

Project: Las Olas Heron Garage
Property: 216 SE 8th Avenue
Owner: City of Fort Lauderdale
Applicant: Las Olas Parking Solutions LLC

GENERAL PROJECT NARRATIVE

The Project is a public/private partnership with the City of Fort Lauderdale and Las Olas Parking Solutions LLC. The Project is located at 216 SE 8th Avenue, which is the site of an existing 105-space surface parking lot. The proposed project will transform the surface parking lot into a 5-story structured parking garage containing 302 structured parking spaces. The project includes active uses on the ground floor, including 6,563 square feet of restaurant uses, 10,539 square feet of retail uses, and an 8,544 square foot fire/EMS substation.

The parking garage and fire/EMS substation will provide significant benefits to the surrounding area. With nearly triple the number of parking spaces that currently exist on the Property, the garage will help alleviate traffic on Las Olas and the surrounding streets. Although parking spaces are available on Las Olas and the surrounding streets, they are not in a central area. This causes cars to circulate around Las Olas and the surrounding streets in search of available parking. By centralizing a large number of public parking spaces in a single structure, many of these circulation trips will be eliminated. There is also an apparent need for a fire/EMS substation in east Fort Lauderdale. The fire/EMS substation in the Project will help to improve response times to the surrounding area.

In keeping with the pattern of development in and around the area, the project includes minimum 7'-wide sidewalks, multiple shading devices, and open plaza areas at the intersections. The project was designed to mimic the look of a midrise residential/office building, which will assist in shielding the surrounding areas from light emitted by the vehicles.

Trash pickup will be handled via the abutting alley to the south. To maximize the active uses on the ground floor, most of the back-of-house areas (electrical room, trash room, generator room, etc.) will also face the abutting alley. The entrances for the commercial tenants will face the street.

The Property has split zoning. The eastern portion of the Property is zoned RMM-25 and the western portion of the Property is zoned RAC-EMU. Applicant is proposing to rezone the RMM-25 portion to CB. The total site area is 43,860 square feet; the RAC-EMU portion is 16,460 square feet and the proposed CB portion is 27,400 square feet.

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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: N/A, the Project is not a residential development.

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 water/wastewater capacity letter from the City's Public Works Department 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 water/wastewater capacity letter from the City's Public Works Department 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: N/A, the Project is not a residential development.

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: Applicant included a traffic impact statement in this submission and will provide a traffic study to the City if required.

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: Acknowledged. As the Property is owned by the City, Applicant will coordinate with City on the mechanism to grant any required right-of-way.

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. Applicant will work with the City to determine how the streetscape on the west side of the Project, where the lift station is located, will transition to the adjacent properties.

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 water/wastewater capacity letter from the City's Public Works Department 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.

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DOWNTOWN MASTER PLAN NARRATIVE

PRINCIPLES OF STREET DESIGN

- S1 Maintain fine-grained street grid: discourage vacations.
RESPONSE: The Project does not include any 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: Due to the nature of the project and the limited space available, on-street parking is not provided. The Project includes wide sidewalks and street trees/landscaping in lieu of on-street parallel 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 on SE 2nd Court. Due to the conflict with the existing lift station on the northwest corner of the site and the entrance to the garage on the west portion of the site, street trees are not provided between the sidewalk and the street on SE 8th Avenue. Applicant will work with the City to determine if street trees can be added in this area without being in conflict with the lift station.
- S7 Maximum spacing for street trees: Palms -22ft.; Shade trees - 30 ft.
RESPONSE: The street trees are spaced approximately 30 feet on center.
- S8 Minimum horizontal clearance (from building face) for trees: Palms - 6ft; Shade trees - 12ft.
RESPONSE: The trees will be maintained at a minimum horizontal clearance of 12 feet.
- S9 Encourage shade trees along streets, palm trees to mark intersections.
RESPONSE: A palm tree is proposed at the intersection of SE 8th Avenue and SE 2nd Court.

- 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: The curb radii are 15'.
- S12 Discourage curb cuts on "primary" streets.
RESPONSE: The Project does not abut any primary streets.
- S13 Encourage reduced lane widths on all streets.
RESPONSE: Lane widths are proposed at 10'.
- S14 Encourage fixed Rights-of-Way and setbacks for all Downtown streets (to eliminate uncoordinated City setback and County easement requirements).
RESPONSE: A 35' setback from the centerline of SE 2nd Court cannot be provided without impacting the functionality of the parking garage. The setback along SE 2nd Court is reduced to 27.4', which allows for the required sidewalk width and landscaping/trees between the sidewalk and the street. The reduced setback does not allow for parallel parking, however the Project includes 302 structured parking spaces. A similar condition exists on SE 8th Avenue, where a 31.5' setback is provided.
- 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: All overhead powerlines are proposed to be buried.

PRINCIPLES OF BUILDING DESIGN (SCB)

- B1 Framing the street: building "street wall" should generally meet setback line (within a percentage).
RESPONSE: A 35' setback from the centerline of SE 2nd Court cannot be provided without impacting the functionality of the parking garage. The setback along SE 2nd Court is reduced to 27.4', which allows for the required sidewalk width and landscaping/trees between the sidewalk and the street. The reduced setback does not allow for parallel parking, however the Project includes 302 structured parking spaces. A similar condition exists on SE 8th Avenue, where a 31.5' setback is provided.
- B2 Framing the street: encourage open space site requirements for use as pedestrian public space instead of unusable, leftover 'green perimeter'.
RESPONSE: The Project includes corner plazas at both intersections.
- B3 Framing the street: minimum and maximum building 'street wall' heights (see character area guidelines for specifics).
RESPONSE: At 5 stories, the Project is below the maximum streetwall height.
- B4 Framing the street: encourage maximum building 'street wall' length of 300ft.

RESPONSE: The maximum streetwall length on the RAC-zoned portion of the property is approximately 103'.

- B5 Preferred maximum 'floor plate' area for towers (see character area guidelines for specifics).
RESPONSE: N/A, the Project does not include a tower.
- 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: N/A, the Project does not include a tower.
- 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: N/A, the Project does not include a tower.
- B8 Surface parking: discourage frontage and access along 'primary' street.
RESPONSE: N/A, the Project does not include surface parking.
- B9 Parking garages: encourage access from secondary streets and alleys.
RESPONSE: Parking garage access will be provided along SE 8th 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: No parking will be located on the first floor. The first floor only includes ingress/egress to the parking garage, retail and restaurant uses, an EMS station, and various back-of-house uses (generator room, elevators, etc.).
- 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 garage are designed to mimic a residential/office building – parking will not be visible from the street.
- B10 Encourage main pedestrian entrance to face street.
RESPONSE: Pedestrian entrances face SE 8th Avenue, SE 2nd Court, and SE 9th Avenue.
- B11 Maximize active uses and 'extroverted' ground floors with retail in strategic locations.
RESPONSE: Except for the required back-of-house uses, the entirety of the ground floor contains active uses.
- B12 Encourage pedestrian shading devices of various types.
RESPONSE: The Project includes shade trees and awnings.
- B13 Encourage balconies and bay windows to animate residential building facades.
RESPONSE: N/A, the Project does not include residential uses.
- B14 In residential buildings encourage individual entrances to ground floor units (particularly in the Urban Neighborhood Character Area).
RESPONSE: N/A, the Project does not include residential uses.
- B15 High rises to maximize active lower floor uses and pedestrian-oriented design at ground floor.

RESPONSE: N/A, the Project is not a high rise.

- B16 Building Design guidelines do not apply to Civic Buildings and Cultural Facilities.
RESPONSE: N/A
- 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 excessive light pollution. The parking garage is screened to mitigate the visibility of vehicle lights.
- 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: N/A, the Project does not include a tower.
- B21 Vertical open space between multiple towers on a single development site: no less than 60 ft apart.
RESPONSE: N/A, the Project does not include a tower.
- B22 Residential: Encourage minimum ground floor elevation of 2 ft above public sidewalk level for individual ground floor entrances to private units.
RESPONSE: N/A, the Project does not include residential uses.
- 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 roof will contain additional structured parking.

QUALITY OF ARCHITECTURE (SCB)

- Q1 Skyline Drama: Encourage towers to contribute to the overall skyline composition.
RESPONSE: N/A, the Project does not include a tower.
- Q2 Expressive Tops: Encourage expressive tops for tall buildings above 37 stories in Near Downtown and Downtown Core.
RESPONSE: N/A, the Project does not include a tower.
- 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 first 2 floors of the building will be made of high-quality materials, including porcelain tile, aluminum window framing systems, and extensive glass at the storefronts.

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: The structured parking is screened and will not 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-swales and rain gardens; solar roof panes/awnings.

RESPONSE: The Project includes open breezeways at the staircases connecting the parking garage floors. The garage is oriented in an east-west direction, allowing the prevailing winds to flow through the ground floor and open breezeways.

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

RESPONSE: The use of high-quality materials is continued from the ground floor to the top of the parking garage. Due to the use, durability is an important aspect of the Project. The Project includes stucco facades accented by porcelain tile veneer and ceramic tile on the upper floors.

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 is a parking garage. Important consideration was given to the design of the garage to make it mimic the look of a residential/office building.

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 and heights – see elevations for details.

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

RESPONSE: The first 2 floors of the building will be made of high-quality materials, including porcelain tile, aluminum window framing systems, and extensive glass at the storefronts.

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 21' – 6".

- 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 at the storefronts.
- SF6 Encourage pedestrian shading devices of various types (min 5 ft depth).
RESPONSE: The Project includes shade trees and awnings.
- 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 at the storefronts.
- 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 Project is 5 stories in height and does not include a tower.
- 2B Encourage maximum building height of 30 floors.
RESPONSE: The Project is 5 stories in height.
- 2C Encourage slender towers to complement the skyline and provide more light and air to streets and open spaces below.
RESPONSE: N/A, the Project does not include a tower.

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NEIGHBORHOOD COMPATIBILITY NARRATIVE
ULDR § 47-25.3

Sec. 47-25.3. Neighborhood compatibility requirements.

A. The neighborhood compatibility requirements are as follows:

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

Response: Applicant has provided a separate point-by-point narrative addressing the Adequacy Requirements.

2. *Smoke, odor, emissions of particulate matter and noise.*

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

Response: To the extent any EPGMD (formerly DNRP) permits are needed, applicant will apply for and obtain such permits.

3. *Design and performance standards.*

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

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

iii. In addition to the above, parking lots and garages will be subject to the provisions of Sections 47-20.14 and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

Response: N/A, the Project does not abut Residential Property as defined in the ULDR.

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

i. *Architectural features.* The facade of any side of a nonresidential building facing the residential property shall be constructed to compliment a residential structure and shall include the following:

a) Fenestration such as windows, doors and openings in the building wall; and

b) Shall contain a minimum of one (1) feature from each of the following architectural feature groups with a total of four (4) architectural features from the following list:

1. Detail and embellishments:

a. Balconies,

b. Color and material banding,

c. Decorative metal grates over windows,

d. Uniform cornice heights,

e. Awnings.

2. Form and mass:

a. Building mass changes including projection and recession,

b. Multiple types and angles of roofline, or any combination thereof.

c) The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

Response: N/A, the Project does not abut Residential Property as defined in the ULDR. Nevertheless, the project includes fenestration, color and material banding, awnings, multiple types and angles of roofline, and building mass changes.

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

Response: N/A, the Project does not abut residential uses or Residential Property as defined in the ULDR. Nevertheless, all loading and unloading will take place in the abutting alley and will not be visible from the street.

iii. *Screening of rooftop mechanical equipment.* All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the

building volume and/or adequately screened so that they are not visible from abutting residential uses or vacant residential zoned property.

Response: N/A, the Project does not abut residential uses Residential Property as defined in the ULDR. Nevertheless, all rooftop mechanical equipment will be adequately screened, and the stair/elevator towers are designed as an integral part of the building volume.

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

- i. When any side of a structure greater in height than forty (40) feet is contiguous to residential property, that portion of the structure shall be set back one (1) foot for each one (1) foot of building height over forty (40) feet up to a maximum width equal to one-half (1/2) the height of the building, in addition to the required setback, as provided in the district in which the proposed nonresidential use is located.

Response: N/A. The Project is not contiguous to Residential Property as defined in the ULDR.

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

- i. Landscape strip requirements. A ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property. Such landscape strip shall include trees, shrubs and ground cover as provided in the landscape provisions of Section 47-21, Landscape and Tree Preservation Requirements. The width of the landscape area shall extend to the property line. All required landscaping shall be protected from vehicular encroachment. When walls are required on nonresidential property abutting an alley, required shrubbery shall be installed and located within the landscape area on the exterior of the wall.

Response: N/A, the Project is not contiguous to Residential Property as defined in the ULDR.

- ii. *Parking restrictions.* No parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.

Response: N/A. The Project is not contiguous to Residential Property as defined in the ULDR.

- iii. *Dumpster regulations.* All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in

accordance with the Dumpster requirements, as provided in [Section 47-19](#), Accessory Uses, Buildings and Structures.

Response: N/A, the Project is not contiguous to Residential Property as defined in the ULDR. Nevertheless, all trash facilities will be contained within the building envelope.

- iv. *Wall requirements. A wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with Section 47-19.5 and subject to the following:*
 - a) Decorative features shall be incorporated on the residential side of such wall according to the requirements of [Section 47-19.5](#)
 - b) Shall be located within, and along the length of the property line which abuts the residential property,
 - c) When the nonresidential property is located adjacent to an alley such wall shall be located at least five (5) feet from the right-of-way line located closest to the nonresidential property,
 - d) When a utility, or other public purpose easement, on the nonresidential property precludes the construction of a wall, then an opaque fence, constructed in accordance with the standards described in [Section 47-19.5](#), may be erected in lieu of the wall required by subsection iv. above. The use of an opaque fence as a physical barrier between nonresidential and residential property shall be reviewed and recommended by the city engineer.

Response: N/A. The Project does not abut Residential Property as defined in the ULDR.

v. *Application to existing uses. Within five (5) years(remainder of this subsection v. is intentionally omitted).*

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

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

RESPONSE: The area is generally characterized by commercial uses facing Las Olas Boulevard and a mix of commercial/parking uses facing SE 2nd Court. As a commercial/parking development, the Project fits neatly into the character of the adjacent area.

The Property is currently used for surface parking. Surface parking produces significant light pollution and is generally more noxious than structured parking. The addition of a parking garage with proper screening will help to alleviate this light pollution and will keep the noise/smells contained within the parking garage and away from the surrounding neighborhood.

By nearly tripling the number of parking spaces on the Property, the parking garage will also help to alleviate the number of trips on East Las Olas Boulevard and the surrounding streets. The number of vehicles that will need to circle around the blocks to find a parking space will be significantly reduced, improving the conditions of the surrounding area.

b) Consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, buffer yards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

Response: N/A, the Property is not subject to a neighborhood master plan.

- ii. All development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district that is greater in density than twenty-five (25) dwelling units per net acre:
 - a) In addition to meeting the review requirements of subsection A.3.e.i, building sites within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district shall be eligible to apply for additional dwelling units over and above twenty-five (25) dwelling units per net acre, provided such additional dwelling units are available for distribution in the downtown regional activity center. However, in order to obtain such additional dwelling units, a site plan level II permit must be approved. Such approval shall be based upon consideration of the number of additional dwelling units available under the city land use plan, the number of

additional dwelling units requested, the impact of the proposed development on abutting residential areas, the proposed residential density of the proposed development, location of the proposed development, the sensitivity to adjacent development of the site design and proposed orientation of the proposed development (including proposed setbacks), pedestrian movements associated with the proposed development, proposed landscaping, and traffic and parking impacts of the proposed development on the transportation network. Approval for allocations of any additional dwelling units, hotel rooms or both, for multifamily dwellings, hotels and mixed-use developments shall conform to the city's land use plan and may be granted subject to approval of a site plan level II permit, subject to the considerations for such review as prescribed above. A minimum setback of twenty (20) feet from all property lines for every building used exclusively for residential purposes may be required. Such minimum setback may also be required for mixed use buildings in which residential use exceeds fifty-nine percent (59%) of the total floor area, exclusive of parking garages.

Response: N/A, the Property is not a residential development.

- iii. All development within any downtown RAC district that is within one hundred (100) feet of residential property that is located outside of any downtown RAC district and all development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district; and all development that is located on land adjacent to the New River within the RAC-AS and RAC-CC which deviates from the New River corridor requirements as provided in [Section 47-13](#), Downtown Regional Activity Center:
 - a) In addition to meeting the review requirements of subsection A.3.e.i, the setbacks imposed for a development plan may be modified subject to the requirements provided as follows:
 1. No structure, or part thereof, shall be erected or used, or land or water used, or any change of use consummated, nor shall any building permit or certificate of occupancy be issued therefor, unless a development plan for such structure or use shall have been reviewed and approved, where applicable, after development review as prescribed in subsection A.3.e.i. In approving such development plan, consideration shall be given to the location, size, height, design, character and ground floor utilization of any structure or use, including appurtenances; access and circulation for vehicles and pedestrians, streets, open spaces, relationship to adjacent property, proximity to New River and other factors conducive to development and preservation of a high quality downtown regional activity center district. No approval shall be given to the setbacks shown on the development plan unless a determination is made that the setbacks conform to all applicable provisions of the ULDR, including the requirements of [Section 47-13](#), Downtown Regional Activity Center Districts, that the safety and convenience of the public are properly provided for and that adequate protection and separation are provided for contiguous property and other property in the vicinity. Approval of the setbacks of a development plan may be conditioned by imposing one (1) or more setback requirements exceeding the minimum requirements.

Response: Acknowledged.

Project: Las Olas Heron Garage
Property: 216 SE 8th Avenue
Owner: City of Fort Lauderdale
Applicant: Las Olas Parking Solutions LLC

**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: N/A, the Project does not include residential uses.

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: N/A, the Project does not include residential uses.

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: N/A, the Project does not include residential uses.

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: N/A, the Project does not include residential uses.

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, the Project does not include residential uses.

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 RAC-zoned portion of the Property is 22,704 square feet, requiring 2,270 square feet of open space. Of the 2,270 square feet of required open space, 908 square feet must be at grade (40%) and 568 square feet must be in landscaping (25%).

The Project includes a total of 2,509 square feet of open space. 2,024 square feet of open space is provided at grade, and 1,318 square feet is provided in landscaping.

- 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: The maximum height of the zoning district to the north of the Project is 55 feet. The maximum height of the zoning district to the east of the Project (which is proposed to be rezoned to CB) is 150 feet. At 60' – 10", the Project is significantly lower than 2.5 times the maximum height of the adjacent zoning districts.

- 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 does not include surface parking.

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 are provided approximately 30 feet on center and will be maintained at a minimum 12 foot horizontal clearance from the building. A palm tree is provided at the northwest intersection.

- 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 shade trees are proposed at a minimum 18' in height.

- 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 7' 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. As the Property is owned by the City, Applicant will work with City staff to determine how the maintenance agreement will be worded.

- 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 IV, as it requires a rezoning with commercial flexibility allocation. Applicant is proposing to deviate from the following requirements of Section 47-13.20.B:

35' setbacks from centerline:

- a. **The Property is 109.78' in depth. The proposed setback from the centerline of SE 2nd Court is 27.4'. The proposed Project is a parking garage, which requires certain dimensions to ensure that circulation through the garage is safe. These requirements include parking stalls at a minimum of 18' in length, 24' driveways (two-way), and 13' driveways (one-way). The additional 7.6' in setbacks cannot be provided without impacting the ability to provide a parking garage on the site. The lack of the additional 7.6' removes the ability to provide parallel parking on SE 2nd Court, however the Project is a parking garage and provides more than an adequate number of parking spaces.**
- b. **The proposed setback from the centerline of SE 8th Avenue is 31.5'. The additional 3.5' cannot be provided without impacting the ability for the elevators and stairs to exit to the ground floor on the west side of the parking garage due to the required internal layout of the upper floors.**

Project: Las Olas Heron Garage
Property: 216 SE 8th Avenue
Owner: City of Fort Lauderdale
Applicant: Las Olas Parking Solutions LLC

Rezoning and Commercial Flexibility Narrative

1. General Description of Request

The Property has a Residential future land use designation. Applicant is proposing to rezone the Property from RMM-25 to CB. The CB zoning designation will allow for the fire/EMS substation on the Property.

Rezoning Criteria: City of Fort Lauderdale ULDR Section 47-24.4.D.

1. The zoning district proposed is consistent with the city's comprehensive plan.

RESPONSE: The Property is designated “Residential” under the City’s comprehensive plan and future land use map. The applicant is proposing to rezone the Property to CB, which permits certain commercial uses. The City’s comprehensive plan permits commercial uses on properties with a Residential future land use designation subject to the allocation of commercial flexibility. Once commercial flexibility is allocated, the proposed zoning district will be consistent with the City’s comprehensive plan.

2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.

RESPONSE: The Las Olas Boulevard corridor is generally characterized by commercial uses facing Las Olas Boulevard and a mix of commercial uses parking uses facing SE 2nd Street. The Project includes a mix of commercial uses and parking uses facing SE 2nd Street, and is therefore consistent with the character of development in and near the area under consideration.

The addition of parking will likely improve the existing conditions in the area. The Property currently contains 105 public surface parking spaces, which are mainly used to service the existing commercial uses along Las Olas Boulevard. As Fort Lauderdale’s population has increased over the years, it is not unusual to see cars circulating around the surrounding blocks to find an available parking space. Cars can also frequently be found parked along the streets in the adjacent Beverly Heights and Colee Hammock neighborhoods, putting a burden on residents in the area. With 302 structures parking spaces in the Project, the parking capacity on the

Property will nearly triple. These additional parking spaces, all in a central, predictable location, will help to relieve the surrounding neighborhoods and limit the circulation around the surrounding blocks.

The Project also includes a fire/EMS substation. There's an apparent need for an additional substation in east Fort Lauderdale. The addition of the fire/EMS substation and the centralization of Las Olas parking will not adversely impact the character of the surrounding area. On the contrary, these additions to the area are expected to improve the character of the surrounding area.

3. 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: As stated above, the area is mainly characterized by commercial uses facing Las Olas Boulevard and a mix of commercial/parking uses facing SE 2nd Court. The use of the Property as a commercial/structured parking use is compatible with the surrounding districts and uses.

Flexibility Criteria: City of Fort Lauderdale ULDR Section 47-8.G.1.d

1. Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the city's LUP.

RESPONSE: Policy 1.2.3 of the Future Land Use Element allows the City to rearrange nonresidential intensities through the use of commercial flexibility. The states purpose of this policy is to allow both the public and private sectors to respond to changing conditions and permit the appropriate location of neighborhood commercial uses within or adjacent to established residential neighborhoods. The Project is a public-private partnership, the purpose of which is to respond to changing conditions in the area around the Property.

Fort Lauderdale has seen a rapid increase in population in recent years. This increase in population, and therefore cars, has led to a decrease in the availability of parking along Las Olas. This increase in population has also led to a deficit in fire/EMS stations to service the additional residents. The Project will nearly triple the number of parking spaces on the Property, and the fire/EMS station will service the surrounding area with better response times.

The stated principle of the City's Economic Development Element of the Comprehensive Plan is for Fort Lauderdale to embrace its role as a world-class City with a welcoming environment for tourists and businesses alike. Policy 2.1.5 of the Economic Development Element requires the City to seek opportunities where appropriate to foster partnerships between the public and private sectors to improve business climate.

The Project directly furthers this principle and policy. As a public-private partnership, the parking garage will improve the business climate along Las Olas by providing much-needed parking to service the businesses.

Objective 1.9 of the City's Transportation Element is to ensure parking requirements and strategies provide for a successful transportation network. Policy 1.9.4 of the City's Transportation Element is to evaluate parking strategies, including parking garages, to determine improvements in the transportation network.

The proposed parking garage will further the goal of providing a successful transportation network. By nearly tripling the number of parking spaces on the Property, the parking garage will help to alleviate the need to circulate around the blocks to find an available parking space. The parking garage will also alleviate the number of cars that are parked along the surrounding residential streets.

2. Rezoning application in accordance with Sec. 47-24.2, Development Permits and Procedures.

RESPONSE: Acknowledged.

3. Site plan approval level III in accordance with Sec. 47-24.2, Development Permits and Procedures.

RESPONSE:

Acknowledged.