



DEVELOPMENT APPLICATION FORM

Application Form: All Applications | Rev. 01/24/2023

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR). The development application form must be filled out accurately and all applicable sections must be completed. Only complete the sections indicated for application type with N/A for those section items not applicable. Refer to "Specifications for Plan Submittal" by application type for information requirements for submittal. Select the application type and approval level in **SECTION A** and complete the sections specified.

A APPLICATION TYPE AND APPROVAL LEVEL Select the application type from the list below and check the applicable type.

<input type="checkbox"/> LEVEL I ADMINISTRATIVE REVIEW COMMITTEE (ADMIN) New nonresidential less than 5,000 square feet Change of use (same impact or less than existing use) Plat note/Nonvehicular access line amendment Administrative site plan Amendment to site plan* Property and right-of-way applications (MOTs, construction staging) Parking Agreements (separate from site plans) COMPLETE SECTIONS B, C, D, G	<input checked="" type="checkbox"/> LEVEL II DEVELOPMENT REVIEW COMMITTEE (DRC) New Nonresidential 5,000 square feet or greater Residential 5 units or more Nonresidential use within 100 feet of residential property Redevelopment proposals Change in use (if great impact than existing use) * Development in Regional Activity Centers (RAC)* Development in Uptown Project Area* Regional Activity Center Signage Design Review Team (DRT) Affordable Housing (≥10%) COMPLETE SECTIONS B, C, D, E, F	<input type="checkbox"/> LEVEL III PLANNING AND ZONING BOARD (PZB) Conditional Use Parking Reduction Flex Allocation Cluster / Zero Lot Line Modification of Yards* Waterway Use Mixed Use Development Community Residences* Social Service Residential Facility (SSRF) Medical Cannabis Dispensing Facility* Community Business District for uses greater than 10,000 square feet COMPLETE SECTIONS B, C, D, E, F	<input type="checkbox"/> LEVEL IV CITY COMMISSION (CC) Land Use Amendment Rezoning Plat Public Purpose Use Central Beach Development of Significant Impact* Vacation of Right-of-Way City Commission Review Only <i>(review not required by PZB)</i> Vacation of Easement* COMPLETE SECTIONS B, C, D, E, F
<input type="checkbox"/> EXTENSION Request to extend approval date for a previously approved application COMPLETE SECTIONS B, C, H	<input type="checkbox"/> DEFERRAL Request to defer after an application is scheduled for public hearing COMPLETE SECTIONS B, C, H	<input type="checkbox"/> APPEAL/DE NOVO Appeal decision by approving body De Novo hearing items COMPLETE SECTIONS B, C, H	<input type="checkbox"/> PROPERTY AND ROW ITEM Road closures Construction staging plan Revocable licenses COMPLETE SECTIONS B, C, E

*Application is subject to specific review and approval process. Levels III and IV are reviewed by Development Review Committee unless otherwise noted.

B APPLICANT INFORMATION If applicant is the business operator, complete the agent column and provide property owner authorization.

Applicant/Property Owner	Flagler Sixth LLC	Authorized Agent	Lochrie & Chakas, P.A.
Address	699 North Federal Hwy, Ste 200	Address	699 N Federal Hwy, Suite 400
City, State, Zip	Fort Lauderdale, FL 33301	City, State, Zip	Fort Lauderdale, FL 33301
Phone		Phone	954.779.1101
Email		Email	RLochrie@Lochrielaw.com
Proof of Ownership	Warrenty Deed	Authorization Letter	Letter Attached
Applicant Signature:		Agent Signature:	Andrew Schein <small>Digitally signed by Andrew Schein DN: cn=Andrew Schein, o, ou, email=ASchein@Lochrielaw.com, c=US Date: 2024.03.07 13:30:57 -0500</small>

C PARCEL INFORMATION

Address/General Location	517 N E 6th Street
Folio Number(s)	494234075010
Legal Description (Brief)	See survey
City Commission District	2
Civic Association	Flagler Village Civic Association

D LAND USE INFORMATION

Existing Use	Vacant
Land Use	DRAC
Zoning	RAC-UV
Proposed	<i>Applications requesting land use amendments and rezonings.</i>
Proposed Land Use	
Proposed Zoning	

E PROJECT INFORMATION Provide project information. Circle yes or no where noted. If item is not applicable, indicate N/A.

Project Name	Flagler Sixth South													
Project Description (Describe in detail)	260 multifamily residential units and 23,250 SF of commercial space													
Estimated Project Cost	\$	<i>(Estimated total project cost including land costs for all new development applications only)</i>												
Affordable Housing Number of Units (AMI)		30%		50%		60%		80%		100%		120%		140%
Affordable Housing Number of Units (MFI)		30%		50%		60%		80%		100%		120%		140%



Waterway Use	No						
Flex Units Request	No						
Commercial Flex Acreage	No						
Residential Uses							
Single Family							
Townhouses							
Multifamily	260						
Cluster/Zero Lot Line							
Other							
Total (dwelling units)	260						
Unit Mix (dwelling units)	<table border="1"> <tr> <td>Studio-1 Bedroom</td> <td>111</td> <td>2 Bedroom</td> <td>118</td> <td>3+ Bedroom</td> <td>31</td> </tr> </table>	Studio-1 Bedroom	111	2 Bedroom	118	3+ Bedroom	31
Studio-1 Bedroom	111	2 Bedroom	118	3+ Bedroom	31		

Traffic Study Required	No
Parking Reduction	No
Public Participation	No
Non-Residential Uses	
Commercial	11,625
Restaurant	11,625
Office	
Industrial	
Other	
Total (square feet)	23,250

F PROJECT DIMENSIONAL STANDARDS *Indicate all required and proposed standards for the project. Circle yes or no where indicated.*

	Required Per ULDR	Proposed	
Lot Size (Square feet/ acres)	None	67,593 SF / 1.55 acres	
Lot Density (Units/ acres)	None	167 du/ acre	
Lot Width	None	270'	
Building Height (Feet)	None	336' - 8"	
Structure Length	300'	236'	
Floor Area Ratio (F.A.R.)	None	9.46	
Lot Coverage	None	64.9%	
Open Space	6,759 SF	46,970 SF	
Landscape Area	1,690 SF	8,319 SF	
Parking Spaces	477	610	
SETBACKS (Indicate direction N,S,E,W)			
	Required Per ULDR	Proposed	
Front [_ S _]	No requirement under DMP	42.2' from CL	
Side [_ E _]	None	N/A (interior private drive)	
Corner / Side [_ W _]	35' from cL	35' from CL	
Rear [_ N _]	None	N/A (interior private drive)	
<i>For projects in Downtown, Northwest, South Andrews, and Uptown Master Plans to be completed in conjunction with the applicable items above.</i>			
Tower Stepback			
	Required Per ULDR	Proposed	Deviation
Front / Primary Street [_ S _]	15'	Ranges: 3' - 3" to 27' - 1"	Yes
Sides / Secondary Street [_ W _]	15'	Ranges: 8' - 1" to 44' - 2"	Yes
Building Height	30 stories	31 stories	Yes
Streetwall Length	300'	236'	No
Podium Height	7 stories	7 stories	No
Tower Separation	60'	97' - 3"	No
Tower Floorplate (square feet)	12,500 SF	See below*	Yes
Residential Unit Size (minimum)	400 SF	540 SF	No

*21,083 SF on the 8th floor and 18,000 SF from floors 9-15; 12,500 SF above floor 15

G AMENDED PROJECT INFORMATION *Provide approved and proposed amendments for project. Circle yes or no where indicated.*

Project Name			
Proposed Amendment Description (Describe in detail)			
	Original Approval	Proposed Amendment	Amended
Residential Uses (dwelling units)			
Non-Residential Uses (square feet)			
Lot Size (Square feet/ acres)			
Lot Density (Units/ acres)			
Lot Width			
Building Height (Feet)			
Structure Length			
Floor Area Ratio (F.A.R.)			
Lot Coverage			
Open Space			
Landscape Area			
Parking Spaces			
Tower Stepback			
Building Height			
Streetwall Length			
Podium Height			
Tower Separation			
Tower Floorplate (square feet)			
Residential Unit Size (minimum)			
Does this amendment require a revision to the traffic statement or traffic study completed for the project?			
Does this amendment require a revised water sewer capacity letter?			

H EXTENSION, DEFERRAL, APPEAL INFORMATION *Provide information for specific request. Circle approving body and yes or no.*

Project Name						
Request Description						
EXTENSION REQUEST		DEFERRAL REQUEST		APPEAL REQUEST / DE NOVO HEARING		
Approving Body		Approving Body		Approving Body		
Original Approval Date		Scheduled Meeting Date		30 Days from Meeting (Provide Date)		
Expiration Date (Permit Submittal Deadline)		Requested Deferral Date		60 Days from Meeting (Provide Date)		
Expiration Date (Permit Issuance Deadline)		Previous Deferrals Granted		Appeal Request		



Requested Extension (No more than 24 months)
Code Enforcement (Applicant Obtain by Code Compliance Division)

Justification Letter Provided

Indicate Approving Body Appealing
De Novo Hearing Due to City Commission Call-Up

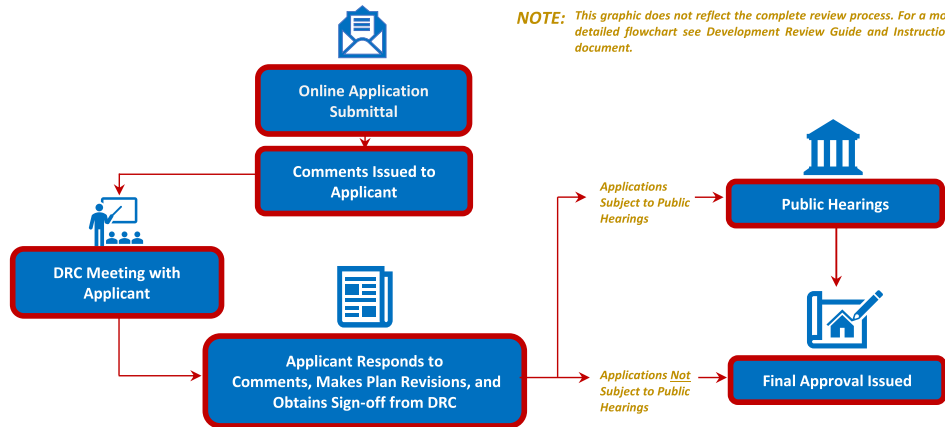
CHECKLIST FOR SUBMITTAL AND COMPLETENESS: The following checklist outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide this information will result in your application being deemed incomplete.

- Preliminary Development Meeting completed on the following date: 2-01-2024
Development Application Form completed with the applicable information including signatures.
Proof of Ownership warranty deed or tax record including corporation documents and SunBiz verification name.
Address Verification Form applicant contact Devon Anderson at 954-828-5233 or Danderson@fortlauderdale.gov
Project and Unified Land Development Code Narratives project narrative and the applicable ULDR sections and criteria as described in the specifications for submittal by application type.
Electronic Files, File Naming, and Documents consistent with the applicable specifications for application type, consistent with the online submittal requirements including file naming convention, plan sets uploaded as single pdf.
Traffic Study or Statement submittal of a traffic study or traffic statement.
Stormwater Calculations signed and sealed by a Florida registered professional engineer consistent with calculations as described in the specifications for plan submittal for site plan applications.
Water and Wastewater Capacity Request copy of email to Public Works requesting the capacity letter.

OVERVIEW FOR ONLINE SUBMITTAL REQUIREMENTS: Submittals must be conducted through the City's online citizen access portal LauderBuild. No hardcopy application submittals are accepted. Below only highlights the important submittal requirements that applicants must follow to submit online and be deemed complete. View all the requirements at LauderBuild Plan Room.

- Uploading Entire Submittal upload all documents at time the application is submitted to prevent delays in processing.
File Naming Convention file names must adhere to the City's File Naming Convention.
Reduce File Size plan sets and other large files must be merged or flattened to reduce file size.
Plan Sets plan sets like site plans, plats, etc. must be submitted as a single pdf file. Staff will instruct when otherwise.
Document Categories choose the correct document category when uploading.

DRC PROCESS OVERVIEW: The entire development review process flowchart can be found in the Development Application Guide and Instructions document. Below is a quick reference flowchart with key steps in the process to guide applicants.



CONTACT INFORMATION: Questions regarding the development process or LauderBuild, see contact information below.

Table with 2 columns: GENERAL URBAN DESIGN AND PLANNING QUESTIONS. Includes Planning Counter, phone number 954-828-6520, Option 5, and email planning@fortlauderdale.gov.

Table with 2 columns: LAUDERBUILD ASSISTANCE AND QUESTIONS. Includes DSD Customer Service, phone number 954-828-6520, Option 1, and email lauderbuild@fortlauderdale.gov.



Project: Flagler Sixth South
Address: 517 NE 6th Street
Author: Andrew J. Schein, Esq.

ULDR NARRATIVES

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Project: Flagler Sixth South
Owners: Flagler Sixth LLC
Property: 517 NE 6th Street
Author: Andrew J. Schein, Esq.

GENERAL PROJECT NARRATIVE

The Project is a multifamily mixed-use development located at 517 NE 6th Street (the “Property”). The Project consists of 260 multifamily dwelling units and 23,250 square feet of commercial space in a 31-story building. The Project will replace the plans for the previous development approved on the Property pursuant to City Case No. UDP-S21059, which included 320 residential units and 30,772 square feet of commercial space.

The Project is part of an accompanying application for the property immediately to the north, called “Flagler Sixth North”. Together, Flagler Sixth South and Flagler Sixth North were originally approved for a total of 561 residential units. The total number of units in the combined development will remain at 561 units, however the number of units in each project is being amended through these applications. Flagler Sixth South will have 260 residential units and Flagler Sixth North will have 301 residential units. Applicant is seeking to have the amendments for Flagler Sixth North and Flagler Sixth South approved contemporaneously.

Due to the size of the Flagler Sixth South and Flagler Sixth North development sites, the developments were looked at holistically to form an overall master plan for the properties. The design approach in these developments was focused on the pedestrian experience and creating viable, meaningful commercial space at the ground floor. The developer believes that creating and combining meaningful ground-floor commercial space with an unparalleled pedestrian experience is a critical goal in Flagler Village and along Federal Highway, and this Project fulfills that goal.

The Project includes wide sidewalks ranging from 9.3’ in clear width to 12.5’ in clear width. Shade trees are provided between the sidewalk and the street along all street/private drive frontages. Strategic commercial space is provided on the ground floor, with 12,750 square feet of commercial space facing NE 6th Street and an additional 10,500 square feet of commercial space facing NE 5th Terrace and the interior private drives. A grand lobby is located at the intersection of NE 6th Street and NE 5th Avenue. All loading and unloading will be contained within the building.

Project: Flagler Sixth South
Address: 517 NE 6th Street
Author: Andrew J. Schein, Esq.

DOWNTOWN MASTER PLAN NARRATIVE

PRINCIPLES OF STREET DESIGN

- S1 Maintain fine-grained street grid: discourage vacations.
RESPONSE: The Project does not include any new street vacations.
- S2 Utilize Traffic Calming rather than blocking streets.
RESPONSE: The Project does not include the blocking of any streets.
- S3 Maximize on-street parking except on major arterials.
RESPONSE: The project includes on-street parking.
- S4 Provide adequate bike lanes in a planned network (next to on street parking: 5ft; next to travel lane: 4ft).
RESPONSE: The project is not located in a known planned bike network.
- S5 Maximize street trees on all Downtown Streets.
RESPONSE: The project includes street trees along all street frontages.
- S6 Encourage location of primary row of street trees between sidewalk and street.
RESPONSE: The Project includes a primary row of street trees between the sidewalk and the street along all street frontages.
- S7 Maximum spacing for street trees: Palms -22ft.; Shade trees - 30 ft.
RESPONSE: The shade trees are spaced 30' or less on-center.
- S8 Minimum horizontal clearance (from building face) for trees: Palms - 6ft; Shade trees - 12ft.
RESPONSE: The street trees will be maintained at the preferred horizontal clearance.
- S9 Encourage shade trees along streets, palm trees to mark intersections.
RESPONSE: Shade trees are provided along all street frontages.
- S10 Eliminate County "corner chord" requirement not compatible with urban areas.
RESPONSE: The project is not designed to the County's corner chord requirement.
- S11 Encourage curb radius reduction to a preferred maximum 15ft; 20ft for major arterials.
RESPONSE: All curb radii have been reduced to 15'.

- S12 Discourage curb cuts on “primary” streets.
RESPONSE: There are no curb cuts on primary street. The curb cut will be located along NE 5th Avenue.
- S13 Encourage reduced lane widths on all streets.
RESPONSE: Lane widths have been reduced to 10’ where possible.
- S14 Encourage fixed Rights-of-Way and setbacks for all Downtown streets (to eliminate uncoordinated City setback and County easement requirements).
RESPONSE: The Project is set back 35’ from the centerline of NE 5th Avenue and 42.2’ from the centerline of NE 6th Street.
- S15 Encourage reduced design speeds on all RAC streets (15 - 40 mph).
RESPONSE: All RAC streets adjacent to the project respect these recommended design speeds.
- S16 Bury all power lines in the Downtown Area.
RESPONSE: N/A

PRINCIPLES OF BUILDING DESIGN (SCB)

- B1 Framing the street: building “street wall” should generally meet setback line (within a percentage).
RESPONSE: The Project is set back 35’ from the centerline of NE 5th Avenue and 42.2’ from the centerline of NE 6th Street.
- B2 Framing the street: encourage open space site requirements for use as pedestrian public space instead of unusable, leftover ‘green perimeter’.
RESPONSE: The Project contains a significant amount of open space, including a plaza area in front of the grand lobby at the southwest corner and large open areas surrounding the site with various pedestrian features and amenities.
- B3 Framing the street: minimum and maximum building ‘street wall’ heights (see character area guidelines for specifics).
RESPONSE: The Project meets the maximum streetwall height of seven (7) stories.
- B4 Framing the street: encourage maximum building ‘street wall’ length of 300ft.
RESPONSE: The maximum streetwall length of the Project is 236’.
- B5 Preferred maximum ‘floor plate’ area for towers (see character area guidelines for specifics).
RESPONSE: Applicant is seeking a waiver from the tower floorplate limitations. A separate waiver narrative is included in this submission.
- B6 Where towers are located on Primary (>60ft wide) and Secondary (< or = 60ft wide) Streets, the towers are encouraged to orient towards the Primary Street.
RESPONSE: The tower is oriented towards NE 6th Street.
- B7 Where towers are located on streets < or = 60ft, increased step backs from the ‘shoulder’ are encouraged to reduce the impact on the street.

RESPONSE: Acknowledged. Due to the unique design of the Project, Applicant is seeking a setback waiver. A separate waiver narrative is included in this submission.

B8 Surface parking: discourage frontage and access along ‘primary’ street.
RESPONSE: The project does not include traditional surface parking. The project only includes on-street parallel parking and structured parking.

B9 Parking garages: encourage access from secondary streets and alleys.
RESPONSE: Parking garage access will be provided along NE 5th Avenue, which is a secondary street.

Encourage street level activities and minimize visual exposure of parking, with active space on the ground floor of a parking garage.

RESPONSE: The ground floor of the building is activated to the maximum extent possible with 23,250 square feet of commercial space and a 2,500 square foot grand lobby. The only areas of the ground floor that are not maximized are those that are required for the building to function (driveway entrances, FPL vault and the fire command room).

Upper floors of a parking garage should not be visible along primary streets, waterways, and parks. Active spaces on the upper floors are encouraged as a preferred design.

RESPONSE: The upper floors of the parking garage are architecturally screened. Parking will not be visible from the street.

B10 Encourage main pedestrian entrance to face street.
RESPONSE: Main pedestrian entrances are all located on street frontages. The retail spaces have frontages on the private drives and NE 6th Street. The residential entrance fronts the intersection of NE 6th Street and NE 5th Avenue.

B11 Maximize active uses and ‘extroverted’ ground floors with retail in strategic locations.
RESPONSE: The ground floor of the building is activated to the maximum extent possible with 23,250 square feet of commercial space and a 2,500 square foot grand lobby. The only areas of the ground floor that are not maximized are those that are required for the building to function (driveway entrances, FPL vault and the fire command room).

B12 Encourage pedestrian shading devices of various types.
RESPONSE: The Project includes shade trees along all street frontages.

B13 Encourage balconies and bay windows to animate residential building facades.
RESPONSE: The Project includes balconies.

B14 In residential buildings encourage individual entrances to ground floor units (particularly in the Urban Neighborhood Character Area).
RESPONSE: Not applicable, no ground floor units proposed.

B15 High rises to maximize active lower floor uses and pedestrian-oriented design at ground floor.
RESPONSE: The ground floor of the building is activated to the maximum extent possible with 23,250 square feet of commercial space and a 2,500 square foot grand lobby. The only areas of the ground floor that are not maximized are those that are required for the building to function (driveway entrances, FPL vault and the fire command room).

- B16 Building Design guidelines do not apply to Civic Buildings and Cultural Facilities.
RESPONSE: Not applicable.
- B17 Discourage development above right-of-way (air rights).
RESPONSE: The Project does not include development over any rights-of-way.
- B18 Mitigate light pollution.
RESPONSE: The Project is not expected to produce significant light pollution. See photometric plan for details.
- B19 Mitigate noise pollution.
RESPONSE: Mechanical equipment and other noise producing equipment will be screened to meet the city's noise ordinance.
- B20 Vertical open space between towers on adjacent lots: Towers are encouraged to maintain vertical open space alongside and rear lot lines: minimum horizontal distance of 30 ft (abutting property owners can coordinate tower placement as long as maintain 60 ft clearance).
RESPONSE: The location of the tower is coordinated with the accompanying project to the north. The towers will be spaced 97' – 3" apart.
- B21 Vertical open space between multiple towers on a single development site: no less than 60 ft apart.
RESPONSE: N/A. Although the property could accommodate two (2) towers while meeting this requirement, the Project was designed as a single tower.
- B22 Residential: Encourage minimum ground floor elevation of 2 ft above public sidewalk level for individual ground floor entrances to private units.
RESPONSE: No ground floor units are proposed for the project.
- B23 Avoid drive thrus in the wrong places.
RESPONSE: The project does not include any drive-thrus.
- 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: The Project includes extensive landscaping on the 8th floor amenity deck. Due to the limited space for mechanical equipment on the roof, no additional landscaping can be provided on the roof.

QUALITY OF ARCHITECTURE (SCB)

- Q1 Skyline Drama: Encourage towers to contribute to the overall skyline composition.
RESPONSE: The top of the tower is a unique design, gradually sloping down from west to east. The roof of the tower was designed to be architecturally interesting as well as functional. Vertical elements from the façade of the tower continue through to the top of the tower, ending at the sloped concrete overhang. Additional architectural projections at the apex of the slope round out the unique tower top design.

Q2 Expressive Tops: Encourage expressive tops for tall buildings above 37 stories in Near Downtown and Downtown Core.
RESPONSE: N/A, the project is less than 37 stories.

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: The Project includes high quality materials for the entire building. The ground floor of the Project contains a significant amount of glazing due to the numerous commercial storefronts on the ground floor. The first two floors contain a mix of perforated metal paneling, concrete paneling, porcelain tile accents, and metal louver screening.

The upper floors of the podium also contain unique architectural elements including varying metal paneling and vertical louvers. The tower contains a mix of opaque glass with a minimal amount of stucco for accents, and the balconies have a mix of picket railings and glass railings.

Q4 Respect for Historic Buildings.
RESPONSE: N/A

Q5 Parking Podium Façades: Where structured parking must be exposed to the street, exceptionally creative solutions should be explored.
RESPONSE: No structured parking will be exposed to the street.

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 re- use through bio-swailes and rain gardens; solar roof panes/awnings.
RESPONSE: The Project will include energy efficient glazing and extensive landscaping. All stormwater will be retained on site. The tower of the Project was coordinated with the tower to the north, both of which are oriented in an east-west direction to take advantage of the prevailing winds and to create a breezeway corridor.

Q7 Creative Façade Composition: Encourage a rich layering of architectural elements throughout the building, with special attention to facades below the shoulder level.
RESPONSE: See response to Q3 above.

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: The Project has a unique design. Rather than projecting balconies, the Project contains inset balconies that create vertical voids in the tower massing. The tower has a curvilinear design that continues around the entirety of the tower, creating an oblong massing that differentiates itself from other towers in the area. The curved design continues down to the podium, where curved perforated metal paneling and metal louver screening connects the ground floor storefronts to the curved corners of the tower.

The rooftop was designed for both form and function. Mechanical equipment is screened behind dark stucco walls, which are wrapped with horizontal banding elements. Concrete overhangs project from the top of the walls, creating a halo effect at the roof.

PRINCIPLES OF BUILDING DESIGN (SCB)

- SF1 Retail Location Strategy: Encourage ground floor retail in preferred locations.
RESPONSE: The ground floor of the Project is maximized with active commercial uses.
- 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: The Project includes various storefront designs – see elevations for details.
- SF3 Encourage durable materials for ground floor retail and cultural uses.
RESPONSE: The ground floor will be constructed with durable materials including storefront glass, concrete paneling, perforated metal paneling, and porcelain tile.
- SF4 Encourage 15 ft minimum floor-to-floor height and encourage interior ground floor flush with adjacent public sidewalk.
RESPONSE: The proposed ground floor height is 18’ – 8”.
- SF5 Encourage significant glass coverage for transparency and views. Encourage restaurants to provide clear visual and physical connections to outdoor seating.
RESPONSE: The Project includes extensive use of glass.
- SF6 Encourage pedestrian shading devices of various types (min 5 ft depth).
RESPONSE: The Project includes entry overhangs and street trees along all street frontages.
- SF7 Encourage multi-level storefront displays to disguise unfriendly uses or blank walls. Murals and art are intended for all zones where there are blank walls enclosing parking garage program
RESPONSE: The Project does not include any unfriendly or blank walls. The storefront displays will be a mix of glass, concrete paneling, perforated metal paneling, and porcelain tile.
- SF8 Encourage well-designed night lighting solutions.
RESPONSE: Pedestrian level street lighting has been designed to provide a safe environment use for the project’s active uses without contributing excessive light pollution.

CHARACTER AREAS

Near Downtown

- 2A Frame the street with appropriate street wall heights: Shoulder: 3-7 floors
RESPONSE: The shoulder height of the project is 7 floors.
- 2B Encourage maximum building height of 30 floors.
RESPONSE: The project is 31 floors; a separate waiver narrative is included in this submission.
- 2C Encourage slender towers to complement the skyline and provide more light and air to streets and open spaces below.

RESPONSE: Applicant is seeking a waiver for floors 8-15 of the building; a separate waiver narrative is included in this submission.

Project: Flagler Sixth South
Address: 517 NE 6th Street
Author: Andrew J. Schein, Esq.

ADEQUACY REQUIREMENTS
NARRATIVE

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.

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 communications 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 receive a stormwater management permit from Broward County prior to commencing construction of the Project.

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, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and well field protection which ordinances are incorporated herein by reference:

- a. Broward County Ordinance No. 89-6.
- b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
- c. 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: N/A, the Project is not expected to impact any environmentally sensitive lands.

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: Acknowledged, the Project will comply with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

F. *Parks and open space.* *New park impact fee ordinance adopted in June 2006.*

Response: Applicant will pay all required park impact fees prior to the issuance of the 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: Applicant's design incorporates CPTED principles to minimize 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: Applicant requested a capacity letter from the City's Public Works Department on December 8, 2023 and will provide the letter to the City 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.
2. 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 proposed development.
3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

Response: Applicant requested a capacity letter from the City's Public Works Department on December 8, 2023 and will provide the letter to the City upon receipt.

J. Schools. For all residential plats, the applicant shall contribute to school facilities in accordance with the Broward County Land Development Code and shall provide documentation to the city that such contribution has been satisfied.

Response: Applicant will pay all required school concurrency fees prior to the issuance of a building permit.

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. *Solid waste facilities.* 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: Acknowledged.

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: Stormwater will be retained on site in accordance with the Broward County Department of Environmental Regulations criteria.

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 the 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; or
- 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 traffic ways 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 traffic ways.
 - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, 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 statement is included in this submission.

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: To the extent any additional right-of-way is needed, Owner will dedicate the same by easement.

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 includes sidewalks along all street frontages.

7. *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: N/A

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.

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: Street trees are provided along all street frontages.

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: Applicant requested a capacity letter from the City's Public Works Department on December 8, 2023 and will provide the letter to the City 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 off-site 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: Acknowledged.

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: This site does not have any historical or archaeological 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: N/A. Project is not located east of the Intracoastal Waterway.

Project: Flagler Sixth South
Address: 517 NE 6th Street
Author: Andrew J. Schein, Esq.

**DOWNTOWN RAC REVIEW PROCESS AND SPECIAL REGULATIONS NARRATIVE
ULDR SECTION 47-13.20**

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: Applicant has provided a separate point-by-point narrative addressing the Downtown Master Plan 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: Applicant has provided a separate point-by-point narrative addressing the Downtown Master Plan 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: Applicant has provided a separate point-by-point narrative addressing the Downtown Master Plan 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: Applicant has provided a separate point-by-point narrative addressing the Downtown Master Plan 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. The Downtown Core character area is a mixed-use central business district that encourages a variety and higher intensity of commercial, entertainment, office, civic uses and high-density housing. It is characterized by vertical slender towers with minimum stepbacks, and includes the following Downtown Regional Activity Center zoning districts which guide specific uses:
 - a. RAC-CC
 - b. RAC-AS
 - c. RAC-WMU
 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. The Urban Neighborhood area is primarily residential in nature, with supporting community retail, employment opportunities, local amenities and services. It is characterized by varied scale buildings with defined podium heights and some towers stepped back above, and includes the following Downtown Regional Activity Center zoning districts which guide specific uses:
 - a. RAC-UV
 - b. RAC-RPO
 - c. RAC-AS
 - d. RAC-EMU
 - e. RAC-WMU
 - f. RAC-SMU
- 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 Project is located in the Near Downtown character area.

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.

- 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.

- 4. Density in the RAC-TMU District and RAC-RPO District.
 - a. All development within the TMU (RAC-EMU, RAC-SMU and RAC-WMU) district that is greater in density than twenty-five (25) dwelling units per net acre shall be eligible to apply for additional dwelling units subject to the following. Such approval shall be based upon consideration of the number of additional dwelling units available under the City's Comprehensive 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, 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 allocation of any additional dwelling units, hotel rooms or both, for multifamily dwellings, hotels and mixed-use

developments shall conform to the City's Comprehensive 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.

- b. All development within the RAC-RPO district that is greater in density than thirty-five (35) dwelling units per net acre and up to fifty (50) dwelling units per net acre shall be reviewed subject to the requirements of Section 47-24.3., Conditional Use.

RESPONSE: The Project is not located within the RAC-TMU or RAC-RPO zoning districts.

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: N/A, flexibility units have already been allocated to the Property. Applicant is not seeking a new allocation of flexibility units.

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. For developments of fifty (50) residential units or less, or developments of twenty-five (25) dwelling units per acre or less density: A minimum of two hundred (200) square feet of open space per unit;

- b. For developments of between fifty-one (51) and one hundred fifty (150) residential units, or developments of greater than twenty-five (25) dwelling units per acre and up to sixty (60) dwelling units per acre density: A minimum of one hundred fifty (150) 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.a. In no case shall the minimum open space provided be less than ten thousand (10,000) square feet;
 - 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: The Project includes both residential and non-residential uses. The lot area is 67,593 square feet, which requires 6,759 square feet of open space, of which 1,690 square feet (25%) must be in landscaping and 2,704 square feet (40%) must be at grade.

The Project includes a total of 46,970 square feet of open space (694% of the requirement). Of the open space, 8,319 square feet is in landscaping (492% of the requirement) and 20,080 square feet is at grade (742% of the requirement).

- 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. Proposed maximum height at the boundary of the RAC-CC district shall be one hundred fifty (150) feet and may be increased one (1) foot for every one (1) foot of setback from the RAC-CC district boundary, for a distance of one hundred (100) feet from the RAC-CC district.
 - b. A transition zone shall be required for any development or redevelopment located within the Downtown Regional Activity Center that is within one hundred (100) feet of a nonresidential property outside of the Downtown RAC. 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 maximum of one hundred and fifty (150) feet for that portion of the structure that is within one hundred (100) feet of the zoning district boundary abutting the RAC and the height may increase a

maximum of one (1) foot for each one (1) foot of setback from the boundary for a distance of one hundred (100) feet.

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. No structure may exceed a height limitation two and one-half times the height of the maximum height of the zoning district outside of the RAC for a distance equal to mid-block of the development site or for a depth of two hundred (200) feet as measured from the zoning district boundary abutting the zoning district of the RAC, whichever is less.

RESPONSE: N/A, the Property is not in a transition zone as shown on the City's published Transition Zone Map.

- 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.
- 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.

RESPONSE: N/A, the Project only includes structured parking an on-street parallel parking. No traditional surface parking is proposed.

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.

RESPONSE: Acknowledged.

- 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:

RESPONSE: The shade trees will be maintained at a minimum 12' horizontal clearance on-center from buildings. Except for driveway entrances, the shade trees are spaced 30' or less on-center.

- 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: The live oaks and strangler figs will be a minimum of 18' feet in height and will have a minimum seven (7) foot ground clearance.

- 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: The Project includes minimum 9.3' clear sidewalks.

- 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.

- 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. A residential use or marine-related use as specified in sections 47-13.10 and 47-13.11, Boats, Watercraft and Marinas, that have portions of structures devoted to those uses that are no higher than thirty-five (35) feet in height may encroach within the setback specified above, but shall in no case be less than twenty (20) feet from the seawall or the high water mark, if no seawall exists.

If the minimum or greater setbacks specified in subsection J.1. are provided, the development plan shall be reviewed giving consideration 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.

- b. Within the RAC-CC and RAC-AS districts, structures may provide less than the minimum setback specified in subsection J.1., above or exceed the thirty-five (35) foot height limitation, as specified above, if approved in accordance with the requirements of a site plan level IV development permit, (Section 47-24.2) without planning and zoning board review, subject to the review criteria as provided in Section 47-25.3, Neighborhood Compatibility, as provided in Section 47-25.3.A.3.e.iii, and the following additional criteria and limitations are met:
 - i. Principal structures shall provide a minimum of one (1) or more setbacks totaling a minimum of twenty (20) feet, between a height of twelve (12) feet and fifty-five (55) feet.
 - ii. No portion of a structure in excess of thirty-five (35) feet in height shall encroach upon a 1:1 height-to-setback plane, as measured from a line twenty (20) feet from the seawall or high water mark, if no seawall exists, up to a height of ninety-five (95) feet. Portions of structures above ninety-five (95) feet in height may proceed vertically without additional setback, subject to the provisions of subsection J.2.c.
 - iii. Principal structures shall also provide a minimum of five (5) of the following architectural features: variation in rooflines, terracing, cantilevering, angling, balconies, arcades, cornices, architectural ornamentation, color and material banding, or courtyards, plazas or landscaped areas which encourage pedestrian interaction between the development site and the New River.

2. Additional criteria.

- a. Within the RAC-CC district only, all principal structures located on the south side of the New River shall provide a minimum setback as required so as to not produce a shadow pattern that shadows a point on the river's edge for more than four (4) hours between the hours of 9:00 a.m. and 4:00 p.m. on March 21 (spring equinox).

- b. Within the RAC-CC district only, ground level design and amenities shall functionally and visually coordinate with and complement existing public improvements along the New River adjacent or abutting the development site, including pedestrian access and landscaping.

RESPONSE: N/A, 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.
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.
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 for review and approval by the DRC and City Commission.

Project: Flagler Sixth South
Address: 517 NE 6th Street
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Narrative Addressing ULDR Section 47-13.20.J.3

Downtown RAC Alternative Design Narrative

1. General Information

The Project is a multifamily mixed-use development located at 517 NE 6th Street (the “Property”). The Project consists of 260 multifamily dwelling units and 23,250 square feet of commercial space in a 31-story building. The Project will replace the plans for the previous development approved on the Property pursuant to City Case No. UDP-S21059, which included 320 residential units and 30,772 square feet of commercial space. The design for the previous development was approved by the City Commission on August 16, 2022 pursuant to City Resolution No. 22-178, which approval included waivers to allow a 19,893 square foot floor plate on floors 8-15 of the building.

The Project is part of an accompanying application for the property immediately to the north, called “Flagler Sixth North”. Together, Flagler Sixth South and Flagler Sixth North were originally approved for a total of 561 residential units. The total number of units in the combined development will remain at 561 units, however the number of units in each project is being amended through these applications. Flagler Sixth South will have 260 residential units and Flagler Sixth North will have 301 residential units. Applicant is seeking to have the amendments for Flagler Sixth North and Flagler Sixth South approved contemporaneously.

The Project is similar to the previously-approved development but includes architectural and ground-floor design improvements as detailed throughout the plans and narratives. As with the previously-approved development, the Project includes certain waivers from the Downtown Master Plan which represent a superior design alternative to both the Master Plan’s limitations and the previously-approved development. These waivers are for (a) floorplate size, (b) tower stepback, and (c) number of stories, as explained below.

2. Floorplate Size Waiver

The ULDR limits the floorplate size of the Project to 12,500 square feet above the 7th floor. The previously-approved development was approved with a floorplate size of 19,893 square feet on floors 8-15 of the building. This Project reduces the floorplate size to 18,000 square feet on floors 9-15 of the building (approximately a 10% reduction in floorplate size from the previously-approved development) and includes a 21,083 square foot floor plate on the 8th floor for the amenity deck.

Due to the size of the Flagler Sixth South and Flagler Sixth North development sites, the developments were looked at holistically to form an overall master plan for the properties with a focus on the pedestrian experience. Combined, the properties can reasonable fit four towers, two on each site, while meeting the tower separation requirements. Although this would maximize the intensity of development on the sites, having two towers on each site would create inefficiencies in the design that would have a net negative impact at the pedestrian level. Instead of two towers on the Property with each having a 12,500 square foot floor plate, the projects were designed with a single tower on each site.

Two towers on each site would require the infrastructure to support two towers on the ground floor. Commercial space would be reduced with a second lobby, additional elevator shafts, and additional stairwells. Active ground-floor spaces would be supplanted by additional mechanical equipment rooms. While this design would meet the requirements of the Downtown Master Plan, it would create an inferior pedestrian experience and an inferior architectural layout than the proposed design. For these reasons, Applicant is proposing a single tower, albeit with a floorplate on floors 8-15 that is greater than 12,500 square feet.

The inferior two-tower option, with floorplates at 12,500 square feet, would have a total tower square footage of 575,000 square feet (12,500 square feet per floor, 23 tower floors, two towers). The proposed one-tower design, with the increased floorplates at floors 8-15, will have a total tower square footage of 347,083 square feet (21,083 square feet on the 8th floor, 18,000 square feet on floors 9-15, and 12,500 square feet on floors 16-31).

This one-tower design proposed for the Project represents a massing reduction of 227,917 square feet (575,000 – 347,083) compared to the two-tower option, which Applicant believes creates a significantly better design and reduces the overall massing compared to neighboring properties.

It's also important to note that the previously-approved development was approved with an overall square footage of 159,144 square feet on floors 8-15 (19,893 square feet per floor), while the proposed Project has an overall square footage of 147,083 square feet on floors 8-15, representing a reduction from the previous approval.

3. Tower Stepback Waiver

The Project's tower stepback is affected by two main elements: (1) a preference towards maximizing the streetscape and (2) the superior building design, particularly the balconies. These elements are explained further below.

a. Preference Towards Maximizing Streetscape

The Property is in a unique position as the only developable property in the Near Downtown character area on the north side of Sistrunk Boulevard/NE 6th Street. Sistrunk Boulevard is a unique street that is not included in the Downtown Master Plan's street section requirements. The pattern of median and turn lane locations is not consistent in this area (from Federal Highway to Andrews Avenue), which creates inconsistencies in the streetscape design of existing buildings. Some

developments have no on-street parallel parking, others have no landscape strip between the street and the sidewalk.

While these are not ideal streetscapes, these projects had to make a tradeoff between an ideal streetscape and a building design that properly functions. This Project seeks to maximize the pedestrian experience by providing an ideal streetscape and a building design that properly functions, however this comes at the cost of requiring an alternative design on the upper floors, particularly regarding the tower setbacks.

Tower setbacks and podium setbacks are interconnected. If a podium is set back closer to the street and the tower remains in the same location, the setback will be larger – in other words, tower setbacks can be increased by moving the podium closer to the street and without moving the tower. While moving the podium closer to the street is possible, it comes at the cost of usable space at the pedestrian level.

The Project's podium is set back 42' – 2" from the centerline of NE 6th Street, which allows for all of the City's preferred streetscape elements – parallel parking, a 6' landscape strip between the parallel parking and the sidewalk, and a wide (9.5') sidewalk. This Project will be the first on this stretch of Sistrunk Boulevard to provide all of the preferred streetscape elements. This comes at the cost of a decreased setback, which ranges from 3' – 3" (at the narrowest pinchpoint) to 27' – 1", with an average setback of 13' across the curvilinear design of the tower. If the podium was brought further south (at the cost of the streetscape, but to match the development to the west), the average setback would be greater than the required 15'. For this Project, preference was rightfully given to the streetscape design.

b. Superior Building Design

The proposed Project does not include projecting balconies or flat tower facades, as is typically seen in many developments throughout the City. The Project has a more architecturally interesting design, providing inset balconies and a curvilinear tower façade. While the curvilinear tower design is more aesthetically pleasing, calculating the tower setback is not as straightforward as it would be in a tower with a flat façade and 90-degree angles. The curvilinear design means that portions of the tower are stepped back far more than the City's setback requirements, while other portions are closer to the base of the podium. The portions of the tower at the pinch points may not meet the City's setback requirements, but the overall tower design meets the intent of the setback requirements to limit massing.

i. Superior Balcony Design

The City allows balconies to encroach 3' into the tower setback without any waivers, which is typical on towers with projecting balconies. This allows developments to include balconies without them counting against the setback requirement. The Project's balconies are inset within the massing of the tower. The inset balconies are superior from an architectural perspective and provide additional breaks in the massing of the tower as compared to projecting balconies on flat facades, but the disadvantage is that they cannot be excluded from the setback requirement. This

stepback waiver will help bridge the gap between the allowances given for projecting balconies and the superior design in the Project.

These balconies are inset between 9' – 7" and 27' – 1" from the façade of the podium (or between 6' – 5" and 21' – 11" from the façade of the tower). The Project could be designed to shift the tower slightly north and to have projecting balconies (meeting the code at the cost of design), but Applicant is set on providing a superior design at this important gateway to Flagler Village.

ii. Superior Façade Design

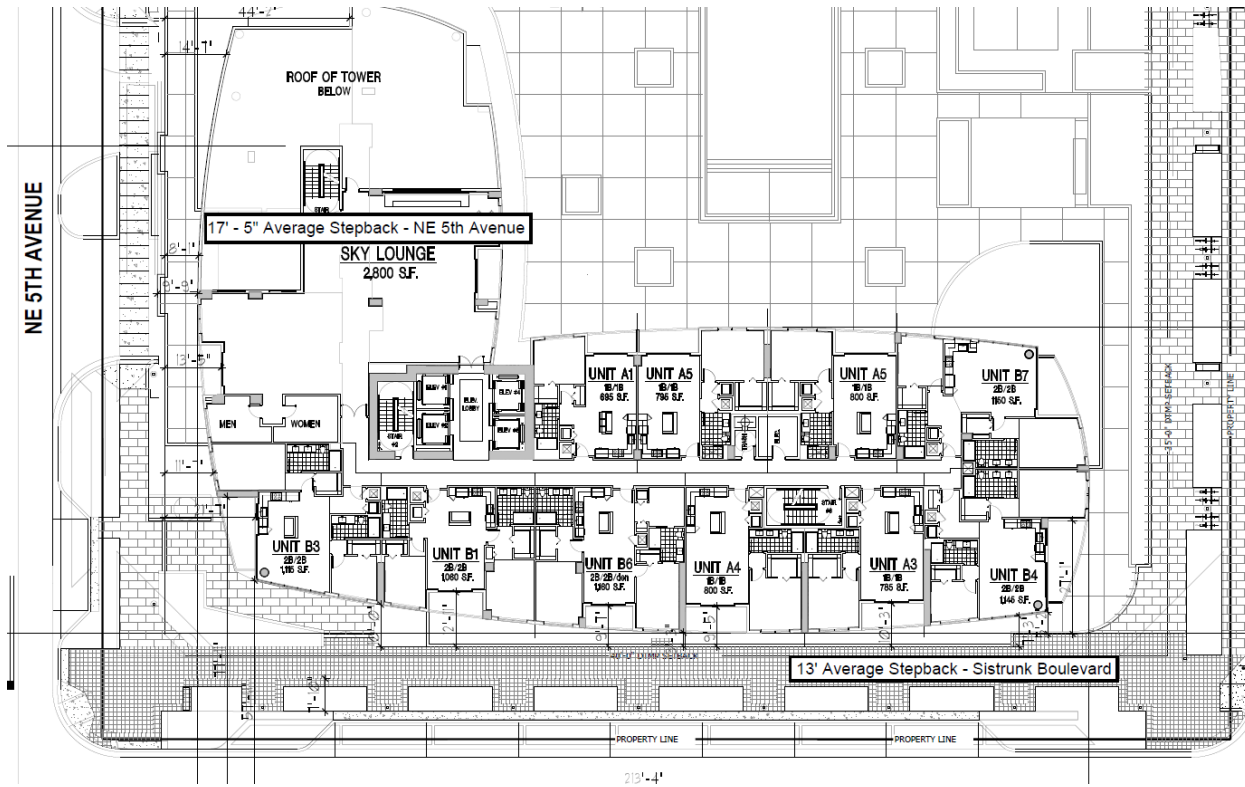
Rather than flat tower facades and 90-degree angles, the Project provides a curvilinear design to the tower. The City's stepback requirements do not work neatly with this unique design; the curved nature means that certain parts of the tower will be stepped back far more than the City's requirements, while other parts of the tower will be closer to the podium.

The smallest stepback for the Project is 3' – 3", measured in the middle of the tower on Sistrunk Boulevard and the largest stepback for the Project is 27' – 1", measured at the easternmost point of the tower on Sistrunk Boulevard; see Figure 1 on the following page. The average stepback across this façade is 13', which could be increased to 15' – 2" if the podium was shifted further south (as mentioned above, at the cost of an inferior streetscape).

The curvilinear design necessitates the analysis of the average stepback, whereas a building with 90-degree angles and a flat façade does not. Although the Applicant is seeking a stepback waiver, this average stepback analysis on a curvilinear building shows that the Project's design meets the overall intent of the Downtown Master Plan.

The curvilinear design is continued on the west façade facing NE 5th Avenue, with consistent tower and podium designs. The curvilinear nature of the west façade creates a minimum stepback of 8' – 1", a maximum of 44' – 2", and an average of 17' – 5", also meeting the intent of the Downtown Master Plan while providing a superior design.

Figure 1 – Stepbacks



4. Number of Floors Waiver

As previously mentioned, Flagler Sixth South (this Project) and Flagler Sixth North were designed with a holistic approach to ensure that the developments complement one another and functionally interact together. Flagler Sixth North was approved at a height of 336' – 8" and will remain at that height. This application includes raising the approved height from 3' – 8" to match Flagler Sixth North, ensuring a consistent and complementary development. Due to the height change, the floor-to-ceiling heights of the floors needed to be reworked to create efficiencies in design and construction. This floor-to-ceiling height adjustment necessitated the addition of a floor to the Project, raising the number of floors from 30 to 31.

Since the Project will be at the same height as Flagler Sixth North and is within the typical heights of a 30-story building, this addition of a floor meets the intent of the Downtown Master Plan. The overall scale of the building will remain substantially the same with only a 3' – 8" increase in the height.