



**PRELIMINARY DRC APPROVAL**

Downtown Regional Activity Center

**IMPORTANT:** Pursuant to Unified Land Development Regulations (ULDR) Sec. 47-13.20.N.2, Downtown RAC review process and special regulations, final approval of a preliminary Development Review Committee (DRC) application shall not take effect, nor shall a building permit be issued, any sooner than 30 days after the approval date, and then only if no motion is adopted by the City Commission seeking to review the application during this period.

To comply with ULDR Sec. 47-26.A.2, City Commission Request for Review, the City Commission must notify the Department of its intent to call the item up prior to the end of the 30-day period; **October 9, 2021**. A motion to set a hearing to review the decision by the DRC shall then be considered, which could take place on the next available City Commission meeting on **September 21, 2021** or **October 5, 2021**.

If the City Commission would like to review the application, please provide a statement of intent via e-mail to Jeff Modarelli, City Clerk, and copy Chris Lagerbloom, City Manager; Alain Boileau, City Attorney and Anthony Greg Fajardo, Director, Department of Sustainable Development. If the City Commission does not intend to review the application, notification of such prior to the end of the 30-day period is requested so the applicant can proceed with the permitting process in a timely manner.

**Start of 30-day period:** September 10, 2021  
**Expiration of 30-day period:** October 10, 2021

**Case Number:** PLN-SITE-19120001  
**Project Name:** RK Center Mixed-Use - Parcel 1 (*Searstown* Parcel)  
**Applicant/Agent:** Courtney Crush, Crush Law, P.A.  
**Location:** 901 N. Federal Highway  
**Zoning District:** Regional Activity Center - Urban Village (RAC-UV)  
**Project Description:** Proposed Mixed Use Development  
Uses: 797 Residential Units  
78,631 Square-feet of Retail and Office Use  
8,074 Square-feet of Restaurant Use  
Lot Size: 245,755 Square-feet / 5.6 Acres  
Height: 15 Floors / 160 Feet (Residential Tower 1 Building)  
30 Floors / 306 Feet (Residential Tower 2 Building)  
30 Floors / 306 Feet (Residential Tower 3 Building)  
Parking: 1,312 parking spaces provided

**Commission District:** 2 – Steven Glassman

**Project Background:**

The applicant is proposing to redevelop the existing parcel of land bound by Sunrise Boulevard to the north, NE 9<sup>th</sup> Street to the south, Federal Highway to the east, and Florida East Coast Railroad/Flagler Drive to the west. The subject property contains the existing *Searstown* shopping center which the applicant proposes to redevelop into a mixed-use project. The site is located in the Downtown Regional Activity Center and is subject to the Downtown Master Plan (DMP) guidelines.

The development application for this project was submitted on December 13, 2019, prior to the codification of the DMP. It should be noted that the application was reviewed for consistency with the DMP design guidelines and intent with an evaluation of any site-specific design features proposed to meet the intent of the design guidelines, which have been identified herein. There are two associated applications: "RK Center Mixed-Use with Hotel – Parcel II" / Case No. PLN-SITE-19120002, and "RK Center Residences – Parcel III" / Case No. PLN-SITE-19120003, provided concurrent with this Preliminary DRC Approval Memorandum.

The project was reviewed by the Development Review Committee (DRC) on January 14, 2020. All comments have been addressed and are available on file with the Department of Sustainable Development. Specific conditions of approval have been identified at the conclusion of this memo.

**Staff Analysis:**

The project is located in the "Near Downtown" Character Area as defined in the DMP, which identifies the vision for the area with an urban form reflective of strong building street presence, six to eight floor building shoulder with towers stepped back above, and variety of uses with emphasis on residential use. As proposed, the site design contains a significant pedestrian enhanced streetscape along Federal Highway reflective of the importance of site as the northern entrance into Downtown. The buildings contain extensive amount of fenestration along the lower levels of the building, and there is variation in building mass and scale, designed to engage the pedestrian experience on the perimeter streets and also with interior storefronts and open space accessible to the public within the property. The buildings are designed with a distinct mid-century style reflective of the time period when *Searstown* was built.

As proposed, the site has two main building footprints with three residential towers separated by a large open space plaza area. Ground floor retail is located along Federal Highway, Sunrise Boulevard, and facing internally to the open space plaza. Along Flagler Drive, the project contains lower scale townhomes with direct walk-up access to each unit providing for a neighborhood atmosphere. The parking podium is screened at the ground level with active uses and lined with uses fronting the streets with the exception of Sunrise Boulevard where there is architectural screening for the upper levels of the parking podium.

At the corner of Sunrise Boulevard and Federal Highway is a signature, oval shaped feature that is proposed for restaurant use. This element is designed with extensive glazing and transparency with a vertical projecting roofline that provides visual interest while reflecting the mid-century architectural style. The design along Federal Highway contains a unique, curvilinear design lined with retail uses and office above.

This area is designed with an enhanced pedestrian streetscape with benches, low planter walls, wider sidewalks, and street trees.

Residential towers are proposed at three locations on the site connected by the four-story retail, restaurant and office structure along Federal Highway and three-story townhomes along Flagler Drive. Tower 1 is 15 floors and is located on the northern portion of the site closest to Sunrise Boulevard. Tower 2 is 30 floors and located in the center of the site. Tower 3 is 30 floors and located at the southern portion of the site. The orientation of the towers was based on the need to address skyline composition and reduce the impact of multiple towers on a single parcel. The towers are positioned in an east-west orientation and staggered on the site to reduce the mass and scale appearance. In addition, the two taller towers contain carved out sky lofts on upper levels to further assist in reducing the mass of the towers. All the towers contain significant amount of transparency and glass balconies. Furthermore, the top of each tower is design to reflect a visually interesting skyline composition meeting the intent of the DMP for skyline drama and signature tower top design.

Back of house activity is internalized and also located along NE 5<sup>th</sup> Avenue, which includes loading area and refuse collection. Parking is accessible from Federal Highway, Flagler Drive, NE 9<sup>th</sup> Street and NE 5<sup>th</sup> Avenue. The applicant was required by Florida Department of Transportation (FDOT) to dedicate land for two new Federal Highway turn lanes into the project at various locations. In addition, at the request of FDOT, a southbound turn lane on East Sunrise Blvd is being dedicated. Parking for residential is calculated at 1.2 spaces per unit and 1 space per 100 square feet for restaurant use with retail use calculated at 1 space per 250 square feet. The project will also contain bicycle storage for 374 bikes, a dedicated shuttle stop area and access to transit.

Open space is proposed at grade and on private amenity decks. A significant publicly accessible open space plaza is provided within the site situated diagonally from the southeast corner of the site toward the northwest corner. Publicly accessible space extends into the interior with atriums and hardscape provided for the public. In addition, there is an extensive amount of pedestrian space along the streetscapes and plentiful areas of shade.

The project is proposed to be developed in two phases. Phase 1 includes the majority of the site including Tower 1 and Tower 2. Phase 2 will include the remaining portion of the site. The applicant has committed to provide a portion of the open space plaza area as part of Phase 1 to ensure the space is available for the public and residents as part of Phase 1. Sheet AS-801 of Exhibit 2 contains the phasing plan.

The applicant has demonstrated compliance with the following DMP design intents:

- *Principles of Street Design*

The streetscape designs for Sunrise Boulevard, Federal Highway, NE 9<sup>th</sup> Street, Dixie Highway, and NE 5<sup>th</sup> Avenue include shade trees, clear pedestrian sidewalks ranging from 10 feet to 29 feet along Federal Highway, minimum curb cuts, and, where possible, on-street parking.

- Principles of Building Design  
Each proposed building is placed on the subject site in a manner that creates a consistent streetwall and frames the street with active ground level activity, includes a significant open space plaza area, expansive transparency, building articulation at various heights, enclosed and screened parking, and pedestrian level shading devices.
- Quality of Architecture  
The project contains high quality building materials, incorporates a consistent thematic style reflective of a mid-century architecture which blends into the existing surrounding building fabric, thereby creating a design honoring the era of the original *Searstown*. The towers are designed in a manner that provide a signature along the northern edge of Downtown and gives a dramatic visual interest to the skyline.

Regarding specific dimensional elements in the DMP, the applicant provides site design solutions for certain quantitative dimensions proposed for the project to meet the intent of the DMP. A summary is provided below.

- Building Height  
The proposed project contains three residential towers. Each tower meets the height outlined in the DMP.
- Streetwall Length  
The proposed project contains streetwall length that exceeds the 300-foot limitation in the DMP, when the signature corner building is included in the length. This occurs along Federal Highway and Sunrise Boulevard. The streetwall length along Federal Highway is 451 feet and along Sunrise Boulevard it is 246 feet. However, it should be noted that the frontage along Federal Highway is unique in the parcel layout with the low scale double faced retail office portion of the project and curvilinear lot line, with a break in the building at the ground level halfway down the parcel line meeting the DMP intent.
- Floorplate Size  
Floorplate size applies to building towers, which in the "Near Downtown" Character Area is applied for the portion of the building above the building podium height of seven floors which is limited to 12,500 square feet. Towers 2 and 3 have a floorplate size of 12,500 square feet. Tower 1 has a floorplate of 18,000 square feet, which is permitted for buildings up to 15 floors.
- Parking Podium  
The proposed project contains a parking podium height of seven floors which meets the limitation of seven floors for the "Near Downtown" Character Area. As previously stated, the parking podium is screened with liner uses except for Sunrise Boulevard frontage.
- Tower Stepback  
Similar to floorplate size, tower stepbacks apply to building towers, which in the "Near Downtown" Character Area is the portion of the building above the building podium height of seven floors. As proposed, Tower 1 has a tower

stepback of 26 feet fronting Sunrise Boulevard, Tower 2 has 79 feet fronting Federal Highway, and Tower 3 has 18 feet fronting NE 9<sup>th</sup> Street and 17 feet fronting NE 5<sup>th</sup> Avenue, respectively.

- Tower Separation  
Tower separation being Tower 1 and Tower 2 is 120 feet, whereas the separation between Tower 1 and Tower 3 is 138 feet. The required tower separation of 60 feet is being met.
- Minimum Unit Size  
Although the project is not subject to the minimum residential unit size of 400 square feet, such minimum is being met. The project proposes to have a minimum unit size of 500 square feet for studios with one bedroom and two-bedroom being 800 square feet and 1,050 square feet, respectively.

Table 1 provides a summary of the quantitative dimensions in the DMP and those proposed for the project.

**Table 1 – DMP Design Guideline Comparison Summary**

DMP	Near Downtown	Proposed	Complies or Meets Intent
<b>Maximum Building Height</b>	30 Floors	15 Floors / 160 Feet (Residential Tower 1) 30 Floors / 306 Feet (Residential Tower 2) 30 Floors / 306 Feet (Residential Tower 3)	Complies
<b>Maximum Building Streetwall</b>	300 Feet	451 Feet (Fronting Federal Highway) 246 Feet (Fronting Sunrise Boulevard) 294 Feet (Fronting Flagler Drive ) 191 Feet (Fronting NE 5 <sup>th</sup> Avenue) 289 Feet (Fronting NE 9 <sup>th</sup> Street)	Meets intent
<b>Maximum Tower Floorplate Size (Square Feet)</b>	18,000 (up to 15 floors) 12,500 (above podium)	18,000 (Residential Tower 1) 12,500 (Residential Tower 2) 12,500 (Residential Tower 3)	Complies
<b>Maximum Building Podium Height</b>	7 Floors	7 Floors	Complies
<b>Minimum Building Tower Stepback</b>	15 Feet	79 Feet (Fronting Federal Highway) 26 Feet (Fronting Sunrise Boulevard) 17 Feet (Fronting NE 5 <sup>th</sup> Avenue) 18 Feet (Fronting NE 9 <sup>th</sup> Street)	Complies
<b>Minimum Tower Separation</b>	30 Feet	120 Feet (Tower 1 to Tower 2) 138 Feet (Tower 2 to Tower 3)	Complies
<b>Minimum Residential Unit Size (Square Feet)</b>	400	500 (studio units) 800 (one bedroom) 1,050 (two-bedroom)	N/A

Transportation and Traffic

The applicant submitted a Traffic Study identifying that the three projects will generate 3,142 new net daily vehicular trips in the area with 449 AM peak trips and 134 PM peak trips. The totals reflect associated applications for Case No. PLN-SITE-19120002 and Case No. PLN-SITE-19120003. The analysis was completed as one study for the purpose of understanding the overall impacts. The Traffic Study, dated August 2021, prepared by the applicant's consultant Keith, indicates that the surrounding roadway network has sufficient capacity to accommodate the additional vehicular trips from the proposed development and that new traffic will not have a negative impact on the surrounding roadway network, but will have slight increases in delays at intersections. It is recommended that the developer request traffic signal timing be coordinated for optimization of traffic signals in the area.

Adequacy Requirements

Water and wastewater are serviced by the City of Fort Lauderdale and a capacity letter was issued by the City's Public Works Department identifying the plant facilities, pump station and associated infrastructure servicing this project and the project's impact on capacity. A review of the utility services impacted by the development indicate that improvements to the sanitary sewer mains would be necessary to adequately serve the development. The applicant will need to construct/upsized approximately 2,290 linear feet of gravity sewer to at least a 14-inch pipe along NE 5th Avenue and approximately 600 linear feet of gravity sewer to at least an 18-inch pipe along NE 6th Street. These minimum improvements will allow the gravity mains to sufficiently handle the proposed and existing flows in the contributing area. The size of the pipes shall be designed in consultation with the City's Public Works Department, Utilities Division. The proposed *Flagler Village Pump Station A-24* is estimated to become operational sometime during Fiscal Year 2024 provided unforeseen circumstances are not encountered. Therefore, the timeline of all improvements must be coordinated in advance with the City's Public Works Department and any certificate of occupancy cannot be issued until the expanded wastewater system is fully functional. The analysis was reviewed in conjunction with the associated projects, Case No. PLN-SITE-19120002, and case No. PLN-SITE-19120003. The improvements described in the capacity letter are included in the conditions of approval stated herein.

Residential Flex Units

The subject property is located within the City's Unified Flex Zone and is eligible for residential flex unit allocation. Should the allocation of the 797 residential flex units be approved, 3,137 residential flex units will remain. The Broward County Planning Council (BCPC) releases flex units in increments of 5,000 and the City has additional flex units in the total flex unit count yet to be released. Table 2 identifies a breakdown of flex unit allocation to date. The proposed project is included in the pending total.

**Table 2 – Unified Flex Summary**

<b>DMP</b>	<b>Flex Units</b>
<b>Permitted</b>	10,280*
<b>Assigned to Date</b>	3,181
<b>Pending</b>	3,962
<b>Remaining</b>	3,137

\*Broward County Planning Council releases increments of 5,000 flex units based on the City's total flex unit count.

### Public Participation

Public participation is not required for this application. However, the applicant was encouraged and held a number of public meetings regarding the project. A list depicting the meetings conducted by the applicant is attached as Exhibit 5.

### Summary of Exhibits

A location map is attached as Exhibit 1. Applicant's narratives and a reduced set of plans with elevations and renderings are attached as Exhibit 2. Traffic Study Executive Summary is attached as Exhibit 3. The City's Water and Wastewater Capacity Analysis Letter is attached as Exhibit 4. Applicant's Public Outreach Meeting List is attached as Exhibit 5. Complete hard copy plans of the development application are available for review upon request.

### **Conditions of Approval:**

1. Prior to issuance of building permit, applicant will be required to pay the Park Impact Fees for the proposed residential units in accordance with ULDR Section 47-38A, Park Impact Fees.
2. Prior to building permit submittal, the applicant must provide a Final School Capacity Availability Determination (SCAD) letter and provide a copy of the letter to the City.
3. Prior to Certificate of Occupancy, the applicant shall construct and upsize approximately 2,290 linear feet of gravity sewer to at least a 14-inch pipe along NE 5th Avenue and approximately 600 linear feet of gravity sewer shall be upsized to at least an 18-inch pipe along NE 6th Street. The size of the pipes shall be designed in consultation with the City's Public Works Department, Utilities Division. The proposed Flagler Village Pump Station A-24 is estimated to become operational sometime during Fiscal Year 2024 provided unforeseen circumstances are not encountered. Therefore, the timeline of all improvements must be coordinated in advance with the City's Public Works Department. Any Certificate of Occupancy will not be issued until the expanded wastewater system is fully functional.
4. Prior to issuance of Certificate of Occupancy, Provide Maintenance Agreement Area Exhibit, which provides a visual representation of the area within the adjacent public Right-of-Way (adjacent to the proposed development) to be maintained in perpetuity by the developer. Label whether the adjacent Right-of-Way is FDOT, BCHCED, or City jurisdiction, as well as label all proposed improvements, including asphalt and other specialty paving, specialty sidewalks, landscaping, irrigation, lighting, curb and gutter etc. that will be maintained by the applicant throughout the life of the improvements. Perpetual maintenance of newly constructed exfiltration trenches, inlets, etc. within adjacent City Right- of-Way will typically revert to the City, upon successful inspection/acceptance by Public Works after 1-year warranty period.
5. Prior to issuance of Certificate of Occupancy, applicant shall execute a license agreement allowing and defining access to public spaces during hours of operation.

**Staff Contact:** Jim Hetzel, 954-828-5019

**APPROVAL DATE:** September 1, 2021

### **Exhibits:**

1. Location Map

2. Applicant's Narratives, Reduced Plans with Elevations and Renderings
3. Traffic Study Executive Summary, August 2021, Keith and Associates
4. City's Water and Wastewater Analysis Letter
5. Public Outreach Meeting List