

Page 1: PZB Site Plan - 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	Len & Melody Renne
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	1500 W Broward Blvd, Fort Lauderdale, FL 33312
E-mail Address	
Phone Number	
Proof of Ownership	<input type="checkbox"/> Warranty Deed or <input checked="" type="checkbox"/> Tax Record

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

Applicant / Agent's Name	Flynn Engineering Services, P.A. Marc Isaac
Applicant / Agent's Signature	
Address, City, State, Zip	241 Commercial Blvd, Lauderdale-by-the-sea, FL 33309
E-mail Address	marc@flynnengineering.com
Phone Number	954-522-1004
Letter of Consent Submitted	see attached.

Development / Project Name	Seven Seas
Development / Project Address	Existing: 1490/1500 W Broward Blvd New:
Legal Description	See attached
Tax ID Folio Numbers (For all parcels in development)	5042 09 18 0250, 5042 09 18 0012, 5042 09 18 0010, 5042 09 18 0020
Request / Description of Project	Renovation of existing 2,700 SF building, parking and landscape improvements, flex rezone from RML-25 to CB & conditional use for marina
Applicable ULDR Sections	
Total Estimated Cost of Project	\$ (Including land costs)

NOTE: Park impact fees are assessed and collected at time of permit per each new hotel room and dwelling unit type.

Estimated Park Impact Fee	\$ Fee Calculator: http://ci.flaud.fl.us/building_services/park_impact_fee_calc.htm
Future Land Use Designation	Commercial
Proposed Land Use Designation	Commercial
Current Zoning Designation	B-1 & RML-25
Proposed Zoning Designation	B-1 & CB
Current Use of Property	Auto Service and watercraft sales
Residential SF (and Type)	None
Number of Residential Units	None
Non-Residential SF (and Type)	1,750 SF Watercraft Sales & 17,158 SF Outdoor Display
Total Bldg. SF (include structured parking)	2,700 SF
Site Adjacent to Waterway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Dimensional Requirements	Required	Proposed
Lot Size (SF / Acreage)	None	50,090 SF / 1.15 Acres
Lot Density	N/A	N/A
Lot Width	None	Varies
Building Height (Feet / Levels)	150'	14' (Existing)
Structure Length	None	30' x 90' (Existing)
Floor Area Ratio	None	0.05
Lot Coverage	None	2,700 SF (5.4%)
Open Space	None	21,051 SF
Landscape Area	20% VUA	17,764 SF (35.5%)
Parking Spaces	15	15

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

Setbacks/Yards*	Required	Proposed
Front [N]	5'	8.4' (Existing)
Side [W]	None	29.8' (Existing)
Side [S]	10'	15.4' (Existing)
Rear [E]	None	90.0' (Existing)

Page 2: Required Documentation / Submittal Checklist

One (1) copy of the following documents:

- ☐ Original Pre-PZB signed-off set of plans and all supplemental documentation (ie. narratives, photos, etc.)
- ☐ Completed application (all pages must be filled out where applicable)
- ☐ 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 specifics, to include but not be limited to: architectural style and important design elements, trash disposal system, security/gating system, hours of operation, dock facilities, etc. 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.
- ☐ **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.
- ☐ **Plans "A" thru "H".** **Note, for Change of Use applications, items asterisked (*) are only required if proposed changes affect these plans. Otherwise, these items should be obtained from Property Records if showing current conditions.**
 - A. Site Plan
 - B. Details*
 - C. Floor Plans
 - D. Building Elevations*
 - E. Additional Renderings*
 - F. Landscape Plans*
 - G. Photometric Diagram*
 - H. Engineering Plans*

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 1/2" x 11". All non-plan documents should be 8 1/2" 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 Urban Design & Planning.

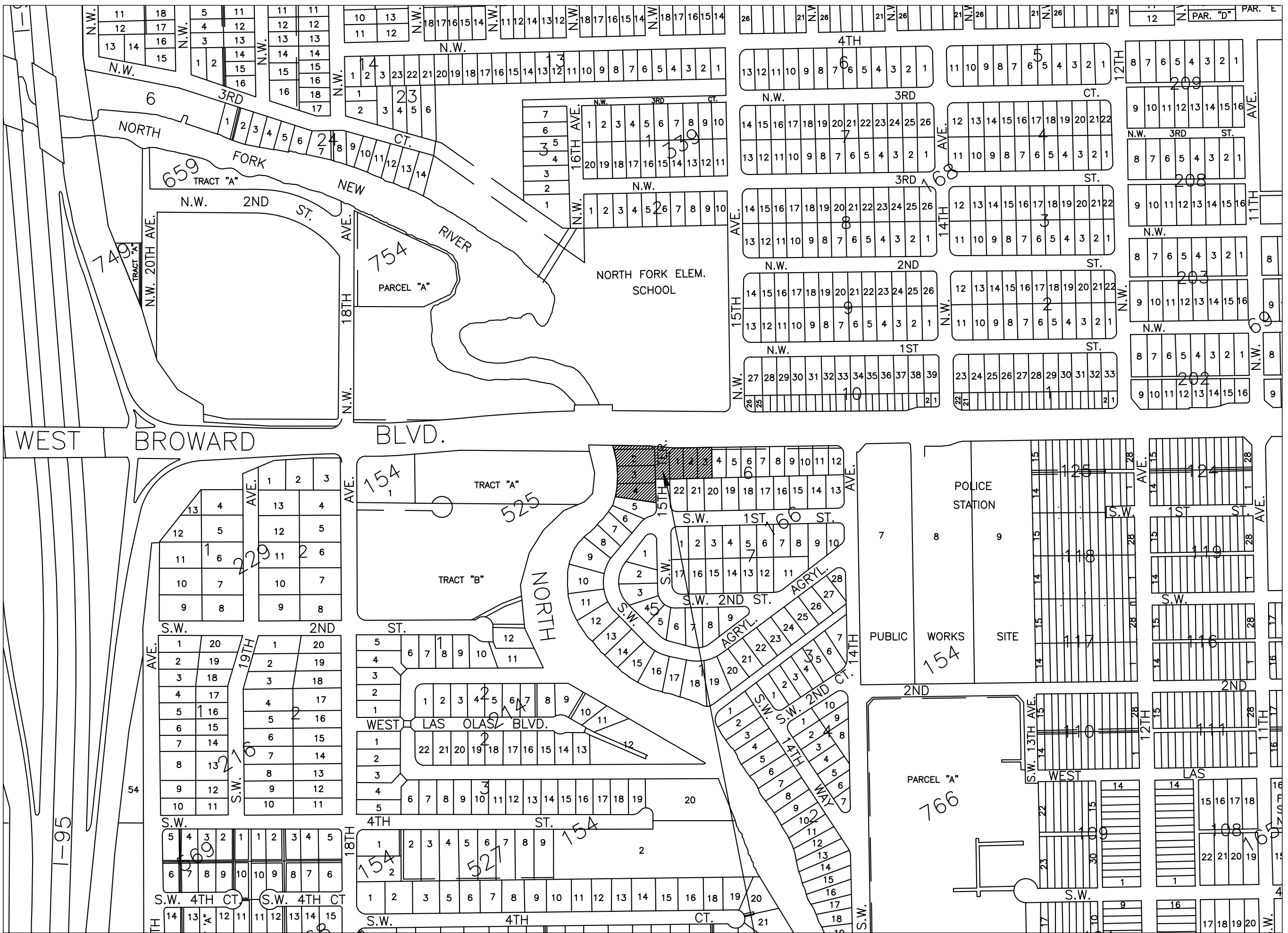
Applicant's Affidavit		Staff Intake Review	
I acknowledge that the Required Documentation and Technical Specifications of the application are met:		For Urban Design & Planning staff use only:	
Print Name	<u>Marc Isaac</u>	Date	_____
Signature	<u>[Signature]</u>	Received By	_____
Date	<u>11/5/2020</u>	Tech. Specs Reviewed By	_____
		Case No.	_____

PROJECT:

SEVEN SEAS

REZONING FROM RML-25 TO CB

1490/1500 W Broward Boulevard, Fort Lauderdale FL 33312



LOCATION SKETCH

Site Location



PROJECT TEAM:

ARCHITECT
BARRANCO GONZALEZ ARCHITECTURE
1915 SE 4TH Ave, Ft. Lauderdale, FL
954.335.1880

CIVIL ENGINEER
FLYNN ENGINEERING SERVICES, PA
241 Commercial Blvd., Lauderdale-by-the-Sea, FL
954.522.1004

LAND USE ATTORNEY
LOCHRIE & CHAKAS, P.A.
1401 E Broward Blvd., STE 303, Ft. Lauderdale, FL
954.779.1119

LANDSCAPE ARCHITECT
ECO PLAN
888 S Andrews Ave, Suite 303, Ft. Lauderdale, FL
954.524.3722

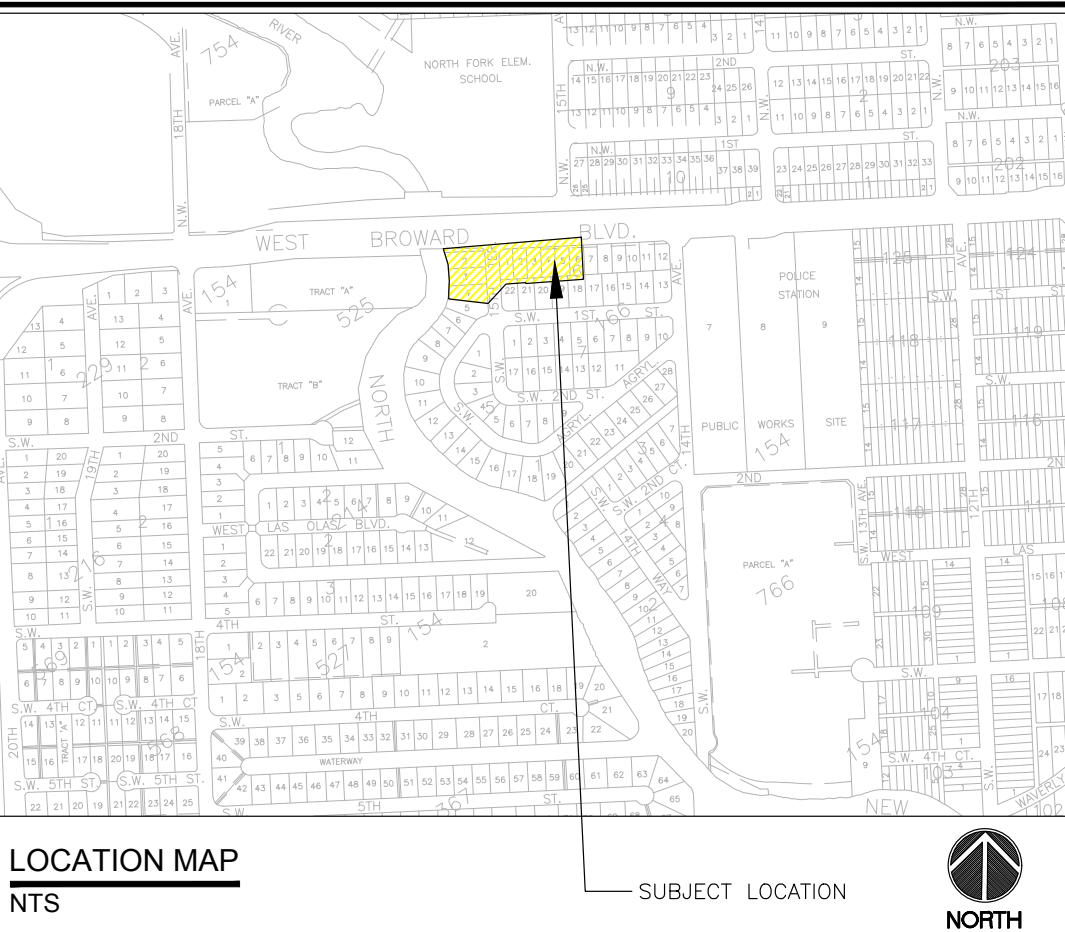
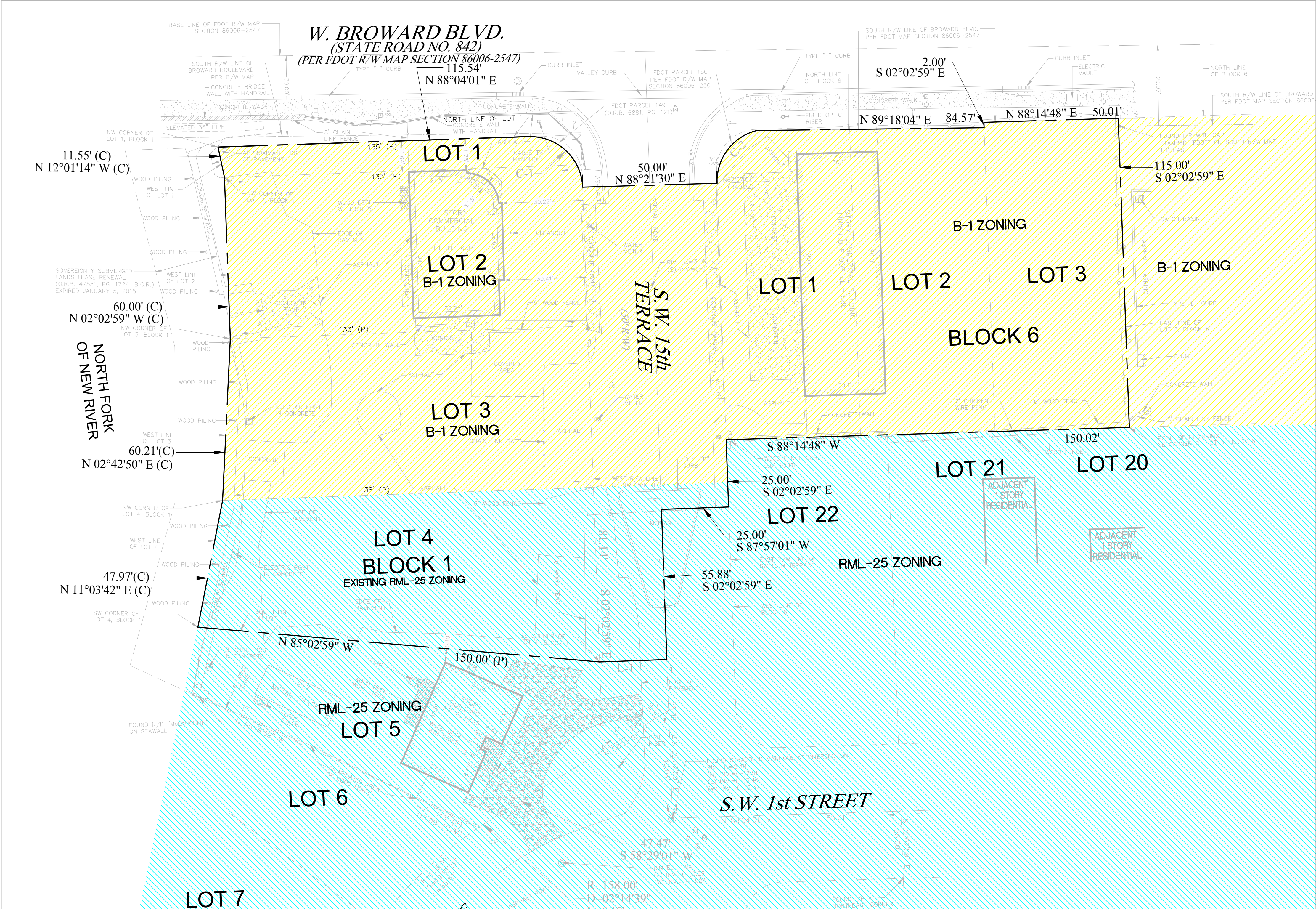
PZB SHEET INDEX

- SURVEY
- PLAT
- SKETCH & LEGAL DESCRIPTION
- EXISTING ZONING EXHIBIT
- PROPOSED ZONING EXHIBIT

241 COMMERCIAL BLVD., LAUDERDALE-BY-THE-SEA, FL 33308
PHONE: (954) 522-1004 | WWW.FLYNNENGINEERING.COM
E# 6578

Drawn by MDI	Date 05/27/20
Proj. Mgr. DTR	Plot Date 05/27/20
Appr. by DTR	
Job No. 19-1524.00	

Drawing name: F:\2019 jobs\19-1524\01 Seven Seas Rezoning\Seven Seas Rezoning Exhibit.dwg
Jun 18, 2020 = 9:15am



FLYNN ENGINEERING
241 COMMERCIAL BLVD., LAUDERDALE-BY-THE-SEA, FL 33308
PHONE: (954) 522-1004 | WWW.FLYNNENGINEERING.COM
E# 6578

Sheet Title
EXISTING ZONING

Job Title
SEVEN SEAS
1490/1500 W BROWARD BOULEVARD
FORT LAUDERDALE, FLORIDA 33312

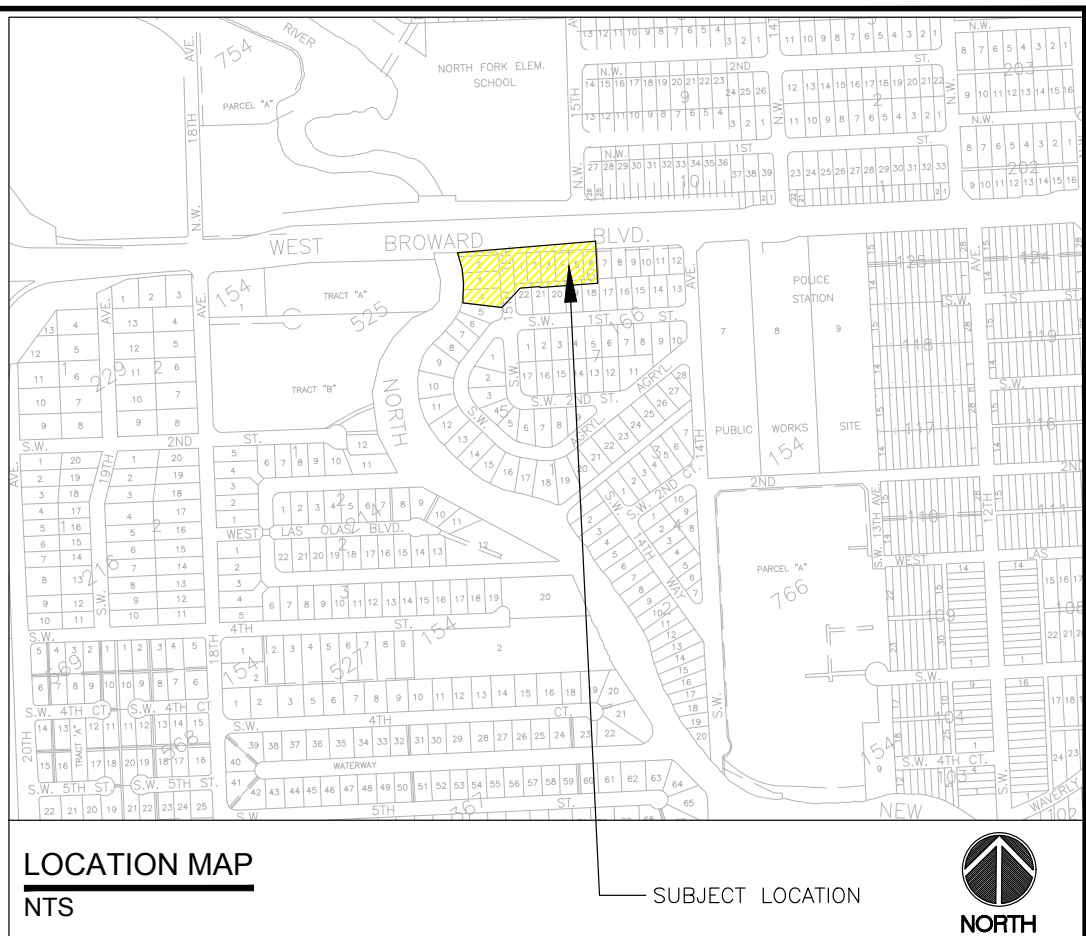
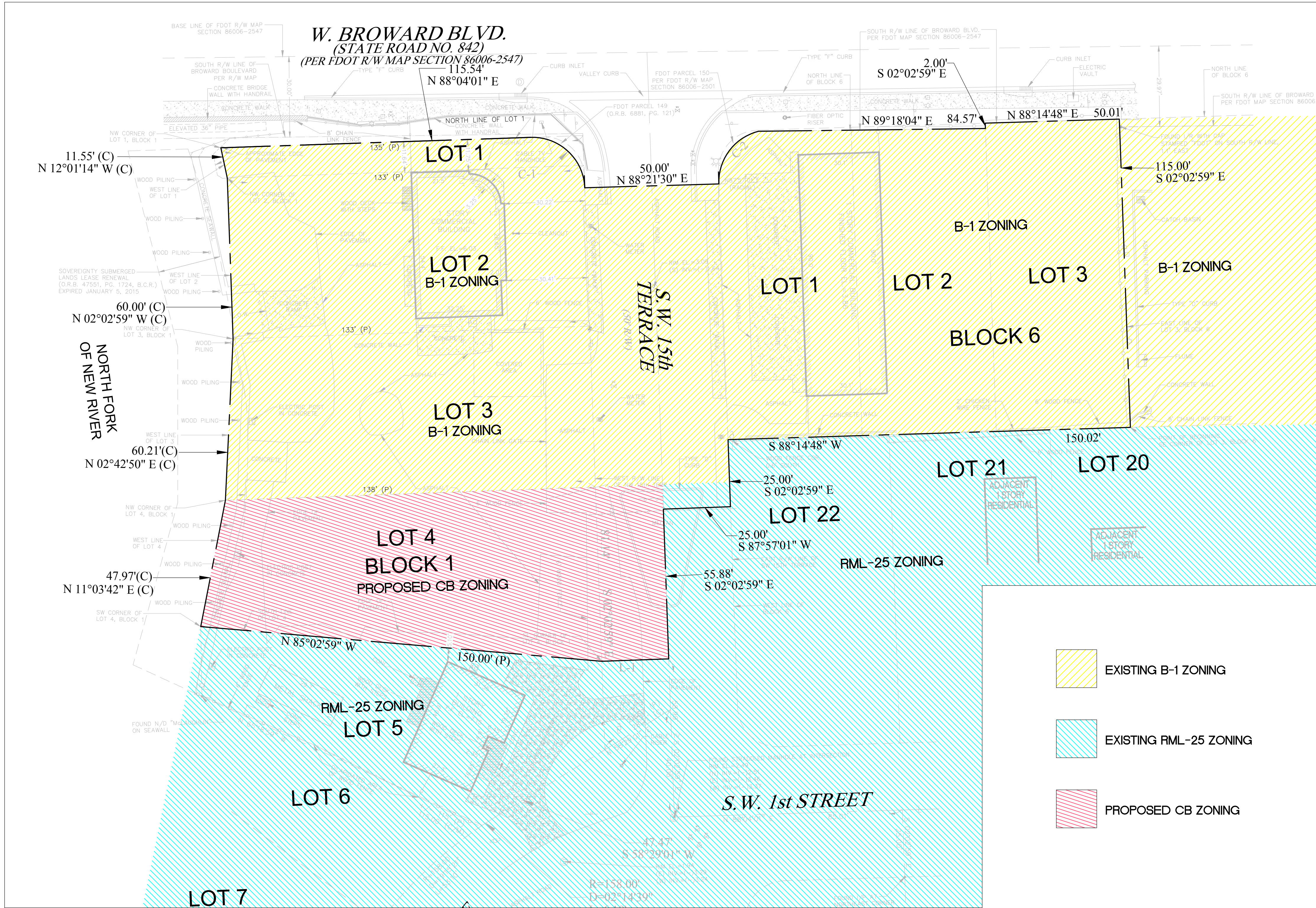
NORTH

Revisions		

Phase:
DRC
DOCUMENTS

SEAL

Drawing name: F:\2019 jobs\19-1524\0 Seven Seas Rezoning\Seven Seas Rezoning Exhibit.dwg
Feb 18, 2021 9:55am



FLYNN
ENGINEERING

241 COMMERCIAL BLVD., LAUDERDALE-BY-THE-SEA, FL 33308
PHONE: (954) 522-1004 | WWW.FLYNNENGINEERING.COM
EB# 6578

Sheet Title

PROPOSED ZONING

Job Title

SEVEN SEAS
1490/1500 W BROWARD BOULEVARD
FORT LAUDERDALE, FLORIDA 33312

NORTH

Revisions		

Phase:
DRC
DOCUMENTS

SEAL

Scale: 1"=20'	Date 05/19/20
Job No. 19-1524.00	Plot Date 02/18/21
Drawn by MDI	Sheet No.
Proj. Mgr. DTR	X-2
Appr. by JMF	



The just values displayed below were set in compliance with [Sec. 193.011](#), Fla. Stat., and include a reduction for costs of sale and other adjustments required by [Sec. 193.011\(8\)](#).

2019 Exemptions and Taxable Values by Taxing Authority

Sales History

Land Calculations

* Denotes Multi-Parcel Sale (See Deed)

Special Assessments

Jeffrey Modarelli, City Clerk
City of Fort Lauderdale
100 North Andrews Avenue
7th Floor
Fort Lauderdale, FL 33301

RE: Permitting for 1500 W. Broward Boulevard Fort Lauderdale, Florida 33312
identified with folio numbers 504209180010; 504209180012; 504209180020.

Dear City Clerk:

We hereby authorize Lochrie & Chakas, P.A. to act as agents in connection with all land use and zoning matters related to property referenced above located in the City of Fort Lauderdale, FL.

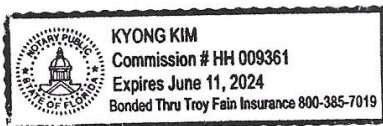
Sincerely,

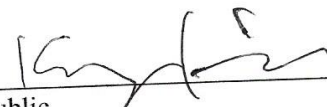

Leonard R. Renne

STATE OF FL)
) ss
COUNTY OF Broward)

The foregoing instrument was acknowledged before me, by means of (check one): X
physical presence or SM online notarization, this 5th day of Oct, 2020,
by Leonard R. Renne, who is personally known to me or who has produced
_____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 5th day
of Oct, 2020.

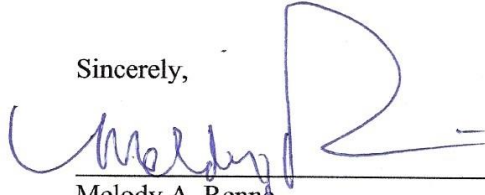



Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

Sincerely,



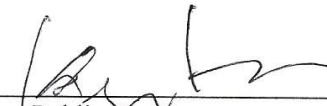
Melody A. Renne

STATE OF FL)
COUNTY OF Broward) ss

The foregoing instrument was acknowledged before me, by means of (check one): ☒ physical presence or _____ online notarization, this 5th day of October, 2020, by Melody A. Renne, who is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 5th day of Oct, 2020.





Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:

Jeffrey Modarelli, City Clerk
City of Fort Lauderdale
100 North Andrews Avenue
7th Floor
Fort Lauderdale, FL 33301

RE: Permitting for 1490 W. Broward Boulevard Fort Lauderdale, Florida 33312
identified with folio number 504209180250.

Dear City Clerk:

We hereby authorize Lochrie & Chakas, P.A. to act as agents in connection with all land
use and zoning matters related to property referenced above located in the City of Fort
Lauderdale, FL.

Sincerely,

RLR SERVICES LLC

By: Rodney L. Renne

Printed Name: Rodney L. Renne

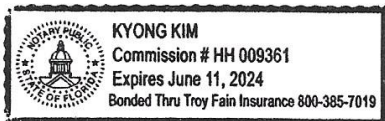
Title: MGRM

Date: 10/05/20

STATE OF FL)
COUNTY OF Broward) ss

The foregoing instrument was acknowledged before me, by means of (check one): ☒ physical presence or ☐ online notarization, this 5th day of Oct, 2020
by Rodney L. Renne as MGRM, of RLR SERVICES
LLC who is personally known to me or who has produced _____ as
identification.

WITNESS my hand and official seal in the County and State last aforesaid this 5th day
of Oct, 2020.



Kyong Kim
Notary Public

Typed, printed or stamped name of Notary Public

My Commission Expires:



241 Commercial Blvd.
Lauderdale-By-The-Sea, FL 33308
954.522.1004
www.flynnengineering.com

November 5, 2020

Seven Seas
PLN-SITE-20060001
1490/1500 W Broward Boulevard
Fort Lauderdale, FL 33312

FES#19-1524.00

PROJECT OVERVIEW

The project includes the properties located on both east and west sides of SW 15th Terrace. The ownership/applicant currently operates the watercraft sales facility within the existing building located at 1500 West Broward Boulevard and own the building at 1490 W West Broward Boulevard located east of SW 15th Terrace.

The applicant is requesting to vacate SW 15th Terrace from Broward Boulevard south to SW 1st Street. The applicant owns both sides of SW 15th Terrace with the exception of lot 22, Block 6. The Owner of lot 22, Block 6 has provided consent and is listed as a co-applicant on the DRC right of way vacation application. As is customary half of the portion of vacated right-of-way, adjacent to lot 22 will go to that owner. However, please note that the applicant has agreed to purchase a 25' x 25' portion of the vacated right-of-way at the NW corner of lot 22.

The applicant will demolish the existing building at 1500 W Broward, and relocate their operations to the 1490 W Broward building, which is to be renovated. The project also includes associated parking, landscape, buffer yard and trash enclosure improvements to satisfy ULDR requirements.

Along with the site plan and right-of-way vacation requests, the applicant is proposing to rezone a portion of the property from RML-25/B-1 to CB. Please refer to the separate rezoning and commercial flex narrative provided for clarification as to the extent of the rezoning & commercial flex request.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Marc Isaac'.

Marc Isaac

Flynn Engineering Services, P.A.

Project: Seven Seas Yacht Sales
Site Address: 1500 West Broward Boulevard (“Property”)
Author: Andrew Schein, Esq.

Conditional Use Narrative

ULDR Section 47-24.3.E

General Project Information

The Applicant is proposing to rezone a portion of the Property from RMM-25 to CB and to apply commercial flexibility to the Property. The Applicant is also applying for a Marina use, which is a conditional use in the CB zoning district. The Property has been in use as a marina for more than twenty (20) years. The Property currently has three (3) different future land use/zoning designation combinations. The three (3) different portions of the Property will hereinafter be referred to as “Area 1”, “Area 2”, and “Area 3” as depicted in the graphic below.



- 1) Area 1 of the Property has a future land use designation of Commercial and is zoned B-1; the Applicant is not proposing to rezone this portion;
- 2) Area 2 of the Property has a future land use designation of Medium-High Residential and is zoned B-1. Since the future land use designation and the zoning district are not consistent, the Applicant is proposing to rezone this portion to CB and apply commercial

flexibility to make the zoning consistent with the future land use. Conditional use approval is required for this Project because a marina is a conditional use in the CB zoning district.

- 3) Area 3 of the Property has a future land use designation of Medium-High Residential and is zoned RML-25. The Applicant is proposing to rezone this portion to CB and apply commercial flexibility to be consistent with the commercial parcels fronting Broward Boulevard. Conditional use approval is required for this Project because a marina is a conditional use in the CB zoning district.

Conditional Use Criteria – ULDR Section 47-24.3.E

E. *Criteria.* The following review criteria shall be applied in considering an application for a conditional use permit:

1. Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements, [Sec. 47-25.3](#).

RESPONSE: Applicant has provided a separate narrative addressing Neighborhood Compatibility.

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.

RESPONSE: Acknowledged.

3. The applicant must show and it must be found by the reviewing body that the following have been met:
 - a. The location of the use or structure is not in conflict with the city's comprehensive plan;

RESPONSE: The location and use of the structure is not in conflict with the City's comprehensive plan. On the contrary, it furthers numerous goals, objectives and policies of the comprehensive plan.

Policy 1.24.6 of the comprehensive plan's future land use element is to "promote the development, reuse or redevelopment of waterfront sites, giving the highest priority and preference to water-dependent uses". By rezoning Area 3 to CB and permitting a Marina as a conditional use, the Applicant will be able to redevelop the waterfront site and improve the existing marina.

Objective 1.36 of the comprehensive plan's future land use element is to "utilize the flexibility rules to facilitate the arrangement of commercial acreage to allow the City to respond to changing conditions." This section of Broward Boulevard is increasingly becoming a commercial corridor. By rezoning Area 3 to CB, applying commercial flexibility, permitting the Marina as a conditional use, and improving the buffer between the existing commercial uses and the residential uses to the south, the proposed Project allows the City to respond to the changing conditions along this section of Broward Boulevard and will make the Property more compatible with the neighborhoods to the south than it is today.

Goal 1 of the comprehensive plan's housing element is to preserve, enhance, and revitalize the City's existing neighborhoods. By rezoning Area 3 to CB and permitting the Marina as a conditional use, future development on the Property will be required to meet the City's neighborhood compatibility standards in accordance with Policy 1.1.5 of the comprehensive plan's housing element. The Property is currently legally nonconforming when it comes to meeting the neighborhood compatibility standards. The proposed site plan for the Property includes a 5' wall and landscape buffers on the southern boundary of the Property. By rezoning to CB and permitting a Marina as a conditional use, the proposed development further preserves the neighborhood to the south and enhances the area from the existing conditions.

Policy 1.3.6 of the comprehensive plan's coastal management element is to preserve and enhance existing marinas in the City. The Property has been used as a marina for more than twenty (20) years. By rezoning the Property to CB and permitting the Marina as a conditional use, the owner will be able to enhance the existing marina from an aesthetics perspective while improving the compatibility of the marina with the adjacent neighborhood.

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

RESPONSE: The Property has been used as a marina for over twenty (20) years. The Property is adjacent to a waterway, which makes it ideal for a marina use. The Project includes numerous on-site improvements and conditions that will reduce the impact of permitting the use. The Project includes a new 5' high masonry wall on the southern Property line, blocking the commercial corridor of Broward Boulevard from the single-family neighborhood to the south. The Project also includes a 10' landscape buffer between the Property and the neighborhood to the south, which currently does not exist. The Project also includes the removal of an automotive repair use, which has been a significant blight on the area.

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

RESPONSE: See response to 3(b) above.

- d. 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;

RESPONSE: The Project is not in close proximity to a similar use.

- e. There are no adverse impacts of the use which effect the health, safety and welfare of adjacent properties.

RESPONSE: The applicant is not aware of any adverse impacts that the Project will have to the health, safety, or welfare of adjacent properties. On the contrary, the site improvements and the removal of the automotive repair use will significantly improve the current impacts to the health, safety and welfare of adjacent properties.

Project: Seven Seas Yacht Sales
Site Address: 1500 West Broward Boulevard ("Property")
Request: Rezoning from RML-25/B-1 to CB
Author: Andrew Schein, Esq.

September 8, 2020

Rezoning and Commercial Flexibility Narrative

1. General Description of Request

The Applicant is proposing to rezone a portion of the Property from RML-25/B-1 to CB. The area to be rezoned is approximately 9,915 square feet. The Property has been in use as a marina for more than twenty (20) years. The Property currently has three (3) different future land use/zoning designation combinations. The three (3) different portions of the Property will hereinafter be referred to as "Area 1", "Area 2", and "Area 3" as depicted in the graphic below.



- 1) Area 1 of the Property has a future land use designation of Commercial and is zoned B-1; the Applicant is not proposing to rezone this portion;
- 2) Area 2 of the Property has a future land use designation of Medium-High Residential and is zoned B-1. Since the future land use designation and the zoning district are not consistent, the Applicant is proposing to rezone this portion to CB and apply commercial flexibility to make the zoning consistent with the future land use;

- 3) Area 3 of the Property has a future land use designation of Medium-High Residential and is zoned RML-25. The Applicant is proposing to rezone this portion to CB and apply commercial flexibility to be consistent with the commercial parcels fronting Broward Boulevard.

City of Fort Lauderdale ULDR Section 47-24.4.D.

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

RESPONSE: Area 2, which is zoned B-1 and has a future land use designation of Medium-High Residential, is currently inconsistent with the City's comprehensive plan. By rezoning Area 2 to CB and applying commercial flexibility, Area 2 will be consistent with both the City's comprehensive plan and ULDR.

By rezoning Area 3 to CB and applying commercial flexibility, Area 3 will be consistent with the City's comprehensive plan. The proposed rezoning addresses numerous policies, goals and objectives of the comprehensive plan.

Policy 1.24.6 of the comprehensive plan's future land use element is to "promote the development, reuse or redevelopment of waterfront sites, giving the highest priority and preference to water-dependent uses". By rezoning Area 3 to CB, the Applicant will be able to redevelop the waterfront site and improve the existing marina.

Objective 1.36 of the comprehensive plan's future land use element is to "utilize the flexibility rules to facilitate the arrangement of commercial acreage to allow the City to respond to changing conditions." This section of Broward Boulevard is increasingly becoming a commercial corridor. By rezoning Area 3 to CB, applying commercial flexibility, and improving the buffer between the existing commercial uses and the residential uses to the south, the proposed project allows the City to respond to the changing conditions along this section of Broward Boulevard and will make the Property more compatible with the neighborhoods to the south than it is today.

Goal 1 of the comprehensive plan's housing element is to preserve, enhance, and revitalize the City's existing neighborhoods. By rezoning Area 3 to CB, future development on the Property will be required to meet the City's neighborhood compatibility standards in accordance with Policy 1.1.5 of the comprehensive plan's housing element. The Property is currently legally nonconforming when it comes to meeting the neighborhood compatibility standards. The proposed site plan for the Property includes a 5' wall and landscape buffers on the southern boundary of the Property. By rezoning to CB and applying commercial flexibility, the proposed development further preserves the neighborhood to the south and enhances the area from the existing conditions.

Policy 1.3.6 of the comprehensive plan's coastal management element is to preserve and enhance existing marinas in the City. The Property has been used as a marina for more than twenty (20) years. By rezoning the Property to CB, the owner will be

able to enhance the existing marina from an aesthetics perspective while improving the compatibility of the marina with the adjacent neighborhood.

Rezoning the Property to CB allows the City to meet numerous goals, policies and objectives of the comprehensive plan, and is therefore consistent with the comprehensive plan.

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 has been used as a marina for more than twenty (20) years. By rezoning the Property to CB and applying commercial flexibility with the corresponding site plan, the proposed rezoning will improve the character of development in and near the area. The rezoning and proposed site plan meets the City's neighborhood compatibility requirements and provides a needed buffer between the residential neighborhood to the south of the Property and the commercial uses along Broward Boulevard. The proposed rezoning is also consistent with the pattern of development along the Broward Boulevard corridor, which generally provides commercial uses fronting Broward 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 area is characterized by commercial uses to the north, east, and west of the Property. The proposed rezoning to CB is therefore consistent and compatible with the uses to the north, east, and west of the Property. The area to the south of the Property includes existing residential uses. The Property currently does not provide enough of a buffer from the residential uses to the commercial uses along Broward Boulevard. By rezoning the Property to CB and applying commercial flexibility with the corresponding site plan, the proposed rezoning will make the Property more compatible with the residential areas to the south than it is today.

City of Fort Lauderdale ULDR Section 47-28.1.G

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

RESPONSE: Acknowledged. Applicant is proposing to rezone the Property to CB.

- 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

RESPONSE: Acknowledged.

- c. The parcel proposed for CB or X-Use use shall not be greater than ten (10) contiguous acres;

RESPONSE: Acknowledged, the Property is less than 10 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.

RESPONSE: Area 2, which is zoned B-1 and has a future land use designation of Medium-High Residential, is currently inconsistent with the City's comprehensive plan. By rezoning Area 2 to CB and applying commercial flexibility, Area 2 will be consistent with both the City's comprehensive plan and ULDR.

By rezoning Area 3 to CB and applying commercial flexibility, Area 3 will be consistent with the City's comprehensive plan. The proposed rezoning addresses numerous policies, goals and objectives of the comprehensive plan.

Policy 1.24.6 of the comprehensive plan's future land use element is to "promote the development, reuse or redevelopment of waterfront sites, giving the highest priority and preference to water-dependent uses". By rezoning Area 3 to CB, the Applicant will be able to redevelop the waterfront site and improve the existing marina.

Objective 1.36 of the comprehensive plan's future land use element is to "utilize the flexibility rules to facilitate the arrangement of commercial acreage to allow the City to respond to changing conditions." This section of Broward Boulevard is increasingly becoming a commercial corridor. By rezoning Area 3 to CB, applying commercial flexibility, and improving the buffer between the existing commercial uses and the residential uses to the south, the proposed project allows the City to respond to the changing conditions along this section of Broward Boulevard and will make the Property more compatible with the neighborhoods to the south than it is today.

Goal 1 of the comprehensive plan's housing element is to preserve, enhance, and revitalize the City's existing neighborhoods. By rezoning Area 3 to CB, future development on the Property will be required to meet the City's neighborhood compatibility standards in accordance with Policy 1.1.5 of the comprehensive plan's housing element. The Property is currently legally nonconforming when it comes to meeting the neighborhood compatibility standards. The proposed site plan for the Property includes a 5' wall and landscape buffers

on the southern boundary of the Property. By rezoning to CB and applying commercial flexibility, the proposed development further preserves the neighborhood to the south and enhances the area from the existing conditions.

Policy 1.3.6 of the comprehensive plan's coastal management element is to preserve and enhance existing marinas in the City. The Property has been used as a marina for more than twenty (20) years. By rezoning the Property to CB, the owner will be able to enhance the existing marina from an aesthetics perspective while improving the compatibility of the marina with the adjacent neighborhood.

Rezoning the Property to CB allows the City to meet numerous goals, policies and objectives of the comprehensive plan, and is therefore consistent with the comprehensive plan.

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

RESPONSE: Acknowledged, Applicant submitted a rezoning application.

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

RESPONSE: Acknowledged.

Project: Seven Seas Yacht Sales
Site Address: 1500 West Broward Boulevard ("Property")
Author: Andrew Schein, Esq.

September 8, 2020

ADEQUACY REQUIREMENTS
NARRATIVE

Sec. 47-25.2. Adequacy requirements.

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

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: N/A, the Project is not expected to interfere with the City's communications network.

C. *Drainage facilities.* Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2 1/2) inches of runoff from the impervious surface whichever is greater.

Response: If required, the Project will receive a stormwater management permit from Broward County prior to commencing construction of the Project.

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 well field 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: N/A, the Project is not expected to impact any environmentally sensitive lands.

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: Acknowledged, the Project will comply with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.

F. Parks and open space. *New park impact fee ordinance adopted in June 2006.*

Response: N/A, the Project is not a residential project.

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: Applicant's design incorporates CPTED principles to minimize risk to public safety and assure adequate police protection.

H. Potable water.

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

2. *Potable water facilities.*

- a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
- b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
- c. Where the county is the projected service provider, a similar written assurance will be required.

Response: Applicant has provided a water/sewer capacity letter from the City's Public Works Department confirming that adequate capacity exists to serve the Project.

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: Applicant has provided a water/sewer capacity letter from the City's Public Works Department confirming that adequate capacity exists to serve the Project.

J. *Schools.* For all residential plats, the applicant shall contribute to school facilities in accordance with the Broward County Land Development Code and shall provide documentation to the city that such contribution has been satisfied.

Response: N/A, the Project is not a residential project.

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: Acknowledged and the Project will comply. The Project includes a dumpster on-site in conformance with the dumpster requirements of the ULDR.

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: Stormwater will be retained on site in accordance with the Broward County Department of Environmental Regulations criteria.

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.

4. *Traffic impact studies.*

- a. When the proposed development may generate over one thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half (1/2) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half (1/2) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in traffic ways 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 traffic ways.
 - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local traffic ways, 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: N/A. The Project does not include new uses and will not generate additional trips.

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: To the extent any additional right-of-way is needed, Owner will dedicate the same by easement.

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

Response: The Project includes sidewalks along Broward Boulevard.

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 nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

Response: 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: Street trees have been provided on all street frontages.

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: Applicant has provided a water/sewer capacity letter from the City's Public Works Department confirming that adequate capacity exists to serve the Project.

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: This site does not have any historical or archaeological significance.

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

Response: N/A. Project is not located east of the Intracoastal Waterway.

Project: Seven Seas Yacht Sales
Site Address: 1500 West Broward Boulevard ("Property")
Author: Andrew Schein, Esq.

September 8, 2020

NEIGHBORHOOD COMPATIBILITY NARRATIVE
ULDR § 47-25.3

Sec. 47-25.3. Neighborhood compatibility requirements.

A. The neighborhood compatibility requirements are as follows:

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

Response: Applicant has provided a separate point-by-point narrative addressing the Adequacy Requirements.

2. *Smoke, odor, emissions of particulate matter and noise.*
 - a. Documentation from the Broward County Department of Natural Resource Protection (DNRP) or a report by a certified engineer, licensed in the State of Florida, that the proposed development will not exceed the maximum levels of smoke, odor, emissions of particulate matter and noise as regulated by Chapter 27, Pollution Control, of the Code of Broward County, and that a DNRP permit for such facility is not required.
 - b. Where a DNRP license is required in accordance with Chapter 27, Pollution Control, of the Code of Broward County, all supporting documentation and information to obtain such permit shall be submitted to the DRC as part of a site plan review.
 - c. Such DNRP licenses shall be required to be issued and copies provided to the city prior to the issuance of a building permit for the proposed development.

Response: To the extent any EPGMD (formerly DNRP) permits are needed, applicant will apply for and obtain such permits.

3. *Design and performance standards.*
 - a. *Lighting.* No lighting shall be directed from a use which is subject to the requirements of this Sec. 47-25.3 in a manner which illuminates abutting residential property and no source of incandescent or mercury vapor illumination shall be directly visible from any abutting residential property. No neon lights inside or outside structures shall be visible from any abutting residential property.
 - i. Glare. Any nonresidential operation or activity producing glare shall be conducted so that direct or indirect illumination of light shall not cause illumination in excess of one (1) foot candle on any abutting residential property except as provided in subsection iii. of this subsection a.
 - ii. Control of effects of lights from automobiles or other sources. Where the site plan indicates potential adverse effects of parking or of other sources on the lot

on which the nonresidential use is to be located, such effects shall be eliminated or at a minimum prevented so that lights do not illuminate adjacent residential property below a height of five (5) feet at the residential lot line, or from shining into any residential window if there is to be nonresidential parking on the premises after dark.

iii. In addition to the above, parking lots and garages will be subject to the provisions of Sections 47-20.14 and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

Response: The Project will not generate any illumination in excess of one (1) footcandle on any abutting Residential Property. See Sheet PH-101.

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

i. *Architectural features.* The facade of any side of a nonresidential building facing the residential property shall be constructed to compliment a residential structure and shall include the following:

a) Fenestration such as windows, doors and openings in the building wall; and

b) Shall contain a minimum of one (1) feature from each of the following architectural feature groups with a total of four (4) architectural features from the following list:

1. Detail and embellishments:

- a. Balconies,
- b. Color and material banding,
- c. Decorative metal grates over windows,
- d. Uniform cornice heights,
- e. Awnings.

2. Form and mass:

- a. Building mass changes including projection and recession,
- b. Multiple types and angles of roofline, or any combination thereof.

c) The above required facade treatment shall be required to continue around the corner onto the adjoining wall for a distance of twenty (20) feet.

Response: The Project involves an historic building and is not proposed to be dramatically altered. Nevertheless, the building includes building mass changes including projection and recession, multiple types and angles of roofline, awnings, and color and material banding.

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

Response: Acknowledged. Loading will not be visible from abutting residential uses.

iii. *Screening of rooftop mechanical equipment.* All rooftop mechanical equipment, stair and elevator towers shall be designed as an integral part of the

building volume and/or adequately screened so that they are not visible from abutting residential uses or vacant residential zoned property.

Response: The rooftop mechanical equipment will not be visible from abutting residential uses. See roof plan, sheet A-102.

c. *Setback regulations.* When a nonresidential use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, there shall be an additional setback required for any yard of that use which is contiguous to the residential property, as follows:

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

Response: N/A, the Project is less than 40 feet in height.

d. *Bufferyard requirements.* When a use which is subject to the requirements of this Sec. 47-25.3 is contiguous to any residential property, the property where the use is located shall be required to have a landscaped strip area and a physical barrier between it and the residential property. Such landscape strip shall meet the following requirements:

- i. Landscape strip requirements. A ten (10) foot landscape strip shall be required to be located along all property lines which are adjacent to residential property. Such landscape strip shall include trees, shrubs and ground cover as provided in the landscape provisions of Section 47-21, Landscape and Tree Preservation Requirements. The width of the landscape area shall extend to the property line. All required landscaping shall be protected from vehicular encroachment. When walls are required on nonresidential property abutting an alley, required shrubbery shall be installed and located within the landscape area on the exterior of the wall.

Response: Acknowledged. A 10' landscape strip is included all along the southern property line, except for the existing driveway at the southern end of the existing east building that is used for vehicular access. This area is the only access to the rear of the east building and cannot include trees without restricting access to this area.

- ii. *Parking restrictions.* No parking shall be located within twelve (12) feet of the property line, within the yard area required by the district in which the proposed nonresidential use is located, when such yard is contiguous to residential property.

Response: Acknowledged, no parking will be located within 12' of the property line.

- iii. *Dumpster regulations.* All solid waste refuse containers (dumpsters) shall be set back a minimum of twelve (12) feet from any property line which is contiguous to residential property, and shall be screened in

accordance with the Dumpster requirements, as provided in [Section 47-19](#), Accessory Uses, Buildings and Structures.

Response: Acknowledged, the dumpster is set back further than 12 feet from the southern property line.

- iv. *Wall requirements. A wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with Section 47-19.5 and subject to the following:*
 - a) Decorative features shall be incorporated on the residential side of such wall according to the requirements of [Section 47-19.5](#)
 - b) Shall be located within, and along the length of the property line which abuts the residential property,
 - c) When the nonresidential property is located adjacent to an alley such wall shall be located at least five (5) feet from the right-of-way line located closest to the nonresidential property,
 - d) When a utility, or other public purpose easement, on the nonresidential property precludes the construction of a wall, then an opaque fence, constructed in accordance with the standards described in [Section 47-19.5](#), may be erected in lieu of the wall required by subsection iv. above. The use of an opaque fence as a physical barrier between nonresidential and residential property shall be reviewed and recommended by the city engineer.

Response: Acknowledged, the Project includes a minimum 5' high masonry wall along the southern property line.

- v. *Application to existing uses.* Within five (5) years(remainder of this subsection v. is intentionally omitted).

e. *Neighborhood compatibility and preservation.* In addition to the review requirements provided in subsections A.1, A.2 and A.3.a, b, c, and d, the following review criteria shall also apply as provided below:

- i. All developments subject to this Sec. 47-25.3 shall comply with the following:
 - a) Development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, buffer yards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as

needed to reduce or eliminate development generated traffic on neighborhood streets.

RESPONSE: The area is characterized by commercial uses to the north, east, and west of the Property. The Property currently does not provide enough of a buffer from the residential uses to the commercial uses along Broward Boulevard. This Project includes a 5' high masonry wall along the southern end of the Property to block pedestrian access from the commercial areas of Broward Boulevard to the single-family residential neighborhood to the south of the Project. The Project includes a significantly improved landscape bufferyard on Broward Boulevard and the southern Property line, and will increase the number of trees on site from 11 existing trees to 63 proposed trees.

b) Consideration shall be given to the recommendations of the adopted neighborhood master plan in which the proposed development is to be located, or which it abuts, although such neighborhood master plan shall not be considered to have the force and effect of law. When recommended improvements for the mitigation of impacts to any neighborhood, conflicts with any applicable ULDR provision, then the provisions of the ULDR shall prevail. In order to ensure that a development will be compatible with, and preserve the character and integrity of adjacent neighborhoods, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, buffer yards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

Response: N/A, the Property is not subject to a neighborhood master plan.

- ii. All development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district that is greater in density than twenty-five (25) dwelling units per net acre:
 - a) In addition to meeting the review requirements of subsection A.3.e.i, building sites within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district shall be eligible to apply for additional dwelling units over and above twenty-five (25) dwelling units per net acre, provided such additional dwelling units are available for distribution in the downtown regional activity center. However, in order to obtain such additional dwelling units, a site plan level II permit must be approved. Such approval shall be based upon consideration of the number of additional dwelling units available under the city land use plan, the number of additional dwelling units requested, the impact of the proposed development on abutting residential areas, the proposed residential density of the proposed

development, location of the proposed development, the sensitivity to adjacent development of the site design and proposed orientation of the proposed development (including proposed setbacks), pedestrian movements associated with the proposed development, proposed landscaping, and traffic and parking impacts of the proposed development on the transportation network. Approval for allocations of any additional dwelling units, hotel rooms or both, for multifamily dwellings, hotels and mixed-use developments shall conform to the city's land use plan and may be granted subject to approval of a site plan level II permit, subject to the considerations for such review as prescribed above. A minimum setback of twenty (20) feet from all property lines for every building used exclusively for residential purposes may be required. Such minimum setback may also be required for mixed use buildings in which residential use exceeds fifty-nine percent (59%) of the total floor area, exclusive of parking garages.

Response: N/A, the Property is not within the RAC-TMU.

- iii. All development within any downtown RAC district that is within one hundred (100) feet of residential property that is located outside of any downtown RAC district and all development within the RAC-TMU (RAC-EMU, RAC-SMU and RAC-WMU) district; and all development that is located on land adjacent to the New River within the RAC-AS and RAC-CC which deviates from the New River corridor requirements as provided in [Section 47-13](#), Downtown Regional Activity Center:
 - a) In addition to meeting the review requirements of subsection A.3.e.i, the setbacks imposed for a development plan may be modified subject to the requirements provided as follows:
 - 1. No structure, or part thereof, shall be erected or used, or land or water used, or any change of use consummated, nor shall any building permit or certificate of occupancy be issued therefor, unless a development plan for such structure or use shall have been reviewed and approved, where applicable, after development review as prescribed in subsection A.3.e.i. In approving such development plan, consideration shall be given to the location, size, height, design, character and ground floor utilization of any structure or use, including appurtenances; access and circulation for vehicles and pedestrians, streets, open spaces, relationship to adjacent property, proximity to New River and other factors conducive to development and preservation of a high quality downtown regional activity center district. No approval shall be given to the setbacks shown on the development plan unless a determination is made that the setbacks conform to all applicable provisions of the ULDR, including the requirements of [Section 47-13](#), Downtown Regional Activity Center Districts, that the safety and convenience of the public are properly provided for and that adequate protection and separation are provided for contiguous property and other property in the vicinity. Approval of the setbacks of a development plan may be conditioned by imposing one (1) or more setback requirements exceeding the minimum requirements.

Response: N/A. The Project is not located within the downtown RAC.

Project: Seven Seas Yacht Sales
Site Address: 1500 West Broward Boulevard (“Property”)
Author: Andrew Schein, Esq.

September 8, 2020

OUTDOOR USES NARRATIVE

Secs. 47-19.9.A.3 and 47-19.9.A.4 – Outdoor Uses

3. Outdoor display of vehicles or watercraft for sale or rental.

- a. Outdoor display of vehicles or watercraft for sale or rental shall be used exclusively for the display of new or used motor vehicles or watercraft for the purpose of sale or rental, but shall not be used for service of vehicles or parking of vehicles used by customers, visitors, and employees of such use.

RESPONSE: See response to 4.a below.

- b. All outdoor display areas shall be required to meet the paving and drainage requirements for parking lots as provided in Section 47-20, Parking and Loading Requirements.

RESPONSE: Acknowledged. The Project meets the paving and drainage requirements for parking lots.

- c. Outdoor display areas shall be considered a vehicular use area for purposes of Section 47-21, Landscaping and Tree Preservation, however no outdoor storage area shall be permitted in a required yard.

RESPONSE: Acknowledged. The outdoor display areas are counted towards the VUA requirements, and no outdoor storage areas are located within a required yard.

- d. *Surface.* All outdoor storage areas shall have an adequately drained asphaltic concrete surface.

RESPONSE: Acknowledged. The outdoor storage area will have an adequately drained asphaltic concrete surface.

4. *Outdoor storage of vehicles or watercraft for sale, rental, service or repair.*

- a. Outdoor storage of vehicles or watercraft for sale, rental, service or repair, is permitted as an accessory use to an automotive or watercraft sales or rental use and shall be used exclusively for the storage of new or used vehicles or watercraft, for the purpose of sale, service, rental but not for parking of vehicles used by the customers, visitors, and employees of the principal use.

RESPONSE: Acknowledged. The outdoor storage of watercraft for service and repair is accessory to the watercraft sales use. No area for outdoor storage will be located within areas for the parking of vehicles by customers, visitors, or employees.

- b. All outdoor storage areas shall be required to meet the paving and drainage requirements for parking lots as provided in Section 47-20, Parking and Loading Requirements.

RESPONSE: Acknowledged. The Project meets the paving and drainage requirements for parking lots.

- c. Outdoor storage areas shall be considered a vehicular use area for purposes of Section 47-21, Landscaping and Tree Preservation, however no outdoor storage area shall be permitted in a required yard.

RESPONSE: Acknowledged. The outdoor display areas are counted towards the VUA requirements, and no outdoor storage areas are located within a required yard.

- d. *Surface.* All outdoor storage areas shall have an adequately drained asphaltic concrete surface.

RESPONSE: Acknowledged. The outdoor storage area will have an adequately drained asphaltic concrete surface.

September 8, 2020

Marc Isaac
Flynn Engineering
241 Commercial Blvd
Lauderdale by the Sea, FL 33308

Subject: **WATER AND WASTEWATER CAPACITY AVAILABILITY LETTER**
Seven Seas – DRC Case No. PLN-SITE-200600001
1490 - 1500 W Broward Blvd, Ft. Lauderdale, FL, 33312

Dear Mr. Isaac,

According to the information submitted, the project consists of the demolition of the existing western facility (currently used as a boat/yacht sales office) located on the west side of SW 15th Terrace while preserving and remodeling the existing mechanic facility located on the east side of SW 15th Terrace. The project utilizes the existing water and sewer connections and no new water and/or sewer connections are proposed at this time. This project lies within the City's Pump Station (PS) A-4 basin and will not have an increase in the average day water demand or the sewer demand. The existing water and sewer infrastructure have the capacity to support the proposed development and no improvements are needed.

If there are changes to the proposed development after issuance of this capacity availability letter, the Owner or Owner's authorized representative shall submit a revised request based on the updated plans. Failure to seek approval prior to changing the plans may result in revocation of permit and capacity allocation. The determination of capacity availability is based upon tools and data analysis as of the date of this letter. Availability of capacities, as calculated in the attached analysis, is not guaranteed and no existing system capacity shall be considered "committed" for this project until a permit has been issued and all fees have been paid. The City reserves the right to re-evaluate the availability of capacities at the time of permit application. If sufficient capacities are not available, the City may deny the permit application or ask the Owner/Developer to submit an alternate design prior to approval. Information contained in this letter will expire one year from the date issued.

Should you have any questions or require any additional information, please contact me at (954) 828-6126.

Sincerely,



Gabriel Garcia
Project Manager II

Enclosures: Water and Wastewater Capacity Analysis
cc: Raj Verma, P.E., Public Works Director
Talal Abi-Karam, P.E., Assistant Public Works Director
Omar Castellon, P.E., Chief Engineer
Dennis Girisgen, P.E., City Engineer
File: Water and Sewer Capacity Letters