



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

**# 14-0169**

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

**FROM:** Lee R. Feldman, ICMA-CM, City Manager

**DATE:** February 18, 2014

**TITLE:** QUASI-JUDICIAL – FIRST READING OF ORDINANCE - Application of Prior Zoning Regulations/Site Plan Level IV Development Permit – Conrad Fort Lauderdale Beach Resort - Case 75R13

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**Recommendation**

It is recommended that the City Commission introduce an ordinance approving the application of Prior Zoning Regulations and the issuance of a Site Plan Level IV Development Permit.

**Background**

The City Commission will determine whether the proposed development or use meets the standards and requirements of the Unified Land Development Regulations (ULDR) and criteria for development in the Central Beach.

The applicant proposes site plan modifications and the addition of residential units, ballroom space and meeting facilities to a previously-approved development, formerly known as the Trump Hotel, located at 551 N. Fort Lauderdale Beach Boulevard. The existing structure received City Commission site plan approval on March 15, 2001, and subsequent approvals to accommodate minor site plan modifications thereafter. Construction of the project was completed, but it has remained vacant and never opened to the public.

A new operator proposes to open a hotel and include a residential component introducing 190 residential units. The request includes new ballroom and meeting facilities and an expanded 6<sup>th</sup> level amenity deck. Improvements will include significant changes to the pedestrian experience including a new hotel cafe at the southwest corner of the structure, facing Breakers Avenue.

The request results in an overall increase in Floor Area Ratio (FAR) and Building Length since the addition of the third-level ballroom will join the two existing component buildings

of the hotel into one structure. The applicant is therefore requesting an increase in building length from the maximum permitted length of 200 feet to 320 feet and two inches in length, and from the existing FAR of 4.0 to 4.4 (not including the parking structure).

The Development Review Committee (DRC) reviewed the proposal on November 12, 2013. All requirements of the ULDR and DRC comments have been addressed. The site plan was reviewed by the Planning and Zoning Board (PZB) on January 15, 2014. The associated plans, corresponding project narratives are provided as Exhibit 1. The staff report and draft meeting minutes are attached as Exhibits 2 and 3 respectively. The PZB recommended approval of the application by a vote of 7-0.

### **Compliance with Unified Land Development Regulations**

Pursuant to ULDR Section 47-12.5.B, The A-1-A Beachfront Area District is established for the purpose or promoting high-quality destination resort uses that reflect the desired character of the Fort Lauderdale Beach and improvements along A-1-A. General uses in this district include hotels, restaurants and commercial uses offering services and goods for tourists and visitors.

### **Addition of Residential Units**

Pursuant to ULDR Section 47-12.5.B.5.b.iv, residential units are permitted uses within the ABA zoning district. The Project satisfies the conditions for permitting residential units as it will contain 290 total units --181 hotel units (60% of total units) and 109 residential units. Additionally, as per criteria for inclusion of residential units in the ABA, architectural features and street level activities surround the entire structure. The northeast, southeast and southwest portions of the project (including the ground floor of the eastern / A1A facade) are lined with restaurants, cafes and lounges that wrap around corners and engage the public with internal activation, plazas and outdoor seating areas. Architectural details are featured along all sides of the building including, but not limited to, a sculpture-like porte-cochere and grand hotel entrance, glass external elevator, nautical themed port holes, canopies and colonnades, and plazas. The parking facilities are completely internal and covered by architectural features which minimize visual exposure to vehicles and lighting.

### **Addition of Ballroom and Meeting Facilities / Request for Increase in FAR and Building Length**

The Applicant is proposing to enclose the current courtyard area at the 3rd floor level up to a height of 55 feet to install a ballroom and meeting room facilities. This new ballroom space will contain glass on the north and south sides, allowing light to penetrate the ballroom and create a visual enhancement that breaks up the mass of the building. The addition of the ballroom adds FAR to the Project. The previously approved FAR was 4.0 (Not including structured parking. The applicant is requesting an increase in FAR subject to previous zoning code that permitted the garage to be excluded from the FAR calculation. Please see below for more information.). With the ballroom, the proposed

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FAR would be 4.4 (not including the structured parking). Because the former Trump Hotel structure is already constructed, the increase in FAR within the courtyard area at the third floor up only 55 feet does not affect the structure, footprint or overall height of the building, merely the habitable space at the third level within the existing shell.

The applicant is, therefore, requesting a 10% increase in the permitted FAR from 4.0 to 4.4 (not including structured parking). Pursuant to ULDR Section 47-12.5.B.6, in the event the developer of a parcel of land in the ABA district desires to deviate from the maximum requirements of this district, for height or FAR, the developer may submit the design of the proposed development for rating according to the following design compatibility and community scale:

- i. Distinctive design that reflects positively on the overall character of the City: one (1) point;
- ii. Architectural character that reflects a particular sensitivity to the history and culture of South Florida: one (1) point;
- iii. Color and composition that reflects the natural colors and composition of South Florida: one (1) point;
- iv. Architectural design that represents a deviation from “sameness”: one (1) point;
- v. Building orientation that relieves the monotony of building massing and scale along A-1-A: one (1) point;
- vi. Accessible pedestrian spaces that are integrated into public pedestrian spaces and corridors along A-1-A: one (1) to (3) points depending on the area of pedestrian area according to the following:
  - a. Up to five thousand (5,000) square feet of pedestrian area: one (1) point; and
  - b. Greater than five thousand (5,000) square feet of pedestrian area: one-tenth (0.1) point for each additional two thousand (2,000) square feet of pedestrian area above five thousand (5,000) square feet up to a maximum of two (2) points;
- vii. Distinctive public facilities that contribute to the destination resort character of the central beach area including plazas, courtyards and parks: one-tenth (0.1) point for each one thousand (1,000) square feet of distinctive public facilities up to a maximum of two (2) points;
- viii. Lot aggregation; one-tenth (0.1) point for each one thousand (1,000) square feet of land area proposed for development above twenty-five thousand (25,000) square feet up to a maximum of two (2) points; and
- ix. Consolidation of previously parcelized land; five-tenths (0.5) point for each five thousand (5,000) square feet of land that is assembled into the parcel of land proposed for development up to a maximum of two (2) points.

For a 10% increase in the required floor area ratio, the proposed development must have

a rating of at least five (7) points on the design compatibility and community character scale. The applicant has provided a response to points: i, ii, iii, iv, v, vi, vii, viii and ix for a total of 10.6 points met.

Pursuant to ULDR Section 47-12.5.B.8, the maximum length of a structure shall be 200 feet. However, a greater dimension of a structure in the east/west direction only for the portion of a structure up to 55 feet in height may be approved pursuant to a Site Plan Level IV review and only if the structure does not exceed 250 feet in height. The addition of the glass ballroom structure located between the two existing structures increases the length of the Project to 320' -2". The request satisfies the criteria for increasing the length as the new ballroom structure is not greater than 55 feet in height and the overall height of the Project does not exceed 250 feet (height of structure is 245 feet).

**Request for Application of Prior Zoning Regulation**

On May 1, 2001, the ULDR was amended to require parking garages be included in FAR calculations for nonresidential buildings east of the Intracoastal Waterway. The inclusion of the subject building's parking garage would now exceed the current permitted maximum FAR. Therefore, pursuant to ULDR Section 47-26.A.1.I, the Applicant is making a Request for Application of Prior Zoning Regulation to increase the FAR and use the bonus points to comply with the ULDR regulations at the time the Trump was approved on March 15, 2001. This provision allows an applicant to make a change to an approved development, which does not comply with a new zoning regulation and was not considered as part of the approved request, if it is considered as a new request, reviewed pursuant to Section 47-26.A.1, and subject to the provisions of a site plan level IV permit. Specifically, Section 47-26.A.I.I provides "a change to an approved development which is not permitted based on the application of a new zoning regulation which was not considered as part of an approved request shall be considered as a new request and reviewed in accordance with the provision of this section" [Section 47-26.A].

Building FAR	Proposed	Originally Approved
With Garage	6.4	6.6
Without Garage	4.4	4.0

Because the base FAR was approved in 2001 without using any of the permitted bonus points on the Design Compatibility and Community Character Scale per ULDR Section 47-12.5.B.3 and 47-12.5.B.6, the request is being made to use the bonus points, based on the design and redesign of the project, that were available at the time the project was originally approved.

The applicant has submitted narratives regarding the project's compliance with Section

47-25.2, Adequacy Requirements, and Section 47-25.3, Neighborhood Compatibility Requirements, attached with the site plan and submittal material, to assist the Commission in determining if the proposal meets these criteria.

**Transportation & Mobility**

As per ULDR Sec. 47-20, Parking Requirements, a total of 376 parking spaces are required for the proposed uses, based on recently approved hotel and bar parking rates adopted for the Central Beach area, as follows:

181 hotel units @ 0.67 spaces per room	=	121
74 – one bedroom res. Unit @ 1.75 per unit	=	130
29 – two bedroom res. Units @ 2.0 per unit	=	58
Five – three bedroom res. Units @ 2.1 per unit	=	11
One – four bedroom res. Unit @ 2.2 per unit	=	2
A1A Restaurant – 6,200 square feet @		
1 per 114 square feet	=	54
Health Club – 2,964 square feet	=	not required
Ball Room & Meeting - 17,362 square feet	=	not required
Pool Deck Bar – 3,972 square feet	=	not required
<b>TOTAL:</b>		<b>376</b> parking spaces required
		<b>377</b> parking spaces provided

The pedestrian experience surrounding the building will be significantly enhanced by the addition of a café at the southwest corner, facing Windamar Street and Breakers Avenue, and accessed directly from the sidewalk. In addition, the rest of the Breakers Avenue façade will appear more animated by the addition of continuous, projecting canopies and the replacement of existing utility doors with louvered, wooden doors. Street trees will be added where possible along Windamar and Terramar Streets.

The pedestrian experience along A1A will be enhanced by the replacement of existing terraced planters with outdoor café/bar and restaurant spaces that will gently terrace eastward, significantly closer to A1A, creating a stronger connection between the building and the street and making better use of the existing, excessively wide sidewalk. A new, more inviting grand staircase will provide a welcoming pedestrian entrance from A1A and will include intersecting walkways accessing the café/bar and restaurant terraces.

Pedestrian access to the hotel, ballroom and meeting facilities from Windamar and Terramar Streets is proposed to be redesigned to provide more welcoming entrances.

Similarly, planters and water features at the Terramar entrance will be replaced by a single broad staircase flaring outward to the sidewalk. A vehicular drop off space will be added at the Terramar entrance, redistributing activity more equally between the north and south entrances, further enlivening the pedestrian experience.

According to the Traffic Statement provided by Tinter Traffic LLC (Exhibit 4), PM Peak Hour traffic expected to be generated by the proposed revisions to the development for the site will not exceed the volume of the development program as approved on the site. Since the proposed project will not generate more trips than the previously approved project, a traffic study is not required.

### **Conditions of Approval**

Should the City Commission approve the development, the following conditions are proposed:

1. If approved, the residential units are subject to School Board of Broward County public school concurrency review and mitigation. As applicable, applicant shall provide a student mitigation satisfaction letter from the Broward County School Board prior to Final DRC;
2. Applicant will be required to pay a Park Impact Fee for the proposed residential units prior to issuance of building permit in accordance with ULDR Sec. 47-38A.

### **Resource Impact**

There is no fiscal impact associated with this action

### **Strategic Connections**

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Here. We are an urban center and a vacationland in the heart of South Florida.*

Attachments:

Exhibit 1 – Site Plan and narratives

Exhibit 2 – Staff Report from the January 15, 2014 Planning and Zoning Board Meeting

Exhibit 3 – Draft Minutes from the January 15, 2014 Planning and Zoning Board Meeting

Exhibit 4 – Traffic Statement

Exhibit 5 – Ordinance

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