

Rezoning Narrative

December 21, 2015

City of Fort Lauderdale
Building Services Center
700 Northwest 19th Avenue
Fort Lauderdale, Florida 33311-7834

**RE: Rezoning Requirements as Required for a
Level IV Site Plan Approval/Rezoning for
Benedetti Orthodontics (formally Andre's Steakhouse Restaurant)
3025 East Commercial Blvd
Fort Lauderdale, Florida 33308**

Dear DRC Staff;

The following narrative is a written description of the Rezoning Requirements as required by the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) for the proposed Benedetti Orthodontics (formally Andre's Steakhouse Restaurant) located at 3025 East Commercial Blvd in Fort Lauderdale, Florida. Please review the following and contact our office if you have any questions.

Sec. 47-24.4 Rezoning (city commission)

Criteria. We are providing an application for a rezoning of a 9,500 square foot parcel of land currently zoned RMM-25 (Residential Medium-High Density) to X-P (Exclusive Use – Parking). We have provided narratives for compliance with Section 47-25, Development Review Criteria with regards to "Adequacy" and "Neighborhood Compatibility". In addition, our application addresses the following criteria:

1. The zoning district proposed is consistent with the city's comprehensive plan.
2. Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.
3. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.

Answer: The property being submitted for consideration for rezoning from RMM-25 (Residential Medium-High Density) to X-P (Exclusive Use – Parking) currently has a surface parking lot on it which provided accessory parking to the existing vacated "Andre's Steakhouse" restaurant and is consistent with the City's comprehensive plan. A site plan application has already been submitted to the Development Review Committee (DRC) for review for the redevelopment of the subject property to provide a new single-story medical office building. The subject property currently has two (2) separate zoning designations, CB (Community Business) and RMM-25 (Residential Medium Density). These two parcels are currently separated by an existing twenty (20) foot alley. At the recommendation of the City Staff, we are requesting the rezoning of the RMM-25 parcel to X-P to continue the existing use of that parcel as a surface parking lot. The X-P zoning will allow for the exclusive use to remain parking.



The proposed rezoning will not create a substantial change to the existing character of the property. Our proposed redevelopment of the surface parking will provide additional landscaping and screening of the adjacent residential properties. The proposed rezoning is on one (1) single 95' by 100' lot in the existing RMM-25 zoning district.

The character of this rezoning will limit this property to the continues exclusive use for a surface parking lot and is compatible with the surrounding zoning districts, CB Community Business and RMM-25 Residential Medium-High Density.

As noted above, we have provided narratives with regards to Adequacy and Neighborhood Compatibility for the proposed medical office development that is a part of our Site Plan Development permit.

This is the Rezoning Narrative submitted as required by the Development Review Committee's (DRC) comments. Should you require any further information or clarification, please do not hesitate to contact our office.

Cordially,

Lawrence A. Martineau III
Partner – Healthcare Design
Falkanger, Snyder, Martineau & Yates
Architects & Planner



Exclusive Use Narrative

December 21, 2015

City of Fort Lauderdale
Building Services Center
700 Northwest 19th Avenue
Fort Lauderdale, Florida 33311-7834

**RE: Exclusive Use Narrative as Required for a
Level IV Site Plan Approval/Rezoning for
Benedetti Orthodontics (formally Andre's Steakhouse Restaurant)
3025 East Commercial Blvd
Fort Lauderdale, Florida 33308**

Dear DRC Staff;

The following narrative is a written description of the Exclusive Use District Requirements as required by the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) for the proposed Benedetti Orthodontics (formally Andre's Steakhouse Restaurant) located at 3025 East Commercial Blvd in Fort Lauderdale, Florida. Please review the following and contact our office if you have any questions.

Section 47-9. X – Exclusive Use District

The application is to rezone the existing RMM-25 property along N.W. 51st Street (part of the application referenced above for the property address 3025 East Commercial Boulevard) to X-P, Exclusive Use – Parking, to restrict the use of this lot for parking associated with the proposed medical office building. The current use of that property is a surface parking lot that was utilized for the abandoned "Andre's Steakhouse" restaurant. The proposed use is for an "improved" surface parking lot for the proposed medical office building. Exclusive use requirements set forth herein.

A. The rezoning of property to an X district for a specified permitted use or uses shall meet all of the following condition:

1. The property is not zoned RS-4.4, RS-8, or RC-15...

Answer: The current zoning is RMM-25 and this section does not apply.

2. The property is located in an area with available commercial flexibility acreage pursuant to the comprehensive plan and flex acreage is allocated pursuant to Section 47-28, Flexibility Rules, as part of the rezoning.

Answer: Please see the attached Flexibility Rules narrative attached.

3. If the property is contiguous to property which is already been granted commercial flexibility in accordance with the comprehensive plan, the total acreage of the contiguous property previously approved for commercial flexibility and the total acreage of the property proposed for exclusive use shall not exceed ten (10) acres.

Answer: This property is not contiguous to any other property that has been previously approved for exclusive use. The proposed rezoning property being considered totals 9,500 s.f. (0.2181 acres) complying with the requirements of this section.

4. The property is designated for residential use on the LUP.

Answer: The current Land Use Plan designates this property for residential medium density use.

5. The property proposed for exclusive use abuts or is separated by a right-of-way no greater than twenty (20) feet in width from business property as defined in Section 47-35, Definitions, which has a front yard abutting a street.

Answer: The property proposed for exclusive use is separated from the proposed medical office, business use, by a twenty (20) foot alley. The two properties are under the same Ownership.

6. The property proposed for exclusive use and business property must share at least fifty (50) feet of the same property line or if separated by an alley, at least fifty (50) feet of a property line of the exclusive use property is parallel to a property line of the business property.

Answer: The proposed exclude use property, which is separated from the business use property by a twenty (20) foot alley, extends 95' parallel to the business use property in which it serves.

7. Property proposed to be zoned exclusive use shall extend no more than one hundred eighty (180) feet into a residentially zoned district, except property located north of Sunrise Boulevard, between the Florida East Coast Railway and Powerline Road, may extend no more than five hundred (500) feet into a residentially zoned district, but in no case shall the exclusive use zoning in this area go north of the south right-of-way line of N.E. and N.W. 11th Street.

Answer: The proposed exclusive use property extend one hundred (100) feet into the existing residential zoned district.

8. An application which meets the requirements of this section is submitted by the owner of the property to be rezoned and is approved by the City commission.

Answer: An application is submitted for the Planning and Zoning Board approval and City Commission will be provided.

9. If the property proposed for exclusive use is to be used for exclusive use and business use as provided in Section 47-9.10 in addition to the above, the property proposed for exclusive use and business property described in subsection A.5 must be submitted as a single site plan and the owner of the business property must join in the application for rezoning of the proposed exclusive use property.

Answer: This application is being submitted along with the site plan application for the business which it serves. They are under the same ownership.



10. Property located within the following described area may not be rezoned to exclusive use for a period ending June 30, 1998 unless sooner terminated by ordinance adopted by the City commission: The area bounded on the east by Federal Highway, the west by the Florida East Coast Railway, the north by Tarpon River and the south by State Road 84.

Answer: The proposed exclusive use property does not lie within the above referenced boundaries.

This is the Exclusive Use Narrative submitted as required by the Development Review Committee's (DRC) comments. Should you require any further information or clarification, please do not hesitate to contact our office.

Cordially,

Lawrence A. Martineau III
Partner – Healthcare Design
Falkanger, Snyder, Martineau & Yates
Architects & Planner





Flexibility Rules Narrative

December 21, 2015

City of Fort Lauderdale
Building Services Center
700 Northwest 19th Avenue
Fort Lauderdale, Florida 33311-7834

**RE: Flexibility Rules Narrative as Required for a
Level IV Site Plan Approval/Rezoning for
Benedetti Orthodontics (formally Andre's Steakhouse Restaurant)
3025 East Commercial Blvd
Fort Lauderdale, Florida 33308**

Dear DRC Staff;

The following narrative is a written description of the Flexibility Rules Requirements as required by the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) for the proposed Benedetti Orthodontics (formally Andre's Steakhouse Restaurant) located at 3025 East Commercial Blvd in Fort Lauderdale, Florida. Please review the following and contact our office if you have any questions.

Sec. 47-28.1.G Flexibility Rules – Applicability; Conditions

Flexibility Rules. Flexibility rules permit the city to revise and rearrange land uses and permit additional residential dwelling units without requiring an amendment to the Broward County Land Use Plan (BCLUP).

Definition – Commercial flex acreage. Commercial flex acreage is the total percentage of residential acres permitted by the BCLUP to be converted to commercial uses with a flexibility zone (FZ) without a LUP amendment.

G. Allocation of commercial uses on residential land use designated parcels.

1. The city may permit commercial uses on a parcel with a residential land use designation subject to the following conditions:
 - a. Rezoning of the development site to community business (CB) only, or to exclusive use (X-Use); and
 - b. No more than five percent (5%) of the total area within a flexibility zone which is designated residential on the city's plan, may be rezoned to CB or X-Use; and
 - c. The parcel proposed for CB or X-Use shall not be greater than ten (10) contiguous acres;
 - d. Criteria:
 - i. Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives and policies of the city's LUP.
 - ii. Rezoning application in accordance with Sec. 47-24.2, Development Permits and Procedures.
 - iii. Site plan approval level III in accordance with Sec. 47-24.2, Development Permits and Procedures.



Answer: The property being submitted for consideration for the allocation of commercial use in rezoning from RMM-25 (Residential Medium Density) to X-P (Exclusive Use – Parking) currently has a surface parking lot on it which provided accessory parking to the existing vacated “Andre’s Steakhouse” restaurant. A site plan application has already been submitted to the Development Review Committee (DRC) for review for the redevelopment of the subject property to provide a new single-story medical office building. The subject property currently has two (2) separate zoning designations, CB (Community Business) and RMM-25 (Residential Medium Density). These two parcels are currently separated by an existing twenty (20) foot alley. At the recommendation of the City Staff, we are requesting the rezoning of the RMM-25 parcel to X-P to continue the existing use of that parcel as a surface parking lot complying with “a” above. The X-P zoning will allow for the exclusive use to remain parking.

The proposed rezoning is within the existing medium-high residential land use designation. The proposed rezoning is on one (1) single 95’ by 100’ lot in the zoning district and is well below the 5% area requirements in compliance with “b” above.

This property is not contiguous to any other property that has been previously approved for exclusive use. The proposed rezoning property being considered totals 9,500 s.f. (0.2181 acres) complying with the requirements of “c” above.

The use of the commercial flex acreage supports the development of the community business district while not infringing on the remaining use of the residential district. The rezoning will improve the existing site in conjunction with the proposed development. The plans are in process of a site plan level IV review and an application for the rezoning has been submitted in compliance with “d” above.

This is the Flexibility Rules Narrative submitted as required by the Development Review Committee’s (DRC) comments. Should you require any further information or clarification, please do not hesitate to contact our office.

Cordially,



Lawrence A. Martineau III
Partner – Healthcare Design
Falkanger, Snyder, Martineau & Yates
Architects & Planner

Adequacy Requirements Letter

October 22, 2015

City of Fort Lauderdale
Building Services Center
700 Northwest 19th Avenue
Fort Lauderdale, Florida 33311-7834

**RE: Adequacy Requirements as Required for a
Level III Site Plan Approval for
Benedetti Orthodontics (formally Andre's Steakhouse Restaurant)
3025 East Commercial Blvd
Fort Lauderdale, Florida 33308**

Dear DRC Staff;

The following narrative is a written description of the Adequacy Requirements as required by the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) for the proposed Benedetti Orthodontics (formally Andre's Steakhouse Restaurant) located at 3025 East Commercial Blvd in Fort Lauderdale, Florida. Please review the following and contact our office if you have any questions.

Sec. 47-25.2 Adequacy Requirements

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.

- A. *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.

Answer: Based on the height of the existing and proposed structures, there should be no interference with the City's Communication Network. Should it be determined that external communication is affected, the developer will take the appropriate measures in coordination with the City to alleviate such interference.

- B. *Drainage facilities.* Adequacy of storm water 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.

Answer: Civil drawings will show drainage facilities compliance with ULDR and code standards.

C. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:
 - a. Broward County Ordinance No. 89-6.
 - b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
 - c. Broward County Ordinance No. 84-60.

Answer: The development does not impact environmentally sensitive lands.

2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

Answer: The development does not impact environmentally sensitive lands.

- D. *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.

Answer: The fire protection system will be designed to comply with all applicable fire and building codes.

E. *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.

Answer: Not applicable; the proposed project does not introduce dwelling units or hotel/motel rooms to the site and thus will not incur any park impact fees required by Section 47-38A.

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.

Answer: Not applicable; the proposed project does not introduce dwelling units or hotel/motel rooms to the site and thus will not incur any park impact fees required by Section 47-38A.

- F. *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.

Answer: All doors at the ground level will have interior door hinges. All exterior glazing for the project will be "fixed" and will meet the impact and cyclic wind pressure requirements of the Florida Building Code for hurricane protection. All exterior lighting photometrics will adhere to the standards outlined by the ULDR of the City of Fort Lauderdale. The proposed development minimizes hidden spaces to minimize the risk to public safety.

G. *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.

Answer: The size of the proposed project shall have a minimal impact on the existing potable water supply. The proposed project will comply with all potable water service requirements.

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.

Answer: Documentation outlining sufficient water and sewer facilities will be provided prior to Final DRC.

H. *Sanitary sewer.*

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

Answer: The proposed development improvements, shall continue to be tied to the existing City treatment facility. There should be no significant impact to the existing sanitary sewer system.

- I. *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.

Answer: Not applicable, the proposed project does not include residential units.

J. *Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
2. *Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

Answer: Solid waste generated is anticipated to be consistent with the typical use of a medical office. The proposed improvements will provide for new designated trash container pads (north side of the building) to service two tenant spaces. There will be 6 total containers for this project (1 trash and 1 recycling for Benedetti Orthodontics, 2 trash and 2 recycling for up to 2 future Tenants).

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

Answer: Civil drawings will reflect storm water compliance with ULDR and code standards.

L. *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.

Answer: Informational. See additional narrative transportation information below.

2. *Regional transportation network.* The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with

the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

Answer: Informational. See additional narrative transportation information below.

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.

Answer: Informational. See additional narrative transportation information below.

4. *Traffic impact studies.*
- a. When the proposed development may generate over one thousand (1,000) daily trips; or
 - b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (1/2) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in 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.

Answer: Not applicable. See additional narrative transportation information below.

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.

Answer: Not applicable. No easement is needed.

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.

Answer: A new sidewalk is proposed along the East parking lot to allow for safe pedestrian movement on-site along adjacent properties. Pedestrian facilities will be designed and installed in accordance with the city engineering standards.

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a non-access 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.

Answer: The project will comply with all DRC requirements.

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.

Answer: See additional narrative transportation information below.

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.

Answer: Refer to Landscape Plan for street tree compliance.

Additional narrative information for Transportation requirement compliance:

There is currently a public bus stop located on the northeast corner of East Commercial Boulevard and Bayview Drive. The proposed facilities have minimal traffic impact to the site. Potential users of this facility will come and go in incremental times on a daily basis consistent with that of a medical office practice. The facility is located in the plaza on the corner of East Commercial Boulevard and Bayview Drive. There is substantial city parking provided between the proposed development property and the Commercial Boulevard Right of Way (ROW). The proposed medical office use is less than the existing restaurant use. The proposed parking lot across the alley northeast of the development site will be for employees only.

M. 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.

Answer: Civil engineering plans will show compliance with applicable wastewater requirements.

- N. *Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

Answer: There will be no food or beverage services at this development.

O. 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.

Answer: Informational. There are no current historical or archaeological significant identification associated with this site.



- P. *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.

Answer: Not applicable. The site is not located east of the Intracoastal Waterway.

Should you require any further information or clarification, please do not hesitate to contact our office.

Cordially,

Lawrence A. Martineau III
Partner – Healthcare Design
Falkanger, Snyder, Martineau & Yates
Architects & Planner





Facility Services Description Letter

October 22, 2015

City of Fort Lauderdale
Building Services Center
700 Northwest 19th Avenue
Fort Lauderdale, Florida 33311-7834

**RE: Facility Services Description for
Benedetti Orthodontics (formerly Andre's Steakhouse Restaurant)
3025 East Commercial Blvd
Fort Lauderdale, Florida 33308**

Dear DRC Staff;

The following narrative is a written description of the services and operations for the proposed Benedetti Orthodontics (formerly Andre's Steakhouse Restaurant) located at 3025 East Commercial Blvd in Fort Lauderdale, Florida. This information was provided directly from the owners and operators of their other existing facility. Please review the following and contact our office if you have any questions.

From Benedetti Orthodontics:

This narrative describes the project details for Benedetti Orthodontics located at 3025 E. Commercial Blvd, Fort Lauderdale, Florida 33308 (the "Property"). The Property is a site located on the northeast corner of East Commercial Blvd and Bayview Drive, and the Property has been a vacated building for the past 7 years. This project will involve a demolition of the existing 12,000 square foot vacated restaurant building and the establishment of a new +/-8,000 square foot medical office building which will house Benedetti Orthodontics.

Benedetti Orthodontics will provide excellent orthodontic services in a commercial setting for persons seeking better quality of life through better smiles, thus improving self-confidence. Treatment will involve traditional brackets, cosmetic braces as well as Invisalign and Invisalign Teen options for both children and adults. Benedetti Orthodontics will be licensed by the State of Florida as a Dental Facility. Please find attached Exhibit A, the accreditation certificate from the Florida Board of Dentistry for Dr. Ana Benedetti (Benedetti Orthodontics) in Fort Lauderdale, Florida.

Benedetti Orthodontics will be overseen by Dr. Ana Benedetti and her staff. Dr. Ana Benedetti grew up in South Florida, with a Brazilian heritage. She graduated from the University of Miami, Magna cum Laude, with degrees in Biology and Spanish, and then pursued her dental training from the University of Florida School of Dentistry, where she graduated number three in her class and received the Research Honors Award. She then continued her training at the prestigious Medical College of Virginia where she obtained her certificate in Orthodontics as well as her Master of Science in Dentistry. Dr. Benedetti is experienced in the latest technologies, such as Self-Ligating braces, lingual braces, temporary anchorage devices, Invisalign®, Invisalign® Teen, as well as soft tissue lasers.





*For the past 5 years Dr. Ana Benedetti has been providing exceptional orthodontic care for patients in East Fort Lauderdale. Dr. Benedetti will be on call and accessible 24 hours a day. There will be a **maximum of 15 employees** serving this facility throughout the day. Our staff is committed to excellence and is always learning new and better ways to provide our patients with the best possible care by regularly attending continued education classes and seminars to help us stay up-to-date on the last advances in orthodontic technologies and treatments.*

Benedetti Orthodontics is a medical/dental facility which operates 12 hours per day. The main entrance door is open during business hours from 7:30am to 7:30pm. The interior and exterior of the facility will be monitored by video cameras and alarms 24 hours per day for the protection of staff and clients. Clients are welcomed during regular business hours. Clients may arrive by bus or personal vehicles. Parking is provided on the south side (city owned parking), on the east side (designated client parking) and on the north side (designated employee/staff parking). Our complex will represent the first new tenant space available east of US-1 in more than a decade. With two private parking lots in addition to the only section of Commercial Blvd. with 3 rows of street front parking, this represents a significant improvement on the lack of parking on Commercial Blvd.

*The proposed Benedetti Orthodontics in Fort Lauderdale will treat a **maximum of 12* patients** at any single time throughout the day. Benedetti Orthodontics is a fully contained and run facility. All services are provided on site. The facility has been designed to incorporate sufficient storage and functional spaces to limit the amount of deliveries required to the facility.*

In summary, Benedetti Orthodontics will be a high end dental facility which provides for exceptional orthodontic treatment in a new and technologically advanced clinic. Benedetti Orthodontics will be operated by professionals with a proven track record of providing excellent care to meet this important need in our community. Dr. Ana Benedetti has years of experience providing patients with exceptional services that leave them feeling happier and more confident with their smile.

Thank you for your attention to and consideration of the project details for the Benedetti Orthodontics project as set forth herein.

Should you require any further information or clarification, please do not hesitate to contact our office.

Cordially,

Lawrence A. Martineau III
Partner – Healthcare Design
Falkanger, Snyder, Martineau & Yates
Architects & Planners





Neighborhood Compatibility Letter

October 22, 2010

City of Fort Lauderdale
Building Services Center
700 Northwest 19th Avenue
Fort Lauderdale, Florida 33311-7834

**RE: Neighborhood Compatibility Requirements as Required for a
Level III Site Plan Approval for
Benedetti Orthodontics (formally Andre's Steakhouse Restaurant)
3025 East Commercial Blvd
Fort Lauderdale, Florida 33308**

Dear DRC Staff;

The following narrative is a written description of the Neighborhood Compatibility Requirements as required by the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) for the proposed Benedetti Orthodontics (formally Andre's Steakhouse Restaurant) located at 3025 East Commercial Blvd in Fort Lauderdale, Florida. Please review the following and contact our office if you have any questions.

Sec. 47-25.3 Neighborhood compatibility requirements

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

Answer: Please see enclosed adequacy requirement responses.

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

1. 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.
2. 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.
3. 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.

Answer: The proposed use of this facility will be that of a medical office and we do not anticipate any issues regarding smoke, odor, and emissions of particulate matter or noise. However, if required, all necessary documentation will be provided prior to the issuance of a building permit.



C. *Design and performance standards.*

1. *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.
 - a. Glare. Any nonresidential operation or activity producing glare shall be conducted so that direct or indirect illumination of light shall not cause illumination in excess of one (1) foot-candle on any abutting residential property except as provided in subsection iii. of this subsection a.
 - b. 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.
 - c. 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.

Answer: The proposed project has a photometric study and lighting specifications enclosed that minimize any excessive lighting spillover. All lighting shall comply with the requirements of the ULDR.

2. *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.
 - a. *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:
 - i. Fenestration such as windows, doors and openings in the building wall; and
 - ii. 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:
 - a) Detail and embellishments:
 - 1) Balconies,
 - 2) Color and material banding,
 - 3) Decorative metal grates over windows,
 - 4) Uniform cornice heights,
 - 5) Awnings.
 - b) Form and mass:
 - 1) Building mass changes including projection and recession,
 - 2) Multiple types and angles of roofline, or any combination thereof.
 - iii. The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

Answer: The architectural features of the building comply with those outlined in this section. Fenestration, color and material banding, decorative foam facade, and awnings are provided. The building mass has projections and recessions. Elements of the required façade treatment continue around corners of the building for a distance greater than twenty feet.

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

Answer: There is no loading space required for this facility. The new waste and recycling container areas are located along the 20' alley at the north side of the property. Based on the proposed use, no other loading and service facility spaces are anticipated for this property development.

- c. *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.

Answer: All rooftop mounted equipment shall be screened in accordance with the ULDR.

3. *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:
- a. When any side of a structure greater in height than forty (40) feet is contiguous to residential property, that portion of the structure shall be set back one (1) foot for each one (1) foot of building height over forty (40) feet up to a maximum width equal to one-half (1/2) the height of the building, in addition to the required setback, as provided in the district in which the proposed nonresidential use is located.

Answer: Not applicable. The required rear or side setback is 0'-0". The proposed structure is setback 23'-0" (3'-0" from property line and 20' alley separation) from the residentially zoned property to the north of this site. The existing building is less than 40 feet in height.

4. *Buffer yard 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:
- a. *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. 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.

Answer: There will be a 3'-0" strip of landscape with shrubbery outside the north wall of the property. The residential property is on the adjacent side of the 20'-0" wide alley that separates the properties.

- b. *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.

Answer: The building site is separated from residential zoning by a 20' wide alley. The proposed surface parking on the north is an existing surface parking lot that will be reconfigured and will be rezoned to exclusive parking (X-P) to be used by employees of the proposed medical office building.

- c. *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 Accessory Use Requirements Section 47-19.

Answer: The proposed solid waste refuse container locations are not within twelve (12) feet of the existing residential property to the north. These are separated by the existing 20' alley.

- d. *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:
- i. decorative features shall be incorporated on the residential side of such wall (such as capstones, bands or tile, stucco finishes),
 - ii. shall be located within, and along the length of the property line which abuts the residential property.
 - iii. When 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. (Ordinance C-99-19, March 16, 1999).

Answer: The proposed development is separated from adjacent residential property by a 20' alley and therefore the wall requirement does not apply.

- e. *Application of Existing Uses:* Within five (5) years from the effective date of subsection 3. and 4. of this Section 47-25.3 (Effective date: September 19, 1989), all nonconforming uses of land which were in existence prior to such date shall comply with the requirements of subsection 3. and 4. unless compliance would cause one (1) or more of the following to occur:
- i. Demolition of any load-bearing portion of a building as it exists on September 19, 1989, the effective date of subsection 3. and 4.;
 - ii. Reduction of required parking spaces;
 - iii. 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;
 - iv. Relocation of an existing wall which complied with the Code prior to September 19, 1989, the effective date of subsection 3. and 4.; or

- v. access to the land would be substantially impaired or
- vi. installation of the wall as provided in subsection d. 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. (Ordinance C-99-19, March 16, 1999).
- vii. In such cases, the use shall otherwise comply with the requirements of this section to the maximum possible extent; however, the requirements of Section 47-25.3C.4.a to install a landscape strip shall be met if an abutting residential property agrees in writing that the landscape strip may be applied on his or her property. An agreement in form provided by the Department must be executed by 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. (Ordinance C-98-72, December 15, 1998).

Answer: The proposed development shall comply with the development requirements of the ULDR.

- 5. *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:
 - a. All developments subject to this Sec. 47-25.3 shall comply with the following:
 - i. 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.
 - ii. 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.

Answer: All improvements and modifications within the site are compatible with the integrity of the surrounding neighborhood.

- b. 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:
- i. 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.

Answer: Not applicable. The site is within the CB and proposed X-P zoning districts.

- c. 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:
- i. 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:
- a) 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 therefore, 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 UHDR, 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.

Answer: Not applicable. The site is within the CB and proposed X-P zoning districts.

- d. All development that is located on land within the CBA 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.
- i. in addition to meeting the other applicable review requirements of this subsection 3., it shall be determined if a development meets the Design and Community Compatibility Criteria. The purpose of the Community Compatibility Criteria is to define objectives for private sector development which either abuts or is readily visible from public corridors. The relationship between private and public sector development must be carefully planned to avoid negative impacts of one upon the other. The city's intent in implementing these objectives is to:
 - a) Protect the investment of public funds in public corridor improvements.
 - b) Improve the visual and functional quality of both public and private development by coordinating the transition between these areas.
 - c) The ultimate goal of these objectives is to integrate buildings, vehicular circulation, pedestrian circulation, open space and site elements into a unique, pedestrian sensitive environment which stimulates revitalization.

Answer: Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.

ii. *Bulk Controls:*

Density:

Building density should be consistent with the proposed use, adjacent development, and as required under the Central Beach Area, RMM-25, RMH-25 and RMH-60 zoning districts.

Floor Area Ratio:

Building floor area ratio (F.A.R.) should be consistent with the proposed use, and as required under the Central Beach Area.

Maximum Height:

Building height should be consistent with the proposed use, adjacent development, and as required under the Central Beach Area, and RMM-25, RMH-25 and RMH-60 zoning districts. No portion of a structure in excess of thirty-five (35) feet in height shall exceed the prescribed Beach Shadow Ordinance setback.

Yards:

Building yards should be consistent with the proposed use, adjacent development, and as required under the Central Beach Area, RMM-25, RMH-25 and RMH-60 zoning districts. Building yards are in addition to any easements or reserve right-of-way which may be required by the city, county or state. Portions of a structure, up to thirty-five (35) feet in height, may encroach within the A1A setback if the building's street level use is predominantly pedestrian active (pedestrian-oriented retail, sidewalk cafes, etc.). No portion of any structure is permitted to extend, however, into the future right-of-way.

In the PRD, ABA and SBMHA zoning districts, to insure continuity of the ocean front streetscape "edge" a minimum seventy-five (75%) percent of the northbound A1A frontage must be built to the setback line (or approved encroachment limit). In the Planned Resort Development (PRD) district the entire northbound A1A frontage should be built to the future right-of-way line unless otherwise approved under that district's community redevelopment plan.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

iii. Massing Guidelines:

Overall Height:

Buildings should be encouraged to vary in overall height and not be contained in a single volume of continuous height.

Vertical Plane Moderation:

Buildings exceeding thirty-five (35) feet in height should be encouraged to maintain no more than three (3) stories without horizontal moderation in vertical surface plane. This moderation should consist of a minimum four feet horizontal variation in surface plane such as brise soleil, balconies, building projections, etc. Repetitive moderations should be discouraged.

Cornice Height:

All buildings should be encouraged to display a uniform cornice height of a maximum of thirty-five (35) feet in height. This cornice height should consist of a uniform alteration to the building massing for a minimum of twenty (20) feet perpendicular to the vertical surface.

Facade Treatment:

The first thirty-five (35) feet of exterior facade vertical plane should be encouraged to enhance the pedestrian environment by incorporating appropriate architectural features. Such features include cornice detailing, belt courses, corbelling, molding, stringcourses, ornamentation, changes in material or color, and other sculpting of the architectural surface which add special interest and are compatible with public sector site elements.

Overstreet Connections:

Connections between structures which pass over public right-of-way may be permitted providing those connections have secured legitimate air rights over the public corridor and meet all applicable codes. Connections over A1A to the beach should be limited to select locations where significant amounts of above grade pedestrian traffic will be generated. Where possible, overstreet connections should access the promenade/beach at or near major beach portal features. All overstreet connections should be of exceptional design, which enhances the visual and functional quality of the streetscape and should be compatible with public sector site elements.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

iv. Street Level Guidelines:

Active Use:

The first floor of all buildings, including structured parking, should be designed to encourage pedestrian scale activity. To stimulate pedestrian activity, buildings which front on A1A northbound should devote a majority of their first floor area to retail activities such as restaurants, shops, galleries and similar active uses. Street level retail uses should have direct access to the adjoining public sector sidewalk in addition to any other access which may be provided.

Structured parking facilities should be designed with street level frontages consisting of either occupied retail space or an architecturally articulated facade which screens the parking area of the structure. Street level openings to parking structures should occur only on sidestreets and be minimized to accommodate necessary vehicle entrances and pedestrian access only.

Buildings which provide pedestrian active retail uses along a majority of their A1A northbound street level frontage may be permitted to exceed setbacks established under the Central Beach Area Zoning Districts (Section [47-12](#)). In addition, street level retail and restaurant uses may be permitted to use a portion of the public sector sidewalk for sidewalk displays and/or outdoor dining areas. Private use of public sector sidewalks must be temporary only and subject to all applicable codes and lease arrangements. All displays, furnishings and other elements associated with these active street level uses should be designed and maintained to enhance the visual and functional quality of the streetscape and should be compatible with public sector site elements.

Fenestration:

To complement pedestrian scale activity on A1A and all People Streets, a majority of the first floor facade on these frontages should be windows, doors or other transparent architectural features. Expanses of solid wall should be minimized. Reflective surfaces on windows or doors should be discouraged. Street level windows and doors should be recessed or receive special design detailing which distinguish them from the building shaft and add variety to the streetscape.

Arcades/Canopies:

Buildings which border directly on A1A northbound or Las Olas Boulevard within the Planned Resort Development (PRD) district should incorporate an arcade or continuous architectural canopy along these frontages, unless otherwise approved under a community redevelopment plan. Buildings in other districts should be encouraged to incorporate an arcade or continuous canopy along their A1A northbound frontage providing the feature is consistent with the proposed use, adjacent development and meets all applicable codes. Arcades or continuous canopies should be a minimum of ten feet wide and maintain acceptable minimum clear height. Arcades and canopies should be designed as a fixed non-retractable element integral to the building's architectural mass and compatible with public sector site elements.

Non-continuous canopies, awnings and marquees should also be provided over street level window treatments and building entrances. Such features may be constructed of either rigid or flexible material but should complement the visual and functional quality of the streetscape and be compatible with public sector site elements. No arcade, canopy, awning or marquee should extend into the future public right-of-way nor interfere with street light fixtures or the growth and maintenance of street trees.

Trash/Loading Facilities:

All building facilities for loading, trash and service should be incorporated within building volume and screened so as not to be visible from the street and pedestrian circulation areas. Trash/loading facilities should be discouraged on A1A and People Street frontages. Where buildings are of inadequate volume to accommodate these facilities, trash/loading facilities should be architecturally treated as part of the building mass and screened by solid walls, fences, planting or architectural devices which are compatible with public sector site elements. Trash/loading facilities must be of sufficient size and design to accommodate access by large vehicles.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

v. *Other Guidelines:*

Energy Conservation:

Buildings should be oriented to take advantage of southeasterly breezes for summer cooling and interrupt occasionally strong northeasterly winds. Exterior glass surfaces should be shaded to

improve energy efficiently. Roof and exterior wall finishes should be light in color to encourage maximum reflection/minimum transmission of heat loadings.

Building Separation:

Buildings should allow adequate space between structural masses for the passage of natural breezes. New building masses should be sited to the extent feasible so they maintain reasonable views to the ocean and Intracoastal Waterway from existing structures.

Rooftop Design:

Where possible, rooftops should be designed to accommodate various forms of human activity such as sun decks, tennis courts, outdoor cafes, etc. Roof surfaces not allocated to human activity should be finished with a surface material that does not affect the quality of views from surrounding buildings.

All rooftop mechanical equipment, stair and elevator towers should be designed as an integral part of the building volume and/or adequately screened.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

vi. *Vehicular Circulation:*

Ingress/Egress:

For the CBA zoning districts, access drives to individual parcels should be limited to those necessary for the adequate function of the use contained therein. Direct vehicular access from A1A northbound should be discouraged unless otherwise approved under the Planned Resort Development (PRD) district community redevelopment plan. Direct vehicular access from A1A southbound should be limited to minimize traffic impacts on the state roadway. Direct vehicular access from sidestreets should be encouraged. Smaller parcels should be encouraged to share common access with adjacent parcels keeping curb cuts to a minimum.

Arrival/Drop-off Areas:

Major arrival/drop-off areas should only be encouraged along sidestreets, especially those designated as People Streets. Arrival/drop-off areas should be encouraged to provide sufficient room for vehicle stacking, loading, unloading, and other main entrance functions. Pedestrian entries for all residential, hotel and commercial structures should be located the maximum possible distance from loading and service areas.

Other:

Individual parcels should be encouraged to accommodate transit stops for the county bus service, the proposed water taxi and other transit systems. Fire access lanes and other emergency vehicular accessways may be designated by the appropriate public agency. Uses that require

service by large vehicles should be designed to allow large vehicle access without blockage of adjoining vehicular or pedestrian circulation.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

vii. *Pedestrian Circulation:*

Urban Open Spaces/Plazas:

Open spaces for public congregation and recreation should be encouraged to the extent that these spaces do not substantially interrupt the streetscape edge at the building line. Open spaces should be permitted both within and behind building yards in proportion to the bulk of the adjacent building. The streetscape edge should be maintained by architectural features (arcades) site furnishings (flagpoles, light standards) for landscape elements (palms, etc.) which provide continuity between the building line of adjoining structures.

All urban open spaces should be accessible and visible from the adjoining public sector corridor while providing for the safety and security of patrons. Severe elevation change and walls should be discouraged between the adjoining public corridor and the open space. Entryways and steps to these open spaces should be kept wide and welcoming in character. All urban open space must be kept handicap accessible.

The following amenities should be encouraged within urban open spaces: ornamental fountains, waterfalls, sculpture, trellises, arbors, seating facilities, landscape features, etc. Design features of these open spaces should serve to enhance the visual and functional quality of the adjoining corridor and be compatible with public sector site elements.

Pedestrian Corridors:

Private sector pedestrian corridors, which supplement public sector pedestrian facilities and improve access to the beach and/or Intracoastal Waterway should be encouraged. These corridors should be of a width and design which encourages pedestrian use and whenever possible allows for emergency vehicle access. The corridors may pass through open air or enclosed portions of surrounding buildings providing the pedestrian experience is largely uninterrupted.

Parking:

Parking should be provided consistent with the proposed use, adjacent development and as required under [Section 47-20](#). Access drives to parking should be limited to those necessary for the function of the facility and comply with vehicular ingress/egress guidelines outlined herein. Direct backout or "head-in" parking should be expressly prohibited.

Parking facilities should be located in close proximity to the building they serve with direct pedestrian access from parking to building which does not impact public pedestrian facilities. Vehicular circulation within parking areas should remain internal to the parking facility and public roads should not be utilized as part of the parking circulation system. Structure parking should be

encouraged subject to the street level building guidelines outlined herein. Covered parking should also be encouraged providing the overhead structures are compatible with adjoining architecture/site elements and comply with the building rooftop design guidelines outlined herein. Grade level parking must be adequately screened so parked cars are not visible from adjoining public corridors, and landscaped to moderate views from surrounding buildings.

Parking perimeters may incorporate walls, fencing, mounds and/or landscape treatments to meet the screening requirement providing these elements are compatible with adjoining public sector site elements and allow safe and secure use of parking facilities. Trash, storage and mechanical equipment located within parking facilities should also comply with the screening requirements outlined herein.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

viii. Perimeter Treatments:

Screening:

All exterior trash, loading and equipment storage facilities should be screened so as not to be visible from adjoining public corridors and landscaped to moderate views from surrounding buildings. Mechanical equipment including all handling units, exhaust outlets, transformer boxes, electric switching units, etc. should be appropriately screened by planting and/or low walls wherever it cannot be concealed within the building volume.

Grade level parking lots should be appropriately screened from adjacent pedestrian areas with walls, fencing and/or planting. Shrubs surrounding ground level parking lots should be of sufficient height to hide automobile grill work. Landscape material used to meet the above requirements should provide 100% screening within one growing season, and must be provided with an automatic irrigation system.

Any lot that becomes vacant through removal of a structure should be screened from the abutting public corridor. Vacant lot screening should utilize the elements described above and additional treatments as necessary to protect the visual and functional quality of the adjoining public corridor. Screening design, materials and maintenance should be compatible with public sector site elements.

Paving:

Public sector paving should be as shown on the approved Beach Revitalization streetscape plans or as specified in other sections of these guidelines. Paving systems used on private plazas and walkways should be compatible in pattern and scale to public sector paving. Private paving systems which immediately abut and are readily visible from adjoining public corridors should reflect the same color, material and texture as the public sector paving and provide a cohesive visual and functional transition without interruption.

While private paving systems should be of outstanding design and character, they should be encouraged to fit within the overall fabric of the streetscape and not dominate the visual experience. Private paving should be sensitive to the needs of the beach-going public and be handicap accessible. Paving design, materials and maintenance should be compatible with public sector site elements.

Landscape:

Private sector landscape planting should be consistent with the proposed use, adjacent development, and as required under [Section 47-12](#) of the ULDR. Existing trees should be preserved or otherwise mitigated as outlined in the ordinance. Plant material should be used in a contemporary urban context, acknowledging the limitations of the beach environment, and creating a lush tropical environment in keeping with the visual quality of the beach and adjoining public corridors. Plant massings should be rich in material, with special attention given to the ground plane treatment. Color should be used in bold, massive statements where appropriate.

Private sector plant material which immediately abuts and is readily visible from adjoining public corridors should reflect the species, size, and spacing of the public sector landscape and provide a cohesive visual and functional transition without interruption. Landscape design and maintenance should be compatible with public sector site elements. Private sector landscape planting should be consistent with the proposed use, adjacent development, and as required under [Section 47-12](#). Existing trees should be preserved or otherwise mitigated as outlined in [Section 47-12](#). Plant material should be used in a contemporary urban context, acknowledging the limitations of the beach environment, and creating a lush tropical environment in keeping with the visual quality of the beach and adjoining public corridors. Plant massings should be rich in material, with special attention given to the ground plane treatment. Color should be used in bold, massive statements at intersections and where appropriate.

Private sector plant material which immediately abuts and is readily visible from adjoining public corridors should reflect the species, size, and spacing of the public sector landscape and provide a cohesive visual and functional transition without interruption. This street frontage landscaping should not be blocked visually by fences or other architectural treatments. All street frontages should have palms and shade trees. One half of the trees on these frontages should be shade trees. Property abutting the Intracoastal Waterway should have trees and palms planted along this water frontage. Landscape design and maintenance should be compatible with public sector site elements.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

ix. *Site Furnishings:*

Private sector site furnishings should be consistent with the proposed use, adjacent development, and as required by applicable codes. Site furnishings should be considered an integral component of the urban streetscape and designed/located accordingly. Emphasis should be given to maximizing passive relaxation opportunities in locations which allow varying degrees of interaction with adjacent pedestrian corridors. Visual clutter and haphazard distribution of site furnishings should be discouraged. Site furnishing design, materials, and maintenance should be compatible with public sector site elements.

Vending machines visible from public rights-of-way should be located and/or designed to be compatible with the adjacent development and public sector site elements. The location of these vending machines shall be compatible with adjacent architectural color and style; uniform in style, material, height and color when located next to other vending machines and must not interfere with public automobile or pedestrian access.

Answer: **Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.**

x. *Signage:*

Private sector signage should be consistent with the proposed use, adjacent development, and as required under [Section 47-12](#). Signage should be considered an integral component of the urban streetscape and designed/located accordingly. Signage should be restrained in character and no larger than necessary for adequate identification. Wherever possible, signage should be integrated with the building architecture, arcades or canopies. Private signage which improves the pedestrian's orientation to adjoining pedestrian and vehicular circulation systems should be encouraged.

Building signage should be discouraged above the building's second floor elevation except on hotels which may be permitted to display a single discrete sign on both the north and south faces of the main building mass. Roof signs and billboards should be expressly prohibited. Freestanding signs should be located and sized so they do not obstruct views to/from adjoining parcels or impede clear view of pedestrian and vehicular traffic and traffic control devices.

The intensity and type of signage illumination should not be offensive to surrounding parcels or the uses therein. Signage style and character should enhance the visual and functional quality of the adjoining public corridor. Signage design, material and maintenance should be compatible with public sector site elements.

Answer: **The proposed signage has been designed as an integral part of the design and shall comply with all requirements of the ULDR.**

xi. Lighting:

Private sector site lighting should be consistent with the proposed use, adjacent development, and as required under applicable codes. Site lighting should be considered an integral component of the urban streetscape and designed/located accordingly. Emphasis should be placed on both the nighttime effects of illumination quality and the daytime impact of the standard's appearance.

Site lighting should be consistent with the theme of the immediate context and compatible with the lighting of adjacent parcels. Light distributions should be relatively uniform and appropriate foot-candle levels should be provided for various uses. (Refer to adopted Public Sector Site Lighting Guidelines for average maintained foot-candle recommendations). All exterior private sector spaces should be sufficiently lit to allow police and citizen surveillance, enhance personal security, and discourage undesirable activities. Exterior lighting should be controlled by an automatic timer or photocell to insure regular activation.

Site lighting which immediately abuts and is readily visible from adjoining public corridors should reflect the fixture style, light source and illumination intensity of adjoining public lighting and provide a cohesive visual and functional transition without interruption. Site lighting design, materials and maintenance should be compatible with public sector site elements.

Answer: The proposed lighting shall be consistent with the proposed use and hours of operation and shall comply with the requirements of the ULDR.

xii. Utilities:

Private sector utilities should be consistent with the proposed use, adjacent development, and as required under applicable codes. Above-grade utilities should be integrated with surrounding uses and carefully located to minimize visual and functional impact on the adjoining streetscape.

New development should be encouraged to provide underground utility lines. Existing or renovated development should be encouraged to relocate overhead utility lines underground.

Any above-grade utility elements should be consistent in placement, orientation, mounting and material. All above-grade utility elements should be painted one unobtrusive color which allows the elements to blend with their surroundings. All above-grade utilities should be screened by planting and/or low walls so they are not visible from the street and pedestrian circulation areas.

Answer: The proposed utilities shall comply with the requirements of the ULDR.

xiii. Site Plan Objectives:

The following Site Plan Objectives shall be incorporated in all development proposals for the Central Beach Revitalization Area and RMM-25, RMH-25 and RMH-60 zoning districts. This section provides an outline on how and what outdoor spaces need to be provided as part of development proposals. The intent is to ensure that development is more than buildings and structures. The quality of the Central Beach Revitalization area will be enhanced with the addition of planned outdoor spaces.

Answer: Not applicable. Proposed development is not within any of the above referenced zoning designations or locations.

xiv. Usable Outdoor Spaces:

Hotel and residential development shall provide usable outdoor recreation spaces designated to accommodate passive areas (sitting, etc.) and active areas (pools, etc.). Commercial development shall provide usable outdoor sitting and gathering spaces designed to furnish a place for pedestrians to view, use or consume the goods and services offered.

There shall be a variety in the sizes of outdoor spaces and the level of detail shall be such as ornamental fountains, waterfalls, sculptures, trellises, arbors, seating facilities and landscape features.

The total size required for the outdoor spaces will be evaluated on the size and use of the proposed development.

Pedestrian Accessible Spaces:

Hotel and commercial development shall provide direct access to adjoining public sidewalks in order to stimulate pedestrian activity. These spaces shall supplement public sector walkways and improve access to the beach and the Intracoastal Waterway, or both.

Answer: Not applicable to the proposed development, however pedestrian access is provided consistent with the existing adjacent property developments.

xv. Defensible Space:

All projects shall promote a secure environment. This is to be accomplished by designing with CPTED (Crime Prevention Through Environmental Design) principles.

In addition to the above requirements, the following may be required based on the site specifics of each project:

Provide plant material in the adjacent right-of-way.



Provide foundation/entry plantings to the development.

All sites should exhibit lush tropical landscaping.

Provide large trees/shrubs (mature plantings). This may be required in order to mitigate certain objectionable uses or needed to assist in the neighborhood compatibility of the proposed development.

Preserve view corridors. The City recognizes that existing and new views to and from the Intracoastal Waterway, Atlantic Ocean, Bonnet House and public parks are important to maintain.

Answer: The proposed development shall comply with the ULDR with regards to defensible spaces, security, landscaping, & view corridors.

Should you require any further information or clarification, please do not hesitate to contact our office.

Cordially,

Lawrence A. Martineau III
Partner – Healthcare Design
Falkanger, Snyder, Martineau & Yates
Architects & Planners





Solid Waste Management Plan

October 22, 2015

Public Works Department
949 Northwest 38th Street
Fort Lauderdale, Florida

Project Name: Benedetti Orthodontics (formerly Andre's Steakhouse Restaurant)
Project Address: 3025 East Commercial Boulevard
Fort Lauderdale, Florida 33308

DRC Case Number: _____

To Whom It May Concern,

The waste and recycling management aspects of the Benedetti Orthodontics project have been considered on several levels, including but not limited to the existing waste management of the previous use of the facility (Andre's Steakhouse Restaurant). The existing restaurant has been closed for several years, but it appears that there was a dedicated dumpster located on the parking lot property, although not currently there. There is an existing dumpster for the adjacent restaurant to the west that has access from the 20' dedicated alley.

Given the current state of medical care treatment and record keeping and how their existing practice currently operates, the proposed medical office development is not anticipated to generate any substantial waste. What we are proposing is to provide waste and recycling containers (three each for the potential 3 tenants) on the north side of the building. These will be accessible for waste and recycling pickup from the 20' dedicated alley.

All solid waste and recycling collection will be performed via the existing alley. Containers will not be placed or stored in a way that would entirely block the existing alley or any public street while performing the required sanitation services. Service vehicles will access the container area from the alley between East Commercial Blvd and NE 51st Street and should not adversely impede vehicular or pedestrian traffic.

Trash will be handled by on site personnel and transported to the solid waste and recycling containers from inside the building to the containers on the north side of the building. The internalization of this operation will minimize their influence on the site in terms of views and pedestrian traffic.

Solid waste services will be provided by a licensed contractor of the City and on-site management will coordinate with the City regarding solid waste operations. Solid waste charges shall be collected in a monthly lease.

Should you require any further information or clarification, please do not hesitate to contact our office.

Cordially,

Lawrence A. Martineau III
Falkanger, Snyder, Martineau & Yates
Agent for the Owner

