

REQUEST: Site Plan Level IV Review: Rezoning Request from South Beach Marina and Hotel Area District (SBMHA) to Planned Development District (PDD) for 410 Multifamily Residential Units, 88,000 Square-Feet of Commercial Use, and 256-Room Hotel in Central Beach Regional Activity Center

CASE NUMBER	PDD22004		
APPLICANT	Rahn Bahia Mar LLC.		
AGENT	Robert B. Lochrie III, Esq., Lochrie & Chakas, P.A.		
PROJECT NAME	Bahia Mar		
PROPERTY ADDRESS	801 Seabreeze Boulevard		
ZONING DISTRICT	South Beach Marina and Hotel Area District (SBMHA)		
PROPOSED ZONING DISTRICT	Planned Development District (PDD)		
LAND USE	Central Beach Regional Activity Center		
COMMISSION DISTRICT	2 - Steven Glassman		
NEIGHBORHOOD ASSOCIATION	Central Beach Alliance		
APPLICABLE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR) SECTIONS	47-24.4, Rezoning 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility Requirements 47-37A, Planned Development District		
	REQUIRED (SBMHA)	REQUIRED (PDD)*	PROPOSED (PDD)
MAXIMUM DENSITY (RESIDENTIAL UNITS)	48 units per acre	50 units/acre or as permitted by underlying land use	Upland: 26 units/acre: 410 units Submerged: 10 units/acre: 410 units
MAXIMUM DENSITY (HOTEL ROOMS)	N/A	N/A	Upland: 16.1 rooms/acre: 256 rooms Submerged: 6.62 rooms/acre: 256 rooms
MINIMUM LOT SIZE	N/A	N/A	Upland: 695,430 square feet (15.96 acres) Submerged: 1,683,574 square feet (38.65 acres)
MAXIMUM FLOOR AREA RATIO	5.0	3.0 (Nonresidential)	1.27 (Nonresidential)
MAXIMUM BUILDING HEIGHT	120 feet, or 144 feet if floorplate size is less than 16,000 square feet	300 feet	300 feet** (Hotel Tower) 270 feet** (Residential Towers) 30 feet, 6 in. (Marina Restaurant) 24 feet (Dockmaster Building) 16 feet (Marina Village)
STREETWALL LENGTH (FRONTING SEABREEZE BOULEVARD)	200 feet (Max)	N/A	Residential Towers 3 and 4: 182 feet, 3 inches Marina Restaurant: 115 feet Marina Village: Varies, less than 50 feet
BUILDING SEPARATION (SAME LOT)	20 feet or 20% of tallest building = 60 feet	N/A	Residential Podium to Podium: 98 feet Residential to Hotel: 93 feet, 2 inches
BUILDING SEPARATION (BETWEEN TOWERS OR PROPERTY LINE)	30 feet	N/A	520 feet (Residential Towers) 620 feet (Hotel Tower)
BUILDING PODIUM HEIGHT	65 feet	N/A	Residential Podiums 3 and 4: 25 feet, 6 inches Residential Podiums 1 and 2: 34 feet, 6 inches Hotel: 34 feet, 6 inches
TOWER STEPBACK (FRONTING SEABREEZE BOULEVARD)	12 feet	N/A	Residential Towers 3 and 4: 6 feet (closest point)**

FLOORPLATE SIZE (ABOVE 65 FEET)	16,000 square feet	N/A	Residential Towers: 13,307 square feet Hotel Tower: 18,357 square feet**
PARKING	1,607 spaces	N/A	1,510 spaces**
OPEN SPACE	346,421 square feet	N/A	1,453,805 square feet
SETBACKS	REQUIRED (SBMHA)	REQUIRED (PDD)	PROPOSED (PDD)
Front (E)	20 feet	N/A	45 feet (Residential Towers) 25 feet (Marina Restaurant) 27 feet (Marina Village)
Side (N)	20 feet	N/A	520 feet (Residential & Hotel) 25 feet (Marina Restaurant)
Side (S)	20 feet	N/A	620 feet (Residential & Hotel) 11 feet** (Marina Village) 17 feet** (Dockmaster Building)
Rear (W)	20 feet	N/A	228 feet (Hotel Tower) 18 feet, 6 in.** (Dockmaster)
APPLICABLE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR) SECTIONS	ULDR Section 47-24.4, Rezoning ULDR Section 47-25.2, Adequacy Requirements ULDR Section 47-25.3, Neighborhood Compatibility Requirements ULDR Section 47-37A, Planned Development District		
NOTIFICATION REQUIREMENTS	ULDR Section 47-27.2, Sign Notice ULDR Section 47-27.4, Public Participation ULDR Section 47-27.5, Mail Notice		
SECTION 166.033, FLORIDA STATUTES	180-DAY EXPIRATION DATE	EXTENSION DATE (S)	
	June 27, 2023	N/A	
ACTION REQUIRED	Recommend Approval with or without Conditions to the City Commission, or Deny		
PROJECT PLANNER	Jim Hetzel, AICP, Principal Urban Planner		<i>JH CP</i>

*Specific standards identified in the PDD Ordinance, ULDR, Section 47-37A.

**Proposed as part of the PDD rezoning request as site specific development standards.

PROJECT DESCRIPTION:

The applicant, Rahn Bahia Mar, LLC., is proposing to construct a project consisting of a new 256-room hotel, to replace the existing Bahia Mar Hotel at 801 Seabreeze Boulevard, with 88,000 square feet of commercial, office, and restaurant space including marina amenities and a dockmaster building. The project will also contain four residential buildings with 410 units surrounded by a waterfront promenade, plaza space, and a centralized park fronting on the Intracoastal waterway. The overall site is approximately 15.96 acres of upland with a total of 38.65 acres including submerged land. The property has an underlying land use designation of Central Beach Regional Activity Center (Beach-RAC) and is currently zoned South Beach Marina and Hotel Area District (SBMHA). A Location Map is attached as **Exhibit 1**.

There is an existing approved site plan for the property, DRC Case #R17040, which was approved by the City Commission on December 5, 2017. As part of that site plan approval, the applicant completed the first phase of the five-phase development plan, by completing "Marina Village", which consists of multiple kiosks, docks, and a fixed restaurant ferry, along the southern edge of the property adjacent to Seabreeze Boulevard.

At this time, the applicant is requesting to rezone the property from SBMHA to Planned Development District (PDD) with a request for approval of the new development plan, which will encompass the remaining phases. Phase two of the proposal will include the hotel, two of the residential towers, open space park, waterfront promenade, and improvements along Seabreeze Boulevard, and phases three and four will include the remaining residential towers. The Application, Project Narratives, and Development Plan Set are provided as **Exhibit 2**.

PRIOR REVIEWS:

The project was reviewed by the Development Review Committee (DRC) on January 24, 2023. All comments have been addressed and are available on file with the Development Services Department (DSD). The DRC Case Comment Report with applicant's responses is attached as **Exhibit 3**.

REVIEW CRITERIA:

The following criteria apply to the proposed request:

- ULDR Section 47-24.4, Rezoning
- ULDR Section 47-25.2, Adequacy Requirements
- ULDR Section 47-25.3, Neighborhood Compatibility Requirements
- ULDR Section 47-37A, Planned Development District

Rezoning Criteria

Pursuant to ULDR Section 47-24.4, Rezoning, the rezoning request is subject to the following criteria:

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

The underlying land use is Central Beach Regional Activity Center. The proposed development contains residential, hotel, and commercial uses, which are permitted in this land use designation, consistent with the City's Comprehensive Plan. Refer to the Comprehensive Plan Consistency section of this report for additional analysis.
2. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.

The proposed PDD is consistent with the character of development in the surrounding area, which is predominantly multi-family residential with a mix of commercial uses such as restaurants, retail, and hotels. The proposed project is similar in character to development in the area with slender towers oriented in an east-west direction to allow the ocean breeze to flow through the site, as well as reduce the building shadows toward the beach. The residential towers are angled to reduce the mass and scale of the project from north-south views.
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.

The proposed PDD uses are the same as those uses existing in the area and support the existing built environment. The properties to the north are zoned SBMHA and ABA districts and contain residential, commercial retail, hotel, and community facility uses. Properties to the west, approximately 500 feet across the Intracoastal waterway, are zoned Residential Single Family, Low Density (RS-8) District and contain single-family residential uses. To the south, the Residential Multifamily, High Density (RMH-60) District permits higher density residential, and hotel uses. The character of the area supports the proposed PDD uses and is compatible with surrounding districts and uses.

Adequacy and Neighborhood Compatibility

The adequacy criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed development. Water and wastewater is serviced by the City of Fort Lauderdale and a capacity letter was issued by the City's Public Works Department which identified the plant facilities, pump station and associated infrastructure servicing this project and the project's impact on capacity. The letter indicates that the applicant will be reconfiguring the on-site water and wastewater infrastructure to accommodate the project and constructing a new lift station as part of the project. These improvements are identified in the capacity letter and are included as conditions herein. The water and sewer capacity letter is attached as **Exhibit 4**.

The neighborhood compatibility criteria of ULDR Section 47-25.3 include performance standards requiring all developments to 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".

The subject property is currently zoned South Beach Marina and Hotel Area SBMHA District, which is intended to promote high quality destination resort uses that reflect the desired character and quality of the Fort Lauderdale beach, the Intracoastal waterway and supporting marina uses. The district promotes high quality development and identifies that such redevelopment is responsive to the character, design, and existing beach environment. Residential, hotel, commercial, and marina uses are permitted and the applicant is proposing to rezone the property to a PDD. In addition, the applicant is requesting site specific design standards under the PDD zoning district. A more detailed analysis regarding the site-specific standards is located in the PDD Analysis Section herein.

The site is located adjacent to Seabreeze Boulevard. The applicant proposes redevelopment of the site in a manner that enhances the underutilized, extensive asphalt surface area with a mixed-use environment, incorporating extensive public access to pedestrian amenities with direct connections to the public realm. The project will create a presence along the street and provide better functionality for the majority of the site by maximizing pedestrian accessibility and multiple vehicular access points for easier movement of vehicles.

The site design consists of four residential buildings, a hotel building, a marina village, a marina restaurant, and existing uses including a dockmaster building and marina slips. The five building towers are located in the center of the site to reduce impacts on the adjacent neighborhoods to the west and allow for more open space at the ground level. This design approach strategically places and concentrates the building mass in the middle of the project to allow for significant separation from the property lines and surrounding residential area, while maintaining tower to tower separation exceeding 60 feet. Commercial uses are primarily fronting Seabreeze Boulevard which include the recently constructed marina village.

All the residential towers are 270 feet in height, with exception of the hotel building which has a height of 300 feet to create architectural hierarchy and provide skyline variation and interest, with the hotel building acting as a focal point and incorporating a unique tower top design. The towers are located on top of a parking podium, which contains one below grade level and two above grade parking levels. The parking structure is screened from view and blends into the overall architectural design of the project. The tower design contains expansive glazing and the building finishes include materials complementary to the beach and regional environment, including extensive glazing treatments, smooth concrete walls and coral rock finishes.

The ground floor of the project has retail and restaurant space facing Seabreeze Boulevard with hotel and residential entrances internalized. Loading, parking garage access, and refuse collection are also all internalized. The project proposes a marina restaurant at the northern-most part of the project, adjacent to Seabreeze Boulevard, which will also function as part of the entryway for the boat show.

As proposed, the PDD contains public improvements that include a waterfront promenade, open space / park, and accommodations for the boat show. An expansive pedestrian waterfront promenade is located along the perimeter of the project with views of the marina, Intracoastal waterway, adjacent properties, and surrounding neighborhood. The promenade varies in width

but maintains an average width of 20-feet, with pinch points at various locations. The promenade also contains trees and other amenities along the path. In addition, there is a large, open space adjacent to the Intracoastal waterway on the west side of the site, referred to as the “*Central Park*”, with unobstructed green space and pedestrian pathways. This park connects to the waterfront promenade which provides a direct connection to the public sidewalk along Seabreeze Boulevard. The applicant will be required to provide public access with certain limitations. Furthermore, through certain site design elements and unobstructed planting areas, the project provides accommodations for the boat show for installation of tents and amenities during the boat show.

Planned Development District Analysis

The applicant has submitted a narrative, included as part of Exhibit 1, outlining the design concepts of the development and how the proposal complies with Unified Land Development Regulations (ULDR) Section 47-37A, Planned Development District Requirements. Table 1 includes an analysis of the PDD requirements.

Table 1 – PDD Requirements Analysis

ULDR Section	Section Intent	Analysis
47-37A.1 Intent and Purpose	(A) Promotion of development that demonstrates: compact building forms, street design standards that encourage safety, sustainability, and multi-modal connectivity. (B) Promote flexibility of design with focus on relationship of proposed buildings with surrounding properties.	The PDD proposal promotes a compact built form and utilizes flexibility in design with unique solutions that enhance the overall project in relation to the surrounding context. In addition, the PDD contains substantial and recognizable improvements to the existing site with a significant, large open park, the waterfront promenade and accommodations for the boat show.
47-37A.2 Definitions	Definitions specific to Section 47-37A.	As referenced in ULDR Section 47.35.
47-37A.3 Conditions for PDD rezoning	Minimum land area required for an application to PDD district shall be one half (.5) acres for RACs.	Project site is approximately 15.96 acres in size for the upland area and meets the minimum .5-acre requirement.
	Consistency with the goals and objectives of plans adopted for the City's Regional Activity Centers.	The PDD is consistent with the recently adopted development form-based standards for the Central Beach zoning districts, with some exceptions for site specific standards requested under the PDD rezoning. See Rezoning Criteria and Comprehensive Plan Sections herein for additional information.
	Configuration of the ID zoning district; Entire tract under unified control.	Project site is a single tract of land under unified control.
47-37A.4 Uses Permitted	The uses permitted and combination thereof within the PDD district, shall be established at the time of rezoning to PDD and shall be consistent with the City's Comprehensive Plan.	PDD proposes permitted uses as listed in ULDR, Section 47-12.4., which includes all permitted and conditional uses in Central Beach RAC.
47-37A.5 Application Public Outreach	Conduct public meeting prior to application submittal providing notice, presentation of project, public participation, and summary; and public meeting after DRC occurs.	Applicant has provided documentation regarding public outreach (Exhibit 9). A pre-application meeting was held with the community on December 15, 2022 prior to the DRC application submittal on December 22, 2022. Applicant conducted a Post-DRC meeting on March 16, 2023.

47-37A.6 Application Requirements	Application submittal requirements, narratives, plans, project data	Applicant has provided all the necessary documentation.
47-37A.7 Performance Standards for Permitted Uses	Development standards proposed for the PDD shall be established by ordinance, common ownership, and recordation of a development agreement.	Proposed PDD standards are contained herein in Table 2 –Zoning Comparison and Proposed PDD Zoning.
47-37A.8 PDD Criteria and Limitations	Permitted land uses, creating a vibrant living environment, compatibility with adjacent land uses, street cross sections, density, FAR, height.	See Adequacy and Neighborhood Compatibility Section and Table 2 – Zoning Comparison herein.
47-37A.9 PDD Public Improvements	PDD shall promote substantial, significant, and recognizable improvements to the neighborhood.	The PDD proposes the following public improvements: (1) publicly accessible waterfront promenade; (2) publicly accessible open space park fronting the Intracoastal waterway, and (3) boat show accommodations.
47-37A.10 Review Process	Conduct pre-application conference with staff, Rezoning application criteria applied, super majority of four members of the City Commission.	Applicant conducted a pre-application meeting on December 12, 2022. The application was reviewed consistent with rezoning criteria. The PDD ordinance will require the super majority of four members of the City Commission.

Table 2 depicts a comparison between the current ULDR requirements for the development site with the proposed PDD zoning development standards as well as justification for the requests. The zoning standards that deviate from current ULDR requirements are listed in Table 2 and if approved, will be considered specific development standards for the Bahia Mar PDD zoning district.

Table 2 – Zoning Comparison

	Required (SBMHA)	Proposed PDD
Building Height	120 feet or 144 feet if floorplate is less than 16,000 square feet	270 Feet (Residential Towers) 300 Feet (Hotel Tower) <i>Justification:</i> Increased height allows for development program to be consolidated into fewer buildings allowing for greater open space on site.
Building Setbacks	20 feet (side setback)	11 feet (Marina Village) <i>Justification:</i> Previously approved site plan contains the southernmost building in the marina village which has a setback of 11 feet. Marina village has recently been constructed and completed as Phase One of this project.
Building Setbacks	20 feet (rear setback)	18 feet, 6 inches (Dockmaster Building) <i>Justification:</i> Existing dockmaster building will remain at current location.
Tower Stepback	12 feet	6 feet <i>Justification:</i> The 6 feet is the closest point and is the minimum stepback due to the tower placement at an angle on the podium. The average tower stepback for the residential towers is 40 feet.
Parking	1,607 parking spaces	1,510 parking spaces <i>Justification:</i> ITE parking rates were used to justify request due to the synergy of the uses, comparison of the peak demand of the uses, and reduction factor for pass-by trips.
Floorplate		18,276 square feet (Hotel Tower)

	16,000 square feet	<u>Justification:</u> Only eight floors of the hotel exceed the 16,000 square feet. Residential towers maintain 13,307 square-foot floorplate and hotel tower has an average of 15,891 square-foot floorplate which is due to the design of the hotel tower. Hotels typically require larger floorplates due to programming needs and the hotel tower contains breaks on certain levels to enhance the building's design, while other levels encompass the complete tower floorplate.
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PARKING AND TRANSPORTATION:

Vehicular ingress and egress to the site is located at four points along Seabreeze Boulevard, with the main access controlled by a signalized intersection. Pedestrian access to the site is also provided along Seabreeze Boulevard at numerous points with three direct connections to the waterfront promenade. These three connection points include one at the northern location adjacent to the marina restaurant, and two located in the center of the frontage along Seabreeze Boulevard. The applicant is also proposing to improve the pedestrian bridge by repairing damaged concrete, replacing entrance gates, and repainting the structure, providing direct and improved connections into the site. In addition, the applicant is proposing enhanced pedestrian improvements along the public realm and is providing a waterfront promenade along the entire perimeter of the upland area.

Parking for the site is accommodated in a parking podium and surface parking areas. The majority of on-site parking, approximately 78%, has been provided in a parking podium that contains three levels; one below grade and two above grade, with the above grade levels screened with architectural elements and landscaping. Pursuant to ULDR Section 47-20, Parking and Loading Requirements, the project requires a total of 1,607 parking spaces and as part of the PDD, the applicant is requesting a reduction based on ITE, 11th Edition, utilizing the ITE parking rates for the proposed use, which would result in 1,114 spaces; however, the applicant is providing 1,510 spaces. The parking ratio will be specific as part of the PDD. Table 3 provides a breakdown of the required and provided parking for the project.

Table 3 – Parking Summary

Use	Use	ULDR Required Parking Ratio	PDD Proposed Ratio*	Required Spaces	Provided Spaces
Residential					
- 2 Bedrooms and Den	22 units	2.1 space per unit	1.19 space per unit	46	26
- 3 Bedrooms and Den	186 units	2.1 space per unit	1.5 space per unit	409	221
- 4 Bedrooms and Den	142 units	2.1 space per unit	1.5 space per unit	312	169
Hotel Rooms	256 Rooms	0.67 space per unit	0.67 space per unit	172	172
Hotel Residences	60 units	2.2 space per unit	1.5 space per unit	132	71
Commercial Uses	88,000 sq. ft	1 space per 250 sq. ft.	1 space per 333 sq. ft. of space	294	294
Existing Uses					
Marina	222 Slips	1 space per 2 slips	0.27 per berth	111	60
Existing Live Aboard	10 Slips	1 space per 2 slips	0.27 per berth	5	5
Charter Operations	881 Passengers	1 space per 7 passengers	Same	116	116
Fishing Charters	10 Slips	1 space per 1 slips	Same	10	10
Dockmaster Building	13,000 sq. ft	1 space per 250 sq. ft.	1 space per 333 sq. ft. of space	0	0
Total				1,607	1,144
Parking Provided					1,510

ITE, Trip and Parking Generation Manual, 11th Edition

The existing approved site plan, DRC Case No. R17040, was allocated 460 trips to the project. The applicant submitted an updated trip generation summary, dated December 22, 2022, prepared by DC Engineers, Inc., which identifies the approved project trips compared to the current

proposed development. The approved site plan program includes 256 hotel rooms, 18,547 square feet of ballroom space, 651 residential units, 83,473 square feet of retail space, 28,342 square-foot grocery market, 26,123 square feet of restaurant, and 39,027 square feet of office and dockmaster space, and marina slips. In comparison, the proposed program maintains the 256 hotel rooms, however, reduces residential to 410 units, and reduces the commercial to 88,000 square feet (17,034 square feet of retail, 51,711 square feet of restaurant use, and 19,255 square feet of office and dockmaster space) while maintaining the marina slips.

The updated trip generation analysis identifies that the project will generate less trips than the existing approved site plan, reducing the trips from 887 AM peak trips to 409 AM peak trips and 460 PM peak trips to 379 PM peak trips. Therefore, if approved there will be 81 PM peak trips reallocated to the Central Beach RAC Development Tracking availability. The Trip Generation Analysis Summary is attached as **Exhibit 5**.

The project was reviewed by the Florida Department of Transportation (FDOT) due to Seabreeze Boulevard being a state road. A pre-application letter from FDOT was issued outlining construction conditions for the project, which includes minimum driveway lengths to resolve conflict points on-site, minimum driveway length if gated entrances are installed, internal traffic control to have traffic funnel to the signal at Seabreeze Boulevard, removal of excess driveways, coordination by the applicant with Broward County Transit for location of bus stop, and that the public sidewalk be minimum five feet and within FDOT right-of-way. The FDOT letter is attached as **Exhibit 6**.

COMPREHENSIVE PLAN CONSISTENCY:

The proposed use is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Policy 1.1.2, foster innovative and flexible planning strategies in order to redevelop based best planning practices; Policy 1.1.9, adhering to land use designation uses and development for Central Beach; and Goal 2, Policy 2.1, protect existing neighborhoods from impacts created by more intense adjacent uses; Policy 2.3, encourage mixed use developments to enhance livability of the City; and Goal 3, Policy 3.1, compliance with the Broward County Land Use Plan.

The City's Future Land Use Map indicates that the proposed project has a Regional Activity Center (RAC) Land Use Designation. More specifically, the RAC Land Use Designation is intended to encourage development of regional significance and facilitate a mixed-use development pattern with access to mass transit and reduce dependency on vehicle travel. The proposed project and rezoning meets the intent of the land use designation.

Furthermore, the Comprehensive Plan requires that the City track development in the RAC and monitor the number of units and vehicular trips allocated to individual projects. As proposed, the project requires the allocation of 410 residential units and 397 PM peak hour trips. However, based on the existing approved site plan which was allocated 651 residential units and 677 PM peak trips there will be a difference credited to the Central Beach RAC Development Tracking availability. Table 4 below provides a summary of units and trips allocated to date.

Table 4 – Central Beach RAC Development Tracking Summary

Total Summary - Units		Total Summary - Trips	
Residential Units Permitted	5,500	Total Peak Hour Trips Permitted	3,220
Built and Approved Units ⁽¹⁾	5,154	Built and Approved Trips ⁽²⁾	3,160
Demolition Credits ⁽³⁾	34	Demolition Credits ⁽³⁾	50
Pending Approval	+241	Pending Approval	+81
Number of Units Available	621	Number of Trips Available	191

(1) Includes existing 3,050 units as of July 1998, built, approved not yet built, and pending litigation

(2) Includes built projects, approved not yet built, and any pending litigation.

(3) Demolition credits for properties that demolition structures after 1989 and did not receive new approvals.

In addition, the City's Comprehensive Plan requires coordination with other agencies regarding emergency preparedness and hurricane evacuation. The site is located in a hurricane evacuation zone and the applicant has obtained a letter from Broward County Emergency Management Division regarding the impact to evacuation, which was determined not to negatively impact such evacuation service. The Broward County Emergency Management Division letter is attached as **Exhibit 7**.

PUBLIC PARTICIPATION:

This application request is subject to mail notice and sign notification requirements established in ULDR Section 47-27.4. The applicant has installed a total of five signs on the property and has submitted a sign affidavit indicating proper sign notification was provided. The affidavit and photographs of the posted signs, reflecting the meeting date of April 19, 2023, are provided as **Exhibit 8**.

The application is subject to public outreach as required in ULDR Section 47-37A.5 and is also subject to the public participation requirements established in ULDR Section 47-27.4, which applies to projects within 300 feet of City-recognized civic associations. The applicant conducted meetings with the following associations:

- Central Beach Alliance, November 16, 2023
- Idlewyld Improvement Association, January 19, 2023
- Lauderdale Tomorrow, January 22, 2023
- Central Beach Alliance, January 26, 2023
- Central Beach Alliance, February 23, 2023
- Illini Condo Association, March 22, 2023

In addition, the applicant held two other meetings as required by the ULDR, on December 15, 2022, and March 16, 2023, respectively. A total of eight public meetings were completed by the applicant. The applicant's public participation meeting summary and affidavit are provided as **Exhibit 9**.

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board shall consider the application and make a decision based on the following criteria:

- ULDR Section 47-24.4, Rezoning
- ULDR Section 47-25.2, Adequacy Requirements
- ULDR Section 47-25.3, Neighborhood Compatibility Requirements
- ULDR Section 47-37A, Planned Development District

If the Planning and Zoning Board determines that the proposed rezoning and Site Plan Level IV application meets the standards and requirements of the ULDR and criteria for Site Plan Level IV review, the Planning and Zoning Board shall recommend approval or approval with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed rezoning and associated development, to the City Commission. If recommended for approval, the following conditions apply:

1. Prior to Final DRC, the applicant shall address the following comments:
 - a. Submit copy of the Preliminary School Capacity Determination Letter (SCAD) for school capacity.
 - b. Identify and label building materials and colors on each elevation sheet.
 - c. Identify with spot elevations all rooftop equipment on the roof plan sheets including the marina restaurant.
 - d. Provide detailed drawings of the pedestrian bridge improvements and connection to proposed residential building 4.

- e. Revise the required parking calculations to accurately reflect the charter parking required spaces which in no case will impact the overall provided parking total.
 - f. Design, permit, and construct a bicycle ramp to ramp cyclist from the A1A bike lane on to the sidewalk to protect the cyclists from vehicles design. The applicant is required to provide a conceptual bicycle ramp improvement exhibit that depicts the bicycle ramp.
 - g. Provide a conceptual site circulation map and improvements to access drives to remove confusion from drivers and reducing the conflict points to make it safer for pedestrian and cyclist navigating through the site.
2. Applicant shall continue to work with FDOT and the City for possible bike lanes on A1A.
 3. Prior to submittal of a building permit, applicant shall provide the final School Capacity Availability Determination (SCAD) letter that confirms that school capacity is available, or if capacity is not available, that mitigation requirements have been satisfied.
 4. Pursuant to ULDR Section 47-38A, Park Impact Fees, applicant will be required to pay Park Impact Fee for the proposed residential units and hotel rooms prior to issuance of building permit.
 5. In accordance with the Water and Wastewater Capacity Availability letter issued by the City Public Works Department dated February 8, 2023, the existing water and sewer distribution systems require improvements to accommodate flow increase from the proposed development. Prior to any Certificate of Occupancy, all necessary on-site improvements and a new lift station shall be constructed, certified and in operation per ULDR section 47-25.2.
 6. To meet ULDR Section 47-25.2.M.5, prior to Final Certificate of Occupancy, applicant shall dedicate right-of-way as public deed along the west side of Seabreeze Boulevard varying in width as required by Broward County Trafficways Plan.
 7. To meet ULDR Section 47-25.2.H & I, prior to building permit issuance the proposed development shall be designed to provide an adequate water and sanitary sewer system. The design shall include the necessary areas and easements needed for the installation and maintenance of the systems.
 8. Prior to building permit issuance, applicant must provide plans, sections and details to effectively conduct safe and adequate pedestrian movement through public pedestrian facilities along Seabreeze Blvd in compliance with ULDR Section 47-25.2.M.6.
 9. Prior to building permitting issuance, applicant shall provide proper drainage design and supporting documentation to demonstrate compliance with ULDR Sec. 47-25.2.L.
 10. Prior to building permit issuance, applicant must define on plans and provide legal conveyance of property for all proposed public utilities.
 11. Prior to building permit, applicant must coordinate and define any encumbrance found within the site that would otherwise restrict the proposed development.
 12. In accordance with the Pre-Application Letter issued by the Florida Department of Transportation dated March 28, 2023, applicant must comply prior to building permit with all the conditions of said letter.
 13. Prior to issuance of Final Certificate of Occupancy, applicant shall coordinate Maintenance Agreement with the Florida Department of Transportation (for property frontage along Seabreeze Boulevard). Proposed improvements within adjacent right-of-way include concrete/specialty sidewalk, ramps and driveway paving, concrete curb & gutter, curb, and valley gutters, landscaping and irrigation.

If the Planning and Zoning Board determines that the proposed rezoning and associated development does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall recommend denial of the application and Site Plan Level IV permit.

The applicant has submitted narratives outlining how the project complies with the applicable sections of the ULDR as described herein and attached as **Exhibit 1**, to assist the Board in determining if the proposal meets these criteria.

EXHIBITS:

1. Location Map
2. Application, Project Narratives, and Development Plan Set
3. DRC Case Comment Report with Applicant's Responses, January 24, 2023
4. Water and Sewer Capacity Letter
5. Trip Generation Analysis Summary, December 22, 2022, DC Engineers, Inc.
6. FDOT Letter
7. Broward County Emergency Management Division Letter
8. Public Participation Meeting Summary and Affidavit
9. Public Sign Notice and Affidavit