



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#26-0687

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Christopher Cooper, Acting City Manager

DATE: August 18, 2026

TITLE: Quasi-Judicial Resolution Approving a Site Plan Level II Development Permit for a Site Redevelopment with an Alternative Design Request – ACS Flagler, LLC. – Shader Retail – 801 N Federal Highway – Case No. UDP-A25019 – **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider a resolution approving a Site Plan Level II Development Permit for a site redevelopment with an alternative design to the local street cross section for “*Shader Retail*” located at 801 N Federal Highway.

Background

The applicant, ACS Flagler, LLC., is proposing to improve an existing retail building located at the northwest corner of N Federal Highway and NE 8 Street. The site is zoned Regional Activity Center – Urban Village (RAC-UV) District, with an underlying future land use designation of Downtown Regional Activity Center (DRAC). Per the City’s Unified Land Development Regulations (ULDR) Section 47-13.20.J.3, if an applicant requests a deviation from Section 47-13.20.B. of the ULDR, the Downtown Master Plan (DMP) Standards, they may submit an alternative design of the proposed development for review and approval by the City Commission, if the alternative design is found to meet the overall intent of the DMP.

The applicant is proposing to construct a 1,824 square-foot addition to the existing building and associated site improvements. The proposed addition would increase the total building square footage to 4,768 square feet.

The original retail building is a legal nonconforming structure constructed in the late 1950s prior to the DMP which allows for deviations. Pursuant to ULDR, Section 47-3.2, Nonconforming Structures, a nonconforming structure may not be enlarged or altered in a way which increases its nonconformity. To avoid the termination of the building’s legal nonconforming status, the applicant sought and obtained variance from Sections 47-3.8.A.1 and 47-3.8.A.2. The Board of Adjustment (BOA) Final Order was issued on August 13, 2025 and is attached as Exhibit 3.

The application was reviewed administratively on February 18, 2026, and all technical comments have been addressed. A Location Map is attached as Exhibit 1. The Application, Applicant's Narratives, and Reduced Plan Set are attached as Exhibit 2. The August 13, 2025, BOA Final Order is attached as Exhibit 3. The Administrative Review Staff Report with Applicant's Responses is attached as Exhibit 4.

Downtown RAC Review Process and Special Regulations

The project is located within the Near Downtown Character Area, as defined in the DMP. The Near Downtown Character Area is made up of a variety of institutional, retail, and office uses, and offers a variety of housing options. It is characterized by intermediate scale buildings that frame the street with a defined building shoulder height and tower step backs.

Included in the application are renderings showing the proposed design of the one (1)-story addition to the existing building, including the new building frontage along Federal Highway that provides space for several new tenants. Table 1 highlights some of the required and proposed development dimensional requirements in the Near Downtown Character Area.

Table 1: Dimensional Requirements – Near Downtown Character Area

DMP STANDARD	REQUIRED	PROPOSED	COMPLIES OR ALTERNATIVE DESIGN
MAXIMUM BUILDING HEIGHT	Thirty (30) floors	One (1) floor	Project Complies
MAXIMUM BUILDING LENGTH	300 feet	Sixteen (16) feet	Project Complies
LOCAL STREET CROSS SECTION	Thirty-five (35) feet to centerline	Twenty-seven (27) feet seven (7) inches to centerline	Alternative Design Request

Pursuant to ULDR Section 47-13.20.B, projects in the Downtown RAC are required to meet the DMP minimum standards listed in that section. In the event the applicant desires to deviate from the requirements of the minimum standards, then the applicant must propose alternative design solutions that meet the overall intent of the DMP and request approval by the City Commission. The applicant is requesting alternative design solutions to the local street cross section in the DMP. The local street cross section, found on page 4.35 of the DMP, illustrates principles and guidelines of the DMP, the applicant proposes alternative to the dimensional and landscape requirements more expressly explained below.

- *Principles of Street Design – Local Street Dimensions*

Local street cross section dimensions include travel lane, on-street parking, landscape, and sidewalk. Due to the existing site conditions, the applicant is proposing to have the sidewalk adjacent to the curb and trees adjacent to the building addition, which will deviate from the total cross section length from thirty-five (35) feet to twenty-seven (27) feet from centerline of road to the building. This is due to the existing building and existing site conditions.

- **Principles of Street Design – Local Street Landscape**

Local streets shall contain trees with a minimum horizontal clearance from building face at six (6) feet for palms and twelve (12) feet for trees, respectively. Due to the existing site conditions, the applicant is proposing to have horizontal clearance that ranges from seven feet, ten inches (7'10") on the east façade to eight feet, six inches (8'6") inches on the west façade.

In addition, local streets shall contain shade trees along the street with palms at intersections. The applicant is proposing to install two (2) palm trees at the corner of NE 8 Street and NE 5 Terrace. However, due to existing site conditions there is no room to install landscaping at the corner of N. Federal Highway and NE 8 Street.

- **Store Fronts**

Encourage fifteen feet (15') minimum floor to floor height and, encourage interior ground floor flush with adjacent public sidewalk. Due to FEMA and Florida Building Code requirements, the finished floor needs to be elevated. Therefore, it is not possible to have the building flush with the sidewalk. Ground floor is has been slightly raised to comply with city floor requirement. Floor is only +/- eighteen inches (18") above existing sidewalk.

Encourage pedestrian shading devices of various types (min five (5) foot depth). Due to insufficient space between building and existing sidewalk, the applicant is proposing canopies which are more shallow.

Adequacy Requirements

Water and wastewater are serviced by the City of Fort Lauderdale. A capacity letter, dated June 29, 2026, was issued by the City's Public Works Department which identifies the plant facilities, pump station and associated infrastructure servicing this project and the project's impact on capacity. This request will not affect the Water and Wastewater analysis, and the capacity will not be impacted. The Water and Wastewater Capacity Letter is provided as Exhibit 5.

Parking and Transportation

The applicant submitted a traffic study prepared by KBP Consulting, Inc., dated April 29, 2026. The parking analysis indicates that the existing eleven (11) parking spaces located on the northern portion of the site and the two (2) parallel spaces located adjacent to the site along NE 5 Terrace are sufficient for the proposed project with the addition. The Parking Analysis, dated April 29, 2026, is provided as Exhibit 6.

Resource Impact

There is no fiscal impact associated with this section.

Strategic Connections

This item is a FY 2025 Commission Priority, advancing the Public Places and Community Initiatives.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- Business Growth and Support, Goal 6: Build a diverse and attractive economy.

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Community.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- Neighborhood Enhancement Focus Area
- Future Land Use Element
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.
- Goal 3: Promote the advancement of great neighborhoods throughout the implementation of the Goals, Objectives and Policies of this plan in compliance with the Broward County Land Use Plan and State Regulations.
- Urban Design Element
- Goal 1: Promote high-quality and sustainable building design elements which complement the public realm.

Attachments

Exhibit 1 - Location Map

Exhibit 2 - Application, Applicant's Narrative, and Reduced Plan Set

Exhibit 3 - August 13, 2025, Board of Adjustment Final Order

Exhibit 4 - Administrative Review Staff Report with Applicant's Responses

Exhibit 5 - June 29, 2026, Water and Wastewater Capacity Letter

Exhibit 6 - April 29, 2026, Parking Analysis, KBP Consulting, Inc.

Exhibit 7 - Resolution Approving

Exhibit 8 - Resolution Denying

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