



**REQUEST:** Site Plan Level III Review: Waterway Use, Conditional Use for a Mixed-Use Development with 129 Multifamily Units Including the Allocation of 108 Flex Units and 4,935 Square-Feet of Commercial Use and Conditional Use for Use Greater than 10,000 Square-Feet in Community Business District.

<b>CASE</b>	UDP-S24030	
<b>PROJECT NAME</b>	Flowing Waters	
<b>APPLICATION TYPE</b>	Site Plan Level III	
<b>APPROVAL LEVEL</b>	Planning and Zoning Board Approval, Subject to City Commission Request for Review	
<b>REQUEST</b>	Waterway Use, Conditional Use for a Mixed-Use Development with 129 Multifamily Units and 4,000 Square-Feet of Restaurant Use, Conditional Use for Use Greater than 10,000 Square-Feet in Community Business District, and Request for Transfer of Development Rights for Multifamily Units and Additional 12 Feet of Building Height	
<b>APPLICANT</b>	Claridge Homes 3000 Waterside, LP	
<b>AGENT</b>	Andrew Schein, Lochrie & Chakas, P.A.	
<b>PROPERTY ADDRESS</b>	3000 E. Oakland Park Blvd	
<b>ABBREVIATED LEGAL DESCRIPTION</b>	Oakland Ocean Mile 28-45B Lot 11 & Lot 25 Less w 100 & Less n 50 for ST RD	
<b>ZONING DISTRICT</b>	Community Business (CB)	
<b>LAND USE</b>	Commercial	
<b>COMMISSION DISTRICT</b>	1 – John Herbst	
<b>NEIGHBORHOOD ASSOCIATION</b>	Coral Ridge Association, Inc.	
<b>DIMENSIONAL STANDARDS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>DENSITY</b>	50 Unit/Acre	60 Units/ Acre (21 TDR Units)
<b>LOT SIZE</b>	N/A	Gross: 94,238 Square Feet (2.16 Acres) Net: 58,710 Square Feet (1.35 Acres)
<b>BUILDING HEIGHT</b>	150 Feet	162 Feet (TDR Allocation of 12 Feet)
<b>BUILDING LENGTH</b>	None	216 Feet
<b>LANDSCAPE</b>	9,675 Square Feet	10,632 Square Feet
<b>OPEN SPACE</b>	19,350 Square Feet (150 SF per unit)	25,562 Square Feet
<b>PARKING</b>	308 Parking Spaces	310 Parking Spaces
<b>SETBACKS - FRONT (N)</b>	5 Feet	8 Feet, 3 Inches
<b>SIDE (E)</b>	0 Feet	0 Feet, 4 Inches
<b>SIDE (W)</b>	20 Feet	20 Feet
<b>REAR (S)</b>	5 Feet	5 Feet (2910 E Oakland Park Blvd) 5 Feet (3000 NE 30 <sup>th</sup> Place)
<b>APPLICABLE ULDR SECTIONS</b>	ULDR Section, 47-18.21, Mixed Use Development ULDR Section, 47-23.9, Waterway Use ULDR Section, 47-24.3, Conditional Use Requirements ULDR Section, 47-25.2, Adequacy Requirements ULDR Section, 47-25.3, Neighborhood Compatibility Requirements ULDR Section, 47-28.1, Flexibility Rules	
<b>NOTIFICATION REQUIREMENTS</b>	ULDR, Section 47-27.6, Sign Notice 15 days prior to meeting ULDR, Section 47-27.4, Public Participation	
<b>STATE STATUTE 166.033 EXPIRATION DATE</b>	<b>180-DAY EXPIRATION DATE</b>	<b>Extension Date(s)</b>
	October 15, 2024 (180 days)	Extension #2 – April 13, 2025
<b>ACTION REQUIRED</b>	Approve, Approve with Conditions, or Deny	
<b>CASE PLANNER</b>	Tyler Laforme, AICP, Urban Planner III	TL CP

**PROJECT DESCRIPTION:**

The applicant, Claridge Homes 3000 Waterside, LP, proposes to construct a new mixed-use development consisting of 129 residential units and 4,935 square feet of commercial use on a 1.35-acre site (2.16 gross acres). The subject site is located at 3000 E. Oakland Park Blvd, which is at the southwest corner of Oakland Park Boulevard and the Intracoastal Waterway. The property is zoned Community Business (CB) with an underlying land use of Commercial. The site is currently vacant.

There is an existing site plan (DRC Case No. PLN-SITE-20070002) approved on the subject site, by the Planning and Zoning Board on April 21, 2021, for 103 residential flexibility units and 3,500 square feet of restaurant use with outdoor seating. The applicant is proposing to update the original plans with a new building design and add five flexibility units and 21 residential units through the City's Transfer of Development Rights (TDR) program for a total of 26 additional units.

A location map is attached as **Exhibit 1**. The application and plan set are provided as **Exhibit 2**.

**PRIOR REVIEWS:**

The updated site plan was reviewed by the Development Review Committee (DRC) on May 14, 2024. The DRC Report along with the applicant's responses are attached as **Exhibit 3**. The applicant's narrative responses to criteria are attached as **Exhibit 4**.

**REVIEW CRITERIA:**

The following Unified Land Development Regulations (ULDR) criteria apply to the proposed request:

- 47-18.21, Mixed Use Development
- 47-23.9, Waterway Use
- 47-24.3, Conditional Use Requirements
- 47-25.2, Adequacy Requirements
- 47-25.3, Neighborhood Compatibility Requirements
- 47-28.1, Flexibility Rules

**Mixed Use Development**

Pursuant to ULDR Section 47-18.21.D, Mixed Use Development on Commercial land use designated parcels, may be permitted if approved as a Conditional Use subject to Mixed Use Development criteria, including allocation of residential flexibility (flex) units. More specifically, the proposed project must meet criteria related to the mix and location of residential and commercial uses, parking requirements, landscaping, open space, and other site design elements.

The City may permit mixed use developments on commercial land use designated parcels subject to the allocation of flexibility units. As previously stated, there is an existing approved site plan which allocated 103 flex units whereas the maximum density at 50 dwelling units per gross acre would result in 108 flex units. As part of the request, the applicant is seeking the allocation of five additional flex units to align with the permitted density. The applicant is also requesting 21 residential units through the TDR process, for a total of 129 residential units proposed. In addition, ULDR Section 47-18.21.D.4, outlines the requirements in which mixed use development shall be permitted on a commercial land use designated parcel. Such requirements state that mixed use development may be permitted in the same building provided that the ground level is limited to commercial business uses. The project meets these requirements with the ground floor containing the restaurant use and ground floor level active use of fitness center, business office center, party room, and back of house elements.

Pursuant to Section 47-18.21.H, projects must contain open space and plaza space within the project. At the ground level, the applicant is required to provide 150 square feet of open space per residential unit, totaling 19,350 square feet. The project provides 18,455 square feet of open space at grade, with 8,107 square feet provided above grade, and along the northeast corner

of the project fronting the East Oakland Park access road, the applicant is proposing a 3,916 square foot pedestrian plaza that connects to the public sidewalk and contains landscaping and pedestrian amenities such as integrated planter benches and outdoor seating. The applicant is proposing a minimum seven-foot wide sidewalk along the access road, as well as a new sidewalk along NE 30<sup>th</sup> Place. The applicant has met the requirements for open space, public plaza, sidewalks.

### **Waterway Use**

Pursuant to ULDR Section 23.8, Waterway Use, the project shall demonstrate compliance with criteria for waterway use, which states that buildings and land uses on parcels abutting waterways and in multifamily districts shall be designed to preserve the character of the City and neighborhood in which they are located, harmonize with other development in the area, and protect and enhance the scenic quality and tranquility of the waterways. Special design provisions are required to realize these objectives, and at the same time permit a reasonable use of land based on site and building design, setbacks, landscaping provisions and their relation to the waterway, other uses within the existing context and the overall public realm.

The site is bound by the Intracoastal Waterway to the east and is subject to a 20-foot landscape yard along the waterway. The site is designed with the building setback 21 feet, 5 inches along the east side, to the wet face of the seawall and on the south side of the property, the building is setback 83 feet, 9 inches, which provides views to the waterway from the public realm. The 20-foot landscape yard contains a portion of the pool deck, two access walkways to the dock along the water, a portion of the restaurant terrace, and a portion of the public plaza on the north end. The project has been designed to fit in with the character of the surrounding uses along the waterway, including 9,762 square feet of landscaping at the ground level which also minimizes visual obstructions to the waterway.

### **Conditional Use**

Pursuant to ULDR Section 47-24.3, Conditional Use Requirements, an application for a conditional use shall be reviewed in accordance with the following criteria:

1. Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements of ULDR Section 47-25.3.

*Please refer to Adequacy and Neighborhood Compatibility section herein for additional analysis.*

2. Access, traffic generation and road capacities. Consideration will be given to the design capacity of the adjacent roadways, the particular traffic generation characteristics of the proposed conditional use, including the type of vehicular traffic associated with such uses, and traffic generation characteristics of other uses permitted in particular zoning districts.

*The proposed development provides adequate access and parking for the use on-site, and minimizes vehicular conflicts at the access points. Additionally, the location of the project is conducive to walking, bicycling, and utilization of the current and future transit services in the immediate area. Please refer to the Parking and Traffic section herein for additional information.*

3. The applicant must show and it must be found by the reviewing body that the following have been met:

- a. The location of the use or structure is not in conflict with the City's Comprehensive Plan;

*The location of the use conforms with the City's Comprehensive Plan. The future land use designation is Commercial, which permits mixed-use development through compliance with the flexibility rules in ULDR Sec. 47-28.3.D, Allocation of flex units on*

commercial land use designated parcels. Please refer to the Comprehensive Plan Consistency section herein for additional information.

- b. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure;

*The adjacent area surrounding the subject property has a wide range of uses. The existing site for this project does not promote a pedestrian environment, as it is currently a vacant grass lot with a chain link fence along the perimeter. The proposed development integrates well into the context by adding new sidewalks, landscaping, minimal vehicular conflict points at strategic locations and add a residential use with supporting retail and restaurant uses that are compatible with the surrounding area.*

- c. On-site improvements have been incorporated into the site plan which minimize any adverse impacts as a result of permitting the use or structure;

*The mixed-use development includes the construction and continuation of sidewalks and pedestrian-friendly streetscape along the East Oakland Park Blvd access road and NE 30<sup>th</sup> Place, assisting in the completion of a walkable network for the surrounding blocks. There is an eight foot wall along the south property line to separate the project from the abutting alley and neighboring residential uses, heavy landscaping along the south side, with well-designed landscaping around the entire property to enhance the public realm, and building form and massing which complement and fit well into the surrounding context. Additionally, the tower is set back from the south portion of the development site, reducing the buildings impact on the adjacent residential uses to the south.*

- d. The location of the use in proximity to a similar use does not impact the character of the zoning district in which the use is located;

*The development is located within the Community Business (CB) zoning district. This zoning designation is generally characterized by commercial establishments intended to serve the surrounding community and which permit mixed-use developments that help maintain and improve the character of major arterials in the city. Building heights vary within the area of this project from three stories to the west to ten stories to the south. The proposed 18 story residential building and six story parking garage project complements the surrounding uses of multifamily residential, commercial businesses and mixed-use development by providing enhanced streetscape design and pedestrian connectivity through new sidewalks, large landscaping buffers and public amenities.*

- e. There are no adverse impacts of the use which affect the health, safety and welfare of the adjacent properties;

*The development will replace vacant lots that are fenced off. The project mitigates the adverse impacts of the existing site conditions by providing new sidewalks along the right-of-way, and landscaping which preserves the views to the waterway from the public realm. Additionally, the project provides retail and restaurant uses along the northern property line, ensuring continuity of uses to the water, with a public plaza at the northeast corner of the property, further mitigating any adverse impacts from the previous site conditions.*

**Adequacy and Neighborhood Compatibility:**

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. The Water and Wastewater Capacity Availability Letter issued on November 26, 2024, by the City of Fort Lauderdale Public Works

Department, states that the existing water and sewer infrastructure requires sewer improvements to support the capacity of the proposed development. The improvement includes upsizing approximately 1,217 linear feet of the existing 12-inch pipe along Bayview Drive to 15 inches. The water and sewer capacity letter is attached as **Exhibit 5**.

The neighborhood compatibility criteria of ULDR Section 47-25.3 include performance standards requiring all developments to be "compatible with, and preserve the character and integrity of adjacent neighborhood, the development shall include improvements or modifications either on-site or within the public rights-of-way to mitigate adverse impacts, such as traffic, noise, odors, shadow, scale, visual nuisances, or other similar adverse effects to adjacent neighborhoods. These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, and alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts".

To address this section, the site is designed with the more intense and taller portion of the building fronting East Oakland Park Boulevard to the north and the Intracoastal Waterway to the east, while the parking garage is located to the west along East Oakland Park Blvd. The building tower was designed with a setback of 83 feet, nine inches from the property line contiguous to the residential building to the south of the site. Within the 83-foot setback is the amenity space including a pool deck, with lots of landscaping, as well as a wall to further insulate noise and lighting intrusion to the south.

The proposed project is compatible with the surrounding zoning and uses. The zoning districts to the south are RMH-25, permitting up to 100 feet of building height, and RMM-25, permitting up to 55 feet of building height, and to the west is CB zoning, permitting up to 150 feet of building height. The surrounding area consists of multifamily residential, commercial buildings and parking areas. To the south are multiple multifamily residential developments ranging from one story to ten stories and to the west are one to two story commercial businesses.

The development fits into the zoning and character of the Community Business (CB) zoning district located along East Oakland Park Boulevard. The building facades are articulated and provide transparency and pedestrian oriented design along the right-of-way. The parking garage is fully screened from view through the use of active uses on the ground floor and higher quality, unique screening materials above the second floor.

The development provides access from the East Oakland Park access road and from NE 30<sup>th</sup> Place with minimal pedestrian conflict points. Vehicle circulation will be located from both of the right-of-ways, however loading will occur only along NE 30<sup>th</sup> Place which is a dead-end road and has minimal vehicular traffic.

**TRANSFER OF DEVELOPMENT RIGHTS:**

ULDR Section 47-36.1, Transfer of Development Rights (TDRs), is intended to further a public purpose of preserving and protecting locally designated historic landmarks, landmark sites, archeological sites and contributing properties in historic districts, Sending Sites, by creating a process that permits the sale and transfer of unused development to an eligible Receiving Site. Development rights available for transfer are additional non-residential floor area by increasing the height of a building, and additional density up to ten (10) dwelling units per acre. Designated Sending Sites may apply for a Certificate of Eligibility to obtain a confirmation of available development rights that can be transferred to an eligible Receiving Site. Once a Sending Site and Receiving Site agree to transfer floor area and/or density to a new development, they may apply for the Certificate of Transfer which is processed separately as a Site Plan Level I Development Permit.

The proposed development is a single structure consisting of an 18-story tower and six-story parking garage. The maximum height permitted in the B-1 zoning district is 150 feet, however, through the Transfer of Development Rights (TDR) process, the applicant is transferring a total of 29,687 square feet of floor area to incorporate an additional 12 feet in building height for a total building height

of 162 feet. The additional 12 feet in building height is incorporated into two additional floors, with a floor plate size of 14,932 square feet on the seventeenth floor and a floor plate size of 14,755 square feet on the eighteenth floor. The project is also incorporating 21 additional residential units through the same process, increasing the density from the permitted 50 units per acre to 60 units per acre. The total number of residential units increased from 108 units to 129 units utilizing the TDRs.

**PARKING AND TRANSPORTATION:**

Vehicle ingress and egress to the site is from Oakland Park Boulevard and NE 30<sup>th</sup> Place. The applicant proposes to improve the pedestrian environment with new sidewalks along the public streets that connect to the network. Based on the proposed use, the required parking is 308 spaces and the applicant is proposing 310 spaces. Table 1 below summarizes the parking requirements per ULDR Section 47-20 and proposed spaces.

**Table 1 – Parking Data Summary**

USE	UNIT	ULDR PARKING RATIO	REQUIRED	PROVIDED
<b>Residential</b>				
-Residential – 2 Bedroom	86	2 space per unit	172 spaces	264 spaces
-Residential – 3-Bedroom	35	2.1 space per unit	73.5 spaces	
-Residential – 3-Bedroom + Den	8	2.2 space per unit	17.6 spaces	
<b>Non-Residential Uses</b>				
Commercial – Retail	935 SF	1 space per/250 SF	4 spaces	46 spaces
Commercial – Restaurant	4,000 SF	1 space per/100 SF	40 spaces	
<b>Total Required</b>			<b>308 spaces</b>	<b>310 spaces</b>

Pursuant to ULDR Section 47-25.2.M.4, Traffic Impact Studies, when the proposed development generates more than 1,000 net new daily trips or if the daily trips are less than 1,000 and more than 20% of the daily trips are anticipated to arrive or depart, or both, within one-half hour, a comprehensive traffic study is required. Based on the traffic generation of the site, the threshold for a traffic study was not met. The applicant submitted a Traffic Impact Statement, dated March 26, 2024, prepared by Karl Peterson, PE, of KBP Consulting, Inc. The Traffic Impact Statement included a trip generation analysis using the trip generation rates and equations published in the *Institute of Transportation Engineer's (ITE) Trip Generation Manual, 11<sup>th</sup> Edition*. The trip generation analysis concluded that the proposed mixed-use development project would generate approximately 471 net new daily vehicle trips, with 42 vehicle trips occurring in the AM peak hour and 83 trips occurring in the PM peak hour. The March 2024 Traffic Statement indicates that the traffic generated from the development is not expected to have any significant impact on the roadway network. The traffic statement is provided as **Exhibit 6**.

**FLEXIBILITY RULES:**

Pursuant to Section 47-28, Flexibility Rules, the City may allocate flexibility units to properties with a Commercial land use designation consistent with the City's Unified Flex Policy. Flex units are allocated in areas depicted on the Unified Flex Zone Map, which the subject site is located. As previously stated herein, there are existing flex unit entitlements for this project and the applicant is requesting an additional five flex units, which would result in a density of 50 units per acre. Table 2 below provides a summary of residential flex units for this project along with the transfer of units from the TDR program.

**Table 2 – Residential Flex Units**

	FLEX UNITS
Previously Approved	103
Pending This Approval	5
<b>Total Flex Units</b>	<b>108</b>
<b>TDR Units</b>	<b>21</b>
<b>Total Units in Projects</b>	<b>129</b>

**COMPREHENSIVE PLAN CONSISTENCY:**

The City's Future Land Use Map indicates that the subject site has an underlying land use of Commercial. The City's Land Use Plan permits a range of uses with this designation including commercial, retail, office, service, and business. The proposed use is permitted under this land use designation subject to the allocation of flex units.

The proposed development plan supports the City's Comprehensive Plan, specifically furthering Goal 2, Objective FLU 2.3, Policy 2.3.1 of the Future Land Use Element, which states that mixed-use residential development shall promote an urban form, creating well-integrated land use combinations that balance intensity and density while promoting safe inter-connectivity of vehicular, pedestrian, and other non-motorized movement by creating a walkable and safe area between the street, the residential use and the adjacent commercial uses. Additionally, the project supports Policy 2.3.3, which states that mixed-use areas should include enhancement of the public realm, through open space, urban public plazas and/or recreational areas through development redevelopment and public investments. Finally, Policy 2.3.7, states that the City should continue to improve connectivity, including adding additional miles of sidewalks to further connect between land uses.

**PUBLIC PARTICIPATION AND NOTICE:**

This application is subject to the public participation requirements established in ULDR Section 47-27.4. According to the applicant, the public participation meeting was held on October 17, 2024, in order to offer the surrounding neighbors and neighborhood associations an opportunity to learn about the proposed development project. The meeting notifications were sent to 160 registered property owners within 300 feet of the project, and to the presidents of the Coral Ridge Country Club Estates Association, Galt Mile Community Association, Central Beach Alliance, and the Coral Ridge Civic Association.

In addition, this request is subject to sign notification requirements established in ULDR Section 47-27.4. The applicant has installed three signs on the property and has submitted an affidavit indicating proper sign notification was provided. The public meeting summary, affidavit and sign postings are provided as **Exhibit 7**.

**PLANNING & ZONING BOARD REVIEW OPTIONS:**

The Planning and Zoning Board shall consider the application, based on criteria outlined herein:

- 47-18.21, Mixed Use Development
- 47-23.9, Waterway Use
- 47-24.3, Conditional Use Requirements
- 47-25.2, Adequacy Requirements
- 47-25.3, Neighborhood Compatibility Requirements
- 47-28.1, Flexibility Rules

If the Planning and Zoning Board determines that the proposed mixed-use development meets the standards and requirements of the ULDR and criteria for Site Plan Level III review, the Planning and Zoning Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for the proposed mixed-use development, the issuance of the Site Plan Level III permit. Should the Planning and Zoning Board recommend approval of the development, the following conditions shall apply:

**CONDITIONS:**

1. Prior to permitting, applicant shall provide final School Capacity Availability Determination (SCAD) letter and provide the Development Service Department with a copy.

2. Prior to issuance of a building permit, the applicant shall pay the Park Impact Fee for the residential units in accordance with ULDR Section 47-38A, Park Impact Fees.
3. Prior to Final DRC, applicant shall apply for and obtain a Certificate of Transfer through the TDR program to transfer 21 residential units and a total of 29,687 square feet of floor area to incorporate the additional 12 feet of building height. The applicant must provide the case planner an opinion of title and title report of the property, no less than six months old, a copy of the recorded restrictive covenant, and the recorded certificate of transfer.
4. In accordance with the Water and Wastewater Capacity Availability letter issued by the City's Public Works Department dated November 26, 2024, the existing sewer distribution system requires improvements to accommodate flow increase from the proposed development. Prior to Certificate of Occupancy, all necessary improvements stated on the latest Water and Wastewater Capacity Availability letter shall be constructed, certified and in operation per ULDR section 47-25.2.
5. Prior to issuance of final certificate of occupancy, the applicant shall dedicate a ten (10) foot by fifteen (15) foot utility easement for any four (4) inch or larger water meter vault located within the proposed development and outside of the existing right-of-way and proposed right-of-way easements to facilitate City maintenance access as approved by the City Engineer.
6. Prior to issuance of final certificate of occupancy, the applicant shall dedicate a ten (10) foot by fifteen (15) foot utility easement for the first private sanitary sewer manhole located within the proposed development and outside of the existing right-of-way as approved by the City Engineer.
7. Prior to issuance of final certificate of occupancy, the applicant shall coordinate a Maintenance Agreement with the City for property frontage along Northeast 30th Place. Proposed special improvements for this project within the adjacent City right-of-way to be maintained in perpetuity by property owner include driveway pavement, curb, landscape, structural soil, root barriers and specialty paving.
8. Prior to permitting, engineering plans shall depict the proposed sidewalk easement limits along East Oakland Park Boulevard.
9. Prior to permitting, provide all floodproofing documentation forms and emergency operation plan.

If the Planning and Zoning Board determines that the proposed mixed-use development or use does not meet the standards and requirements of the ULDR and criteria for the proposed mixed-use development or use, the Planning and Zoning Board shall deny the Site Plan Level III permit.

The applicant has submitted narratives outlining how the project complies with the applicable sections of the ULDR as described herein and attached as Exhibit 4, to assist the Board in determining if the proposal meets these criteria.

**EXHIBITS:**

1. Location Map
2. Application and Plan Set
3. DRC Comment Report with responses
4. Applicants Project Narrative and Responses to Criteria
5. November 26, 2024 Water and Sewer Capacity Letter
6. March 26, 2024 Traffic Impact Statement
7. Public Meeting Summary, Affidavit and Sign Postings