

CITY OF FORT LAUDERDALE

# DEVELOPMENT REVIEW COMMITTEE



## CASE COMMENT REPORT

CASE NO. UDP-S25037

DEVELOPMENT SERVICES DEPARTMENT  
700 NW 19<sup>TH</sup> AVENUE  
FORT LAUDERDALE, FLORIDA 33311

URBAN DESIGN AND PLANNING DIVISION  
954-828-6520  
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# CITY OF FORT LAUDERDALE

## CASE INFORMATION

<b>CASE</b>	UDP-S25037
<b>PROJECT NAME</b>	Opus at 701
<b>APPLICATION TYPE</b>	Site Plan Level IV
<b>APPROVAL LEVEL</b>	City Commission Approval
<b>REQUEST</b>	Waterway Use, Increased Building Height Above 120 feet, and Deviation Requests to Tower Stepback and Tower Separation for Balcony Encroachments for a 54-Unit Multifamily Development
<b>APPLICANT</b>	623 Bayshore Dr., LLC. And 701 Bayshore Dr., LLC.
<b>AGENT</b>	Stephanie Toothaker, Esq.
<b>PROPERTY ADDRESS</b>	623 and 701 Bayshore Drive
<b>ABBREVIATED LEGAL DESCRIPTION</b>	Birch Ocean Front Sub No 2 21-22 B Lots 6 And 7 Blk 19
<b>ZONING DISTRICT</b>	Intracoastal Overlook Area (IOA) District
<b>LAND USE</b>	Central Beach Regional Activity Center
<b>COMMISSION DISTRICT</b>	2 – Steven Glassman
<b>NEIGHBORHOOD ASSOCIATION</b>	Central Beach Alliance
<b>SUBMITTED</b>	September 11, 2025
<b>COMPLETENESS ISSUED</b>	September 16, 2025
<b>STATE STATUTE 166.033 EXPIRATION</b>	March 18, 2026
<b>CASE PLANNER</b>	Yvonne Redding, Urban Planner III

## RESUBMITTAL INFORMATION

- Applicant must provide written responses to all DRC comments contained herein.
- Written responses must specify revisions made to the plans and indicate the sheet.
- Resubmitted plan sets must be accompanied by responses to be accepted.
- Any additional documentation must be provided at time of resubmittal.
- Resubmittals must be conducted through the City’s online citizen’s portal LauderBuild.
- Questions can be directed to the Case Planner assigned to the case.



Case Number: UDP-S25036

**CASE COMMENTS:**

Please provide a response to the following:

1. Specify uses and occupancy classification per Chapter 3 of the 2023 FBC.  
**Applicant REV 1 Response: All uses and occupant load factors for each use on each level of the building are provided in a chart on sheet A-1.1**
2. Show provisions for either open or closed interior parking per sections 406.5 and 406.6 of the 2023 FBC.  
**Applicant REV 1 Response: Garage has perforated openings on 4 sides for natural ventilation; Refer to sheet A-0.13 for Building Data Table with provided information**
3. Show allowable height, allowable number of stories, and allowable area compliance per Chapter 5 of the 2023 FBC.  
**Applicant REV 1 Response: Refer to sheet A-0.13 for Building Data Table with provided information**
4. Provide building construction type designation per Chapter 6 of the 2023 FBC.  
**Applicant REV 1 Response: Refer to sheet A-0.13 for Building Data Table with provided information**
5. Specify fire-resistance rating requirements based on building separation and construction type per Table 601 and 602 of the 2023 FBC.  
**Applicant REV 1 Response: Refer to sheet A-0.13 for Building Data Table with provided information**
6. Provide occupancy loads with compliant life safety egress design per Chapter 10 of the 2023 FBC.  
**Applicant REV 1 Response: Occupant load breakdown chart has been provided on sheet A-1.1**
7. Indicate code compliant sprinkler system per Section 903 of the 2023 FBC.  
**Applicant REV 1 Response: Refer to sheet A-0.13 for Building Data Table with provided information**
8. Designate Fair Housing Provisions per FBC Accessibility volume.  
**Applicant REV 1 Response: This project will comply with FHA. All information to comply with FHA requirements for all units will be provided at the time of permit submittal; see note on sheet A-0.13**
9. Parking facilities that provide valet parking services shall provide at least one passenger loading zone complying with FBC Accessibility Section 503  
**Applicant REV 1 Response: All parking will be self parking**
10. Show that the separation distance between exit access stairways meet the requirements of section 1007 of the 2023 FBC.  
**Applicant REV 1 Response: Refer to floor plans for added dimensions of exit separation**
11. Show that the openings in the exterior walls adjacent to the North and South property lines meet the requirements of Table 705.8 of the 2023 FBC.  
**Applicant REV 1 Response: The setbacks of the proposed building are 20' or greater on the north and south walls. Per Table 705.8, we are allowed unlimited allowable open area since the building will be protected**

**GENERAL COMMENTS:**

The following comments are for informational purposes. Please consider the following prior to



submittal for Final DRC:

1. The Florida Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.
2. All projects must consider safeguards during the construction process. FBC Chapter 33 delineates various safeguards that may apply during the construction phase. All structures associated with the protection of pedestrians will require a separate permit. A licensed professional must sign and seal the plans and specifications.
3. The City of Fort Lauderdale is a participating municipality in the National Flood Insurance Program (NFIP). The requirements specific to the City of Fort Lauderdale can be found in

**Chapter 14 - FLOODPLAIN MANAGEMENT of the Code of Ordinances** and accessed at:

- a. [https://library.municode.com/fl/fort\\_lauderdale/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH\\_14FLMA](https://library.municode.com/fl/fort_lauderdale/codes/code_of_ordinances?nodeId=COOR_CH_14FLMA)

**Please consider the following prior to submittal for Building Permit:**

1. On December 31st, 2023 the 8th Edition of the Florida Building Code was adopted. All work described in Section 101.2, of the Broward County Administrative portion of the Florida Building Code, will govern the administration and enforcement of the proposed work. Each building and or structure will require a separate permit. The following websites will assist in the design considerations:
  - b. <https://www.fortlauderdale.gov/government/departments-a-h/development-services/building-services>
  - c. [https://floridabuilding.org/bc/bc\\_default.aspx](https://floridabuilding.org/bc/bc_default.aspx)
  - d. <http://www.broward.org/codeappeals/pages/default.aspx>



Case Number: UDP-S25036

**CASE COMMENTS:**

Prior to City Commission Meeting or Final DRC sign-off, please provide updated plans and written response to the following review comments:

1. The existing drainage easement along the north end of the property containing City drainage and the outfall needs to be delineated and shown on the survey and site plans. Please coordinate with City's Public Works Department to determine to what extent (if any) the proposed improvements will be allowed with the Drainage Easement.  
**Applicant REV 1 Response:** Drainage easement appears to be located entirely on adjacent property to the north, refer to revised survey.  
**Comment (12-10-25):** Drainage easement to the north must be shown on plans. Provide a copy of the drainage easement and depict on civil and landscaping plans. If no drainage easement exists, applicant shall grant a new ten (10) foot drainage easement center on the new/relocated infrastructure as approved by City Engineer.  
**Applicant REV 2 Response:** Per Fort Lauderdale city Plat, the applicant site sits on lots 6 & 7. The existing 6' storm sewer easement is located on lot 5, north of our property. A hatch and note are provided on site plan on sheet A-0.13 and A-1.1
2. Provide a current signed and sealed boundary and topographic survey showing all above ground improvements, utilities, rights of way dimensions and all easements. This survey shall be based on a Standard Title Commitment issued by a title insurer licensed to do business in Florida or an Opinion of Title issued by an attorney admitted to the Florida Bar. The title commitment or Opinion of Title must have an effective date no more than thirty days prior to the date of submittal of the survey and must be certified to the City of Fort Lauderdale. If any encumbrances are found in the property, provide a copy of the recorded documents accordingly (i.e. easements, dedications, agreements, vacations, etc.).  
**Applicant REV 1 Response:** Survey provided within application dated 8/5/25  
**Comment (12-10-25):** Drainage easement must be recorded. For the existing/proposed drainage easement the following conditions shall be met:
  - a. No trees are to be planted within the drainage easement, ground shrubs only.
  - b. The proposed outfall is to not be blocked by any deck posts.
  - c. No other utilities are to be within the easement.No building encroachments (CBS walls/sheet piling, A/C pads, etc.) into the easement  
**Applicant REV 2 Response:** This comment is no longer applicable based on the response from Public works
3. Provide disposition of existing utilities on-site and within the adjacent right of way that may be impacted by the proposed development. Label information on plans (i.e. utility to remain/ be relocated/ removed). Provide correspondence from utility owner (as applicable) and depict any additional requirements they may have on plan (i.e. easements). Utilities include but are not limited to above and underground water, sewer, drainage, electrical, communications, light/power poles, down guys, fire hydrants, manholes, etc.  
**Applicant REV 1 Response:** Please refer to revised sheet C3 for disposition of existing water and sewer lines, existing overhead utilities to be undergrounded.  
**Comment (12-10-25):** Comment not addressed. Missing existing catch basin in the city right of way where the possible easement is located.  
**Applicant REV 2 Response:** The existing catch basin is already shown on plans and located north of site.
4. Clearly depict trash enclosure on site plan.



- a. Show truck turning movements in and out the proposed dumpster enclosure/ building as applicable.  
**Applicant REV 1 Response:** Please refer to site plan for trash room location including compactor and sorters as coordinated with Wilkinson Hi-rise. Individual containers will be rolled out to the street for collection. No truck access to building is required.  
**Comment (12-10-25):** Comment not addressed. Please, make a note on plans.  
**Applicant REV 2 Response:** Note added on sheet A-1.1 showing the staging location of the required trash containers during day of pick up.
5. Existing public sidewalks adjacent to the proposed development (to remain) must be inspected by the Engineer of Record to ensure existing sidewalks meet ADA standards and are in good condition. A signed and sealed assessment must be provided indicating sidewalks were inspected and any sidewalk replacement requirements. Plans shall reflect the extent of sidewalk replacement accordingly.  
**Applicant REV 1 Response:** New sidewalk proposed for extent of property frontage, plans revised to more clearly depict limits of new sidewalk.  
Comment (12-10-25): Comment addressed.
6. Proposed drive isles should be 12' (min.)  
**Applicant REV 1 Response:** All drive aisles are 12' minimum per direction / 24' total when back out parking occurs  
Comment (12-10-25): Comment addressed.
7. For all levels in the parking garage:
  - a. The minimum clear width and depth parking stall dimensions shall be 8'-8" and 18'-0", respectively, and shall not be encroached upon by building columns.  
**Applicant REV 1 Response:** All parking stalls have been dimensioned; refer to sheets A-1.2 thru A-1.4  
Comment (12-10-25): Comment addressed.
8. Show existing water and sewer connection to be cut and capped at property line on sheet C3.  
**Applicant REV 1 Response:** Please refer to revised sheet C3 for notes to replace existing sewer lateral up to existing wye at sewer main and coordinate water meter removal and cap at property line.  
Comment (12-10-25): Comment addressed.
9. Sanitary sewers clean out must be provided at property line per City standards and labeled appropriately on sheet C3.  
**Applicant REV 1 Response:** Please refer to revised sheet C3 for notes to install new cleanout per detail 213.  
Comment (12-10-25): Comment addressed.
10. Any road cuts for utilities or curb cuts within City Right-of-Way shall be restored to full lane width for 50' minimum length (by contractor), per City Code of Ordinances Section 25-108; show and label in plans as appropriate.  
**Applicant REV 1 Response:** Please refer to revised civil sheets for limits of mill and repave of SP9.5 asphalt.  
**Comment (12-10-25):** Comment not addressed. Pavement restoration for utilities or curb cuts within the City right-of-way must be shown on plan and shall cover full lane width and extend 25' in each direction of the work area in conformance with Section 25-108.



**Applicant REV 2 Response:** This requirement is to ensure that the restoration area is large enough to allow for proper compaction and installation of the asphalt. The total restoration area exceeds the 50 foot minimum (25' in each direction) since multiple road cuts are occurring. Extending the restoration area beyond the property line will cause unnecessary interruption to the neighboring property and is not advised.

11. Provide sufficient existing and proposed grades and information on conceptual Paving, Grading, and Drainage Plan and details to demonstrate how stormwater runoff will remain onsite ((include typical cross-sections along all property lines as appropriate, typical lot grading for the proposed single family homes within the development, and depict how the new stormwater system will connect to the existing on-site drainage system)), and how the proposed project improvements (i.e. on-street parking, sidewalks, etc.) will not adversely impact the adjacent Right-of-Way, properties and waterways. Label all structures and elements of the proposed drainage including sizes, diameters, materials, and invert elevations.

**Applicant REV 1 Response:** Please refer to revised sheet C2 for additional information added.

**Comment (12-10-25):** Comment not addressed. C2 is missing grades in the backyard/pool area. **Applicant REV 2 Response:** Please refer to revised sheet C2 for added grades.

12. Depict proposed building doors and provide sufficient grades/details on conceptual paving, grading and drainage plans to verify ADA accessibility design for the site, especially ground floor access to the new building, as well as crossing proposed driveways and connecting to existing sidewalks (at intersections and with adjacent property) as appropriate; coordinate proposed site grading and 1st Level Finished Floor Elevations to meet ADA accessibility requirements.

**Applicant REV 1 Response:** Please refer to revised sheet C2 for additional grading  
Comment (12-10-25): Comment addressed.

13. Please provide reasonable assurances that the drainage system will be able to be effectively operated and maintained. Response shall include the following at a minimum:

- a. Detailed information regarding the structural design of the building and provide a certified geotechnical and structural engineering analysis to demonstrate that the proposed drainage system will not undermine the structural components of the building.

**Applicant REV 1 Response:** This comment is typically reserved for drainage within a parking garage which is not applicable to the drainage design on this project.

Comment (12-10-25): Comment addressed.

- b. Provide plans demonstrating how will the drainage structures will be accessible by equipment required to maintain the system and or replaced the system in the event of failure.

**Applicant REV 1 Response:** The porte cochere provides sufficient clearance for access of a mini excavator, see attached maintenance plan.

Comment (12-10-25): Comment addressed.

14. Drainage mitigation shall be required for any impacts within the adjacent City Right-of-Way such as increased runoff or reduction of existing storage/treatment due to proposed improvements, in accordance with the City of Fort Lauderdale Comprehensive Plan (Ordinance C-15-08), Objective 4.1 under Infrastructure elements.



- a. Provide proper drainage for all on-street parking areas (i.e. within City Right-of-Way adjacent to the proposed development) and corresponding drainage calculations.
- b. If exfiltration trench is proposed, provide a drainage inlet (per City standard details and specifications) on each end of exfiltration trench system located within City Right-of-Way.
- c. Engineer of Record (EOR) shall evaluate the adjacent City roadway system capacity and demonstrate that the proposed improvements will not negatively impact the City's existing drainage system and provide recommendations in compliance with the City's Comprehensive Plan (i.e. meets water quality, and the 10-year/1-day storm event drainage criteria).

**Applicant REV 1 Response: The existing ROW is completely paved and includes existing City drainage in the ROW, the project is reducing the impervious area that contributes to the existing city drainage system and provides new swale areas in the ROW for additional storage.**

Comment (12-10-25): Comment addressed.

15. Provide Maintenance Agreement Area Exhibit, which provides a visual representation of the area within the adjacent public Right-of-Way (adjacent to the proposed development) to be maintained in perpetuity by the developer. Label whether the adjacent Right-of-Way is FDOT, BCHCED, or City jurisdiction, as well as label all proposed improvements, including asphalt and other specialty paving, specialty sidewalks, landscaping, irrigation, lighting, curb and gutter etc. that will be maintained by the Applicant throughout the life of the improvements.

**Applicant REV 1 Response: Please see maintenance exhibit added to the plan set.**

Comment (12-10-25): Comment addressed.

16. Within adjacent City Right-of-Way, staging/storage will not be allowed, construction fence shall not encroach within intersection corner sight triangles, construction fence gates shall not swing into the public Right-of-Way

**Applicant REV 1 Response: Acknowledged**

Comment (12-10-25): Comment addressed.

17. Proposed public and private improvements shall consider the construction limitation per Code of Ordinance Section 25-7 on all streets, alleys and sidewalks which are under the jurisdiction of the city, as these may be closed for construction for a period not to exceed seventy-two (72) hours.

**Applicant REV 1 Response: Acknowledged**

Comment (12-10-25): Comment addressed.

18. **New comment (12-10-25): Submit a formal Site Plan that features all critical dimensions for the proposed development, such as building setbacks, parking lot access, driveway widths, sidewalk dimensions, and typical roadway travel lane (including any on-street parallel parking) widths for Bayshore Dr.**

**Applicant REV 2 Response: Refer to new sheet A-0.15 for cleaned up site plan showing the requested critical dimensions.**

**New comment (12-10-25): Provide landscaping plans.**

**Applicant REV 2 Response: Refer to uploaded REV 2 plan set with landscaping plans.**

**Comment (2-2-26): Label proposed horizontal clearance to utilities, provide 10 ft minimum separation (face-face) between utilities and trees. For small trees, a 5 ft minimum separation will be acceptable. Should separation requirements not be obtainable, provide a root barrier with a minimum separation of 1 ft from utility, please show note on plan and detail. Additionally, label horizontal clearance from tree trunk to edge of pavement; please note that**



a minimum 6 ft. is required. Separation requirement may be reduced to 4 ft when raised curb is present or proposed.

**Applicant REV 3 Response:** Landscape and Civil Sheets have been revised to include dimensional labels to illustrate horizontal clearances from utilities and trees, as well as paving. See Sheets L-210 and C-2.

For Engineering General Advisory DRC Information, please visit our website at <https://www.fortlauderdale.gov/home/showdocument?id=30249>

Additional comments may be forthcoming at the DRC meeting and once additional/ revised information is provided on plans.



**Case Number: UDP-S25036**

**CASE COMMENTS:**

Please provide a response to the following:

1. Building needs to conform to section 403 for high rise and FBC 3007 for fire service elevators.  
**Applicant REV 1 Response: Fire service elevator and lobby vestibule provided on each floor; refer to floor plans**
2. FCC door location must be on the street side with a door leading directly to the outside on Bayshore Dr.  
**Applicant REV 1 Response: Exterior door provided to fire command room**

**GENERAL COMMENTS**

The following comments are for informational purposes before final DRC sign-off.

**Florida Fire Prevention Code (FFPC) - NFPA 1 Chapter 15 Fire Department Service Delivery Concurrency Evaluation**

**15.1 Application.**

**15.1.1** The AHJ shall be permitted to require a proposed development in the jurisdiction undergo a fire department service delivery concurrency evaluation.

**15.1.1.1** Proposed developments that would increase the fire department's service population by less than 1 percent or increase the fire department's total protected building square footage by less than 1 percent shall not be subject to a fire department service delivery concurrency evaluation.

Minimum thresholds that require an evaluation are as follows:

Larger than 1% increase of the City's service population equals any new building with a human capacity of 1856 persons or greater.

Larger than 1% increase in Fire Dept. protected building square footage that equals or is greater than more than 1,132,903 sq. ft.

Note: It only requires one requirement to be a mandatory and must be submitted before a building permit is applied for.

**Applicant REV 1 Response: Acknowledged, will comply**



Case Number: UDP-S25036

**CASE COMMENTS:**

Please provide a response to the following.

1. Verify that mitigation equivalent replacement and value on Tree Disposition Plan, sheet L-200, has been calculated correctly per the City's amended Tree Preservation Ordinance (ULDR 47-21.15.G). Please revise as applicable.

**Applicant REV 1 Response: Sheet L-200 has been revised to reflect City's Tree Preservation Ordinance.**

2. Provide streetscape and street trees as per ULDR 47-12.5.D Central Beach Streetscape Design. Street trees are to be a minimum of 16 feet tall, 8 foot spread, seven foot vertical clearance and provided at a ratio of one street tree per thirty feet of street frontage or greater fraction thereof not subtracting ingress and egress dimensions. Palm trees, minimum 18 feet tall, 8 foot vertical clearance may be provided at intersections where streets with street trees converge. When overhead utilities exist, required street trees may be small trees or small palms provided at a minimum of a ratio of one street tree per fifteen feet frontage or greater fraction thereof. Small trees or small palms are to be a minimum 12 feet tall, 6 foot spread, six foot vertical clearance. Show measured distance between street trees on plan.

**Applicant REV 1 Response: Updated the planting specifications so that the street trees and palms meet the minimum standards.**

3. The use of structural soil is required in paved sites to provide adequate soil volumes for tree roots under pavements, as per ULDR Section 47-21.13. Structural soil details and specifications can be obtained at <http://www.hort.cornell.edu/uhi/outreach/index.htm#soil> This is to be provided at a minimum of 8' radii of tree trunks, and is to be consistently illustrated and noted on landscape, site and civil plans. This requirement is not only for Street Trees, but also for shade trees on site adjacent to the public realm of the sidewalk.

A structural soil drain is required when percolation rates are less than 4" vertical clearance per hour. Provide documentation of report used to prove this calculation. The drain and connections are to be illustrated on civil plans.

- a) Demonstrate hashing on landscape, site, and civil plans as to the extent of use of the Structural Soil.
- b) Provide Structural Soil Detail and composition.

**Applicant REV 1 Response: Structural soil is shown for the large canopy shade street trees. Palms do not require structural soil.**

4. A suspension modular paving system product may be used in place of CU Structural Soil. Please look into the use of the Green Blue Urban soil cell, Silva cell or like product for this and all future site developments. Provide a detail of product of use for root development under paved areas.

**Applicant REV 1 Response: We are proposing the cu-structural soil, there is no need for the suspension modular paving system.**

5. Entry driveway not covered by overhead structure is considered vehicular use area. In order to improve the appearance of vehicular use areas and to protect and preserve the appearance, character and value of the surrounding neighborhoods, minimum landscape requirements are established for such Vehicular Use Areas. Review ULDR Section 47-21.12 for landscape requirements for vehicular use areas, illustrate such requirements on plans as a diagram, and provide, in tabular format, all required versus provided VUA landscape calculations.



**Applicant REV 1 Response: Updated our landscape calculations to show that there is a vehicular use area. Refer to the updated landscape chart.**

6. A 10 feet sight triangle is required at the intersection of a driveway and street, measured from where the intersection of the driveway and paved travel lane meet. This area must be clear of obstructions between 2.5 feet and 8 feet above elevation of adjoining pavement, per ULDR 47-2.2. Q.1 and ULDR 47-35. Illustrate and label this triangle on landscape plan, and confirm landscaping is installed outside of sight triangles.

**Applicant REV 1 Response: Added the 10' sight triangles to the plan.**

7. In order to maintain sight visibility, no opaque hedge shall be permitted to exceed 30 inches within 10 feet of the edge of waterway as per ULDR 47-19.5. Trees or palms within the 10' setback along a waterway area must have a minimum 8 feet canopy clearance and are proposed in a way as not to form a wall that impedes the neighbor's view up or down the waterway. Provide appropriate species, or shift plant material out of this area if needed. Illustrate this area and state this note on the plan.

**Applicant REV 1 Response: Updated the planting plan to show the sight visibility at the rear yard adjacent to the waterway, also added the 10' dimension to the plan as well.**

8. Illustrate and label the horizontal clearance from tree trunk to edge of utility on the landscape plan. Landscaping must provide a minimum horizontal clearance of 5 feet for small trees and palms, and a minimum of 10 feet for large trees and palms from underground utilities. Provide a cross section detail to illustrate this clearance. This includes existing and proposed sanitary sewer lines, water lines, electrical lines, communication lines, drainage well and lines, etc.

**Applicant REV 1 Response: Added dimensions to the planting plan showing the horizontal clearances to the tree trunks, when we do not have the 10', we now have added root barriers. The root barriers are to be installed a min. Of 12" from the utility line.**

9. Utilities must be protected using a root barrier fabric wrap or equivalent. Landscape Plans must illustrate and label existing and proposed utilities in the right-of-way to confirm no utility conflicts exist, and illustrate the above setback and wrap requirement if applicable.

**Applicant REV 1 Response: Noted, see response from comment above.**

10. Utilities and site amenities such as walkways, flagpoles, transformers, fire hydrants, sewer and water supply lines, trash enclosures, and similar items located on the site shall not be placed adjacent to, in, or under required tree planting areas, as per ULDR Section 47-21.12. Confirm with civil, site and life safety plans that utilities and site amenities are not causing conflicts with proposed landscaping and illustrate on plans. Where conflicts exist, shift the utility and/or site amenities.

**Applicant REV 1 Response: Noted, planting plan is not causing any conflicts with utilities or any amenities listed above.**

11. Additional comments may be forthcoming after next review of new plans and written comment responses prior to final DRC sign off.

**Applicant REV 1 Response: Acknowledged and will comply.**

**GENERAL COMMENTS:**

The following comments are for informational purposes. Please consider the following:

1. Note that effective as of November 1, 2024, the City's Tree Preservation Ordinance (ULDR 47-21.15) has been amended by approval of the City Commission. The amended ordinance may be found within the City's ULDR published online by



MuniCode:

[https://library.municode.com/fl/fort\\_lauderdale/codes/unified\\_land\\_development\\_code?nodeId=UNLA\\_DERE\\_CH47UNLADERE\\_ARTIIIDERE\\_S47-21LATRPRRE](https://library.municode.com/fl/fort_lauderdale/codes/unified_land_development_code?nodeId=UNLA_DERE_CH47UNLADERE_ARTIIIDERE_S47-21LATRPRRE)

**Applicant REV 1 Response: Acknowledged.**

2. A separate sub-permit application for Tree Removal, Relocation, and General Landscaping for site is required at time of master permit submittal. These are Landscape and Tree permit application documents different than the Broward County standard applications. Please do not apply for these at time of DRC submittal.

**Applicant REV 1 Response: Acknowledged.**

3. Note that tree removal at time of demolition will not be permitted unless the Master Permit for redevelopment has been submitted for review.

**Applicant REV 1 Response: Acknowledged.**

4. Proposed landscaping work in the City's right of way requires engineering permit and approval. This approval requires documents to be submitted for Engineering review. Note that Landscape will not approve permit review without these Engineering documents being submitted.

**Applicant REV 1 Response: Acknowledged.**

5. Provide separate Plumbing sub permit application for irrigation. Irrigation plans are required at time of Building permit submittal. Plans are to be in compliance with ULDR 47-21.6.A.11 and 47-21.10. Note that planting areas are to be irrigated on a separate zone than the turf areas so that once the plants are established, that particular zone can be shut off based on the season. The overall goal is to decrease water use through irrigation. Plant material must be grouped together based on watering needs (hydrozone) and turf areas must be limited and/or consolidated to less than 50% of the landscaped area. Illustrate hydrozones on planting plan and include calculations in table.

**Applicant REV 1 Response: Acknowledged.**



Case Number: UDP-S25036

**CASE COMMENTS:**

Please provide a response to the following:

1. Residential entry doors should be impact resistant glass or metal and should be equipped with a 180- degree view peephole if it is a solid door or does not have a sidelight panel area as defined in Section 768.0706(2)(a)(7) FSS.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
2. All dwelling entry doors should be equipped with at least a one-inch deadbolt as defined in Section 768.0706(2)(a)(4) FSS.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
3. Sliding glass windows should be equipped with burglary deterrent features such as track blocks, door pins, or similar devices.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
4. Residential units should be pre-wired for an alarm system.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
5. A video surveillance system (VSS) should be employed throughout the property with a focus on entry/exit points, elevators, parking garage, hallways, pool and common areas. It should be capable of retrieving an identifiable image of a person and video retention should be a minimum of 30 days as defined in Section 768.0706(2)(a)(1) FSS.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
6. All Lighting should conform to IES and CPTED standards and illumination requirements as defined by Section 768.0706(2)(a)(2) FSS. The parking area should be illuminated at an intensity of at least an average of 1.8 fc per square foot at 18 inches above the surface from dusk until dawn or controlled by a photocell or similar electronic device that provided light from dusk until dawn.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
7. Lighting in walkways, laundry rooms, common areas, and porches. Such lighting must be illuminated from dusk until dawn or controlled by a photocell or similar electronic device that provided light from dusk until dawn as defined in Section 768.0706(2)(a)(3) FSS.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
8. Pool areas should be equipped with a child proof access control feature to prevent unsupervised children access to the pool. Locked gates with key or fob access along pool fence areas as defined in Section 768.0706(2)(a)(6) FSS. Emergency communication devices should be placed in the pool area and should be easily identifiable and accessible.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
9. Light reflecting paint should be used in the parking garage to increase visibility and safety.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
10. Stairs should be egress-only at the ground level to avoid unauthorized intrusion.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**
11. All landscaping should conform to CPTED guidelines.  
**Applicant REV 1 Response: Acknowledged and taken under advisement.**



12. Entry into the building and elevators should be access controlled to provide enhanced security for the residents and deter unauthorized access.

**Applicant REV 1 Response: Acknowledged and taken under advisement.**

13. Fort Lauderdale Police/Fire Dispatch should be notified of access for first responders.

**Applicant REV 1 Response: Acknowledged and taken under advisement.**

**GENERAL COMMENTS:**

It is highly recommended that the managing company make arrangements for private security during construction.



Case Number: UDP-S25036

**CASE COMMENTS:**

Please provide a response to the following:

1. Garbage, Recycling and Bulk Trash shall be provided.  
**Applicant REV 1 Response: Acknowledged and will comply.**
2. Recycling reduces the amount of trash your business creates, and it is the best way to reduce monthly waste disposal costs and improve your company's bottom line.  
**Applicant REV 1 Response: Acknowledged and taken under consideration.**
3. Solid Waste Services shall be provided by a Private Contractor licensed by the City.  
**Applicant REV 1 Response: Acknowledged and will comply.**
4. Solid Waste charges shall be included in the monthly maintenance fee as prescribed in owner's association documents (multi-family).  
**Applicant REV 1 Response: Acknowledged and will comply.**
5. Service Days shall be: No restriction for Commercial collection. Service may not occur earlier than 7:00 am or later than 10:00 pm within 250 feet of residential.  
**Applicant REV 1 Response: Acknowledged and will comply.**
6. Service Days shall be per the City's residential routing schedule.  
**Applicant REV 1 Response: Acknowledged and will comply.**
7. Provide on the site plan a garbage truck turning radius for City review. Indicate how truck will circulate within property.  
**Applicant REV 1 Response: Waste collection will occur from Bayshore drive. All trash storage will be held within the trash room enclosure on the ground level until pick up day**
8. Solid waste collection shall be from a private loading dock.  
**Applicant REV 1 Response: Waste collection will occur from Bayshore drive. All trash storage will be held within the trash room enclosure on the ground level until pick up day. Condo maintenance operations will wheel out trash from room to street for pick up**
9. Solid Waste transport to trash rooms or to primary waste container shall be performed inside building using interior service corridor (Retail, Office, Condo, Hotel).  
**Applicant REV 1 Response: All trash from residential levels will be transported to the ground level trash room via a trash chute**
10. Containers: must comply with 47-19.4  
**Applicant REV 1 Response: Acknowledged; will comply**
11. Dumpster enclosure: concrete pad, decorative block wall, gates hung independently, protective bollards, secondary pedestrian side entry, high strengthen apron and driveway approach, night light, hot water, hose bib, drain, low circulating ventilation for dampness, weep holes, landscaping, smooth surface walkway to accommodate wheeled containers.  
**Applicant REV 1 Response: Acknowledged; will comply. Trash room is located at same grade elevation as driveway for ease of moving container to pick up area**
12. Provide letter from chute company indicating make and model of proposed equipment and that it will meet the capacity needs of building. If you have a trash chute please answer 12,13,14.  
**Applicant REV 1 Response: Acknowledged; letter attached to this submission**



13. Recommend trash chute accommodate recycling.  
**Applicant REV 1 Response: A bi-sorter will be provided to accommodate for trash and recycling into separate containers**
14. Draw equipment on the plan to show it will fit in trash room.  
**Applicant REV 1 Response: Trash equipment and containers shown in trash room on sheet A-1.1**
15. Trash Room services will be handled by private collector, or Trash Room services will be done by on site personnel, or Trash Room services will be done by custodial staff.  
**Applicant REV 1 Response: Acknowledged and will comply.**
16. Submit a Solid Waste Management Plan on your letterhead containing the name of project, address, DRC case number, number of units if applicable, and indicate whether it is Pre or Final DRC.
  - ***This letter is to be approved and signed off by the Sustainability Division and should be attached to your drawings. Please email an electronic copy to Gwoolweaver@fortlauderdale.gov . The letter should include an analysis of the expected amounts of solid waste and recyclables that will be generated (if different from current capacity), and containers requirements to meet proposed capacity.***
  - ***Community Inspections will reference this Solid Waste Plan for sanitation compliance issues at this location.***

**Applicant REV 1 Response: Acknowledged; Solid Waste Plan included with this submission.**

#### **GENERAL COMMENTS**

The following comments are for informational purposes. Please consider the following prior to submittal for Final DRC:

Please provide specific details of solid waste and recycling collection per building



Case Number: UDP-S25036

**CASE COMMENTS:**

Please provide a response to the following:

1. Per (47-25.2. B) Public Safety 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.

**Applicant REV 1 Response: Acknowledged and taken under advisement.**

2. Based upon the location of the proposed structure, and the distance from the City's radio sites, it is anticipated that this project may require a Bi-Directional Amplifier (BDA) system. It is strongly recommended that conduits are installed to support a BDA system within the building. Conduit locations should be determined by a qualified BDA designer/installer. A qualified BDA designer/installer needs to take signal strength analysis within all areas of the structure after the interior structures and windows are complete. A computer generated (heat map) showing the measured signal strengths within all areas of the proposed structure shall be required. If the computer-generated heat map reveals there isn't adequate signal strength to support the City and Broward County public safety radio communications network, a Bi-Directional amplifier system will be required.

**Applicant REV 1 Response: Acknowledged and taken under advisement.**

3. Please review Chapter 1, Section 118 of the Broward County Building Code.

**Applicant REV 1 Response: Acknowledged and taken under advisement.**

4. Additional guidance may be obtained from [BDA@fortlauderdale.gov](mailto:BDA@fortlauderdale.gov).

**Applicant REV 1 Response: Acknowledged and taken under advisement.**

**General Comments:**

The following comments are for informational purposes. Please consider the following prior to submittal for Final DRC:

1. Additional information is required to properly evaluate the Developer's plans.

Please consider the following prior to submittal for Building Permit:

1. Please identify and provide contact information for the contractor chosen to evaluate and map radio system signal strength levels for this project.

**Applicant REV 1 Response: Acknowledged and taken under advisement.**



Case Number: UDP-S25036

**CASE COMMENTS:**

1. Show inbound and outbound stacking requirements from the property line to the first conflict point according to Section 47-20.5 General design of parking facilities for each proposed driveway. Please note that if there is a proposed gate at the ingress and egress points for this development, the gate will be considered the first conflict point. The minimum inbound staking requirement is (1) stacking spaces.

**Applicant REV 1 Response: Refer to sheet A-1.1 for dimensions for inbound & outbound stacking spaces**

2. Per section 47-20.5.6.d of the City of Fort Lauderdale ULDR For a development which generates less than five hundred (500) trips per day, a lesser number of stacking spaces may be authorized by the reviewing authority based on a traffic impact statement prepared by a licensed engineer which indicates that characteristics of the proposed use or abutting right-of-way support a determination that the need for stacking spaces is less than that required by the ULDR. These characteristics may include, but are not limited to, the following:

- i. A deceleration lane will be located at the driveway, or
- ii. The peak hour directional traffic volumes on the abutting right-of-way do not coincide or conflict with peak hour usage on the site, or
- iii. Characteristics of the proposed use such as low traffic generation or low turnover of parking spaces support a finding that the number of stacking spaces provided will be sufficient to protect the safety of those traveling on and off site.

**Applicant REV 1 Response: Included with this REV 1 submittal are the traffic statement report and a vehicle stacking variance; indicating the daily trip count to be less than 500 trips.**

3. Mechanical lift parking or Tandem parking spaces (one car behind another, so that one car must be moved before the other can be accessed) may be allowed for condominium and multi-family residential uses only under the following conditions, which must be included as a note on the site plan:

- i. The spaces must be reserved and assigned to dwelling units which are required to have two or more parking spaces per unit (i.e., units with two or more bedrooms).
- ii. At least one of the spaces must be located within an enclosed garage, in order to avoid visual clutter.
- iii. Both of the spaces must be standard size; no compact or handicapped accessible tandem spaces are permitted
- iv. If the above conditions can not be met then a valet parking must be provided.
- v. Vertical tandem parking space are prohibited to be placed on parking ramps or any grade that is greater than 2%.
- vi. Vertical tandem shall have the following dimension 18 feet stall length 8 feet 8 inches stall width with minimum of 14 feet in clear height above the parking space entrance level.
- vii. Include a schematic of the vehicular lift system that will be used with the plan set.

**Applicant REV 1 Response:**

- i. **Refer to sheet A-1.2 thru A-1.4 for notes on car lift and tandem spaces**
- ii. **All tandem and car lift spaces are located within the enclosed garage**
- iii. **All tandem and car lift spaces are tandem sizes**
- iv. **No valet proposed in this development**
- v. **Klaus Car Lift System allows for providing vertical tandem spaces at a 5% slope**
- vi. **Acknowledged; 14' minimum vertical clearance provided at all spaces which provide a car lift**
- vii. **Refer to sheet A-3.10 for a schematic detail of the car lift**



4. All parking must be provided in accordance with design and construction standards of the ULDR Section 47-20.11. Show dimensions for: stall width, depth of stall 90 degrees to aisle, aisle width, width of stall parallel to aisle, module width, angle of parking stalls for off-street and on-street parking stalls. As proposed the:
  - i. Not all the compact parking spaces meet the minimum 8' 8" width, revise the plans accordingly.
  - ii. Parallel on street parking shall be a minimum 8' 8" in width and 24' in length.

**Applicant REV 1 Response: All parking spaces corrected and modified to not include any compact spaces.**

5. Please add the following note on the site plan for the on-street parking, "None of the on-street spaces are reserved for the development and may be used by any member of the public. On-street spaces will not count towards the parking requirements for the project; The spaces may be metered or removed at any time for any reason and the City of Fort Lauderdale will not relocate displaced on- street parking."

**Applicant REV 1 Response: Note added on sheet A-0.13.**

6. Any proposed drainage well, manhole, pull box etc. installed in the sidewalk must be flat, ADA compliant and not impact the effective width of the sidewalk clear path.

**Applicant REV 1 Response: Acknowledged.**

7. Ensure all access points, sidewalks, walkways, and curb cuts are unobstructed and ADA accessible with appropriate slopes and detectible warning devices and indicate on the site plan. This includes all access to/from the site entrance. Add the dimension, clearances, and slopes of the walkways.

**Applicant REV 1 Response: Slope percentages added to sidewalk; there will not be any obstructions or conflicts at any point.**

8. Additional comments may be provided upon further review.

**Applicant REV 1 Response: Acknowledged.**

9. **City Comment: In the CB area you need a 7-foot clear sidewalk and the plans only show 5 foot.**

**Applicant REV 3 Response: A 7-foot clear sidewalk has been accommodated. Refer to updated ground level plans including: Sheets A-0.15, A-1.1, L-210 and C-1 - C-3.**

#### **GENERAL COMMENTS**

Please address comments below where applicable.

1. The City's Transportation & Mobility Department encourages the use of sustainable materials such as permeable pavement and electric car charge stations and installation of multimodal facilities such as bicycle pump stations and bike lockers.

**Applicant REV 1 Response: Acknowledged.**

2. Please note that any work within the City's right-of-way will require an MOT approved by Transportation and Mobility and Engineering for permitting. Any full closures of roadways, alleys, or sidewalks that are over 72 hours will require a Revocable License Agreement (RLA) with the City of Fort Lauderdale.

**Applicant REV 1 Response: Acknowledged.**



Case Number: UDP-S25036

**CASE COMMENTS:**

Please provide a response to the following:

1. The applicant is required to contact neighbors adjacent to, as well as condominium and neighborhood associations located within three hundred feet (300') of the development site, to advise of this proposal (a map and listing of officially-recognized neighborhood associations is provided on the City's website: <http://www.fortlauderdale.gov/neighborhoods/index.htm>).

**Applicant REV 1 Response: Acknowledged and will comply.**

2. Pursuant to Public Participation requirements of ULDR Sec. 47-27.4.A.2.c., prior to submittal of the application to the Planning and Zoning Board (PZB), the applicant must complete the following:
  - a. Prior to submittal of an application to the Planning and Zoning Board (PZB), the applicant shall:
    - i. Provide a notice from the applicant via letter or e-mail shall be provided to official city-recognized civic organization(s) within 300 feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting.
    - ii. Provide notice via mailed letter to property owners whose real property is located within 300 feet of the proposed project, notifying of the date, time and place of applicant's project presentation meeting to take place prior to the PZB meeting.
  - b. The applicant shall then conduct a public participation meeting(s) a minimum of 30 days prior to the PZB. The date and location of the meeting is at the discretion of the applicant. Once the meeting(s) is conducted, the applicant shall provide a written report letter to the Department of Sustainable Development, with copy to subject association(s), documenting the date(s), time(s), location(s), number of participants, presentation material and general summary of the discussion after the public participation meeting(s). The report letter shall summarize the substance of comments expressed during the process and shall be made a part of the administrative case file record.
  - c. Accordingly, a minimum of ten (10) days prior to the PZB meeting, the applicant shall execute and submit an affidavit of proof of public notice to the Department. If the applicant fails to submit the affidavit, the public hearing will be postponed until the next available hearing date after the affidavit has been supplied.

**Applicant REV 1 Response: Acknowledged. A Public Participation Meeting Summary will be provided prior to UDP signoff.**

**Applicant REV 2 Response: Applicant presented to the CBA Board on January 8, 2026 and CBA Membership (no vote) on January 15, 2026. A public participation meeting is scheduled for February 9, 2026 followed by another presented to the CBA Membership on February 19, 2026. A Public Participation Meeting Summary will be provided prior to Planning & Zoning Board.**

3. The site is designated Central Beach Regional Activity Center on the City's Future Land Use Map. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.

**Applicant REV 1 Response: Acknowledged.**

4. Pursuant to State Statute 166.033(1) the application must be deemed approved, approved with conditions, or denied within 180 days of completeness determination, on or before March 15, 2026, unless a mutually agreed upon time



extension is established between the City and the applicant. Please provide a statement requesting and agreeing to a waiver of these timeframes or request a specified amount of additional time to address the comments and provide sufficient time for review and approval. Failure to meet the applicable timeframe or request an extension may result in the application being denied by the City and the applicant may be required to refile a new application and fees to proceed.

**Applicant REV 1 Response: Acknowledged.**

5. Verify that copy of plat is the most current recorded plat, including notes and amendments, for the proposed site. Provide documentation from the Broward County Planning Council verifying that the site does not require platting or replatting. If replatting or platting is not required, contact the Development Review Services Section of the Planning and Environmental Regulation Division of Broward County at (954) 357-6637 to ensure that proposed project is consistent with the latest recorded plat restriction.

**Applicant REV 1 Response: Replatting is not required. The Broward County Planning Council Platting Determination will be submitted upon receipt.**

**Applicant REV 2 Response: Refer to uploaded Platting Determination.**

6. This property is located within an Archaeologically Significant Zone identified through a phased archaeological survey of Broward County conducted between 1991 and 1995 by Archaeological and Historical Conservancy, Inc., and periodically updated by Broward County. In accordance with the City of Fort Lauderdale's Comprehensive Plan, Volume I, Historic Preservation Element Objective 1.11, Policy 1.11.2, and the Certified Local Government Agreement between the City of Fort Lauderdale and the State of Florida, Department of State, Division of Historical Resources, the City shall follow a public policy of protecting, preserving, and planning for the protection and preservation of resources of historical, architectural, and archaeological value within its jurisdiction.

A review of historic aerials, maps, and prior archaeological surveys indicates that the subject properties do not contain any previously recorded archaeological resources and are constructed on artificially created land composed primarily of introduced fill. No archaeological deposits are anticipated within the subject property. However, if archaeological materials or features are discovered, work in the vicinity shall stop and the City shall be notified immediately to coordinate the discovery. If unmarked human remains are encountered, excavation in the vicinity shall halt immediately, and the archaeologist shall alert the City's historic preservation staff to coordinate the discovery and implement Chapter 872.05 Florida Statutes regarding unmarked human remains.

**Applicant REV 1 Response: Acknowledged.**

7. 623 Bayshore Drive has been identified as a contributing property as part of a potential historic district in a recent Architectural Resource Survey and will be documented through a new Florida Master Site File Historic Structures Form. 701 Bayshore Drive has been identified as a potential historic landmark in a recent Architectural Resource Survey and has been documented through a Florida Master Site File Historic Structures Form (FMSF Number: BD04471). Prior to demolition of these structures, provide color photos of the exterior and interior of the structure to Historic Preservation staff, Trisha Logan ([tlogan@fortlauderdale.gov](mailto:tlogan@fortlauderdale.gov)) to be included in the Florida Master Site File documentation that is held by the State of Florida's Historic Resources Division. This information will also be shared with the District Commissioner.

**Applicant REV 1 Response: Acknowledged. Color photos of the exterior and interior of the structure will be provided prior to UDP signoff.**

**Applicant REV 2 Response: Applicant is proposing to provide the photos as a condition prior to demo permit issuance.**



8. The proposed project requires review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission. A separate fee is required for both PZB review and City Commission review. The applicant is responsible for all public notice requirements pursuant to Section 47-27.

**Applicant REV 1 Response: Acknowledged.**

9. Pursuant to ULDR Section 47-27, Notice procedures for public hearings, the applicant is responsible for all public notice requirements. In addition, the development permit shall not take effect nor shall a building permit be issued until the request is approved by the City Commission.

**Applicant REV 1 Response: Acknowledged.**

10. Provide a preliminary construction staging plan which includes anticipated hours of operation on site, debris mitigation plan, and map indicating where crane operations and employee and/or equipment parking and storage will be placed. A revocable license application and a traffic circulation plan may be required if the sidewalk or right-of-way requires to be closed at any time, which should be filed under a separate application and coordinated through the City's Maintenance of Traffic (MOT) process.

**Applicant REV 1 Response: Schematic level staging plan has been provided in this submission**

11. Provide the following changes on elevations, as the proposed tower stepback should be measured to the edge of opaque glass balcony dividers, as that is considered the face of the building as these are not deemed architectural features. If preferred you can provide both measurements, however the deviation request is to the edge of the balcony dividers.

**Applicant REV 1 Response: Per ULDR Section 47-12.3, Definitions, a "stepback" is defined as "the horizontal dimension that defines the distance between the face of the tower and the face of the pedestal." A "tower" is defined as "the portion of a building extending upward from the pedestal," which begins above 65 feet in height. A "building" is defined as "a roofed and walled structure that is completely enclosed, except as otherwise provided in the ULDR, the use of which demands a permanent location on the land." Under the ULDR definitions and longstanding City practice, the tower stepback and tower separation is not required to be calculated from the edge of podium to the balcony dividers.**

**The dimensions provided on the plan are measuring to the face of the building which abides with the stepback and tower separation requirements. However, in order to address the request, refer to sheets A-1.6 through A-1.8 for added stepback dimensions to balcony dividers at east and west balconies and dimensions to face of storefront. Additionally, refer to responses to UDP #12, #14 and #15 for design changes.**

12. Indicate the project's compliance with the following ULDR sections by providing a point-by-point narrative response, on letterhead, with date and author indicated.

a. Section 47-12.5.E, Design Features.

b. Section 47-12.5.F, Height request in IOA district.

c. Section 47-12.6.C, Modifications to CBA Dimensional Requirements, specifically for the Tower Stepback, Tower Separation and required yards.

**Applicant REV 1 Response: Please refer to the UPDATED Narrative addressing items (a)-(c). The Applicant respectfully disagrees with UDP's interpretation (see screenshot below) and would appreciate the opportunity to further discuss the requested modifications. In our experience, the City has not historically calculated tower stepback or tower separation from the edge of the podium to the edge of**



**privacy dividers for continuous, wrap-around balconies.**

Per ULDR Section 47-12.3, Definitions, a “stepback” is defined as “the horizontal dimension that defines the distance between the face of the tower and the face of the pedestal.” A “tower” is defined as “the portion of a building extending upward from the pedestal,” which begins above 65 feet in height. A “building” is defined as “a roofed and walled structure that is completely enclosed, except as otherwise provided in the ULDR, the use of which demands a permanent location on the land.” There is no reference in the ULDR indicating that privacy partitions convert a continuous, open balcony into an enclosed structural element.

The Applicant originally proposed wrap-around unenclosed balconies with privacy dividers projecting approximately 12 feet at the tower’s center and tapering into rounded corners. Under the ULDR definitions and longstanding City practice, these wrap-around balconies, including privacy dividers used solely as separation elements, are not considered enclosed, and therefore are not part of the building mass or the tower floorplate used for tower stepback or tower separation calculations.

However, in an effort to address UDP design concerns (see Responses to UDP Comments #14 and #15), the Applicant revised the east and west elevations to introduce a vertical frame element extending to the rooftop canopy. While this change appropriately breaks up the horizontality of the façade, it also results in the center balconies becoming enclosed on three sides. Although these elements function more as architectural features than tower mass, the Applicant has nevertheless included a tower stepback modification for these center balconies to reflect the revised condition. Additionally, the Applicant revised the north and south elevations to remove portions of the unenclosed balconies, further narrowing the perceived bulk of the building.

Subject: Case UDP 2025077 Open at 701  
Date: Thursday, October 30, 2025 at 9:26:18 AM Eastern Daylight Time  
From: Jim Hetzel <JHetzel@fortlauderdale.gov>  
To: Sean Walsh <swalsh@baldwin.com>, Estelinda Mayorga <estelinda@toothaker.org>  
Cc: Yvonne Redding <Yredding@fortlauderdale.gov>  
Category: CNB Corp-OPUS at 701 (Bayshore)  
Attachments: image001.png, image004.jpg

Hi – as discussed in our meeting, below provides some clarification on planning comments regarding design and modification requests. Also included are recommendations to address the design comments. Yvonne and I spoke to Zoning Administrator to confirm that unenclosed balconies which are balconies open on 3 sides are permitted to encroach. If not, then it is considered free structure. Feel free to call Yvonne or me if have any questions.

<p><b>Highlighted text has not been demonstrated</b></p> <p><b>Baseplate</b> Required: 12 feet Proposed: 12 feet encroachment at closest point, encroachment the full length.</p> <p><b>Code Summary: Criteria includes:</b></p> <ul style="list-style-type: none"> <li>• any enclosed balcony or porch on the tower</li> <li>• setbacks to adjacent</li> <li>• setbacks to adjacent</li> <li>• setbacks to adjacent</li> </ul> <p><b>Site is not small but rather substantial in size for the block. Adjacent buildings contain elements of multiple levels to reduce mass.</b></p>	<p><b>Tower Separation</b> Required: 20 feet or 20% of the height + 28 feet (20% or 144 whichever is greater) Proposed: 22 feet</p> <p><b>Code Summary: Criteria includes:</b></p> <ul style="list-style-type: none"> <li>• separate the distance from any nearby tower</li> <li>• not require tower light and air between the balconies</li> <li>• maintain access to views remaining privacy for the mass of each building</li> </ul> <p><b>Revised tower separation to the red dotted line. Balcony and vertical banding projects into the tower separation reducing the amount of light and air flow.</b></p>	<p><b>Floorplate</b> Max: 16,000 square feet Proposed: 12,000 square feet balconies separated by wall or partition and not open on 3 sides results in inclusion on the floorplate</p> <p><b>Code Summary: Criteria for modification includes:</b></p> <ul style="list-style-type: none"> <li>• <b>Do not encroach within the surrounding street</b></li> <li>• incorporate creative design features such as enclosing, varying tower shape, concrete and architectural expression, etc. <b>PROVIDE BALCONY ENCLOSURE TO BE WITHIN THE BALCONY AND NOT PROTRUDING</b></li> </ul> <p><b>Need updated floorplate size including balconies that are not unenclosed. Due to tower separation and setback encroachments the building mass appears heavy and larger than surrounding context.</b></p>	<p><b>Height</b> Required: 120 feet Proposed: 144 feet</p> <p><b>Code Summary: Criteria includes:</b></p> <ul style="list-style-type: none"> <li>• Enclosure cannot exceed 16,000 square feet (total unenclosed feet)</li> </ul> <p><b>Collectively, these modifications result in a more massive building in comparison to the surrounding context.</b></p> <p><b>Staff recommends the following:</b></p> <ol style="list-style-type: none"> <li>1. Maintain the tower separation with some of the structure in the 28-foot separation or any encroachments. This would allow sunlight and prevailing east winds to flow between the buildings. It will also help reduce the mass of the building.</li> <li>2. Break up the horizontal length of the balconies or reduce the vertical banding on the north and south sides to the east and west sides to break up the horizontality.</li> <li>3. Vary the responses to variations.</li> </ol>
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 Jim Hetzel, AICP | Principal Urban Planner  
Urban Design and Planning Division | Development Services Department  
City of Fort Lauderdale  
700 NW 15th Avenue, Fort Lauderdale, FL 33311  
P: 954-828-5019  
E: JHetzel@fortlauderdale.gov

Under Florida law, most e-mail messages to or from City of Fort Lauderdale employees or officials are public records and may be subject to public disclosure.

**Applicant REV 3 Response:** North and south tower separation complies now at 32'-0" from property line to balcony line, and east and west tower stepback complies at 12'-0". No balcony projection request is required.



13. Pursuant to ULDR Section 47-12.5.E, Design Features, provide the measurement to the architectural features proposed on Level 1, these appear to encroach more than the allowed 5 feet into the setback. Any encroachment that exceeds 5 feet should be included in the deviation request. Also, there appears to be an encroachment on Level 2 on the north side of the building. The proposed Porte cochere is not considered an architectural feature and encroaches into the 20-foot front setback. This will need to be included in the yard modification request.



**Applicant REV 1 Response: Refer to sheet A-1.1 and A-1.2 for provided dimensions showing no encroachments beyond 5' into the setback. Per section 47-12.5.E.2, Non-habitable lobby entry features such as porte-cochère are exempt from yard requirements. As such, a yard modification is NOT required.**

14. Pursuant to ULDR Section 47-12.6.C, Modifications to dimensional requirements, applicants must demonstrate that requested modifications to the dimensional requirements must harmonizes with buildings located on neighboring properties through incorporation of elements that divide the building facade planes, and create a visual play of light and shadow, and do not result in long, uninterrupted horizontal elements. The proposed balconies are inconsistent with the criteria for modifications. The horizontal appearance of the balconies should be broken into a balcony for each unit with a break in between the balconies. These breaks should occur where proposed dividers are located. See images below.



**Applicant REV 1 Response:** East and west elevations have been revised to introduce a vertical frame element that extends up to rooftop canopy element. This frame helps break the mass and prevents such a horizontal / wide appearance.

15. Pursuant to Section 47-12.6.C.1, Modification of yards, development applications seeking yard modifications shall include minimum of four features to mitigate for yard modifications, which are listed in the code section. As proposed, the project does not meet this section as it lacks variation in building mass for the podium with no articulation, angling, projection, etc. In addition, the proposed podium screening material is the same style which does not provide contrast nor does it screen adequately. Revise the podium design and screening to meet this requirement. Furthermore based on the request to reduce yard dimensions combined with the lack of stepbacks, the overall result is a massive building in relation to the surrounding context. Applicant needs to address this issue.

**Applicant REV 1 Response:** The building balconies at north & south have been reduced to be 28' from property lines. The building face at tower is 32' away from property lines. This significantly reduces the "bulky" look that the building had. The podium design has been modified so that the slats are slightly different colors and slightly deeper and overlap to create a triad of patterns (top slat curves – overlap slat curves – bottom slat curves) to add more movement to the design

**Applicant REV 3 Response:** North and south tower separation complies now at 32'-0" from property line to balcony line, and no balcony projection request is required.

16. Provide percentage of openness for the parking podium screening. Staff recommends the screening material achieve at a minimum 60 percent opaqueness.

**Applicant REV 1 Response:** Perforated screen mesh will provide 40% openness meaning 60% opaqueness

17. Provide accurate renderings and additional screening within the garage to shield interior garage lighting and install shielding material along all elevation facing the neighboring properties.

**Applicant REV 1 Response:** Renderings provided in set; vehicle lights will be shielded with low walls; Podium has a large amount of vertical slats to screen view and lighting from inside to spill to the outside; interior lighting will be set back from edge of building and coordinated with lighting designer at time of permit drawings



18. Pursuant to ULDR Section 47-19.5, for properties abutting a waterway, no opaque fence, hedge or wall shall be permitted to exceed two and one-half (2½) feet in height as measured in accordance with Section 47-2.2.G, when located within ten (10) feet of the edge of the waterway. Provide the proposed fence and gate dimensions, photographic example of proposed material and color on the detail plan sheet. Fence and gate should provide a high level of opacity in order to allow a view of the water from the pedestrian perspective on both the rear and front of the property.

**Applicant REV 1 Response: Refer to sheet A-3.10 for fence detail #6.**

19. Pursuant to ULDR Section 47-19.2.S, Mechanical and plumbing equipment, such as air conditioner compressors, generators, lawn irrigation pumps, and swimming pool accessories shall not be located in the required front yard, but may be located within the required side or rear yards, but shall be no closer than five (5) feet from any property line provided that no such structure exceeds five (5) feet in height measured from the grade, eight (8) feet in length and limited to an area of forty (40) square feet. Provide measurements from the mechanical equipment to all property lines, including the FPL transformers.

**Applicant REV 1 Response: All pool equipment on ground level has been set back to not be within front yard and atleast 5' away from property line; refer to sheet A-1.1**

20. Please be advised that development applications in the Central Beach Regional Activity Center (RAC) are subject to vehicular trip and residential unit availability at the time of approval, on a first come, first served basis. Applicant shall confirm the status of the availability of trips or units during the DRC approval process. Processing of a development permit application does not guarantee vehicular trip or unit availability until approval is granted by the City Commission.

**Applicant REV 1 Response: Per the latest Development Tracking Table and when accounting for projects pending approval, 159 trips will be remaining. Therefore, there is currently sufficient trips available for allocation to the Project. Applicant acknowledges site plan approval is subject to trip availability.**

21. Pursuant to ULDR Section 47-12.5.F, 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.

**Applicant REV 1 Response: Acknowledged; Applicant is applying for a Site Plan Level IV Development Perm to reach maximum height of 144' with a compliant tower floorplate below 16,000 GSF.**

22. Provide the following changes to the site plan:
- Provide measurement from property lines to balconies, architectural features and Porte Cochere;
  - Provide location of proposed fence;
  - Provide setbacks to all mechanical equipment;
  - Provide setbacks to all yard encroachments including proposed architectural features; and
  - Indicate all utilities (both above and below ground) that would affect the proposed planting or landscape plan. Overhead lines (if any) should be placed underground. If the lines cannot be placed underground, provide documentation from Florida Power & Light Company indicating such.

**Applicant REV 1 Response:**



- a) **Measurements of balconies and Porte Cochere have been provided; refer to floor plans**
- b) **Fences and retaining walls are called out on ground level plan; refer to sheet A-1.1**
- c) **Setback dimensions to mechanical equipment provided on ground level plan; refer to sheet A-1.1**
- d) **Setback dimensions to all encroachments provided on all floor plans**
- e) **Refer to civil plans for all utility locations**

**d) Applicant REV 3 Response: No balcony projection request is required.**

23. Provide the following graphics and ensure the proposed project is in scale with neighboring buildings and only existing or proposed structures are shown in all renderings. To ensure that graphics accurately portray the project in scaled proportion to its surroundings, provide a vertical benchmark (power pole, adjacent building, etc.) and indicate the measurements for comparison. In addition, include the following verification statement on all provided renderings: *"This 3-dimensional representation of the proposed development is true and accurate relative to the height, width and length of any adjacent or proximate existing structures."*
- a. Provide aerial oblique perspectives of the project in context with adjacent properties and surroundings, from opposing views. Show clear and accurate 3-dimensional views in context with the surrounding area indicating building outlines;
  - b. Provide a context plan of general area indicating proposed development and outline of all nearby properties with structures outlined, and uses and heights labeled. On context plan, indicate and dimension setbacks, drive isles, public sidewalks;
  - c. Provide context elevations (north/south and east/west) indicating proposed project and nearby properties, including those across adjacent streets and/or waterways. Dimension the height, length, and width of all structures, setbacks, drive isles, landscaping, etc. in order to ascertain the relationship the proposed development will have on the surrounding properties;
  - d. Provide project cross sections clearly indicating how the proposed development will interact with the surrounding properties;
  - e. Provide pedestrian-level perspective renderings of project as viewed along (street);
  - f. Provide detail of ground floor elevations with scale no less than  $\frac{1}{4}'' = 1'$ . All pertinent details (awnings, windows, etc.) should be dimensioned. Include specifications, and/or photographic examples of proposed materials; and,  
**Applicant REV 1 Response:**
    - a. **Aerial massing shown on sheet A-0.3 with context massing of surrounding building outlines called out with uses / heights; aerial renderings added to new sheet A-0.3A**
    - b. **Refer to sheet A-0.13 for the site plan showing the outlines of the surrounding context with labels and heights**
    - c. **Refer to new sheet A-3.4A for context elevations**
    - d. **Refer to new sheet A-2.3A for context section**
    - e. **Refer to new renderings on sheet A-4.4**
    - f. **Refer to new sheets A-3.4B & A-3.4C for ground level elevations**
24. Pursuant to ULDR Section 47-19.2.Z, Accessory Uses, Buildings, and Structures; rooftop mechanical equipment such as air conditioners, compressors, generators, etc. shall be screened with material that matches the material used for the principal structure and shall be at least six (6) inches high above the top most surface of the roof mounted structures. Provide the following:
- a. Roof plan indicating the location of all mechanical equipment with spot elevations of the parapet wall and roof as well as mechanical equipment to verify adequate screening;



- b. Identify the location of equipment on building elevations by outlining the equipment with dash lines; and
- c. Proposed screening product does not meet code. Screening material must be opaque and cannot be perforated..

**Applicant REV 1 Response:**

- a. Refer to sheet A-1.9 for spot elevations on parapet, screening, and equipment
- b. Refer to sheets A-3.1 thru A-3.4 for outline of rooftop equipment
- c. Screen wall revised to be of cmu with slats in front of the wall to align with the aesthetic of the podium and screens seen throughout the building. Refer to sheet A-1.9

25. Provide legible photometric plan for the entire site. Extend values on photometric plans to all property lines. Show values pursuant to the Unified and Land Development Regulations ("ULDR"), Section 47-25.3.A.3.a and 47-20.14. Indicate lighting poles on site plan and landscape plan, and provide detail with dimensions. Garage internal lighting fixtures, vehicle headlights in garage, and glare cannot be visible from neighboring properties.

**Applicant REV 1 Response: Photometric plans provided in submittal.**

26. Provide a detailed emergency evacuation plan for the roof top furniture and plants including shading devices and furniture, plants and planters. These items must not be affixed to the roof or parapet walls.

**Applicant REV 1 Response: Refer to new sheet A-1.9A for rooftop furniture evacuation plan.**

27. The City's Vision is to support sustainable infrastructure. Consider employing green building practices throughout the project such as, but not limited to; charging stations, tank-less water heaters, rain collection systems, pervious pavement where appropriate, bio-swales, Florida Friendly™ plant materials, solar panels and green roofs.

**Applicant REV 1 Response: Acknowledged.**

28. It is recommended the following pedestrian and bicycle-related comments be addressed:
  - a. Provide bicycle parking for visitors in visible, well-lit areas as close as possible to pedestrian entryways/doors. Where possible, locate bicycle parking in an area that is sheltered/covered;
  - b. Provide bicycle storage lockers for residents, preferably in a room with natural light; and,
  - c. Consult the Association of Pedestrian and Bicycle Professionals ("APBP") for Bicycle Parking Guidelines and Broward County End-of-Trip Bicycle Facilities Guide at <http://www.apbp.org/>. For more information on bicycle parking standards, please email Ben Restrepo at [brestrepo@fortlauderdale.gov](mailto:brestrepo@fortlauderdale.gov).

**Applicant REV 1 Response:**

- a. Visitor bike parking provided in covered area south of main entry / drop off; refer to sheet A-1.1
- b. Bike storage lockers provided within the bike storage room on the ground level; storefront added to provide natural lighting into the room; refer to sheet A-1.1
- c. Acknowledged; will comply.

29. Provide a preliminary construction staging plan which includes anticipated hours of operation on site, debris mitigation plan, and map indicating where crane operations and employee and/or equipment parking and storage will be placed. A revocable license application and a traffic circulation plan may be required if the sidewalk or right-of-way requires to be closed at any time, which should be filed under a separate application and coordinated through the City's Maintenance of Traffic (MOT) process with the Transportation and Mobility Department.

**Applicant REV 1 Response: Schematic level staging plan has been provided in this submission.**



30. Provide written confirmation from Florida Power and Light (FPL) regarding the possibility to underground the utilities lines at this location and how the lines could continue along the street.  
**Applicant REV 1 Response:** FPL correspondence will be provided in a future submittal.  
**Applicant REV 2 Response:** FPL correspondence will be provided prior to Planning & Zoning Board.  
**Applicant REV 3 Response:** See uploaded FPL correspondence regarding proposed undergrounding.
31. This project is subject to the requirements of Broward County Public School Concurrency. The City will notify the School Board Superintendent or designee of this proposal. Prior to submitting an application for placement on a PZB or City Commission agenda, a written response from the School Board shall be provided by the applicant. Prior to application for final DRC approval, please provide confirmation from the School District that the residential development is exempt or vested from the requirements of public school concurrency, or a School Capacity Availability Determination (SCAD) letter that confirms that capacity is available, or if capacity is not available, that mitigation requirements have been satisfied.  
**Applicant REV 1 Response:** A Public School Impact Application was filed and the Preliminary SCAD will be submitted to the City upon receipt.  
**Applicant REV 2 Response:** Public School Impact Application was filed and the Preliminary SCAD will be submitted to the City upon receipt.  
**Applicant REV 3 Response:** Refer to uploaded Final SCAD letter confirming the project satisfies public school concurrency.
32. Park impact fees are assessed and collected at time of building permit application per each dwelling unit type proposed. Please provide total park impact fee amount due. For reference, an impact fee calculator can be found at: <http://www.fortlauderdale.gov/departments/sustainabledevelopment/building-services/building-permits/park-impact-fee-calculator>.  
**Applicant REV 1 Response:** The Park Impact fee is estimated between \$147,150.00 and \$152,550.00 based on the dwelling unit sizes proposed. Final Park Impact fees will be assessed at time of building permit application.

33. **NEW COMMENTS:**

Once the DRC members have signed off for Pre-PZ, please upload a clean set of plans without the "red" bubbles and deltas for the PZB to review.

Also can you provide a tower separation diagram to illustrate the encroachments more clearly.

Maybe at the closest point or floor level, you provide the tower separation dimension and then provide the dimension the balcony provides.

**Applicant REV 2 Response:** Refer to new sheet A-0.16 for a plan and elevation diagram dimensioning tower separation and encroachments

**Applicant REV 3 Response:** No balcony projection request is required.

**GENERAL COMMENTS**

The following comments are for informational purposes.

34. It is recommend that a written response to all DRC comments is provided by November 13, 2025, in order to stay on the 180 state statute timeline, or provide the waiver to the deadline.  
**Applicant REV 1 Response:** Acknowledged.



35. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Prior to routing your plans for Final DRC sign-off, please schedule an appointment with the project planner (954-828-6495) to review project revisions and/or to obtain a signature routing stamp.

**Applicant REV 1 Response: Acknowledged.**

36. If a temporary construction/sales trailer is needed for this project, provide the details and location of the trailer on an additional site plan, to avoid additional review in the future. Ensure details and locations receive approval from the Building Service Department's DRC Representative.

**Applicant REV 1 Response: Acknowledged and taken under advisement.**

37. Additional comments may be forthcoming at the DRC meeting.

**Applicant REV 1 Response: Acknowledged.**