



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#22-0596

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

FROM: Greg Chavarria, City Manager

DATE: August 16, 2022

TITLE: Quasi-Judicial Resolution - Approving a Site Plan Level II Development Permit and Alternative Design Deviation – Flagler Sixth, LLC. – Flagler Residences - Case No. UDP-S21059 - **(Commission District 2)**

Recommendation

Staff recommends the City Commission consider adopting a resolution authorizing the issuance of a Site Plan Level II development permit for a 30-story, mixed-use building with 320 residential units and 30,772 square feet of commercial use proposed at 517 NE 6th Street, and an alternative design deviation pursuant to Section 47-13.20.J.3.

Background

The applicant, Flagler Sixth, LLC., is proposing to build a 30-story, mixed-use building at 517 NE 6th Street with an alternative design deviation from the maximum tower floor plate size. The site has an underlying land use designation of Downtown Regional Activity Center (DRAC) and is zoned Regional Activity Center - Urban Village (RAC-UV) Zoning District. A location map is attached as Exhibit 1. The application and project narratives are attached as Exhibit 2 and the site plan is attached as Exhibit 3.

The City Commission is to consider the application, the record and recommendations forwarded by the Department and Development Review Committee (DRC), and public comments on the application when determining whether the proposed development or use meets the standards and requirements of the ULDR and criteria for a Site Plan Level II Development Permit and whether the alternative design meets the overall intent of the Downtown Master Plan.

The Development Review Committee (DRC) reviewed the plans on January 25, 2022. All comments have been addressed and are on file with the Development Services Department. DRC comments are attached as Exhibit 4.

Downtown RAC Review Process and Special Regulations

The project is located in the Near Downtown Character Area as defined in the Downtown Master Plan (DMP). The Near Downtown Character Area is made up of a variety of institutional, retail, and office uses, and offers a variety of housing options. The RAC-UV zoning district permits mixed use development including high intensity commercial uses, as well as multi-family residential housing. Commercial retail uses are encouraged on the

ground floor of buildings on streets where there is pedestrian activity. The RAC-UV regulations require ground floor retail, services and arts activity on the main street where pedestrian interactions are encouraged. Also, residential uses are permitted above business uses and encouraged to be located abutting the public street/sidewalk to promote an urban character.

Downtown Master Plan

The following is a summary regarding the project's compliance with the Downtown Master Plan (DMP) design guidelines:

- **Quality of Architecture**
The project includes high quality materials for the entire building. The ground floor of the project includes extensive storefront glazing, coral stone cladding, and aluminum awnings. The project's self-confident design is represented by an angular lobby entrance at the ground floor containing sharp angles on either side of the entrance and a curved glass façade continuing up to the tower. The tower portion of the Project includes extensive glazing with a curved façade.
- **Active Uses and Building Program**
The ground floor of the building is activated with 30,772 square feet of commercial space and 4,604 square feet of leasing/lobby area. The four-story lobby is inset in the glass encased southwest corner of the podium. The proposed ground floor will provide a 19-foot floor to ceiling height.
- **Streetscape Design**
The project includes minimum nine-foot-wide sidewalks around the development site, a pedestrian plaza/seating area at the northeast corner, and active ground floor commercial uses for the majority of the ground floor. The project contains a large pedestrian plaza at the intersection of NE 6th Street and NE 5th Avenue and exceeds the minimum open space requirement. All loading and unloading activities will be completely internalized in the building. The only vehicular entrance to the parking garage is off NE 5th Avenue, located away from heavier pedestrian traffic along NE 6th Street.
- **TOD Guidelines**
Bicycle parking is available on the ground floor. The design encourages pedestrian activity by wrapping three sides with commercial/retail uses. The commercial/retail spaces along the northern portion of the project will border a vacated easement redesigned for pedestrians and vehicles treated with pavers that will face commercial/retail uses of the approved project to the north.

Downtown Master Plan Alternate Design

In accordance with ULDR Section 47-13.20.J.3, in the event the developer of a parcel of land in the Downtown RAC districts desires to deviate from the requirements of Section 47-13.20.B, Downtown Master Plan Standards, the developer may submit the design of the proposed development for review and approval by the City Commission if the alternative design meets the overall intent of the Downtown Master Plan. Regarding

specific DMP dimensional elements, the applicant is requesting alternate site design solutions for the proposed floorplate size, as follows:

- Preferred Maximum Floorplate Size**
 The podium is typically measured to the top of the 7th floor, there is no preferred maximum floorplate for the podium. The DTMP encourages slender towers above the 7th floor to complement the skyline and provide more light and air to the streets and open space below. The site could accommodate two towers; however, the applicant’s current design, is more distinctive and interesting. The preferred maximum floorplate size for residential developments is 12,500 to 18,000 square feet on floors above the podium.

The project includes deviations from the maximum floorplate size on floors 8 through 15, where a 19,893 square-foot floor plate is provided. The floorplate on floor 16 will be 10,056 square feet, and the remaining tower floorplates will be 12,485 square feet. The larger tower floorplate on floors 8 through 15 will provide a more architecturally interesting building, with a stepback above the 7th floor on the north and east sides and vertical support columns on the 16th floor, giving the tower above the 16th floor a “floating” effect, meeting the intent of the Downtown Master Plan.

Table 1 provides a summary of the quantitative dimensions in the DMP and those proposed for the project. Specific design solutions, as described in detail above, are categorized by topic and compliance with the requirement is noted accordingly.

Table 1 – Downtown Master Plan and Riverwalk Master Plan Design Guideline Comparison Summary

	Near Downtown	Proposed	Complies or Specific Request
Maximum Building Height	30 Floor	30 Floors	Complies
Maximum Building Streetwall	300 Feet	236 Feet	Complies
Maximum Tower Floorplate Size (Square Feet)	18,000	19,893 on floors 8 through 15	Specific Request
Maximum Building Podium Height	7 Floors	7 Floors	Complies
Minimum Building Tower Stepback	30 feet	42 feet 2 inches (south) 39 feet (east) 35 feet (west)	Complies

Minimum Tower Separation	30 Feet (to side and rear lot)	N/A	Complies
Minimum Residential Unit Size (Square Feet)	400	550 minimum 870 average	Project Complies

Adequacy and Neighborhood Compatibility

A traffic impact study was prepared by the applicant’s traffic consultant, KBP Consulting in March 2021. The development is projected to generate 168 net new daily vehicle trips, resulting in 18 additional vehicle trips in the AM peak hour and 21 additional vehicle trips during the PM peak hour. The maximum number of trips anticipated within one-half hour is approximately 6.55% of the daily vehicle trips, which is significantly less than the 20% threshold for requiring a traffic impact study. Based upon the foregoing analysis, the trip generation characteristics do not warrant further detailed traffic analyses. The July 2022 Executive Summary is attached as Exhibit 5.

The adequacy criteria of ULDR Section 47-25.2 are used to evaluate the demand created on public services and facilities by a proposed development. Adequate public services are available in the area to meet the needs and demand of the project. Water and wastewater are serviced by the City of Fort Lauderdale. A capacity letter has been issued by the City’s Public Works Department dated June 4, 2021, which identifies the facilities and associated infrastructure servicing this project and the project’s impact on capacity. The letter recommends upsizing a water main, which is included as a condition of approval. The capacity letter is attached as Exhibit 6.

The properties to the south of the site are zoned RAC-CC and the buildings range from eight to sixteen stories. Immediately to the west of the site the zoning is RAC-UV and the building is twelve stories in height. To the east there is an existing one-story building and a newly constructed surface parking lot in the RAC-UV zoning district. The building is compatible with the existing mass and scale of the surrounding buildings.

Comprehensive Plan Consistency

The proposed development supports Future Land Use Element Objective FLU 2.3 regarding Mixed-Use Development Multimodal Environment and Policy 2.3.1 which requires mixed use residential development to promote an urban form, which creates well integrated land use combinations, balances intensity and density, and promotes the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement. In addition, the project supports Urban Design Element Policy UD 1.1.6 which states that where buildings engage the streets, high quality building design will be promoted through the use of high-quality materials and building façade features such as transparency that include plenty of windows.

The project fulfills Objective FLU 2.4 which states that the City will direct growth to designated Urban Redevelopment/Downtown Revitalization Areas to discourage urban sprawl, maximize the use of existing public facilities and centralize commercial, governmental, retail, residential, and cultural activities. It supports Policies FLU 2.4.1 by creating a vibrant mixed-use Downtown, combining new homes with office space, shops,

and restaurants, and places for art, culture and civic life through the Downtown Master Plan.

Conditions of Approval

Should the City Commission approve the development, the following conditions apply:

1. Prior to issuance of building permit, applicant will be required to pay a Park Impact Fee for the proposed residential units in accordance with ULDR Sec. 47-38A.
2. Prior to final DRC, applicant shall provide a final School Capacity Availability Determination (SCAD) letter that confirms that school capacity is available, or if capacity is not available, that mitigation requirements have been satisfied.
3. In accordance with the Water and Wastewater Capacity Availability letter issued by the City Public Works Department dated May 31, 2022, the existing wastewater distribution system requires improvements to accommodate flow increase from the proposed development. Capital Improvement Project #12605, once completed should expand the wastewater capacity required to serve the proposed development, as detailed in the letter. Applicant understands the limitations and restrictions to the issuance of the Certificate of Occupancy as it will not be issued until the expanded wastewater system is fully functional through the completion of Capital Improvement Project #13605.
4. Prior to issuance of Final Certificate of Occupancy, applicant shall record a pedestrian sidewalk easement along the west side of NE 5th Terrace to accommodate a portion of the required pedestrian clear path located outside of the existing right-of-way.
5. Prior to issuance of Final Certificate of Occupancy, applicant shall record a pedestrian sidewalk easement along the east side of NE 5th Avenue to accommodate a portion of the required pedestrian clear path located outside of the existing right-of-way.
6. Prior to issuance of Final Certificate of Occupancy, applicant shall record a pedestrian sidewalk easement along the north side of NE 6th Street to accommodate a portion of the required pedestrian clear path located outside of the existing right-of-way.
7. Prior to issuance of Final Certificate of Occupancy, applicant shall dedicate a minimum of ten (10) foot by fifteen (15) foot utility easement for the proposed four (4) inch water meter vaults located within the proposed development and outside of existing right-of-way.
8. Prior to issuance of Final Certificate of Occupancy, applicant shall coordinate Maintenance Declaration with the City (for property frontage along NE 6th Street, NE 5th Street and NE 5th Terrace). Proposed improvements within adjacent City right-of-way include concrete/specialty sidewalk, driveway paving, on-street parallel parking, concrete curb, landscaping, structural soil and irrigation as depicted on Maintenance Agreement Exhibit Sheet SP-3. Please be advised that applicant will be responsible for maintenance of proposed storm drain infrastructure improvements located within

adjacent City right-of-way during a one (1)-year warranty period, until accepted by the City's Public Works Department.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item supports the *Press Play Fort Lauderdale Strategic Plan 2024*, specifically advancing:

- The Business Development Focus Area.
- Goal 5: Build an attractive global and local economic community marketplace.
- Objective: Nurture and support existing local businesses.

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

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

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element
- Goal 1, Objective 2.4, Policy 2.4.1, Create a vibrant mixed-use downtown through the Downtown Master Plan.
- The Urban Design Element
- Goal 1.1, Strengthen the urban form throughout the City by building upon the character and fabric of the built environment while allowing complementary new development through urban design criteria that supports exceptional sense of place.

Attachments

Exhibit 1 – Location Map
Exhibit 2 – Application and Applicant's Narratives
Exhibit 3 – Site Plan and Project Renderings
Exhibit 4 - January 25, 2022, DRC Comments
Exhibit 5 – July 2022, Executive Summary
Exhibit 6 – Water and Sewer Capacity Letter
Exhibit 7 – Resolution Approving
Exhibit 8 – Resolution Denying

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