



DEVELOPMENT APPLICATION FORM

Application Form: All Applications | Rev. 06/14/2024

INSTRUCTIONS: The following information is required pursuant to the City's Unified Land Development Regulations (ULDR), Section 47-24, Development Permits and Procedures, and must be filled out accurately with all applicable sections completed. Only complete the sections indicated for application type with N/A for those items not applicable. Refer to "Specifications for Plan Submittal" by application type for submittal requirements, which can be found on the City's website.

Select the application type and approval level in **SECTION A** and complete the sections specified under each type.

A APPLICATION TYPE AND APPROVAL LEVEL *Select the application type from the list below and check the applicable type.*

<input type="checkbox"/> LEVEL I ADMINISTRATIVE REVIEW COMMITTEE (ADMIN)	<input type="checkbox"/> LEVEL II DEVELOPMENT REVIEW COMMITTEE (DRC)	<input type="checkbox"/> LEVEL III PLANNING AND ZONING BOARD (PZB)	<input type="checkbox"/> LEVEL IV CITY COMMISSION (CC)
<ul style="list-style-type: none"> <input type="checkbox"/> New nonresidential less than 5,000 square feet <input type="checkbox"/> Change of use <i>(if same impact or less than existing use)</i> <input type="checkbox"/> Plat note or Nonvehicular access line (NVAL) amendment <input type="checkbox"/> Administrative site plan <input type="checkbox"/> Amendment to site plan* <input type="checkbox"/> Affordable Housing per §166.04151(7) Fla. Stat. <i>(Live Local Act)</i> <input type="checkbox"/> Property and right-of-way applications <i>(MOTs, construction staging)</i> <input type="checkbox"/> Parking Agreements <i>(separate from site plans)</i> 	<ul style="list-style-type: none"> <input type="checkbox"/> New Nonresidential 5,000 square feet or greater <input type="checkbox"/> Residential 5 units or more <input type="checkbox"/> Nonresidential use within 100 feet of residential property <input type="checkbox"/> Redevelopment proposals <input type="checkbox"/> Change in use <i>(if greater impact than existing use)</i> <input type="checkbox"/> Development in Regional Activity Centers (RAC)* <input type="checkbox"/> Development in Uptown Project Area* <input type="checkbox"/> Regional Activity Center Signage <input type="checkbox"/> Affordable Housing (≥10%) 	<ul style="list-style-type: none"> <input type="checkbox"/> Conditional Use <input type="checkbox"/> Parking Reduction <input type="checkbox"/> Flex Allocation <input type="checkbox"/> Cluster / Zero Lot Line <input type="checkbox"/> Modification of Yards* <input type="checkbox"/> Waterway Use <input type="checkbox"/> Mixed Use Development <input type="checkbox"/> Community Residences* <input type="checkbox"/> Social Service Residential Facility (SSRF) <input type="checkbox"/> Medical Cannabis Dispensing Facility* <input type="checkbox"/> Community Business District for uses greater than 10,000 square feet 	<ul style="list-style-type: none"> <input type="checkbox"/> Land Use Amendment <input type="checkbox"/> Rezoning <input type="checkbox"/> Plat <input type="checkbox"/> Public Purpose Use <input type="checkbox"/> Central Beach Development of Significant Impact* <input type="checkbox"/> Vacation of Right-of-Way <p style="text-align: center;">City Commission Review No PZB Review</p> <ul style="list-style-type: none"> <input type="checkbox"/> Vacation of Easement*
COMPLETE SECTIONS B, C, D, G	COMPLETE SECTIONS B, C, D, E, F	COMPLETE SECTIONS B, C, D, E, F	COMPLETE SECTIONS B, C, D, E, F
<input type="checkbox"/> MISCELLANEOUS	<input type="checkbox"/> EXTENSION OR DEFERRAL	<input type="checkbox"/> APEAL	<input type="checkbox"/> PROPERTY AND RIGHT-OF-WAY
<ul style="list-style-type: none"> <input type="checkbox"/> Affordable Workforce Housing Tax Reimbursement <input type="checkbox"/> Community Residence <input type="checkbox"/> Construction Noise Waiver <input type="checkbox"/> Design Review Team (DRT) 	<ul style="list-style-type: none"> <input type="checkbox"/> Request to defer after an application is scheduled for public hearing <input type="checkbox"/> Request extension to previously approved application <i>(request must be within original approval date timeframe)</i> 	<ul style="list-style-type: none"> <input type="checkbox"/> Appeal decision by approving body and De Novo hearing items 	<ul style="list-style-type: none"> <input type="checkbox"/> Road Closures <input type="checkbox"/> Construction Staging Plan <input type="checkbox"/> Revocable licenses
COMPLETE SECTIONS B, C, D, I	COMPLETE SECTIONS B, C, H	COMPLETE SECTIONS B, C, H	COMPLETE SECTIONS B, C, H

*Application is subject to specific review and approval process. Levels III and IV are reviewed by Development Review Committee unless otherwise noted.

B APPLICANT INFORMATION *If applicant is the business operator, complete the agent column and provide property owner authorization.*

Applicant/ Property Owner		Authorized Agent	
Address		Address	
City, State, Zip		City, State, Zip	
Phone		Phone	
Email		Email	
Proof of Ownership		Authorization Letter	
Applicant Signature:	Signature	Agent Signature:	Signature

C PARCEL INFORMATION

Address/General Location	
Folio Number(s)	
Legal Description <i>(Brief)</i>	
City Commission District	
Civic Association	

D LAND USE INFORMATION

Existing Use	
Land Use	
Zoning District	
Proposed <i>Applications requesting land use amendments and rezonings.</i>	
Proposed Land Use	
Proposed Zoning District	

PROJECT DESCRIPTION
OPUS AT 701 CONDOMINIUMS
ARCHITECTURAL NARRATIVE

Project Name: Opus at 701
Address: 623 Bayshore Dr, Fort Lauderdale, FL 33304
Folio Numbers: 504201060770 & 504201060760
Date: March 19, 2025

PROJECT LOCATION:

The proposed “OPUS AT 701” is a multifamily residential development situated on a 0.78-acre (33,998 sf) site in Fort Lauderdale, Florida. Positioned east of the Intracoastal Waterway along Bayshore Drive, the site is just steps from the Atlantic Ocean. It comprises two lots owned by the same entity, currently occupied by a residential building and a motel. The property falls within the IOA (Intracoastal Overlook Area) zoning district, designated with land use Central Beach Regional Activity Center (Central Beach RAC). The zoning permits a density of 70 dwelling units per acre, enabling the development of up to 54 units.



DEVELOPMENT DESCRIPTION:

The proposed multifamily structure is a proposed 54-unit residential condominium building, standing 144 feet tall as a 13-story structure with an additional roof deck. The ground floor features a lobby with amenities including a fitness center, spa, game room, and a pool deck overlooking the Intracoastal Waterway. Above the lobby, a parking podium accommodates 114 parking spaces. Floors 4 through 13 house a variety of unit types and sizes, inclusive of a penthouse level. The top floor includes an elevated roof deck with an infinity-edge pool, a clubhouse lounge, artificial turf areas, and designated spaces for required mechanical equipment.

The primary entrance features a curb cut leading to a covered porte-cochère drop-off area. Due to the site’s grading being below flood elevation (2.00 at the sidewalk), the drop-off is elevated to 4.50 NAVD, with residents accessing the main entry via stairs or an ADA-compliant lift so that the lobby will be at base flood plus the required 1.4’. The rear yard includes a partially covered pool deck with cabanas, offering views of the Intracoastal Waterway.

BUILDING AND SITE DESIGN ELEMENTS:

The “OPUS AT 701” showcases a contemporary architectural style, featuring rounded balconies that offer panoramic views of the Intracoastal Waterway for west-facing units and the Atlantic Ocean for east-facing units. In order to provide some architectural breaks in the balconies, they are interrupted at the four sides by a vertical frame that connects the lowest balcony to a roof frame, extending 14 feet above the roof deck. Each balcony incorporates a rounded slab edge detail for a softened appearance and glass railings for a light, transparent aesthetic.

The parking podium is designed with rhythmic vertical slats, creating a wave-like motion across all four elevations. As the “wave” ascends, a horizontal canopy emerges, providing shade below. The building’s exterior palette combines soft whites on the walls, transparent glazing for unit storefronts, and champagne-colored aluminum finishes on mullions and podium screening. This sophisticated blend of colors and tones harmonizes with the lush greenery of the surrounding landscape.



CONCLUDING REMARKS:

This letter outlines the intent of the proposed “OPUS AT 701” development, designed to enhance the evolving cityscape of Fort Lauderdale. The project features a 13-story multifamily building with 54 residential units and 114 parking spaces, crafted to be an aesthetically pleasing addition to the community.

September 12, 2025
Updated November 25, 2025
Updated February 6, 2026
Updated March 2, 2026

VIA LAUDERBUILD
DEVELOPMENT REVIEW COMMITTEE
URBAN DESIGN & PLANNING DIVISION
DEVELOPMENT SERVICES DEPARTMENT
CITY OF FORT LAUDERDALE
700 NW 19TH AVE
FORT LAUDERDALE, FL 33311

Re: OPUS AT 701 - Case No. UDP-S25037
Project and ULDR Narrative for Site Plan Level IV Review: 13-Story, 54 Multifamily Units with Request for Additional Height Request Above 120 Feet in the Central Beach Regional Activity Center

This firm represents 623 BAYSHORE DR LLC and 701 BAYSHORE DR LLC (collectively, the “Applicant”), as owner of the real property located at 623 and 701 Bayshore Drive, Fort Lauderdale, FL 33304, Folio Nos. 504201060770 and 504201060770 (the “Property”). Applicant is requesting Site Plan Level IV approval for a 13-story (144 feet to top of roof slab) multifamily building with 54 multifamily units and 114 parking spaces (the “Project” or “OPUS AT 701”). The Property is in the Central Beach Regional Activity Center (“Central Beach RAC”) and zoned Intracoastal Overlook Area (“IOA”). We hereby provide the following responses demonstrating the Project’s compliance with the Unified Land Development Regulations (“ULDR”).

1. PROJECT DESCRIPTION

OPUS at 701 requests a height increase from 120 feet to 144 feet. The height increase accommodates a 13-story program with rooftop amenities that activate the skyline, while maintaining compatibility with the established scale and development pattern along Bayshore Drive and North Birch Road. Importantly, the tower satisfies the 12-foot tower setback and the 30-foot tower separation requirements as measured to the tower face, consistent with the ULDR definitions.

In response to staff direction, the Applicant revised the tower elevations to introduce vertical frame elements on the east and west façades to break up horizontality and to reduce portions of the balconies on the north and south façades. These enclosed / unenclosed balconies and design elements break up the building’s massing, create façade depth, and enhance visual interest without obstructing light, air, or views.

At the ground level, the design incorporates a sculptural cast-in-place concrete porte-cochère arrival sequence framed by a transparent lobby and lush tropical landscaping, ensuring a welcoming pedestrian environment and a strong connection to the street and public realm.

Stephanie J. Toothaker, Esq.
land use development political strategy procurement

Stephanie J. Toothaker, Esq., PA 954.648.9376 stephanie@toothaker.org  @stoothaker  @toothakerdevelopment
401 E Las Olas Blvd, Suite 130-154 Fort Lauderdale, FL 33301

It should also be noted that the Structural Assessment of Manhattan Tower dated February 10, 2026, prepared by BNI Structural Engineers, and the Manhattan Tower Historic Assessment dated February 23, 2026, prepared by Peacock Architects, conclude that the existing building, particularly its namesake tower, has sustained significant structural deterioration, including cracked and spalled concrete and heavily corroded steel members concealed beneath layers of paint. The reports further note that the building has been substantially altered from its original form. Based on these findings, the assessments conclude that demolition of the Manhattan Tower located at 701 Bayshore Drive is justified due to significant structural deficiencies. To acknowledge the Property’s history, the Project proposes installation of a 36-inch round sculpture model of the Manhattan Tower at the porte cochère/lobby entrance as a commemorative element honoring the architectural identity of the original structure.



REQUIREMENTS	IOA	Proposed	Request
Max. Density	70 du/net acre	54 units	Complies
Max. Structure Height	120' <u>or</u> up to 144 feet*	144'	Complies per Section. 47-12.5.F. (subject to 16,000 SF floorplate max.)
Max. Building Streetwall	200' <u>or</u> modification**	136'	Complies
Min. Front Yard*** (East / Bayshore Drive)	20' with max. 3' architectural feature encroachment and 5' balcony encroachment per Section 47-12.5.E <u>or</u> modification**	20'	Complies Per ULDR 47-12.5.E.2, non-habitable lobby entry features such as porte-cochere are exempt from yard requirements
Min. Side Yard (North / Adj. Property)			
Min. Side Yard (South / Adj. Property)			
Min. Rear Yard (West / Waterway)			
Max. Building Podium Height	65'	65'	Complies
Min. Tower Stepback (for portion above 65', between podium edge to tower face, applies only for portions fronting ROW)	12' <u>or</u> modification**	12' from podium edge to tower face; 0' to balcony	Complies
Min. Tower Separation (for portion above 65', between tower to property line)	30' <u>or</u> modification**	North: 32' to tower face; 30'-0" to balcony South: 32' to tower face; 30'-0" to balcony	Complies
Max. Tower Floorplate	Under 65': No maximum Above 65': 16,000 SF or modification*	13,967 SF (excluding unenclosed balconies)	Complies
<p>* Per Section 47-12.5.F,height may exceed the maximum structure height as provided in Section 47-12.4.1 by up to 20% but not exceeding a height of 144 feet, provided that the structure has a maximum floorplate of 16,000 square feet and subject to City Commission (Site Plan Level IV) approval.</p> <p>** Per Section 47-12.6.C.1.e, modifications to building length and width, tower stepback, floorplate size, tower separation, and yards is permitted subject to compliance with the criteria in Section 47-12.6.C.1.e and PZB (Site Plan Level III) approval.</p> <p>*** Front and corner yard may be reduced in accordance with the minimum design standards set forth in Section 47-12.5.D</p>			

2. UNIFIED LAND DEVELOPMENT REGULATIONS ANALYSIS

Provided below is a point-by-point analysis the ULDR criteria applicable to the Project:

**ULDR Section 47-12.5.E, Design Features;
ULDR Section 47-12.5.F, Height Request in IOA District;
ULDR Section 47-25.2, Adequacy Requirements; and
ULDR Section 47-25.3, Neighborhood Compatibility Requirements**

ULDR Section 47-12.5.E – Design Features

E. *Design Features.*

1. Architectural features in Central Beach zoning districts. Architectural features such as eaves, cornices, unenclosed balconies, open railings, windows, awnings, bay windows, and dormers are permitted to extend into a required yard area a maximum distance of three (3) feet from the face of the building. Unenclosed balconies are permitted to extend into a required yard area a maximum distance of five (5) feet from the face of the building, subject to Section 47-26.A.2, City Commission Request for Review.

RESPONSE: The balconies do not encroach into the setbacks.

3. Non-habitable lobby entry features such as porte-cochere are exempt from yard requirements.

RESPONSE: The proposed port cochere is permitted to encroach within the 20-foot setback.

ULDR Section 47-12.5.F – Height – SLA, IOA, NBRA, SBMHA

F. *Height - SLA, IOA, NBRA, SBMHA.*

1. Notwithstanding the maximum structure height as provided in Section 47-12.4.1, a beach development permit may be issued for a development with a height that exceeds the maximum structure height as provided in Section 47-12.4.1 by up to twenty (20) percent but not exceeding a height of one hundred forty-four (144) feet, provided that the structure has a maximum floorplate of sixteen thousand (16,000) square feet and the development permit is subject to city commission approval pursuant to Section 47-12.6.

RESPONSE: Applicant is requesting a height increase of 20% from 120 feet to 144 feet. The maximum tower floorplate complies at 13,967 GSF.

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.
RESPONSE: The adequacy requirements are applicable to the Project.

- 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: The Project will not interfere with the City's communication 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: Refer to Drainage Calculations prepared by Flynn Engineering dated September 12, 2025. Water quality and storm attenuation will be provided for in a new storm water collection system with the intent of meeting all Broward County, City of Fort Lauderdale, and South Florida Water Management Criteria.

- 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, a 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:

- Broward County Ordinance No. 89-6.
- Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
- 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: There are no environmentally sensitive lands located on the Property to Applicant's knowledge.

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

- 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: Project will comply.

- 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: Controlled access doors, security cameras and lobby personal will be provided. The Project will provide improvements which are consistent with Crime Prevention Through Environmental Design principles to minimize the 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: Refer to Water and Wastewater Capacity Availability letter dated September 24, 2025 confirming the existing infrastructure does not require improvements to meet the increased demands of 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.

RESPONSE: Refer to Water and Wastewater Capacity Availability letter dated September 24, 2025 confirming the existing infrastructure does not require improvements to meet the increased demands of the Project.

- 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: Refer to Preliminary SCAD confirming the Project satisfies public school concurrency requirements.

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. 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: Solid waste and recycling collection will be provided by a private contractor licensed with the City of Fort Lauderdale.

- 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: Applicant will submit an application to Broward County, satisfy all current criteria for surface water requirements, and obtain all local and state licenses.

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

- i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
- ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
- iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
- iv. A further detailed analysis and any other information that the review committee considers relevant.
- v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.
- vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

RESPONSE: Refer to Traffic Statement prepared by KBP Consulting, Inc. dated September 9, 2025 which concludes: “Based upon the foregoing analyses, the trip generation characteristics of the Bayshore Residences residential development do not warrant further detailed traffic analyses. And the Central Beach Regional Activity Center (RAC) has sufficient remaining trip generation capacity to accommodate this project.”

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 and will comply as applicable.

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: Project complies by providing a 7' wide sidewalk on Bayshore Drive.

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: Not applicable. The Project abuts Bayshore Drive which is a secondary local street.

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: Not applicable.

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: Project complies. Refer to Landscape Plans.

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: Refer to Water and Wastewater Capacity Availability letter dated September 24, 2025 confirming the existing infrastructure does not require improvements to meet the increased demands of 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 offsite 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: Project will comply as applicable.

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: The 2017 Central Beach Architectural Resource Survey identifies 623 and 707 as “contributing properties” within a *potential* “Birch Estates” historic district, with 707 also noted as potentially eligible for individual landmark status. However, there is no

formal designation or pending application before the City’s Historic Preservation Board, and the properties are not designated historic landmarks.

Additionally, refer to Structural Assessment of Manhattan Tower dated February 10, 2026 prepared by BNI Structural Engineers and Manhattan Tower Historic Assessment dated February 23, 2026 prepared by Peacock Architects which concluded:

“...the tower, which the building derives its name from, and the most unique architectural feature of the structure, has sustained extensive damage to both structural concrete portions and steel members. The concrete structure evidence signs of structural damage, exhibiting cracking and spalled portions, and the steel members portray signs of significant rusting, which both have been covered by layers of paint. The building has also been significantly remodeled and altered from its original form, citing the remodels listed above, to include the replacement of the original tower sign, new site features, and replacements of railings and windows. In summary, the demolition of the Manhattan Tower located at 701 Bayshore Drive is justifiable because of significant structural concerns within the building and namesake tower.” (emphasis added)

- 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: Applicant informed the Broward County Office of Regional Emergency Services and Communications Office of the Project.**

Sec. 47-25.3. Neighborhood Compatibility

A. The neighborhood compatibility requirements are as follows:

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

RESPONSE: Refer to analysis above.

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: Should any County license be required, the Applicant will apply and obtain.

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) footcandle 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: Project complies. The parking podium is designed with rhythmic vertical slats, creating a wave-like motion across all four elevations while adequately screening vehicles from the public realm and surrounding properties.

- 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: Project complies. The design incorporates a mix of materials, façade articulation, and glazing that provides transparency and visual interest.

- 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: Project complies. All loading and service is internalized to the building.

- 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 shall be

required to be screened with material that matches the material used for the principal structure and shall be at least as high as six (6) inches above the top most surface of the roof mounted structure.

RESPONSE: Project complies. All mechanical equipment is screened to not be visible from adjacent properties. Refer to rooftop sheet A-1.9 and detail sheet A-3.9.

- c. *Setback regulations. Not applicable. As such, this section has been omitted.*
- d. *Bufferyard requirements. Not applicable. As such, this section has been 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, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

RESPONSE: The Project is compatible with the surrounding area and existing/proposed development. Surrounding properties are similarly zoned IOA and NBRA.

- 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, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts. Roadway adjustments, traffic control devices or mechanisms, and access restrictions may be required to control traffic flow or divert traffic as needed to reduce or eliminate development generated traffic on neighborhood streets.

RESPONSE: Project complies with the intent of the Central Beach Master Plan as described herein.

ii. Reserved.

iii. Reserved.

iv. All development that is located on land within the CBA zoning districts;

AND

All development that is zoned RMM-25, RMH-25 and RMH-60 east of the Intracoastal Waterway;

AND

All nonresidential development lying east of the Intracoastal Waterway.

- a) In addition to meeting the other applicable review requirements of this subsection 3., it shall be determined if a development meets the Design and Community Compatibility Criteria.

The purpose of the Community Compatibility Criteria is to define objectives for private sector development which either abuts or is readily visible from public corridors. The relationship between private and public sector development must be carefully planned to avoid negative impacts of one upon the other. The city's intent in implementing these objectives is to:

- i. Protect the investment of public funds in public corridor improvements.
- ii. Improve the visual and functional quality of both public and private development by coordinating the transition between these areas.
- iii. The ultimate goal of these objectives is to integrate buildings, vehicular circulation, pedestrian circulation, open space and site elements into a unique, pedestrian sensitive environment which stimulates revitalization.

The Community Compatibility Criteria that are required to be met are as follows:

- b) *Bulk Controls:*

Density:

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

RESPONSE: Project complies with maximum density for the IOA District.

Floor Area Ratio:

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

RESPONSE: Project complies as there is no maximum FAR in the IOA District.

Maximum Height:

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

RESPONSE: Project complies with the maximum 144 feet building height for the IOA District.

Yards:

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

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

RESPONSE: The Project meets the required 20-foot setbacks on all sides.

c) *Massing Guidelines:*

Overall Height:

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

RESPONSE: Project complies. Balconies are interrupted at the north and south ends by a vertical frame that connects the lowest balcony to a roof frame, extending 14 feet above the roof deck, giving the structure a distinctive profile along the Central Beach skyline.

Vertical Plane Moderation:

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

RESPONSE: Project complies. Horizontal variation is provided through continuous balconies, recessed volumes, and projecting elements that break up the vertical plane and avoid repetitive patterns, thereby moderating scale and massing above thirty-five feet.

Cornice Height:

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

RESPONSE: Project complies. The podium incorporates a consistent horizontal datum at thirty-five feet, expressed through a uniform shift in massing and material treatment carried across the façades. This establishes a clear cornice line and reinforces the scale of the pedestrian environment.

Facade Treatment:

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

RESPONSE: Project complies. The ground-level façades incorporate a transparent lobby, porte-cochère framed with sculptural columns, and varied material treatments

that establish a strong pedestrian scale. Vertical screening and landscaping further enhance visual interest while reinforcing compatibility with the public realm.

Overstreet Connections:

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

RESPONSE: Not applicable.

d) *Street Level Guidelines:*

Active Use:

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

Structured parking facilities should be designed with street level frontages consisting of either occupied retail space or an architecturally articulated facade which screens the parking area of the structure. Street level openings to parking structures should occur only on sidestreets and be minimized to accommodate necessary vehicle entrances and pedestrian access only. Buildings which provide pedestrian active retail uses along a majority of their A1A northbound street level frontage may be permitted to exceed setbacks established under the Central Beach Area Zoning Districts (Section 47-12). In addition, street level retail and restaurant uses may be permitted to use a portion of the public sector sidewalk for sidewalk displays and/or outdoor dining areas. Private use of public sector sidewalks must be temporary only and subject to all applicable codes and lease arrangements. All displays, furnishings and other elements associated with these active street level uses should be designed and maintained to enhance the visual and functional quality of the streetscape and should be compatible with public sector site elements.

RESPONSE: Project complies. The ground level is designed for maximum pedestrian engagement, with glazed storefront-style facades, lush landscaping, and a shaded lobby entrance.

Fenestration:

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

RESPONSE: Project complies. The ground level provides visual transparency through the extensive use of glass.

Arcades/Canopies:

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

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

RESPONSE: While not required, the Project incorporates a prominent canopy above the entry drive and lobby, creating visual emphasis at the pedestrian entrance and protection from the elements.

Trash/Loading Facilities:

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

RESPONSE: Project complies. All trash/loading is located away from public view.

e) *Other Guidelines:*

Energy Conservation:

Buildings should be oriented to take advantage of southeasterly breezes for summer cooling and interrupt occasionally strong northeasterly winds. Exterior glass surfaces should be shaded to improve energy efficiency. Roof and exterior wall finishes should be light in color to encourage maximum reflection/minimum transmission of heat loadings.

RESPONSE: Project complies. Project complies. Sustainable design strategies include: recessed glazing and wraparound balconies for passive shading, louvered architectural screens to reduce heat gain, light-colored finishes and landscaped microclimates that lower surrounding surface temperatures and support thermal comfort at the pedestrian level.

Building Separation:

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

RESPONSE: Project complies. The building maintains a slender vertical profile, with a maximum tower floorplate below 16,000 GSF (excluding the unenclosed balconies), and provides 32 feet of separation measured from the tower face to the property line on the

north and south sides, preserving view corridors, breezeways, and light access to and from the Intracoastal Waterway.

Rooftop Design:

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

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

RESPONSE: The distinctive angled roofline adds architectural character and identifies the building within the Central Beach skyline. All rooftop mechanical equipment is screened and incorporated into the architectural mass.

f) *Vehicular Circulation:*

Ingress/Egress:

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

RESPONSE: Not applicable as Property is zoned IOA. However, vehicular access has been thoughtfully planned to minimize conflicts with pedestrian flows.

Arrival/Drop-off Areas:

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

RESPONSE: Project complies. The primary arrival and drop-off area is located along Bayshore Drive, designed as a dedicated porte-cochère that provides ample room for vehicle stacking, loading, and unloading functions without impeding through traffic. The porte-cochère is framed by sculptural columns and opens directly to a transparent lobby, clearly defining the main pedestrian entrance.

Other:

Individual parcels should be encouraged to accommodate transit stops for the county bus service, the proposed water taxi and other transit systems. Fire access lanes and other emergency vehicular accessways may be designated by the appropriate public agency. Uses that require service by large vehicles should be designed to allow large vehicle access without blockage of adjoining vehicular or pedestrian circulation.

RESPONSE: Not applicable.

g) *Pedestrian Circulation:*

Urban Open Spaces/Plazas:

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

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

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

RESPONSE: Project complies. The ground level incorporates a terraced, landscaped entrance sequence and a covered porte-cochère that together create a generous urban open space for resident and guest arrival. The streetscape edge is reinforced with palms and layered planting, and site furnishings that maintain continuity with adjoining properties while softening the transition from public to private space.

Pedestrian Corridors:

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

RESPONSE: Project complies. A 7' wide sidewalk is provided along Bayshore Drive.

Parking:

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

Parking facilities should be located in close proximity to the building they serve with direct pedestrian access from parking to building which does not impact public pedestrian facilities. Vehicular circulation within parking areas should remain internal to the parking facility and public roads should not be utilized as part of the parking circulation system. Structure parking should be encouraged subject to the street level building guidelines outlined herein. Covered parking should also be encouraged providing the overhead structures are compatible with adjoining architecture/ site elements and comply with the building rooftop design guidelines outlined herein. Grade level parking must be adequately screened so parked cars are not visible from adjoining public corridors, and landscaped to moderate views from surrounding buildings.

Parking perimeters may incorporate walls, fencing, mounds and/or landscape treatments to meet the screening requirement providing these elements are compatible with adjoining public

sector site elements and allow safe and secure use of parking facilities. Trash, storage and mechanical equipment located within parking facilities should also comply with the screening requirements outlined herein.

RESPONSE: Project complies. The parking podium is designed with rhythmic vertical slats, creating a wave-like motion across all four elevations while adequately screening vehicles from the public realm and surrounding properties.

h) *Perimeter Treatments:*

Screening:

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

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

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

RESPONSE: Project complies. Rooftop mechanical equipment is architecturally screened and integrated into the building design.

Paving:

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

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

RESPONSE: Project complies.

Landscape:

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

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

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

RESPONSE: Landscaping meets ULDR requirements. Refer to Landscape Plan Sheets.

i) *Site Furnishings:*

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

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

RESPONSE: Site furnishings will meet the applicable intent for the IOA district.

j) *Signage:*

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

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

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

RESPONSE: Signage will meet the intent and is proposed to be submitted under a separate application/permit.

k) *Lighting:*

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

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

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

RESPONSE: Project complies. Proposed site lighting as depicted in the Photometric Plans complies with all code requirements.

l) *Utilities:*

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

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

RESPONSE: Taken under advisement.

m) *Site Plan Objectives:*

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

RESPONSE: Project complies with the Central Beach Revitalization Area objectives as described herein and the plan set.

n) *Usable Outdoor Spaces:*

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

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

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

RESPONSE: Project complies. Outdoor cabanas, amenity and rooftop decks, and balconies maximize the outdoor spaces for residents.

Pedestrian Accessible Spaces:

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

RESPONSE: Not applicable for residential project.

o) *Defensible Space:*

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

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

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

RESPONSE: Project complies. Refer to Landscape plans.

Provide foundation/entry plantings to the development.

RESPONSE: Project complies. Refer to Landscape plans.

All sites should exhibit lush tropical landscaping.

RESPONSE: Project complies. Lush tropical landscaping is provided to define and enhance the Project and public realm.

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

RESPONSE: Not applicable.

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

RESPONSE: Project complies. A tower separation of 32 feet to tower face and 30 feet to balconies is provided on both the north and south sides, which maintains openness between structures and preserves view corridors toward the Intracoastal.

Respectfully,

Stephanie J. Toothaker, Esq.