



SUSTAINABLE DEVELOPMENT – URBAN DESIGN & PLANNING

CITY COMMISSION (CC) - GENERAL APPLICATION

Rev: 1 | Revision Date: 2/24/2017 | Print Date: 2/24/2017
I.D. Number: PREID - AR

CITY COMMISSION (CC) General Application

Cover: Deadline, Notes, and Fees
Page 1: Applicant Information Sheet, Required Documentation & Mail Notice Requirements
Page 2: Sign Notification Requirements & Affidavit

DEADLINE: City Commission submittal deadlines are set by the City Clerk and vary by type of application. Contact project planner to determine deadline prior to submittal of complete application.

FEES: All applications for development permits are established by the City Commission, as set forth by resolution and amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City, or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application, but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

<input type="checkbox"/> Innovative Development (ID)	\$ 2,640.00
<input type="checkbox"/> Site Plan Level IV	\$ 950.00
<input type="checkbox"/> Site Plan Level II in DRAC/SRAC-SA (Downtown Regional Activity Center / South Regional Activity Center-South Andrews)	\$ 1,920.00
<input type="checkbox"/> Plat / Plat Note Amendment	\$ 540.00 (includes \$90 Final-DRC Fee)
<input type="checkbox"/> Easement Vacation	\$ 560.00 (includes \$90 Final-DRC Fee)
<input type="checkbox"/> ROW Vacation	\$ 830.00 (includes \$100 Final-DRC Fee)
<input type="checkbox"/> Rezoning (In addition to above site plan fee)	\$ 910.00 (includes \$110 Final-DRC Fee)
<input type="checkbox"/> Appeal and/or DeNovo Hearing	\$ 1,180.00
<input type="checkbox"/> Site Plan Deferral	\$ 490.00
<input type="checkbox"/> City Commission Request for Review	\$ 800.00
<input type="checkbox"/> City Commission General Review	\$ 89.00 / Hr.*

*The above fee is calculated at a rate of \$89.00 per hour. Generally these applications take no more than 3 hours total to review (\$267.00), however any additional time required by staff will be charged prior to the City Commission meeting.

Page 1: City Commission Submittal Requirements

INSTRUCTIONS: The following information is requested pursuant to the City's Unified Land Development Regulations (ULDR). The application must be filled out accurately and completely. Please print or type and answer all questions. Indicate N/A if does not apply.

NOTE: To be filled out by Department

Case Number	
Date of complete submittal	

NOTE: To be filled out by Applicant

Property Owner's Name	If a signed agent letter is provided, no signature is required on the application by the owner.	
Applicant / Agent's Name		
Development / Project Name		
Development / Project Address	Existing:	New:
Current Land Use Designation		
Proposed Land Use Designation		
Current Zoning Designation		
Proposed Zoning Designation		
GdYVWYWF Yei Ygh		

The following number of Plans:

- ☐ One (1) original signed-off set, signed and sealed at 24" x 36"
- ☐ Two (2) copy sets at 11" x 17"
- ☐ One (1) electronic version* of complete application and plans in PDF format to include only the following:

☐ Cover page

☐ Survey

☐ Site plan with data table

☐ Ground floor plan

☐ Parking garage plan

☐ Typical floor plan for multi-level structure

☐ Roof plan

☐ Building elevations

☐ Landscape plan

☐ Project renderings i.e. context plan, street-level perspectives, oblique perspectives, shadow study, etc.

☐ Important details i.e. wall, fence, lighting, etc.

*All electronic files provided should include the name followed by case number "Cover Page Case no.pdf"

MAIL NOTIFICATION

Mail notice is required for City Commission hearing of a Rezoning of Less than Ten Acres and of an Appeal of ROW Vacation. Notice shall be in the form provided by the Department and mailed on the date the application is accepted by the Department. The names and addresses of homeowner associations shall be those on file with the City Clerk. Rezoning of Less Than Ten Acres hearing notice must be mailed within 30 days of the hearing and Appeal of ROW Vacation hearing notice within 10 days of hearing.

- **REQUIREMENT:** Mail notice of development proposal shall be provided to real property owners within 300 feet of applicant's property, as listed in the most recent ad valorem tax records of Broward County.
- **TAX MAP:** Applicant shall provide a tax map of all property within the required notification radius, with each property clearly shown and delineated. Each property within the notice area must be numbered (by Folio ID) on the map to cross-reference with property owners notice list.
- **PROPERTY OWNERS NOTICE LIST:** Applicant shall provide a property owners notice list with the names, property control numbers (Folio ID) and complete addresses for all property owners within the required notification radius. The list shall also include all homeowners associations, condominium associations, municipalities and counties noticed, as indicated on the tax roll.
- **ENVELOPES:** The applicant shall provide business size (#10) envelopes with first class postage attached (stamps only, metered mail will not be accepted). Envelopes must be addressed to all property owners within the required notification radius, and mailing addresses must be typed or labeled; no handwritten addresses will be accepted. Indicate the following as the return address on all envelopes: City of Fort Lauderdale, Urban Design & Planning, 700 NW 19th Avenue, Fort Lauderdale, FL 33311.
- **DISTRIBUTION:** The City of Fort Lauderdale, Urban Design & Planning Division will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

Page 2: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must **POST SIGNS** for all City Commission hearings of development applications according to Sec. 47-27.4.

- Sign Notice shall be given by the applicant by posting a sign provided by the City stating the time, date and place of the Public Hearing on such matter on the property which is the subject of an application for a development permit. If more than one (1) public hearing is held on a matter, the date, time and place shall be stated on the sign or changed as applicable.
- The sign shall be posted at least fifteen (15) days prior to the date of the public hearing.
- The sign shall be visible from adjacent rights-of-way, including waterways, but excepting alleys.
- If the subject property is on more than one (1) right-of-way, as described above, a sign shall be posted facing each right-of-way.
- If the applicant is not the owner of the property that is subject of the application, the applicant shall post the sign on or as near to the subject property as possible subject to the permission of the owner of the property where the sign is located or, in a location in the right-of-way if approved by the City.
- Development applications for more than one (1) contiguous development site shall be required to have sign notice by posting one (1) sign in each geographic direction, (north, south, east and west) on the public right-of-way at the perimeter of the area under consideration.
- If the sign is destroyed or removed from the property, the applicant is responsible for obtaining another sign from the City and posting the sign on the property.
- The sign shall remain on the property until final disposition of the application. This shall include any deferral, rehearing, appeal, request for review or hearings by another body. The sign information shall be changed as above to reflect any new dates.
- The applicant shall, five (5) days prior to the public hearing, execute and submit to the department an affidavit of proof of posting of the public notice sign according to this section. If the applicant fails to submit the affidavit the public hearing will be postponed until the next hearing after the affidavit has been supplied.

AFFIDAVIT OF POSTING SIGNS

STATE OF FLORIDA
BROWARD COUNTY

RE: _____ CITY COMMISSION CASE NO. _____

APPLICANT: _____

PROPERTY: _____

PUBLIC HEARING DATE: _____

BEFORE ME, the undersigned authority, personally appeared _____, who upon being duly sworn and cautioned, under oath deposes and says:

1. Affiant is the Applicant in the above cited City of Fort Lauderdale **Board or Commission** Case.
2. The Affiant/Applicant has posted or has caused to be posted on the Property the signage provided by the City of Fort Lauderdale, which such signage notifies the public of the time, date and place of the Public Hearing on the application for relief before the **Board or Commission**.
3. That the sign(s) referenced in Paragraph two (2) above was posted on the Property in such manner as to be visible from adjacent streets and waterways and was posted at least **fifteen (15)** days prior to the date of the Public Hearing cited above and has remained continuously posted until the date of execution and filing of this Affidavit. Said sign(s) shall be visible from and within twenty (20) feet of streets and waterways, and shall be securely fastened to a stake, fence, or building.
4. Affiant acknowledges that the sign must remain posted on the property until the final disposition of the case before the **Board or Commission**. **Should the application be continued, deferred or re-heard, the sign shall be amended to reflect the new dates.**
5. Affiant acknowledges that this Affidavit must be executed and filed with the City's Urban Design & Planning **five (5)** calendar days prior to the date of Public Hearing and if the Affidavit is not submitted, the Public Hearing on this case shall be cancelled.
6. Affiant is familiar with the nature of an oath or affirmation and is familiar with the laws of perjury in the State of Florida and the penalties therefore.

Affiant

SWORN TO AND SUBSCRIBED before me in the County and State above aforesaid this ____ day of _____, 20__.

(SEAL)

NOTARY PUBLIC
MY COMMISSION EXPIRES:

NOTE: I understand that if my sign is not returned within the prescribed time limit as noted in Sec. 47.27.3.i of the City of Fort Lauderdale ULDR, I will forfeit my sign deposit. _____(initial here)
_____ Initials of applicant (or representative) receiving sign as per 47-27.2(3)(A-J)



PROJECT NARRATIVE

APPLICANT: Pier 17 Investments 2014, LLC

PROJECT NAME: South Fork Marina (fka Harbour 26)

CASE: ZR17007

LOCATION: 1500 SW 17th Street

AUTHOR: Colby Cooper, Project Director

DATE PREPARED: June 14, 2018

Background

From 1930 to 2006, Summerfield Boat Works operated at 1500 SW 17th Street. Over the past 12 years a few developers had proposed to construct a 26-slip marina which was to be sold as dockominiums. The design included 65-foot-high sheds spanning from one end of the street to the other, covering and encasing 22 of 26 slips; with two-story garage and storage units located in front of each slip and a luxurious 4,223 square foot clubhouse with a swimming pool and cabana. The project was previously approved under the names Pier 17 Marina and Yacht Club and Harbour Twenty-Six.

The City Commission originally approved the project in May 2008, however it did not move forward at that time due to the real estate market collapse. In 2014, Pier 17 Investments 2014, LLC, acquired the property and obtained Final DRC sign-off in December 2014, based on the previously approved plans.

Building plans were filed and the first building permit to construct the seawalls, fixed piers and do the dredging work was issued in December 2015. However, this construction activity was not initiated within the required 6-month window and the building permit expired. Thus, the site plan approval on the then-Harbour 26 project also expired.

On April 10, 2017, Pier 17 Investments 2014, LLC, re-submitted a DRC site plan application with the same site plan and building design as was previously approved. In May 2017, the DRC meeting was held and the city staff expressed some serious concerns about what had been previously approved. Based on feedback from city staff (DRC Comments May 23, 2017) and the neighbors of Shady Banks, the new management team within Pier 17 Investments 2014, LLC, put the process on hold to re-evaluate entire design concept. The project as it previously existed lacked neighborhood compatibility based on comments from staff and the neighbors. The project then underwent a yearlong collaborative and significant redesign effort with the City and Shady Banks neighborhood. The new project name is South Fork Marina.

Path Forward

In response to the DRC Comments of May 23, 2017, we are submitting an updated site plan and re-zoning application to amend the zoning for the eastern tip of the site to CB from RS-8. This is the area where the pool and gazebo were located on the previously approved site plan, which also included a re-zoning request. The previous site plan included a parking lot in the northeast corner of the project, which had been historically used for parking, and a rezoning to XP was approved on these residential lots to allow the parking to continue. These residential lots have been removed from the marina project and a rezoning to XP will no longer be requested for South Fork Marina.

We, the applicant, are proposing to continue operating the site as a marina, however it will be a passive marina and not an active boatyard.

The South Fork Marina concept embraces Light – View – Air as fundamental design principles. We are proposing a 34-slip, open air mega-yacht marina with 3,940 linear feet of rentable dockage using floating docks to house no more than 55 boats, a practical 1,554 square foot clubhouse and marina management office, and one 2,400 square foot storage building with 16 bays located near the western border of the property.

Re-Zoning Modifications

The April 10, 2017, DRC application requested a zoning change from RS-8 to XP on the site's two most northeastern parcels (Parcels 504216350290, 504216350280). The intended purpose was to provide extra parking based on historic use and the design at that time.

Additionally, the application requested a zoning change from RS-8 to CB on the most southeastern parcel (Parcel 504216120010) for the purposes of adding a pool and cabana to the Clubhouse.

The two northeast parcels (Parcels 504216350290, 504216350280) owned by Pier 17 Investments 2014, LLC, are now omitted from the site plan application. Therefore, no zoning changes are being requested for these parcels. The plan is to maintain these parcels zoned RS-8 and build a house on them in the future.

The only zoning change request tied to this updated application is for the most southeastern parcel (Parcel 504216120010) to change from RS-8 to CB for the purposes of excavating the fee-simple land and introducing floating docks as a part of the marina operation.

Application Response

The business plan is to provide berthing for larger vessels such as mega yachts. The vessels using the facility will be private recreational cruising vessels. The updated activities which are being proposed as part of the redevelopment include:

- Demolition of all existing structures.
- Install a new seawall around the entire site according to updated design (vs. repair and replacement of the existing seawall and a new seawall only along the upland excavated areas).
- Creation of 34 slips (vs. 26 slips).
- Reconfiguration of and construction of comprehensive floating dock system based on the updated configuration (vs. finger piers within the existing boat basin).
- Dredging the existing boat basin and the entire submerged land lease dredging footprint to -10.0' MLW (vs. -8.0' MLW and only a portion of the South Fork of the New River to a -10.0' MLW depth).
- Excavation of approximately 20,042 cubic yards and 39,360 square feet (vs. 26,500 CY and 52,200 square feet) of upland area to enlarge the boat basin and create additional slips.
- Construction of 1,635 linear feet of new floating docks and 74 linear feet of marginal docks across the entire site (vs. 1,503 linear feet of fixed concrete finger piers and 502 linear feet of marginal docks across the entire site area).
- The upland redevelopment will include the construction of a single 2,400 square foot storage building with 16 storage bays (vs. 2-story garage/storage units for each of the covered slips).
- A 1,554 square foot Clubhouse and Marina Management Office (vs. a 4,223 square foot crew club and marina office building with amenities, including a pool and gazebo).
- Construct an upland stormwater management system, consisting of drainage retention area to provide for water quality pretreatment. (vs. an exfiltration trench).
- Construction of a gravity sewer system that will serve the project and the residential properties on the north side of the road which are currently on septic tanks.

5. Be advised that government codes and regulations have changed from previously submitted site plan, which expired. The site plan application and plans will need to address new applicable codes such as the City's seawall ordinance and FEMA finish floor elevations.

Acknowledged.

6. Pursuant to ULDR Sec. 47-28.1.G and ULDR Sec. 47-28.1.J, the proposed project requires allocation of commercial flex on the residential and industrial land use designated parcels. Provide the following information:

a. Written request for flex assignment;

b. Request should indicate the flex zone, amount of available commercial flex acreage in the flex zone, and amount requested for allocation; and

c. Signed and sealed survey for that portion of the project to be rezoned with commercial flex.

We are submitting a flex rezoning request for commercial flex to be applied to the 10,847 SF (0.249 Ac) residentially zoned parcel at the east end of the property, in conjunction with this site plan response submittal. Approximately two-thirds (7,353 SF) of the parcel to be rezoned is currently water area which has historically been utilized for boat slips. The remaining one-third (3,494 SF) is land area which was historically used as a boat yard. This area will be excavated as part of this project and utilized as boat slips. A signed and sealed copy of the sketch and legal description for the parcel to be rezoned is attached to the rezoning application. This parcel is included in the updated overall survey for the marina project site.

7. Indicate the project's compliance with the following ULDR sections by providing a point-by-point narrative response, on letterhead, with date and author indicated.

a. Sec. 47-25.2, Adequacy Requirements;

A. *Applicability:*

We acknowledge the adequacy requirements set forth herein shall be used by the City to evaluate the demand created on public services and facilities created by a proposed development permit.

B. *Communications Network:*

The Crew Club/Dock Master Office and the storage building have been limited to 1-story in height and they will not interfere with the City's communication network.

C. *Drainage Facilities:*

The stormwater drainage system has been designed to provide retention for the water quality pre-treatment from the impervious surfaces prior to overflowing into

the New River. The drainage system is depicted on the paving, grading and drainage plans, sheets PGD-1, PGD-2 and PGD-3.

D. Environmentally Sensitive Lands

There are no wetlands located on the property and the property is not located within a wellfield protection zone. There are existing surface waters which will be dredged and some of the current upland area will be excavated to create additional proposed boat slips. The appropriate environmental application for the dredging, seawall construction and repair, and dock construction have been obtained from the BCDPEP, Florida Department of Environmental Protection (FDEP) and the U.S. Army Corps of Engineers.

We are in the process of amending each of these permits based on the site design modifications.

E. Fire Protection

A fire protection system is proposed for the marina facility. Fire hydrants are located along SW 17th Street, which will provide fire protection for the existing houses on the north side of SW 17th Street. Fire cabinets are provided at each of the floating docks. A flow test at the site indicates a flow rate of 1,060 GPM with a residual pressure of 54 PSI. A copy of the test results are enclosed as Exhibit J. The proposed fire protection system is shown on the water and sewer plans, sheets WS-2 and WS-3.

F. Park and Open Space

Not applicable; the project contains no proposed residential uses.

G. Police Protection

The site plan has been designed with C.P.T.E.D. principles to minimize the risk to public safety. The boat slips will be protected with an access control system for security purposes, and the entire site will be monitored by a closed circuit TV system.

H. Potable Water Facilities

A proposed potable water system will be constructed which provides water service to each of the boat slips and the Crew Club/Dock Master Office building. The proposed private potable water service will be connected to an existing 6" water main which is located on SW 17th Street. The water treatment plant, which services the property, is the City of Ft. Lauderdale's Five Ash Treatment Plant, which has adequate capacity to serve the proposed project. The applicable capital expansion fees for water and sewer facilities will be paid at the time of building permit. The proposed potable water system is shown on the water and sewer plans, sheets WS-1, WS-2 and WS-3.

I. Sanitary Sewer System

A proposed sewage pump-out system will be constructed which provides a pump-out connection at each boat slip. The sewage pump-out system will connect a new gravity sewer main to be constructed in SW 17th Street which will connect to the existing system in the SW 18th Avenue right-of-way. The sewer treatment plant which services the property is the City of Ft. Lauderdale's G.T. Lohmeyer Wastewater Treatment Plant (WWTP), which has adequate capacity to serve the proposed project.

J. Schools

Not applicable; the project contains no proposed residential uses.

K. Solid Waste

Trash disposal will be provided via a contract with a private trash hauler. A trash enclosure is provided near the center of the project adjacent to the Crew Club/Dock Master's office. The trash will be disposed at an appropriate Broward County facility.

L. Stormwater

The stormwater drainage system has been designed to meet the Broward County Department of Environmental Protection (BCDPEP) and South Florida Water Management District (SFWMD) regulations. Pre-treatment for water quality is provided with a dry retention area prior to overflowing into the surface water. The system has been designed to provide no adverse impact on the adjacent street or properties. The proposed stormwater system is shown on the paving, grading and drainage plans, sheets PGD-1, PGD-2, and PGD-3. The surface water permits have been obtained from the BCDPEP and the FDEP, and will be modified based on the proposed design changes.

M. Transportation Facilities:

Regional Transportation Network:

The regional roadways have adequate capacity to serve the minimal impact which would be created by the marina redevelopment. The applicable Broward County Transit Impact fees will be paid at the time of building permit.

Local Streets:

SW 17th Street is a private street which is shared by the existing marina and the residential houses on the north side of the street. The proposed marina redevelopment will reduce the number of boat slips and eliminate the working boatyard; therefore, a reduction in the number of daily trips is anticipated. The local street has adequate capacity to accommodate the proposed redevelopment. SW 17th Street will be reconstructed after the installation of the utilities, and it will be widened to 20' from its current width of 16', where possible. A cul-de-sac turn-around will be provided at the east end to provide better circulation.

Traffic Impact Study:

A copy of the updated traffic statement is attached as Exhibit 'K'. The traffic statement shows that the redevelopment of the site will result in an average daily trips of 133 ADT which is well below the city's threshold requiring an additional traffic study.

Dedication of Rights-of-Way:

The existing 16' roadway is a private road within a 16' ingress/egress easement. One-half (8') of the easement is on the residential properties and the other half is on the marina site. The proposed roadway will be widened to 20', with the additional 4' being provided on the marina property. An additional 4' ingress/egress easement will be provided by the marina development to permit the adjacent owners access rights over the expanded road.

Pedestrian Facilities:

Concrete dock and walkways are provided throughout the site to facilitate pedestrian movement within the project. There are no public streets or sidewalks adjacent to the project. The residents who live on SW 17th Street are adamantly opposed to the installation of a sidewalk along the street, therefore we are only providing them at the head of our docks.

Primary Arterial Street Frontage:

Not applicable; the site does not abut an arterial street.

Other Roadway Improvements:

The existing private roadway will be reconstructed after the underground utilities are installed. No additional roadway improvements are necessary to mitigate the reduction in traffic generated by the redevelopment.

Street Trees:

Not applicable; there are no public rights-of-way adjacent to the project. However, on-site trees have been provided adjacent to the private road (SW 17th Street), which effectively achieves the typical street tree requirement.

N. Wastewater:

The marina redevelopment will include the construction of a sewage pump-out station for each of the docks. A new gravity sewer main will be installed on SW 17th Street to serve both the marina and the existing residential on the north side of the street, assuming that the residential property owners grant the required easements. The new sewer main will connect to the existing sanitary manhole located in the SW 18th Avenue right-of-way, which was installed under the City's Shady Banks Neighborhood project. The appropriate sewer facility capital expansion fee will be paid at the time of building permit.

O. Trash Management Requirements:

Not applicable; the proposed marina development does not include the preparation of pre-packaged food or beverages for off-site consumption.

P. Historic and Archaeological Resources:

There are no structures located on the property which have identified as a historically significant building. The site does not have an Archaeological Significant Designation by either Broward County or the State.

Q. Hurricane Evacuation:

Not applicable; the site is not located east of the Intracoastal Waterway, nor is it located on a hurricane evacuation route.

b. Sec. 47-25.3, Neighborhood Compatibility Review;

1. Adequacy Requirements; see Section 47-25.2.

See responses above.

2. Smoke, Odor, Emissions of Particulate Matter and Noise:

Smoke, odor, emissions of particulate matter and noise for the boatyard and repair facility that previously operated on this site will be eliminated with the proposed marina development. The proposed boat slips, storage building, and Crew Club/Dock Master Office building will not emit smoke, odor, emissions of particulate matter or noise that would have an adverse impact to the surrounding property. The boat slip will be a passive use, providing dockage for large yachts. The crew club building is a private facility which includes the dock master's office, and business center.

3. Design and Performance Standards

a) Lighting

The lighting design for the proposed project will utilize 15' high decorative poles and bollard lights on site. The light poles are being placed in the parking lot only in order to illuminate the parking area. Bollard lights are being utilized to light pedestrian walkways. SW 17th Street has existing street lights which will remain and no additional lighting along the road is being provided. The site photometric plan reflects the foot-candle levels generated by the new parking lot lights and walkway bollards and it demonstrates that the foot-candle reading at the property line, which is the center of the road, is below 0.5 FC.

b) Control of Appearance

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

Architectural Features:

The architectural design and style of the proposed buildings borrows elements from several indigenous styles including Tidewater, Key West and Bahamian. The hipped roof still provides the best resistance against winds just as it did centuries ago.

The old traditional wrap around porch is not applicable to this building, but deep bracketed overhangs are added to emulate the same look. Exterior material will be durable and textured synthetic stucco following the old world coquina stone as well as tabby concrete and stucco used years ago throughout South Florida. The selected exterior color palette will be selected to be complimentary of surrounding structures and to project a tropical aura.

Loading Facilities:

We are providing two(2) loading zone areas for service vehicles to park and access the boat slips.

Screening of Rooftop Mechanical Equipment:

Not applicable; no rooftop mechanical equipment will be utilized.

Setback Regulations:

When a nonresidential use, which is subject to the requirements of Section 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:

1) When any side of a structure greater in height than 40' is contiguous to residential property, that portion of the structure shall be set back 1' for each 1' of building height over 40' up to a maximum width equal to one-half (½) the height of the building, in addition to the required setback as provided in the district in which the proposed nonresidential use is located.

The proposed site plan complies with the setback requirements for the industrial zoning district. The proposed storage building is the closest proposed structure to the residential properties and it is setback 32.1 feet. The Crew Club/Dock Master Office building is setback 55.4 feet. Both buildings are 1-story high and will be compatible with the adjacent residential.

Bufferyard Requirements:

The common property line between the residential property and the marina property is down the centerline of the existing shared private road. Therefore, neither a 10' landscape buffer nor a 5' wall can be placed on the property line without eliminating access to both the residential and marina properties. We have placed a buffer along the south side of the road which exceeds the required average 10' width. The dumpster enclosure has been located at the center loading area of the site, and is approximately 22.5' from the closest residential property line and has been screened from view with landscaping.

Neighborhood Compatibility and Preservation:

The proposed project has been designed to preserve and enhance neighborhood compatibility. The existing marina and boatyard that operated for more than 50 years was an active repair facility. Boats were hauled from the water and placed on the upland areas to allow boat owners to work on their boats, including sanding and bottom painting. The proposed marina redevelopment will eliminate the hauling of boats and on-site repair operations. The proposed project will include boat slips for

mega-yachts. We have eliminated the previously proposed covered boat slips in order to address the city and neighbors concerns about bulk and mass of the proposed boat shed structures. A 1-story private Crew Club/Dock Master Office building will be provided near the center of the site, which will provide a gathering place for the owners, guests and crew members from the yachts and the marina's operation office. The structures have been designed in a style which is compatible with residential uses. SW 17th Street, which is currently a 16' wide private road, will be reconstructed and widened to 20' which will improve access to the adjoining residential properties.

c. Sec. 47-23.8, Waterway Use;

1) A 20' landscape yard is required adjacent to the existing bulkhead line. The required 20' yard shall not be used or developed for any purpose other than landscaping and the minimum amount of driveways or walkways reasonably necessary to serve permitted nonresidential or multi-family waterfront uses, unless specifically approved by the P&Z Board. The 20' yard shall not apply to marinas or yacht clubs.

The proposed development is a marina, therefore the 20' yard is not applicable.

2) Review of Neighborhood Compatibility, Scale, Bulk and Mass, as provided in Section 47-25.3.A.3.e.i

See response above to the Neighborhood Compatibility Requirements.

3) Any property zoned B-2, B-3 or I, which abuts a waterway shall be used for a marina, hotel marina, or a shipyard, where such uses are permitted within the B-2, B-3 or I zoning districts.

The site is zoned Industrial (I) and we are proposing to utilize it for a marina, therefore we are in compliance.

d. Sec. 47-24.4, Rezoning;

D. Criteria. An application for a rezoning shall be reviewed for compliance with Section 47-25, Development Review Criteria. In addition, an application for a rezoning shall be reviewed in accordance with the following criteria:

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

We have eliminated the proposed parking lot in the northeast corner of the site and removed these lots from the marina project. They will be developed for a residential use at a future date. Therefore the 'XP' Exclusive Use rezoning for the parking lot in the northeast corner of the site is no longer applicable.

The proposed 'CB' Community Business rezoning for the residential parcel at the east end of the site will be consistent with the City's Comprehensive Plan if an allocation of commercial flex acreage is applied to this parcel with the approval of the flex rezoning request. This CB area will no long be utilized as a pool and gazebo

area, as indicated on the initial submittal. Per the revised site plan design the portion of the parcel being rezoned will now be excavated for boat slips.

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

The change of zoning to CB in order to permit this parcel to be utilized for boat slips will be in character with the remainder of the property which will be redeveloped as a mega-yacht marina. It is also in character with the surrounding areas which are marine related uses to the south and water front residential to the east and north, which are also boating oriented.

3. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.

The property surrounding parcel which is being rezoned will be undergoing a substantial redevelopment to change it from a working boatyard and marina to a mega-yacht marina, which is a more passive recreational boating use. The current residential parcel at the east end of the site, has been utilized boat slips on the two-thirds of the parcel which is currently water area and the other one-third which is land area was historically used for sailboat repair and outdoor storage of masts. The portion which is currently land area will be excavated so that it can also be utilized for boat slips.

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.

e. Sec. 47-28.1.G.1 Allocation of commercial uses on residential land use designated parcels; and

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 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.

The site is located within Flex Zone 54. This flex zone has a total of 42.62 acres under the 5% commercial flex rule and only 3.9 acres have been assigned to date. This leaves 38.72 acres available, which is more than adequate for the rezoning 'CB' which is 0.249 acres.

f. Sec. 47-28.1.J.1, Allocation of commercial uses within areas designated industrial use or employment center land use.

J. Allocation of commercial uses within areas designated industrial land use or employment center land use.

1. The city may permit a development to be used for commercial business uses within lands designated employment center or industrial on the city's land use plan, by rezoning the parcel to a business zoning district, subject to the following restrictions:

a. No more than twenty percent (20%) of the total land use area within the flexibility zone that is designated for industrial land use or U.C. employment center land use may be rezoned to a business zoning district.

b. Criteria:

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

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

This section of the code is not applicable to the proposed project. We are not proposing to put a commercial use on the Industrial zoned portion of the property. A marina is a required use on I-1 (Industrial) property located on a waterway.

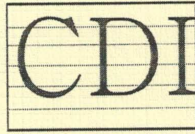
8. Provide the following changes on site plan:

a. Ensure that the number of boat slips indicated in the Site Plan match the number stated in the narrative;

The site plan and project narrative have been revised to reflect the number of boat slips and the maximum number of boats that are permitted by the Broward County, FDEP and ACOE permits. The project redesign reflects 34 boat slips which can accommodate up to a maximum of 55 boats.

b. Verify that the parking data is correct based on proposed uses and number of proposed boat slips;

The city code requires 1/2 space per boat slip for parking on a marina development. Technically we have 34 boat slips, however since our Broward County, FDEP and ACOE permits allow us to accommodate up to a maximum of 55 boats we have calculated the required parking based on the higher number. With the Crew Club/Dock Master Office building being calculated at a parking rate of 1 space per 250 square feet we are required to provide 34 parking spaces. Per the revised site design we are providing 48 spaces.



August 30 , 2018

ENGINEERING AND PLANNING

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Ms. Florentina Hutt
City of Fort Lauderdale
Urban Design and Planning
700 NW 19th Avenue
Fort Lauderdale, FL 33311

**Re: South Fork Marina (fka Harbour Twenty-Six) (ZR-17007)
P&Z Application**

Dear Ms Hutt:

The following is a response to the conditional use criteria in Section 47-24.3.E:

Section 47-24.3.E Conditional Use Permit Requirements

1) Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements, Section 47-25.3.

1. Adequacy Requirements; see Section 47-25.2.

a. Sec. 47-25.2, Adequacy Requirements;

A. Applicability:

We acknowledge the adequacy requirements set forth herein shall be used by the City to evaluate the demand created on public services and facilities created by a proposed development permit.

B. Communications Network:

The Crew Club/Dock Master Office and the storage building have been limited to 1-story in height and they will not interfere with the City's communication network.

C. Drainage Facilities:

The stormwater drainage system has been designed to provide retention for the water quality pre-treatment from the impervious surfaces prior to overflowing into the New River. The drainage system is depicted on the paving, grading and drainage plans, sheets PGD-1, PGD-2 and PGD-3.

D. Environmentally Sensitive Lands

There are no wetlands located on the property and the property is not located within a wellfield protection zone. There are existing surface waters which will be dredged and some of the current upland area will be excavated to create additional proposed boat slips. The appropriate environmental application for the dredging, seawall construction and repair, and dock construction have been obtained from the BCDPEP, Florida Department of Environmental Protection (FDEP) and the U.S. Army Corps of Engineers.

We are in the process of amending each of these permits based on the site design modifications.

E. Fire Protection

A fire protection system is proposed for the marina facility. Fire hydrants are located along SW 17th Street, which will provide fire protection for the existing

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houses on the north side of SW 17th Street. Fire cabinets are provided at each of the floating docks. A flow test at the site indicates a flow rate of 1,060 GPM with a residual pressure of 54 PSI. A copy of the test results are enclosed as Exhibit J. The proposed fire protection system is shown on the water and sewer plans, sheets WS-2 and WS-3.

F. Park and Open Space

Not applicable; the project contains no proposed residential uses.

G. Police Protection

The site plan has been designed with C.P.T.E.D. principles to minimize the risk to public safety. The boat slips will be protected with an access control system for security purposes, and the entire site will be monitored by a closed circuit TV system.

H. Potable Water Facilities

A proposed potable water system will be constructed which provides water service to each of the boat slips and the Crew Club/Dock Master Office building. The proposed private potable water service will be connected to an existing 6" water main which is located on SW 17th Street. The water treatment plant, which services the property, is the City of Ft. Lauderdale's Five Ash Treatment Plant, which has adequate capacity to serve the proposed project. The applicable capital expansion fees for water and sewer facilities will be paid at the time of building permit. The proposed potable water system is shown on the water and sewer plans, sheets WS-1, WS-2 and WS-3.

I. Sanitary Sewer System

A proposed sewage pump-out system will be constructed which provides a pump-out connection at each boat slip. The sewage pump-out system will connect a new gravity sewer main to be constructed in SW 17th Street which will connect to the existing system in the SW 18th Avenue right-of-way. The sewer treatment plant which services the property is the City of Ft. Lauderdale's G.T. Lohmeyer Wastewater Treatment Plant (WWTP), which has adequate capacity to serve the proposed project.

J. Schools

Not applicable; the project contains no proposed residential uses.

K. Solid Waste

Trash disposal will be provided via a contract with a private trash hauler. A trash enclosure is provided near the center of the project adjacent to the Crew Club/Dock Master's office. The trash will be disposed at an appropriate Broward County facility.

L. Stormwater

The stormwater drainage system has been designed to meet the Broward County Department of Environmental Protection (BCDPEP) and South Florida Water Management District (SFWMD) regulations. Pre-treatment for water quality is provided with a dry retention area prior to overflowing into the surface water. The system has been designed to provide no adverse impact on the adjacent street or properties. The proposed stormwater system is shown on the paving, grading and drainage plans, sheets PGD-1, PGD-2, and PGD-3. The surface water permits have been obtained from the BCDPEP and the FDEP, and will be modified based on the proposed design changes.

**M. Transportation Facilities:
Regional Transportation Network:**

The regional roadways have adequate capacity to serve the minimal impact which would be created by the marina redevelopment. The applicable Broward County Transit Impact fees will be paid at the time of building permit.

Local Streets:

SW 17th Street is a private street which is shared by the existing marina and the residential houses on the north side of the street. The proposed marina redevelopment will reduce the number of boat slips and eliminate the working boatyard; therefore, a reduction in the number of daily trips is anticipated. The local street has adequate capacity to accommodate the proposed redevelopment. SW 17th Street will be reconstructed after the installation of the utilities, and it will be widened to 20' from its current width of 16', where possible. A cul-de-sac turn-around will be provided at the east end to provide better circulation.

Traffic Impact Study:

A copy of the updated traffic statement is attached as Exhibit 'K'. The traffic statement shows that the redevelopment of the site will result in an average daily trips of 133 ADT which is well below the city's threshold requiring an additional traffic study.

Dedication of Rights-of-Way:

The existing 16' roadway is a private road within a 16' ingress/egress easement. One-half (8') of the easement is on the residential properties and the other half is on the marina site. The proposed roadway will be widened to 20', with the additional 4' being provided on the marina property. An additional 4' ingress/egress easement will be provided by the marina development to permit the adjacent owners access rights over the expanded road.

Pedestrian Facilities:

Concrete dock and walkways are provided throughout the site to facilitate pedestrian movement within the project. There are no public streets or sidewalks adjacent to the project. The residents who live on SW 17th Street are adamantly opposed to the installation of a sidewalk along the street, therefore we are only providing them at the head of our docks.

Primary Arterial Street Frontage:

Not applicable; the site does not abut an arterial street.

Other Roadway Improvements:

The existing private roadway will be reconstructed after the underground utilities are installed. No additional roadway improvements are necessary to mitigate the reduction in traffic generated by the redevelopment.

Street Trees:

Not applicable; there are no public rights-of-way adjacent to the project. However, on-site trees have been provided adjacent to the private road (SW 17th Street), which effectively achieves the typical street tree requirement.

N. Wastewater:

The marina redevelopment will include the construction of a sewage pump-out station for each of the docks. A new gravity sewer main will be installed on SW 17th Street to serve both the marina and the existing residential on the north side of the street, assuming that the residential property owners grant the required easements. The new sewer main will connect to the existing sanitary manhole located in the SW 18th Avenue right-of-way, which was installed under the City's Shady Banks Neighborhood project. The appropriate sewer facility capital expansion fee will be paid at the time of building permit.

O. Trash Management Requirements:

Not applicable; the proposed marina development does not include the preparation of pre-packaged food or beverages for off-site consumption.

P. Historic and Archaeological Resources:

There are no structures located on the property which have identified as a historically significant building. The site does not have an Archaeological Significant Designation by either Broward County or the State.

Q. Hurricane Evacuation:

Not applicable; the site is not located east of the Intracoastal Waterway, nor is it located on a hurricane evacuation route.

2. Smoke, Odor, Emissions of Particulate Matter and Noise:

Smoke, odor, emissions of particulate matter and noise for the boatyard and repair facility that previously operated on this site will be eliminated with the proposed marina development. The proposed boat slips, storage building, and Crew Club/Dock Master Office building will not emit smoke, odor, emissions of particulate matter or noise that would have an adverse impact to the surrounding property.

The boat slip will be a passive use, providing dockage for large yachts. The crew club building is a private facility which includes the dock master's office, and business center.

3. Design and Performance Standards

a) Lighting

The lighting design for the proposed project will utilize 15' high decorative poles and bollard lights on site. The light poles are being placed in the parking lot only in order to illuminate the parking area. Bollard lights are being utilized to light pedestrian walkways. SW 17th Street has existing street lights which will remain and no additional lighting along the road is being provided. The site photometric plan reflects the foot-candle levels generated by the new parking lot lights and walkway bollards and it demonstrates that the foot-candle reading at the property line, which is the center of the road, is below 0.5 FC.

b) Control of Appearance

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

1) Architectural Features:

The architectural design and style of the proposed buildings borrows elements from several indigenous styles including Tidewater, Key West and Bahamian. The hipped roof still provides the best resistance against winds just as it did centuries ago. The old traditional wrap around porch is not applicable to this building, but deep bracketed overhangs are added to emulate the same look. Exterior material will be durable and textured synthetic stucco following the old world coquina stone as well as tabby concrete and stucco used years ago throughout South Florida. The selected exterior color palette will be selected to be complimentary of surrounding structures and to project a tropical aura.

2) Loading Facilities:

We are providing two(2) loading zone areas for service vehicles to park and access the boat slips.

3) Screening of Rooftop Mechanical Equipment:

Not applicable; no rooftop mechanical equipment will be utilized.

c) Setback Regulations:

When a nonresidential use, which is subject to the requirements of Section 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:

1) When any side of a structure greater in height than 40' is contiguous to residential property, that portion of the structure shall be set back 1' for each 1' of building height over 40' up to a maximum width equal to one-half (½) the height of the building, in addition to the required setback as provided in the district in which the proposed nonresidential use is located.

The proposed site plan complies with the setback requirements for the industrial zoning district. The proposed storage building is the closest proposed structure to the residential properties and it is setback 32.1 feet. The Crew Club/Dock Master Office building is setback 55.4 feet. Both buildings are 1-story high and will be compatible with the adjacent residential.

d) Bufferyard Requirements:

The common property line between the residential property and the marina property is down the centerline of the existing shared private road. Therefore, neither a 10' landscape buffer nor a 5' wall can be placed on the property line without eliminating access to both the residential and marina properties. We have placed a buffer along the south side of the road which exceeds the required average 10' width. The dumpster enclosure has been located at the center loading area of the site, and is approximately 22.5' from the closest residential property line and has been screened from view with landscaping.

e) Neighborhood Compatibility and Preservation:

The proposed project has been designed to preserve and enhance neighborhood compatibility. The existing marina and boatyard that operated for more than 50 years was an active repair facility. Boats were hauled from the water and placed on the upland areas to allow boat owners to work on their boats, including sanding and bottom painting. The proposed marina redevelopment will eliminate the hauling of boats and on-site repair operations. The proposed project will include boat slips for mega-yachts. We have eliminated the previously proposed covered boat slips in order to address the city and neighbors concerns about bulk and mass of the proposed boat shed structures. A 1-story private Crew Club/Dock Master Office building will be provided near the center of the site, which will provide a gathering place for the owners, guests and crew members from the yachts and the marina's operation office. The structures have been designed in a style which is compatible with residential uses. SW 17th Street, which is currently a 16' wide private road, will be reconstructed and widened to 20' which will improve access to the adjoining residential properties.

2) Access, traffic generation and road capacities. Consideration will be given to the design capacity of the adjacent roadways, the particular traffic generation characteristics of the proposed conditional use, including the type of vehicular traffic associated with such uses, and traffic generation characteristics of other uses permitted in particular zoning districts.

A copy of the updated traffic statement is attached as Exhibit 'K'. The traffic statement shows that the redevelopment of the site will result in an average daily trips of 133 ADT which is well below the city's threshold requiring an additional traffic study.

3) The applicant must show, and it must be found by the reviewing body, that the following have been met:

b. The location of the use or structure is not in conflict with the City's Comprehensive Plan.

c. The land use designation for the property is a combination of industrial and low-medium residential. All of the proposed structures, crew club building/dock masters office and storage building, are all located within the portion of the property with the industrial land use designation. The proposed marina use is not in conflict with the City's Comprehensive Plan, and in fact, Section 24-23.8 of the ULDR requires that industrial zoned property on the waterway be utilized for marina or related uses.

d. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure.

The proposed redevelopment of the site with a mega-yacht marina use will reduce the impacts on the surrounding residential uses and neighborhood. The prior boatyard and repair facilities will be eliminated, and there will no longer be any facilities for launching or removing boats from the water. As a result, the traffic impacts in the Shady Banks neighborhood will be significantly reduced. Visually, boats will no longer be sitting on upland paved areas in various states of repair, which is also an improvement for the residents on the north side of SW 17th Street.

e. On-site improvements have been incorporated into the site plan which minimizes any adverse impacts as a result of permitting the use or structure.

The site plan has been designed to minimize the impacts from the redevelopment. The change of use from a working boatyard to a marina, which is a more passive use, will significantly reduce many of the adverse impacts generated by the more active repair facility use that has existed on the site for approximately 65 years. With the site redevelopment, the private road (SW 17th Street) will be widened from 16' to 20', and a cul-de-sac will be constructed at the east end of SW 17th Street which will improve access to the adjoining properties. In addition, the redevelopment will include improvements to the utilities, including the installation of a gravity sewer system which will connect to the public sewer system and drainage improvement to provide for water quality pre-treatment before overflowing into the New River.

f. The location of the use in proximity to a similar use does not impact the character of the zoning district in which the use is located.


The proposed marina use is compatible with the other uses which are located in the "industrial" zoned districts in proximity to the site. The subject site is the only property located on the north side of the New River east of I-95 with this zoning designation. The industrial zoned properties on the south side of the New River are also used for marina uses. However, the marina on the south side (Lauderdale Marine Center) is a more active marina, which includes repair facilities, boat painting and other uses. The proposed mega-yacht marina facility on the subject site, with its more passive uses, will serve as a transition from the more active marina to the south and the residential uses to the north of the subject site.

g. There are no adverse impacts of the use which effect the health, safety and well being of adjacent properties.

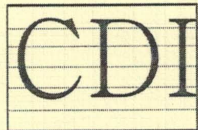
The proposed redevelopment of the site as a mega-yacht marina will be a benefit to the health, safety and welfare of the adjacent properties because the active maintenance and repair uses and the ability to launch or remove boats from the water will be eliminated. The traffic generated by the redevelopment will be a significant reduction from the existing boatyard uses. In addition, the utilities will be upgraded and a new public sewer will be installed which will also serve the residential properties abutting the marina.

I trust this letter will address the additional response you are looking for with respect to the conditional use criteria in Section 47-24.3.E. Should you have any questions or need any additional information, please feel free to call.

Sincerely,
CDI ENGINEERING AND PLANNING



Daniel A. Fee, P.E.
Principal/Vice President



September 4, 2018

ENGINEERING AND PLANNING

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Ms. Florentina Hutt
City of Fort Lauderdale
Urban Design and Planning
700 NW 19th Avenue
Fort Lauderdale, FL 33311

**Re: South Fork Marina (fka Harbour Twenty-Six) (ZR-17007)
P&Z Application**

Dear Ms Hutt:

The following is a response to the Industrial District conditional use criteria in Section 47-7.20:

Sec. 47-7.20. - Additional requirement for conditional uses in the Industrial (I) District.

A. In addition to complying with the requirements for a conditional use permit as provided in Section 47-24.3, the following information shall be required for a conditional use permit, as provided in Section 47-24.3, for any industrial conditional use:

1. Requirements for an operational plan. An operational plan shall be submitted in conjunction with an application for a conditional use permit including, but not limited to, the following information, where applicable:

An operational plan for the proposed marina is attached as Exhibit D

a. Methods and hours of the proposed operation;

Published hours will be from 8:00 am until 5:00 pm.

b. Distance of buildings and outside storage areas to nearby waterways, residences, schools, houses of worship, hospitals or parks;

The distance of the proposed Crew Club/Dock Master office building and the storage building are reflected in the Site Data table on Sheet SP-1. The Crew Club/Dock Master office building is setback 55.4 feet from the residential properties, 259.4 feet from the Bill Keith Preserve park and 105.6 feet from the waterway. The storage building is setback 32.1 feet from the residential properties, 11.0 feet from the Bill Keith Preserve park and 121.8 feet from the waterway.

c. Design of access streets to accommodate any heavy equipment associated within the operation.

The proposed marina is a passive marina and heavy equipment will be prohibited. The Applicant commits that 18-wheeled vehicles shall not be permitted to access

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or service the South Fork Marina site once a Certificate of Occupancy is issued. During marina construction, or for any major permitted site work, 18-wheeled vehicles will be limited and only used to transport construction equipment (e.g. crane, backhoe, bulldozer, front-end loaders, etc.) or materials (e.g. trusses, concrete blocks, rebar, piping, docks, sod, trees, etc.). No 18-wheeled dump trucks shall be permitted at any time.

2. Risk management study. A study shall be submitted which identifies impacts of the proposed or existing use and the proposed mitigation of such impacts as it relates to the neighborhood compatibility requirements, as provided in Section 47-25.3. In addition, the study shall document and support methods for controlling the impacts of the use and shall certify the effectiveness of such methods. The methodology for such study shall be submitted to the department for approval prior to initiation of the study in conjunction with the site plan level IV review. The methodology shall include the weeks and day the study will be conducted, the number of days and duration of the study, and the time intervals and locations for data collection. The department may require the application to be reviewed by an independent licensed professional engineer contracted by the city to determine whether the study supports the basis for the methods to be used in controlling the impacts of the use.

The neighborhood compatibility requirements, as provided in Section 47-25.3 are addressed in my letter dated August 30, 2018 and the DRC response letter dated June 29, 2018. The methods for controlling the impacts of the marina are address in the Operational Plan, attached as Exhibit D. Over the past year the applicant has worked with the city staff and the Shady Banks and a draft dated May 28, 2018 of Voluntary Conditions of Approval was developed in cooperation with the Shady Banks Neighborhood Association. See Attached .

3. Environmental standards. A site plan for the proposed uses which shows how the proposed use will meet the following performance criteria:
a. Air pollutants. Air pollutants which when measured by the pollutant standard index (PSI) related to five major air pollutants sulfur dioxide, nitrogen dioxide, carbon monoxide, ozone and total suspended particulate will not be greater than 100 as measured by the PSI scale and measures to monitor such air pollutants. Demonstration that, if beryllium, mercury, asbestos and vinyl chloride are utilized, they will meet the National Emissions Standards for Hazardous Air Pollutants (NESHAP).

Not Applicable, the proposed use is a passive marina and it will not generate any of the referenced air pollutants.

b. Water quality. Demonstration that water quality standards as established by the national pollutant standards, are being met.

The proposed marina does not generate any water quality issues, other than the normal storm water runoff for all projects in South Florida. The water quality for storm water is being address by providing a dry retention area.

c. Industrial wastes. Identification of the presence of the toxic wastes, reactive wastes, ignitable wastes which may result from industrial and manufacturing processes, including but not limited to emission of gaseous wastes, and emission of pollutants and how the disposal or management of such waste and materials will be controlled to

ensure that such operation will not pose substantial hazards to human health or the environment. If corrosive wastes are present, such wastes will be stored in special containers that cannot corrode, or controlled by some other measure to separate such wastes from other waste materials.

Not Applicable, the proposed use is a passive marina and it will not generate any industrial waste.

d. Prohibition on the use of certain industrial chemicals. No polychlorinated biphenyls (PCBs), toxic industrial chemicals, shall be used in the manufacture of any products.

Not Applicable, the proposed use is a passive marina and it will not utilize any of the referenced industrial chemicals.

e. Management of industrial materials. Demonstration that if mercury, explosives, pesticides, radioactive, flammable materials, infectious materials, arsenic, benzene and radio nuclides are being utilized, that measures are being made to ensure that the use of such materials will not pose substantial hazards to human health or the environment.


Not Applicable, the proposed use is a passive marina and it will not utilize any of the referenced industrial materials listed.

4. Description of best management practices utilized in the industrial operation. Best management practices that aid in controlling pollution that derives from a proposed Industrial operation shall be utilized in meeting the requirements of this section. Such practices may include, but not be limited to structural controls, nonstructural controls and procedures for operation and maintenance of such uses.

Not Applicable, the proposed use is a passive marina does not involve an industrial operation.

I trust this letter will address the additional response you are looking for with respect to the additional requirements for the conditional uses in the Industrial district criteria in Section 47-7.20. Should you have any questions or need any additional information, please feel free to call.

Sincerely,
CDI ENGINEERING AND PLANNING



Daniel A. Fee, P.E.
Principal/Vice President



UPDATED DRAFT with Shady Banks Input as of 5/28/18
May XX, 2018

Ms. Florentina Hutt
City of Fort Lauderdale
Urban Design and Planning
700 NW 19th Avenue
Fort Lauderdale, FL 33311

Re: South Fork Marina (fka Harbour Twenty-Six) (ZR-17007) Voluntary Conditions of Approval

Dear Ms. Hutt:

On behalf of South Fork Marina's ownership group, please allow me the pleasure of submitting to the City of Fort Lauderdale the following Voluntary Conditions of Approval for our site plan application (ZR-17007). After a yearlong process of meeting and discussing this project with the city elected officials and staff, neighbors from Shady Banks and River Oaks, and the Marine Advisory Board, we feel the following conditions are reasonable and fair and reflect the updated design and operating model of our project. We request these conditions replace and supersede any prior Conditions of Approval that may have been imposed on previous iterations of this marina project or otherwise tied to this application.

Voluntary Conditions of Approval:

1. Dockage for in-water vessels shall not exceed fifty-five (55) total boats and thirty-four (34) mega-yacht slips as specified on the site plan, with required parking to accommodate site demand and prevent overspill into the adjacent neighborhood. All boats, up to a maximum of fifty-five (55), must be within the thirty-four (34) slips as designated on the current site plan, provided no individual slip shall ever have more than three (3) boats as further explained in condition #2 below. The term "boats" shall include but not be limited to all boats, vessels, watercraft, tenders, sailboats, and yachts.
2. The Applicant is authorized to have a total of 55 boats at the marina as depicted on the current site plan. Applicant agrees to limit the number of boats in each slip to a maximum of two (2) boats per slip. Notwithstanding the foregoing, an exception to this 2-boat condition will be permitted for a tender that is directly related to a boat in the slip so that such tender may be placed in the same slip with an associated vessel provided the total boat count in the slip never exceeds three (3) boats in the same slip. Additionally, no boat shall extend beyond the distance of the slip limits as delineated in the modified BOT Lease No. 060023106 effective September 28, 2017 ("2017 Submerged Land Lease").
3. Prior to final DRC approval, the Applicant agrees to obtain and produce to the City an authorization from the Broward County Environmental Protection Department that states any soil or groundwater contamination on this property has been mitigated prior to any land excavation; or, obtain Broward

South Fork Marina - Voluntary Conditions of Approval (as of May 28, 2018)

County's approval of a soil management plan which addresses how any contamination is to be handled during construction activities.

4. A management contract shall be required prior to CO issuance.
5. The marina operation shall be equipped with oil spill containment and fire safety attenuation equipment as required by the City Code of Ordinances and as determined in conjunction with the Planning/DRC permit.
6. No outside loudspeakers or amplification systems will be permitted. No work activities shall be permitted at South Fork Marina that would be in violation of noise or other nuisance related ordinances or as determined by the City pursuant to final Site Plan Approval.
7. No rafting of boats shall be permitted in a slip, along any dock or along a seawall adjacent to the property except in the case of an emergency.
8. Substantial changes to the marine site plan requiring an amendment to be reviewed by the Planning and Zoning Board shall first be reviewed by the Marine Advisory Board.
9. The Applicant shall comply with all permits required by governmental agencies having jurisdiction over the waterways, and shall comply with all codes and regulations affecting the operation of the marina, including Section 47.24.2 and Section 24.5 of the ULDR adequacy requirements.
10. The Applicant shall provide marine sanitation pump-out service accommodations at each of the 34 slips as planned and shall comply with established requirements imposed on the Applicant by the City and other Environmental Permitting Agencies that may be more restrictive. All such conditions shall be made part of the Planning/DRC permit, if necessary.
11. The Applicant shall furnish to the Supervisor of Marine Facilities copies of the final plans and required fueling and other Environmental permits with the regulatory agencies for review and comment to the appropriate City Department staff. Additional comments or site plan revisions from the Supervisor of Marine Facilities or appropriate staff not requiring Planning and Zoning Board or Marine Advisory Board reviews will be made part of the Planning/DRC permit.
12. The following work is prohibited at South Fork Marina: heavy grinding; heavy sanding; extensive exterior painting; haul out; dry dock storage; or, any service or work on the upland. Minor in-water repairs and other in water services such as: minor preparation and paint touch-up; varnish work; dust-free sanding; sand-less refinishing; electronics; washing; waxing; buffing; fueling; and general servicing, etc. are permitted in accordance with City Code of Ordinances and the ULDR.
13. Storage of any form of petroleum based fuel, oil, etc. is not permitted on the property unless permitted by the appropriate environmental agencies. Disposal of any form of petroleum based fuel, oil, etc. will be handled and disposed of in accordance with City, County, State and Federal environmental regulations, as well as best management practices.

South Fork Marina - Voluntary Conditions of Approval (as of May 28, 2018)

14. Signs are not permitted on the dock structures or property for purposes of selling vessels, boats or other marine related amenities unless approved in accordance with the City Code of Ordinances and the ULDR or in conjunction with the Planning/DRC permit and site plan approval.
15. As a general condition of approval, vessels moored on the New River adjacent to the South Fork Marina, or in any slip at the South Fork Marina, cannot extend beyond the distance of the 2017 Submerged Land Lease area. A copy of 2017 Submerged Land Lease shall be made part of the application for the Planning/DRC permit and the Applicant shall record the 2017 Submerged Land Lease in the official records of Broward County prior to commencement of construction of the site plan.
- 15(a). Applicant shall take all steps necessary to modify the existing 2017 Submerged Land Lease so it accurately reflects the construction of the proposed structures in accordance with the current site plan. The issuance of a building permit shall be conditioned upon the issuance of a modified submerged land lease that is in conformance with the current site plan.
16. Applicant agrees that in any subsequent, extended or modified submerged land lease to the benefit of the South Fork Marina site, the number of slips located on sovereignty submerged lands shall not be increased and the lease area for the slips shall not extend further into the New River beyond the slip limits as set forth in the existing 2017 Submerged Land Lease.
17. A special condition to establish a self-imposed restriction by the Applicant to prohibit permanent live-aboards ("homesteading") on site. Necessary overnight use by owners, Captains and crews of client vessels, as a matter of safety and security, is permitted.
18. Fixed Fueling facilities shall not be permitted. Fueling service provided by third-party vendors will be limited to using mid-size fuel tanker trucks or delivery via water.
19. Should County, State or Federal permitting agencies having jurisdiction, impose more restrictive standards to the conditions of local approval, as specified above, then the more restrictive standards apply.
20. Applicant previously included two NE residential lots (Parcels 504216350290 and 504216350280) in the DRC site plan application. Those parcels have been removed from the site plan and will not be incorporated into the South Fork Marina project. Applicant shall reconstruct the seawall around parcels (504216350290 and 504216350280) and align the seawall with the deeded property line. The seawall work shall be completed prior to Certificate of Occupancy being issued for the South Fork Marina.
21. Applicant is committed to addressing increased traffic and parking concerns because of the South Fork Marina project. As such, Applicant is willing to work with the City of Fort Lauderdale Transportation and Mobility Department and Shady Banks Neighbors. Upon receiving cost estimates from the City of Fort Lauderdale, Applicant will commit to a reasonable and fair financial contribution to the City of Fort Lauderdale for the timely construction (post-construction of South Fork Marina) of two, three-legged raised intersections at SW 18th Ave. at SW 14th Ct., and SW 18th Ave. at SW 16th St.

South Fork Marina - Voluntary Conditions of Approval (as of May 28, 2018)

22. Applicant commits that 18-wheeled vehicles shall not be permitted to access or service the South Fork Marina site once a Certificate of Occupancy is issued. During marina construction, or for any major permitted site work, 18-wheeled vehicles will be limited and only used to transport construction equipment (e.g. crane, backhoe, bulldozer, front-end loaders, etc.) or materials (e.g. trusses, concrete blocks, rebar, piping, docks, sod, trees, etc.). No 18-wheeled dump trucks shall be permitted at any time.
23. Applicant agrees to remedy any shoreline erosion or disrepair to the Bill Keith Preserve caused by the Applicant's construction and/or operations of South Fork Marina.
24. Applicant shall enter into an appropriate maintenance agreement with SW 17th Street property owners and the City of Fort Lauderdale for its share of the upkeep of SW 17th Street post-construction of the South Fork Marina; however, Applicant shall not be liable for damage caused by others unrelated to the marina's use or operation.
25. Applicant will work diligently with the SW 17th Street property owners to address the necessary easement and lateral design requirements for the installation of a sewer main on SW 17th Street

Sincerely,

<< Signature >>

Colby J. Cooper
Chief Operating Officer, Hix Snedeker Companies
Program Director, South Fork Marina

Attachment: 2014 Conditions of Approval

CONDITIONS OF APPROVAL

1. Rezoning a portion of the site to XP and CB is subject to ULDR Section 47-28.1.G, and all uses indicated on the site plan and within the accompanying written narratives are permitted only in accordance with the approval of this specific development application and rezoning request.
2. The rezoning shall not take effect until such time a building permit is prepared to be issued for a principal building approved as part of the development site.
3. Prior to final DRC approval, the applicant agrees to obtain authorization from the Broward County Environmental Protection Department that states any soil or groundwater contamination on this property has been mitigated prior to any land excavation.
4. A management contract shall be required prior to CO issuance.
5. A five (5) foot hedge and a three and a half (3.5) foot opaque wall shall be constructed on the north, east and west side of the parking lot located at the northeastern portion of the site subject to all ULDR requirements.
6. Conditions outlined in the Marine Advisory Board Memorandum No. MF 07-40:
 1. Dockage for large vessel storage shall not exceed the specified number of twenty-six (26) slips with 500 lineal feet of marginal mooring facilities as specified on the site plan with required parking to accommodate lot demand and prevent overspill into the adjacent neighborhood.
 2. Fueling facilities are not permitted unless permits are obtained from those regulatory agencies requiring authorization including the City. All such conditions or regulations including the ULDR and the Code of Ordinances, which are applicable, shall be made part of the Planning/DRC permit.
 3. The marina operation shall be equipped with oil spill containment and fire safety attenuation equipment as required by the City Code of Ordinances and as determined in conjunction with the Planning/DRC permit.
 4. No outside loudspeakers, amplification systems or work activities shall be permitted on the marine center site that would be in violation of noise and other nuisance related ordinances or as determined in the final planning/DRC permit.
 5. No rafting of boats shall be permitted along any dock or seawall adjacent to the property except in case of an emergency.
 6. Substantial changes to the marina site plan requiring an amendment to be reviewed by the Planning and Zoning Board shall first be reviewed by the Marine Advisory Board.
 7. The applicant shall comply with all permits required by governmental agencies having jurisdiction over the waterways, and shall comply with all codes and regulations affecting the operation of the marina, including Section 47.24.2 and Section 24.5 of the Urban Land and Development Regulations (ULDR) Adequacy requirements.
 8. The applicant shall provide marine sanitation pumpout service accommodations at each slip as planned and shall comply with established requirements imposed on the applicant by the City and other Environmental Permitting Agencies that may be more restrictive. All such conditions shall be made part of the DRC/Planning permit if necessary.
 9. The applicant shall furnish to the Supervisor of Marine Facilities copies of final plans and required fueling and other Environmental permits with the regulatory agencies for review and comment to the appropriate City Department staff. Additional comments or site plan revisions from the Supervisor of Marine Facilities or appropriate staff not requiring Planning and Zoning or Marine Advisory Board reviews will be made part of the DRC/Planning permit.
 10. No boat repairs shall take place on site, other than minor in water repairs as permitted by the City Code of Ordinances and the Unified Land and Development Regulations. Storage of any form of petroleum based fuel, oil, etc. is not permitted on the property unless permitted by the appropriate environmental agencies.
 11. Signs are not permitted on the dock structures or property for purposes of selling vessels, boats or other marine related amenities unless approved in accord with the City Code of Ordinances and the Unified Land and Development Regulations or in conjunction with the DRC permit and site plan approval.
 12. Should County, State or federal permitting agencies having jurisdiction, impose more restrictive standards to the conditions of local approval as specified above, then the more restrictive standards shall apply.
 13. As a general condition of approval, vessels moored on the New River adjacent to the property cannot extend beyond the distance of the submerged land lease area. A copy of submerged land lease No. 060023106 to allow for docking on state owned submerged lands on the New River all other conditions required by the applicant shall be made part of the application for the DRC/planning permit.
 14. A special condition to establish a self-imposed restriction by the applicant to prohibit live-aboards on site with the exception of occasional overnight use by Captain and crew of vessel club membership or other purposes in accord with the Planning/DRC permit.

Legal Description

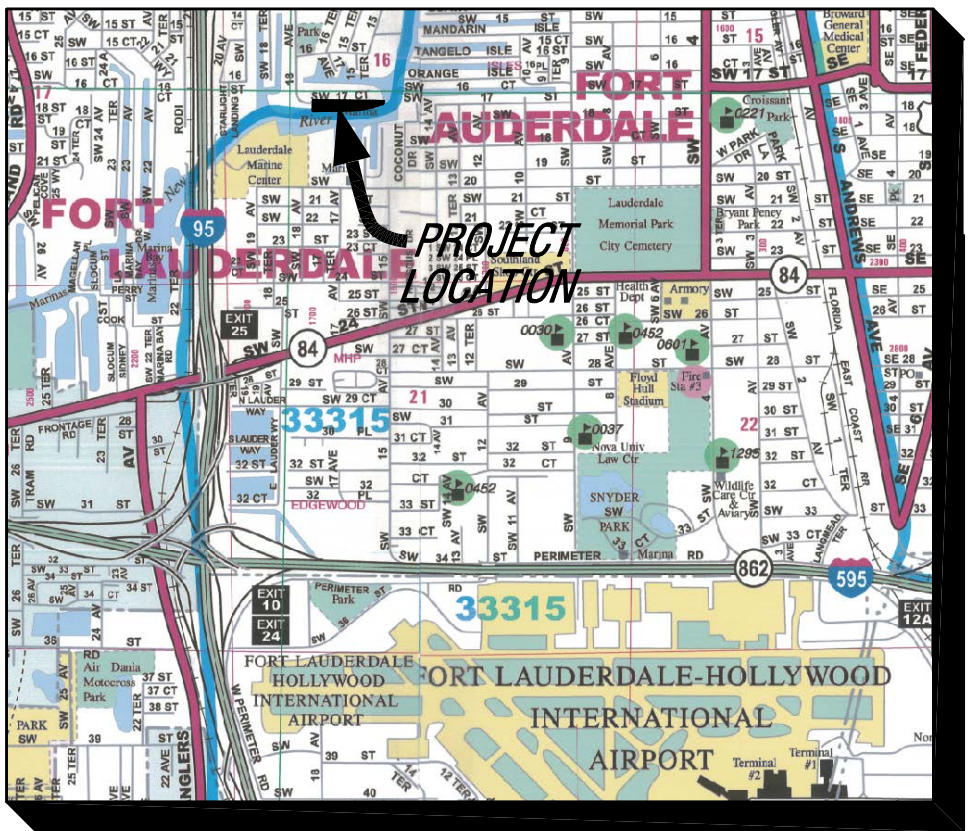
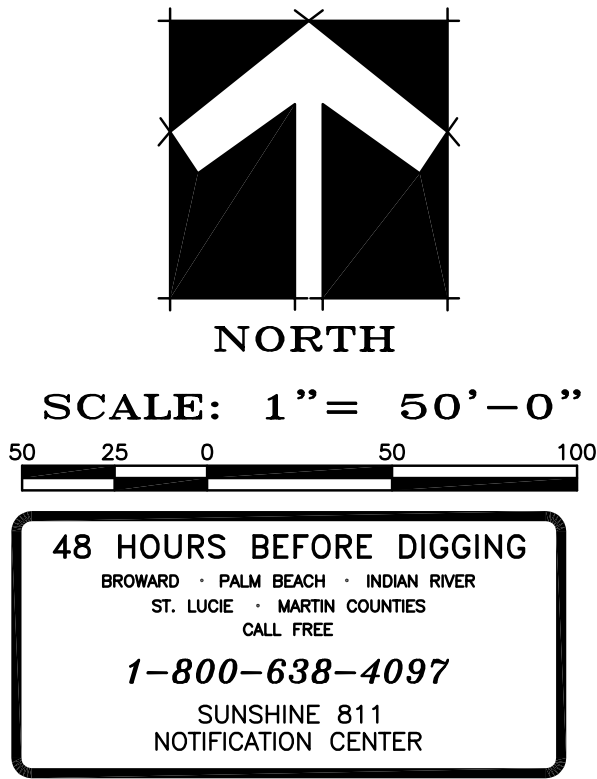
All that portion of the West three-quarters (¾) of the East one-half (½) of the Northeast one-quarter (NE¼) of the Southwest one-quarter (SW¼) and the East one-half of the West one-half (½) of the Northeast (NE¼) of the Southwest one-quarter (SW¼) in Section 16, Township 50 South, Range 42 East, lying North of the Channel of the South Fork of New River, said lands situate, lying and being in Broward County, Florida;

AND
The East one-half (½) of the East one-half (½) of the East one-half (½) of the Northeast one quarter (NE¼) of the Southwest one-quarter (SW¼), North of New River less the East 100 feet, Section 16, Township 50 South, Range 42 East in the County of Broward, State of Florida;

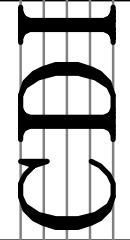
AND
All that parcel of land described as follows:
Beginning at the Northeast corner of the Southwest one-quarter (SW¼) of Section 16, Township 50 South, Range 42 East run thence West along the North line of said Southwest one-quarter 100 feet; thence South 212 feet, more or less to the South Fork of New River; thence Easterly along the South Fork of the New River to the East line of said Southwest one-quarter (SW¼); thence North along said East line of the Southwest one-quarter (SW¼) to the Point of Beginning, containing one-half (½) acre, more or less; said parcel being also described as all that part of Lot 17 of MRS. E. F. MARSHALL'S SUBDIVISION of Government Lots 1, 2, 3 and 4; the East one-half (E ½) of the Northeast one-quarter (NE¼) and Northwest one-quarter (NW¼); of the Northwest one-quarter (NW¼) of Section 16, Township 50 south, Range 42 East, as recorded in Plat Book 1, Page 2, of Broward County records, beginning at a point on the South Fork of the New River where the East line of the Southwest one-quarter (SW¼) OF SAID Section 16 intersects said South Fork of New River; thence Northerly along said East line of said Southwest one-quarter (SW¼) projected Northerly to the point where the same as projected intersects the North line of said Lot 17; thence West along the North line of said Lot 17 100 feet; thence South 212 feet, more or less, to the South Fork of New River; thence along the South Fork of New River to the Point of Beginning.

AND
That certain parcel of land known as Block "A" of the Amended Plat of YELLOWSTONE PARK, as per plat thereof recorded in Plat Book 15, Page 3, of the public records of Broward County; said parcel being also described as all that portion of Lot 17 of MRS. E. F. MARSHALL'S SUBDIVISION of Government Lots 1, 2, 3 and 4; the East one-half (½) of the Northeast one-quarter (NE¼) and the Northwest one-quarter (NW¼) of Section 16, Township 50 South, Range 42 East, as per plat thereof, recorded in Plat Book 1, Page 2 of the public records of Broward County, lying East of the East line of the Southwest one-quarter (SW¼) of said Section 16 projected to a point where the same as so projected intersects the North line of Lot 17.

CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA



ENGINEERING AND PLANNING
USFS MAIL: 4635 HUNTING TRAIL, LAKE WORTH, FL 33467
DELIVERIES: 8461 LAKE WORTH ROAD, LAKE WORTH, FL 33467
BROWARD: (954) 524-9800 FAX: (954) 522-8502
PALM BEACH: (561) 557-5950 FAX: (561) 557-9044
CDI: teamcdi@aol.com Certificate of Auto. #AB-000 0081



DRWG. TITLE : MASTER SITE PLAN

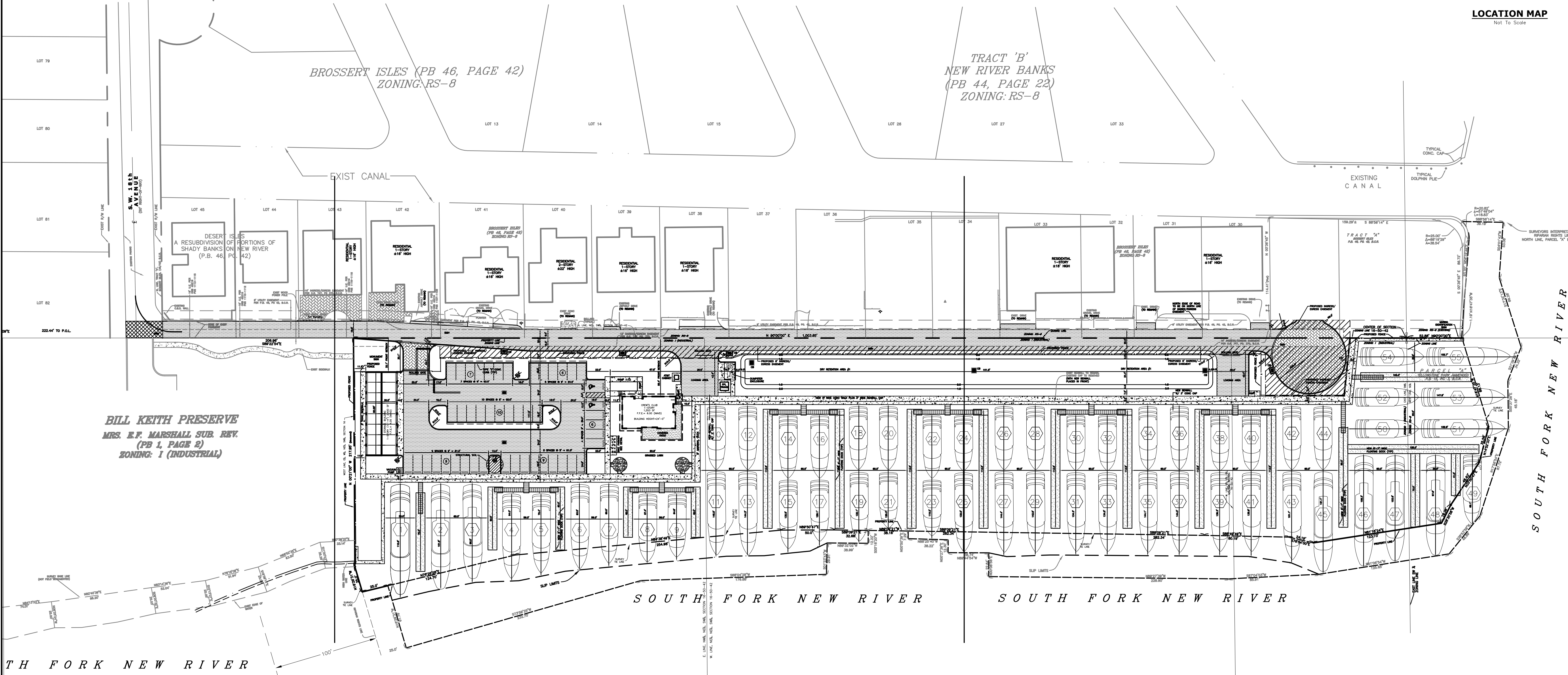
PROJECT : SOUTH FORK MARINA
1500 SW 17th ST. FT LAUDERDALE

OWNER : PIER 17 INVESTMENTS 2014, LLC

SEAL

PROJECT NO. 303.04
DRAWN BY D.A.F.
DESIGNED BY D.A.F.
CHECKED BY D.A.F.
DATE : 05-04-18
DWG. NO. SP-1
SHT. NO. 1 of 23
REVISIONS :
07-13-18

DANIEL A. FEE, P.E.
LICENSE #13621



LEGEND:

EXISTING

--- LIMITS OF EXIST. CONCRETE SIDEWALKS, PORCHES & PADS
--- CENTERLINE
--- EXIST. R/W LINE
--- EXIST. PAVEMENT
--- EXIST. CONC. CURB.
--- EXISTING FENCE
--- EXISTING WOOD UTILITY POLE
--- EXIST. CONCRETE UTILITY POLE
--- EXIST. WATER LINE
--- EXIST. FORCE MAIN
W/DIRECTION OF FLOW

--- S --- EXIST. SAN. SEWER W/DIRECTION OF FLOW
--- G --- EXIST. GAS LINE
--- T --- EXIST. UNDERGROUND TELEPHONE
--- P --- EXIST. OVERHEAD ELECTRIC
--- D --- EXIST. STORM SEWER LINE
--- CTV --- EXIST. "CABLE TELEVISION" UNDERGROUND CABLE
--- EXISTING ELEVATION
--- EXIST. CATCH BASIN

--- LIMITS OF CONCRETE SIDEWALKS, PORCHES & PADS
--- PROPERTY LINE
--- CENTERLINE
--- R/W LINE
--- PROPOSED PAVEMENT
--- PROPOSED TYPE 'D' CONCRETE CURB
--- PROPOSED TYPE 'F' CONCRETE CURB
--- PROPOSED FENCE
--- PROPOSED WOOD UTILITY POLE
--- PROPOSED CONCRETE UTILITY POLE
--- PARKING SPACE COUNT
--- BOATS/SLIP/GARAGE COUNT
--- PROPOSED GAS LINE

PROPOSED

--- T --- PROPOSED UNDERGROUND TELEPHONE
--- E --- PROPOSED UNDERGROUND ELECTRIC
--- D --- PROPOSED STORM SEWER LINE
--- CTV --- PROPOSED "CABLE TELEVISION" UNDERGROUND CABLE
--- PROPOSED LIGHT POLE
--- PROPOSED CATCH BASIN
--- NEW ASPHALT
--- LIMITS OF PAVEMENT RESTORATION
--- LIMITS OF PROPOSED INGRESS/EGRESS ESMT.

SITE DATA TABLE:

PROJECT CONTACT DATA

OWNER: PIER 17 INVESTMENT 2014, LLC
29891 WOODROW LANE, SUITE 300
SPANISH FORT, AL 36527
(251) 625-1198
ENGINEER: CDI ENGINEERING AND PLANNING
8461 LAKE WORTH ROAD, #440
LAKE WORTH, FL 33467
(954) 524-9800 (BROWARD)
(561) 557-5950 (PALM BEACH)
ARCHITECT: CLARK/TECHS, LLC
10 NORTH SECTION STREET
FAIRHOPE, AL 36532
(251) 680-7131
LANDSCAPE ARCHITECT: ARCHITECTURAL ALLIANCE
612 SW 4TH AVE
FT LAUDERDALE, FL 33315
(954) 764-8858

GENERAL SITE DATA:

GROSS SITE AREA = 206,066 SF (4.731 AC)
SUBMERGED LAND LEASE AREA = 47,329 SF (1.09 AC)
LAND USE: INDUSTRIAL AND LOW MEDIUM
EXISTING ZONING: I (INDUSTRIAL) AND RS-8
PROPOSED ZONING: I (INDUSTRIAL) AND CB
EXISTING USE: MARINA-BOATYARD
CITY OF FT LAUDERDALE
CITY OF FT LAUDERDALE
BUILDING DATA:
CREW CLUB (1-STORY) = 1,553 SF
STORAGE BLDG (1-STORY) = 2,400 SF
TOTAL BUILDING AREA = 3,953 SF
F.A.R. = 0.0192

PERVIOUS/IMPERVIOUS CALCULATIONS:

BUILDING COVERAGE (GROUND AREA) = 3,953 SF (01.92%)
PAVING AREA (V.U.A.) = 35,613 SF (17.28%)
CONCRETE PADS, WALKS & SEAWALL = 8,062 SF (03.91%)
TOTAL IMPERVIOUS = 47,628 SF (23.11%)
PERVIOUS LANDSCAPE AREA = 39,447 SF (19.14%)
WATER AREA = 118,991 SF (57.74%)
TOTAL SITE AREA = 206,066 SF (100.00%)
INTERIOR LANDSCAPE CALCULATION:
INTERIOR REQUIRED (30 SF/SPACE) = 1,440 SF
INTERIOR PROVIDED (IN PARKING LOT) = 3,130 SF
PARKING CALCULATIONS:
PARKING DEMAND:
MARINA (1/2 BOAT SLIPS) x 55 BOATS = 27.5
CREWS CLUB (1/250 SF) x 1,553 SF = 6.2
TOTAL PARKING REQUIRED = 33.7

PARKING PROVIDED:
STANDARD (9' x 18') = 45 SPACES
HANDICAP (12' x 18') = 2 SPACES
TOTAL PROVIDED = 47 SPACES
BIKE PARKING = 10 SPACES
LOADING ZONES REQUIRED = 0 SPACES
LOADING ZONES PROVIDED = 2 SPACES
SETBACK TABLE (CLUBHOUSE)
DIRECTION REQUIRED PROVIDED
FRONT (NORTH) 30' 55.4'
REAR (SOUTH) 0' 105.6'
SIDE (EAST) 0' 770.2'
SIDE (WEST) 0' 259.4'
SETBACK TABLE (STORAGE BUILDING)
DIRECTION REQUIRED PROVIDED
FRONT (NORTH) 30' 32.1'
REAR (SOUTH) 0' 121.8'
SIDE (EAST) 0' 1032.8'
SIDE (WEST) 0' 11.0'



SOUTH FORK
MARINA





