



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

**#21-0503**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** May 18, 2021

**TITLE:** Second Reading - Quasi-Judicial Ordinance Approving a Rezoning from Exclusive Parking (XP) District to Community Business (CB) District with .18 Acres of Commercial Flex Allocation and Associated Site Plan Approval for a 138-Room Hotel and 5,698 Square Feet of Retail Use, and Parking Reduction – 800 Las Olas, LLC & Mustang Properties, Inc. – Case No. PLN-SITE-20080001 – **(Commission District 4)**

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**Recommendation**

Staff recommends the City Commission consider an ordinance rezoning 18 acres of land generally located north of East Las Olas Boulevard, west of Southeast 10th Terrace, east of Southeast 9th Avenue, and south of Southeast 2nd Court, from Exclusive Parking (XP) District to Community Business (CB) District through the allocation of commercial flexibility and approving a site plan for a 138-room hotel, 5,698 square feet of retail use, and a parking reduction.

**Background**

The applicant, 800 Las Olas, LLC & Mustang Properties, Inc., is proposing to redevelop several parcels of land located at 1007 E. Las Olas Boulevard to construct a 120,427 square-foot 138-room hotel with 5,698 square feet of ground-level retail space and underground parking. The subject site is located at the northwest corner of East Las Olas Boulevard and Southeast 10th Terrace and currently contains an existing one-story retail building and surface parking.

The site has split future land use designations of Commercial and Medium-High Residential at 25 units per acre on the City of Fort Lauderdale Future Land Use map, and split zoning of Boulevard Business (B-1) District and XP, respectively. To construct the hotel, the applicant is requesting to rezone a portion of the site from XP to the CB District through the allocation of .18 acres of commercial flex on the residential land use portion of the site. The location map is attached as Exhibit 1. The sketch and legal description of the area to be rezoned is attached as Exhibit 2.

The application, site plan, proof of ownership, and project narratives are attached as Exhibit 3. The site plan package is attached as Exhibit 4.

The Planning and Zoning Board (PZB) reviewed the application on February 17, 2021 and recommended approval of the rezoning and the associated site plan by a vote of 7-1, subject to staff conditions. The February 17, 2021 PZB meeting minutes are attached as Exhibit 5. The February 17, 2021 PZB staff report is attached as Exhibit 6 and contains a detailed summary of the project including staff's analysis of the applicable rezoning criteria.

The exhibits, presented to the PZB, are identified below, and include:

- Location Map, Zoning District Map, Future Land Use Map, Sketch and Legal (Exhibits 1 and 2)
- Application and Applicant's Narratives (Exhibit 3)
- Site Plan Package (Exhibit 4)
- Water and Sewer Capacity Letter (Exhibit 7)
- Traffic Generation Statement, DC Engineers, Inc., August 4, 2020 (Exhibit 8)
- Transportation and Mobility Department Approval Letter (Exhibit 9)
- Public Participation Meeting Summary and Affidavit (Exhibit 10)

The City Commission shall hold a public hearing to consider the application and the record and recommendations forwarded by the department and the Planning and Zoning Board and shall hear public comment on the application and determine whether the request meets the following criteria for rezoning through the allocation of commercial flexibility:

1. Demonstration that the use of commercial flex acreage supports and implements the specific goals, objectives, and policies of the city's land use plan.
2. The zoning district proposed is consistent with the city's comprehensive plan.
3. The changes anticipated by the proposed rezoning will not adversely impact the character of development in or near the area under consideration.
4. The character of the area proposed is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.

The proposed ordinance was approved on first reading at the regular City Commission meeting held on May 4, 2021.

### **Notice Requirements**

The right-of-way vacation request is subject to the public participation requirements established in the ULDR, Section 47-27.4. According to the applicant, a public participation meeting was held on November 23, 2020 to offer the neighborhood surrounding the proposed vacation an opportunity to learn about the overall proposed project. The public participation meeting summary is attached as Exhibit 10.

In addition, proposed request is subject to mail notice requirements established in ULDR Section 47-27.6.A.1 for the PZB meeting. The mail notice is also included as part of Exhibit 10.

Furthermore, proposed request is subject to sign notification requirements established in

ULDR Section 47-27.4 for the PZB meeting. The applicant installed three signs on the property and submitted a sign affidavit indicating proper sign notification was provided. Exhibit 10 contains the photographs of the posted signs.

### **Conditions**

If approved by the City Commission, the following conditions apply to the site plan approval:

1. Pursuant to ULDR Section 47-38A, Park Impact Fees, applicant will be required to pay Park Impact Fee for the proposed hotel rooms prior to issuance of building permit.
2. Should the application for a parking reduction be approved, an amended parking reduction must be executed and recorded in the public records of Broward County at the applicant's expense, prior to Final DRC approval.
3. Per the City's Landscape Reviewer, to achieve an aesthetically uniform and cohesive new streetscape along Las Olas Boulevard, the street trees along Las Olas Boulevard are to be placed approximately 30 feet on center to align with the precedent that has been set at 1201 E Las Olas Boulevard.
4. Per the City's Transportation and Mobility Department, to mitigate the City's loss for the permanent displacement of the three (3) metered parking spaces on SE 10th Terrace, applicant agrees to either: (a) pay the City's Transportation and Mobility Department (payment shall be remitted in the name of the "City of Fort Lauderdale") a sum to be determined by the Transportation and Mobility Department based on the average usage rate; (b) install parking improvements and/or enhancements near the project, with such improvements to be identified by and agreed to by applicant and TAM; or, (c) provide the City with three additional on-street metered parking spaces in the vicinity. Proposed condition must be met prior to the issuance of a final certificate of occupancy.
5. Per the City's Transportation and Mobility Department, to mitigate the City's loss for the permanent displacement of the BCycle station on SE 10th Terrace, applicant agrees to design, furnish and install a new BCycle station at the applicant's expense after the applicant receives and reviews the like kind-specifications from the City and/or BCycle operator. The location shall be determined by the Transportation and Mobility Department and the BCycle operator. The new station shall be installed prior to the installation of right-of-way improvements on 10th Terrace.
6. Per the City's Engineering Reviewer, prior to Final DRC Sign-off, the Alley Vacation-Case No. PLN-VAC-20080001 must be approved by City Commission.
7. Per the City's Engineering Reviewer, prior to issuance of Final Certificate of Occupancy (C.O.), applicant shall record a five (5)-foot wide public right-of-way dedication along the north side of East Las Olas Boulevard.

8. Per the City's Engineering Reviewer, prior to issuance of final certificate of occupancy, applicant shall prepare, execute and record a Maintenance Agreement or other document for the perpetual maintenance of private improvements within the existing and proposed rights-of-way of East Las Olas Boulevard, South East 10<sup>th</sup> Terrace and South East 2<sup>nd</sup> Court, as depicted on Sheet X7 of the site plan.
9. Per the City's Engineering Reviewer, prior to permit issuance, applicant shall meet all provisions of ULDR Section 47-19.4.D.7 regarding requirements for an oil/sand separator and connection to the public sanitary sewer system.

### **Resource Impact**

There is no fiscal impact associated with this action.

### **Strategic Connections**

This item supports the Press Play Fort Lauderdale Strategic Plan 2024, included within the Business Development Cylinder of Excellence, 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.

### **Related CAM**

CAM #21-0505

### **Attachments**

Exhibit 1 – Location Map  
Exhibit 2 – Sketch and Legal Description of the Area to be Rezoned  
Exhibit 3 – Application and Project Narratives  
Exhibit 4 – Site Plan Package  
Exhibit 5 – February 17, 2021, PZB Meeting Minutes  
Exhibit 6 – February 17, 2021, PZB Staff Report  
Exhibit 7 – Water and Wastewater Capacity Availability Letter  
Exhibit 8 – Traffic Generation Statement, DC Engineers, Inc., November 24, 2020  
Exhibit 9 – Transportation and Mobility Department Approval Letter  
Exhibit 10 – Public Participation Meeting Summary, Mail Notice and Sign Notification  
Exhibit 11 – Ordinance

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