



## 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.

| <b>A APPLICATION TYPE AND APPROVAL LEVEL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Select the application type from the list below and check the applicable type.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <input type="checkbox"/> <b>LEVEL I</b><br><b>ADMINISTRATIVE REVIEW COMMITTEE (ADMIN)</b> <ul style="list-style-type: none"><li>New nonresidential less than 5,000 square feet</li><li>Change of use (same impact or less than existing use)</li><li>Plat note/Nonvehicular access line amendment</li><li>Administrative site plan</li><li>Amendment to site plan*</li><li>Property and right-of-way applications (MOTs, construction staging)</li><li>Parking Agreements (separate from site plans)</li></ul> <b>COMPLETE SECTIONS</b><br>B, C, D, G | <input type="checkbox"/> <b>LEVEL II</b><br><b>DEVELOPMENT REVIEW COMMITTEE (DRC)</b> <ul style="list-style-type: none"><li>New Nonresidential 5,000 square feet or greater</li><li>Residential 5 units or more</li><li>Nonresidential use within 100 feet of residential property</li><li>Redevelopment proposals</li><li>Change in use (if great impact than existing use)</li><li>Development in Regional Activity Centers (RAC)*</li><li>Development in Uptown Project Area*</li><li>Regional Activity Center Signage</li><li>Design Review Team (DRT)</li><li>Affordable Housing (≥10%)</li></ul> <b>COMPLETE SECTIONS</b><br>B, C, D, E, F | <input type="checkbox"/> <b>LEVEL III</b><br><b>PLANNING AND ZONING BOARD (PZB)</b> <ul style="list-style-type: none"><li>Conditional Use</li><li>Parking Reduction</li><li>Flex Allocation</li><li>Cluster / Zero Lot Line</li><li>Modification of Yards*</li><li>Waterway Use</li><li>Mixed Use Development</li><li>Community Residences*</li><li>Social Service Residential Facility (SSRF)</li><li>Medical Cannabis Dispensing Facility*</li><li>Community Business District for uses greater than 10,000 square feet</li></ul> <b>COMPLETE SECTIONS</b><br>B, C, D, E, F | <input checked="" type="checkbox"/> <b>LEVEL IV</b><br><b>CITY COMMISSION (CC)</b> <ul style="list-style-type: none"><li>Land Use Amendment</li><li>Rezoning</li><li>Plat</li><li>Public Purpose Use</li><li>Central Beach</li><li>Development of Significant Impact*</li><li>Vacation of Right-of-Way</li><li>City Commission Review Only (review not required by PZB)</li><li>Vacation of Easement*</li></ul> <b>COMPLETE SECTIONS</b><br>B, C, D, E, F |
| <input type="checkbox"/> <b>EXTENSION</b><br><br>Request to extend approval date for a previously approved application<br><b>COMPLETE SECTIONS</b><br>B, C, H                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> <b>DEFERRAL</b><br><br>Request to defer after an application is scheduled for public hearing<br><b>COMPLETE SECTIONS</b><br>B, C, H                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> <b>APPEAL/DE NOVO</b><br><ul style="list-style-type: none"><li>Appeal decision by approving body</li><li>De Novo hearing items</li></ul> <b>COMPLETE SECTIONS</b><br>B, C, H                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> <b>PROPERTY AND ROW ITEM</b><br><ul style="list-style-type: none"><li>Road closures</li><li>Construction staging plan</li><li>Revocable licenses</li></ul> <b>COMPLETE SECTIONS</b><br>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>B APPLICANT INFORMATION</b>                                                                             |                                                                                                     |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| If applicant is the business operator, complete the agent column and provide property owner authorization. |                                                                                                     |
| <b>Applicant/Property Owner</b>                                                                            | Shalommax LLC, Kelvin Deonarine Rev Liv Tr, SSC Coastline Properties LLC, Serengeti Progresso I LLC |
| <b>Address</b>                                                                                             | Please see attached Tax Record                                                                      |
| <b>City, State, Zip</b>                                                                                    |                                                                                                     |
| <b>Phone</b>                                                                                               | 9545222010                                                                                          |
| <b>Email</b>                                                                                               | JCRUSH@CRUSHLAW.COM                                                                                 |
| <b>Proof of Ownership</b>                                                                                  | Tax Record                                                                                          |
| <b>Applicant Signature:</b>                                                                                |                                                                                                     |
| <b>Authorized Agent</b>                                                                                    | CRUSH LAW PA-JASON CRUSH                                                                            |
| <b>Address</b>                                                                                             | 888 E LAS OLAS BLVD, STE 201                                                                        |
| <b>City, State, Zip</b>                                                                                    | FORT LAUDERDALE, FL 33301                                                                           |
| <b>Phone</b>                                                                                               | 9545222010                                                                                          |
| <b>Email</b>                                                                                               | JCRUSH@CRUSHLAW.COM                                                                                 |
| <b>Authorization Letter</b>                                                                                | Letter Attached                                                                                     |
| <b>Agent Signature:</b>                                                                                    | Jason S. Crush                                                                                      |

| <b>C PARCEL INFORMATION</b>      |                                    |
|----------------------------------|------------------------------------|
| <b>Address/General Location</b>  | 816 NW 3rd Ave; 819-821 NW 2nd Ave |
| <b>Folio Number(s)</b>           | SEE NARRATIVE FOR LIST OF FOLIOS   |
| <b>Legal Description (Brief)</b> | See Attached. PROGRESSO 2-18       |
| <b>City Commission District</b>  | DISTRICT II                        |
| <b>Civic Association</b>         | PROGRESSO VILLAGE                  |

| <b>D LAND USE INFORMATION</b> |                                                            |
|-------------------------------|------------------------------------------------------------|
| <b>Existing Use</b>           | MULTIFAMILY AND VACANT LOTS                                |
| <b>Land Use</b>               | NW REGIONAL ACTIVITY CENTER                                |
| <b>Zoning</b>                 | RMM-25                                                     |
| <b>Proposed</b>               | Applications requesting land use amendments and rezonings. |
| <b>Proposed Land Use</b>      | NW REGIONAL ACTIVITY CENTER                                |
| <b>Proposed Zoning</b>        | NWRAC-MUe                                                  |

| <b>E PROJECT INFORMATION</b>                                                                        |                                                                                                                            |     |     |      |      |      |      |      |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-----|-----|------|------|------|------|------|
| Provide project information. Circle yes or no where noted. If item is not applicable, indicate N/A. |                                                                                                                            |     |     |      |      |      |      |      |
| <b>Project Name</b>                                                                                 | REZONING FROM RMM-25 TO NWRAC-MUe                                                                                          |     |     |      |      |      |      |      |
| <b>Project Description (Describe in detail)</b>                                                     | REZONING PROPERTIES FROM RMM-25 TO NWRAC-MUe                                                                               |     |     |      |      |      |      |      |
| <b>Estimated Project Cost</b>                                                                       | \$ 00 (Estimated total project cost including land costs for all new development applications only)                        |     |     |      |      |      |      |      |
| <b>Affordable Housing Number of Units</b>                                                           | <table border="1"><tr><td>30%</td><td>50%</td><td>60%</td><td>80%</td><td>100%</td><td>120%</td><td>140%</td></tr></table> | 30% | 50% | 60%  | 80%  | 100% | 120% | 140% |
| 30%                                                                                                 | 50%                                                                                                                        | 60% | 80% | 100% | 120% | 140% |      |      |



|                           |                                                                |
|---------------------------|----------------------------------------------------------------|
| Waterway Use              | NO                                                             |
| Flex Units Request        | NO                                                             |
| Commercial Flex           |                                                                |
| Acreage                   | NO                                                             |
| Residential Uses          |                                                                |
| Single Family             | NA                                                             |
| Townhouses                | NA                                                             |
| Multifamily               | NA                                                             |
| Cluster/Zero Lot Line     | NA                                                             |
| Other                     | NA                                                             |
| Total (dwelling units)    | NA                                                             |
| Unit Mix (dwelling units) | Studio or Efficiency    1- Bedroom    2- Bedroom    3+ Bedroom |

|                        |     |
|------------------------|-----|
| Traffic Study Required | NO  |
| Parking Reduction      | NO  |
| Public Participation   | YES |
| Non-Residential Uses   | NA  |
| Commercial             | NA  |
| Restaurant             | NA  |
| Office                 | NA  |
| Industrial             | NA  |
| Other                  | NA  |
| Total (square feet)    | NA  |

**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)                                                                                                               | NA                | NA       |           |
| Lot Density (Units/ acres)                                                                                                                  | NA                | NA       |           |
| Lot Width                                                                                                                                   | NA                | NA       |           |
| Building Height (Feet)                                                                                                                      | NA                | NA       |           |
| Structure Length                                                                                                                            | NA                | NA       |           |
| Floor Area Ratio (F.A.R.)                                                                                                                   | NA                | NA       |           |
| Lot Coverage                                                                                                                                | NA                | NA       |           |
| Open Space                                                                                                                                  | NA                | NA       |           |
| Landscape Area                                                                                                                              | NA                | NA       |           |
| Parking Spaces                                                                                                                              | NA                | NA       |           |
| SETBACKS (Indicate direction N.S.E.W)                                                                                                       | Required Per ULDR | Proposed |           |
| Front [ ]                                                                                                                                   | NA                | NA       |           |
| Side [ ]                                                                                                                                    | NA                | NA       |           |
| Corner / Side [ ]                                                                                                                           | NA                | NA       |           |
| Rear [ ]                                                                                                                                    | NA                | NA       |           |
| For projects in Downtown, Northwest, South Andrews, and Uptown Master Plans to be completed in conjunction with the applicable items above. |                   |          |           |
| Tower Stepback                                                                                                                              | Required Per ULDR | Proposed | Deviation |
| Front / Primary Street [ ]                                                                                                                  | NA                | NA       |           |
| Sides / Secondary Street [ ]                                                                                                                | NA                | NA       |           |
| Building Height                                                                                                                             | NA                | NA       |           |
| Streetwall Length                                                                                                                           | NA                | NA       |           |
| Podium Height                                                                                                                               | NA                | NA       |           |
| Tower Separation                                                                                                                            | NA                | NA       |           |
| Tower Floorplate (square feet)                                                                                                              | NA                | NA       |           |
| Residential Unit Size (minimum)                                                                                                             | NA                | NA       |           |

**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             | Scheduled Meeting |  | Approving Body                      |
| Original Approval Date                      |                   | Date                       |                   |  | 30 Days from Meeting (Provide Date) |
| Expiration Date (Permit Submittal Deadline) |                   | Requested Date             | Deferral          |  | 60 Days from Meeting (Provide Date) |
| Expiration Date (Permit Issuance Deadline)  |                   | Previous Deferrals Granted |                   |  | Appeal Request                      |



|                                                                           |  |                                      |  |                                                       |  |
|---------------------------------------------------------------------------|--|--------------------------------------|--|-------------------------------------------------------|--|
| <b>Requested Extension</b><br>(No more than 24 months)                    |  | <b>Justification Letter Provided</b> |  | <b>Indicate Approving Body Appealing</b>              |  |
| <b>Code Enforcement</b><br>(Applicant Obtain by Code Compliance Division) |  |                                      |  | <b>De Novo Hearing Due to City Commission Call-Up</b> |  |

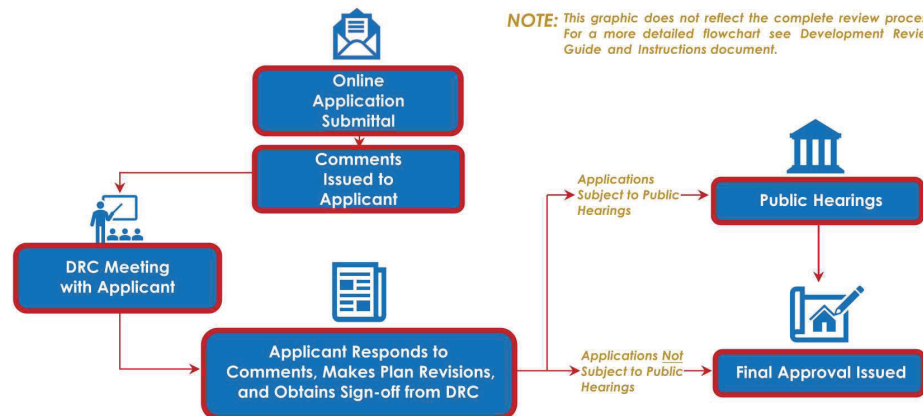
**CHECKLIST FOR SUBMITTAL AND COMPLETENESS:** The following checklist outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide this information will result in your application being deemed **incomplete**.

- ☒ **Preliminary Development Meeting** completed on the following date: PROVIDE DATE
- ☒ **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 David Goodrum at 954-828-5976 or [DGoodrum@fortlauderdale.gov](mailto:DGoodrum@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.

| GENERAL URBAN DESIGN AND PLANNING QUESTIONS                                                                                | LAUDERBUILD ASSISTANCE AND QUESTIONS                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Planning Counter<br>954-828-6520, Option 5<br><a href="mailto:planning@fortlauderdale.gov">planning@fortlauderdale.gov</a> | DSD Customer Service<br>954-828-6520, Option 1<br><a href="mailto:lauderbuild@fortlauderdale.gov">lauderbuild@fortlauderdale.gov</a> |

# 816 NW 3rd Ave, LLC

February 8, 2024

David Soloman  
City Clerk  
100 N. Andrews Avenue  
City of Fort Lauderdale, FL 33301

**RE: Properties located at 816 NW 3<sup>rd</sup> Avenue (Folio: 4942 34 06 3670); 822 NW 3<sup>rd</sup> Avenue (Folios: 4942 34 06 3640; 4942 34 06 3650; 4942 34 06 3660; and 4942 34 06 3680); 828 NW 3<sup>rd</sup> Avenue (Folio: 4942 34 06 3710); and 830 NW 3<sup>rd</sup> Avenue (Folio: 4942 34 06 3721) in Fort Lauderdale, Florida (the "Properties")**

Mr. Soloman,

Crush Law, P.A., specifically Courtney Crush and Jason Crush are authorized to represent 816 NW 3rd Ave, LLC, to obtain rezoning approvals for the Properties in the City of Fort Lauderdale.

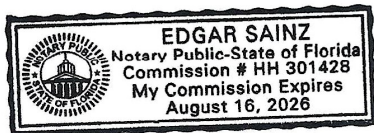
Sincerely,

M  
Arthur Bartholomew - Manager  
816 NW 3rd Ave, LLC

STATE OF Florida  
COUNTY OF Broward

Sworn to and subscribed before me this 8<sup>th</sup> day of February 2024, by Arthur Bartholomew  
who is personally known to me ☒ or produced identification ☐  
Type of Identification Produced \_\_\_\_\_

(SEAL)



[Signature]  
Signature of Notary Public, State of Florida

Edgar Sainz  
Print, type or stamp name of notary

My Commission Expires: 8/16/2026

# 819-821 NW 2ND AVE LLC

3/18/2025

David Soloman  
City Clerk  
100 N. Andrews Avenue  
City of Fort Lauderdale, FL 33301

**RE: Properties located at 819-821 NW 2<sup>nd</sup> Avenue (Folio: 4942 34 06 3550) in Fort Lauderdale (the "Properties")**

Mr. Soloman,

Crush Law, P.A., specifically Courtney Crush and Jason Crush are authorized to represent 819-821 NW 2ND AVE LLC, to obtain rezoning approvals for the Properties in the City of Fort Lauderdale.

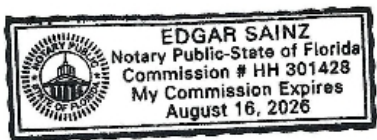
Sincerely,

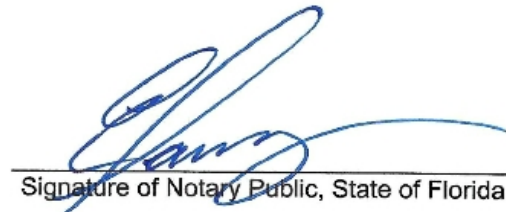
  
\_\_\_\_\_  
Arthur Bartholomew  
Managing Member

STATE OF FLORIDA  
COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19<sup>th</sup> day of March 2025 by Arthur Bartholomew, of 819-821 NW 2ND AVE, LLC, a Florida limited liability company, on behalf of the company, who is "personally known" to me or has produced \_\_\_\_\_ as identification.

(SEAL)



  
\_\_\_\_\_  
Signature of Notary Public, State of Florida

Edgar Sainz  
\_\_\_\_\_  
Print, type or stamp name of notary

My Commission Expires: August 16, 2026

# SHALOMMAX LLC

January 30, 2024

David Solomon  
City Clerk  
100 N. Andrews Avenue  
City of Fort Lauderdale, FL 33301

**Re: Property located at 823 NW 2<sup>nd</sup> Avenue Having Folio Number: 494234063540  
in Fort Lauderdale, Florida (the "Property")**

Dear Mr. Solomon,

Crush Law, P.A., specifically Courtney Crush and Jason Crush are authorized to represent Shalommax, LLC, to obtain rezoning approvals for the Property in the City of Fort Lauderdale.

Sincerely,

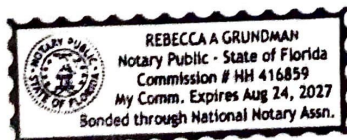
  
Goran Dragoslavich  
Shalommax, LLC

STATE OF Florida  
COUNTY OF Broward

Sworn to and subscribed before me this 30 day of Jan 2024, by Goran Dragoslavich  
who is:

Personally known to me ✓  
OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

(SEAL)



Rebecca A Grundman

Notary Public, State of Florida

Rebecca A Grundman

Print, type or stamp name of notary

My Commission Expires: Aug 24, 2027



## **Rezoning Request RMM-25 to NWRAC-MUe**

### **Contents:**

**Section 1: Proposed Description of Rezoning**

**Section 2: Section 47-24.4.D Rezoning Criteria**

**Section 3: Section 47-25.2 Adequacy Requirements**

### **Section 1: Proposed Description of Rezoning**

Our firm is representing, WSC Coastline Properties, LLC; Shalommax, LLC; and 816 NW 3<sup>rd</sup> Ave, LLC (collectively known as the "Property Owners"). The Property Owners have come together to request to rezone the properties listed below to Northwest Regional Activity Center – Mixed Use East ("NWRAC-MUe").

#### **Property List:**

1. NW 2<sup>nd</sup> Avenue – Folio: 4942 34 06 3590
2. 815-817 NW 2<sup>nd</sup> Avenue – Folio: 4942 34 06 3570
3. 819-821 NW 2<sup>nd</sup> Avenue – Folio: 4942 34 06 3550
4. 823 NW 2<sup>nd</sup> Avenue – Folio: 4942 34 06 3540
5. 816 NW 3<sup>rd</sup> Avenue – Folio: 4942 34 06 3670
6. 822 NW 3<sup>rd</sup> Avenue
  - a. Folio: 4942 34 06 3640
  - b. Folio: 4942 34 06 3650
  - c. Folio: 4942 34 06 3660
  - d. Folio: 4942 34 06 3680
7. 828 NW 3<sup>rd</sup> Avenue – Folio: 4942 34 06 3710
8. 830 NW 3<sup>rd</sup> Avenue – Folio: 4942 34 06 3721

The properties listed above are collectively known as the "Properties".

The Properties are currently zoned Residential Multifamily Midrise/Medium High-Density District ("RMM-25"). To be consistent with the Northwest Regional Activity Center land use, the Property Owners respectfully request to rezone the Properties from RMM-25 zoning district to NWRAC-MUe.

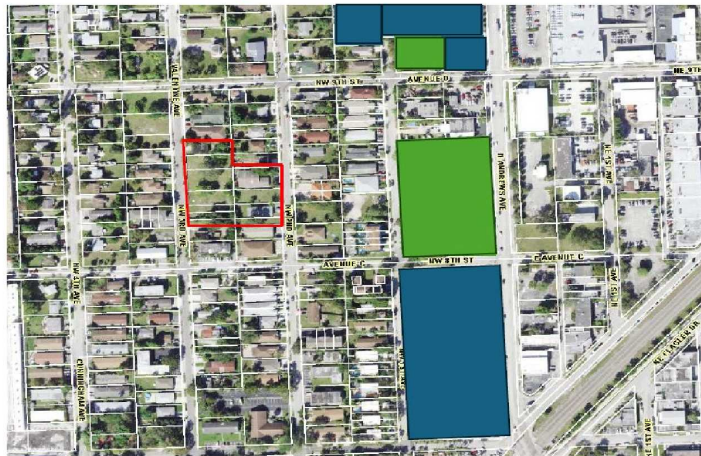
This rezoning application not only satisfies the rezoning requirements as set forth in the City of Fort Lauderdale's Unified Land Development Regulations ("ULDR"), but the rezoning request is also consistent with the intent of the NWRAC land use designation, NWRAC Master Plan, and Northwest/Progresso/Flagler Heights Implementation Plan, which aim to redevelop and transform the area from relatively under-utilized parcels to a thriving, multifamily, pedestrian-friendly environment with a variety of neighborhood serving uses.

Further, the rezoning application is consistent with the surrounding neighborhood. As the City's intent for the NWRAC Master Plan comes to life, many properties within the NWRAC future land use are requesting to rezone to NWRAC-MUe. In creating the NWRAC Master Plan, City staff intended that the NWRAC "corridors will allow the area to redevelop from a relatively under-utilized resource to a bicycle and pedestrian-friendly urban corridor that offers a mix of uses to serve nearby neighborhoods and bring the corridor back to the vibrant and thriving business,



shopping, cultural and entertainment area that it once was". *Northwest Regional Activity Center Illustration of Design Standards.*

The aerial below depicts the Properties to be rezoned in this application in **red**, which in total is approximately 1.54 acres. Those properties outlined in **blue** have already been rezoned to NWRAC-MUe and the properties in **green** are pending approval for rezoning to NWRAC-MUe.



## **Section 2: Section 47-24.4.D Rezoning Criteria**

1. *The zoning district proposed is consistent with the City's Comprehensive Plan.*

Response: Rezoning the Properties from RMM-25 to NWRAC-MUe will provide a zoning designation that is consistent with the City's future land use designation. Further, the proposed rezoning is consistent with the City's Comprehensive Plan and NWRAC Master Plan, as it will allow the creation of the intended multifamily, pedestrian-friendly development that offers a mix of neighborhood serving uses. Further still, when creating the NWRAC Master Plan and amending the future land use designation to NWRAC, City staff's intention was to restore the once vibrant and thriving business, shopping, cultural and entertainment area which new residential uses support.

2. *The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.*

Response: This request to rezone the Properties NWRAC-MUe is consistent with the underlying land use and neighboring zoning districts. The proposed rezoning would maintain the character of the neighborhood and support a vibrant multifamily development. In this particular neighborhood, several properties have already been rezoned to NWRAC-MUe and at least two additional rezoning applications are pending City approval. As proposed, this rezoning application is compatible with the surrounding neighborhood as it assists in the transition to a vibrant, pedestrian-friendly, multifamily area which permits a variety of neighborhood serving uses.



3. *The character of the area surrounding the parcel proposed to be rezoned is compatible with the uses permitted in the proposed zoning district.*

Response: The NWRAC Master Plan is intended to promote and enhance the existing mix of uses and character of the NWRAC-MUE by providing for a wide mix of residential and non-residential uses.

**Section 3: Section 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: Understood.

- 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 Properties are platted and no site plan is currently proposed.

- 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 (2½) inches of runoff from the impervious surface whichever is greater.*

Response: The Properties are platted and no site plan is currently proposed.

- 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 wellfield 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: The Properties are platted and no site plan is currently proposed. The Property is not an environmentally sensitive land.

- 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: The Properties are platted and no site plan is currently proposed.

*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: The Properties are platted and no site plan is currently proposed.

*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: The Properties are platted and no site plan is currently proposed

*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: The Properties are platted and no site plan is currently proposed. The Property is currently served by existing City water and wastewater facilities.

*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: The Properties are platted and no site plan is currently proposed. The Property is currently served by existing City water and wastewater facilities.

*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: The Properties are platted and no site plan is currently proposed.

*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: The Properties are platted and no site plan is currently proposed. The Property is currently served by existing solid waste collection facilities.

*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 Properties are platted and no site plan is currently proposed. The Property is currently served by existing stormwater facilities.

*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 (½) 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 (½) 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: The Properties are platted and no site plan is currently proposed.

- 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: The Properties are platted and no site plan is currently proposed.

- 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 Properties are platted and no site plan is currently proposed.

- 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: The Properties are platted and no site plan is currently proposed.

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: The Properties are platted and no site plan is currently proposed.

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 Properties are platted and no site plan is currently proposed.

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: The Properties are platted and no site plan is currently proposed. The Property is currently served by existing City water and wastewater facilities.

- 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: The Properties are platted and no site plan is currently proposed.

- 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 Properties are platted and no site plan is currently proposed. There are no identified archaeological or historically significant buildings on the Property.

- 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: The Properties are not located east of the Intracoastal Waterway.