

REQUEST: Site Plan Level III Review; 45-unit multi-family residential development with Yard Modifications; Waterway Use; Conditional Use.

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|------------------------------------|--|-------------------|
| Case Number | R14033 | |
| Applicant | 920 Intracoastal Inc. | |
| General Location | West side of Intracoastal at 920 Intracoastal Drive | |
| Property Size | 33,122 square feet / .76 acres | |
| Zoning | Residential Multifamily 60 units/acre (RMH-60) | |
| Existing Use | 2-story multi-family residential building | |
| Future Land Use Designation | High | |
| Applicable ULDR Sections | 47-23.8 Waterway Use 47-23.11 Modification of Required Yards 47-24.3 Conditional Use 47-25.2 Adequacy Requirements 47-25.3 Neighborhood Compatibility Requirements | |
| | Required | Proposed |
| Building Height | 150' maximum * | 227' / 20 stories |
| Structure Length | No maximum | 160' |
| Parking | 94.5 spaces | 95 spaces |
| Setbacks / Yards | Required | Proposed |
| Front | 227'/2 = 113'-6" | 6'-6" |
| Side (N) | 227'/2 = 113'-6" | 20' |
| Side (S) | 227'/2 = 113'-6" | 20' |
| Setback from Intracoastal | 20' minimum | 20' |
| Notification Requirements | Sign Notice 15 days prior to meeting | |
| Action Required | Approve, Approve with Conditions, or Deny | |
| Project Planner | Randall Robinson, Planner II | |

* Conditional use approval required for heights greater than 150 feet, up to 300 feet.

PROJECT DESCRIPTION:

The applicant proposes to construct a residential project consisting of forty-five (45) multifamily units, located on the west side of the Intracoastal Waterway at 920 Intracoastal Drive. The development consists of a twenty-story (227-foot) structure, which includes parking on the second, third and fourth floors and residential units on the remaining floors above. The applicant is requesting 20-foot side yard setbacks and a 6'-6" front yard setback as part of the request.

PRIOR REVIEWS:

The Development Review Committee reviewed the proposal on July 8, 2014. All comments have been addressed. The project was presented to the Historic Preservation Board on August, 4, 2014, as an informational item due to its proximity to the Bonnet House property. There were no significant issues raised by the Board. The Historic Preservation Board Meeting minutes are attached as Exhibit 1.

REVIEW CRITERIA:

Conditional Use:

The proposed tower is 227' in height. Developments in the RMH-60 zoning district greater than 150' up to 300' in height are subject to a Conditional Use permit.

The following review criteria shall be applied in considering an application for a conditional use permit:

1. Impact on abutting properties as evaluated under the Neighborhood Compatibility Requirements, Sec. 47-25.3

Please refer to the Adequacy & Neighborhood Compatibility Section below for 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.

With a net increase of 29 units from what currently exists in the 2-story multi-family residential development on the site, the project will have limited impacts on the overall traffic generation as the area roadway network can adequately serve the additional trips generated by the project per the applicant's traffic analysis. A Traffic Impact Statement, dated August 2014 (provided as Exhibit 2) and prepared by Cathy Sweetapple & Associates concluded that, based on the proposed use, the daily project trips fall below the threshold requiring a separate traffic impact study.

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;
 - b. Off-site or on-site conditions exist which reduce any impact of permitting the use or structure;
 - 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;
 - 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;
 - e. There are no adverse impacts of the use which affect the health, safety and welfare of adjacent properties.

The property is located in the RMH-60 zoning district with a Residential-High land use designation and is adjacent to other higher-density residential and hotel uses, and flanked by high-rise buildings to its north and south along the Intracoastal Waterway. Multi-family residential development is a permitted use and is generally compatible with other existing waterfront high-rise developments along the Intracoastal Waterway.

In comparison to other adjacent high-rise developments, including the *Corinthian* and *Double Tree* projects, the building mass and scale is less with a floor plate size of 9,994 square feet resulting in less overall impact on shadows, light and air, and creating a transitional infill redevelopment in the existing context of the built environment and surroundings.

The overall public realm experience at the ground level will be significantly improved over the existing environment. Perpendicular parking will be eliminated in favor of a 5-foot wide sidewalk lined with canopy trees and landscaping, reducing the amount of asphalt and improving pedestrian connectivity. The lobby entry provides for a presence at the street level. The project's trash and service facility will be fully-enclosed within the building.

The applicant has provided a narrative, included with each set of plans, addressing the criteria of *Section 47-24.3, Conditional Use*. A conditional use permit shall not take effect nor shall a building permit be issued until thirty (30) days after approval, and only if no motion is adopted by the City Commission seeking to review the application.

Modification of Required Yards:

Pursuant to ULDR Section 47-23.11, the Planning and Zoning Board shall consider a request to modify the required yards as specified in the Table of Dimensional requirements within the RMH-60 residential zoning district, and may change such minimum yard requirements, provided that the following additional criteria for such approval are met:

1. By adjusting the location of the structure on the site, an architectural and/or engineering study can graphically prove that a superior site development as relating to shadows will result from such adjustment; or

2. By adjusting the location of the structure on the site when the site abuts the Intracoastal Waterway or other permanent public open space, land or water and it is found that allowing a reduction is compatible with adjacent properties, as defined in this section; or
3. By adjustment of yards it is found that:
 - a. There is continuity of yards between the proposed development and adjacent properties; and
 - b. There is continuity of architectural features with adjacent properties which encourages public pedestrian interaction between the proposed development and the public street; or instead of subsections A.3.a and b, it is found that;
 - c. There is continuity of architectural features with adjacent properties. Architectural features include but are not limited to those listed in subsection A.3.e; and
 - d. There is continuity of urban scale with adjacent properties. Urban scale includes height, proximity to street front and relationship of building size to the lot size;
 - e. In addition to the reduction in minimum yards meeting subsections A.3.a and b or subsections A.3.c and d, the development includes a minimum of four (4) of the following architectural features: Terracing; variation in rooflines; cantilevering; angling; balconies; arcades; uniform cornice heights; color and material banding; building mass changes; courtyards; plazas and landscaped areas which encourage pedestrian interaction between the development site and a public street.
4. In addition to subsection A.1, 2, or 3 the following shall be met:
 - a. The applicable minimums pertaining to all other zoning requirements applicable to the development are met.
 - b. A structure with a required yard proposed to be modified that is located on a development site abutting or separated only by a right-of-way from the Intracoastal Waterway or other permanent public open space, land or water shall not cast a shadow that exceeds fifty percent (50%) of such public water or land area at any time between the hours of 9:00 a.m. and 5:00 p.m. on March 21 (vernal equinox). For sites along the Atlantic Ocean, the public area subject to review shall be the sandy beach westward of the mean high water line as defined in Section 47-2, Measurements. The public open space, land or water as described in this section shall be measured by extending a line from the points where the property lines intersect at the corners of the development site abutting the public area or separated from the area by a right-of-way, and extending those lines across the public area perpendicular to the development site.
 - c. That the intent and spirit of the dimensional regulations, of the applicable district concerning yards as relating to air, light and shadow is maintained.

Aquablu Tower is generally compatible with adjacent properties along the Intracoastal Waterway in terms of building mass and scale including height, setbacks and overall volume and has greater side and rear setbacks than the adjacent condominium directly to its north. The building provides additional setback above the parking pedestal. There is continuity of yards between the proposed project and adjacent properties. The side and rear yards of the project are 20 feet. The pedestal is set back 25 feet from the front property line. The project includes a sidewalk, landscaping and pedestrian amenities that encourage interaction between the project and the street.

There is continuity of architectural features with adjacent properties. The adjacent buildings include other residential towers abutting the Intracoastal Waterway. Architectural features of the project include a sculptural entry canopy, curved balconies, colored eyebrows, decorative bronze screens and cantilevered roofs. There is also continuity of urban scale with the adjacent properties. The project is significantly smaller than the adjacent condominium to the north, and has a less imposing relationship to its lot and the Intracoastal Waterway, affording more light and air to the ground below and offering opportunities for views to the waterway.

The architectural features of the project include terracing at the 5th level, variations in balcony design and roof line, cantilevering of the roof, continuous balconies at each level, uniform cornice heights, architectural screening of the parking pedestal facing the Waterway, and landscaping in all yards that encourages pedestrian interaction along the street and Waterway.

Due to its tower design and broad setbacks the development does not cast a shadow that exceeds the centerline of the Intracoastal Waterway at any time between the hours of 9:00 a.m. and 5:00 p.m. on March 21 (vernal equinox), meeting the intent of the dimensional regulations of the RMH-60 zoning district concerning yards as relating to maintaining air, light and limiting shadow impacts.

Waterway Use:

Pursuant to ULDR Section 47-23.8, Waterway Use, developments abutting waterways shall be designed to preserve the character of the 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. This section also requires a twenty-foot (20') landscaped yard adjacent to the existing bulkhead line.

The Project preserves the character of the neighborhood through the addition of residential uses that will complement the residential and commercial uses in the immediate area. In addition, the site provides extensive landscaping around the perimeter and outdoor recreational areas along the waterway consistent with residential and hotel developments in the area. The project includes a 20 foot wide landscaped yard at the bulkhead line.

The project preserves views to the waterway by providing for sufficient side yard setbacks and incorporating landscaping improvements that afford light and air as well as views to the waterway. The project also incorporates ground level treatments and amenities that provide for transparency and views to the waterway.

Adequacy and Neighborhood Compatibility

The neighborhood compatibility criteria include performance standards requiring developments to be “compatible with, and preserve the character and integrity of adjacent neighborhoods... 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... These improvements or modifications may include, but shall not be limited to, the placement or orientation of buildings and entryways, parking areas, bufferyards, alteration of building mass, and the addition of landscaping, walls, or both, to ameliorate such impacts...”

The proposed use of the property as a residential development is generally compatible with the existing uses and pattern of development in the area. The neighborhood is characterized by residential uses consisting of a 23-story condominium to the north, a 16-story condominium and two-story multifamily buildings to the south, the Bonnet House property across the Intracoastal Waterway to the east and two-story multifamily buildings to the west. The buildings location along the block that borders the Intracoastal Waterway is directly in context of buildings with a similar mass and scale.

The project incorporates improvements that include parking accommodations in a fully-screened parking garage. Access to the building is from the north side driveway, while the south side driveway provides access for trash and other services. The building faces the street across a landscaped plaza, mitigating the scale at the pedestrian level. The rectilinear character of the tower relates to similar buildings in the existing context. The applicant proposes to install landscaping along the perimeter of the project to further enhance the area. The landscaping consists of a mixture of shade trees, palm trees and ground vegetation.

The project preserves views to the waterway by providing clear glass treatments and open spaces throughout the ground floor. Balconies and generous glass treatment help to reduce the impact of building mass and activate the building façade. Distinctive parking garage screens and other architectural features animate the building. A human-scaled vehicular drop-off area that also allows for pedestrian access is included, while trash disposal is fully internalized within the building. Proposed site improvements include enhancements to the streetscape with new sidewalks and street trees, creating a more inviting pedestrian experience where it does not currently exist.

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, also attached with the site plan and submittal material, to assist the Board in determining if the proposal meets these criteria.

Parking and Circulation

Vehicular ingress and egress to the site is provided from Intracoastal Drive. A total of 95 parking spaces are required for the proposed uses, as follows:

As per ULDR Sec. 47-20, Parking Requirements:

| | | | | | |
|---------------|----------|------------|---|-----------|-------------------------|
| Residential | | | | | |
| 3 bedroom | 2.1/unit | @ 45 units | = | 94.5 | |
| TOTAL: | | | | 95 | parking spaces required |

The applicant is proposing to provide 95 parking spaces. A one-way drive serves the drop off area in the front of the building. The project includes two five-foot wide walkways accessing the main entrance of the building to the sidewalk.

In the place of existing perpendicular parking, pedestrian improvements include a new 5-foot wide sidewalk and canopy trees. The vehicular drop-off lane is treated with specialty paving material to give the appearance of a pedestrian entry plaza when cars are not present. The walkways connecting the sidewalk to the entrance will be flush with the drop-off lane to further lessen the vehicular impact.

There is a net increase of 29 units from what currently exists in the 2-story multi-family residential development on the site, resulting in limited impacts on the overall traffic generation for the area roadway network. A Traffic Impact Statement, dated August 2014 (Exhibit 2) and prepared by Cathy Sweetapple & Associates concluded that, based on the proposed use, the daily project trips fall below the threshold requiring a separate traffic impact study, indicating that the existing street network can adequately serve the additional trips generated by the project.

Comprehensive Plan Consistency

The proposed development is consistent with the City's Comprehensive Plan in that the residential use and density proposed are allowed in the Residential-High land use category.

STAFF FINDINGS:

Staff recommends the Board approve this request with conditions as stated further below, and consistent with:

- ULDR Section 47-23.8, Waterway Use
- ULDR Section 47-23.11, Modification of Required Yards
- ULDR Section 47-24.3, Conditional Use
- ULDR Section 47-25.2, Adequacy Requirements
- ULDR Section 47-25.3, Neighborhood Compatibility Requirements

CONDITIONS OF APPROVAL:

Should the Planning and Zoning Board recommend approval of 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 approval.
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.

PLANNING & ZONING BOARD REVIEW OPTIONS:

If the Planning and Zoning Board determines that the proposed development or use 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 development or use, the issuance of the site plan level III permit.

If the Planning and Zoning Board determines that the proposed development or use does not meet the standards and requirements of the ULDR and criteria for the proposed development or use, the Planning and Zoning Board shall deny the site plan level III permit.

EXHIBITS:

1. Historic Preservation Board Meeting minutes, 8-4-14
2. Traffic Impact Statement, August 2014, Cathy Sweetapple & Associates