



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

**#24-0751**

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

**FROM:** Susan Grant, Acting City Manager

**DATE:** October 15, 2024

**TITLE:** Quasi-Judicial Resolution - Approving an Amendment to Site Plan Level II  
Development Permit and Alternative Design Deviation – Flagler Sixth, LLC  
- Flagler Sixth South - Case No. UDP-A24012 - **(Commission District 2)**

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**Recommendation**

Staff recommends the City Commission consider adopting a resolution approving an amendment of a Site Plan Level II development permit for a 31-story, mixed-use building with 260 residential units and 23,250 square feet of commercial use proposed at 517 NE 6th Street and approving an alternative design deviation pursuant to Section 47-13.20.J.3.

**Background**

The applicant, Flagler Sixth, LLC., is proposing to amend an approved site plan, reducing residential units from 320 to 260, reducing the approved tower floorplate size and requesting design deviations for building height and tower stepback. The applicant proposes to add three feet and eight inches in height in order to add another floor to the building, by also splitting a floor in the parking podium, to increase the overall building height to 31 stories. In addition to the increase in maximum building height, the request also includes a design deviation to decrease the tower stepback requirement. The intent of the site plan amendment is to allow the tower design to match the *Flagler Fifth North* project, also scheduled on this agenda (Case No. UDP-A24011). 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. The applicant is requesting to transfer 60 residential units to Flagler North. The overall unit count for both projects will remain the same.

The City Commission shall consider the application, the record and recommendations forwarded by the Department and Administrative Review Committee, and on the application when determining whether the proposed amendment meets ULDR standards and requirements and criteria for a Site Plan Level II Development Permit and whether the alternative design meets the overall intent of the Downtown Master Plan (DMP).

On August 16, 2022, the City Commission approved the original site plan application with an alternative design deviation of the maximum tower floor plate size. The Administrative Review Committee reviewed the plans on March 11, 2024. All comments have been addressed and are on file with the Development Services Department.

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.

### **Downtown RAC Review Process and Special Regulations**

The project is located in the Near Downtown Character Area as defined in the 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. 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 DMP design guidelines:

- **Quality of Architecture**  
The tower design was adjusted to match the *Flagler Sixth North* project with a curvilinear roof feature, extensive glazing, and a curved façade. 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.
- **Active Uses and Building Program**  
The ground floor of the building is activated with 23,250 square feet of commercial space and 4,626 square feet of residential amenity, leasing space and 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 6<sup>th</sup> Street and NE 5<sup>th</sup> 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 5<sup>th</sup> Avenue, located away from heavier pedestrian traffic along NE 6<sup>th</sup> 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 tower floorplate size, building height and tower stepback, as follows:

- Maximum Tower Floorplate  
The previous development was approved with a floorplate size of 19,893 square feet on floors 8 through 15 of the building. This project reduces the floorplate size to 18,000 square feet on floors 9 through 15 of the building (approximately a 10% reduction in floorplate size from the previously approved development) and includes a 21,083 square foot floor plate on the 8<sup>th</sup> floor for the amenity deck.
- Maximum building height of 31 floors  
This application includes increasing the approved height by three feet and eight inches in order to add an additional floor to match the tower of the *Flagler Sixth* project located directly to the north of the subject site currently under construction. The project is only one floor over the 30-story requirement.
- Tower Stepback  
The tower has a curvilinear design with inset balconies and variations in tower stepback. For the portion of the tower facing NE 6<sup>th</sup> Street, the stepback varies from 3 feet, 3 inches to 27 feet, 1 inches, for an average stepback of 13 feet.

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**

	<b>Near Downtown</b>	<b>Proposed</b>	<b>Complies or Deviation Request</b>
<b>Maximum Building Height</b>	30 Floors	31 Floors	<i>Deviation Request</i>
<b>Maximum Building Streetwall</b>	300 Feet	236 Feet	Complies
<b>Maximum Tower Floorplate Size (Square Feet)</b>	12,500 Square Feet	12,500 - floors 16 through 31 21,083 - floor 8 18,000 - floors 9 through 15	<i>Deviation Request (Reduced from Previously Approved)</i>
<b>Maximum Building Podium Height</b>	7 Floors	7 Floors	Complies
<b>Minimum Building Tower Stepback</b>	15 feet	3 feet 3 inches (south) 16 feet 6 inches (east) 5 feet 7 inches (west)	<i>Deviation Request</i>
<b>Minimum Tower Separation</b>	30 Feet (to side and rear lot lines)	N/A	Complies
<b>Minimum Residential Unit Size (Square Feet)</b>	400	550 minimum 870 average	Complies

**Transportation Analysis**

The applicant provided an updated traffic impact study prepared by the applicant’s traffic consultant, DC Engineers, Inc., dated August 28, 2024. The proposed site plan is expected to produce 4,632 vehicle trips per day with 358 vehicle trips occurring during the AM peak hour (184 entering and 174 exiting) and 307 vehicle trips occurring during the PM peak hour (178 entering and 129 exiting). The amended site plan will result in less trips than the previously approved project. As a result, additional traffic-related studies were not recommended. The updated trip traffic impact study is attached as Exhibit 4.

**Adequacy**

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 demands 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 April 11, 2024, 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 5.

**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 April 11, 2024, 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 #12605.
4. Prior to issuance of final certificate of occupancy, applicant shall record a pedestrian sidewalk easement along the west side of NE 5<sup>th</sup> 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 5<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> Street, NE 5<sup>th</sup> Street and NE 5<sup>th</sup> 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.

### **Related CAM**

24-0752

### **Strategic Connections**

This item is a FY 2024 *Commission Priority*, advancing the Housing Accessibility.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Housing Focus Area, Goal 2: Enable housing options for all income levels.

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

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

- The Neighborhood Enhancement Focus Area
- The Future Land Use Element
- Goal 2: The City shall encourage sustainable, smart growth which designates areas for future growth, promotes connectivity, social equity, preservation of neighborhood character and compatibility of uses.
- Goal 3: Promote the advancement of great neighborhoods throughout the implementation of the Goals, Objectives and Policies of this plan in compliance with the Broward County Land Use Plan and State Regulations.
- The Urban Design Element
- Goal 1: Promote high-quality and sustainable building design elements which

complement the public realm.

**Attachments**

Exhibit 1 - Location Map

Exhibit 2 - Application and Applicant's Narratives

Exhibit 3 - Site Plan and Project Renderings

Exhibit 4 - August 2024, DC Engineer's Trip Generation Update

Exhibit 5 - April 11, 2024, Water and Sewer Capacity Letter

Exhibit 6 - Resolution Approving

Exhibit 7 - Resolution Denying

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