



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

#24-1181

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

FROM: Susan Grant, Acting City Manager

DATE: January 7, 2025

TITLE: Resolution Amending a Site Plan Level IV Approval for an Increase in Height from 123 feet, 5 inches to 149 feet, 2 inches, Conditional Use Request for a Mixed-Use Development Over 10,000 Square Feet in the Community Business District Consisting of an 81-Room Hotel, 5,330 Square Feet of Retail Use, with Allocation of 17 Multifamily Residential Flexibility Units, and a Parking Reduction – 1007 E. Las Olas Boulevard – Las Olas Hospitality Group LLC – Case No. UDP-A24025 – (**Commission District 4**)

Recommendation

Staff recommends the City Commission consider a resolution to amend a previously approved Site Plan Level IV development (Case Number was PLN-SITE-20080001) and approve an increase in height from 123 feet, 5 inches to 149 feet, 2 inches, a conditional use request for a mixed-use development over 10,000 square feet in the Community Business District consisting of an 81-Room Hotel, 5,330 square feet of retail use with allocation of 17 multifamily residential flexibility units, and a parking reduction for the mixed-use development located at 1007 E. Las Olas Boulevard. A previously approved amendment was processed under Administrative Review Application Case Number UDP-A21066, and the subject new Administrative Review Application Case Number is UDP-A21066.

Background

The applicant, Las Olas Hospitality Group LLC, has requested modifications to the approved development plan. Proposed changes exceed the authority of the Development Services Department to approve amendments, and the modifications must be considered by the City Commission, which approved the original development permit. The subject site is located at the northwest corner of East Las Olas Boulevard and Southeast 10th Terrace is currently under construction with the previously approved project. The location map is attached as Exhibit 1.

The City Commission adopted Ordinance C-21-16 on May 18, 2021, rezoning a portion of the site from Exclusive Parking (XP) District to Community Business (CB) District through the allocation of commercial flex and approving the site plan for the construction

of a 120,427 square-foot, 138-room hotel with 5,698 square feet of ground-level retail space and underground parking with an associated parking reduction. Also approved for the project under a separate process was a vacation of a right-of-way adopted under Ordinance No. C-21-18. Both ordinances are attached as Exhibit 2.

Amendments under Case No. UDP-A21066 included increase in building height from 116 feet, 8 inches to 123 feet, 5 inches, an increase in gross floor area of the building from 120,427 square feet to 133,929 square feet, minor exterior façade changes, and an offsite parking agreement, which were approved by the City Commission on May 17, 2022. The associated Resolution 22-108 is attached as Exhibit 3.

The currently proposed project was reviewed by the Development Review Committee (DRC) on May 16, 2024. The Planning and Zoning Board (PZB) reviewed the application on November 20, 2024, and recommended approval of the rezoning and the associated site plan by a vote of 8-0, subject to staff conditions. The Planning and Zoning Board Staff Report and Meeting Minutes are attached as Exhibit 4.

Modifications included in the Administrative Review Application exceed the allowed five percent for the Department to approve administratively. These changes include the following:

- Additional height to change from the previously amended height of 123 feet, 5 inches to 149 feet, 2 inches (20 percent change); and

Additional changes to the project include the following:

- Conditional Use Request for a Mixed-Use Development over 10,000 square feet in the Community Business District;
- Allocation of 17 multifamily residential flexibility units;
- Amendment to a previously approved parking reduction to provide 74 parking spaces out of the 138 required parking spaces;
- Reduction in the number of hotel rooms from 138-rooms to 81-rooms;
- Minor exterior façade changes including additional glazing and balconies on the east elevation.

Application and Narratives are attached as Exhibit 5. The DRC Comment Report and Responses are attached as Exhibit 6. An updated Water and Sewer Capacity Letter is attached as Exhibit 7. The site plan comparison package is attached as Exhibit 8.

Due to the change in total number of hotel units and the addition of the residential units, the total number of required parking spaces has also increased.

Mixed Use Requirements

Pursuant to ULDR Section 47-18.21, states that mixed-use development (MXU) may be permitted consistent with the provisions in the City's land use plan and meet certain site design requirements. The subject site contains split land use designations of commercial and medium high residential, which permits mixed use development with the allocation of

residential flex units. The density limitation for allocating flex units is 50 units per acre where the applicant is requesting a density of 38 units per acre.

In addition, mixed use development may be permitted in the same building with retail sales or services provided on the ground level, which is provided in this project. In addition, there are open space requirements that are based on number of residential units which exceeds the requirement and provides ample open space on the ground level with additional open space provided on both the second and twelfth levels.

Conditional Use Requirements

As a mixed-use development that is over 10,000 square feet within a Community Business District, a request for conditional use is included in this application. Pursuant to ULDR Section 47-24.3, Conditional Use Permit Requirements, which includes consideration of neighborhood compatibility and traffic impacts. In addition, the applicant must show and it must be found by the reviewing body that the following criteria found within the same ULDR Section 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 to the City's Comprehensive Plan in that the northern portion of the property has an underlying land use of Medium-High Residential, which provides for residential up to 25 units per acre as well as other permitted uses such as hotels, lodging, parks, community facilities, and office and retail subject to allocation of commercial flex. The southern parcel is also compatible with an underlying land use of Commercial, which provides for multiple permitted uses including hotel and retail with the option to allocate residential flex units. 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 property will be enhanced streetscape improvements, new sidewalk separating the pedestrian from vehicular traffic, and other safety measures.

- 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 property will be enhanced by removing the previous surface parking lot on the north side of the parcel and replacing it with streetscape improvements and new sidewalk, defined access points, and a compatible use. A one-story structure that was previously located on the south side of the parcel has been demolished. A significant building setback has been incorporated into the south facing portion of the property to reduce the appearance of the building along the public realm of Las Olas Boulevard. In addition, all proposed parking will be underground in a parking

structure thereby minimizing the visual impact of surface parking, which exists today.

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

As designed, the proposed development does not impact the character of the zoning district or surrounding area. The area to the north, west, and east is zoned RMM-25 which allows for medium-high density residential. The area immediately to the south is zoned B-1 (Boulevard Business) which allows for mixed-use developments including hotel, restaurant, and retail. Similar to adjacent zoning districts and the existing built character of such districts, the proposed development contains residential, hotel, restaurant, and retail.

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

The proposed development does not adversely impact the health, safety and welfare of adjacent properties. Proposed improvements include enhancing the site with a new building, safe and efficient site lighting, landscaping, and overall aesthetic site improvements.

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. Water and wastewater is serviced by the City of Fort Lauderdale and a capacity letter was issued by the City's Public Works Department which identified the plant facilities, pump station and associated infrastructure servicing this project and the project's impact on capacity. The letter indicates that there is sufficient capacity for both water and wastewater to service the project. The City's capacity letter is attached as Exhibit 7.

The property fronts East Las Olas Boulevard at the corner of SE 10th Terrace. The proposed use is compatible with the surrounding area, but its scale and massing are greater than properties in the immediate vicinity. Within the B-1 and CB Zoning Districts, maximum permitted height is 150 feet, and the proposed increased height is from 149 feet, 2 inches (12 floors) previously approved at 123 feet, 5 inches (10 floors). Properties to the north are a mixture of medium to high density residential. Properties directly to the east and west are currently used as parking lots. Properties to the south include a mixture of commercial uses. Commercial uses in the area range from restaurants and general retail to office space and a hotel. The overall building height is 149 feet, 2 inches to the top of the roof slab and 160 feet, 8 inches to the top of the mechanical screening.

Flexibility Rules

Pursuant to ULDR Section 47-28.3.D., for the allocation of residential flex units on commercial or employment center land use designated parcels, applicants must demonstrate that the proposed use is consistent with the City's Comprehensive Plan Goals, Objectives and Policies. The proposed project is consistent with the Future Land

Use Element, Goal 1, Objective FLU 1.2, Utilization of Flexibility Rules, which permits the use of flex units to facilitate development based upon changing conditions; and Policy FLU 2.3.1, which promotes the creation of the urban form through Mixed use residential development, which creates well integrated land use combinations, balances intensity and density, and promotes the safe, interconnectivity of vehicular, pedestrian and other non-motorized movement. Furthermore, the project must meet the provisions of Section 47-18.21, mixed use development requirements, which were previously discussed herein.

Parking and Transportation

Vehicular ingress to the site is located from SE 2nd Court and vehicular egress is located on SE 10th Terrace. Site access can also be gained from the alleyway that runs through the center of the site with traffic traveling from west to east. The applicant proposes to change certain uses in the development program which result in a different traffic analysis review and different parking reduction than granted by the Planning and Zoning Board for the original DRC Case No. PLN-SITE-20080001.

The applicant submitted a Trip Generation Statement, prepared by the applicant's consultant DC Engineers, Inc., dated August 4, 2024, identifying that the amended project will generate 385 net new vehicle trips per day including approximately 48 AM peak trips and 24 PM peak trips. Internal capture is expected between complementary land uses within a multi-use project and are those vehicle trip ends that can be satisfied onsite without impact to the adjacent roadway network.

As part of this application, the applicant is proposing a parking reduction based on ULDR Section, 47-20-3.A.5, Parking Reduction Criteria. More specifically Section 47-20.3.A.5.b, states that the use, site, structure or any combination of same, characteristics which support a determination that the need for parking for the development is less than that required by the ULDR for similar uses.

The required parking per the ULDR would result in 138 required spaces and the applicant is proposing to provide a total of 74 spaces, which is a 54% reduction. Since this property contains residential units which cannot be included in a parking reduction, the applicant is requesting a parking reduction for the 83 required parking spaces for the commercial/retail/hotel uses and is proposing to provide 37 spaces, which is a 45% reduction.

The Trip Generation Statement is attached as Exhibit 8 and the Parking Statement is attached as Exhibit 9. The City's Traffic Engineer has reviewed and accepted the analysis included in these documents providing the condition that if the parking reduction is approved, an amended parking reduction order is required. Two additional conditions of approval were included in the previously approved project related to the parking reduction request related to the mitigation of the removal of metered parking spaces and the relocation of the BCycle station that are still applicable.

Comprehensive Plan Consistency

The proposed development plan supports the City's Comprehensive Plan, specifically furthering 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.

Furthermore, the proposed use is consistent with the City's Comprehensive Plan Goals, Objectives and Policies, including the Future Land Use Element, Goal 1, Objective 1.36, Use of Flexibility and Irregular Density Provision, which permits the use of flex units to facilitate development based upon changing conditions; and Objective 1.38, Economic Development, which states the support of a diverse economy.

The City's Future Land Use Map indicates that the subject property has split land use consisting of Commercial and Residential High designations. In the previous approval under DRC Case No. PLN-SITE-20080001, .18 acres of commercial flex was applied on the residential land use portion of the site permitting the hotel use on this parcel. In order to permit residential units on the subject property, the allocation of flex units is required per the City's Comprehensive Plan. Recently expired projects that were allocated flex units are now available for allocation. Flex units are allocated per the City's Unified Flex Zone Map which identifies properties within the flex receiving area. The subject property is located within the Unified Flex Zone and is eligible for the requested 17 flex units.

Conditions of 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 Engineer, 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. This condition must be met prior to the issuance of a final certificate of occupancy.

5. Per the City’s Transportation Engineer, 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 likekind-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. This condition must be met prior to applying for a building permit.
6. Per the City’s Engineering Reviewer, prior to Final DRC Sign-off, the Alley Vacation-Case No. PLN-VAC-20080001 must obtain approval from the 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, Southeast 10th Terrace and South East 2nd 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.
10. City’s Transportation Engineer, all sidewalks along the site must be completely ADA compliant.

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

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

- Business Growth and Support
- Goal 6: Build a diverse and attractive economy
- Key Performance Measure: Percent of tourism tax generated by Fort Lauderdale

- Key Performance Measure: Number of active retail properties (retail/restaurant)

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 compatible uses.
- 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 – Ordinance No. C-21-16 and Ordinance No. C-21-18

Exhibit 3 – Resolution No. 22-108

Exhibit 4 – November 20, 2024, Planning and Zoning Board Staff Report and Minutes

Exhibit 5 – Application and Project Narratives

Exhibit 6 – DRC Comment Report and Responses

Exhibit 7 – Water and Sewer Capacity Letter

Exhibit 8 – Site Plan Package

Exhibit 9 – Parking Statement

Exhibit 10 – Trip Generation Statement

Exhibit 11 – Resolution Approving

Exhibit 12 – Resolution Denying

Prepared by: Trisha Logan, AICP, Development Services Department

Acting Department Director: Alfred G. Battle, Jr., Development Services Department