



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: November 24, 2020

PROPERTY OWNER: Downtown Fort Lauderdale Waterfront 18, LLC.

APPLICANT/AGENT: Stephanie Toothaker, Esq.

PROJECT NAME: Raintree Riverwalk Residences

CASE NUMBER: UDP-S20018

REQUEST: Site Plan Level III Review: 784 Multi-Family Residential Units, 18,243 Square Feet of Retail Use and Associated Parking Reduction in Downtown Regional Activity Center

LOCATION: 408 SW 4th Avenue

ZONING: Regional Activity Center – South Mixed Use (RAC-SMU)

LAND USE: Downtown Regional Activity Center

CASE PLANNER: Linda Mia Franco



Case Number: UDP-S20018

CASE COMMENTS:

Please provide a response to the following:

1. Specify uses and occupancy classification per Chapter 3 of the FBC
2. Show provisions for either open or closed interior parking per FBC 406.5 or 406.6
3. Specify height and area compliance per Chapter 5 of the FBC
4. Provide building construction type designation per Chapter 6 of the FBC
5. Specify fire-resistance rating requirements based on building separation FBC Table 601 and 602.
6. Provide occupancy loads with compliant life safety egress design per Chapter 10 of the FBC
7. Specify required number of exits based on travel distance, occupancy load, and use FBC 1006
8. Designate Fair Housing Provisions and accessibility per FBC Accessibility volume.
9. Indicate code compliant sprinkler system per FBC
10. Provide accessible route connecting handicap parking spaces to accessible building entrance per FBC Accessibility volume.

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. Florida Building Code 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://www.municode.com/library/fl/fort_lauderdale/codes/code_of_ordinances?nodeld=C OOR_CH14FLMA

Please consider the following prior to submittal for Building Permit:

1. On January 1st, 2018 the 6th 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:
 - a. <http://www.fortlauderdale.gov/departments/sustainable-development/building-services>
 - b. https://floridabuilding.org/bc/bc_default.aspx
 - c. <http://www.broward.org/codeappeals/pages/default.aspx>

General Guidelines Checklist is available upon request.



Case Number: UDP-S20018

DEDICATION OF RIGHTS-OF-WAY: Per ULDR Section 47-25.2.M.5, property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards:

- a. Provide permanent Sidewalk Easement as appropriate along East side of SW 4th Avenue to accommodate portion of pedestrian clear path (coordinate required width with TAM) that may be located beyond public Right-of-Way; show / label delineation in the plans.
- b. Provide permanent Sidewalk Easement as appropriate along West side of SW 3rd Avenue to accommodate portion of pedestrian clear path (coordinate required width with TAM) that may be located beyond public Right-of-Way; show / label delineation in the plans.
- c. Provide 10' x 15' (min.) permanent Utility Easement for any 4 Inch or larger water meter and/or the first private sanitary sewer manhole located within the proposed development (for City Maintenance access); show / label delineation in the plans as appropriate.

CASE COMMENTS:

Prior to Planning and Zoning Board Meeting sign-off, please provide updated plans and written response to the following review comments:

1. Meet the City's Adequacy requirements to services provided to the public (fire service, water, wastewater, stormwater, transportation, etc.), per ULDR Section 47-25.2 of the City's Code of Ordinances. Assess potential demands and impacts on City services and prepare a design for each that utilizes existing water, wastewater, stormwater, and transportation infrastructure to adequately serve this project. If the adequate infrastructure is not available, prepare a design that extends/expands the connection to the nearest City system to adequately serve this development.
 - a. Prepare service demand calculations for water & wastewater services and obtain a letter of service availability from the City's Public Works – Engineering Department. Submit water and wastewater capacity availability request form and documents/ plans at <https://www.fortlauderdale.gov/departments/sustainable-development/building-services/engineering-forms-and-info/development-review-committee-service-demand-calculations-for-water-sewer>
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.).
3. Discuss status of existing encumbrances such as easements (including whether public or private) shown on the provided survey. Vacation of any platted Utility Easement or right of way would require a separate DRC submittal, DRC staff support, and City Commission approval.
4. Please email PLAN@FORTLAUDERDALE.GOV to obtain copies of the City utility maps and as-builts as applicable to the project location and show existing City underground utilities and easements (water, sewer, forcemain, and stormwater utilities) on engineering and landscaping plans.



5. Provide disposition of existing utilities on-site and within the adjacent right of way that maybe 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.
6. Proposed structures (building, overhang, foundation ramps, stairs, planters, water features, etc.) shall not be constructed within existing Alley right-of-way and or easements. Encroachments within easement will require non-objection letters from utility agencies with jurisdiction over the easement. Encroachments within a City's right-of-way shall requires a separate Design Review Committee (DRC) submittal and a Revocable License Agreement.
7. Provide disposition of existing light poles, down guys, streetlight, fire hydrants, and any other utilities within the adjacent right of way that maybe impacted by the proposed development. Any down guy that is to remain will need to be verify for possible conflict with required vertical clearance above public or private access walkway.
8. 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.
9. Clearly indicate on plans the limits of construction and how the proposed improvements will transition into the existing (on-site and off-site) as applicable.
10. Per ULDR Section 47-2.2.Q, show and label sight triangles as appropriate for safe and adequate access of drivers and pedestrians, on the Site Plan, Landscape Plans, and Civil Plans; intersections of driveways with streets and alleys (10' measured from intersection point of pavement edges), alleys with alleys (15' measured from intersection point of extended property lines), alleys with streets (15' measured from intersection point of extended property lines), and streets with streets (25' measured from intersection point of extended property lines).
11. Show and label existing and/or proposed easement boundaries and horizontal building clearances on all building elevation / section details, as appropriate.
12. Discuss dumpster enclosure/ trash pick-up access requirements with case planner and waste management. Show truck turning movements in and out the proposed dumpster enclosure/ building as applicable. Ensure sufficient height clearance is provided within garage for truck access.
13. Provide and label typical roadway cross-sections for the proposed development side of SW 4th Ave a, SW 4th Ct and SW 3rd Ave at driveway access points, at on-street parallel parking lanes, and at landscape swale areas.
14. Depict existing sidewalk adjacent to the development and how proposed sidewalk/ pedestrian path will transition into existing sidewalk.
15. Label on Site Plan Data Table the required and proposed type of loading zone(s) required, per ULDR Section 47-20.2 Table 2 and Section 47-20.6; also label location of ADA van-accessible parking stalls. If applicable, show truck turning template circulation (label typical minimum centerline turning radius) entering and exiting the site as required for the proposed development. Turning geometries and loading zone design shall be in accordance with ULDR Section 47-20.6.



16. Applicant needs to identify all design vehicles that are to be accommodated in the garage and provide vehicular turning templates to demonstrate the design vehicles can maneuver through the proposed parking building and driveway approach.
17. The minimum clear width and depth parking stall dimensions shall not be encroached upon by building columns.
18. Depict/ label existing/ proposed stop sign/ bar marking and striping on right of way adjacent to the site and on driveway connections to right of way as applicable.
19. Per ULDR Section 47-19.3 (Seawall Ordinance): the top of seawall for redeveloped property shall be between elevation 3.9 feet NAVD88 (minimum height) and FEMA base flood elevation for the property (maximum height) except as described under ULDR Section 47-19.3.f; allowance for fixed docks to extend 10 inches above the adjacent seawall; allowance for floating docks and requirement that they be permitted and permanently attached. Confirm location of existing seawall and dock relative to property boundary fronting waterway.
20. Conceptual on-site and off-site drainage plans and calculations need to be developed further as follows.
 - a. Discuss if stormwater runoff from proposed driveway and on-street parking is designed to be conveyed to existing landscape swale and inlets. If so, provide curb and gutter or valley gutters along edge of pavement for stormwater conveyance on right-of-way particularly where landscaping swales areas are being replaced with on-street parking
 - b. Provide sufficient existing and proposed grades and information on Paving, Grading, and Drainage Plan and details to demonstrate how stormwater runoff will remain onsite. Please include typical cross-sections along all property lines as appropriate to show how the proposed project improvements will not adversely impact the adjacent Right-of-Way, properties and waterways.
 - c. 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.
 - d. Any right-of-way drainage improvement shall follow City-approved standard details for drainage infrastructure elements (exfiltration trenches, catch basins, etc.)
 - e. On-street parking needs to coordinate between civil, landscaping and architectural site plan. Be advised on-street parking will not be allowed to encroach onto intersection visibility triangle.
 - f. 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.
 - g. Provide stormwater retention and drainage calculations, signed and sealed by a Florida registered professional engineer for the proposed on-site stormwater management system and the required off-site drainage improvement as applicable.



- h. Please provide reasonable assurances for the proposed drainage system (including drainage wells, exfiltration trenches and catch basins) located beneath the parking garage structure will be able to be effectively operated and maintained. Please provide at a minimum:
 - i. Detailed information regarding the structural design of the parking garage and provide a certified geotechnical and structural engineering analysis to demonstrate that the proposed storage system will not undermine the structural components of the garage.
 - ii. Design plans of the parking garage demonstrating that the structures are accessible by equipment required to maintain the system and replace in the event of failure.
21. Any road cuts for utilities or curb cuts within City Right-of-Way shall be shown on plan to 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.
22. Evaluate the possibility of utilizing a sustainable stormwater approach with the possibility of low impact (cisterns, pervious pavers, bioswales, raingardens, etc.) uses for landscaping along the streetscape.
23. Provide disposition of existing services (i.e. water services and sewer laterals).
24. Proposed sewer main extension is to project parallel along SW 3rd Ave and connect to onsite manhole perpendicular to the right-of-way.
25. Provide invert at connection, extension distance and elevation at all proposed manholes.
26. Per ULDR Section 47-19.4.D.7, dumpsters serving restaurants require grease traps, oil / sand separators, and drains connecting to sanitary sewer. Also note, any connection to sanitary sewer will need to be protected from stormwater infiltration to the post development stage elevation of the design storm of 100yr frequency with a 3-day duration period.
27. A min. 5 feet and 10 feet horizontal clearance horizontal separation is required between city utilities infrastructure and proposed small and large trees, respectively (including proposed water and sewer services to the development). Any new trees (located within or adjacent to City Right-of-Way) should be placed with sufficient horizontal and vertical distances (per City, County, and State guidelines) to / from City's public infrastructure, including stormwater assets, to allow for continued Public Works maintenance without obstruction.
28. If separation from existing underground utility and proposed street trees cannot be accommodated due to field conditions, then the developer shall relocate the existing City's public infrastructure to resolve the conflict(s) and to comply with City's, County's & State's engineering and landscaping standards/permits/policies. Please unsure separation is denoted on plan and include a note regarding horizontal clearance requirement on the landscape plans.
29. Proposed trees shall be installed a min. 4 feet behind proposed curbs when adjacent to travel lanes and a min. 6 feet away from adjacent travel lanes when no curb is present.
30. Please provide a Stormwater Pollution Prevention Plan (SWPPP) for the proposed development and be sure to includes existing/proposed stormwater drainage inlets. A copy of the approved SWPPP shall be at the construction site from the date of demolition initiation to the date of final construction activities.



31. 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, and any loaded Jib Crane radius shall not extend beyond private property boundaries. Any City Right-of-Way closure over 72 hours requires a Revocable License Agreement, processed by Property Right-Of-Way Committee (DRC) and approved by the City's Commission, prior to Right-of-Way permit issuance by the Department of Sustainable Development for Maintenance of Traffic.
32. If dewatering activities are anticipated, a notarized City dewatering affidavit shall be filed at City's building department when submitting a demolition or foundation permit along with any applicable dewatering permit form regulatory agencies such as the South Florida Water Management District or Broward County Department of Environmental Protection.
33. Discuss if pedestrian lighting is proposed; if not, discuss the possibility of the addition of pedestrian lighting along City Right-of-Way, which requires perpetual maintenance by the Applicant via a Maintenance Agreement executed with the City. Please contact the Case Planner for details to match the area.
34. Be advise, any existing streetlight must remain in place and operational. Should temporary removal or relocation be unavoidable, it will need to be review and approved by the City of Fort Lauderdale Facility manager. Please provide disposition plan for all existing streetlights
35. 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. Perpetual maintenance of newly constructed exfiltration trenches, inlets, etc. within adjacent City Right-of-Way will typically revert to the City, upon successful inspection/acceptance by Public Works after 1-year warranty period.
36. For Engineering General Advisory DRC Information, please visit our website at <https://www.fortlauderdale.gov/home/showdocument?id=30249>
37. Additional comments may be forthcoming at the DRC meeting and once additional/ revised information is provided on plans.



Case Number: UDP-S20018

CASE COMMENTS:

Please provide a response to the following:

1. The City has adopted Florida Friendly Landscaping requirements into our ULDR Section 47-21. This basically means that plant material must be grouped together based on watering needs (hydro zone) and turf areas must be limited and/or consolidated to less than 50% of the landscaped area. Plant material species must be minimum 50% Florida Friendly Landscaping. 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. Illustrate hydro zones on planting plan and include calculations in table.
2. 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.

The 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.

There is a product that the Landscape Department will approve the use of in place of Structural soil. With the Structural soil repositioning of the underground utilities is required. A suspension modular paving system product will provide the required root development area for a healthy and vibrant tree, along with their use it will allow the utilities to be in place and not affect their location in conjunction with the tree's root system. Please look into the use of the Green Blue Urban soil cell, Silva cell or like product for this and all future site developments.

As with the use of Structural soil a detail of the product and indication of the extent of use to be provided of the soil cell pavement support systems product.

3. Within the Downtown RAC district and as per Chapter 4 of the Downtown Master Plan Design Guidelines newly planted shade tree street trees are suggested to be a minimum of 20-22 feet tall; 10-12 feet spread with 6 feet canopy clearance and provided on 30 feet centers within the curb. Street trees may be proposed encroaching within the sight triangle area; these trees will require eight feet canopy clearance for traffic visibility requirements.
 - a. Please coordinate with TAM for it was mentioned that the travel lane may be expanded along SW 4th AVE and have an effect with the required streetscape.
 - b. Please see guidelines for New River Master Plan as to local streets leading to the water whereas there is area for required street trees between the 7 feet clear unobstructed sidewalk and vehicle traffic area with street trees being on maximum 15 feet centers.



- c. At the intersections where street with shade trees converge, it is encouraged to have tall palms at the immediate corners to provide a visual marker. The city would prefer to have three (staggered height) individual signal cane palms (minimum 16 feet OA) installed as a cluster with each palm a maximum 5 feet apart at their base to frame the corner in place of a single large cane palm tree. With a shift of the palms on SW 3rd AVE towards the south there appears to be adequate room for an additional street tree between the palm cluster and driveway.
4. A minimum separation of 6 feet is required between the tree trunk and travel lane when curb and gutter DO NOT exist, and a minimum separation of 4 feet is required between the tree trunk and travel lane when curb and gutter DO exist.
 - a. Please illustrate this clearance on the Landscape plan.
5. 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.
6. Provide, in tabular format, all required versus provided landscape calculations.
7. Please provide a lay-over sheet demonstrating the onsite open space - landscape areas and provide the calculations that verifies the landscape and open space requirements are being met.
8. 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. Where conflicts exist, shift the utility and/or site amenities.
 - a. Please shift the proposed underground utilities now showing in the right of way, this area is required for the site's streetscape.
 - b. Overhead utilities along the street should be relocated underground.
9. Light fixtures with an overall height of more than ten feet shall be located a minimum of 15 feet away from shade trees, as per ULDR Section 47-21.12. Please identify light poles on plans.
10. The Department is requesting that in addition to the required condition assessment that a Tree Risk Assessment Qualification Level 3 Risk Assessment (TRAQ) should also be provided for the Commission Protected Raintree by a properly qualified ISA Certified Arborist with risk assessment experience and a current ISA TRAQ credential.



11. African Rain Tree (*Samanea saman*) which is protected under Resolution 87-318 of the City Commission. As per Sec. 47-21.2.A.50. "Protected Tree" is "A tree which due to its size, shape, character, age, aesthetic value, species, historical value or any combination thereof declared by the City Commission to be a locally unique example of the species." Accordingly, this tree cannot be removed without approval by the Commission. Also, all reasonable measures must be taken to avoid damage to the tree or root system, out to the natural dripline (See Sec.47-21.15.C.4.). From taking a measurement of the canopy from Broward County Property Appraiser web page and from sheet LD-101, it appears that the canopy from the south property line to the north edge of the tree's canopy is approximately 130 feet. The upper portion of the structure is proposed at 107 feet and 5 inches from the south property line therefor this portion of the building will be in conflict with the tree's canopy. The lower portion of the building at the root zone area is proposed at 89 feet 2 inches from the property line, this doesn't include the deck, stair ways, elevated planting beds and pedestrian walkway that appears to be 10 feet from the trunk of the tree. Likewise, the proposed pedestrian walkway and benches on the south and east sides of the tree are proposed within the root zone area of the tree. Also, in viewing the Land Survey and the sheet C-1 there appears to be a proposed change of grade under the tree. The proposed development is within the Tree Protection Zone (TPZ) and very well may be into the Critical Root Zone (CRZ) area. As

noted within Best Management Practice of Managing Trees During Construction - companion publication to the ANSI A300 Part 5; "Compromising the TPZ and damaging roots within the CRZ will reduce the likelihood of long-term tree survival and increase the risk of tree failure". As the project is proposed the Rain Tree would fall into a state of violation to city ordinance of tree abuse. The canopy reduction appears not to be supportable of the Rain Tree for it appears that this tree has very little lateral branching for this type of pruning to take place, therefor the pruning would be Internodal / Heading cuts (Hatracking). The root system of the Rain Tree would be compromised by change of the natural grade, excavation, soil compaction and although not yet presented within the DRC plans would be a possible an irrigation system.

Section 47-21.15.D.Tree abuse. This section talks about these areas of tree abuse from damaging the root system and Hatracking in which is prohibited as to city ordinance. Tree number 002-QV shown to remain in place, all tree preservation requirements also apply.

12. The Rain Tree is a type of species that requires continuous full sun throughout the day to thrive; as derived from Department research from online resources such as apps.lucidcentral.org, nparks.gov.sg to name a couple. With the proposed east building it appears that the Rain Tree will be in a shaded situation till about midday. This shaded situation endured upon the tree may have an undesirable effect upon its long-term health. The Department is requesting a report be provided as to the effects of the shade upon the Rain Tree. Please have a reputable company with knowledge of, certified in Arboriculture and in providing this type of service make available the information.
13. Section 47-21.15.A.3. addresses that to save large, desirable trees and the proposed placement of the site plan elements would be in conflict, that a modification of the site plan is to be resubmitted. Please modify the proposed site plan to eliminate any proposed disturbance or disruption within and to the existing tree's canopy along with the root zone area to the existing natural dripline.
14. Please provide cross sections of East, West, North and South sides of the Rain Tree with measurements to the tree trunk and natural dripline of the canopy as to the proposed development. Please include trunk size and existing natural canopy spread measurements.



15. For specimen size trees, provide ISA Certified Arborist report for specimen trees, as per ULDR 47-21.15. This report is to be on ISA Certified Arborist business letterhead with contact information and ISA Certification number clearly stated. This report would include tree survey with numbered trees, a corresponding table which includes tree number, botanical name and common name, trunk diameter at breast height, clear trunk for palms, condition percentage, etc.; and a written assessment of existing tree characteristics. This information is required to calculate equivalent value mitigation. Please include trees to remain in place such as the Rain Tree as well.
16. Please have a certified ISA Arborist provide the information as to the existing trees including the condition ratings and calculations that will be required for mitigation purposes.
17. Within the previous approved site plan there were additional trees and palm trees to be relocated than now proposed. Please investigate saving additional trees and palm trees by relocation rather than removal and mitigate.
18. There appears to be trees and palm trees in the within the vicinity of the overheads that run between the east and west buildings that appear to be a conflict of those utilities. From the preliminary meeting it may have been mentioned that approval was obtained from FPL for the species proposed within this area, please provide correspondences indicating the approvals.

GENERAL COMMENTS

The following comments are for informational purposes.

Please consider the following prior to submittal for Building Permit:

1. 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 not at this time of the DRC submittal.
2. Relocated trees will be moved by the applicant following the ANSI A 300 standards and guaranteed by the permit holder for one year for trees of less than six inches in caliper and for two years for trees greater than six inches in caliper, as per ULDR 47-21.15. A monetary guarantee of postal money order, certified check or cashier's check may be required to ensure compliance with requirements. A tree protection barricade before during and after construction activities may be required to ensure protection of tree or trees. Prep work for relocation requires no permit and should start as soon as possible.
3. Proposed landscaping work in the City's right of way requires engineering permit and approval (GLandscape permit). This approval requires documents to be submitted for Engineering review. Note that Landscape will not approve permit review without these Engineering documents being submitted.
4. 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 hydro-zones on planting plan and include calculations in table.



Case Number: UDP-S20018

CASE COMMENTS:

Please provide a response to the following:

1. Entry doors should be solid, impact resistant or metal and should be equipped with a 180 degree view peephole.
2. Residential unit entry doors should be equipped with a quality secondary deadbolt locking system and have a 180 degree peephole or view port for security.
3. Sliding glass windows should be equipped with burglary deterrent features such as track blocks, door pins, or similar devices.
4. All glazing should be impact resistant.
5. Units should be pre-wired for an alarm system.
6. Lighting and landscaping should follow CPTED guidelines.
7. Stairs should be egress-only at the ground level to avoid unauthorized intrusion.
8. Pool area should be equipped with a child proof access control feature to prevent unsupervised children access to the pool.
9. A CCTV system should be employed throughout the property with focus on entry/exit points, elevators, parking garage, hallways and common areas. It should be capable of retrieving an identifiable image of a person.
10. Emergency communication devices should be placed in the parking garage and common areas. These should be easily identifiable and accessible.
11. Light reflecting paint should be used in parking garage to increase visibility and safety.
12. All restricted areas and resident only areas should be access controlled and labelled as such.
13. Elevators should be access controlled and labelled as such, to indicate resident only access versus public access.
14. Parking garage should have access control separating private residential parking from public access parking.
15. There should be a secured valet key management system for the vehicles on site.
16. Office and storefront doors and common area doors should be lockable from the inside to provide safe shelter in the case of an active threat such as an active killer event.

GENERAL COMMENTS

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

Please submit responses in writing prior to DRC sign off.



Case Number: UDP-S20018

CASE COMMENTS:

Please provide a response to the following:

1. Garbage, Recycling and Bulk Trash shall be provided.
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.
3. Solid Waste Services shall be provided by a Private Contractor licensed by the City.
4. Service Days shall be: No restriction for Commercial collection. Service may not occur earlier than 7:00 am or later than 7:00 pm within 250 feet of residential.
5. Containers: must comply with 47-19.4
6. Solid Waste charges shall be collected in monthly lease with Sanitation account for property under one name (Commercial).
7. Solid Waste Collection shall be on private property container shall not be placed, stored or block the public street to perform service (large multifamily and commercial parcels).
8. Provide letter from chute company indicating make and model of proposed equipment and that it will meet the capacity needs of building.
9. Recommend trash chute accommodate recycling.
10. Draw equipment on plan to show it will fit in trash room.
11. Submit a Solid Waste Management Plan on your letterhead containing name of project, address, DRC case number, number of units if applicable, and indicate whether it is Pre or Final DRC.
 - o 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 smccutcheon@fortlauderdale.gov. Letter should include an analysis of the expected amounts of solid waste and recyclables that will be generated (if different from current capacity), and container requirements to meet proposed capacity.
 - o Community Inspections will reference this Solid Waste Plan for sanitation compliance issues at this location.

GENERAL COMMENTS

The following comments are for informational purposes.

Please consider the following prior to submittal for Final DRC:

1. None



Case Number: UDP-S20018

CASE COMMENTS:

1. Submit a traffic impact statement and coordinate with the Transportation and Mobility Department regarding traffic calming and a traffic impact study if needed. A traffic study is needed Pursuant to 47-25.2.M.4. Applicant must fund City's review by consultant and pay a \$4,000 deposit prior to scheduling a methodology meeting after which the study will be prepared, transmitted and reviewed by the City's consultant. Staff and consultant's review concerns shall be adequately resolved prior to gaining authorization for either the Planning & Zoning Board or City Commission hearings. Take into consideration that the review of this study, once submitted, will take about 4-6 weeks once all documents are received.
2. Include a table showing the proposed land uses, the floor area in square feet for each land use, the parking ratio, the number of parking spaces required by type, and the number of parking spaces proposed by type (standard, compact, handicapped, bicycle, loading, etc.). ULDR Sec. 47-20.2. - Parking and loading zone requirements.
3. Continue to coordinate with Transportation and Mobility staff on the parking reduction methodology. The parking reduction needs to be completed Pursuant to ULDR Section 47-20.3.
 - a. Site plan should show what percent of a parking reduction is being requested.
 - b. A parking reduction order will need to be recorded.
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.
5. Per MUTCD Figure 3B-21. Examples of Parking Space Markings there must be 20 feet minimum "NO PARKING ZONE" from unmarked crosswalks. On SW 4th Ct the unmarked crosswalk would be the sidewalk, please remove the parking stall on SW 4th Ct that is within this minimum 20 feet from the sidewalk.
6. Illustrate clear sight triangle for the intersections and driveways, if on street parking spaces are within these sight triangles please remove the conflicting on street parking spaces.
7. For placement of parallel on street parking in the right of way follow the design standards listed in the FDOT Florida Design Manual Table 212.11.2 Parking Restrictions for Driveways and Intersections. <https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/roadway/fdm/2021/2021fdm212intersections.pdf>
8. Please add the following note to site plan if on-street parking is proposed "None of the on-street spaces are reserved for the development and may be used by any member of the public. The developer must be aware that they cannot count on-street spaces towards their parking requirement; the spaces may be removed at any time for any reason and the City of Fort Lauderdale will not relocate displaced on-street parking"
9. The city reserves the right to meter the on-street parking spaces in the public right of way at any time.



10. 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 the driveway.
11. All loading and unloading must be contained on site including postal delivery services and rideshare pick up and drop off.
 - a. Illustrate where and how moving trucks and postal delivery trucks will operate on site.
 - b. Provide a dedicated area on site for these services that does not conflict with parking and access through the site.
12. All internal circulation and queuing areas must be designed to accommodate the turning radii of the vehicles that will be using the site.
13. Sidewalks must be straight and direct pedestrians to clear pathways, remove any structures, poles and landscaping from the sidewalks that are disrupting this clear pathway.
14. 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.
15. Bicycle parking is strongly encouraged. Consult the APBP Bicycle Parking Guidelines, city of Fort Lauderdale Parking Standards and Broward County End-of-Trip Bicycle Facilities Guide. Look to provide the minimum long term and short-term bicycle parking based on requirements in the guide and include total counts on the site plan data sheet. Bicycle parking needs to be located on the site so that it is accessible to the public.
16. Additional comments may be provided upon further review.
17. Sign off is required.

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.
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.



Case Number: UDP-S20018

CASE COMMENTS:

Please provide a response to the following:

1. The proposed project requires review and approval by the Planning and Zoning Board (PZB). A separate application and fee are required for PZB submittal, and the applicant is responsible for all public notice requirements, pursuant to the Unified Land Development Regulations (ULDR) Section 47-27). In addition, the development permit shall not take effect nor shall a building permit be issued until thirty (30) days after approval, and then only if no motion is adopted by the City Commission seeking to review the application.
2. Pursuant to Public Participation requirements of ULDR, Sections 47-24.1.F.14 and 47-27.4.A.2.c, 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 notice via e-mail and regular mail to the 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 (a listing of officially-recognized neighborhood associations is provided on the City of Fort Lauderdale website: <https://www.fortlauderdale.gov/departments/city-manager-s-office/office-of-neighbor-support/neighborhood-associations>) and,
 - 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 conduct the public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting are 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 a 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. 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.
3. The site is designated Downtown Regional Activity Center (DRAC) on the City's Future Land Use Map. The proposed use is permitted in this designation. This is not a determination on consistency with Comprehensive Plan Goals, Objectives and Policies.
4. The project location, in the Regional Activity Center - Transitional Mixed-Use (RAC-TMU)- Southwest Mixed Use (RAC-SMU) zoning district and the Riverwalk District, is subject to review by the Design Review Team (DRT) for adherence to the Downtown Master Plan Design Guidelines and the New River Master Plan Design Guidelines. DRT comments are incorporated herein after DRC comments.
5. Please be advised that there is an approved site plan, DRC Case 51R12, for this property that will become invalid if the current application, DRC Case UDP-S20018, is approved. The residential units allocated to Case 51R12 will be reallocated to the City's RAC unit availability and the City will reassign units to Case UDP-S20018 from the RAC unit pool.

6. 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.
7. A separate application and fee are required for a parking reduction. Please go to the following link for the application: <http://www.fortlauderdale.gov/home/showdocument?id=958>.
The fee has been invoiced along with associated fees for the project.
Should the application for a parking reduction be approved, a parking reduction order must be executed and recorded in the public records of Broward County at the applicant's expense, prior to Final Development Review Committee (DRC) approval.
8. This project is subject to the requirements of Broward County Public School Concurrency. The applicant will notify the School Board Superintendent or designee of this proposal. Prior to submitting an application for placement on a Planning and Zoning Board 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. The City cannot accept a building permit application, nor issue a building permit, for new or additional residential units, unless the applicant presents evidence from Broward County that the impact of the proposed development on public educational sites and facilities has been mitigated by payment of school impact fees.
9. Please move Sheet SP-101, Site Plan towards the beginning of the plans set (currently page 34 on .PDF document) and place it after Sheet G-0.2A, Site Context overlay for easier reference and access.
10. Please note that Downtown Master Plan standards were recently adopted in November 2020 with dimensional requirements and minimum standards, as specified by the geographical boundaries of the character area in which the development proposal is located. Some highlights of these requirements are as follows and adherence to these requirements are highly recommended and beneficial for this project:
 - a. Maximum Building Height
 - b. Maximum Tower Stepback
 - c. Maximum Building Podium (Pedestal) Height
 - d. Minimum Building Tower Separation Distance
 - e. Building Floorplate Square Footage
 - f. Minimum Open Space Square Footage

The project does not meet certain New River Downtown Master Plan (NRMP) and Downtown Master Plan (DMP) intents and guidelines, which have been identified on the attached Design Review Team (DRT) checklist. Staff has provided overall comments below under each design guideline category.



Principles of Street Design

- g. Adjust the streetscape design to reflect the cross section for local streets with the following elements: travel lane, on-street parking, street trees, and 7-foot clear sidewalk. On-street parking and street trees shall not be aligned in the same streetscape element location;
- h. Street trees are exceeding the maximum spacing between trees and project is not maximizing street trees; see Landscape comments for more details.
- i. Provide information regarding the horizontal clearance between the face of the building and street trees;
- j. According to the survey, there are overhead power lines located along the alley that are noted to be upgraded to have minimum visual impact to the Riverwalk and design of building has been maximize distance from residential units. Provide information on the coordination with Florida Power & Light (FPL).

Principles of Building Design

- k. Provide average distance of building setback at grade from river's edge to describe how this guideline is being met, i.e. providing sufficient light and air to Riverwalk;
- l. NRMP recommends 30' setback at 4 stories, when building meets minimum 60' setback at grade;
- m. Reduce overall building height and mass by breaking down the building into separate floorplates/tower forms in order to minimize impacts on the surrounding area. Building floorplates that have a more slender appearance, provide more light and air between towers on the subject site, as well as adjacent buildings and at street level, resulting in a more compatible development form for the neighborhood;
- n. Per NRMP – the building proximity to the existing Historic Rain Tree is too close. Consider redesigning the building to emulate a circular undulation around the tree to create a focal point and presence of the tree, reconfigure building massing by reducing building footprint and project's program. As well as shifting the building away from the tree to allow ample space and viability for the protected tree;
- o. Podium height exceeds the maximum height recommended by the DMP and NRMP;
- p. Provide exceptional architectural screening for the parking podium as stated in the DMP. As proposed, the screening does not meet intent;
- q. It is recommended the parking garage is lined with habitable space. Where liners are not possible, ensure screening is made of high-quality, durable materials, such as metal, stone, glass, concrete and plaster are encouraged for ground floor and parking pedestal. Also, where structured parking must be exposed, exceptionally creative solutions should be explored in order to mitigate visual effect of parking garage. Provide detail drawings, including sections, of the proposed garage screening on east elevation. Show material types and color, including any proposed grill/vision barriers. Indicate type of lighting and noise consideration. Indicate where ventilators will be placed on plans;
- r. If parking structure is enclosed, indicate where ventilators will be placed on site plan and elevations. Denote all parking garage openings via shading. Provide detail of garage screening of openings and light fixture shields. Ensure screening adequately blocks out light and noise pollution and incorporates high-quality architectural treatment solution; Provide garage screening details and cross-sections;
- s. To further break down the mass and create less monotonous building walls, line the parking garage with habitable space and provide variation and articulation of the building facades as well as podiums step-backs; and,
- t. Provide for continuous pedestrian shading canopies at a minimum of 5 feet in depth.



Quality of Architecture

- u. Revise the tower top by increasing the visual interest of the design thereby providing skyline drama and better expression of the overall project design with varying angles, creative and innovative building illumination;
- v. Emphasize Skyline drama through roof design to be integrated into the overall design, not just to screen mechanical equipment
- w. Blank, unarticulated wall space facing streets and adjacent properties should be reduced; and,
- x. Provide details of how the lower 2 floors contain high quality materials with emphasis on durability and detail.

The following images are being provided as examples for screening the garage podium, cladding and materials that are architectonic and create visual interest. The articulation and layering of the materials are essential for the implementation of the overall design:





11. Provide the following changes on Sheet SP-101, Site Plan:
 - a. Provide the total number of proposed dwelling units and commercial square footage for the entire project (include east and west parcel) at the bottom of proposed uses section;
 - b. Provide total amount of dwelling units per acre on site data;
 - c. Show centerlines of all adjacent ROWs and dimension widths;
 - d. Provide location of trash receptacles or dumpsters; discuss location with solid waste and recycling representative. Show typical trash container dimensions and location for each unit;
 - e. If the proposed ground level retail use is going to be a restaurant, parking requirements need to reflect the use
 - f. Provide all dimensions for the docks and finger piers measured from the property line or the wet face of seawall, whichever is less;
 - g. Show a dotted line within the waterway that represents to maximum distance a vessel may encroach into the waterway per code of ordinance section 8.91;
 - h. If the length of the property along the waterway is less than 300 linear feet, only two boatlifts are allowed; one per 100 linear feet, Additional boatlifts will require separate approvals
 - i. Clarify tidal amphitheater use. What are the intended functions? Discuss programing for this area;
 - j. 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; and,
 - k. Provide stepback from the podium rather than the property line.
12. Sheet SP-401 – Site Section, provide height dimensions for varied grade levels.
13. Provide details of pedestrian connectivity from Riverwalk improvements to adjacent properties. Discuss how pedestrian access from SW 2nd Avenue is anticipated to complete segment of Riverwalk and show on plans.
14. Provide a photometric plan for the entire site. Extend values on photometric plans to all property lines. Show values pursuant to 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 and glare cannot be visible from neighboring properties.

Indicate lighting poles on site plan and landscape plan and provide detail with dimensions. Be aware that lighting fixtures greater than ten (10) feet in height are used, they shall be located a minimum of fifteen (15) feet away from shade trees (Section 47-20.14). Provide total height of light pole on sheets.

15. Is pedestrian lighting proposed along the City Right-of-Way? If not, consider implementing to enhance the pedestrian experience utilizing Crime Prevention Through Environment Design (CPTED) principles as an effective use of the built environment, while decreasing the opportunity for crime
16. Provide dimensions of the residential units per floor plan type (i.e. Studio, 1 Bedroom and 2 Bedrooms). Some studios floor plans are very narrow and compact, such as Sheet A-1.15- east building floor plans.



17. Provide the following changes on Elevation Plans:
- Provide articulation of volume throughout all building facades that are complementary to the Riverwalk and include architectural features that protect units from the exposure of the environment, such as adding brise-soleil (sun breaker), that reduce heat gain; and,
 - Ensure elevations show mechanical equipment is screened for all buildings pursuant to ULDR Section 47-19.2.1 and show a dotted line that represents the maximum height of the equipment and depict that the proposed screening provides the minimum 6 inches above the tallest piece of equipment requirement.

Provide roof plan for all structures indicating the location of all mechanical equipment. This plan shall include spot elevations of the parapet wall and roof, as well as mechanical equipment to verify adequate screening and to illustrate how equipment will be screened or shielded from view. In addition, indicate all mechanical equipment within the subject site on the site plan and elevations where applicable. Discuss the use of the roof as an accessible amenity. Height is measured to the slab for flat roofs and use of the roof by residents or customers is limited based on this maximum height.

18. Provide the following changes on renderings and add ground-level perspectives:
- Add a key map to identify location where perspective point is taken from on site. Include various areas throughout the site to provide a comprehensive composition of the entire project;
 - Accurately depict cladding materials and details;
 - Provide perspectives from a pedestrian ground-level as viewed from the street, at eye-level to depict streetscape experience along the perimeters of the project, including public realm experience at plazas, courtyard, etc. Provide perspectives from all sides, including from the Intracoastal Waterway; and,
 - Show how parking podium along streetscape will address human-scale environment and framework.
19. It is recommended the following pedestrian and bicycle-related comments be addressed:
- Per ULDR, Section 47-25.2.M.6. (Adequacy requirements/Transportation/ Pedestrian facilities): Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties;
 - Label all proposed pedestrian access/circulation areas: sidewalks, paths, crosswalks etc. (including width) to/from and within the site;
 - Site plan design indicates pedestrian/vehicle conflict areas. Accommodate safe pedestrian access, in particular to/from public sidewalks, vehicle parking areas and building entrances;
 - Provide bicycle parking in visible, well-lit areas as close as possible to pedestrian entryways/doors. In addition, where possible, locate bicycle parking facilities in an area that is sheltered/covered; and,
 - 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 Benjamin Restrepo at brestrepo@fortlauderdale.gov.
20. Discuss all newly proposed seawalls, any repair to existing seawalls and/or re-location of existing seawalls with Engineering Representative.



21. Discuss any dockage components and obtain sign-off from Andrew Cuba, Supervisor of Marine Facilities (954-828-5236), prior to PZB submittal.
22. 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.
23. Coordinate with the representative for Transportation and Mobility (TAM) Department regarding plans for addressing mobility within the area, necessary project mitigation, and whether the project is located along a planned bike network.
24. In regard to physical, communication, and radar obstructions, the FAA requires a review for interference by the proposed construction. Provide a letter from the FAA indicating that such review has been performed. FAA approval must be obtained prior to Final-DRC sign-off unless otherwise deemed unnecessary by the City Airport Manager or designee.
25. Please provide total park impact fee amount due. Park impact fees are assessed and collected at time of building permit per each new hotel room and dwelling unit type. An impact fee calculator can be found at: <http://www.fortlauderdale.gov/departments/sustainable-development/building-services/permit-fees/park-impact-fee-calculator>
26. Pursuant to ULDR, Section 47-22.4.C.8 provide a master sign plan detailing the following:
 - a. Location and orientation of all proposed signage;
 - b. Dimensions of each proposed sign (height, width, depth, etc.);
 - c. Proposed sign copy; and,
 - d. Proposed color and materialsPlease note any proposed signs will require a separate permit application.
27. This property is located within an Archaeologically Significant Zone identified through a phased archaeological survey of Broward County conducted between 1991 through 1995 by Archaeological and Historical Conservancy, Inc., and is periodically updated by Broward County. In accordance with City of Fort Lauderdale's Comprehensive Plan, Volume I), Historic Preservation Element Objective 1.11, Policy 1.11.2., and as per the Certified Local Government Agreement between the City of Fort Lauderdale and the State of Florida, Department of State, Division of Historical Resources, that states that the City shall generally follow a public policy of protecting, preserving, and planning for the protection and preservation of resources of historical, architectural, and archaeological value are within its jurisdiction. See attached letter and documentation for further information.
28. A Phase II Archaeological Survey shall be conducted prior to any ground disturbance on the subject property and shall be submitted prior to Final Development Review Committee (DRC) approval, and if necessary, in coordination with demolition of the extant structures with the following requirements:
 - a. The survey should be designed such that it will incorporate archival, historic, and systematic archaeological survey to identify the spatial and temporal limits of site 8BD4878 across the subject property (with provisions for surveying beneath/around extant obstructions).
 - b. The survey should also seek to evaluate the significance of extant cultural resources regarding to local preservation criteria as well as the Secretary of the Interior's Standards for evaluation of archaeological resource, historical resources, and cultural landscapes.
 - c. A final survey report shall be submitted to the City's Historic Preservation Planner, Trisha Logan (tlogan@fortlauderdale.gov / 954-828-7101) for review of completion, determination of effects



and/or significance, and approval or approval with conditions. The report should conform to the professional Standards set forth in Chapter 1A-46 Florida Administrative Code and include an assessment and characterization of all historic/archaeological resources identified within the parcel, proposed or recommended management or mitigation strategies, and identification of the disposition of recovered archaeological collections as appropriate.

29. All work (fieldwork and reporting) shall conform to the "guidelines for identification, evaluation, recordation, and treatment of cultural resources" set forth in Module Three of the Florida Division of Historical Resource's Cultural Resource Management Standards and Operational Manual.
30. If, during the course of development, archaeological materials or unmarked human remains are encountered then excavation in the vicinity of the find shall halt immediately and the developer, property owner, or authorized agent should immediately alert the City's historic preservation staff to coordinate the discovery and take measures to implement Chapter 872.05 Florida Statutes as it pertains to the discovery of unmarked human remains.
31. The archaeological consultant is encouraged to contact Trisha Logan, Historic Preservation Planner, to submit a draft research design for approval prior to commencing work.

GENERAL COMMENTS:

The following comments are for informational purposes.

Please consider the following prior to submittal for Final Development Review Committee (DRC):

32. All construction activity must comply with Code of Ordinances, Section 24-11, Construction sites. Contact Noel Zamora, Structural Plans Examiner (954-828-5536) to obtain his signature on the final DRC plans.
33. Please be advised that pursuant to State Statute, Section 166.033, that within 120 days of an application being deemed complete, or 180 days for applications requiring a quasi-judicial hearing or public hearing, a municipality is required to render a decision on the application, unless an extension of time is mutually agreed upon between the City and the applicant.
34. An additional follow-up coordination meeting is required to review project changes necessitated by the DRC comments. Prior to routing your plans for Pre-PZB sign-off, please schedule an appointment with the project planner, Linda Mia Franco, AICP via email (lfranco@fortlauderdale.gov) to review project revisions and/or to obtain a signature routing stamp.
35. Additional comments may be forthcoming at the DRC meeting. Please provide a written response to all DRC comments.



**CITY OF FORT LAUDERDALE
 DOWNTOWN MASTER PLAN DESIGN GUIDELINES**
 Design Review Team (DRT) Comments

Case Number:	UDP-DRT20002	Zoning District:	RAC-SMU
Project Name:	Raintree Riverwalk Residences	Character Area:	Near Downtown
Project Address:	408 SW 4 th Avenue & 413 SW 3 rd Avenue	Date of Review:	11/05/2020

PRINCIPLES OF STREET DESIGN		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
S1	Maintain fine-grained street grid: discourage vacations.	√			
S2	Utilize Traffic Calming rather than blocking streets.				√
S3	Maximize on-street parking except on major arterials.	√			
S4	Provide adequate bike lanes in a planned network (next to on street parking: 5 feet; next to travel lane: 4 feet). Consult with Transportation and Mobility (TAM).				√
S5	Maximize street trees on all Downtown Streets. Follow Local Street Section in Downtown Master Plan (DMP). See DRC Comments.				√
S6	Encourage location of primary row of street trees between sidewalk and street. Provided on NE 3rd Street. Not provided on NE 2nd Street.		√		
S7	Maximum spacing for street trees: Palms -22 feet; Shade trees - 30 feet. Follow Local Street Section in DMP. See DRC Comments.		√		
S8	Minimum horizontal clearance (from building face) for trees: Palms – 6 feet; Shade trees – 12 feet. Follow Local Street Section in DMP. See DRC Comments.				√
S9	Encourage shade trees along streets, palm trees to mark intersections. Follow Local Street Section in DMP. See DRC Comments.		√		
S10	Eliminate County "corner chord" requirement not compatible with urban areas.			√	
S11	Encourage curb radius reduction to a preferred maximum 15 feet; 20 feet for major arterials. Provide dimensions				√
S12	Discourage curb cuts on "primary" streets.			√	
S13	Encourage reduced lane widths on all streets. Follow Local Street Section in DMP and provide dimensions.				√



S14	Encourage reduced design speeds on all RAC streets (15 - 40 mph).		√		
S15	Encourage fixed Rights-of-Way and setbacks for all Downtown streets (to eliminate uncoordinated City setback and County easement requirements). Note: Downtown local streets have varying ROW's and section design may need to be flexible to respond to the specific right-of-way conditions. Follow Local Street Section in DMP and provide dimensions.				√
S16	Bury all power lines in the Downtown Area. Provide documentation of cooperation from affected utility companies.				√

PRINCIPLES OF BUILDING DESIGN		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
B1	Framing the street: building "streetwall" should generally meet setback line (within a percentage). See B2.			√	
B2	Framing the street: encourage open space site requirements for use as pedestrian public space instead of unusable, leftover 'green perimeter'. Proposed Rain Tree Park meets intent.	√			
B3	Framing the street: minimum and maximum building 'streetwall' heights (see character area guidelines for specifics). Along local streets max. streetwall height is 4 stories, per NRMP for properties that front river.		√		
B4	Framing the street: encourage maximum building 'streetwall' length of 300 feet. Provide variation on façade fronting 3rd Avenue by including walk-up units facing street. See B-4 in DMP		√		
B5	Preferred maximum 'floorplate' area for towers (see character area guidelines for specifics). Floorplate is limited to 18,000 square feet for floors 8 and above. Provide dimensions tower plate plans. See 2C.		√		
B6	Where towers are located on Primary (>60 feet wide) and Secondary (< or = 60 feet wide) Streets, the towers are encouraged to orient towards the Primary Street. This parcel is located by the river and is the primary focus for tower design guidelines. See New River Master Plan (NRMP) Design Guideline B-2 and B-3.		√		
B7	Where towers are located on streets < or = 60 feet, increased setbacks from the 'shoulder' are encouraged to reduce the impact on the street. Refer to NRMP setback requirements (X4) for streets leading to river.		√		
B8	Surface parking: discourage frontage and access along 'primary' street.				√
B9	Parking garages: encourage access from secondary streets and alleys.		√		



Encourage street level activities and minimize visual exposure of parking, with active space on the ground floor of a parking garage. Consider walk-up units lining lower levels of parking garages. Walk-up units would integrate project into Tarpon River neighborhood (See NRMP DRT comments).		√		
Upper floors of a parking garage should not be visible along primary streets, waterways, and parks. Active spaces on the upper floors are encouraged as a preferred design.		√		
B10 Encourage main pedestrian entrance to face street.	√			
B11 Maximize active uses and 'extroverted' ground floors with retail in strategic locations. See B11 in DMP.		√		
B12 Encourage pedestrian shading devices of various types. Provide details, including the material for the shading devices and provide depth.		√		
B13 Encourage balconies and bay windows to animate residential building facades.	√			
B14 In residential buildings encourage individual entrances to ground floor units (particularly in the Urban Neighborhood Character Area). See B9 in DMP.				
B15 High rises to maximize active lower floor uses and pedestrian-oriented design at ground floor. See Storefront (S) sections	√			
B16 Building Design guidelines do not apply to Civic Buildings and Cultural Facilities.			√	
B17 Discourage development above right-of-way (air rights).	√			
B18 Mitigate light pollution. Through effective screening and/or fixture shield detail, ensure that garage lighting will not be visible from surrounding streets. Provide details.				√
B19 Mitigate noise pollution. Comply with Code of Ordinances Chapter 17 - Noise Control in the Code of Ordinances of the City of Fort Lauderdale, Florida regarding mechanical noise baffling requirements.				√
B20 Vertical open space between towers on adjacent lots: Towers are encouraged to maintain vertical open space alongside and rear lot lines: minimum horizontal distance of 30 feet (abutting property owners can coordinate tower placement as long as maintain 60 feet clearance). Provide tower setback dimensions on plans and elevations, as indicate on site data table. See DRC Comments on this matter.				√
B21 Vertical open space between multiple towers on a single development site: no less than 60 feet apart.	√			



B22	Residential: Encourage minimum ground floor elevation of 2 feet above public sidewalk level for individual ground floor entrances to private units.			√	
B23	Avoid drive thrus in the wrong places.			√	
B24	The Fifth Façade: Encourage green roofs as visual amenities that provide a combination of usable, landscaped spaces (recreation & open space benefits) and sustainable roof treatments (environmental benefits).		√		

QUALITY OF ARCHITECTURE		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
Q1	Skyline Drama: Encourage towers to contribute to the overall skyline composition.		√		
Q2	Expressive Tops: Encourage expressive tops for tall buildings above 37 stories in Near Downtown and Downtown Core. See NRMP B1.		√		
Q3	Durability and Quality of Materials: Encourage high quality materials for the entire building, with special emphasis on detailing and durability for the first 2 floors. Provide elevation details indicating cladding materials of first two floors		√		
Q4	Respect for Historic Buildings.			√	
Q5	Parking Podium Façades: Where structured parking must be exposed to the street, exceptionally creative solutions should be explored. See DRC Comments.		√		
Q6	Response to Natural Environment: Encourage architecture to respond to the unique nature of the south Florida environment (solar orientation, wind direction, rain). Examples: Open breezeway corridors oriented toward prevailing winds; energy efficient glazing; above ground stormwater capture and re-use through bio-swales and rain gardens; solar roof panes/awnings.	√			
Q7	Creative Façade Composition: Encourage a rich layering of architectural elements throughout the building, with special attention to facades below the shoulder level. See DRC Comments.		√		
Q8	Original, Self-Confident Design: Encourage a range of architectural styles that each create a strong identity, strive for the highest quality expression of its chosen architectural vocabulary. See DRC Comments.		√		

STORE FRONTS		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
SF1	Retail Location Strategy: Encourage ground floor retail in preferred locations.			√	



SF2	Encourage a combination of storefront styles and types in adjacent buildings, or within single buildings, to create variety and visual interest at the street level. See DRC comments.				√
SF3	Encourage durable materials for ground floor retail and cultural uses. Provide photographic details on plans.				√
SF4	Encourage 15 foot minimum floor-to-floor height and encourage interior ground floor flush with adjacent public sidewalk.	√			
SF5	Encourage significant glass coverage for transparency and views. Encourage restaurants to provide clear visual and physical connections to outdoor seating. Provide enlarged detail elevations of ground floor of /retail spaces and use clearest glass possible				√
SF6	Encourage pedestrian shading devices of various types (min 5 foot depth). Provide section detail of retail façades.				√
SF7	Encourage multi-level storefront displays to disguise unfriendly uses or blank walls. Provide elevation detail of retail façades.				
SF8	Encourage well-designed night lighting solutions. Provide a dusk/nighttime rendering and describe night lighting scheme in narrative.				√

CHARACTER AREAS (Applicable Character Area)		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
Near Downtown					
2A	Frame the street with appropriate streetwall heights: Shoulder: 3-7 floors, Non-tower option: 9 floors max with min 15ft stepback on portion over 7 floors. No max floorplate up to 9 floors. Refer to NRMP character area guideline 2-A, Tarpon River Neighborhood Waterfront.		√		
2B	Encourage maximum building height of 30 floors.		√		
2C	Encourage slender towers to complement the skyline and provide more light and air to streets and open spaces below.		√		
Tower guidelines: Non-residential: preferred 32,000GSF floorplate max. Residential: Buildings up to 15 floors: preferred 18,000GSF floorplate max. Residential: Buildings up to 30 floors: preferred 12,500GSF floorplate max. East Tower does not meet.			√		



TOD Guidelines (T1 Refers to Applicability to Regional Activity Center.)	Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
T2 Discourage land uses that are incompatible with transit and walkability. (Refer to ULDR Section. 47-13, Land Development Regulations.)	√			
T3 Encourage pedestrian connections to transit stops and bike parking.				√
T4 Encourage bike connections to transit stops and bike parking. Consult with Transportation and Mobility (TAM).				√
T5 Parking consistent with TOD Principles. Consult with Transportation and Mobility (TAM).				√
Encourage structured parking with screening or liner building if parking provided. See B9b		√		
Surface parking should be configured into smaller lots rather than one large lot.			√	
Surface parking discouraged except pick up/drop off within 200 feet of a Gateway Hub transit station.			√	
Parking should not face onto plaza or park space of any transit station.		√		
Include parking for mopeds, scooters, motorcycles, and other similar vehicles.				√
T6 Incorporate Transportation Demand Management (TDM).				√
Encourage carpooling or vanpooling.				√
Encourage car or bike sharing. Consider installation of a B-cycle bike share station as an amenity for residents and visitors.				√
Offer flexible hours.			√	
Provide shared parking.			√	



T7 Reduce parking to eliminate excess pavement and promote highest and best use of land within the station area. (Refer to Section 47-20, Land Development Regulations.)			√	
T8 Encourage green buildings, green site design and green infrastructure.				√
T9 Create attractive, active and safe multimodal systems.			√	
COMMENTS				
1. See New River Master Plan DRT comments and DRC Comment Report for full review comments.				



CITY OF FORT LAUDERDALE
DOWNTOWN NEW RIVER MASTER PLAN DESIGN GUIDELINES
Design Review Team (DRT) Comments

Case Number:	UDP-DRT20002	Zoning District:	RAC-SMU
Project Name:	Raintree Riverwalk Residences	Character Area:	Tarpon River Neighborhood Riverfront
Project Address:	408 SW 4 th Avenue & 413 SW 3 rd Avenue	Date of Review:	11/05/2020

STREET DESIGN GUIDELINES		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
S1	Public streets and alleys, including air rights, leading to the river are discouraged from being closed/ vacated; alleys may be re-oriented on a case-by-case basis to facilitate a better design solution, provided the alley functions (service/parking access) are maintained in its new orientation			√	
S2	At street terminus/ turnaround, do not break the continuity of the Riverwalk			√	
S3	At street terminus/turnaround, street width should be as narrow as possible, and sidewalks should be extra-wide Use Local Street example from New River Master Plan and provide dimensions.		√		
S4	Discourage right turn lanes	√			
S5	Reduce lane widths and maximize sidewalk dimensions on streets leading to the river; sidewalks should accommodate a consistent, unique street-tree and landscape concept on these streets. Follow Local Street Section.		√		
S6	New paths (mid-block) leading to the river are encouraged, where possible, within private development	√			

STREET DESIGN EXAMPLES		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
Andrews Avenue				√	
SE 3 rd Avenue				√	
SW 5 th Avenue				√	
Local Streets Leading to the River As per New River Master Plan, provide active uses for 90% of street			√		



STREET DESIGN EXAMPLES	Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
frontage and indicate linear percentage of active uses along the streets. Along SW 3rd Avenue and SW 4th Avenue 15' setback is required after 4 stories. Multiple entrances and residential 'walk-up' buildings are encouraged.				
SW 6th Street between SW 4th Avenue and Andrews Avenue			√	
SW 7th / 4th Avenue			√	
FEC Railway South of the River Coordinate with Transportation and Mobility (TAM) regarding potential greenway parallel to FEC r.o.w.		√		

BUILDING DESIGN GUIDELINES	Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
B1 Encourage expressive tops for tall buildings above 25 stories (riverfront towers only)		√		
B2 For lots with multiple towers, encourage variation in tower height, with the smaller tower placed closer to the river		√		
B3 Encourage riverfront towers to orient the narrowest dimension parallel to the river's edge	√			
B4 Along SW 6th Street (between SW 4th Ave. and Andrews Ave.) apply 7-story building "shoulder" height, and "stepback" of 30' for properties within the "Near Downtown" Character Area, and 15' for properties within the "Downtown Core" Character Area			√	
B5 Where maritime uses occur, encourage the integration of active public uses along public rights-of-way; pedestrian access shall not be interrupted; avoid fences, gates and other barriers			√	
B6 Avoid internalized maritime facilities; increase visibility of maritime uses			√	
B7 Encourage active uses facing all public parks and public spaces			√	
B8 Encourage courtyards surrounded by active uses for buildings facing SW 6th Street			√	
B9 Encourage loading, building service, and parking access via alleys, wherever possible				√



BUILDING DESIGN GUIDELINES		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
B10	Exposed parking garages at any level shall not be allowed along river-facing and public park frontages; active liner uses are required (residential, retail, office) at all levels		√		
B11	Parking garage and service access entrances are encouraged to occur in the following locations, from most to least desirable: 1) alleys or service roads; 2) streets without a strong pedestrian-oriented focus		√		
B12	Parking garage and service access entrances are encouraged to occur beyond 200' of river-facing property line, or mid-block, whichever is less				√
B13	Parking garage and service access entrances are discouraged along public parks	√			
B14	Replace or re-design any existing parking garages along the river to satisfy Master Plan and Update, and New River Master Plan Design Guidelines, if site redevelopment occurs			√	
B15	Discourage surface parking lots with more than 10 spaces within 200' of the river's edge			√	

ACTIVE BUILDING PROGRAM ALONG THE RIVER		Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
	New riverfront developments within Character Areas 1, 2, 4 & 5 should devote 10 percent of their total building square footage, or a minimum of 15,000 square feet (whichever is greater) to retail, restaurants, and entertainment uses at the ground level along the Riverwalk.	√			
	New riverfront developments within Character Area 3 should devote 20 percent of their total building square footage, or a minimum of 150,000 square feet (whichever is greater) to retail, restaurants, and entertainment uses at the ground level along the Riverwalk.			√	
	Existing building on both sides of the Riverwalk are encouraged to add retail, restaurants, and entertainment space at the ground level along the Riverwalk, if site redevelopment occurs.			√	
	New riverfront developments are encouraged to include at least two restaurants included in the required amount of commercial space. One restaurant should be between 4,500 to 5,500 square feet and the other between 6,000 to 8,500 square feet. The depth of the restaurant space should be at least 100 to 125 feet while the other				√



ACTIVE BUILDING PROGRAM ALONG THE RIVER	Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
retail space can have a depth of between 60 to 70 feet. The New River commercial frontage space should occupy the entire width of the building frontage along the Riverwalk. Narrative indicates restaurant uses to be determined, but floor plans show only retail.				

RIVER'S EDGE ACCESSORY STRUCTURES	Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
Accessory structures are generally allowed in Areas 1, 2, 3 and 4, however, they are not allowed where Riverwalk is less than 20' wide	√			
Structures must be directly adjacent to river's edge	√			
Structures shall not block major view corridors	√			
The min. distance between any two structures is 250' in Zone 3, and 500' in Zones 1, 2 and 4				√
The max. Floor Area of any structure is 1,000 sf in Zone 3, and 2,500 sf in Zone 1, 2, and 4	√			
The Max. Height of accessory structures is 15'	√			
Accessory structures are allowed to project over the river on a case-by-case basis				√
Structures shall allow minimum clear pedestrian path width of 18' to riverfront buildings	√			

CHARACTER AREA GUIDELINES	Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
1-A				
1-B				
1-C				
2-A Master Plan recommends 30' setback at 4 stories, when building meets minimum 60' setback at grade. Provide average distance of building setback at grade from river's edge to describe how this guideline is being met, i.e. providing sufficient light and air to Riverwalk. Provide a cross-section depicting setback in context to the Riverwalk				√
2-C				



CHARACTER AREA GUIDELINES	Meets Intent	Doesn't Meet Intent	N/A	More Information Needed
3-A				
3-B				
3-C				
4-A				
4-B				
4-C				
5-A				

COMMENTS

- 1. Provide conceptual crossing of FEC Right-of-Way in conjunction with developer of parcel to the east of the Right-of-way and allow for improved pedestrian flow to/from the railroad.*
- 2. Coordinate vehicular traffic circulation and loading with Engineering representatives.*



Coastal Archaeology & History Research, Inc.

Cultural Resource Consultants

Monday, November 16, 2020

Trisha Logan,
Planner III, HPB Liaison
City of Ft. Lauderdale Urban Design & Planning Division
700 NW 19th Ave
Ft. Lauderdale, FL 33311
t. 954.828.7101
e. tlogan@fortlauderdale.gov

Re: UDP-S20018 – (408 SW 4th Ave)
Raintree Riverwalk Residences
Block 38, Lots: 1 and 3 (folio 504210013540),
2 (folio 505210013550),
4,5, and 6 (folio 504210013560), and
26,27,28,29, and 30 (folio 504210013670)

Trisha Logan,

In capacity as archaeological consultant to the City of Fort Lauderdale I have reviewed the referenced site plan and proposed development in accordance with Chapters 267, *Florida Statutes* and Section 47-25.2.P, *Fort Lauderdale U.L.D.R* for possible affects to historic properties listed, or eligible for listing, on the *National Register of Historic Places* (NRHP) and/or designated, or eligible for designation, as City historical landmarks or sites, or otherwise of historical, architectural or archaeological value.

The subject property(s) consists of ± 2.54 acres of partially developed land including vacant land (Lots 1 - 6), marina and associated structure and parking (lots 26-30). The subject property is in the South Bank New River / Tarpon River Archaeological Zone, an area previously identified to have potential for significant historic and archaeological resources (AHC 1995; CAHR 2016).

Historic Resources: No previously recorded historic structures are located within the subject property. Historical review indicates that Lots 1 and 2 were developed as early as 1910 and occupied by the Hector Supply Co. and New River Boat Ways and Machine Shop. These structures may have been destroyed as result of the 1926 hurricane. In 1928, an apartment, possibly associated with either Hector Supply Co. or the New River Boat Ways is located on Lot 3. By that same year, and perhaps as early as 1924, an apartment and garage are also constructed on Lots 4-6, between them a small wood structure was erected but was later removed by 1937. About 1950, the Enchanted Apartments were constructed on Lot 4 and effectively combined Lots 4–6 with the raintree located prominently in the center of the apartment complex. These structures were demolished about 1986/1988. (BCHC 2012a, 2012b; FMSF)

Archaeological Resources: One previously recorded archaeological resource (Marina Lofts - 8BD4878) is located within the subject property. The site was identified and recorded during a 2012 phase I historical and archaeological investigation the proposed Marina Lofts development and included subsurface testing of Block 38, Lots: 1 and 3 (folio 504210013540), 2 (folio 505210013550), 4,5, and 6 (folio 504210013560). The survey also included evaluation of adjacent properties: 400 SW 3rd Ave (BCPA Folio 504210013680), 420 SW 3rd Ave (BCPA Folio 504210990010), and 201-207 SW 5th Ave (BCPA Folio 504210013770) however no subsurface archaeological testing was performed due existence structures/obstructions. (AHC 2012; FMSF)

The survey determined that site 8BD4878 is a prehistoric oyster shell midden. Although no diagnostic artifacts were recovered that could indicate the exact chronology of the site, faunal and ceramic remains tentatively associate the site to the Glades I-II culture (AD 200 – 1000) (AHC 2012:28). The survey determined site 8BD4878 extends from the river's edge to at least 150 feet south of the riverbank with artifacts recovered from shovel tests located within 3 meters of the rain tree (AHC 2012:28). The northwest of the site is intact and ranges from 0-40 cm below surface while the northeast of the site was observed to be disturbed due to prior development. The survey concluded that the site is likely to continue east and west beyond the survey limits however these areas were either not accessible or beyond the scope of the 2012 survey. Pedestrian survey of the eastern properties in the survey area revealed oyster shell and suggests the presence of the midden in these eastern properties as well.

The 2012 survey was unable to evaluate the site significance in terms of local or federal criteria. A subsequent phase II archaeological investigation was recommended by the contract archaeologist (AHC, Inc.) as well as the reviewing agency (Broward County Historical Commission) to further delimit the site and establish significance regarding local, state, and federal historic preservation criteria. The phase II survey was not conducted. (AHC 2012; BCHC 2012c; FMSF)

Cultural Landscapes: A specimen Raintree located in Lot 5 is estimates to be approximately 100 years old and may be a cultural landscape feature with associations to the 1926 hurricane, the Fort Lauderdale Women's Club and the Fort Lauderdale Garden Club. The rain tree should be further evaluated to determine cultural associations and potential significance and eligibility for local, state, or federal tree registries. (AHC 2012; BCHC 2012a, 2012b).

Recommendations: In capacity as the City's archaeological consultant it is my opinion that the proposed development will affect previously recorded archaeological site 8BD4878 (Marina Lofts). Therefore, I recommend a phase II archaeological survey prior to any ground disturbance activity within the subject property. The survey should be conducted prior to final developmental approval so that affects to significant historic and/or archaeological resource can be identified and avoided or mitigated within the final development plan. Specifically:

1. A phase II archaeological investigation should be conducted prior to any ground disturbance on the subject property.
 - a. The survey should be designed such that it will incorporate archival, historic, and systematic archaeological survey to identify the spatial and temporal limits of site 8BD4878 across the subject property (with provisions for surveying beneath/around extant obstructions).
 - b. The survey should also seek to evaluate the significance of extant cultural resources regarding to local preservation criteria as well as the Secretary of the Interior's Standards for evaluation of archaeological resource, historical resources, and cultural landscapes.
 - c. A final survey report shall be submitted to the City's Historic Preservation Planner, Trisha Logan (tlogan@fortlauderdale.gov / 954-828-7107) for review of completion, determination of effects and/or significance, and approval or approval with conditions. The report should conform to the professional *Standards* set forth in Chapter 1A-46 *Florida Administrative Code* and include an assessment and characterization of all historic/archaeological resources identified within the parcel, proposed or recommended management or mitigation strategies, and identification of the disposition of recovered archaeological collections as appropriate.

2. All work (fieldwork and reporting) shall conform to the “guidelines for identification, evaluation, recordation, and treatment of cultural resources” set forth in Module Three of the Florida Division of Historical Resource’s Cultural Resource Management Standards and Operational Manual.
3. If, during the course of development, archaeological materials or unmarked human remains are encountered then excavation in the vicinity of the find shall halt immediately and the developer, property owner, or authorized agent should immediately alert the City’s historic preservation staff to coordinate the discovery and take measures to implement Chapter 872.05 *Florida Statutes* as it pertains to the discovery of unmarked human remains.
4. The archaeological consultant is encouraged to contact the City Preservation Planner to submit a draft research design for approval prior to commencing work.

Please contact me if you have any questions regarding these comments.

Regards, 

Matthew DeFelice, M.A.
President / Archaeologist, CAHR, Inc.

ATT:

1. Oct 5, 2012 Letter from Matthew DeFelice, County Archaeologist (CAHR, Inc.) Broward County Historical Commission to Scott Backman, Esq. (Siegel, Lipman, Dunay, Shepard & Miskel, LLP). “Cymbal Development, Inc. – Marina Lofts Cultural Resource Assessment Study “ A Phase I Archaeological and Historical Survey of the Marina Lofts Parcels, Fort Lauderdale, Broward County, Florida.”
2. Dec. 5, 2012 Letter from Matthew DeFelice, County Archaeologist (CAHR, Inc.) Broward County Historical Commission to Peter Burke, Natural Resource Specialist III, BC Planning and Environmental Regulation Division. “Historic Trees – Ft. Lauderdale Rain Tree”. On file CAHR, Inc. California, MD.
3. Dec. 10, 2012 Errata Memo from Matthew DeFelice, County Archaeologist (CAHR, Inc.), Broward County Historical Commission to Peter Burke, Natural Resources Specialist III, BC Planning and Environmental Regulation Division. “Fort Lauderdale Rain Tree historical assessment letter report”. On file, CAHR, Inc. California, MD.

REF:

- AHC (Archaeological and Historical Conservancy, Inc.)
1995 An Archaeological Survey of Southeast Broward County, Phase 3. Report from AHC, Inc to the Broward County Planning Office. FMSF Report number 4075.
- 2012 Phase I Archaeological and Historical Survey of the Marina Lofts Parcels Fort Lauderdale, Broward County, Florida. AHC Technical Report 970, Sept. 2020. In File CAHR, Inc. California, MD.

BCHC (Broward County Historical Commission)

- 2012a Dec. 5 2012 letter from Matthew DeFelice, County Archaeologist, Broward County Historical Commission (CAHR, Inc.) to Peter Burke, Natural Resource Specialist III, BC Planning and Environmental Regulation Division. "Historic Trees – Ft. Lauderdale Rain Tree". On file CAHR, Inc. California, MD.
- 2012b Dec. 10, 2012 Errata Memo from Matthew DeFelice, County Archaeologist (CAHR, Inc.), Broward County Historical Commission to Peter Burke, Natural Resources Specialist III, BC Planning and Environmental Regulation Division. "Fort Lauderdale Rain Tree historical assessment letter report". On file, CAHR, Inc. California, MD.
- 2012c Nov 27, 2012 Letter from Matthew DeFelice, County Archaeologist (CAHR, Inc.) to Robert S. Carr, Director, Archaeological and Historical Conservancy, Inc. regarding Marina Lofts Phase II Research Design. On File CAHR, Inc., California, MD.
- CAHR (Coastal Archaeology & History Research, Inc)
- 2016 Draft - Guide the Broward County Archaeological Sites and Zones. Report from CAHR, Inc. to the Broward County Development Management Division. On File CAHR, Inc. California, MD.



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October 5, 2012

Scott Backman, Esquire
Siegel, Lipman, Dunay, Shepard & Miskel, LLP
5355 Town Center Road, Suite 801
Boca Raton, FL 33486

In Re: Cymbal Development, Inc. - Marina Lofts Cultural Resource Assessment Study
"A Phase I Archaeological and Historical Survey of the Marina Lofts Parcels,
Fort Lauderdale, Broward County, Florida"

Dear Mr. Backman:

Our office has received the report "A Phase I Archaeological and Historical Survey of the Marina Lofts Parcels, Fort Lauderdale, Broward County, Florida", submitted to the Broward County Historical Commission (BCHC) in response to the August 8, 2012, cultural resource impact review requesting a Cultural Resource Assessment Survey (CRAS) of the Marina Lofts project submitted to your office, Seigel, Lipman, Dunay, Shepard and Miskel, LLP, and resulting from the Marina Lofts Development Review Committee (DRC) review at the City of Fort Lauderdale.

As stated in the BCHC's project review letter of August 2, 2012, the purpose of the CRAS was to "locate, identify and evaluate cultural resources present in the APE [Area of Potential Effect]". Additionally, the survey was to evaluate resources in terms of eligibility for inclusion on local historic registers and the National Register of Historic Places (National Register), and to "address the effect of the proposed project on the identified archaeological and historical resources in order to be considered complete."

Summary:

Results of the survey indicate that one previously unrecorded archaeological site was discovered within the project APE. The archaeological site is comprised of an oyster shell midden, sparsely distributed faunal remains and aboriginal ceramic materials; the site was utilized approximately A.D. 200-1000. Subsurface testing revealed intact localized archaeological deposits, however; portions of the project site remain untested and may include associated archaeological materials.

The report does not evaluate the archaeological site eligibility for inclusion on local historic registers or the National Register, nor does the report evaluate the potential effect of the proposed project on the site. Lastly, the report does not evaluate known historic resources or make effort to identify additional historic resources within the project APE. The consultant recommends a phase II

Broward County Board of County Commissioners

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Development Review Committee

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November 24, 2020

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archaeological investigation and monitoring of on-site ground disturbance developments within the project site.

Evaluation:

The study does not complete or satisfy the stated purposes of the CRAS, "to locate, identify and evaluate cultural resources present in the APE". Additionally, the study does not provide enough information for this office to determine the significance of resources within the APE, potential adverse effects as result of the project, or appropriate measures to avoid, minimize, or mitigate adverse impacts to resources eligible for listing on local historic registers and/or the National Register.

Findings:

This office concurs with the consultant's recommendation for phase II archaeological investigation. A phase II investigation consists of archival and field research, analysis and reporting requirements with the goal of demonstrating, given the archaeological evidence recovered, whether the site meets eligibility criteria for listing in local historic registers and/or the National Register. The report should conform to federal and state guidelines (Secretary of the Interior's Archaeological Report Standards and Guidelines; Rule 1A-46, F.A.C.) and shall meet current scientific standards. This work will assist this and other relevant agencies in determining measures that must be taken to avoid, minimize or mitigate adverse impacts to the archaeological and historical resources eligible for historic register listings, therefore; this work should be conducted early in the project planning process and prior to development approval to allow for such planning.

This office also finds that the report and associated archival and field research does not fulfill the CRAS Completeness Checklist or Sufficiency Checklist requirements provided in the State Division of Historical Resources, Cultural Resources Standards and Operations Manual, Module Two, Section 5 exhibits 2 (Completeness Checklist) and 3 (Sufficiency Checklist).

Recommendations:

The BCHC request additional materials to fulfill the completion and sufficiency requirements of the CRAS study as was outlined in the BCHC's August 8, 2012, review of the Marina Lofts project. Specifically, the BCHC requires the study to locate, identify and evaluate cultural resources (structures, sites, districts and etc.) present in the APE; to evaluate these resources for inclusion on the National Register and/or local historic listings; and, to address the effect of the proposed project on the identified resources.

The BCHC requests consultation with your office, the project consultant, and the City of Fort Lauderdale to retrieve additional project information and determine concurrency requirements of Broward County Ordinance 92-38 as well as the City of Fort Lauderdale DRC.

Concurrency:

The project resulted in discovery of archaeological site 8BD4748, the *Marina Lofts* site. Pursuant to Broward County Ordinance 92-38, developers are required to report archaeological discoveries made during the development process to the Broward County Office of Planning, the local government having jurisdiction and the State Division of Historic Resources for review and evaluation.

Scott Backman, Esquire
October 5, 2012
Page 3

As a courtesy, the following contacts are provided to assist your communication with pertinent agencies pursuant to Broward County Ordinance 92-38.

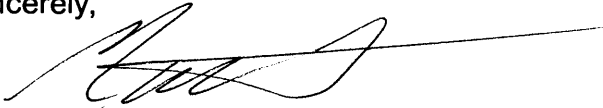
Broward County Office of Planning:
Henry Sniezek, Director
Broward County Planning and Environmental Regulation Division
1 North University Drive
Plantation, Florida 33324

City of Fort Lauderdale:
Ms. Ella Parker, Planner
City of Fort Lauderdale, Urban Design and Planning
700 NW 19th Avenue
Fort Lauderdale, FL 33311

State Division of Historic Resources:
Mr. Robert F. Bendus
State Historic Preservation Officer
Attn: Compliance and Review Section
500 S. Bronough St.,
Tallahassee, FL 32399

If you have any questions concerning our comments, please contact me at 954-357-5506, or by electronic mail at mdefelice@broward.org.

Sincerely,



Matthew DeFelice, County Archaeologist
Broward County Historical Commission

Enclosures: Project Completeness Checklist (2 pgs.)
Project Sufficiency Checklist (4 pgs.)
Original BCHC review letter dated August 8, 2012 (3 pgs.)

ec. Robert Cannon, Director, Libraries Division
Henry Sniezek, Director, Broward County Planning and Environmental Regulation Division
Peggy Davis, Library Manager, Historical Commission
David Baber, Historic Preservation Coordinator, Libraries Division
Maite Azcoitia, Deputy Attorney, Broward County Attorney's Office
Robert Carr, Director, Archaeological and Historical Conservancy, Inc.
Ella Parker, Planner, City of Fort Lauderdale
Rudy Westerman, Compliance Review, Florida Division of Historical Resources

**EXHIBIT 2
COMPLETENESS CHECKLIST**

COMPLETENESS CHECKLIST ARCHAEOLOGICAL AND HISTORICAL REPORT REVIEW

Chapter 1A-46, Florida Administrative Code

Project File No.: AHC Technical Rpt. #970
Project Name: Phase I Arch + Hist. Survey of Marina Lofts Parcels, Ft. Lauderdale
Date Received: 10.1.2012
Reviewer(s): M. DEFELICE, ARCHAEOLOGIST, BROWARD COUNTY
Consulted: D. BABER, HIST. PRES. COORDINATOR, BROWARD COUNTY

Topics Reviewed for Completeness:

(a) Description of the project

YES NO IE. PURPOSE, LAWS + REGS.

(b) Archival research

YES NO N/A CLG INFORMANTS, FMSF Docs,

(c) Description of the research design

YES NO N/A

(d) Description of archaeological fieldwork activities

YES NO N/A DATUM (IE PERMANENT)

(e) Description of historical fieldwork activities

YES NO N/A NOT COMPLETE

(f) Description of archaeological resource results and conclusions

YES NO N/A ELIGIBILITY, IMPACTS, CONTEXT + RES. QUESTIONS

(g) Description of historical, architectural, or engineering results and conclusions

YES NO N/A NOT COMPLETE

(h) All archaeological fieldwork and historical fieldwork reports shall include the following:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | 1 | FMSF Survey Log Sheets, completed in accordance with the "Guide to the Survey Log Sheet" with project boundaries depicted on an attached original or photocopy portion of a U.S. Geological Survey (1:24,000) 7.5 minute series topographic quadrangle map |
| <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A | 2 | FMSF archaeological site forms, completed in accordance with the "Guide to the Archaeological Site Form, Version 2.2" |
| <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A | 3 | FMSF historical structure forms, completed in accordance with the "Guide to the Historical Structure Form, Version 3.0" |
| <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | 4 | FMSF historical bridge forms, completed in accordance with the "Guide to the Historical Bridge Form" |
| <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | 5 | FMSF historical cemetery forms, completed in accordance with the "Guide to the Historical Cemetery Form" |
| <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | 6 | Completed FMSF shipwreck forms |
| <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | 7 | Completed FMSF archaeological short forms |
| <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A | 8 | Completed FMSF resource group forms |
| <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A | 9 | Original or photocopy portion of a U.S. Geological Survey (1:24,000) 7.5 minute series topographic quadrangle maps for all identified sites showing site locations |

*N/A Not applicable

**EXHIBIT 3
SUFFICIENCY CHECKLIST**

SUFFICIENCY CHECKLIST

ARCHAEOLOGICAL AND HISTORICAL REPORT REVIEW

Chapter 1A-46, Florida Administrative Code

Project File No.: AHC TECHNICAL RPT #970
Project Name: PHASE I ARCH + HIST. SURVEY OF MARINA LOTS PARCELS, FT. LAUDERDALE
Date Received: 10.1.2012
Reviewer(s): M. DEFELICE, ARCHAEOLOGIST, BROWARD COUNTY
Consulted: D. BABER, HIST. PRCS. COORDINATOR, BROWARD COUNTY

Topics Reviewed for Sufficiency:

(a) The general description of the project shall address

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | project location (including boundary map) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | project description |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | purpose of project |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | area of potential effect |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | pertinent federal, state, or local laws and regulations |

(b) Archival research shall address

- | Yes | No | N/A | |
|-------------------------------------|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | past field surveys in the project area and the relevance of the major findings to the area currently under study |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | pertinent data in the Florida Master Site File |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | pertinent environmental and paleoenvironmental data |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | pertinent data in other studies appropriate for the research problem |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | pertinent historical data from records such as plat maps, tract books, subdivision maps, Sanborn maps, city directories, building permits and architectural plans |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | pertinent information from informants, which shall include the Certified Local Government within whose boundaries the project lies |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | chronologically arranged narrative of the prehistory and history of the project area and of the significant historical events or developments (including important individuals and institutions) which are necessary to place sites and properties in historic contexts within the project area |

(c) The description of the research design shall address

- | Yes | No | N/A | |
|-------------------------------------|-------------------------------------|--------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | objectives |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | methods |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | expected results |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | procedures to deal with unexpected discoveries including the discovery of human remains in accordance with chapter 872.05, Florida Statutes |

(d) The description of archaeological fieldwork activities shall address

- | Yes | No | N/A | |
|-------------------------------------|--------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | types of sites encountered and evaluated |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | boundaries of the area investigated |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | fieldwork methodology and the rationale for its selection |

- any additional identification, evaluation, or documentation efforts
- conclusions and analysis of the findings, including a discussion on how the findings contribute to an understanding of the historic work or treatment of the site
- bibliography of those sources used

(g) The description of the results and conclusions of the historical, architectural, engineering or cultural resource investigations shall address

- | Yes | No | N/A | |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | findings in relation to the stated objectives |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | assessment of the integrity of evaluated sites |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | methods used to apply National Register criteria for a determination of eligibility and historic context as contained in 36 C.F.R 60 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | description of the constituent elements that constitute the complete property (e.g. outbuildings, landscape features, etc.) which is determined eligible for listing in the National Register |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | National Register property boundaries depicted on a scaled site plan sketch |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | conclusions and analysis of the findings |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | discussion of the manner in which the resources contribute to an understanding of local, regional, state, or national history and/or architectural history |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | recommendations regarding the treatment of the resource(s) including but not limited to preservation or avoidance, minimization or mitigation of potential impacts, or no action |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | discussion of the scope and completeness of the project efforts and the need for any additional identification, evaluation or documentation efforts |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | location of all curated project records and location of all project records (e.g. photographs, oral interviews, etc.) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | bibliography of those sources used |

(h) All archaeological fieldwork and historical fieldwork reports shall include the following, either as part of the report or as accompanying documents:

- | Yes | No | N/A | |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | | 1 FMSF Survey Log Sheets, completed in accordance with the Guide to the Survey Log Sheet" with project boundaries depicted on an attached original or photocopy portion of a U.S. Geological Survey (1:24,000) 7.5 minute series topographic quadrangle map |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2 FMSF archaeological site forms, completed in accordance with the "Guide to the Archaeological Site Form, Version 2.2" |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3 FMSF historical structure forms, completed in accordance with the "Guide to the Historical Structure Form, Version 3.0" |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4 FMSF historical bridge forms, completed in accordance with the "Guide to the Historical Bridge Form" |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5 FMSF historical cemetery forms, completed in accordance with the "Guide to the Historical Cemetery Form" |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6 Completed FMSF shipwreck forms |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7 Completed FMSF archaeological short forms |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8 Completed FMSF resource group forms |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 9 Original or photocopy portion of a U.S. Geological Survey (1:24,000) 7.5 minute series topographic quadrangle maps for all identified sites showing site locations |

*N/A Not applicable

Contact: Division of Historical Resources / Compliance Review Section
850-245-6333, SunCom 205-6333 or 800/847-7278



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August 8, 2012

Beth Edwards, Land Planner
Siegel, Lipman, Dunay, Shepard & Miskel, LLP
5355 Town Center Road, Suite 801
Boca Raton, FL 33486

Re: Request for Archaeological Review Determination

Dear Ms. Edwards

I have had an opportunity to review materials relative to **Riverwalk Flats, Cymbal Development** generally located between Sw 4th Ave and the FEC R.R. and between the New River and SW 4th Ct. City of Fort Lauderdale, Florida.

A review of archive materials, including current and historic aerial photography, topographical maps, Broward County Land Use maps and the Florida Master Site File (2012) indicate the proposed project may negatively impact known and/or anticipated historical and archaeological resources.

Project Area Archaeological Resources:

The project area is located within the *South Bank New River – Tarpon River Archaeological Zone (Zone)*, an area identified as having high potential for archaeological discovery. The New River served as a conduit for prehistoric and historic transportation, trade and resource procurement. At least 19 archaeological sites have been recorded within this archaeological zone and include prehistoric (Tequesta), Seminole and pioneer period sites. Though no archaeological sites are recorded within the project area, it is noted that the project area has not been subject of prior systematic archaeological survey.

Project Area Historic Resources:

One historic structure has been previously recorded within the project area, FMSF 8BD1124, a residence at 415 SW 3rd Ave, however; this structure appears to have been demolished.

Project APE (Area of Potential Effect):

Per Florida Rule 1A-46, an APE is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause changes in character or use of historic resources, if any such properties exist.” The proposed project has potential to negatively impact identified adjacent resources, the following APEs have been identified.

1. Fort Lauderdale Historic District (FMSF 8BD181). Locally identified in the City of Fort Lauderdale as the H1 Himmarshee Historic District. The district contains at least 25 historic structures including the New River Inn (FMSF 8BD63) listed on the National Register of Historic Places.

2. An area immediately adjacent and including the project site, identified as the properties located between SW 4th Ave and the FEC Railroad and between the New River and SW 5th Street. At least four historic structures; FMSF 8BD1125 (438 SW 3rd Ave), 8BD1126 (443 SW 3rd Ave), 8BD1159 (424 SW 4th Ave) and 8BD1427 (439 SW 3rd Ave) are located immediately adjacent (south) of the project area. A pedestrian reconnaissance indicates that this area may contain additional unrecorded historic structures. Collectively these resources may be eligible for listing as a local historic district comprised of vernacular residential and commercial structures characteristic of the 1920 and 1930 period.
3. The Florida East Coast Railroad (historically the *East Coast Line*), FMSF8BD4087 is located immediately east of the project area.

Recommendations:

The Broward County Historical Commission recommends a Cultural Resource Assessment Survey (CRAS), also known as a phase I survey, of the proposed project area and identified APE locations. The purposed of the study is to locate, identify and evaluate cultural resources present in the APE. Evaluations are in terms of eligibility for inclusion on the National Register of Historic Places and/or local historic listing. The survey should address the effect of the proposed project on the identified archaeological and historic resources in order to be considered complete. Survey shall be conducted by conducted by a qualified professional per *36 CFR part 61 (as amended)* and conform to the Florida Division of Historical Resources, Cultural Resource Management Standards such work.

The results of the survey should be forwarded to the Broward County Historical Commission in order to complete the reviewing process for this proposed project and its impacts. The results of the analysis will determine if significant resources would be disturbed by the project activities. In addition, if significant resources are located, the data described in the report(s) and the consultant's conclusions will assist this office in determining measures that must be taken to avoid, minimize, or mitigate adverse impacts to the archaeological and historic resources eligible for local and/or National Register listing.

In the event that archaeological features or artifacts are discovered during the course of the survey, the Historical Commission *shall* be notified within twenty four (24) hours of the discovery and sufficient time provided to allow proper recordation, recovery, or preservation of the find (Broward Co. Florida Ord. 92-38). . A final survey report shall be completed and submitted to the Broward County Historical Commission for review and comment.

If, in the event, archaeological features or artifacts are discovered during the course of development, the Broward County Historical Commission *shall* be notified within twenty four (24) hours of the discovery and sufficient time provided to allow proper recordation, recovery, or preservation of the find (Broward Co. Florida Ord. 92-38).

If, in the event, any unmarked human burial remains are discovered, then work in the vicinity of the burial find is to halt immediately until a determination can be made, in accordance with Florida State Statutes, Chapter 872, by either the state archaeologist or the county medical examiner as to jurisdiction, custody, and disposition of the remains. Should this occur, this office is to be contacted immediately to facilitate the coordination of the find.

Please contact me with any questions you may have.

Sincerely,
Matthew DeFelice, County Archaeologist

Cc: Robert Cannon, Director, Libraries Division
Peggy Davis, Manager, Libraries Division, Historical Commission
David Baber, Historic Preservation Coordinator, Libraries Division
Patricia Morillo, Planner City of Fort Lauderdale
Anthony Fajardo, Planner City of Fort Lauderdale



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December 5, 2012

Peter Burke, Natural Resource Specialist III
BC Planning and Environmental Regulation Division
BC Environmental Protection and Growth Management Division
One N. University Drive, Suite 201A, Plantation, Fl 33324

Re: **Historic Trees**
Ft. Lauderdale Rain Tree

Parcel Folio #: 504210013560

Legal: FT LAUDERDALE B-40 D LOT 4 TO 6 BLK 38

Dear Mr. Burke:

Per your request I have reviewed the following parcel and vicinity for historic significance pursuant to Section 27-412(a) (1) of Article XIV, the Broward County *Tree Preservation and Abuse Ordinance*:

Broward County Property Folio Number: 504210013560

Legal Address: FT LAUDERDALE B-40 D LOT 4 TO 6 BLK 38

Generally Location: E of Southwest 4th Ave, N of Southwest 4th Court, City of Ft. Lauderdale.

Agency Determination:

Research efforts were not able to trace the exact origins of the “Rain Tree”; however, a cultural history of Block 38, Fort Lauderdale Subdivision, in the City of Fort Lauderdale reveal that the tree was significant in influencing post-1926 hurricane development of Block 38, and is characteristic of the civic and environmental programs perpetuated by the Fort Lauderdale Women’s Club, the Fort Lauderdale Garden Club and the City of Fort Lauderdale during that period.

A review of historical and archival materials indicates that the “Rain Tree” is eligible for designation pursuant to Section 27-412(a) (1) of Article XIV, the Broward County Tree Preservation and Abuse Ordinance based on its association with events unique to the history of Fort Lauderdale and Broward County, the development of Fort Lauderdale (original town limits and future Tarpon River residential neighborhood).

The Rain Tree is a prominent feature of the historic view-shed from the City of Fort Lauderdale Sailboat Bend Historic District, also identified as a Broward County, Historic Cultural Resource LAPC. The prominence of the Rain Tree is especially apparent from the Bryan Homes, a City of Fort Lauderdale designated historic site and a National Register of Historic Places structure.

Broward County Board of County Commissioners

Sue Gunzburger • Dale V.C. Holness • Kristin Jacobs • Martin David Kiar • Chip LaMarca • Stacy Ritter • Tim Ryan • Barbara Sharief • Lois Wexler
www.broward.org

In 1983, the structures at 424 SW 4th Ave were recorded with the Florida Master Site File (FMSF 8BD1159) and identified as a significant example of early vernacular residential architecture within the original City limits (FMSF 1985)

An August 2012 archaeological study of the property conducted by Archaeological and Historical Conservancy, Inc. determined, “the large rain tree is a likely cultural landscape feature, who planted it, and when, is unknown. It is visible on 1949 aerial photographs” (AHC, Inc. 2012: 29-30). The same study identified the presence of archaeological site 8BD4878, the Marina Lofts site, a prehistoric (A.D. 200 -1000) Native American Indian site in proximity to Lots 4-6, Block 30. The Rain Tree has no historical association with the archaeological site; however, elements of the archaeological site may exist within the subject parcel.

Attached is an historical narrative and research data to support these findings. Please contact me with any questions regarding these comments.

Sincerely,

Matthew DeFelice, County Archaeologist
Broward County Historical Commission, Broward County Libraries Division

Cc: Robert Cannon, Director, Broward County Libraries Division
Peggy Davis, Manager, Historical Commission, Broward County Libraries Division
David Baber, Preservation Coordinator, Broward County Libraries Division



Historical Research

Lots 4-6, Block 38, Fort Lauderdale, Broward County, Florida.

Narrative

The subject area, Lots 4-6, Block 38, Fort Lauderdale Sub-division, underwent two major development periods. First, between 1910 and 1926, Block 30 and vicinity experienced commercial growth and by 1926 had begun to flourish as a residential neighborhood. The 1926 hurricane effectively destroyed the majority of existing commercial and residential structures, including: the Hector Supply Co. warehouse and marine railway (Lots 1 and 2, Block 38) and one residence at 421 SW 4th Ave. (Lot 23, Block 37).

Commercial and residential development waned during the post - 1926 land bust and the Great Depression. Though early redevelopment began as soon as 1928 (424 SW 4th Ave, Lot 6, Block 38), a resurgence of major activity was not realized until the pre-WWII 1930s and again during post war 1950s.

A cultural history of Lots 4-6 of Block 38 reveal that the development of these parcels was heavily influenced by the presence of the Rain tree. Estimated to approximately 90 to 100 years old or possibly older (Pers. Communication Tom Chancy Dec. 5, 2012), the Rain Tree, centrally located on the line of Lots 5 and 6, predates the recorded development of the parcels. (Sanborn Map Co. 1912). The first structures to appear on Lots 4-6 was a dwelling and garage apartment constructed between 1924 and 1928. The disappearance of several structures on Lots 1 and 2, Block 38 (402 – 420 SW 4th Ave) and Lots 23, Block 37 (421 SW 4th Ave) during the same period likely coincides with destruction caused by the 1926 hurricane (Sanborn Map Co 1924; 1928).

The structure on Lot 6, Block 38 (424 SW 4th Ave) represents post 1926 redevelopment of the area and is the first residential structure to be constructed on the block. The 1926 hurricane devastated the built and natural environment of Fort Lauderdale. As a result of the widespread loss of tree canopy the Fort Lauderdale Women's Club organized the Garden Department in the summer of 1927 (Annual Report of the Fort Lauderdale Women's Club 1927). In early 1927 the Fort Lauderdale Women's Club donated 24 Royal Palm Trees to the Royal Palm Park, later the Everglades National Park, where the northern most natural stand of Royal Palms was known to exist (Annual Report of the Fort Lauderdale Women's Club 1927; Pers. Communication Michele Williams, FPAN Nov 2012). In the same year the Fort Lauderdale Garden Club was established and the two organizations, in coordination with the City of Fort Lauderdale, endeavored on a City beautification program, ultimately resulting in the establishment of the City Parks program (Annual Report of the Fort Lauderdale Garden Club 1927; Annual Report of the Fort Lauderdale Women's Club 1927; 1929; 1936). From 1927-1930, the organizations successfully planted 60 Royal Palms along Broward Boulevard, contributed dozens of trees to local parks and landscapes the Southside and Westside Schools (Annual Report of the Fort Lauderdale Women's Club 1927; 1928; 1929; 1930). The Garden Club simultaneously was sponsoring lectures, home and garden shows and encouraging the propagation of flowering trees for the purpose of educating City residents on the benefits of landscaping (Annual Reports of the Fort Lauderdale Garden Club 1927; 1928; 1929). These efforts were most visible in the successful creation of a City "Slat House", designed to shelter seedling trees to viability before they would be distributed to residents for use in home and neighborhood gardens (Annual Report of the Fort Lauderdale Garden Club 1927; 1928. 1929. 1930).

The 1927-28 development of Lots 4-6, Block 38 reflect the post 1926 hurricane civic cultural of tree preservation and City beautification. Two residential structures were constructed on Lot 6 (424 SW 4th Ave), a dwelling on the west of the lot and a garage apartment on the east. A small structure appears in the center of the lot in 1928 but has been removed by 1937 (Sanborn Map Co. 1928; 1937). This structure was likely an outhouse or other utilitarian outbuilding such as a slat house or garden that had outlasted its usefulness by 1937. At this time the Sanders family owned and occupied the dwelling and rented the garage apartment (City Directory 1936/37).

In the late 1940s to early 1950s Maude Sanders, now a widow; constructed an apartment on Lot 4, Block 38 and effectively joins Lots 4-6 to form the Enchanted Place Apartments (City Directory 1936 – 1950). In 1956-57 Maude is a co-owner of the property with John Graziano, a tenant. In 1957 Maude no longer appears in the City Directory and John is identified as the owner/operator of the Enchanted Place Apartments for several years. Future owners continue to operate the Enchanted Place Apartments under a variety of names until they are demolished about 1986/1988 (BCPA.net; City Directory). Lot 5 remains undeveloped during this time.



The Sanders' efforts to preserve the Rain Tree post 1926 may have been encouraged by a prominent civic leader and neighbor, Mrs. Louise G. Richardson. In 1922, prior to the hurricane, Mrs. Louise G. Richardson (60 years old) a member of the Fort Lauderdale Women's Club lived at 421 SW 4th Ave. Her residence was immediately adjacent the Sanders future home at 424 SW 4th Ave (Broward County Voter Registration 1922). Mrs. Louise Richardson was one of perhaps a half dozen residence on the 38 Block of SW 4th Ave (then Cunningham Ave) prior to 1926. (City Directory 1920; 1926). Louise moved across town a few years later and by 1926 Kenneth and Varna Richardson (married) took residence at the house (Fort Lauderdale City Directory 1926). Although the relationship between Louise and Kenneth and Varna is not clear, they are likely family and probably maintained a relationship during this time. Being a member of the Fort Lauderdale Women's Club, Mrs. Louise G. Richardson would have been familiar with the Fort Lauderdale Women's Club and Fort Lauderdale Garden Club involvement with the beautification of Fort Lauderdale post 1926, and was more than likely to have been an advocate of tree preservation and planting.

In 1924, Mrs. Louise G. Richardson was elected to the Women's Club Home Department (Annual Report of the Fort Lauderdale Women's Club 1924). In 1925 she was elected as the Women's Club Librarian, a position she holds for ten years and it is under her direction when the Fort Lauderdale Women's Club library is adopted by the City Of Fort Lauderdale (Annual Report of the Fort Lauderdale Women's Club 1936). In 1934 Louise was elected President of the Fort Lauderdale Women's Club; her first order of business was the appointment of Ms. J.M. Kyker to the Chairmanship of the Fort Lauderdale Garden Department (Minutes of the June 16, 1933 Fort Lauderdale Women's Club). In 1936/37 Louise returned to SW 4th Ave and established residence in an apartment at 426 SW 4th Ave, Lot 7, Block 38 at the future corner of SW 4th Ave and SW 4th Court (SW 4th Court will remain an unnamed road until the late 1940s) (Sanborn Map Co 1937; Hopkins Plat Book 1950).

Location:

The "Rain Tree" is approximately located within Lots 4-6 of Block 38, Fort Lauderdale subdivision; more specifically it is located centrally on the line of Lots 5 and 6. The area is included in the original 1/2 square mile tract of the City of Fort Lauderdale first platted by A.L. Knowlton, a civil engineer for Henry M. Flagler's Florida East Coast Railway.

Block 38 is bounded on the west by Southwest 4th Ave (Cunningham Ave), south by Southwest 4th Court and on the east by Southwest 3rd Ave (Nugent Ave). Block 38 is divided east and west by an alley, the west side of the alley containing lots 1 and 2 located adjacent (east and west respectively), and lots 3 to 7 continuing southward from the river, the east side containing Lots 26 to 30 (Sanborn Fires Insurance, City of Fort Lauderdale: 1912, 1924, 1918, 1924, 1928). Multiple Lot and Road configuration are recorded for Block 38 between 1912 and 1928 with the current configuration being established between 1937 and 1939 (City Directory 1937-38, 1938-39; Sanborn Map Co 1937).

History

Lots 1 and 2, Block 38

Between 1912 and 1920 Lots 1 of Block 38, located in the northwest of the Block along the river was occupied by the State's Everglades Drainage District, Lot 1 on the east was occupied by the New River Boatways and Machine Shop, and Hector Supply Co. (Sanborn Map Co 1912, 1914, 1918, 1924; Fort Lauderdale City Directory 1918-19, 1920-21).

By 1924 the Hector Supply Co acquired State Land on Lot 2 and established connectivity with the F.E.C Railway via a spur running to the central riverfront of Block 38 between Lots 1 and 2 (Sanborn Fire Insurance Map 1918, 1924; Fort Lauderdale City Directory 1919-20). In 1924 there is a duplex apartment in the southwest corner of the property.

By 1928 the Hector Supply Co. structures are largely gone from the property, a new facility is located in the southeast of Block 39. Lots 1 and 2 contain a warehouse and dwelling adjacent and along the riverfront, and two outbuildings (Sanborn Map Co 1924, 1928, 1937). In the 1950s the addresses for these structures is 400 and 402 SW 4th Ave and the lots remain largely unchanged through the 1970s (Hopkins



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M E M O R A N D U M

TO: Peter Burke, Natural Resource Specialist III
BC Planning and Environmental Regulation Division
BC Environmental Protection and Growth Management Division
One N. University Drive, Suite 201A, Plantation, FL 33324

FROM: Matthew DeFelice, County Archaeologist
Broward County Historical Commission
Broward County Libraries Division
301 Harmon Ave, (SW 13th Ave), Fort Lauderdale, Florida 33312

Cc: Robert Cannon, Director, Broward County Libraries Division
Peggy Davis, Manager, Historical Commission, BC Libraries Division
David Baber, Historic Preservation Coordinator, BC Libraries Division

DATE: December 10, 2012

SUBJECT: ****Errata ****
Fort Lauderdale Rain Tree historical assessment letter report

Peter,

I have identified errors in the previously submitted Fort Lauderdale Rain Tree historical assessment letter report.

1. *Page One, **Agency Determination**, third paragraph change "Bryan Homes" to "New River Inn (Florida Master Site File 8BD63) .*

2. *Page three, **Narrative** third paragraph between second and third sentence add "The structures were built on opposite sides of the lot, east and west, to accommodate the Rain Tree and incorporate it as a prominent feature of the property."*

3. *Page six, Lots 7, Block 38 (426/428 SW 4th Ave) third sentences add “changed” between “has” and “little”.*

Please contact me with any concerns regarding these corrections.

Matthew DeFelice, County Archaeologist
Broward County Historical Commission
mdefelice@broward.org
(954) 357-5506



Plat Book). The duplex apartment is becomes Lot 3 of Block 38 and by the 1950s the address is identified as 420 SW 4th Ave. (Hopkins Plat Book).

Resident History:

Though the property is largely commercial, an apartment and dwelling are recorded on the property. Early City directories are scant of information during this time; however the 1920-21 City Directory records six (6) entries, without addresses, on Cunningham Ave; from north to south begging at the New River, they are:

- a. Van Gosen, F.G.
- b. Everglades Drainage District
- c. Hector Supply Co.
- d. William, Abner
- e. "Tall Pines"
- f. Shackelford, H.E.

It is speculated that F.G. Van Gosen resided in the riverfront apartment (northernmost) and Abner Williams resided in the apartment in the south of Lot 2, the Hector Supply Co. Apt. 402 SW 4th Ave continues to operate as a rental property at least through 1951. (Fort Lauderdale City Directory).

Lots 3, Block 38 (420 SW 4th Ave)

420 SW 4th Ave remains largely unchanged from 1928 and 1937. 420 SW 4th Ave becomes a storage facility by 1948/49 and the structure is removed from the plat books in the mid 1950s (Hopkins Plat Book 1956 revision). Lot 3 continues to remain vacant.

Lot 4 - 6, Block 38
(1924 – 1950)

Lot 4 (416, SW 4th Ave)

The first structure on the property is constructed in the early 1950s and first appears in the City Directories in 1953-54 (Fort Lauderdale City Directory 1953-1954; Hopkins Plat Book 1950). At about this time the property was joined with Lots 5 and 6 forming a triple lot. The structure remained unchanged through until 1986 when the properties were demolished (Broward County Property Appraiser – online)

Lot 5 (No Address) - The lot is never developed.

Lot 6 (424 SW 4th Ave)

The first structures to appear on the property is a wood frame dwelling located on the west of the parcel and a garage/apartment on the east (alley side) between 1924 and 1928 9Sanborn Map Co 1924, 1928). At this time a small wood outbuilding is recorded in the center of the parcel. By 1937 the small center structure is gone (Sanborn Map Co 1937). By 1950 an addition to the western dwelling pushes the northwest corner of the structure into Lot 5 (Hopkins Plat Book 1950).

Resident History:

The earliest recorded owner/occupants of 424 SW 4th Ave. are Earl R. and Maude Sanders, both of the Northern Broward Electric Co. Inc. The two occupy the west residence and rents out the garage apartment at 424 ½ Sw4th Street. During 1943 – 1946 the principal residence is rented until 1946/47 when Maude re-occupies the house as primary householder/owner. It is noted that Earl Sanders is residing at 920 SW 11th Ct. In 1948 Maude Sanders is listed as widowed and she soon thereafter acquires adjacent Lots 4 and 5. In 1950 an addition is constructed on the principal dwelling and Maude begins renting "furnished apartments".

Lots 4 – 6, Block 38
(1950 - 1986)



About 1950 – 1956, Lots 4- 6 were combined into a triple lot and continued to operate as a rental apartments under various names and owners (Hopkins Plat Book 1950, 1956 re-vision). The structures are demolished about 1986/1988.

Resident History:

1950 - 1956:	Sanders Furnished Apartments (Fort Lauderdale City Directory) Owner/occupy: Maude Boye Sanders (widow)
1956 – 1957	The Sanders Apartments (Fort Lauderdale City Directory) Owner/occupy: Maude Boye Sanders and John W. Graziano
1956 - 1959	The Enchanted Place Apartments. Owner/occupy: John W. Graziano (Fort Lauderdale City Directory)
1959 - 1960	The Enchanted Place Apartments. Owner/occupy: John W. Graziano and Kathy C Graziano (married)
1960	The Enchanted Apartments Owner/occupy: Jason H Fulkerson
1961-1963	The Fulkerson Apartments Owner: Jason H. Fulkerson
1964 – 1980	The Enchanted Place Apartments Owner/occupy: Le Vern Pettis
1981-1982	The Enchanted Apartments Owner/occupy: Michael Wierzbowski and Bonnie Keck
1983 – 1986	The Enchanted Place Apartments Owner: Unknown
1986/1988	Demolished
1986-1988	Owner: Samuel Brenner
1989-2001	Owner: 4 th Ave Enterprises
2001-2011	Owner: Cabi New River LLC/Cabi New River II LLC, Downtown Ft. Lauderdale Waterfront 18 LLC

Lots 7, Block 38 (426/428 SW 4th Ave)

The first recorded structure, a concrete block “tourist apartments” is constructed on Lot 7 between 1924 and 1928. The structure changes little between 1928 and 1937 (Sanborn Map Co). From 1937 to the 1970s the structure has little (Hopkins Plat Books).

Resident history:

1936/37	Mrs. Louise G. Richardson (widow) (Fort Lauderdale City Directory).
1938-1942	Rental -various occupants
1943 – 1953	unlisted
1953 - 1956	The Trivette Apartments Owner/occupy: William L. Trivette

Lot 23, Block 37 (421 SW 4th Ave)

The property is located adjacent to Lot 6, Block 38 (424 SW 4th Ave). The first structure recorded on the property is in the 1924 Sanborn Fire Insurance Map of Fort Lauderdale (Sanborn Map Co.)

In 1922, 60 year-old Mrs. Louise G. Richardson’s indicated on her voter registration card that she resided at 421 SW 4th Ave, the approximate location Lot 23, Block 37 of the Sailboat Bend Subdivision (west of SW 4th Ave). (Hopkins Plat Book 1950).

In 1926, Kenneth and Varna Richardson listed simply as “1st h [house] s [south] of [New] River” In the 1926 Fort Lauderdale City Directory and Broward County Gazetteer. The structure does not appear on the 1928 Sanborn Map series (Sanborn Map Co.). The parcel remained undeveloped until the construction of the Marshal Bridge which crosses the property (Hopkins Plat Book 1974).

Citations

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Hopkins Plat Book
(1950, 1965) Plat Book of the City of Fort Lauderdale and Vicinity. On File, Broward County Historical Commission, Fort Lauderdale, Florida.

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(1912, 1914, 1916, 1918, 1924, 1928, 1937) Sanborn Fire Insurance Maps of the City of Fort Lauderdale. On file, Fort Lauderdale Historical Society, Fort Lauderdale, Florida.

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