



DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENT REPORT

MEETING DATE: July 25, 2023

PROPERTY OWNER /
APPLICANT: Hariohm Realty, LLC.

AGENT: Stephanie J. Toothaker, Esq.

PROJECT NAME: 42 Hotel

CASE NUMBER: UDP-S23035

REQUEST: Site Plan Level IV Review: 75-Room Hotel with 984 Square Feet of Ancillary Bar, Dimensional Modifications to Tower Stepback, Tower Separation, and Increase in Floor Area Ratio (FAR), and Request to Pay the Central Beach Parking Facility Fee in Lieu of Parking in the Central Beach Regional Activity Center

LOCATION: 3001 Alhambra Street

ZONING: A-1-A Beachfront Area District (ABA)

LAND USE: Central Beach Regional Activity Center

CASE PLANNER: Karlanne Devonish



Case Number: UDP-S23035

CASE COMMENTS:

Please provide a response to the following:

1. Specify uses and occupancy classification per Chapter 3 of the 2020 FBC.
2. Show provisions for either open or closed interior parking per sections 406.5 or 406.6 of the 2020 FBC.
3. Specify height and area compliance per Chapter 5 of the 2020 FBC.
4. Provide building construction type designation per Chapter 6 of the 2020 FBC.
5. Specify fire-resistance rating requirements based on building separation per Table 601 and 602 of the 2020 FBC.
6. Indicate code compliant sprinkler system per Section 903 of the 2020 FBC
7. Designate transient lodging guest rooms in accordance with the FBC Accessibility 224.
8. Parking facilities that provide valet parking services shall provide at least one passenger loading zone complying with FBC Accessibility Section 503.
9. Show Dimensioned ADA Hotel Lodging requirements.
10. Provide accessible route connecting handicap parking spaces to accessible building entrances per FBC Accessibility volume.
11. Show that the openings in the exterior walls adjacent to the north and east property lines meet the requirements of Table 705.8 of the 2020 FBC.
12. Reference the Florida Building Code 7th edition on plan for the proposed development [FBC 2020-101.2]

GENERAL COMMENTS

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

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

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

- a. https://library.municode.com/fl/fort_lauderdale/codes/code_of_ordinances?nodeId=COOR_CH14FLMA

Please consider the following prior to submittal for Building Permit:

1. On December 31st, 2020 the 7th Edition of the Florida Building Code was adopted. All work described in Section 101.2, of the Broward County Administrative portion of the Florida Building Code, will govern the administration and enforcement of the proposed work. Each building and or structure will require a separate permit. The following websites will assist in the design considerations:
 - b. <https://www.fortlauderdale.gov/government/departments-a-h/development-services/building-services>
 - c. https://floridabuilding.org/bc/bc_default.aspx
 - d. <http://www.broward.org/codeappeals/pages/default.aspx>

General Guidelines Checklist is available upon request.



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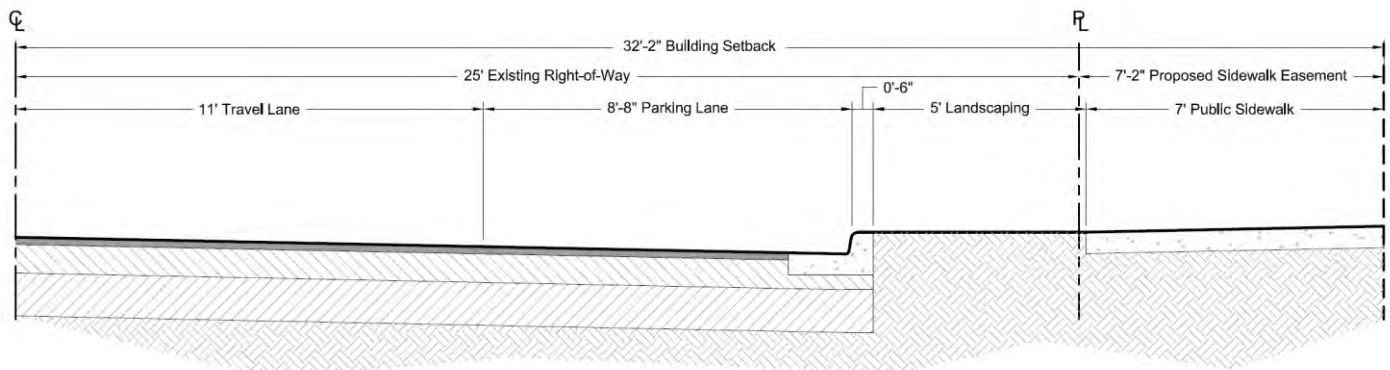
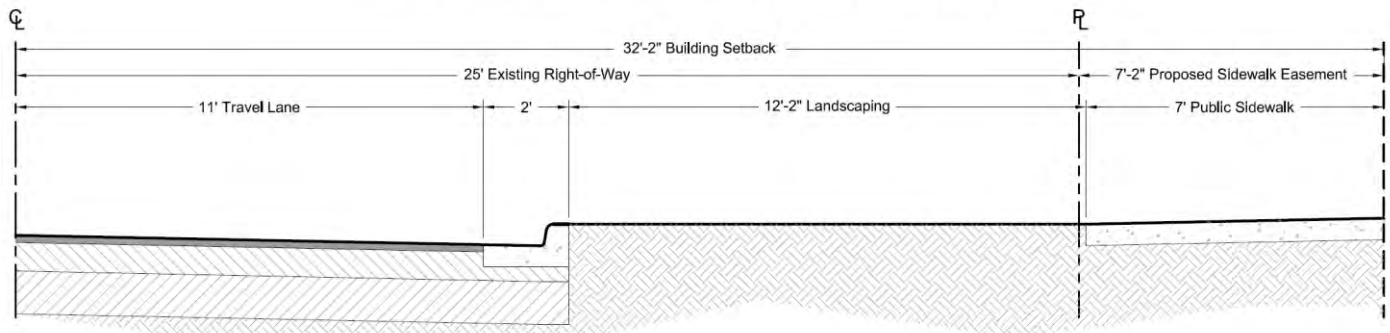
CASE COMMENTS:

Prior to City Commission Meeting, please provide updated plans and written response to the following review comments:

1. Property boundaries shown in the Survey provided do not follow boundaries as shown on PB 7 PG 30. Please revise the Survey. Revise plans as applicable.
2. **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 through the city website.
3. A 'letter of no objection' from each private utility owner that has an interest in the Utility Easement as described on ORB 21386 PG437 will be required.
4. Provide disposition of all the existing utilities on-site and within the adjacent right of way that may be impacted by the proposed development. Label information on plans (i.e. utility to remain/ be relocated/ removed). Utilities include but are not limited to above and underground water, sewer, drainage, electrical, communications, light/power poles, down guys, fire hydrants, manholes, etc.
 - a. Clearly indicate disposition of existing streetlight on the north side of Alhambra St. **ADVISORY:** Removal/relocation of streetlights shall be accepted by the City Facilities Manager.
5. 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.
 - a. Sidewalks shall be continuous through the driveways.
 - b. Light poles, trees and landscaping are not to be included in the minimum sidewalk width required.
 - c. Driveway flares shall not encroach onto adjacent properties.
6. Building Elevations: Show and label existing Right-of-Way, proposed Right-of-Way and/or Easement boundaries, Fee Simple lot boundaries, and horizontal building clearances on all building elevation / section details, as appropriate.
7. See below the sketches of the typical roadway sections for Alhambra St. Said sketches follow Sec. 47-12.5.D of the Code for Central Beach district. Please implement the typical sections, as applicable for the project.
 - a. Revise plans and cross sections as necessary. Cross-sections should show existing right of way and proposed right of way and/or easement boundaries.



TYPICAL ROADWAY SECTION (ALHAMBRA ST)



8. 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. 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.
9. The minimum clear width and depth parking stall dimensions shall be 8'-8" (12' for ADA parking stalls) and 18'-0", respectively, and shall not be encroached upon by building columns.
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). The request for reduction of sight triangle dimensions is subject to review by the City Engineer on a case-by-case basis. Per ULDR Section 47-19.1.E, no accessory use or structure shall be permitted within a sight triangle except as provided in ULDR Section 47-35.
11. Per SECTION 47-20.5.C.3 - For two-way on-site travel, a minimum of twenty (20) feet in width shall be provided.
12. Water and Sewer Plans:
 - a. All above/below ground structures shall be located outside of the provided utility easement for the new water meter.
 - b. Move the proposed 2" water meters to the right-of-way next to the property line. Refer to City standards.



- c. Show check valves next to the taps for water connections 2-inches and smaller per City standards.
 - d. Show double valves (tapping valve and gate valve) next to the taps for water connections 4-inch and larger per City Standards.
 - e. Provide standard detail for back flow preventor for the proposed 6-inch water connection.
 - f. Provide disposition of existing services (i.e. water services and sewer laterals).
13. Provide sufficient existing and proposed grades and information on conceptual Paving, Grading, and Drainage Plan and details to demonstrate how stormwater runoff will remain onsite ((include typical cross-sections along all property lines as appropriate, and depict how the proposed project improvements (i.e. on-street parking, sidewalks, etc.) will not adversely impact the adjacent Right-of-Way, properties and waterways.
- a. In addition, clearly show underground stormwater system and how the structures will connect with one and other. On-site drainage calculations will be reviewed once comment No. 13 is addressed.
14. Drainage mitigation is required for any impacts within adjacent City of Fort Lauderdale Right-of-Way, such as increased runoff, additional impervious areas, and modification of existing storage or treatment. Engineer of Record (EOR) shall evaluate the adjacent City roadway system capacity and demonstrate that the proposed improvements will not negatively impact the City's existing drainage system, and provide recommendations in compliance with the City's Comprehensive Plan (i.e. meets or exceeds the 10-year/1-day storm event drainage criteria).
15. Show and label all existing and proposed utilities (utility type, material and size) on civil and landscaping plans for potential conflict. 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. If this 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 standards/permits/policies. Ensure separation is provided and include a note regarding horizontal clearance requirement on the landscape plans.
16. 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.
17. 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 back to the City, upon successful inspection/acceptance by Public Works after 1-year warranty period.

For Engineering General Advisory DRC Information, please visit our website at

<https://www.fortlauderdale.gov/home/showdocument?id=30249>

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

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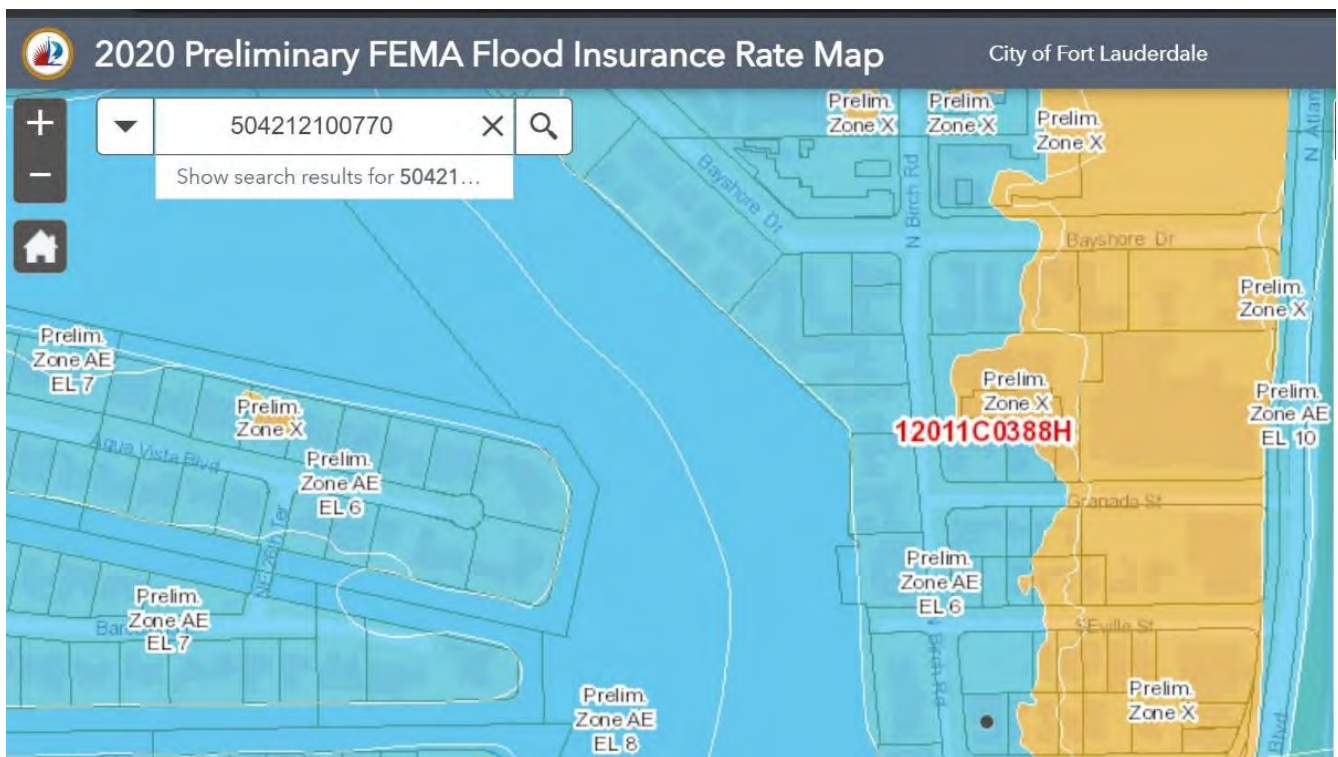
CASE COMMENTS:

Please provide a response to the following:

Prior to Final DRC sign off and update plans and provide a narrative with a written response for each comment. Please view the following updated comments the BFE is 6' NAVD see attached preliminary flood map.

1. Provide the following flood zone data on the site plan from the (2014 FIRM Flood Insurance Rate Maps) 12011C0388H, X500, and "AE" flood zone with a base flood elevation of 5' NAVD 88.

The preliminary maps show a BFE of 6 ft. NAVD (flood zone "AE").
 See attachment of the Preliminary Flood Map



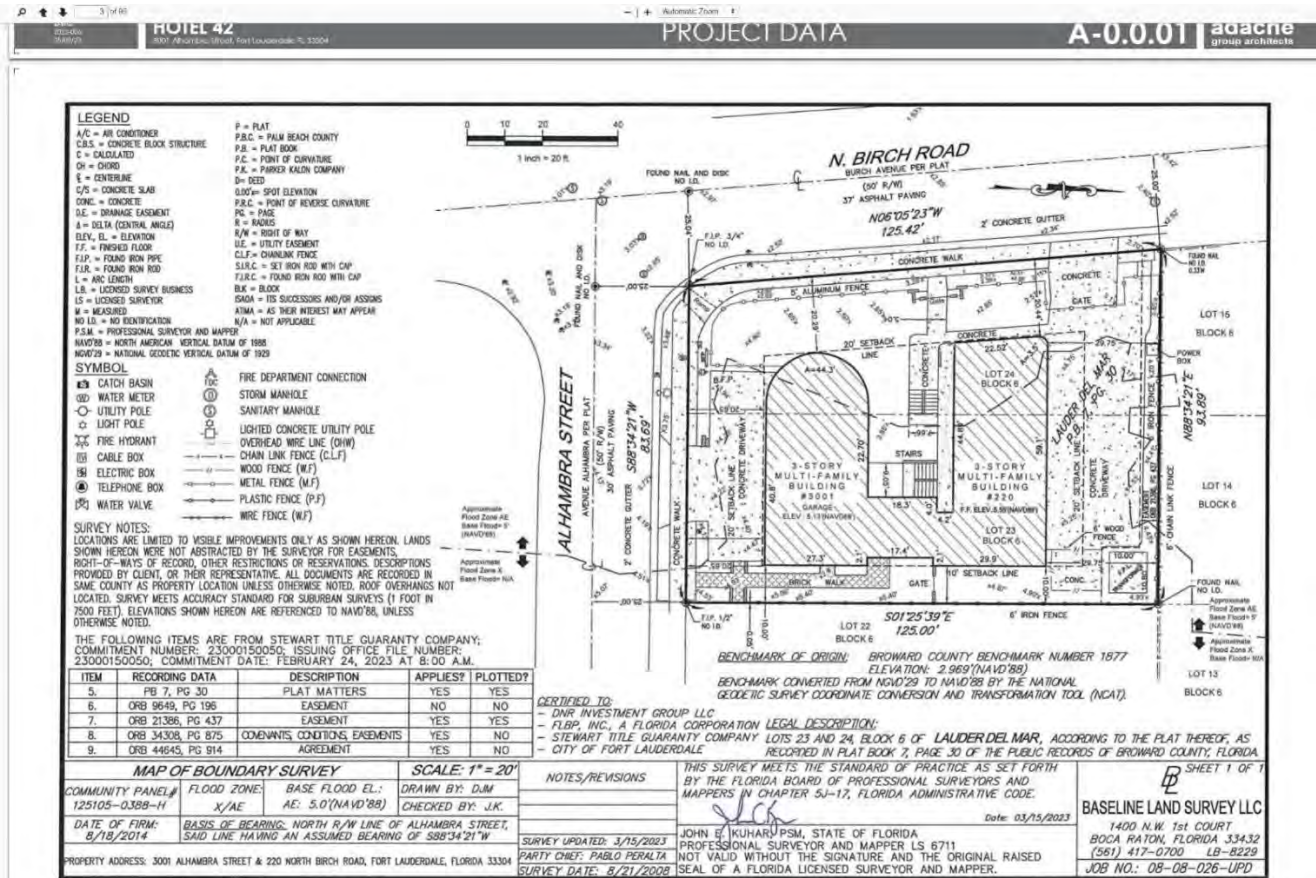
Layer List

Layers

- Existing FEMA Flood Zones
- 2020 Preliminary FEMA Flood Zones



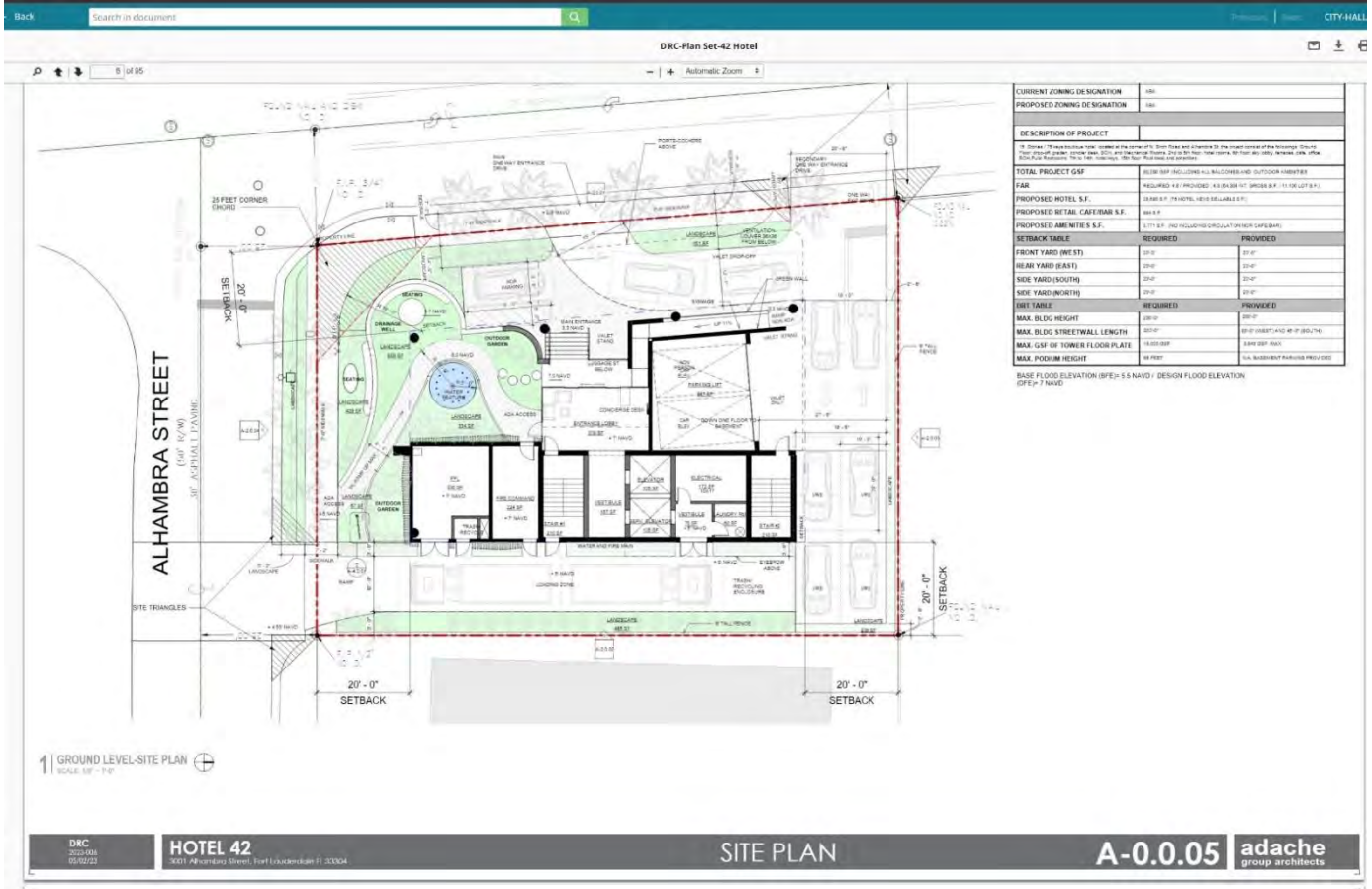
- Provide a delineation of flood hazard areas, and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development. Also provide the preliminary map attachment of the preliminary flood zone. Once the preliminary Maps go into effect you will need to meet this BFE of 6 ft plus 1 ft. freeboard = 7' NAVD 88 (since the preliminary maps are preliminary maps are subject to change)



- Elevation requirements. (Elevated to (BFE) Base Flood Elevation + 1 'Freeboard) or above the elevation required in the Florida Building Code or the base flood elevation plus one (1) foot, whichever is higher. (BFE Base Flood Elevation + 1 foot Freeboard = FFE Finish Floor Elevation) (CFL Flood Ordinance CH 14-11)

Preliminary flood map BFE

The BFE using the Preliminary Maps is BFE 6 ft. + 1' freeboard = 7 ft. NAVD 88 FFE



3 (see attachment)

See attachment of (site plan A 0 0.05) please show that the Finish floor elevation will meet the BFE of 6 ft. + 1 ft.=7' NAVD 88 once the preliminary maps go into use this will be the flood maps in use.

See attachment of (site plan A 0 0.05) please show that the Finish floor elevation will meet the BFE of 6 ft. + 1 ft.=7' NAVD 88 once the preliminary maps go into use this will be the flood maps in use.

- Provide the finish floor elevation in feet using the NAVD 88 Datum and any flood levels below on Elevation (sheets A 2.0 0,1), (A 2.0 02), (A 2.0 003), (A 2.0 004).
- Flood proofing is required for areas below BFE + 1' = FFE NAVD 88 (equipment and generator will need to meet BFE +1' (Reference the floodproofing that will be done in these areas.



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CASE COMMENTS:

Please provide a response to the following.

1. Provide an existing tree site plan or existing tree site survey illustrating all existing trees and palms, and number each one.
2. Provide a corresponding list, as per ULDR 47-21.15, of these trees/palms including:
 - a. tree number for each
 - b. botanical name and common name for each
 - c. trunk diameter, in inches, at chest height for trees
 - d. clear trunk in feet for palms
 - e. condition percentage as a number for each
 - f. indicate status for all existing trees/palms on site (remain, relocate, remove)
3. Please have a certified ISA Arborist provide the information as to the existing trees including the condition ratings that will be required for mitigation purposes. Please provide mitigation in equivalent replacement and in equivalent value. Please indicate how the mitigation will be provided on Landscape plans. Here is a link to a city web page to help with mitigation calculations.
<https://www.fortlauderdale.gov/home/showpublisheddocument/67614/637889169624700000>
4. Tree preservation requirements apply, those that are good candidates should be saved by relocation. Please have the ISA Arborist evaluate trees and palms for relocation.
5. Tree and or palms proposed for removal on adjacent neighboring properties will require written permission from the neighboring property owner for work to be done.
6. Provide tree protection barricade detail for existing trees on site to remain, as per ULDR 47-21.15. This barricade must be installed prior to the beginning of proposed work, and a landscape job-check inspection may be scheduled.
7. 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.
8. 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. Illustrate this clearance.
9. 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. Please demonstrate horizontal clearance on plans.
10. Utilities and site amenities such as walkways, flagpoles, transformers, fire hydrants, sewer and water supply lines, trash enclosures, and similar items located on the site shall not be placed adjacent to, in, or under required tree planting areas, as per ULDR Section 47-21.12. Confirm with civil, site and life safety plan that utilities and site amenities are not causing conflicts with proposed landscaping. Where conflicts exist, shift the utility and/or site amenities.

11. Please place the portion of power feed line adjacent to the property underground for the streetlight along Alhambra Street as not to interfere with the Streetscape.
 - a. Overhead line relocated the use of a shade tree such as the Gumbo Limbo would be supported.
 - b. Overhead not relocated, please provide small maturing trees in place of the three palms currently proposed east of the streetlight.
 - c. It appears that there is room for the corner palm west side of the stop sign. Please coordinate species of palm with the Development taken place at 3000 Alhambra Street. Plans for that development appear to be providing *Ptychosperma elegans* fourteen to sixteen overall height with three trunks.
12. Please provide shade tree street trees and palms marking the corner at the intersection.
 - a. Along Birch Road, please provide the street trees between the travel lane and public realm of the sidewalk. As per section 47-12.5.D.5.d. Street trees are to be planted and maintained along the street...
 - b. As the Large trees asked for in the Design Guidelines to be provided, please investigate, and propose the use of *Bursera simaruba*, *Lysiloma latisiliquum*, *Lagerstroemia speciosa* and *Piscidia piscipula*.
13. 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.
14. Soil Cells may be utilized in place of CU Structural Soil, please look into the use of the Green Blue Urban soil cell, Silva cell or like. If Soil Cell are to be utilized, please provide detail of product of use for root development under paved areas. Demonstrate hashing on landscape, site, and civil plans as to the extent of use of the Structural Soil.
15. 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.
16. No large tree to be installed closer then twelve feet to a streetlight, palms no closer then seven feet. Section 47-21.9.F.3.
17. Tree canopy encroaching or within a sight triangle requires a canopy height clearance of 8 feet when installed. Please maintain tree canopy 60% to tree clear trunk 40% ratio heights adjust overall height of trees in sight triangles.
18. Section 47-21.12.A.2.a. Along the perimeter of a parcel of land which abuts a street, exclusive of vehicular access points, a perimeter landscape area shall be provided. The depth of the perimeter landscape area shall be a minimum of five (5) feet, a maximum of twenty-eight (28) feet, and an average of ten (10) feet. The ten (10) feet of perimeter landscape area closest to the VUA may be counted as part of the twenty percent (20%) minimum VUA landscape requirement. Please demonstrate on plans that this requirement is being met. The public realm of the sidewalk may encroach within this perimeter landscape area.

19. Section 47-21.12.A.2.b. Along the perimeter of a parcel of land which does not abut a street the minimum depth of the landscape area shall be two and one-half (2½) feet. Parcels of land with less than one-hundred-foot front width may provide a perimeter masonry wall at least thirty (30) inches in height between the VUA and the abutting property in lieu of the perimeter landscape area. Northwest corner of the site is missing a buffer.
20. Section 47-21.12.B.1. VUAs shall be visually separated from streets, waterways, and abutting properties. A continuous visual barrier a minimum of thirty (30) inches in height is required. Visual barriers may consist of any of the following or combination thereof: a masonry wall, mounding, berm, and groupings of shrub plants.
21. Landscape area for a VUA extends ten feet from the edge of the pavement, so too required code materials within these ten feet count towards VUA. Please correct sheet L-301 as to the required and provided column and note the deficiencies on the plan and within the narrative.
22. Please provide an overlay sheet delineating measured and calculated areas, that is demonstrating at grade landscape area is being met. Public realm of the sidewalk shifted to within the site's property lines and up to fifty percent of the right of way landscape improvements may count towards site requirement. Section 47-12.5.C.2.
23. The landscape strip along the east side of the site is shown to be five feet in width. The Department would suggest a row of tall growing palms of staggered heights to mitigate view from the neighboring property and count towards equivalent replacement.
24. The wall that extends from Alhambra Street around to Birch Road, has not only a continuous shrub planting requirement yet a tree requirement as well. One tree, that may be standard, flowering or palm (palms may be clustered) is required for each twenty feet of wall or part thereof. Shrubs not required at sitting area, yet the length is to be included for the tree requirement.
25. 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 (hydrozone) 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 hydrozones on a plan sheet and include calculations in table.
26. Additional comments may be forthcoming after next review of new plans and written comment responses.

GENERAL COMMENTS

The following comments are for informational purposes.

Please consider the following prior to submittal for Building Permit:

27. 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 note this at time of submittal. Landscape installation of off-site parking lot will require its own separate permit under the address of the parking lot differing from the site development.



28. Provide separate Plumbing sub permit application for irrigation. Irrigation plans are required at time of Building permit submittal. Plans are to be in compliance with ULDR 47-21.6.A.11 and 47-21.10. Note that planting areas are to be irrigated on a separate zone than the turf areas so that once the plants are established, that particular zone can be shut off based on the season. The overall goal is to decrease water use through irrigation. Plant material must be grouped together based on watering needs (hydrozone) and turf areas must be limited and/or consolidated to less than 50% of the landscaped area. Illustrate hydrozones on planting plan and include calculations in table.
29. Note that tree removal at time of demolition will not be permitted unless the Master Permit for redevelopment has been submitted for review.
30. Proposed landscaping work in the City's right of way requires engineering approval. This approval requires documents to be submitted for Engineering review. Note that Landscape will not approve permit review without these Engineering documents being submitted.
31. 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. This can be in addition to a monetary guarantee. The amount of guarantee is based on the equivalent value of the tree or trees specifically included.



Case Number: UDP-S23035

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 Video Surveillance System (VSS) 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 pool and common areas. These should be easily identifiable and accessible.
11. Light reflecting paint should be used in parking area 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, gym, 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.
17. Fort Lauderdale Police/Fire Dispatch should be notified of access for first responders

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-S23035

CASE COMMENTS:

Please provide a response to the following:

1. 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.
2. Solid Waste Services shall be provided by a Private Contractor licensed by the City.
3. Solid Waste charges shall be collected in monthly lease with Sanitation account for property under one name (Commercial).
4. Service Days shall be: No restriction for Commercial collection. Service may not occur earlier than 7:00 am or later than 10:00 pm within 250 feet of residential.
5. 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).
6. Provide on the site plan a garbage truck turning radius for City review. Indicate how truck will circulate within property.
7. Solid waste collection shall be from a private loading dock.
8. Solid Waste transport to trash rooms or to primary waste container shall be performed inside building using interior service corridor (Retail, Office, Condo, Hotel).
9. Containers: must comply with 47-19.4
10. Dumpster enclosure: concrete pad, decorative block wall, gates hung independently, protective bollards, secondary pedestrian side entry, high strengthen apron and driveway approach, night light, hot water, hose bib, drain, low circulating ventilation for dampness, weep holes, landscaping, smooth surface walkway to accommodate wheeled containers.
11. Trash Room services will be handled by private collector, or Trash Room services will be done by on site personnel, or Trash Room services will be done by custodial staff.
12. Submit a Solid Waste Management Plan on your letterhead containing the name of project, address, DRC case number, number of units if applicable, and indicate whether it is Pre or Final DRC.
 - *This letter is to be approved and signed off by the Sustainability Division and should be attached to your drawings. Please email an electronic copy to Gwoolweaver@fortlauderdale.gov . The letter should include an analysis of the expected amounts of solid waste and recyclables that will be generated (if different from current capacity), and containers requirements to meet proposed capacity.*
 - *Community Inspections will reference this Solid Waste Plan for sanitation compliance issues at this location.*

GENERAL COMMENTS

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

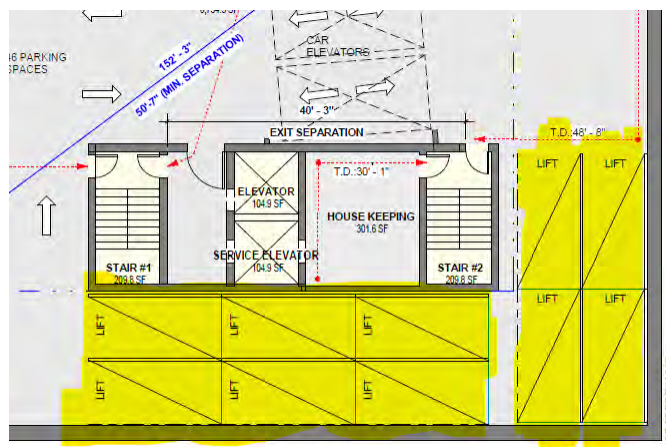
Please provide specific details of solid waste and recycling collection per building

Case Number: UDP-S23035

CASE COMMENTS:

1. As proposed, the site is deficient in 4 parking spaces. To address the comments below your proposal may be deficient more than 4 parking spaces.
2. The parking in lieu fee shall be \$45,678 per parking space. This fee shall be paid to the City of Fort Lauderdale's Transportation and Mobility Department. This fee amount is based on the average cost per garage parking space that has been recently constructed and soon to be constructed in this area of the city.
3. 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.
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. Properly dimension the parking stall dimensions on the plan sets.
5. For handicapped parking stalls, pursuant to Florida Statute 553.5041, each parking space must be at least 12 feet wide. Parking access aisles must be at least 5 feet wide and must be part of an accessible route to the building or facility entrance. The access aisle must be striped diagonally to designate it as a no-parking zone. Handicap Parking spaces shall be level, no more than a 2% slope. Please revise handicapped parking dimensions accordingly.
6. The ADA ramp should be moved closer to the ADA parking stall, it will be difficult for users to maneuver around the valet operation to access the ramp where it's currently proposed.
7. Show inbound and outbound stacking requirements from the property line to the first conflict point according to Section 47-20.5 General design of parking facilities for each proposed driveway. Please note that if there is a proposed gate at the ingress and egress points for this development, the gate will be considered the first conflict point. The minimum Stacking requirements of one (1) stacking spaces is not being met at both driveway locations. A stacking area shall be designed to include a space of twelve (12) feet wide by twenty-two (22) feet long for each vehicle to be accommodated within the stacking area and so that vehicles within the stacking area do not block parking stalls, parking aisles or driveways of off-street parking facilities.
8. 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). The request for reduction of sight triangle dimensions is subject to review by the City Engineer on a case-by-case basis. Per ULDR Section 47-19.1.E, no accessory use or structure shall be permitted within a sight triangle except as provided in ULDR Section 47-35.
9. Per Section 47-20.5.C.3 – Drive aisles for two-way travel, a minimum of twenty (20) feet in width shall be provided

10. All internal circulation and queuing areas must be designed to accommodate the turning radii of the vehicles that will be using the site. Provide auto turn vehicular paths to depict how the ground floor site circulation will work. It is not clear if a vehicle coming from the valet drop off location is able to make the turn into the vehicular elevator.
11. The valet VRS requirement is not being met, for information on the required vehicular reservoir requirement for valet parking, please look at the section in our city code listed below:
 - a. Sec. 47-20.17. - Vehicular reservoir spaces for drive-thru facilities. Valet parking facilities, 50 spaces or less are required to have a minimum 4 inbound vehicular reservoir spaces.
 - b. A vehicular reservoir space ("VRS") is a space within a vehicular use area for the temporary stopping of a vehicle awaiting service as provided in this section. A VRS shall be twenty (20) feet long by ten (10) feet wide. A VRS shall be located in an area within a parking facility which is not used for any other vehicular use such as access, parking, site circulation or loading.
 - c. Each VRS shall be clearly defined on the site plan and shall be in a location that does not conflict or interfere with other traffic entering, using, or leaving the site. Design configuration shall be such that there shall be no backing into the street permitted.
 - d. Reservoir spaces shall be measured from the front of the service position to the rear of the VRS.
12. The VRS service position is the pickup drop off location, the VRS's must be drawn from this location not as it is currently being proposed.
13. The VRS's must not conflict with access to proposed parking stalls such as the proposed handicap stall.
14. Per section 47-20.16 of the City of Fort Lauderdale ULDR valet Parking spaces need not be immediately accessible provided spaces are arranged so that no more than two (2) parking spaces would be crossed in parking any vehicle. The proposed configuration of lift parking does not meet this criteria, revise the parking layout accordingly. The area of concern is highlighted in the image below:



15. Provide a minimum of 7 feet wide on N Birch Rd & Alhambra St. This minimum is in reference to clear, unobstructed pathways –light poles, trees and landscaping is not to be included in this zone. Landscaping should be between the sidewalks and back of curb and a minimum of 5 feet in width.
16. All proposed stairs and ramps must be taken out of the public right of way, FDOT easement/dedication and corner chords and placed on private property.
17. Any proposed drainage well, manhole, pull box etc. installed in the sidewalk must be flat, ADA compliant and not impact the effective width of the sidewalk clear path.

18. 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.
19. 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.
20. Additional comments may be provided upon further review.

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-S23035

CASE COMMENTS:

Please provide a response to the following:

1. The proposed development application is subject to review and recommendation by the Planning and Zoning Board (PZB) and approval by the City Commission for proposed deviations. A separate application and fee are required for both PZB and City Commission review. The applicant will be responsible for public notice requirements per the Unified Land Development Regulations (ULDR), Section 47-27. Note: The City Clerk's office requires 48 hours' notice prior to a Commission meeting if a computer presentation is planned i.e., Power Point, to be provided on CD or flash drive and a copy submitted to the City Clerk, contact the project planner for more information (954-828-6162).
2. Pursuant to public participation requirements of City's Unified Land Development Code (ULDR) Section 47-24.1.F.14 and Section 47-27.4.A.2.c, the applicant must complete the following:
 - a. Prior to submittal of an application to the (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/government/departments-a-h/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 a public participation meeting(s) a minimum of 30 days prior to the PZB. This date and location of the meeting is at the discretion of the applicant. Once the meeting(s) is conducted, the applicant shall provide a written report letter to the Development Services Department, 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. If the applicant fails to submit the affidavit, the public hearing will be postponed until the next available hearing date after the affidavit has been supplied.
3. Pursuant to State Statute 166.033(1) the application must be deemed approved, approved with conditions, or denied within 180 days of completeness determination, on or before December 27, 2023, unless a mutually agreed upon time extension is established between the City and the applicant. Failure to meet the applicable timeframe or request an extension may result in the application being denied by the City and the applicant may be required to refile a new application and fees to proceed unless the applicant submits a waiver of these timeframes as provided in the completeness email from the City.
4. The site is designated Central Beach Regional Activity Center (Central Beach RAC) 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.
5. The City monitors and tracks development entitlement in the Central Beach RAC based on available residential units and vehicular trips. Please be advised that development applications in the Central

Beach RAC are subject to unit and vehicular trip availability at the time of Development Review Committee (DRC) approval and remaining available units and trips will be allocated at the time of Final DRC approval, on a first come, first served basis. The City does not guarantee that any units and/or vehicular trips will be available at the time of Final DRC approval. Contact Jim Hetzel, Principal Urban Planner at jhetzel@fortlauderdale.com to verify the availability of units and trips as well as the proposed unit and trip allocation requested for the project.

6. Provide a Plat Determination Letter from Broward County Planning Council verifying whether the property needs to be platted or re-platted. If a plat or re-plat is not required, contact the Broward County, Development Management and Environmental Review Section, at (954) 357-8695 to ensure that the proposed project is consistent with the latest recorded plat restriction(s). If a plat note or non-vehicular access line (NVAL) amendment is needed, a separate application is required, which is reviewed administratively and can be found here: [Administrative Review Application](#).
7. Provide the total park impact fee amount due. Park impact fees are assessed and collected at time of permit per each new hotel room and dwelling unit type. An impact fee calculator can be found at: <https://www.fortlauderdale.gov/departments/sustainable-development/building-services/park-impact-fee-calculator>.
8. Provide documentation from the Broward County Emergency Management Department indicating that, with the addition of the subject project, an acceptable level of service for hurricane evacuation routes will be maintained as well as the County's emergency shelter capacity. Provide this documentation prior to project proceeding to the Planning and Zoning Board.
9. 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 Historic Preservation Element of the Comprehensive Plan Objective 1.2, Policy 1.2.3a, 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.

Following review of the land use and development history of the property, it has been determined that there is a potential to encounter previously undocumented cultural resources. A Phase I archaeological survey/monitoring plan should be developed a professional archaeologist, who meets the Secretary of the Interior's Professional Standards for such work as set forth in 36 CFR part 61 as amended. The purpose of which will be to provide archaeological testing on the parcel prior to development/ground disturbance activities, and for archaeological monitoring off all ground disturbance activities for the duration of the development. See attached letter from Coastal Archaeology & History Research, Inc for more information.

A Letter of Agreement from a professional archaeologist must be submitted in coordination with building permit applications for demolition and new construction to perform work outlined within the attached letter. A final report must be submitted by the archaeologist to Trisha Logan prior to issuance of Certificate of Occupancy. For any questions, please contact Trisha Logan, Principal Urban Planner, at tlogan@fortlauderdale.gov or 954.828.7101.

10. Pursuant to City Ordinances, Chapter 6, Article III, Sea Turtle regulations, building lighting is subject to limitations as to its impact on sea turtle habitats and nesting. Provide a project lighting plan that

indicates the proposed type of lighting for the site and building, cross sections measured from the beach to building illustrating the light viewshed and provide notes on the site plan and building elevations regarding compliance with Section 6-49.

11. Provide a point-by-point narrative response for ULDR Section 47-12.7, Central Bach Parking Facility Fee. Be advised that the pay in lieu of parking shall be paid at time of issuance of the Certificate of Occupancy.
12. Provide the following changes on the site plan:
 - a. Consider the following streetscape design: Place the required street trees between the street and sidewalk with the sidewalk abutting the building thereby providing a tree canopy effect, similar to the property located at 3029 Alhambra Street (AC Marriot) and the property located on the corner of Birch Street and Bayshore Drive pictured below.



- b. There are existing overhead utilities along Alhambra Street that will impact the proposed landscape plan. If remaining overhead, indicate the location of the utility poles on the site plan.
 - c. Provide a data table on the site plan sheet that indicates the code requirements verses proposed for all the modifications being requested (tower separation and stepback, floor area ratio, and the pay in lieu parking requirements). For each modification indicate the justification or analysis for the request.
 - d. Provide dimensions of the loading zone.
 - e. Provide a turning radius for the loading area and the ADA parking space. ADA parking space should accommodate a parking van. Show the access ramp from the ADA parking space. ADA access ramp needs to be reasonably accessible to the ADA parking space. Proposed plan indicated access to be through a vehicular lane of travel.
 - f. Consider removing the wall that wraps around the Alhambra Street to Birch Road to provide more direct connection with the public realm both visually and physically.
13. Pursuant to Section 47-12.4.1, Table of Dimensional Requirements for the Central Bach Zoning districts, the setback requirements for all yards is 20 feet. As proposed, the structure encroaches into the yard for the North façade projecting 3 feet, 7 inches and the East façade which appears to encroach 5 feet into yard as shown on Sheet A-3.0.01, therefore the project is not meeting the setback requirements. In addition, the proposed unenclosed balcony projects even further into yard, beyond the maximum allowed.
14. As proposed, the building footprint and overall site layout leaves minimum space for adjustments, contains limited pedestrian connectivity, and lacks overall relation of ground level uses to the public realm. Staff recommends the site design be re-evaluated to: (1) provide stronger building presence that aligns with ground level active uses to the public realm, (2) create more significant building entrances that aligns ground level with the public realm, (3) potentially reduce the development program to meet dimensional standards, parking needs, etc., and (4) reconfigure the plaza/garden area to accommodate an active use fronting Alhambra Street; e.g. coffee shop.

15. As proposed, the applicant has not demonstrated that the project meets ULDR Section, 47-12.5.B Design Compatibility and Community Character Scale – ABA District “ Point System”, for the additional 20% Floor Area Ratio (FAR) increase. Staff has commented below under the applicable subsections.

47-12.5.B.1, Floor Area Ratio Deviations

- a. 47-12.5. B.1.a, *Line parking facility above first floor with habitable space*: the proposed parking facility is subterranean and is not located above the first floor.
 - b. 47-12.5. B.1.c, *Sustainable practices*: provide more information regarding the cool roof in regard to practice and indicate on the roof plan the specific practices that will be implemented. Include information on materials as well as the percentage of roof area for the cool roof. In addition, applicant states there will be “additional sustainable practices” but there is no information on such. The intent of the subsection is to provide more than one sustainable practice.
 - c. 47-12.5.B.1.f., *Active uses at ground level of the front façade*: Provide a diagram of the 75% frontage active use that is indicated by the applicant’s narrative. Pursuant to Section 47-12.5, Active use is defined as *a use designed to encourage human presence, with the intent to create visual engagement between the building facade and the public realm. Active uses can include, but are not limited to residential dwellings, office space, restaurant, retail or commercial uses, lobby or building amenities with the intent to enliven building facades that front a street by creating a sense of human presence, safety, and comfort, especially at the ground floor.* The garden amenity is considered a site amenity, not an active use. The intent of the active is to have synergy with the ground floor uses and the public realm.
 - d. 47-12.5.B.1.g., *Durable Exterior Materials*: Provide the percentage of each facade that is covered by durable materials in relation to the Point System. A minimum of 80% of the façade is required to have durable exterior materials.
16. Provide the following changes on the elevation sheet(s):
- a. Update the elevations to clearly match the rendering so materials are the same graphically.
 - b. Clarify the framing of the “K- Gray Tinted Glass” is on sheet A-2.0.03.
 - c. Image of “L-Glass Panel/White Aluminum Frame railing” on sheet A-2.0.03 appears clear. Update the image to reflect the correct materials and conditions. Update sheet A-1.0.06 to identify detail “L.”
 - d. Provide more details on how the artificial green wall terminates at the corners. Consider alternate finish to the artificial green wall.
 - e. Consider adding a significant architectural feature to create a stronger architectural identity and expression such as building projections, change in materials, or other design techniques.
 - f. Consider using high quality engineered faux wood throughout the design of the building.
17. According to the survey, there is an easement on the north property line that includes a Florida Power and Light (FPL) transformer, which will need to be relocated. Indicate how applicant plans to address this. Be advised, vacating an easement is a separate application and the site plan will be subject the approval of such.
18. Provide a response to the Declaration of Restrictive Covenants document attached.
19. Provide detail of the turning radius of the parking garage.
20. Consider adding to the renderings the Selene Condominiums to provide better context of the area.
21. Consider exploring additional tower top shapes or reexamine the current design to provide for stronger, more dramatic angles.

22. Pursuant to ULDR Section 47-19.2.Z, all rooftop mechanical equipment areas, stair and elevator towers should be designed as in integral part of the building volume and shall be required to be screened with material that matches the material uses for the principal structure and shall be at least as high as six (6) inches above the top most surface of the roof mounted structure. Address the following:
 - a. Provide detail drawings(s) with spot elevations of the parapet wall and roof level as well as top of mechanical equipment to verify adequate screening of roof mounted equipment.
 - b. Identify the location of equipment on building elevations by outlining the equipment with dash lines.
 - c. Ensure the screening material is made of durable material.
 - d. Provide screening product material including images or pictures of actual application of such.
23. Provide a preliminary construction staging plan which includes anticipated hours of operation on site, debris mitigation plan, and map indicating where crane operations and employee and/or equipment parking and storage will be placed. A revocable license application and a traffic circulation plan may be required if the sidewalk or right-of-way requires to be closed at any time, which should be filed under a separate application and coordinated through the City's Maintenance of Traffic (MOT) process with the Transportation and Mobility Department.
24. Consider employing green practices throughout the project including, but not limited charging stations, tank-less water heaters, rain collections system, pervious parking, bio-swales, Florida Friendly™ plant materials, and solar panels.
25. Pursuant to the City's Comprehensive Plan, Urban Design Element, Goal 2, Objective UD 2.2, Policy UD 2.2.4, development projects are encouraged to install public art on the development site to enhance the nature of our urban spaces. Placement of public art enhances the overall public realm and vitality of public spaces. Art features should be easily accessible and visible to the general public, adjacent public property, and other public thoroughfares. Said art shall possess functional as well as aesthetic qualities that typically reflect an awareness of a given site, both physically and socially. Consider placing art at the southwest portion of the site.

GENERAL COMMENTS

The following comments are for informational purposes.

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

1. An additional follow-up coordination meeting may be required to review project changes necessitated by the DRC comments. Follow-up coordination and can be scheduled with the project planner Karlanne Devonish (Email: kdevonish@fortlauderdale.gov, Phone: 954-828-6162 or) to review project revisions and/or to obtain a signature routing stamp.
2. Additional comments may be forthcoming at the DRC meeting.



Coastal Archaeology & History Research, Inc.

Cultural Resource Consultants

20 July 2023

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: Review of Archaeological Impacts: UDP-S23035
Street: 3001 Alhambra Drive, Fort Lauderdale, Florida

Trisha Logan,

In capacity as archaeological consultant to the City of Fort Lauderdale I have reviewed the referenced development in accordance with Chapters 267, *Florida Statutes* and Section 47-25.2.P, *Fort Lauderdale U.L.D.R* for possible effects 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 parcel consists of +/- .25 acres of developed land at the northeast corner of N. Birch Rd. and Alhambra St., Ft. Lauderdale, Florida. A review of the Broward County Property Appraiser records (BCPA.net) as well as historic aerials (BCPA 2023, 2003; USDA 1947, 1957, 1980) indicates the parcel remained undeveloped until about 2004 when the extant structures were built.

Findings

The subject property is in the Beach Barrier Island Archaeological Zone - an area of archaeological sensitivity situated along the city's barrier island formation and consisting of several archaeological sites (prehistoric and historic) located along the historic western dune line.

A review of the Florida Master Site File indicates there are no known archaeological resources located within the subject property.

One archaeological site, 8BD5880 *Alhambra*, is located less than 400 meters from the subject property, however recent investigation of Block 5 of the Lauder-Del-Mar subdivision produced no archaeological materials and observed undisturbed beach sand to depths exceeding 100cm with some areas composed of modern fill to depths of 65cm.

Opinion and Recommendation

In capacity as the City's archaeological consultant, it is my opinion the proposed development will have no effect on previously recorded archaeological or historical resources. There is moderate potential that ground disturbances within the subject property may encounter buried archaeological deposits, possibly associate with site 8BD55880, and therefore it is recommended that:

1. A professional archaeologist who meets the minimum professional standards (36 CFR Part 61) should perform due diligence archaeological survey of the subject parcel to include judgmental, close interval shovel testing for the purpose of determining the presence and distribution of intact soils and possible archaeological resources within the subject property.

- a. The results of the survey will provide additional information regarding future conditions of development which may include but are not limited to archaeological monitoring during demolition and construction; additional archaeological investigation; management /mitigation in the event of discovery of unmarked burials, and other considerations as may be deemed recommended by the archaeologist.
 - b. The survey should be completed in accordance with accordance with Chapter 267, *Florida Statutes* and Section 47-25.2.P, *Fort Lauderdale U.L.D.R* The purpose of the CRAS will be to determine possible effects 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 work should conform to the standards set forth in Chapter 1A-46, *Florida Administrative Code*, and Module Three Guidelines and the Secretary of the Interior Professional Standards.
 - c. The Archaeologist shall submit the survey report 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 detail the dates and activities of the due diligence survey. The letter report should 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. A professional archaeologist who meets the minimum professional standards (36 CFR Part 61) should perform archaeological monitoring of development related ground disturbances within the subject property. The purpose of the monitoring will be to provide for archaeologists to observe previously inaccessible sediments for the presence of archaeological materials. If archaeological materials are discovered, then all work in vicinity of the discovery should halt until the discovery can be coordinated with permitting authorities.
 - a. The work should be completed in accordance with accordance with Chapter 267, *Florida Statutes* and Section 47-25.2.P, *Fort Lauderdale U.L.D.R* The purpose of the monitoring will be to observe and report the occurrence of archaeological materials that may be discovered during development. The work should conform to the standards set forth in Chapter 1A-46, *Florida Administrative Code*, and Module Three Guidelines and the Secretary of the Interior Professional Standards.
 - b. The Archaeologist shall submit the monitoring report 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 detail the dates and activities of the monitoring activity. The letter report should 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.
 - c. This recommendation shall remain unless determined to be unnecessary as a result of the findings of the due diligence survey (1) above.
 3. If unmarked human remains are encountered, then excavation in the vicinity of the find shall halt immediately and the archaeologist shall 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.

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

Sincerely,



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

- Adams, William R., Sidney Johnston, Stephen A. Olausen
1989 Historic properties survey of Fort Lauderdale, Florida. Sponsored by the City of Fort Lauderdale,
- 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.
- 2018 A cultural Resources Assessment of the Sebastian Street Parking Lot Parcel, Fort Lauderdale, Broward County, Florida. Report from AHC, Inc to KT Seabreeze Atlantic LP. On file CAHR, Inc.
- BCPA (Broward County Property Appraiser)
2023 <https://bcpa.net>
- 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.
- FMSF (Florida Master Site File)
2023 FMSFWeb
- USDA (United States Department of Agriculture)
1947 Aerial Photographs of Broward County, US Department of Agriculture, University of Florida Map and Aerial Imagery Library, George A. Smathers Libraries. [Aerial photographs of Broward County - Flight 3d \(1949\) \(ufl.edu\)](#) Flight 2D, Tile 81.
- 1957 Aerial Photographs of Broward County, US Department of Agriculture, University of Florida Map and Imagery Library, George A Smathers Libraries. [Aerial photographs of Broward County - Flight 1T \(1957\) \(ufl.edu\)](#) Flight 1T, Tile 27.
- 1980 Aerial Photographs of Broward County, US Department of Agriculture, University of Florida Map and Imagery Library, George A. Smathers Libraries.

Field/Review in (return self-addressed stamped envelope)

Name: Robert B. Lochrie, III, Esq.

Address:

P.O. Box 1900
Fort Lauderdale, Florida 33302

This Instrument Prepared by:

Robert B. Lochrie, III, Esquire
Ruden, McClosky, Smith,
Schuster & Russell, P.A.
200 E Broward Boulevard, 18th Floor
Fort Lauderdale, Florida 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA.

SPACE ABOVE THIS LINE FOR PROCESSING DATA.

DECLARATION OF RESTRICTIVE COVENANTS

24th THIS DECLARATION OF RESTRICTIVE COVENANTS ("Declaration") is made this day of December, 2002 by BIRCH APARTMENTS, LLC, a Delaware limited liability corporation, with a post office address at 200 Madison Avenue, 5th Floor, New York, NY 10016 ("Owner").

W I T N E S S E T H:

WHEREAS, the Owner is the fee simple owner of the property more particularly described in Exhibit A ("Property"); and

WHEREAS, the owner has received site plan approval (Case No. 55-R-02) ("Site Plan") from the City of Fort Lauderdale ("City") to construct a project consisting of three multi-family units and a photography studio ("Proposed Use"); and

WHEREAS, the City's Board of Adjustment approved a variance (Appeal No. 02-22) to permit the Proposed Use on the Property ("Variance");

WHEREAS, the Central Beach Alliance of Fort Lauderdale, Inc., a Florida non-profit corporation ("Central Beach Alliance"), supported the approval by the City of the Site Plan and Variance for the Proposed Use; and

WHEREAS, the Owner desires to place certain restrictions on the development and use of the Property.

NOW, THEREFORE, in consideration of the promises and covenants herein contained, Owner hereby declares that the Property shall be owned, held, used, transferred, sold, conveyed, demised and occupied subject to the covenants, restrictions, and regulations hereinafter set forth.

FTL-965030-1

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all of which shall run with the Property and any part thereof and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitations set forth above are true and correct and are incorporated into this Declaration by this reference.

2. Height Restriction. Buildings constructed on the site for the Proposed Use shall be limited to three stories as indicated on the Site Plan.

3. Benefit and Amendment to Covenants. These covenants shall be for the benefit of and shall run in favor of the Central Beach Alliance. These Covenants shall run with the land and shall be binding upon all parties taking title through the undersigned from the date of these Covenants are recorded in Public Records of Broward County, Florida. This Declaration of Restrictions may be amended or removed only by a written document of equal dignity approved by an authorized representative of the Central Beach Alliance.

4. Amendments. This Covenant shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners of a majority of the Property and approved in writing by a representative of the Central Beach Alliance. Any amendment, modification or release of this Covenant shall be recorded in the Public Records of Broward County, Florida.

5. Effective Date. This Declaration of Restrictive Covenants shall become effective upon the issuance of the certificate of occupancy to the Owner for the Proposed use.

6. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Covenant are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Covenant.

7. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

8. Applicable Law and Venue. This Covenant shall be interpreted and construed in accordance with and governed by the Laws of the State of Florida. Venue for litigation concerning this Covenant shall be in Broward County, Florida.

[SEE NEXT PAGE FOR ACKNOWLEDGMENT]

IN WITNESS WHEREOF, the Owner has executed this Declaration of Restrictive Covenants on the day first above written.

WITNESSES:

BIRCH APARTMENTS, LLC, a Florida limited liability corporation

Bruce Sisolow
Print Name: Bruce Sisolow

By: Adam R. Rose
Print Name: Adam Rose
Title: Manager

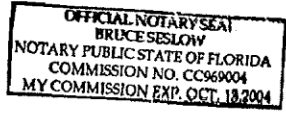
B. Juliette Lampard
Print Name: B. Juliette Lampard Address:

FLORIDA
STATE OF ~~NEW YORK~~)
COUNTY OF Broward) SS:

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Adam R. Rose, the Manager of BIRCH APARTMENTS, LLC, a limited liability corporation, freely and voluntarily under authority duly vested in him/her by said corporation and that the seal affixed thereto is the true corporate seal of said corporation. He/she is personally known to me or who has produced _____ as identification.

WITNESS my hand and official seal in the County and State last aforesaid this 24 day of DEC, 2004.

Bruce Sisolow
Notary Public
Bruce Sisolow
Typed, printed or stamped name of Notary Public



My Commission Expires:

EXHIBIT "A"

(Legal Description of Property)

LOT 23 + 24 OF LAUDER DEL MAR
SUB. DIVISION. BOOK #7 PAGE # 30

FTL:965030:1



UDP-S23035 - 42 Hotel - 3001 Alhambra Street



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