KEITH

July 6, 2018

Mr. Anthony Fajardo, Director
Department of Sustainable Development
City of Fort Lauderdale
700 NW 19th Avenue
Fort Lauderdale, FL 33311

RE: Rezoning Application Adequacy Statement
909 Sistrunk Boulevard – Portion of
Folios 504204290100 and 504204290090

Dear Mr. Fajardo;

On behalf of Mahyoub & Sons, Inc., Fuse Group and Holland and Knight, Keith is submitting an application for rezoning a portion of the property located north of Sistrunk Boulevard on Powerline Road from RMM-25 (Residential Multifamily Mid-rise/Medium High Density) to NWRAC-MUw (Northwest Regional Activity Center – Mixed Use West). Rezoning the property to NWRAC-MUw creates a consistent zoning with the property to the south which is already zone NWRAC-MUw and will allow for the proposed reuse and construction of a commercial (gym/retail/office) development. The proposed rezoning to NWRAC-MUw is the most appropriate district and is consistent with future land use designation of Northwest Regional Activity Center and the vision of existing and proposed redevelopment projects in the area and with the Northwest Redevelopment Plan.

The Fuse Group, contract purchasers, are planning to develop this property proposed for rezoning as well as the abutting parcel directly to the south. Combing both properties will create a properly sized redevelopment parcel on the northwest corner of Sistrunk Boulevard and Powerline Road. The Northwest Regional Activity Center is now experiencing rapid redevelopment. The property being rezoned combined with abutting property already zoned NWRAC-MUw will allow for a redevelopment parcel that will include renovating and existing building and constructing new. The developer is proposing an indoor/outdoor gym within the existing renovated structure and ground floor retail along with office space above and structured parking all within a new building. This project will compliment other redevelopment projects in the area and help activate the corner of Sistrunk Boulevard and Powerline Road. The rezoning and proposed project are consistent and compatible with the Northwest Regional Activity Center.

Corporate Office
301 E. Atlantic Blvd
Pompano Beach
FL 33060
954.788.3400

Miami-Dade County
2160 N.W. 82 Ave
Doral
FL 33122
305.667.5474

Broward County
2312 S. Andrews Ave
Fort Lauderdale
FL 33316
954.788.3400

Palm Beach County
120 N. Federal Hwy
Suite 208
Lake Worth, FL 33460
561.469.0992

St. Lucie County
2325 S.E. Patio Cir.
Port St. Lucie
FL 34952
954.788.3400

Orange County
2948 E. Livingston St.
Orlando
FL 32803
954.788.3400

Redevelopment projects along the Sistrunk Boulevard corridor have been a priority of the city for decades. Approving the rezoning will allow for a redevelopment parcel large enough to activate a major corner like Sistrunk and Powerline Road. The project will meet additional setback/step back and screening requirements from nearby residentially zoned property. The proposed uses of a gym, retail and office are suitable to the mixed use character of the area. Providing new redevelopment and business opportunities in the area furthers the goals, objectives and policies of the City of Fort Lauderdale.

The proposed rezoning is consistent and compatible with the Goals, Objectives and Policies of the Fort Lauderdale Comprehensive Plan including:

LAND USE ELEMENT
GOAL 1: Promote the distribution of land uses that will preserve and enhance the character of Fort Lauderdale by establishing land development guides designed to promote environmental protection, meet social and economic needs, provide for adequate services and facilities, conserve natural resources, and ensure compatibility of land uses.

OBJECTIVE 1.7: DEVELOPMENT AND REDEVELOPMENT CONSISTENT WITH NORTHWEST PROGRESSO/FLAGLER HEIGHTS REDEVELOPMENT PLAN Ensure that development and redevelopment activities in the Northwest Progresso/Flagler Heights Community Redevelopment Area (CRA), which was identified as a blighted area, are consistent with the adopted Northwest Community Redevelopment Plan.

OBJECTIVE 1.10: NORTHWEST REGIONAL ACTIVITY CENTER (NORTHWESTRAC) REDEVELOPMENT EFFORTS Encourage redevelopment and expansion of employment and housing opportunities for very low, low and moderate-income households within the Northwest-RAC through the establishment of alternate levels of service on portions of the roadway network serving the area.

OBJECTIVE 1.21: ENCOURAGING MIXED USE DEVELOPMENT Encourage mixed-use developments to enhance the livability of the City through encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.

OBJECTIVE 1.32: GUIDING GROWTH TO DISCOURAGE SPRAWL AND ENCOURAGE TRANSIT Direct growth to the designated Urban Redevelopment/Downtown Revitalization Area in order to discourage urban sprawl, maximize the use of existing public facilities and centralize commercial, governmental, retail, residential, and cultural activities.

Below are the responses the City's Adequacy Requirements found in Sec. 47-25.2.

A. Applicability. The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.
Response: Acknowledged.

B. Communications network. Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

Response: Acknowledged.

C. Drainage facilities. Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

Response: The project will be designed to meet all drainage facility requirements on-site.

D. Environmentally sensitive lands.

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, 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.

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

Response: The property is currently used as a parking lot. It is not anticipated that there are any environmentally sensitive lands on or in the vicinity of the property.

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

Response: The project will be designed to meet all fire protection requirements and the proposed building will be fully sprinklered.

F. Parks and open space.

1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.

2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

Response: Not Applicable. This is a proposed commercial development.

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

Response: Acknowledged. The proposed project will designed to be consistent with CPTED guidelines.

H. Potable water.

1. Adequate potable water service shall be provided for the needs of the proposed development.

The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

2. Potable water facilities.

a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.

c. Where the county is the projected service provider, a similar written assurance will be required.

Response: The site is currently served by existing potable water facilities. A detailed analysis of additional water demand will be provided during site plan approval process.

I. Sanitary sewer.

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.

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.

Response: The site is currently served by existing sanitary sewer facilities. A detailed analysis of additional sewer demand will be provided during site plan approval process.

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

Response: Not Applicable. This is a proposed commercial development.

K. Solid waste.

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in

connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.

2. 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.

Response: The existing project has met the solid waste facility requirements. It is expected that the existing services will be expanded or revised to meet the demands of the proposed project.

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

Response: The project will be designed to meet all stormwater facility requirements on-site.

M. Transportation facilities.

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

2. Regional transportation network. The regional transportation network shall have 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.

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.

Response: The project is located along two trafficways within Broward County (Sistrunk Blvd. and Powerline Road). The project will comply with all local and regional roadway requirements.

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 (½) 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 (½) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:

i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.

ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.

iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.

iv. A further detailed analysis and any other information that the review committee considers relevant.

v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.

vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

Response: The project anticipates generating less than 1,000 net new trips. Documentation of the total number of trips will be provided at the site plan approval process.

5. Dedication of rights-of-way. Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

Response: It is believed that all rights-of-ways have been dedicate to their correct widths. If additional rights-of-ways are required as part of this development they will be granted via separate instrument.

6. Pedestrian facilities. Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with

city engineering standards and accepted applicable engineering standards.

Response: Sidewalk facilities exist on Sistrunk Boulevard. Sidewalks will be added to Powerline Road at the time of Site Plan approval.

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.

Response: The proposed project will meet all street frontage 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.

Response: Acknowledged.

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

Response: The proposed project will meet all street tree requirements as deemed required by the City.

N. Wastewater.

1. Wastewater. Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

Response: The site is currently served by existing sanitary sewer facilities. A detailed analysis

of wastewater services will be provided during site plan approval process.

O. 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.

Response: The existing project has met the trash management requirements. It is expected that the existing services will be expanded to meet the demands of the proposed project.

P. Historic and archaeological resources.

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

Response: It is not anticipated that there are any historic or archaeological resources on or in the vicinity of the property.

Q. Hurricane evacuation. If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

Response: This project is not located east of the Intracoastal Waterway.

We look forward to working with you on this exciting project.

Respectfully Submitted,



Mike Vonder Meulen, AICP
Director of Planning

Cc: Eyal Peretz, Fuse Group
Debbie M. Orshefsky, Esq.