



## DEVELOPMENT APPLICATION FORM

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


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

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

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

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

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

<b>Applicant/Property Owner</b>	SOUTH OF RIVER ASSOCIATES LLC	<b>Authorized Agent</b>	Stephanie J. Toothaker, Esq.
<b>Address</b>	505 Flushing Ave, Suite 1D	<b>Address</b>	501 SW 2nd Ave, Suite 1
<b>City, State, Zip</b>	Brooklyn, NY 11205	<b>City, State, Zip</b>	Fort Lauderdale, FL 33301
<b>Phone</b>	954.648.9376 (Agent)	<b>Phone</b>	954.648.9376
<b>Email</b>	stephanie@toothaker.org (Agent)	<b>Email</b>	cc: estefania@toothaker.org
<b>Proof of Ownership</b>	Tax Record	<b>Authorization Letter</b>	Letter Attached
<b>Applicant Signature:</b>		<b>Agent Signature:</b>	 Digitally signed by Stephanie J. Toothaker Date: 2023.03.23 23:31:42 -04'00'

**C PARCEL INFORMATION**

<b>Address/General Location</b>	633 SE 3rd Ave
<b>Folio Number(s)</b>	50-42-10-98-0010; 50-42-10-98-0011; 50-42-10-98-0012; 50-42-10-98-0013; 50-42-10-98-0030; 50-42-10-98-0040
<b>Legal Description (Brief)</b>	See survey
<b>City Commission District</b>	District 4
<b>Civic Association</b>	Downtown Fort Lauderdale

**D LAND USE INFORMATION**

<b>Existing Use</b>	COMMERCIAL
<b>Land Use</b>	Downtown RAC
<b>Zoning</b>	RAC-CC
<b>Proposed</b>	Applications requesting land use amendments and rezonings.
<b>Proposed Land Use</b>	Downtown RAC
<b>Proposed Zoning</b>	RAC-CC

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

<b>Project Name</b>	633 SE 3rd Ave
<b>Project Description (Describe in detail)</b>	Site Plan Level II in Downtown RAC: 830 Multifamily Units and 12,798 Square Feet of Commercial Use
<b>Estimated Project Cost</b>	\$ (Estimated total project cost including land costs for all new development applications only)
<b>Affordable Housing Number of Units (AMI)</b>	0 30% 0 50% 0 60% 0 80% 0 100% 0 120% 0 140% 0
<b>Affordable Housing Number of Units (MFI)</b>	0 30% 0 50% 0 60% 0 80% 0 100% 0 120% 0 140% 0





<b>Requested Extension</b> (No more than 24 months) <b>Code Enforcement</b> (Applicant Obtain by Code Compliance Division)	<b>Justification Letter Provided</b>	<b>Indicate Approving Body Appealing</b> <b>De Novo Hearing Due to City Commission Call-Up</b>
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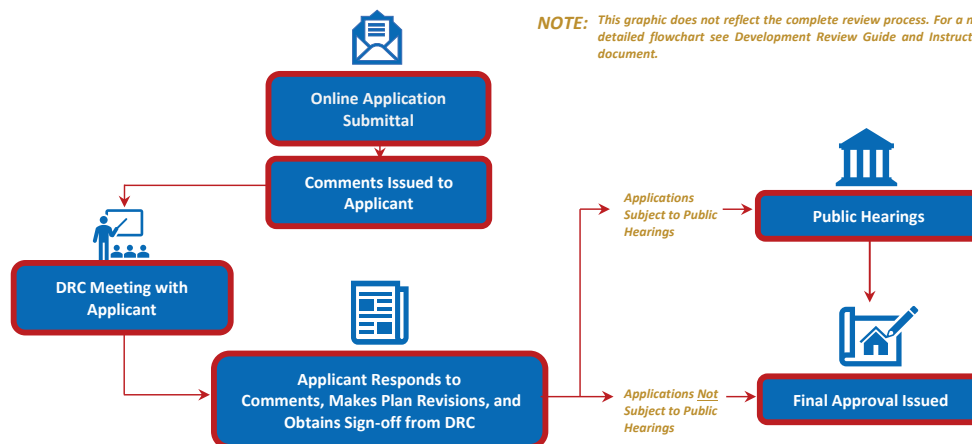
**CHECKLIST FOR SUBMITTAL AND COMPLETENESS:** The following checklist outlines the necessary items for submittal to ensure the application is deemed complete. Failure to provide this information will result in your application being deemed **incomplete**.

- ☒ **Preliminary Development Meeting** completed on the following date: 7/11/2022 **PROVIDE DATE**
- ☒ **Development Application Form** completed with the applicable information including signatures.
- ☒ **Proof of Ownership** warranty deed or tax record including corporation documents and SunBiz verification name.
- ☒ **Address Verification Form** applicant contact Devon Anderson at 954-828-5233 or [Danderson@fortlauderdale.gov](mailto:Danderson@fortlauderdale.gov)
- ☒ **Project and Unified Land Development Code Narratives** project narrative and the applicable ULDR sections and criteria as described in the specifications for submittal by application type.
- ☒ **Electronic Files, File Naming, and Documents** consistent with the applicable specifications for application type, consistent with the online submittal requirements including file naming convention, plan sets uploaded as single pdf.
- ☒ **Traffic Study or Statement** submittal of a traffic study or traffic statement.
- ☒ **Stormwater Calculations** signed and sealed by a Florida registered professional engineer consistent with calculations as described in the specifications for plan submittal for site plan applications.
- ☒ **Water and Wastewater Capacity Request** copy of email to Public Works requesting the capacity letter.

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

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

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



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

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



March 23, 2023

**VIA LAUDERBUILD**

DEVELOPMENT REVIEW COMMITTEE  
URBAN DESIGN & PLANNING DIVISION  
DEPARTMENT OF SUSTAINABLE DEVELOPMENT  
CITY OF FORT LAUDERDALE  
700 NW 19<sup>th</sup> AVENUE  
FORT LAUDERDALE, FL 33311

**Re: 633 SE 3<sup>rd</sup> Avenue – Case No. UDP-S22042  
Site Plan Level II in Downtown RAC - Project & ULDR Narrative**

This firm represents South of River Associates, LLC (“Applicant”), as owner and developer of the real property located at 633 SE 3<sup>rd</sup> Avenue (Folio Nos. 50-42-10-98-0010; 50-42-10-98-0011; 50-42-10-98-0012; 50-42-10-98-0013; 50-42-10-98-0030; 50-42-10-98-0040). Applicant is requesting Site Plan Level II approval to develop a mixed use project (“Project” or “633 SE 3<sup>rd</sup> Avenue”) in the Regional Activity Center – City Center (“RAC-CC”) within the “Downtown Core” Character Area as defined in the Downtown Master Plan (“DMP”). We hereby provide the following responses demonstrating the Project’s compliance with the Unified Land Development Regulations (“ULDR”). An analysis of the Project’s compliance with the DMP is provided separately.

**1. PROJECT DESCRIPTION**

Located south of the New River in an area primarily characterized by office towers, 633 SE 3<sup>rd</sup> Avenue is a 47-story / 563’-0” high tower that adds a dynamic mixed-use dimension and breaks the typical conventions of surrounding architecture with its distinctive vertical forms. The program comprises 830 units, 12,798 square feet of commercial use, and 949 parking spaces.

The Project is designed as a single-tower scheme with a tower footprint that consists of a sequence of stepped rounded shapes that elegantly ease the volume of the tower as it rises. The base of the tower tilts away from the streetwall to minimize the impact on the street level. Between floors 10-39, the additional area over the maximum required 12,500 square feet floorplate ranges from 8,478 square feet at the base of the tower decreasing to 769 square feet on the upper middle floors up to the 39<sup>th</sup> level. The tower floorplate continues decreasing up to the highest level on the 47<sup>th</sup> floor with a reduced floorplate of 7,891 square feet that culminates the sculptural tower design. In contrast with a two-tower scheme, the proposed single-tower increases in slenderness towards the top, allowing for more light, air and open views from the pedestrian experience. The tubular forms containing residential units are treated with floor to ceiling glass and wrap around balconies. Openings within the vertical volume create covered terraces and gardens that provide further articulation throughout the tower.

This language extends to the podium which is undulating in form with curved slabs, alternating balconies and articulated arches to further create a rhythm of massing and shadow play. The podium is lined with residential units with the exception of a portion fronting SE 6<sup>th</sup> Court where the parking podium has concave recesses that create a dynamic three-dimensional façade paralleling the theme established by the cylindrical tower design. The ground level maximizes animated active uses and pedestrian-oriented design with a double-height lobby and retail and a corner plaza that integrates the project with its urban context.

**Stephanie J. Toothaker, Esq.**  
land use development political strategy procurement

**Stephanie J. Toothaker, Esq., PA** 954.648.9376 stephanie@toothaker.org @stoothaker @toothakerdevelopment  
401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301

## **2. UNIFIED LAND DEVELOPMENT REGULATIONS ANALYSIS**

Provided below is a point-by-point analysis the ULDR criteria applicable to the Project:

**ULDR Section 47-13.20, Downtown RAC Review Process and Special Regulations;  
ULDR Section 47-13.21, Table of dimensional requirements for the RAC District;  
ULDR Section 47-28.3.C, Allocation of flex units in the Regional Activity Center Land Use  
Designations (RACs) or Master Planned Areas.  
ULDR Section 47-25.2, Adequacy Requirements; and  
ULDR Section 47-25.3, Neighborhood Compatibility Requirements**

### **Sec. 47-13.20 - Downtown RAC review process and special regulations**

- 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: Project complies. Refer to separate point-by-point narrative addressing the DMP 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: Project complies. Refer to separate point-by-point narrative addressing the DMP 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: Project complies. Refer to separate point-by-point narrative addressing the DMP 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: Refer to separate point-by-point narrative addressing the DMP 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. *Not applicable. As such, this section has been omitted.*
3. *Not applicable. As such, this section has been omitted.*
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 Property is zoned RAC-CC within the Downtown Core character area. Refer to separate point-by-point narrative addressing the DMP Design Guidelines.**

**D. Development Permit, Density, Effective Date of Approval of Existing Site Plans.**

1. Density within the Downtown Regional Activity Center zoning districts is limited in accordance with the number of units as provided in the City of Fort Lauderdale adopted Comprehensive Plan, as amended from time to time, and as per Section 47-28, Flexibility Rules, and any other applicable provisions in the Unified Land Development Regulations. Density may be increased as provided for in the City's Comprehensive Plan.

**RESPONSE: Acknowledged. Applicant is requesting an allocation of flex units. Refer to the analysis below.**

2. Dwelling units are allocated at the time of development permit approval. Upon expiration of a development permit the dwelling units shall be returned to the density pool for future allocation.

**RESPONSE: Acknowledged.**

3. The allocation of dwelling units shall be subject to all applicable provisions of the ULDR at the time of development permit approval. Dwelling units are allocated on a first come, first serve basis.

**RESPONSE: Acknowledged and will comply.**

4. Density in the RAC-TMU District and RAC-RPO District.
  - a. *Not applicable. As such, this section has been omitted.*
  - b. *Not applicable. As such, this section has been omitted.*

**RESPONSE: Not applicable. The Property is zoned RAC-CC.**

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: Acknowledged and will comply.**

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. *Not applicable. As such, this section has been omitted.*
  - b. *Not applicable. As such, this section has been omitted.*
  - c. *Not applicable. As such, this section has been omitted.*
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: Project complies. The Project is zoned RAC-CC and includes both residential and non-residential uses. Refer to Open Space Exhibit Sheet X4.**

- 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. *Not applicable. As such, this section has been omitted.*
    - b. *Not applicable. As such, this section has been omitted.*
  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. *Not applicable. As such, this section has been omitted.*

**RESPONSE: Not applicable. The Project is not located within a transition zone.**

- 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.

**RESPONSE: Not applicable.**

- 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.
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.
  - 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:
  - 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: Project complies. See Landscape Sheet L-1. for details.**

- 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: Project complies. The Project provides minimum 7' wide clear sidewalks which pedestrian experience is expanded with an outdoor plaza. Refer to enlarged street sections on Sheets F.8. through F.11.**

- 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 and will comply.**

- 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. *Not applicable. As such, this section has been omitted.*
  - b. *Not applicable. As such, this section has been omitted.*
2. Additional criteria.
  - a. *Not applicable. As such, this section has been omitted.*
  - b. *Not applicable. As such, this section has been omitted.*

**RESPONSE: Not applicable. 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.

**RESPONSE: Not applicable.**

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.

**RESPONSE: Not applicable.**

3. In the event the developer of a parcel of land in the Downtown RAC districts desires to deviate from the requirements of Section 47-13.20.B., the developer may submit the design of the proposed development for review and approval by the City Commission, if the alternative design meets the overall intent of the Downtown Master Plan.

**RESPONSE: Acknowledged. The Project is being submitted as a Site Plan Level II.**

**Sec. 47-13.21. Table of dimensional requirements for the RAC District.**

**RESPONSE:** The table below provides a summary of the quantitative dimensions in the DMP and those proposed for the Project. **The Applicant is requesting a proposed alternative site design solution deviating from the dimensional requirements of ULDR Section 47-13.21 as noted below.**

	<b>Downtown Core</b>	<b>Proposed</b>	<b>Complies or Alternative Design Requested</b>
<b>Maximum Building Height</b>	None (FAA restrictions apply)	47 stories / 529'-8" to top of roof and 563'-0" to top of structure	Complies (FAA approval pending)
<b>Maximum Building Streetwall Length</b>	300'	SE 3 <sup>rd</sup> Ave Building: 244'-0" Building & Balcony: 250'-0"  SE 7 <sup>th</sup> Street Building: 262'-6" Building & Balcony: 268'-6"  SE 6 <sup>th</sup> Court Building: 264'-0" Building & Balcony: 270'-0"	Complies
<b>Maximum Gross Square Footage of Building Tower Floor Plate Size</b>	12,500 SF for entirety of building tower up to/over 37 floors high	Levels 10-39: >12,500 SF Levels 40-47: <12,500 SF	<b>Design Deviation Requested</b>
<b>Maximum Building Podium Height</b>	9 floors	9 floors	Complies
<b>Minimum Building Tower Step Back</b>	None	N/A	N/A
<b>Minimum Separation between Building Towers</b>	60' between towers on same site / 30' minimum on subject property if adjacent to abutting lot under separate ownership	37'-7" from tower face to west property line	Complies
<b>Minimum Residential Unit Size</b>	400 SF	400 SF	Complies

**Sec. 47-28.3.C. Allocation of flex units in the Regional Activity Center Land Use Designations (RACs) or Master Planned Areas.**

*C. Allocation of flex units in the Regional Activity Center Land Use Designations (RACs) or Master Planned Areas.*

1. For the purpose of this subsection C, the term RACs refers to those areas designated as such in the City's Comprehensive Plan and depicted on the City's Future Land Use Map. The term Master Planned Areas refers to those areas meeting the definition for such as defined herein.

**RESPONSE: Acknowledged.**

2. Flex units may be allocated to development sites subject to the following conditions:
  - a. Demonstration that the use of flex units is in conformance with goals, objectives and policies of the city's Comprehensive Plan.

**RESPONSE: The Project fulfills Objective FLU 2.4 which states that the City will direct growth to designated Urban Redevelopment/Downtown Revitalization Areas to discourage urban sprawl, maximize the use of existing public facilities and centralize commercial, governmental, retail, residential, and cultural activities. The Project supports Policies FLU 2.4.1, 2.4.1a and 2.4.1b by contributing to a vibrant mixed-use Downtown, combining new residential and commercial uses, and implementing the Downtown Master Plan principles.**

- b. Development applications shall be reviewed to determine if the development is consistent with the applicable master plan or has proposed alternative designs which meet the intent of the applicable master plan design guidelines. In the event compliance with the ULDR would not permit consistency with the design guidelines, the master plan design guidelines shall govern. In the event there is no applicable master plan for the development site, the applicable zoning district regulations shall apply.

**RESPONSE: Acknowledged, Applicant has provided a separate point-by-point narrative addressing the requirements of the DMP.**

- c. Development applications shall be subject to applicable approval requirements in Section 47-24, Development Permits and Procedures.

**RESPONSE: Acknowledged, the Project is being submitted as a Site Plan Level II.**

- d. The allocation of flex units shall expire and terminate upon the expiration of the development permit approval in accordance with Section 47-24.1.M.

**RESPONSE: Acknowledged.**

**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.

**RESPONSE: The adequacy requirements are applicable to the Project.**

- 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 communication 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 comply.**

- 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, a application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:
  - Broward County Ordinance No. 89-6.
  - Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
  - 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: There are no environmentally sensitive lands located on the Property to Applicant's knowledge.**

- 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: Fire protection service will be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities will be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.**

F. ***Parks and open space.***

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.
2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

**RESPONSE: Applicant will pay the required park impact fees prior to the issuance of a building permit.**

G. ***Police protection.*** Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

**RESPONSE: Controlled access doors, security cameras and lobby personal will be provided. The Project will provide improvements which are consistent with Crime Prevention Through Environmental Design principles to minimize the 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: Per the Water and Wastewater Capacity Availability Letter dated December 5, 2022, the existing water infrastructure has the capacity to support the proposed development and no improvements are needed. The existing sewer infrastructure does not have the capacity to support the proposed development and improvements will be required to accommodate the proposed flow increase before the Certificate of Occupancy is issued.**

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.

**RESPONSE: Per the Water and Wastewater Capacity Availability Letter dated December 5, 2022, the existing water infrastructure has the capacity to support the proposed development and no improvements are needed. The existing sewer infrastructure does not have the capacity to support the proposed development and improvements will be required to accommodate the proposed flow increase before the Certificate of Occupancy is issued.**

- J. ***Schools.*** For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

**RESPONSE: Refer to uploaded Preliminary School Capacity Availability Determination (“SCAD”) letter confirming the Project meets public school concurrency requirements.**

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. 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: Solid waste and recycling collection will be provided by a private contractor licensed with the City of Fort Lauderdale.**

- L. ***Stormwater.*** Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code city engineering standards and other accepted applicable engineering standards.

**RESPONSE: The Project is designed with on-site storm water retention. The Applicant will submit an application to Broward County, satisfy all current criteria for surface water requirements, and obtain all local and state licenses as applicable.**

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 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;
- 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 trafficways impact analysis which shall:
  - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
  - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
  - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
  - iv. A further detailed analysis and any other information that the review committee considers relevant.
  - v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by City's consultant shall be reimbursed to the city by the applicant.
  - vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

**RESPONSE: Refer to Traffic Study prepared by DC Engineering dated March 2023.**

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: Requirement noted.**

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 encourages pedestrian-oriented development with greater emphasis on sidewalk width accommodation, incorporation of street trees and shading devices, and bicycle facilities.**

1. ***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: Project complies. The Project is located on SE 3<sup>rd</sup> Avenue. Vehicular access is provided on SE 6<sup>th</sup> Court and SE 7<sup>th</sup> Street which are secondary streets.**

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: Not applicable.**

9. ***Street trees.*** In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within

the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

**RESPONSE: The Project complies with the minimum street tree requirements. Refer to Landscape Sheet L-1 for details.**

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: Per the Water and Wastewater Capacity Availability Letter dated December 5, 2022, the existing water infrastructure has the capacity to support the proposed development and no improvements are needed. The existing sewer infrastructure does not have the capacity to support the proposed development and improvements will be required to accommodate the proposed flow increase before the Certificate of Occupancy is issued.**

- O. ***Trash management requirements.*** A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for offsite 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 and will comply.**

P. ***Historic and archaeological resources.***

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

**RESPONSE: The Property has not been identified as having any archaeological or historical 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: Not applicable. The site is located west of the Intracoastal Waterway.**

**Sec. 47-25.3 - Neighborhood Compatibility**

A. The neighborhood compatibility requirements are as follows:

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

**RESPONSE: The Applicant has provided a point-by-point narrative addressing the adequacy requirements.**

2. ***Smoke, Odor, Emission 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: Should any County license be required, the Applicant will apply and obtain.**

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) footcandle on any abutting residential property except as provided in subsection iii. of this subsection a.

**RESPONSE: Not applicable. There are no contiguous residential properties.**

- 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.

**RESPONSE: Not applicable. There are no contiguous residential properties.**

- 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: Not applicable. There are no contiguous residential properties.**

- 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: Not applicable. There are no contiguous residential properties. However, the Project incorporates balconies, color and material banding, building mass changes, and multiple types and angles of roofline.**

- 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: Not applicable. There are no contiguous residential properties. However, the loading facilities are located internal to the building to be screened from view to the greatest extent.**

- 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: All mechanical equipment is screened to not be visible from adjacent properties. Refer to Sheet E.6. Roof Level Floor Plan and Sheets F.2 through F.3 for the elevations.**

- 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 ( $\frac{1}{2}$ ) 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: Not applicable. There are no contiguous residential properties.**

- 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.
  - 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.
  - 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.
  - 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: Not applicable. There are no contiguous residential properties.**

- v. **Application to existing uses.** Within five (5) years from the effective date of subsections A.3.c and d (effective date: September 19, 1989), all nonconforming uses of land which were in existence prior to such date shall comply with the requirements of subsections A.3.c and d unless compliance would cause one (1) or more of the following to occur:
  - a) Demolition of any load-bearing portion of a building as it exists on September 19, 1989, the effective date of subsections A.3.c and d;

- b) Reduction of required parking spaces;
- c) A reduction in the number of parking spaces provided for use of a parcel which would be required if based on the parking requirements of Section 47-20, Parking and Loading Requirements in effect on and applicable to such use on March 6, 1990;
- d) Relocation of an existing wall which complied with the Code prior to September 19, 1989, the effective date of subsections A.3.c and d;
- e) Access to the land would be substantially impaired;
- f) Installation of the wall as provided in subsection iv. would require a modification of the existing vehicular use area, which would impair traffic circulation on the site and a minimum five (5) foot high hedge, fence or other physical barrier is in place along the length of the nonresidential property line which abuts the residential property;
- g) In such cases, the use shall otherwise comply with the requirements of this section to the maximum possible extent; however, the requirement of subsections A.3.d.i to install a landscape strip shall be met if an abutting residential property owner agrees in writing that the landscape strip may be placed on his or her property. An agreement in form provided by the department must be executed by the applicant and the abutting property owner. If the abutting property owner removes the landscape strip after it has been installed, there shall be no further requirement to install another landscape strip on the abutting property in connection with the commercial use which existed at the time of the initial installation.

**RESPONSE: Not applicable. There are no contiguous residential properties.**

- 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, bufferyards, 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 surrounding properties are zoned RAC-CC within the “Downtown Core” character area. The Project is therefore compatible with the existing and prospective intensity/density, mass, and scale of surrounding developments.**

- 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, bufferyards, 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 Project complies with the intent of the DMP. Refer to the DRT Narrative which provides a detailed analysis.**

- 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: Not applicable. The Property is zoned RAC-CC.**

- 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: Not applicable. The Property is zoned RAC-CC and is not within 100 feet of residential property that is located outside of any Downtown RAC District or adjacent to the New River.**

iv. All development that is located on land within the B-1A zoning districts;

AND

All development that is zoned RMM-25, RMH-25 and RMH-60 east of the Intracoastal Waterway;

AND

All nonresidential development lying east of the Intracoastal Waterway.

**RESPONSE: Not applicable. As such, this section has been omitted.**

Respectfully submitted,

*/s/ Stephanie J. Toothaker*

Stephanie J. Toothaker, Esq.

August 12, 2022

**VIA LAUDERBUILD**

DEVELOPMENT REVIEW TEAM  
URBAN DESIGN & PLANNING DIVISION  
DEPARTMENT OF SUSTAINABLE DEVELOPMENT  
CITY OF FORT LAUDERDALE  
700 NW 19TH AVENUE  
FORT LAUDERDALE, FL 33311

**Re: 633 SE 3<sup>rd</sup> Avenue – Case No. UDP-S22042  
Design Review Team (“DRT”) Narrative**

This firm represents South of River Associates, LLC (“Applicant”), as owner and developer of the real property located at 633 SE 3<sup>rd</sup> Avenue (Folio Nos. 50-42-10-98-0010; 50-42-10-98-0011; 50-42-10-98-0012; 50-42-10-98-0013; 50-42-10-98-0030; 50-42-10-98-0040). Applicant is requesting Site Plan Level II approval to develop a mixed use project (the “Project” or “633 SE 3<sup>rd</sup> Avenue”) in the Regional Activity Center – City Center (“RAC-CC”) within the “Downtown Core” Character Area of the Downtown Master Plan (“DMP”). We hereby provide the following responses demonstrating the Project’s compliance with the DMP and where applicable have noted where alternative site design solutions are requested.

**DOWNTOWN MASTER PLAN DESIGN GUIDELINES**

**PRINCIPLES OF STREET DESIGN:**

- S1 Maintain a fine-grained street grid: discourage vacations.  
**RESPONSE: Project complies. No street vacations are proposed.**
- S2 Utilize Traffic Calming rather than blocking streets:  
**RESPONSE: Project complies. The Project is designed to encourage pedestrian connectivity along the rights-of-way and within the site.**
- S3 Maximize on-street parking except on major arterials:  
**RESPONSE: Project complies. A total of 10 on-street parking spaces are provided, including 4 spaces on SE 6<sup>th</sup> Court and 6 spaces on SE 7<sup>th</sup> Street.**
- S4 Provide adequate bike lanes in a planned network (next to on-street pkg: 5’; next to travel lane: 4’):  
**RESPONSE: Bike lanes to be coordinated with TAM as applicable.**
- S5 Maximize street trees on all Downtown streets.  
**RESPONSE: Tree planting complies with the DMP. Refer to Landscape Sheet L-1 for details.**
- S6 Encourage location of primary row of street trees between sidewalk and street:  
**RESPONSE: Project complies. Trees will be located between the main pedestrian walkway and vehicular traffic where not adjacent to on-street parking or where existing underground utilities are located. Refer to Landscape Sheet L-1 for details.**

**Stephanie J. Toothaker, Esq.**

land use development political strategy procurement

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- S7 Maximum spacing for street trees: Palms -22ft.; Shade trees - 30 ft.  
**RESPONSE: Tree/Palm spacing along the streets complies with the DMP. Refer to Landscape Sheet L-1 for details.**
- S8 Minimum horizontal clearance (from building face) for trees: Palms - 6ft; Shade trees - 12ft.  
**RESPONSE: Minimum horizontal clearance of planting will meet DMP. Refer to Landscape Sheet L-1 for details.**
- S9 Encourage shade trees along streets and palm trees to mark intersections:  
**RESPONSE: Tree planting will meet DMP and standards of the Downtown Core character area. Refer to Landscape Sheet L-1 for details.**
- S10 Eliminate County “Corner Chord” requirements not compatible with urban areas:  
**RESPONSE: Project complies. No corner chords are being dedicated on local streets.**
- S11 Encourage curb radius reduction to a preferred maximum of 15’; 20’ for major arterials:  
**RESPONSE: N/A**
- S12 Discourage curb cuts on “primary” streets  
**RESPONSE: Project complies. No curb cuts are existing or proposed along SE 3<sup>rd</sup> Avenue. Curb cuts are only provided on SE 7<sup>th</sup> Street and SE 6<sup>th</sup> Court which are secondary streets.**
- S13 Encourage reduced lane widths on all streets:  
**RESPONSE: Lane widths are proposed to remain as existing.**
- S14 \*ULDR\* Encourage fixed Rights-of-Way and setbacks for all Downtown streets (to eliminate uncoordinated City setback and County easement requirements). Note: Downtown Local streets have varying ROW’s and section design may need to be flexible to respond to the specific ROW conditions  
**RESPONSE: The Project is designed to meet required right-of-way and setbacks for the RAC-CC / Downtown Core. Refer to the site plan on Sheet C0 and enlarged streetscape sections on Sheets F.8. through F.1**
- S15 Encourage reduced design speeds on all RAC streets (15 - 40 mph).  
**RESPONSE: Not applicable. No change of speed limit is proposed.**
- S16 Bury all power lines in the Downtown Area.  
**RESPONSE: Project complies. Facilities are proposed to be undergrounded.**

**PRINCIPLES OF BUILDING DESIGN:**

- B1** Framing the street: building “streetwall” should generally meet setback line.  
**RESPONSE: Project complies. The building streetwall meets the setback line and is setback as follows:**
- SE 6<sup>th</sup> Court: 35’-0” from building line to centerline of ROW;
  - SE 3<sup>rd</sup> Avenue: 56’ 0 1/2-“ from building line to centerline line of ROW; and
  - SE 7<sup>th</sup> Street: 41’-0” from building line to centerline of ROW.
- B2** Framing the street: encourage open space site requirements for use as pedestrian public space instead of unusable leftover ‘green perimeter’.  
**RESPONSE: Project complies. The Project enhances the pedestrian streetscape through the incorporation of an urban plaza complemented by active ground level commercial and residential lobby uses.**
- B3 \*ULDR\*** Framing the street: minimum and maximum building “streetwall” heights (see character area guidelines for specifics):  
**RESPONSE: Project complies. A 9-story streetwall height is proposed consistent with the Downtown Core requirement.**
- B4\*ULDR\*** Framing the street: maintain maximum building “streetwall” length of 300’:  
**RESPONSE: Project complies. The continuous building streetwall lengths, including the balcony projections, are below 300’ along SE 3<sup>rd</sup> Avenue, SE 7<sup>th</sup> Street and SE 6<sup>th</sup> Court. Refer to Sheet C.8.**
- B5\*ULDR\*** Maintain maximum Floorplate Area for towers based on character area:  
**RESPONSE: Design deviation requested for Tower Levels 10-39 which exceed 12,500 GSF. Additional area ranges from 8,478 SF at the base of tower decreasing to 769 SF on the upper middle floors up to the 39<sup>th</sup> floor. The highest floors with a reduced footprint of 7,891 SF culminate the sculptural tower design that contributes to the skyline and opens up city perspectives. The tower increases in slenderness towards the top, allowing for more light, air and open views from the pedestrian experience**
- B6 \*ULDR\*** Where buildings with towers are located on Primary (>60’ wide) and Secondary (< or = 60’ wide) streets, the towers are encouraged to orient towards the Primary Street:  
**RESPONSE: Project complies. The building is oriented towards SE 3<sup>rd</sup> Avenue.**
- B7\*ULDR\*** Where towers are located on streets < or = 60ft, increased step backs from the ‘shoulder’ are encouraged at 30’ to reduce the impact on the street.  
**RESPONSE: Not applicable. The Property is located in the Downtown Core which does not require any building tower stepbacks.**
- B8** Surface parking: discourage frontage and access along Primary Street:  
**RESPONSE: Project complies. On-street parking is proposed along SE 7<sup>th</sup> Street and SE 6<sup>th</sup> Court which are secondary streets.**
- B9** Parking garages:  
Encourage access from secondary streets and alleys.  
**RESPONSE: Project complies. Parking garage access is provided off the secondary streets.**

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

**RESPONSE: Project complies. Active commercial, residential lobby, and outdoor plaza uses are provided at the street level.**

Upper floors of a parking garage should not be visible along primary streets, waterways, and parks.

**RESPONSE: Project complies. Where not lined with residential units, the parking podium features screening with concave recesses that create a dynamic three-dimensional façade paralleling the theme established by the cylindrical tower design.**

Active spaces on the upper floors are encouraged as a preferred design.

**RESPONSE: Project complies. Residential liner units animate the podium façade.**

**B10** Encourage main pedestrian entrance to face street:

**RESPONSE: Project complies. The Project locates main pedestrian entrances to capture pedestrian activity from all street frontages and create a seamless transition.**

**B11** Maximize active uses and ‘extroverted’ ground floors with retail in strategic locations:

**RESPONSE: Project complies. The Project provides anchor commercial uses on the ground floor along with a grand lobby and amenities.**

**B12** Encourage pedestrian shading devices of various types:

**RESPONSE: Project complies. The articulated balconies on the podium provide continuous pedestrian shading below.**

**B13** Encourage balconies and bay windows to animate residential building facades:

**RESPONSE: Project complies. The residential building is animated with the use of balconies and terraces formed around unique building design.**

**B14** In residential buildings, encourage individual entrances to ground-floor units, particularly in the Urban Neighborhood Character Area

**RESPONSE: Not applicable. The Project is in the Downtown Core and does not provide ground-floor units.**

**B15** High rises to maximize active lower floor uses and pedestrian-oriented design at ground floor:

**RESPONSE: Project complies. Commercial uses and grand residential lobby and amenities activate the ground level and connect to an urban plaza.**

**B16** Building Design guidelines do not apply to Civic Buildings and Cultural Facilities:

**RESPONSE: Not applicable.**

**B17** Discourage development above rights-of-way (air rights):

**RESPONSE: Not applicable. No development is being proposed above rights-of-way.**

**B18** Mitigate light pollution:

**RESPONSE: Project complies. Where not lined with residential units, the parking garage is architecturally screened to mitigate light pollution. Refer to elevations on Sheets F.6 and F.7**

**B19** Mitigate noise pollution:

**RESPONSE: Project complies. Mechanical equipment noise will be appropriately screened and muffled with sound attenuation installations to meet the City's noise ordinances.**

**B20 \*ULDR\*** Vertical open space between towers on adjacent lots: Maintain 60' vertical open space between towers (30' min. on subject property if adjacent to abutting lot under separate ownership). In certain circumstances abutting property owners can coordinate tower placement as long as maintain 60' clearance.

**RESPONSE: Project complies. The tower provides a 37'-8" distance from the west property line.**

**B21** Vertical open space between multiple towers on a single development site: no less than 60' apart.

**RESPONSE: Not applicable the development proposes a single tower.**

**B22** Residential: Encourage minimum ground floor elevation of 2 ft above public sidewalk level for individual ground floor entrances to private units.

**RESPONSE: Not applicable. No ground floor units are proposed.**

**B23** Avoid drive thrus in the wrong places:

**RESPONSE: Not applicable. No drive thrus are proposed for the project.**

**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: Project complies. The 10<sup>th</sup> level amenity deck provides a usable landscaped terrace for recreation and environmental benefits.**

#### **QUALITY OF ARCHITECTURE:**

**Q1** Skyline Drama: Encourage towers to contribute to the overall skyline composition.

**RESPONSE: Project complies. The project features a single sculpted tower conformed as a group of unique and elegant staggered cylindrical volumes that step towards the top increasing the tower slenderness. The expressive design features a dynamic form that generates a rich variety of visuals adding to the drama of the overall skyline composition.**

**Q2** Expressive 'tops': Encourage expressive tops for tall buildings above 37 stories in Near Downtown and Downtown Core.

**RESPONSE: Project complies. The sculpted tower top articulation features distinct curved reflective volumes as an expressive and iconic crown design.**

**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: Project complies. The podium and tower feature floor to ceiling height glazed facades with vertical fins to break down the scale of the volume in conjunction with the exposed concrete balconies. The tower façade is further articulated with alternating horizontal bands of smooth stucco panel walls. The podium garage screen is lined with flat perforated metal panels in juxtaposition with the concave three-dimensional areas cladded with vertical metal fins. The lot line façade is cladded with smooth stucco. The ground floor has an extensive floor to ceiling glazed storefront and arches articulated with vertical fins.**

- Q4** Respect for historic buildings:  
**RESPONSE: Not applicable. There are no existing historic structures on or adjacent to the Property.**
- Q5** Parking Podium Façades: Where structured parking must be exposed to the street, exceptionally creative solutions should be explored.  
**RESPONSE: Project complies. Where not lined with residential units, the parking podium features screening with concave recesses that create a dynamic three-dimensional façade paralleling the theme established by the cylindrical tower design.**
- 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 reuse through bio-swales and rain gardens; solar roof panes/awnings.  
**RESPONSE: Project complies. The Project will use an energy efficient window wall system throughout the façade. The projected balconies will provide naturally shaded apartments. The ground floor design provides covered outdoor spaces along the streetwall that are protected from the weather all year-round.**
- Q7** Creative façade composition: Encourage a rich layering of architectural elements throughout the building, with special attention to facades below the shoulder level.  
**RESPONSE: Project complies. The design features alternating balconies, sleek curved glazed areas, an innovative parking podium façade and articulated arches at ground level create a rich configuration.**
- 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: Project complies. The architectural design creates a strong identity with a creative façade composition layered through the stepped curvilinear volumetry, with single and double height recesses and open outdoor spaces at multiple levels.**

**PRINCIPLES OF BUILDING DESIGN (STORE FRONT):**

- SF1** Retail Location Strategy: Encourage ground floor retail in preferred locations.  
**RESPONSE: Project complies. 12,798 SF of ground floor commercial use is strategically located along the street frontages.**
- 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: Project complies. Extensive glazing activates the ground level façade and adds visual interest.**
- SF3** Encourage durable materials for ground floor retail and cultural uses.  
**RESPONSE: Project complies. Quality materials including floor to ceiling glazing, smooth stucco and articulated arches with fins are proposed for the ground floor.**
- SF4** Encourage 15 ft minimum floor-to-floor height and encourage interior ground floor flush with adjacent public sidewalk.  
**RESPONSE: Project complies. The Project is designed with a 24' floor-to-floor height on the ground level.**



**SF5** Encourage significant glass coverage for transparency and views. Encourage restaurants to provide clear visual and physical connections to outdoor seating:

**RESPONSE: Project complies. High impact glazing is proposed for all street frontages.**

**SF6** Encourage pedestrian shading device minimum 5 feet:

**RESPONSE: Project complies. The articulated balconies on the podium provide continuous pedestrian shading below.**

**SF7** Encourage multi-level storefront displays to disguise unfriendly uses or blank walls:

**RESPONSE: Project complies. The Project is designed with a 24' floor-to-floor height on the ground level.**

**SF8** Encourage well designed night lighting solutions:

**RESPONSE: Project complies. Pedestrian level street lighting is provided throughout the development to provide a safe urban environment without light pollution. Refer to Photometric Sheets.**

**CHARACTER AREA GUIDELINES:**

**1A \*ULDR\*** Frame the street with appropriate streetwall height: Shoulder: 9 floors max.:

**RESPONSE: Project complies. A 9-level streetwall height is provided.**

**1B \*ULDR\*** Signature Tower: Special architectural design encouraged for buildings over 37 floors.

**RESPONSE: Project complies. The tower architecture design is unique and iconic, the building envelope is articulated through a series of distinct interlocked sleek cylinders with alternating wrap around balconies; these volumes vary in height and elegantly ease the mass of the tower as it rises creating a strong dynamic design while emphasizing its verticality. The tower is further articulated through single and double height recessed areas featuring amenity terraces at different heights adding a rich variety of spaces and visuals.**

**1C \*ULDR\*** Encourage slender towers to complement the skyline and provide more light and air to streets and open spaces below based on max. floorplate size: .

- Non-residential: 32,000GSF floor plate max.
- Residential: Buildings up to 15 floors: 18,000 GSF floorplate max.
- Residential: Buildings over 15 floors: 12,500 GSF floorplate max.

**RESPONSE: Design deviation requested for Tower Levels 10-39 which exceed 12,500 GSF. Additional area ranges from 8,478 SF at the base of tower decreasing to 769 SF on the upper middle floors up to the 39<sup>th</sup> floor. The highest floors with a reduced footprint of 7,891 SF culminate the sculptural tower design that contributes to the skyline and opens up city perspectives. The tower increases in slenderness towards the top, allowing for more light, air and open views from the pedestrian experience**

Respectfully submitted,

*/s/ Stephanie J. Toothaker*

Stephanie J. Toothaker, Esq.