAC-UV”) within the “Urban Neighborhood” Character Area as defined in the Downtown Master Plan (“DMP”). We hereby provide the following responses demonstrating the Project’s compliance with the DMP and where applicable have noted where alternative site design solutions are requested, as summarized in **Table 1** below.

Table 1. DMP Requirements Summary

Urban Neighborhood Character Area	Required	Proposed		Compliant
Max. Building Height	12 floors	14 floors (East and West Towers)		DEV. REQUESTED
Max. Building Streetwall Length	300’	N Andrews Ave	104’-11”	YES
		Flagler Dr	141’-0”	
		NE 7 th St	140’-0”	
		NE 1 st Ave	227’-3”	
Max. Tower Floorplate Size	10,000 SF	9,200 SF (West Tower)		YES
		10,680 SF (East Tower)		DEV. REQUESTED
Max. Podium Height	6 floors	6 floors		YES
Min. Tower Stepback	12’	N Andrews Ave	12’ with 5’ balcony projections	DEV. REQUESTED FOR 0’ STEPBACKS AND 5’ BALCONY ENCROACHMENTS
		Flagler Dr	0’ and 12’ with 5’ balcony projections	
		NE 7 th St	0’ with 5’ balcony projections	
		NE 1 st Avenue	15’-8” with 5’ balcony encroachments	
Min. Tower Separation	60’ between towers on-site	Min. 60’ between E/W Tower Balconies		YES
	30’ between tower to property line	Min. 38’-2” East Tower Face to South PL		YES
		Min. 33’-2” East Tower Balcony to South PL		YES

Stephanie J. Toothaker, Esq.

land use development political strategy procurement

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 401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301

		Min. 31'-2" West Tower Face to South PL	YES
		Min. 26'-2" West Tower Balcony to South PL	DEV. REQUESTED FOR 5' BALCONY ENCROACHMENT ONLY
Min. Residential Unit Size	400 SF	450 SF	YES

DOWNTOWN MASTER PLAN DESIGN GUIDELINES

PRINCIPLES OF STREET DESIGN:

- S1 Maintain a fine-grained street grid: discourage vacations.
RESPONSE: Project complies. No street vacations are proposed.
- S2 Utilize Traffic Calming rather than blocking streets:
RESPONSE: Project complies. Driveways with a small turning radius are provided off NE 7th Street and NE 1st Avenue to control vehicular traffic entering the site and promote traffic calming.
- S3 Maximize on-street parking except on major arterials:
RESPONSE: Project complies. (4) on-street parking spaces are provided along NE 1st Avenue.
- S4 Provide adequate bike lanes in a planned network (next to on-street pkg: 5'; next to travel lane: 4'):
RESPONSE: Project complies with the applicable street design cross section which does not require bike lanes. However, the Project provides 7'-0" to 12'-0" wide sidewalks and an urban plaza which encourages pedestrian and cycling activity.
- S5 Maximize street trees on all Downtown streets.
RESPONSE: Project complies. Refer to the Ground Floor Planting Plan (Sheet L-201) and the Landscape Street Sections Plan (Sheet L-212).
- S6 Encourage location of primary row of street trees between sidewalk and street:
RESPONSE: Project complies. Street trees are provided along all streets, including N Andrews Avenue, Flagler Drive, NE 7th Street, and NE 1st Street. Please refer to the Ground Floor Landscape Plan (Sheet L-210).
- S7 Maximum spacing for street trees: Palms - 22ft.; Shade trees - 30 ft.
RESPONSE: Project complies. Refer to Landscape Plans (Sheets L-210).
- S8 Minimum horizontal clearance (from building face) for trees: Palms – 6ft; Shade trees – 12ft.
RESPONSE: Project complies. Refer to Landscape Plans (Sheets L-210).

- S9** Encourage shade trees along streets and palm trees to mark intersections:
RESPONSE: Project complies. Shade trees are proposed to maximize pedestrian shading and comfort. Small palms are proposed for beautification and accents. Refer to Landscape Plans (Sheets L-210).
- S10** Eliminate County “Corner Chord” requirements not compatible with urban areas:
RESPONSE: The Property is located along North Andrews Avenue, which is under County jurisdiction. A County Corner Chord is required per County standards. No County Corner Chords are proposed along local streets.
- S11** Encourage curb radius reduction to a preferred maximum of 15’; 20’ for major arterials:
RESPONSE: Project complies where permitted on local streets.
- S12** Discourage curb cuts on “primary” streets
RESPONSE: Project complies. No curb cuts are proposed along the primary streets.
- S13** Encourage reduced lane widths on all streets:
RESPONSE: Not applicable. A lane width reduction is not proposed.
- S14** Encourage reduced design speeds on all RAC streets (15 - 40 mph).
RESPONSE: Not applicable. No change of speed limit is proposed.
- S15 *ULDR*** Encourage fixed Rights-of-Way and setbacks for all Downtown streets (to eliminate uncoordinated City setback and County easement requirements). Note: Downtown Local streets have varying ROW’s and section design may need to be flexible to respond to the specific ROW conditions
RESPONSE: The Project complies with all minimum setback requirements. The setbacks are as proposed as provided on Site Plan Sheet C0.1:

SETBACK TABLE

	REQUIRED	PROVIDED
FRONT YARD (WEST) – N ANDREWS AVENUE	49.0’ FROM CL	50.0’ (BLDG) TO CL 45.0’ (BALCONY) TO CL
FRONT YARD (WEST) – N FLAGLER DRIVE	35.0’ FROM CL	44.1’ (BLDG) TO CL 39.1’ (BALCONY) TO CL
REAR YARD (EAST) – N.E. 1ST AVENUE	35.0’ FROM CL	35.0’ (BLDG) TO CL 30.0’ (BALCONY) TO CL
SIDE YARD (NORTH) – N.E. 7TH STREET	35.0’ FROM CL	47.5’ (BLDG) TO CL 42.5’ (BALCONY) TO CL
SIDE YARD (SOUTH) – ADJ. PROPERTY	0’	0’

- S16** Bury all power lines in the Downtown Area.
RESPONSE: Project complies. Overhead wires on NE 7th Street and NE 1st Avenue will be placed underground.

PRINCIPLES OF BUILDING DESIGN:

- B1** Framing the street: building “streetwall” should generally meet setback line (within a percentage).
RESPONSE: Project complies. Building streetwalls frame the street and meet the setback requirements. Refer to the Site Plan Sheet C0.1 and below:

SETBACK TABLE	REQUIRED	PROVIDED
FRONT YARD (WEST) – N ANDREWS AVENUE	49.0' FROM CL	50.0' (BLDG) TO CL 45.0' (BALCONY) TO CL
FRONT YARD (WEST) – N FLAGLER DRIVE	35.0' FROM CL	44.1' (BLDG) TO CL 39.1' (BALCONY) TO CL
REAR YARD (EAST) – N.E. 1ST AVENUE	35.0' FROM CL	35.0' (BLDG) TO CL 30.0' (BALCONY) TO CL
SIDE YARD (NORTH) – N.E. 7TH STREET	35.0' FROM CL	47.5' (BLDG) TO CL 42.5' (BALCONY) TO CL
SIDE YARD (SOUTH) – ADJ. PROPERTY	0'	0'

- B2** Framing the street: encourage open space site requirements for use as pedestrian public space instead of unusable leftover ‘green perimeter’.

RESPONSE: Project complies. In addition to the 7’-0” to 12’-0” wide sidewalks, the Project features a 10’-0” wide retail activated colonnade that leads to a vibrant urban plaza at the intersection of Flagler Drive and NE 7th Street. The ground floor is designed with lush landscaping, pedestrian-scale lighting, seating areas, and decorative pavers to enhance the public realm.

- B3 *ULDR*** Framing the street: minimum and maximum building “streetwall” heights (see character area guidelines for specifics):

RESPONSE: Project complies. A 3-floor podium is proposed which is below the maximum permitted for the Urban Neighborhood Character Area.

- B4*ULDR*** Framing the street: maintain maximum building “streetwall” length of 300’:

RESPONSE: Project complies. The maximum streetwall length proposed is 227’-3”.

- B5*ULDR*** Maintain maximum Floorplate Area for towers based on character area:

RESPONSE: The west tower complies with a maximum 9,200 GSF floorplate. A deviation is requested for east tower only which provides a 10,680 GSF where a maximum of 10,000 GSF is permitted. Refer to response to #3B below.

- B6 *ULDR*** Where buildings with towers are located on Primary (>60’ wide) and Secondary (< or = 60’ wide) streets, the towers are encouraged to orient towards the Primary Street:

RESPONSE: Project complies. The towers are oriented towards North Andrews Avenue and Flagler Drive.

B7*ULDR* Where towers are located on streets < or = 60ft, increased step backs from the ‘shoulder’ are encouraged at 30’ to reduce the impact on the street.

RESPONSE: While the Project complies with the minimum 12’-0” stepback requirement along N Andrews Avenue, a majority of Flagler Drive, and NE 1st Avenue, deviations are requested to provide 0’ stepback along certain frontages and 5’-0” balcony projections as summarized below:

N Andrews Ave (Primary):	12’-0” stepback with 5’-0” balcony projections
Flagler Dr (Primary):	0’ stepback for a portion, with a 12’-0” stepback for the remainder with 5’-0” balcony projections
NE 7 th St (Secondary):	0’ stepback with 5’-0” balcony projections
NE 1 st Ave (Secondary):	15’-8” stepback with 5’-0” balcony projections

The stepback and balcony encroachment deviations are requested to enhance the architectural expression of the building while maintaining a harmonious relationship with the street. The modulation of the building façade, including the geometry of the balconies and architectural frames, adds visual interest and helps break up the building massing.

B8 Surface parking: discourage frontage and access along Primary Street:

RESPONSE: Not applicable. Surface parking is not provided.

B9 Parking garages: Encourage access from secondary streets and alleys.

RESPONSE: Project complies. Parking garage access is provided off NE 7th Street and NE 1st Avenue which are secondary streets.

B10 Encourage main pedestrian entrance to face street:

RESPONSE: Project complies. Pedestrian entrances are located at the intersections, in a centralized location of the building, and oriented toward the street. See Site Plan (Sheet C0.1).

B11 Maximize active uses and ‘extroverted’ ground floors with retail in strategic locations:

RESPONSE: Project complies. The ground level is activated with a residential lobby, retail and restaurant use, and an urban plaza fronting the primary streets.

B12 Encourage pedestrian shading devices of various types:

RESPONSE: Project complies. The Project includes shade trees and various pedestrian shading devices throughout.

B13 Encourage balconies and bay windows to animate residential building facades:

RESPONSE: Project complies. The towers and podium provide balconies which animate the building façade.

B14 In residential buildings, encourage individual entrances to ground-floor units, particularly in the Urban Neighborhood Character Area

RESPONSE: Project complies. Ground floor lofts with individual entrances are proposed along NE 1st Avenue.

- B15** High rises to maximize active lower floor uses and pedestrian-oriented design at ground floor:
RESPONSE: In addition to the 7'-0" to 12'-0" wide sidewalks, the Project features a 10'-0" wide retail activated colonnade that leads to a vibrant urban plaza at the intersection of Flagler Drive and NE 7th Street. The ground floor is designed with lush landscaping, pedestrian-scale lighting, seating areas, and decorative pavers to create an inviting, active environment for pedestrians.
- B16** Building Design guidelines do not apply to Civic Buildings and Cultural Facilities:
RESPONSE: Not applicable.
- B17** Discourage development above rights-of-way (air rights):
RESPONSE: Not applicable. No development is being proposed above rights-of-way.
- B18** Mitigate light pollution:
RESPONSE: Project complies. Refer to photometrics included with this submittal which complies with the City's minimum requirements. Additionally, the parking garage is fully enclosed which prevents light pollution.
- B19** Mitigate noise pollution:
RESPONSE: Project complies. Mechanical equipment noise will be designed to be muffled with sound attenuation installations to meet the City's Noise Ordinance.
- B20 *ULDR*** Vertical open space between towers on adjacent lots: Maintain 60' vertical open space between towers (30' min. on subject property if adjacent to abutting lot under separate ownership). In certain circumstances abutting property owners can coordinate tower placement as long as maintain 60' clearance.
RESPONSE: Project complies as follows as provided on Sheet A-205. A deviation is only requested for the west tower's 5'-0" wide balcony encroachment into the tower separation area.
- | | |
|---------------------------------|--------|
| East Tower Face to South PL: | 38'-2" |
| East Tower Balcony to South PL: | 33'-2" |
| West Tower Face to South PL: | 31'-2" |
| West Tower Balcony to South PL: | 26'-2" |
- B21 *ULDR*** Vertical open space between multiple towers on a single development site: no less than 60' apart.
RESPONSE: Project complies as follows as provided on Sheet A-205.
- | | |
|-------------------------|--|
| Between towers on-site: | 60' between east/west tower balconies* |
| | <i>*3'-0" and 5'-0" wide tower architectural frames projecting into tower separation are permitted without a deviation request</i> |
- B22** Residential: Encourage minimum ground floor elevation of 2 ft above public sidewalk level for individual ground floor entrances to private units.
RESPONSE: Project complies. Raised entrances to the ground floor units are proposed.

B23 Avoid drive thrus in the wrong places:

RESPONSE: Not applicable. No drive thrus are proposed for the project.

B24 The Fifth Façade: Encourage green roofs as visual amenities that provide a combination of usable, landscaped spaces (recreation & open space benefits) and sustainable roof treatments (environmental benefits).

RESPONSE: Project complies. There is a dog park, open space, landscaping, and a pool provided on the 4th floor Amenity Deck.

QUALITY OF ARCHITECTURE:

Q1 Skyline Drama: Encourage towers to contribute to the overall skyline composition.

RESPONSE: Project complies. A continuous frame runs around the vertical and the horizontal edges of the podium and towers up to the roofline. In selected areas, such as the east façade of the east tower and the extremity of the west tower (facing north), the cornice created by this continuous frame opens a window to the sky. The framing details contribute to the overall skyline composition and are complemented by the color and material palette.

Q2 Expressive ‘tops’: Encourage expressive tops for tall buildings above 37 stories in Near Downtown and Downtown Core.

RESPONSE: Not applicable. Project is in the Urban Neighborhood Character Area.

Q3 Durability and Quality of Materials: Encourage high quality materials for the entire building, with special emphasis on detailing and durability for the first 2 floors.

RESPONSE: Project complies. A variety of high-quality materials are proposed. Refer to Sheet A-501 and A- 502.

Q4 Respect for historic buildings:

RESPONSE: Not applicable.

Q5 Parking Podium Façades: Where structured parking must be exposed to the street, exceptionally creative solutions should be explored.

RESPONSE: Project complies. The parking garage is mechanically ventilated and fully enclosed. Where not lined with residential units, the parking garage façade is treated with railroad railings attached to the garage CMU walls as a decorative element. A detailed wall section is provided on Sheet A-203. Additionally, on the south parking garage façade, a decorative wave design provides additional beautification. Refer to elevations on Sheet A-501 to Sheet A-504.

Q6 Response to Natural Environment: Encourage architecture to respond to the unique nature of the south Florida environment (solar orientation, wind direction, rain). Examples: Open breezeway corridors oriented toward prevailing winds; energy efficient glazing; above ground storm water capture and reuse through bio-swales and rain gardens; solar roof panes/awnings.

RESPONSE: Project complies. The architectural framing, projections and modulations provide solar shading.

- Q7** Creative façade composition: Encourage a rich layering of architectural elements throughout the building, with special attention to facades below the shoulder level.

RESPONSE: Project complies. A variety of high-quality materials are proposed. Refer to Sheet A-501 and A- 502.

- Q8** Original self-confident design: Encourage a range of architectural styles that each create a strong identity, strive for the highest quality expression of its chosen architectural vocabulary.

RESPONSE: Project complies. A continuous frame runs around the vertical and the horizontal edges of the podium and towers up to the roofline. In selected areas, such as the east façade of the east tower and the extremity of the west tower (facing north), the cornice created by this continuous frame opens a window to the sky. The framing details contribute to the overall skyline composition and are complemented by the color and material palette.

PRINCIPLES OF BUILDING DESIGN (STOREFRONTS):

- SF1** Retail Location Strategy: Encourage ground floor retail in preferred locations.

RESPONSE: Project complies. North Andrew Avenue, Flagler Drive and NE 7th Street are lined with a total of 8,500 SF commercial use and 1,250 SF of restaurant use which are complemented by the colonnaded and urban plaza to activate the public realm.

- SF2** Encourage a combination of storefront styles and types in adjacent buildings, or within single buildings, to create variety and visual interest at the street level.

RESPONSE: Project complies. The ground level provides a minimum 20'-0" floor-to-floor height with extensive storefront glazing to encourage an activated street edge and clear physical and visual connection fronting North Andrews Avenue, Flagler Drive, and NE 7th Street.

- SF3** Encourage durable materials for ground floor retail and cultural uses.

RESPONSE: Project complies. A variety of high-quality materials are proposed. Refer to Sheet A-501 and A- 502.

- SF4** Encourage 15 ft minimum floor-to-floor height and encourage interior ground floor flush with adjacent public sidewalk.

RESPONSE: Project complies. A minimum 20'-0" floor-to-floor height is provided at the ground level with the interior ground flush with the adjacent sidewalk.

- SF5** Encourage significant glass coverage for transparency and views. Encourage restaurants to provide clear visual and physical connections to outdoor seating:

RESPONSE: Project complies. The ground level provides double height storefront glazing to encourage an activated street edge and clear physical and visual connection fronting North Andrews Avenue, Flagler Drive, and NE 7th Street.

- SF6** Encourage pedestrian shading device minimum 5 feet:

RESPONSE: Project complies. The ground level provides a 10'-0" wide retail activated colonnade providing pedestrian shading and connecting to a corner landscaped urban plaza area. Projecting balconies and building overhangs provide additional protection from the elements in the areas encouraging pedestrian movement.

SF7 Encourage multi-level storefront displays to disguise unfriendly uses or blank walls:
RESPONSE: Project complies. Extensive double-height glazing is provided where permitted.

SF8 Encourage well designed night lighting solutions:
RESPONSE: Project complies. Pedestrian level street lighting is provided throughout the development to provide a safe urban environment. Refer to Photometric Sheets. See sheet A-918 for nighttime rendering.

CHARACTER AREA GUIDELINES (URBAN NEIGHBORHOOD):

3A *ULDR* Frame street with appropriate streetwall height:
Shoulder: 6 floors max with min 12-foot stepback
RESPONSE: While the 6-story podium provides 5 parking levels, it is lined with 3 levels of double-height residential loft units that allows the podium to read as a 3-story volume. Further, while the Project meets the minimum 12'-0" stepback requirement along N Andrews Avenue, a majority of Flagler Drive, and NE 1st Avenue, deviations are requested to provide 0' stepback along certain frontages and 5'-0" balcony projections as summarized below:

N Andrews Ave (Primary):	12'-0" stepback with 5'-0" balcony projections
Flagler Dr (Primary):	0' stepback for a portion, with a 12'-0" stepback for the remainder with 5'-0" balcony projections
NE 7 th St (Secondary):	0' stepback with 5'-0" balcony projections
NE 1 st Ave (Secondary):	15'-8" stepback with 5'-0" balcony projections

The stepback and balcony encroachment deviations are requested to enhance the architectural expression of the building while maintaining a harmonious relationship with the street. The modulation of the building façade, including the geometry of the balconies and architectural frames, adds visual interest and helps break up the building massing.

3B *ULDR* Maximum building height of 12 floors.
RESPONSE: A deviation is requested to increase the building height to 14 floors, exceeding the maximum permitted height by just two floors. The Project is located adjacent to N Andrews Avenue, where heights may be increased to 12 stories without the need for a Conditional Use Permit. This request is justified by several factors, including the addition of 7,615 SF of publicly accessible at-grade open space, which includes an urban plaza and walkways and connects to a retail activated colonnade. This open space activates the public realm. Furthermore, the DMP encourages taller, slender towers at key entry points to Downtown, and the proposed height and design are in line with this intent while providing a transition into the Near Downtown Character Area.

3C *ULDR* Varied neighborhood scale including a mix of housing types such as townhouses and apartment buildings. Buildings step back above defined bases, and vertical elements emphasize primary streets.

- Non-residential: 16,000 GSF floor plate max.
- Residential: 10,000 GSF

RESPONSE: Deviation requested for east tower only where a 10,680 GSF floorplate is proposed where a maximum 10,000 GSF is permitted. The towers provide extensive glazing to break up the massing and visually connect with the surrounding environment.

TOD GUIDELINES:

- T2** Discourage land uses that are incompatible with transit and walkability:
RESPONSE: Project complies. The mix of uses and ground level public realm encourage walkability. Additionally, the improved bus stop promotes transit use.
- T3** Encourage pedestrian connections to transit stops and bike parking:
RESPONSE: Project complies. The existing bus stop is proposed to remain, and the widened sidewalks allow for increased pedestrian connections from what currently exists. The Project's design contributes to the already walkable and bikeable Downtown which has connections to multimodal transportation such as BCT, Brightline, and Circuit, amongst others.
- T4** Encourage bike connections to transit stops and bike parking:
RESPONSE: Project complies. Two bike rooms are provided within the garage on the ground floor. See Sheet A-080.
- T5** Parking consistent with TOD Principles:
- Encourage structured parking with screening or liner building if parking provided.
 - Surface parking should be configured into smaller lots rather than one large lot.
 - Surface parking discouraged except pick up/drop off w/in 200' of a Gateway Hub transit station.
 - Parking should not face onto plaza or park space of any transit station.
 - Include parking for mopeds, scooters, motorcycles, and other similar vehicles
- RESPONSE:** Project complies. Only structured parking is provided.
- T6** Incorporate Transportation Demand Management (TDM) including but not limited to:
Encourage carpooling or vanpooling.
Encourage car or bike sharing.
Offer flexible hours.
Provide shared parking:
RESPONSE: Acknowledged. TDM programs will be explored when the Project has been developed.
- T7** Reduce parking to eliminate excess pavement and promote highest and best use of land within the station area.
RESPONSE: Project complies. Excess pavement is limited with the redevelopment of the Property into a vibrant mixed use building with enhanced ground level public realm.
- T8** Encourage green buildings, green site design and green infrastructure:
RESPONSE: Project complies. The Project exceeds all minimum open space and pervious area requirements.

- T9** Create attractive, active and safe multimodal systems:
RESPONSE: Project complies. The Project enhances the walkability of North Andrews Avenue, Flagler Drive, and the secondary streets.

Respectfully submitted,

Stephanie J. Toothaker, Esq