



CITY OF FORT LAUDERDALE
Department of Sustainable Development
Urban Design & Planning Division
700 NW 19th Avenue
Fort Lauderdale, FL 33311
Telephone: (954) 828-3266
Fax (954) 828-5858
Website: http://www.fortlauderdale.gov/sustainable_dev/

PLANNING & ZONING BOARD (PZB)

Rezoning Application

(For a rezone only, not tied to a site plan and/or not requiring flexibility units or acreage.)

- Cover:** Deadline, Notes, and Fees
- Page 1:** Applicant Information Sheet
- Page 2:** Applicant Information Sheet, continued
- Page 3:** Required Documentation & Mail Notice Requirements
- Page 4:** Sign Notification Requirements & Affidavit

DEADLINE: Submittals must be received by 4:00 PM each business day. Pursuant to Section 47-24.1(1), the Department will review all applications to determine completeness within five (5) business days. Applicants will be notified via e-mail, if plans do not meet the submittal requirements and if changes are required.

NOTE: If your development site is separated by any public right-of-way (alley, alley reservation, or ROW easement) you must complete a separate application for each parcel.

NOTE: Optional 15-minute time slots are available during DRC meetings for scheduling to applicants, for general project inquiries or to obtain signatures on completed DRC plans (including Pre-Planning and Zoning Board, Pre- City Commission and Final DRC plans) from all representatives at one time in preference to scheduling individual appointments. Appointments are subject to availability. To make an appointment, please call 954-828-6531 latest by Friday at 12:00 noon prior to the meeting date.

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.

 X **Rezoning** **\$ 1,010.00**

Page 1: PZB Rezone - Applicant Information Sheet

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: For purpose of identification, the **PROPERTY OWNER** is the **APPLICANT**

Property Owner’s Name	Multiple Property Owners (See Attached List)
Property Owner’s Signature	If a signed agent letter is provided, no signature is required on the application by the owner.
Address, City, State, Zip	See Attached List of Property Owner
E-mail Address	felipecyalale@urbanoco.co
Phone Number	954-638-9668
Proof of Ownership	☒ <u>Warranty Deed</u> or ☐ <u>Tax Record</u>

NOTE: If **AGENT** is to represent **OWNER**, notarized letter of consent is required

Applicant / Agent’s Name	Florentina Hutt, Keith and Associates, Inc.
Applicant / Agent’s Signature	
Address, City, State, Zip	2312 South Andrews Avenue, Fort Lauderdale, FL 33316
E-mail Address	fhutt@keithteam.com
Phone Number	954-788-3400
Letter of Consent Submitted	See Attached

Development / Project Name	West Village
Development / Project Address	<u>Existing:</u> None (vacant) <u>New:</u> 501 NW 7th Avenue
Legal Description	Lots 27 thru 46, Block 14 of North Lauderdale, P.B. 1 P. 48 MDC
Tax ID Folio Numbers (For all parcels in development)	See Attached Folio List
Request / Description of Project	470 Residential Unit / 16,575 SF Commercial Mixed Use Development, includes parking garage
Applicable ULDR Sections	Sec 47-24.4
Total Estimated Cost of Project	\$ 100,000,000.00 (Including land costs)

Future Land Use Designation	NW Regional Activity Center
Proposed Land Use Designation	NW Regional Activity Center
Current Zoning Designation	RMM-25
Proposed Zoning Designation	NWRAC-MUw
Current Use of Property	Vacant Land (and church to be demolished)
Residential SF (and Type)	409,040 SF - Mid-Rise
Number of Residential Units	470 Units
Non-Residential SF (and Type)	16,575 SF
Total Bldg. SF (include structured parking)	605,508 SF
Site Adjacent to Waterway	☐ Yes ☒ No

Dimensional Requirements	Required	Proposed
Lot Size (SF / Acreage)	N/A	
Lot Density	N/A	
Lot Width	N/A	
Building Height (Feet / Levels)	65 feet with Commission Approval	65 feet
Structure Length		
Floor Area Ratio	N/A	
Lot Coverage	N/A	
Open Space		
Landscape Area	N/A	
Parking Spaces	498 Spaces	

NOTE: State north, south, east or west for each yard.

Setbacks/Yards*	Required	Proposed
Front	0 Feet	
Side	5 Feet	
Side	5 Feet	
Rear	5 Feet	

APPLICANT MUST INDICATE:

Provide a narrative indicating satisfaction of the following:

1.

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

The proposed rezoning is generally consistent with the City’s Goals, Objectives and Policies of the Northwest Regional Activity Center land use category. More specifically, the proposed rezoning and resulting development is consistent and compatible with the following Goals, Objectives and Policies of the Fort Lauderdale Comprehensive Plan including Land Use Element GOAL 1, Objective 1.7, Objective 1.10, Objective 1.21, and Objective 1.32 of the Comprehensive Plan encourages redevelopment and expansion of employment opportunities in the Northwest Regional Activity Center and POLICY 1.8.3 which encourages mixed-use projects and implementation of the City’s streetscape design and urban enhancements for Sistrunk Boulevard.
2.

Substantial changes in the character of development in or near the area under consideration supports the proposed rezoning.

The property’s future land use designation of Northwest Regional Activity Center encourages mixed-use projects along main corridors such as Sistrunk Boulevard and Avenue of the Arts., which is consistent with the proposed zoning designation. The Sistrunk Boulevard corridor is beginning to undergo significant mixed-use redevelopment. The proposed rezoning will permit a mixed-use project that will be consistent and compatible with the mixed-use nature of other projects in the area, as well as with the existing mix of uses along Sistrunk Boulevard.
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 rezoning of the property to NWRAC-MUw is compatible with the existing mix of land uses along Sistrunk Boulevard. The property is surrounded by the following zoning districts: NWRAC-MUw to the north, NWRAC-MUw/RMM-25 to the south, NWRAC-MUw/RMM-25 to the west, and NWRAC-MUw to the east. Rezoning to RMM-25 will allow for the entire development of the block to support the long-term future vision of the NWRAC-MU district of promoting and enhancing the existing commercial and residential character of the main corridors of the NWRAC by providing a wide range of employment, shopping, services, cultural and residential opportunities through allowing a mix of residential and non-residential uses. To protect and provide appropriate transition to existing residential areas, a compatible design is being proposed, to include building articulation, garage lined with residential units, and improved streetscapes with urban plazas and enhanced landscaping.

All applicable provisions of ULDR Sec. 47-9.20 (Rezoning) shall be satisfied.

- A.

Application. Rezoning to an X district may only be initiated by application of the owner(s) of the property proposed to be rezoned and when the property to be rezoned will be used for business uses with the owner of the business property as co-applicant. The application shall include the following:

1.

All information required for an application for a site plan level II permit pursuant to [Section 47-24](#), Development Permits and Procedures, and for a rezoning development permit.

2.

Identification of the permitted use or uses proposed for the property to be rezoned.

- 3. A general vicinity map consisting of an eight and one-half (8½) inch by eleven (11) inch street map at a scale of not less than one (1) inch equals five hundred (500) feet identifying the parcel proposed to be rezoned and, if business is proposed, the business property to which the exclusive use property is to be joined, and all lots located within a seven hundred (700) foot radius of the parcel to be rezoned. The map shall show existing zoning, all residential uses and the heights of all structures in the seven hundred (700) foot area.
- 4. An area map showing the parcel proposed for rezoning and all new, existing or proposed redevelopment. If the parcel to be rezoned exclusive use is to be used as a parking facility which will serve a particular use, the area map shall show all new, existing or proposed redevelopment on the site which the parking is intended to serve. If the parcel is to be used for a business use, the area map shall show the business property to which the property proposed for exclusive use will be joined.
- 5. A site plan for the proposed use which shows how the proposed use will meet the performance criteria provided herein including if applicable, elevations, surrounding commercial and residential areas, location and sizes of signs, location of landscaping and other buffers, and vehicular and pedestrian movement between the proposed parcel to be rezoned and the surrounding areas.
- 6. All studies required to be submitted as provided in this section

Additional property owners who wish to be included in the request, if applicable. Use additional sheets if necessary.				
Name and Signature	Folio Number	Subdivision	Block	Lot

Page 3: Required Documentation / Mail Notice Requirements

One (1) copy of the following documents:

- ☐ Completed application (all pages must be filled out where applicable)
- ☐ Mail notification documents
- ☐ Proof of ownership (warranty deed or tax record), including corporation documents if applicable
- ☐ Property owners signature and/or agent letter signed by the property owner
- ☐ Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- ☐ One (1) electronic version of complete application and plans in PDF format

Two (2) original sets, signed and sealed, of Pre-PZB plans at 24” x 36”

Thirteen (13) copy sets, of Pre-PZB half-size scaled plans at 12” x 18”

- ☐ **Narrative** describing project request. Narratives must be on letterhead, dated, and with author indicated.
- ☐ **Narrative** quoting all applicable sections of the ULDR, with point-by-point responses of how project complies with such criteria. Narratives must be on letterhead, dated, and with author indicated.
- ☐ **Land Use and Zoning maps** indicating all properties within 700 ft. of the subject property. These should be obtained from Urban Design & Planning Division. Site should be highlighted or clearly marked to identify the parcel(s) under consideration on all sets.
- ☐ **Cover sheet** on plan set to state project name and table of contents.
- ☐ **Current survey(s)** of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded. The survey should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- ☐ **Provide separate sketch and legal description of portion of property to be rezoned (if different than entire site).**
- ☐ Most **current recorded plat** including amendments, with site highlighted. This may be obtained from Broward County Public Records at 115 S. Andrews Ave. **Note: for Change of Use applications, this is not required.**
- ☐ **Aerial photo** indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.

- Note:** All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.
- Note:** Plans must be bound, stapled and folded to 8 ½" x 11". All non-plan documents should be 8 ½" x 11" and stapled or bound.
- Note:** Civil Engineering plans are only required at Final-DRC sign-off. Contact DRC Engineering Representative for details.
- Note:** For examples of project narratives, site plan data tables, and renderings required with your application, please refer to the “Submittal Reference Book” available at the Planning & Zoning Department office.

Applicant’s Affidavit I acknowledge that the Required Documentation and Technical Specifications of the application are met:	Staff Intake Review For Urban Design & Planning staff use only:
Print Name _____	Date _____
Signature _____	Received By _____
Date _____	Tech. Specs Reviewed By _____
	Case No. _____

MAIL NOTIFICATION

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).

- **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, 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 will mail all notices prior to the public hearing meeting date, as outlined in Section 47-27.

Page 4: Sign Notification Requirements and Affidavit

SIGN NOTICE

Applicant must **POST SIGNS** (for Planning and Zoning Board and City Commission Hearings) 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: _____ BOARD OF ADJUSTMENT
 _____ HISTORIC PRESERVATION BOARD
 _____ PLANNING AND ZONING BOARD
 _____ 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 office **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 _____, 200.

(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)



March 8, 2018

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

RE: Rezoning Application for West Village

Dear Mr. Fajardo,

On behalf of the property owners, Keith and Associates, Inc. is submitting an application for rezoning of a portion of the property located at the SW intersection of W Sistrunk Boulevard and NW 7th Avenue within the City of Fort Lauderdale, Broward County, located in Block 14 of North Lauderdale as recorded in Plat Book 1, Page 48 of the Dade County Records. The project site consists of (31) parcels, where 14 parcels are zoned RMM-25. The request is to zone the RMM-25 parcels to NWRAC-MUw. Rezoning the property to NWRAC-MUw will allow for the proposed construction of a mixed-use development with 470 residential units with ground floor commercial/retail space. The proposed rezoning to NWRAC-MUw is the most appropriate district and is consistent with recent rezonings of properties south of Sunrise Boulevard and west of the FEC railway. The rezoning is also consistent with future land use designation of NW Regional Activity Center and the future vision of existing and proposed redevelopment projects along Sistrunk Corridor. The vision for this area, as established in the NWRAC-MUw Design Standards and Zoning Regulations, is to promote a mix of uses along the Sistrunk Corridor. The proposed development offers a mix of uses intended to serve the nearby neighborhood and promote a vibrant and thriving residential, business and shopping area. Rezoning the RMM-25 portion of the block allows for the long-term future vision of the NWRAC-MU district of promoting and enhancing the existing commercial and residential character of the main corridors of the NWRAC by providing a wide range of employment, shopping, services, cultural and residential opportunities through allowing a mix of residential and non-residential uses.

The Northwest Regional Activity Center is experiencing rapid redevelopment and there is a recognized need for permanent supportive housing in Fort Lauderdale. The proposed use of residential apartments and commercial/retail is suitable to the mixed use character of the area. Providing employment, shopping, services, cultural and residential opportunities further propomote the goals, objectives and

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

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:

Fort Lauderdale Comprehensive Plan, 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.

Section 47-24.4. D – Rezoning Criteria

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

Response: The property's future land use designation is Northwest Regional Activity Center which is consistent with the proposed zoning designation. The northeast portion of the property has a NWRAC-MUw zoning designation and the southwest portion has an RMM-25 zoning designation. The rezoning is needed for the entire development to have unified NWRAC-MUw designation, therefore, to allow for the intended mixed-use development supported by the Northwest Regional Activity Center land use designation. Rezoning the property to NWRAC-MUw is also consistent and compatible with future land use map and abutting zoning to the north.

The proposed rezoning is generally consistent with the City's Goals, Objectives and Policies of the Northwest Regional Activity Center land use category. More specifically, the proposed rezoning and resulting development is consistent and compatible with the following Goals, Objectives and Policies of the Fort Lauderdale Comprehensive Plan including Land Use Element GOAL 1, Objective 1.7, Objective 1.10, Objective 1.21, and Objective 1.32 of the Comprehensive Plan encourages redevelopment and expansion of employment opportunities in the Northwest Regional Activity Center and POLICY 1.8.3 which encourages mixed-use projects and implementation of the City's streetscape design and urban enhancements for Sistrunk Boulevard.

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

Response: The property's future land use designation of Northwest Regional Activity Center encourages mixed-use projects along main corridors such as Sistrunk Boulevard and Avenue of the Arts., which is consistent with the proposed zoning designation. The Sistrunk Boulevard corridor is beginning to undergo significant mixed-use redevelopment. The proposed rezoning will permit a mixed-use project that will be consistent and compatible with the mixed-use nature of other projects in the area, as well as with the existing mix of uses along Sistrunk Boulevard.

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.

Response: The rezoning of the property to NWRAC-MUw is compatible with the existing mix of land uses along Sistrunk Boulevard. The property is surrounded by the following zoning districts: NWRAC-MUw to the north, NWRAC-MUw/RMM-25 to the south, NWRAC-MUw/RMM-25 to the west, and NWRAC-MUw to the east. Rezoning to RMM-25 will allow for the entire development of the block to support the long-term future vision of the NWRAC-MU district of promoting and enhancing the existing commercial and residential character of the main corridors of the NWRAC by providing a wide range of employment, shopping, services, cultural and residential opportunities through allowing a mix of residential and non-residential uses. To protect and provide appropriate transition to existing residential areas, a compatible design is being proposed, to include building articulation, garage lined with residential units, and improved streetscapes with urban plazas and enhanced landscaping.

Section 47-25.2. - Adequacy requirements

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

Response: 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: There are no drainage facilities or stormwater facilities within the 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(l), 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: It is not anticipated that there are any environmentally sensitive lands on or in the vicinity of the site.

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 future 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: Acknowledged. The future project will be designed to be consistent with park and open space requirements.

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 future project will be designed to be consistent with CPTED guidelines and principles.

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: Acknowledged. The future project will be designed to provide adequate potable water services.

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: Acknowledged. The future project will be designed to provide adequate sanitary sewer services.

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: The proposed project will comply with Broward County Land Development Code and section 47-38C Educational Mitigation.

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: Adequate solid waste collection facilities and service will be provided with the proposed development.

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: Adequate stormwater facilities and service will be provided with the proposed development.

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: Not Applicable.

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 ($\frac{1}{2}$) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ($\frac{1}{2}$) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:
 - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
 - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
 - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
 - iv. A further detailed analysis and any other information that the review committee considers relevant.
 - v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study

supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.

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

Response: A traffic impact study is provided with the associate site plan DRC application.

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: Acknowledged.

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 Blvd. and NW 7th Avenue and new sidewalks are proposed along NW 5th Street and NW 7th Terrace. The proposed development plans to enhance the sidewalk experience, per the intent of the design standards for projects located within the North West Regional Activity Center District.

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: Acknowledged.

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 comply with all landscape requirements.

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: Acknowledged.

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: Acknowledged.

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 alley.

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.

Thank you for your review of this application. Please feel free to contact (954) 788-3400 if you require additional information or have questions regarding this application. We look forward to working with you on this exciting project.

Respectfully Submitted,



Florentina Hutt, AICP
Senior Planner

