



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#26-0495

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

FROM: Rickelle Williams, City Manager

DATE: June 16, 2026

TITLE: Quasi-Judicial Resolution Approving a Site Plan Level II Development Permit with allocation of flex units and Alternate Design Requests in the Downtown Regional Activity Center – 11 N Andrews Avenue – Bachow Fam OZ Fund, LLC – Case No. UDP-S25053 – **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider a resolution approving a Site Plan Level II development permit with allocation of sixty-two (62) additional residential flex units and Alternate Design requests for exceeding the maximum floor plate size, decreasing the local street cross section width, and decreasing the tower separation for “11 N Andrews Avenue”, a twenty-seven (27)-story mixed-use development located at 11 N Andrews Avenue. The project includes a total of 378 residential units and 4,821 square feet of commercial space, currently listed as “retail” use.

Background

The applicant, Bachow Fam OZ Fund, LLC, is proposing to redevelop a vacant 33,553 square-foot parcel of land at the northwest corner of Broward Boulevard and N Andrews Avenue. The proposed site is zoned Regional Activity Center – City Center (RAC-CC) District, with an underlying future land use designation of Downtown Regional Activity Center (DRAC). A Location Map is provided as Exhibit 1.

A prior development application (Case UDP-S22023) for a twenty-three (23)-story, 244 foot tall mixed-use development with 316 residential units was originally approved on the subject site on April 8, 2023, and a subsequent site plan amendment was approved on December 30, 2023, increasing the building height to thirty-seven (37) stories, 385 feet tall, and adding 1,500 square feet of commercial space. At this time, the applicant is proposing a new development (Case UDP-S25053) with alternative design solutions as described herein and requesting sixty-two (62) additional residential flexibility units, increasing the total units from 316 to 378 and decreasing the building height from thirty-seven (37) to twenty-seven (27) stories, 293 feet tall.

The proposed development was reviewed by the Development Review Committee (DRC) on January 13, 2026. The Application, Project Narratives, and Plan Set are attached as

Exhibit 2. The DRC Report with Applicant’s Responses is attached as Exhibit 3.

Downtown RAC Review Process and Special Regulations

The Unified Land Development Regulations (ULDR) Section 47-13.20, Downtown RAC Review Process, includes the approval process, dimensional requirements, and design regulations applicable to the development. The project is located within the Downtown Core character area, as defined in the ULDR and Downtown Master Plan (DMP). The Downtown Core character area encourages a higher intensity of commercial, entertainment, office, and civic uses with high-density residential uses, characterized by dense, slender towers with minimum setbacks. The regulations are implemented through the application of quantitative and qualitative standards to ensure the vision for Downtown is achieved, while providing flexibility for applicants to request alternate designs as long as the DMP design intent is maintained.

Per ULDR Section 47-13.20.J.3, if an applicant seeks to deviate from the minimum standards of the Downtown Core character area, the applicant 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 proposes three (3) deviations to the design regulations:

- To exceed the maximum floorplate size of 12,500 square feet for residential towers above fifteen (15) stories high, with a proposed sixty percent (60%) increase to 20,020 square feet.
- To decrease the minimum tower separation distance of thirty feet (30’) by sixteen and two-thirds percent (16.6%) to twenty-five feet (25’).
- To decrease the setback of the building required by the local street cross section along NW 1 Avenue from thirty-five feet (35’) to twenty-seven feet eight inches (27’8”).

Staff reviewed each design alternative against the applicant's justification to assess if it upheld the DMP design intent and collaborated with the applicant to refine solutions that met the intent. The applicant is meeting the dimensional requirements for building height, building length, podium height, and minimum unit size. Table 1 provides the required and proposed dimensional requirements for the Downtown Core character area, and whether an alternative design solution is proposed for each requirement.

Table 1: Dimensional Requirements – Downtown Core Character Area

DMP STANDARD	REQUIRED	PROPOSED	COMPLIES OR DEVIATES
MAXIMUM BUILDING HEIGHT	N/A	293 feet – 9 inches (27 floors)	Project Complies
MAXIMUM BUILDING LENGTH	300 feet	239 feet – 7 inches	Project Complies
MAXIMUM GROSS SQUARE FOOTAGE OF BUILDING TOWER FLOOR PLATE SIZE	12,500 square feet	20,020 square feet	Alternative Design Requested
MAXIMUM PODIUM HEIGHT	9 floors	91 feet – 9 inches (9 floors)	Project Complies

TOWER SEPARATION	30 feet minimum	25 feet (Tower Separation to the west)	Alternative Design Requested
LOCAL STREET CROSS	35 feet to the building face	27 feet-8 inches to the building face at podium level, and 27 feet-8 inches to the balconies on the tower above.	Alternative Design Requested
MINIMUM UNIT SIZE	400 square feet	460 square feet	Project Complies

The applicant has provided an Alternative Design Justification Narrative on the alternative design solutions, attached as Exhibit 4.

- Maximum Building Tower Floorplate**

The project proposes a building tower floorplate of 20,020 square feet exceeding the required maximum of 12,500 square feet resulting in a sixty percent (60%) increase. According to the applicant, shifts in the tower design create a deeper notch on the east side of the building, providing vertical relief to the twenty-seven (27)-story building. The deeper notch paired with projecting balconies, forms the appearance of two (2) adjacent towers with smaller floorplates. Additionally, the perceived division of the massing is reinforced through a series of vertical fins running up the length of the tower, which are lit with LED lighting highlighting the depth of the notch.
- Maximum Building Tower Separation Distance**

The project proposes a tower separation on the west elevation of twenty-five (25) feet from the centerline of the alley where thirty feet (30') is required. According to the applicant, through shifts in the tower orientation and design, the building floorplate has been designed in a barbell shape which allows for the massing to include notches on both the east and west building facades. Approximately half of the façade along the alley is set back further than the minimum thirty foot (30') separation distance, and no portion of the building façade encroaches into the separation distance. To provide a more articulated façade along that northern edge, the applicant has provided three (3) balcony stacks which are consistent with the overall building design and create the appearance of a larger offset between the notch and balcony projections. By providing this minor encroachment condition on the west side, the building was able to be designed to accommodate more articulated design features along the more prominent edges of the building, along with including larger pedestrian plaza areas at the ground level.
- Local Street Cross Section**

According to the applicant, the project has intentionally been shifted to the north to allow for a more prominent and pedestrian oriented active space at the ground level adjacent to Broward Boulevard and Andrews Avenue. At the ground level of NW 1 Street, the applicant has proposed a ten foot (10') wide sidewalk, and an approximately eight foot (8')-wide landscaping strip with evenly spaced shade trees and palms at the corner of NW 1 Street and Andrews Avenue. The placement of the building and balconies within the required local street cross section allows the design of the north building façade to be consistent with the overall building

design.

Open Space

Pursuant to ULDR, Section 47-13.20.E.2, for developments within the RAC-CC zoning district, open space shall be required at a minimum equivalent of ten percent (10%) of the gross lot area. The project is required to provide 3,323 square feet of open space based on the gross lot area of 33,428 square feet. The proposed project exceeds the requirement, proposing 18,559 square feet of open space with 10,325 square feet at the ground level where a minimum of forty percent (40%) or 6,548 square feet is required.

Parking and Pedestrian Improvements

All vehicular ingress and egress to the site is located from NW 1 Street. Pedestrian improvements are proposed along Broward Boulevard, N. Andrews Avenue, and along NW 1 Street as part of the Downtown Master Plan streetscape requirements. Sidewalks are arranged to connect the pedestrian realm to the plaza spaces and retail along the corner of Broward Boulevard and Andrews Avenue. The development is required to include 378 parking spaces, and the applicant is proposing 437 parking spaces in addition to forty-four (44) bicycle storage spaces.

Development Permit and Density

Pursuant to ULDR 47-13.20.D.4, allocation of dwelling units shall be subject to all applicable provisions of the ULDR at the time of the development permit approval. Additionally, pursuant to ULDR 47-13.20.D.6, a development permit requesting the allocation of flex and reserve units shall comply with Section 47-28, Flexibility Rules, described in the next section below. With the original development approval, 316 residential flex units were allocated to the project. The current application is requesting to increase the residential flex units by sixty-two (62) units. If approved by the City Commission, there will be 1,298 flexibility units remaining for allocation, as provided in Table 2.

Flexibility Rules

Pursuant to ULDR Section 47-28.3.C, flex units in the Regional Activity Center Land Use Designations (RACs) may be allocated to development sites subject to the following conditions:

1. Demonstration that the use of flex units is in conformance with goals, objectives and policies of the City's Comprehensive Plan.

See Comprehensive Plan Consistency section below.

2. Development applications shall be reviewed to determine if the development is consistent with the applicable master plan or has proposed alternative designs which meet the intent of the applicable master plan design guidelines.

Staff reviewed each design alternative against the applicant's justification to assess if it upheld the design intent. The applicant and staff collaborated to refine

solutions that met this intent.

3. Development applications shall be subject to applicable approval requirements in Section 47-24, Development Permits and Procedures.

The application complies with the requirements in Section 47-24 as a Site Plan Level II in the Regional Activity Center requesting alternative design solutions, which must be approved by the City Commission.

4. The allocation of flex units shall expire and terminate upon the expiration of the development permit approval in accordance with Section 47-24.1.M.

The applicant is aware that the allocation of flex units shall expire and terminate upon the expiration of the development permit approval, including any state extensions.

See the table below, outlining the remaining city-wide flexibility units should the site plan be approved:

Table 2 – Flex Unit Summary

	FLEX UNITS
PERMITTED	13,703
ASSIGNED TO DATE	12,343
PENDING THIS APPROVAL	62
REMAINING AFTER ALLOCATION	1,298

Adequacy Requirements

The adequacy criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed development. This includes demand on water and sewer service as well as transportation facilities. Water and wastewater are serviced by the City of Fort Lauderdale. A capacity letter, dated June 8, 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. The existing water infrastructure does not require improvements at this time; however, the wastewater service for this project is dependent on the completion of Pump Station (PS) A-5, which is estimated to be completed fiscal year 2030. A Certification of Occupancy (C.O.) will only be issued once the wastewater system servicing the project, PS A-5, is fully operational. The Water and Sewer Capacity Letter is provided as Exhibit 5.

A traffic generation analysis, prepared by Kimley Horn and Associates, dated November 26, 2025, identified that the change in development program from the previously approved project will result in a reduction of 12 net new A.M. peak hour trips and a reduction of 11 net new P.M. peak hour trips, as compared to the original redevelopment program and presented in the October 2022 approved traffic impact analysis. As the updated redevelopment program results in a decrease in trips, revisions to the traffic

study are not warranted. The Traffic Generation Analysis and Previously Approved Traffic Impact Summary are provided as Exhibit 6.

Comprehensive Plan Consistency

The proposed use is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective FLU 1.1, Policy FLU 1.1.1, which states that Density and intensity standards are utilized to control the intensity or density of all uses within the City in order to ensure compliance with the Goals, Objectives and Policies of the Plan; Future Land Use Element, Goal 1, Objective FLU 1.2, Policy FLU 1.2.1, which states that the City's Unified Flex Strategy shall focus on a long-term vision that promotes a sustainable built environment by focusing development in the City's Regional Activity Centers and shall consider major transit corridors for future mixed-use development, with supporting multimodal transportation options; Urban Design Element, Goal 1, which promotes high-quality and sustainable building design elements which complement the public realm; and Urban Design Element, Goal 2, Objective UD 2.2, which encourages enhanced pedestrian mobility through design standards that focus on pedestrian safety, comfort, reduction of barriers, and amenities.

The City's Future Land Use Map indicates that the proposed project has a Downtown RAC Land Use Designation, which is intended to encourage a vibrant mixed-use Downtown, combining residential uses with office space, retail, restaurants, and places for art, culture, entertainment and civic space.

Public Participation

This application is subject to the public participation requirements established in ULDR Section 47-27.4, which requires applicants to notify City-recognized civic associations and for real property within 300 feet of the project site. The applicant provided notice of the first Development Review Committee (DRC) meeting to the civic association at least twenty-one (21) days prior to the DRC meeting date. Additionally, the applicant conducted a public participation meeting on May 26, 2026. The applicant's notice of DRC Meeting Notice and Affidavit is provided as Exhibit 7.

Conditions of Approval

If the City Commission approves the development permit, the following conditions shall apply:

1. Prior to issuance of Final DRC, applicant shall coordinate with Florida Power and Light (FPL) to determine the feasibility of undergrounding of the utility poles and any other utility equipment, which may affect the site layout.
2. Prior to issuance of Final DRC, applicant shall provide mechanical screening on the rooftop that extends at least six inches (6") above the mechanical equipment to ensure compliance with screening requirements.
3. Prior to issuance of building permit, the applicant will be required to pay a Park Impact Fee for the proposed residential units in accordance with ULDR Sec. 47-38A, Park Impact Fees.
4. Prior to the issuance of building permit, early start or any phased construction

approvals, the applicant must demonstrate having obtained Broward County Surface Water Management License as required prior to any construction activities that alter the flow of surface water.

5. In accordance with the Water and Wastewater Capacity Availability letter issued by the City's Public Works Department, dated May 4, 2026, the existing sewer distribution system requires improvements to accommodate flow increase from the proposed development. Prior to any Certificate of Occupancy, all necessary improvements stated in the Water and Wastewater Capacity Availability letter shall be constructed, certified and in operation per ULDR section 47-25.2. This requirement may be amended only upon issuance of an updated Water and Wastewater Capacity Availability determination from the Public Works Department.
6. Prior to issuance of Certificate of Occupancy, applicant shall record a public right-of-way dedication or right-of-way easement along the west side of N Andrews Avenue consisting of nine (9) feet to partially complete the minimum eighty-eight (88) foot right-of-way section required per the Broward County Trafficways Plan as approved by the Broward County Highway Construction & Engineering Division (BCHCED).
7. Prior to issuance of Certificate of Occupancy, all proposed improvements adjacent and within N Andrews Avenue shall be reviewed and approved by the Broward County Highway Construction and Engineering Division (BCHCED).
8. Prior to issuance of Certificate of Occupancy, all proposed improvements adjacent and within Broward Boulevard shall be reviewed and approved by the Florida Department of Transportation (FDOT).
9. Prior to issuance of Certificate of Occupancy, the applicant shall coordinate and provide a Maintenance Agreement with the BCHCED (for property frontage along N Andrews Avenue), FDOT (for property frontage along Broward Boulevard) and with the City (for property frontage along NW 1 Street). Proposed improvements within adjacent City right-of-way include paver driveway and sidewalk, curb and valley gutters, and landscaping including structural soil and irrigation.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

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

- The Housing Focus Area, Goal 2: Enable housing options for all income levels.

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:

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element

- Goal 1: Permitted Uses – Uses and densities permitted in the future land use categories are established within the City of Fort Lauderdale Land Use Plan.
- Objective 1.2: Utilization of Flexibility Rules
- Policy 1.2.1: The City's Unified Flex strategy shall focus on a long-term vision that promotes a sustainable built environment by focusing development in the City's Regional Activity Centers and shall consider major transit corridors for future mixed-use development, with supporting multimodal transportation options.
- The 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, Project Narratives, and Plan Set

Exhibit 3 – DRC Report with Applicant's Responses

Exhibit 4 – Alternative Design Justification Narrative

Exhibit 5 – Water and Sewer Capacity Letter

Exhibit 6 – Traffic Generation Analysis and Previously Approved Traffic Impact Summary

Exhibit 7 – DRC Meeting Notice and Affidavit

Exhibit 8 – Approval Resolution

Exhibit 9 – Denial Resolution

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